

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That Council approve and issue Development Permit Amendment DPA00852 on Lot 1, Section 8-A, Lake District, Plan VIP84197 (4396 West Saanich Road).”

In response to questions from Council, the Director of Planning stated:

- A subsequent memo will be prepared confirming if there is a non-rental clause.

The Motion was then Put and CARRIED

PUBLIC INPUT ON COUNCIL AGENDA ITEMS

Public Input on
Council Agenda
Items

1420-30
Arts, Culture &
Heritage Advisory
Committee

1790-20
Governance
Review

A. Beck, on behalf of the Quadra Cedar Hill Community Association (QCHCA) Arts, Culture & Heritage Advisory Committee – Arts Centre Sign at Cedar Hill Recreation Centre:

- The QCHCA would not support a name change; there has been no community consultation.
- The request is premature and should be part of the community consultation for the Parks Master Plan; the Community Association is not in favour of replacing “Cedar Hill” with “Saanich.
- There is already a Recreation Centre that has Saanich in its name; the word “Community” should be incorporated into the signage.
- Major expenses would be incurred if the name was changed; there may be more cost effective ways to promote the Arts Centre.
- A global vision is needed for the entire park.

H. Charania, Genevieve Road

Governance Review Citizens Advisory Committee (GRCAC) – Response to Call for Submissions

- The GRCAC will be holding a meeting this week specifically around the governance of the EDPA as a case study; it may not be appropriate for this item to be discussed until the consultant who will be reviewing the EDPA bylaw has been hired.

RECOMMENDATIONS FROM COMMITTEES

1790-20
Governance
Review

GOVERNANCE REVIEW CITIZENS ADVISORY COMMITTEE (GRCAC) – RESPONSE TO CALL FOR SUBMISSIONS

Recommendation from the October 12, 2016 Governance Review Citizens Advisory Committee that the GRCAC report to Council on the offer of the consulting contract to Sirius Strategic Solutions Ltd.

J. Schmuck, Chair, Governance Review Citizens Advisory Committee (GRCAC) presented to Council and highlighted:

- The consulting firm, Sirius Strategic Solutions Ltd. has been selected to support the work of the GRCAC; discussions have taken place with Sirius in relation to project progress, expectations, goals, developing a detailed work plan and public engagement; the Communication and Engagement Roadmap was a consideration in discussions.

- Meetings with key stakeholders will take place in November and December to solicit perspectives and ideas to assist the committee with shaping the broader public consultation process.
- The formal launch and press conference is scheduled for January 17, 2017 at 11:00 a.m. in the Kirby Room.
- The committee is finalizing the project budget and it will be presented to Council as part of the budget process; costs and considerations include the need for additional communication tools, administrative assistance, and printing resources.
- Committee meetings have been scheduled up until October, 2017 with the intent of providing a final report to Council in October, 2017.

In response to questions from Council, the Chair stated:

- The initial budget was \$100,000; approximately \$41,000 was expended in selecting committee members.
- Additional funding is required for administrative resources such as managing an email account and printing costs.
- Financial statements have not been posted yet.

Councillor Haynes stated:

- The work of the committee is appreciated.

Councillor Plant stated:

- The committee is to be thanked; it would be helpful if the GRCAC would provide an updated timeline.

In response to a question from Council, the Chief Administrative Officer stated:

- Once the consultant has finalized the work plan, it could be provided to Council.

In response to questions from Council, the Chair stated:

- The intent is to finalize the work plan at the next meeting and once finalized, it will be provided to Council and uploaded to the website; it may appear that the committee has not met timelines but there were difficulties navigating the procurement process.
- The consultant will facilitate small targeted focus sessions in the new year which will be by "invitation only"; the dates for the public meetings will be advertised on the website.

In response to questions from Council, the Chief Administrative Officer stated:

- There were a small number of committee meetings where the procurement process was discussed that were closed to the public in accordance with the *Community Charter*.
- Further discussion may be needed in relation to holding future closed meetings.

Councillor Plant stated:

- He would be interested in seeing an updated timeline.
- Council has taken an arm's length approach with the committee.
- It appears that the GRCAC may be doing the governance review rather than steering the process.

In response to questions from Council, the Chair stated:

- The GRCAC is reporting tonight that the consultant has been hired.
- The committee will be leading and participating in the Governance Review which will include helping draw up the work plan and assisting with public meetings; the consultant will facilitate the process.
- In the inaugural year, up to 10 meetings were held and up until the consultant was hired, the committee conducted and led the Governance Review process; 4-5 guest speakers were invited to present to the committee; an engagement plan has been prepared and the consultant will vet the plan.
- This is a committee of volunteers; the expenses are for the consultant and printing and advertising costs.
- The GRCAC is not investigating the EDPA process; the EDPA is regarded as one of the governance issues that Council deals with.
- Public engagement will commence in January, 2017; the committee was appointed to review governance in Saanich; members are using their collective best judgement to choose which issues will be reviewed.

Councillor Plant stated:

- He is concerned that the committee is doing work that should be done by the consultant and include public input.

In response to questions from Council, the Chief Administrative Officer stated:

- The Terms of Reference gives the committee the authority to select the consultant; the report is provided to Council as information only.
- The selection process was done on the basis of a proposal that included all the costs to do the work outlined in the Request for Proposal (RFP).
- There may be extra costs not included in the RFP and any additional funding would be approved by Council through the budget process; the GRCAC will present during the budget process and request funding to complete the work outlined in the work plan.

Mayor Atwell stated:

- It would be helpful to get more detail on the process thus far, costs incurred and additional funding that may be needed.

Councillor Derman stated:

- The work of the committee is appreciated; volunteers are critical to Saanich.
- A report should be provided to Council on how money has been spent and if additional money will be requested; Council has a fiduciary responsibility to report to the public.
- Having meetings targeting individual groups is not consistent with the Terms of Reference; if groups are asked by the consultant to present to the committee, it should be done at an open meeting.
- The intent of the GRCAC is to advise on process and how that might be improved; advising on policy is outside the mandate of the committee.

In response to questions from Council, the Chair stated:

- The consultant takes direction from the committee; the committee is taking guidance from the consultant to lead an effective process.
- It would not be expected that the public would be contacting the consultant.
- Staff have been providing guidance on the legislation for holding closed meetings.

Councillor Haynes stated:

- Some policies may fall under the mandate of the GRCAC.

In response to questions from Council, the Chief Administrative Officer stated:

- Further discussion would be needed in relation to holding targeted meetings; targeted meetings may not be dissimilar to a consultant-led facilitation session.
- It is necessary to ensure the legislative requirements are followed in relation to holding closed meetings.

In response to questions from Council, the Chair stated:

- If permitted under legislation, only members of the targeted groups would be in attendance at the facilitated sessions.

Councillor Brice stated:

- The committee is to be thanked for their work; she hopes that issues such as the principles of governance, who makes decisions, and how decisions are made would be considered by the committee.
- The GRCAC should give guidance on governance as a whole, not on any particular issue.
- Staff should keep Council apprised of costs.

Councillor Murdock stated:

- The work of the committee is appreciated; the committee was empowered to make the decision on selecting the consultant.
- Council and the public would benefit from seeing the work plan; there is interest in seeing the process and the final product.

Mayor Atwell stated:

- The committee should be commended for the work done; there is concern that the committee may be delving into issues that are outside their mandate.
- A higher level review is appropriate.

In response to questions from Council, the Chair stated :

- The work plan is 95% complete but needs to be approved by the full committee; it will then be provided to Council.
- There is no road map for the committee; members are using their own best judgment and collective experience.
- The length of time that it took to select a consultant was frustrating.

MOVED by Councillor Haynes and Seconded by Councillor Brice: “That the report of the Governance Review Citizens Advisory Committee dated October 13, 2016, be received with thanks.

CARRIED

MOVED by Councillor Plant and Seconded by Councillor Murdock: “That Council direct the Chief Administrative Officer to support the work of the Governance Review Citizens Advisory Committee, and that the Governance Review Citizens Advisory Committee provide Council with updates every two months.”

Councillor Plant stated:

- The wording of the ballot opinion question was “do you support Council initiating a community based review of the governance structure and policies within Saanich and our relationships within the region”; Council has taken a “hands off” approach, which may make it difficult at times for the committee to proceed.
- The motion would mean that the CAO would provide support and guidance, and may result in a more actionable report.
- Providing Council with updates would be appreciated; Council wants to ensure the committee is successful.

In response to questions from Council, the Chief Administrative Officer stated:

- It was the intention that the process remain “hands off” at the political and staff levels and that it be a community-led process.
- He has acted in a supportive role to the committee.
- The motion may mean that there is a level of conflict of interest; the community may not be comfortable with him being at meetings because of the perception of “guiding”.

Councillor Wergeland stated:

- It is important to maintain a “hands off” approach; a written report from the committee may be sufficient.

Councillor Haynes stated:

- The process should remain “hands off”.

In response to questions from Council, the Chair stated:

- The committee has traction and a consultant has been hired; the Chief Administrative Officer could attend meetings if he chooses to, but it is not required.

Councillor Derman stated:

- Directing the CAO to support the work may give the perception that staff are running the process; the CAO could provide advice when asked for it.
- Asking the committee to provide updates every two months may be too often.

Councillor Murdock stated:

- It may not be appropriate to give direction for the CAO to support the process; the consultant will be the key element of support.
- There is no need to formalize the working relationship between the committee and the CAO; getting an update every two months is supportable.

Councillor Brownoff stated:

- It is not necessary to formalize the support of the CAO.
- It will be critical to get an update after the November meeting and before the launch in January.
- There is a need to be open and transparent in relation to finances.

Councillor Sanders stated:

- A “hands off” approach should be maintained; the CAO would be available to provide assistance, if required.

Mayor Atwell stated:

- The intention was to have a “hands off” approach; support could be coordinated if the committee requires it.
- It should be up to the GRCAC on how they wish to report; the committee needs to be citizen-led.
- There is a need for more detail in relation to expenses.

**The Motion was then Put and DEFEATED
With Mayor Atwell and Councillors Brice, Brownoff, Derman, Haynes,
Murdock, Sanders, and Wergeland OPPOSED**

1420-30

Arts, Culture &
Heritage Advisory
Committee

**ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE –
CELEBRATING CANADA’S 150 SESQUICENTENNIAL – COMMUNITY
LEADERS**

Recommendation from the October 27, 2016 Arts, Culture and Heritage Advisory Committee meeting that Council nominate the individuals identified in the report as Saanich’s Federation of Canadian Municipalities Canada 150 Community Leaders.

Councillor Sanders stated:

- The Federation of Canadian Municipalities (FCM) has requested nominations of individuals to help coordinate events and to serve as local representatives as part of the Canada 150 Leadership Network.
- The nominees are community leaders who represent the multiculturalism and diversity of Saanich.

**MOVED by Councillor Sanders and Seconded by Councillor Haynes:
“That Council nominate Vicki Sanders, Lyris Agarat, Michelle Sealey, and
Bill Williamson as Saanich’s Federation of Canadian Municipalities (FCM)
Canada 150 Community Leaders.”**

In response to questions from Council, Councillor Sanders stated:

- If the Advisory Committee Chairs change in the new year, she would remain as one of the Canada 150 Community Leaders.
- Saanich can nominate one or more individuals.
- The nominees are all part of the working group of the Arts, Culture and Heritage Advisory Committee and are already invested in the project.

The Motion was then Put and CARRIED

1420-30

Arts, Culture &
Heritage Advisory
Committee

**ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE – ARTS
CENTRE SIGN AT CEDAR HILL RECREATION CENTRE**

Recommendation from the October 27, 2016 Arts, Culture and Heritage Advisory Committee meeting that Council consider signage that reflects the activities at the Cedar Hill Recreation Centre, and that the name of the facility be changed to the Saanich Arts and Recreation Centre.

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That the recommendation of the Arts, Culture and Heritage Advisory Committee in relation to signage and renaming the Cedar Hill Recreation Centre, be referred to the Cedar Hill Park Scoping and Planning Project.”

Councillor Sanders stated:

- Residents in the region are unaware where the Art Centre is located; signage at other recreational facilities should be examined.

Councillor Brownoff stated:

- Signage at recreational facilities should be reviewed; this facility is a community centre as well.
- Signage should be standardized and consistent; it may be appropriate to rename the facilities as “recreation community centres”.

Councillor Haynes stated:

- More research is needed and community consultation should be included; potential costs for re-signing should be included in the report.
- A better analysis and more fulsome debate may take place during the planning project.

Councillor Derman stated:

- The planning project may look at how the Art Centre is being promoted.

Councillor Plant stated:

- Referring the item to the planning project is supportable; the community wants to be involved in discussions.

Councillor Derman stated:

- The Quadra Cedar Hill Community Association will be participating in the planning project and will be able to provide input at that time; it would be appropriate to examine what could be done to further promote the Arts Centre.

Councillor Brice stated:

- It is appropriate to refer the item to the planning project; the issue of signage at the other Recreation Centres should be examined as part of the project.

Councillor Sanders stated:

- Saanich promotes programs that the Recreation Centres offer through the Active Living Guide; the Arts Centre should also be promoted.
- The Arts Centre is looking at a complete signage package.

Councillor Wergeland stated:

- There are amazing programs at each Recreation Centre; there may not be a need to change signage to promote awareness of a specific program.
- There may be other means of promoting the Arts Centre.

Councillor Haynes stated:

- The planning project may generate ideas on how to better attract the Arts Community.

- In response to questions from Council, the Chief Administrative Officer stated:
- The Parks Management Plan is specifically for the park; it would not address specific programming or promotion of programmes at the Recreation Centres.
 - Discussions on signage could be included in the park planning process.

Mayor Atwell stated:

- The Community Association should be able to participate in discussions in relation to the Recreation Centre; the Public Participation Framework needs to be adhered to.

The Motion was then Put and CARRIED

Adjournment On a motion from Councillor Plant, the meeting adjourned at 8:35 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH
 MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
 HELD IN THE COUNCIL CHAMBERS
 SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, NOVEMBER 14, 2016 AT 8:37 P.M.

Present: **Chair:** Mayor Atwell
Council: Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Paul Thorkelsson, Chief Administrative Officer; Sharon Hvozdzanski, Director of Planning; Harley Machielse, Director of Engineering; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

Motion: **MOVED by Councillor Brice and Seconded by Councillor Wergeland: “That the agenda be amended to allow item 3 – 4573 Prospect Lake Road be considered first.”**

CARRIED

1410-04 **4573 PROSPECT LAKE ROAD – COVENANT AMENDMENT**
 Report – Report of the Director of Planning dated October 28, 2016 recommending that
 Planning Council discharge Restrictive Covenant K75432, and that the discharge of the
 covenant be withheld pending registration of a new covenant to protect a key area
 xref: 2830-40 of environmental significance as outlined in the report.
 Prospect Lake
 Road

APPLICANT:

J. Richardson, presented to Council and highlighted:

- The applicant is mandated to sell the property within four years of the owners' death; the existing covenant does not allow renovations of the existing house and makes it difficult to sell the property.
- There is a commitment to register a new covenant in order to protect a key area of environmental significance; building would be restricted in that area.

PUBLIC INPUT:

Nil

COUNCIL DELIBERATIONS:**Motion:**

MOVED by Councillor Haynes and Seconded by Councillor Brownoff: "That it be recommended that:

- 1. Restrictive Covenant No. K75432 be discharged; and**
- 2. The discharge of Restrictive Covenant No. K75432 be withheld pending registration of a new covenant to allow the siting of a dwelling anywhere on the property (subject to required setbacks under the A-2 zone), except for the area as shown in Figure 3 (delineated in a reference plan to be provided by the applicant's surveyor) be registered on title."**

Councillor Haynes stated:

- The Prospect Lake Community Association supports the application; he is pleased that the new covenant will protect the environmentally sensitive area.

Councillor Brownoff stated:

- The willingness of the applicant to register a covenant to protect the environmentally sensitive area is appreciated.

The Motion was then Put and CARRIED

1410-04
Report -
Planning

xref: 2870-30
Doumac Avenue

986 & 990 DOUMAC AVENUE – DEVELOPMENT PERMIT AND REZONING APPLICATION

Report of the Director of Planning dated October 11, 2016 recommending that Council amend the Zoning Bylaw to add a new RA-VC (Apartment-Village Centre) zone; rezone the property from RS-18 (Single Family Dwelling) zone to RA-VC (Apartment-Village Centre) zone; approve Development Permit DPR00640 to construct a four-storey, 25 unit strata titled apartment project with underground parking; and that Final Reading of the Zoning Amendment Bylaw be withheld pending registration of a covenant to secure the items as outlined in the report. A Form and Character Development Permit is also required.

In response to questions from Council, the Director of Planning stated:

- Saanich Transportation Fund contributions go towards transportation initiatives in Saanich, such as accelerated bus shelter programs, extra bike parking or the addition of benches; when there are sufficient funds available, Council could give direction on where to direct the Saanich-wide funds.

- Accounting for a portion of the green roof as a community contribution was a proposal made by the applicant.
- The installation of a green roof could potentially be viewed as a community amenity in relation to residents living upland who would overlook the roof and/or it could be viewed as supporting progress towards making buildings more green.

APPLICANT:

M. Dalton, Citta Group, presented to Council and highlighted:

- Two neighbourhood meetings and a presentation to the Cordova Bay Community Association were held; comments from the meetings were incorporated into the plans, wherever possible.
- Four-storeys are appropriate for the neighbourhood; front facing townhomes, the addition of landscaping, green edge design and the use of various materials and textures help to create a village feel.
- A green roof will be installed on the 3rd and 4th floors; one additional parking stall beyond the minimum requirement would be available.
- To address traffic safety concerns, a pull out and left hand turn was incorporated into the plan; the proposed building will be designated as non-smoking.
- Exploratory trenching has been done and construction would not impact the trees on the adjacent properties.
- Trellises have been redesigned and scaled back; Crime Prevention Through Environmental Design standards have been incorporated into the design.
- A shadow study was completed and concerns would be mitigated through the step design of the building.
- There is a commitment to BUILT GREEN® Gold and the installation of sustainable features such as low flow fixtures, efficient irrigation, heat pumps, and occupancy sensors for lighting; electric car chargers, bike storage and a bike wash would also be installed.
- Recycling would be located at the parkade level.

In response to questions, the applicant stated:

- He would consider registering a covenant for the sustainable features.
- A green roof is a benefit and has value for residents living in the building; the Official Community Plan notes green roofs as community amenities.
- A green roof may manage storm water better than permeable pavers; it would be visible to residents and neighbours who live up hill from the property.
- Balconies have been oriented east-west to alleviate privacy concerns of neighbours; there will also be screening at the property line.
- A Traffic Demand Management study was not completed.

In response to questions from Council, the Director of Engineering stated:

- The contribution for a left turn on Cordova Bay Road may alleviate concerns; it would be built when a sufficient amount of development on Doumac Road has occurred.

PUBLIC INPUT:

C. Millard, Sunnymead Way, stated:

- The size and height of the proposed development is not supportable; it does not fit within the character of the neighbourhood.
- Development should blend in with the surrounding neighbourhood.

J. Ball, Cordova Bay Road, stated:

- There are concerns with increased traffic noise, speed and congestion on Cordova Bay Road; the proposed development will add to these concerns.
- The left turn bay should be constructed at the same time as the construction of the proposed development; the contribution to the transportation fund should be used specifically for Cordova Bay Road.

S. Darroch, Sutcliffe Road, stated:

- There is concern with the height of the proposed development and the fit within the neighbourhood; four storeys are excessive.

COUNCIL DELIBERATIONS:

In response to questions from Council, the Director of Planning stated:

- "Villages" are defined as being approximately 250 metres in radius from an intersection; a village centre is meant to be small scale mixed hub use.
- The focus of the village centre was the Cordova Bay Plaza and this development would fit within that radius.

Motion:

MOVED by Councillor Plant and Seconded by Councillor Haynes: "That a Public Hearing be called to further consider the rezoning application on Amended Lot 5 (DD 248221-I), Block 1, Section 31, Lake District, Plan 1444 (986 Doumac Avenue) and Lot 4, Block 1, Section 31, Lake District, Plan 1444 (990 Doumac Avenue)."

Councillor Plant stated:

- Attention should be given to the intersection of Doumac Avenue and Cordova Bay Road and address traffic concerns.
- Neighbours would have the opportunity to give further input at a Public Hearing.

Councillor Derman stated:

- He appreciates the commitment to sustainable features; he is concerned with the lack of vision for the larger area.
- The proposed building would be tight on the property; continuing with this type of streetscape may result in a lack of public space.

Councillor Brice stated:

- The proposed development may allow residents of Cordova Bay to age-in-place; the lack of public transportation has been an on-going concern in this area.
- Having a comprehensive plan for the community would be helpful.

Councillor Haynes stated:

- The applicant has responded to the comments of the Advisory Design Panel; the proposed development would allow residents of Cordova Bay to downsize and age-in-place.
- More information on the left hand turn for Cordova Bay Road is needed for the Public Hearing; it is appropriate density for the space.

Councillor Wergeland stated:

- It may be hard to visualize a four-storey building on the property; the proposed development would let residents remain in the neighbourhood as they age.
- The community contributions may not be sufficient.

Councillor Brownoff stated:

- There may be concerns with effective storm water management because of the amount of concrete on the property and the fact that the building would be tight on the site.
- The proposed townhomes and the patios are attractive.
- The applicant should reconsider the community contributions; the impact on traffic as a result of cumulative development in the community needs to be considered.

Councillor Plant left the meeting at 9:38 p.m.

In response to questions from Council, the Director of Engineering stated:

- Major and collector roadways are monitored regularly; traffic volumes are collected every four years.
- Cordova Bay Road has been studied in relation to traffic volumes and speed; during development, the impact of traffic is discussed.
- Large developments would require a more comprehensive traffic study.
- Traffic mitigation could include traffic calming measures, intersection improvements, upgrades to traffic signals, and in this case, a left turn bay to improve movement.

Councillor Sanders stated:

- The site may be over developed; there is a large amount of impervious surface.
- She is concerned with the fit within neighbourhood, storm water management and if decks on the east and west sides would increase privacy concerns.

In response to questions from Council, the Director of Engineering stated:

- The cost of a left hand turn bay is approximately \$150,000.

The Motion was then Put and CARRIED with Councillor Derman OPPOSED

Councillor Plant returned to the meeting at 9:41 p.m.

1410-04
Report –
Planning

xref: 2860-25
Sea View Road

2893 SEA VIEW ROAD – REQUEST FOR REMOVAL FROM THE ENVIRONMENTAL DEVELOPMENT PERMIT AREA (EDPA)

Report of the Director of Planning dated October 27, 2016 recommending that Council not support the request to remove the property from the Environmental Development Permit Area (EDPA) for the reasons outlined in the report.

In response to questions from Council, the Director of Planning stated:

- Council can approve exclusion of the property from the EDPA, decline exclusion of the property from the EDPA or make a motion to postpone consideration until further information is received.

- Based on RS-16 zoning, construction of a house would need to be set back 11 metres from the rear property line determined by the high water mark; construction of a studio or shed would need to be set back 7.5 metres from the property line.
- Federal bird sanctuary legislation runs in parallel to the EDPA, but the EDPA is not impacted by it.
- More information on the Federal bird sanctuary legislation and any protection of the foreshore could be provided in a subsequent report if Council so wished.
- Staff have ground truthed the property and confirmed that a majority of the property is manicured grass, garden beds and some invasive species on the bank; the bank should be considered for future restoration.
- Erosion and potential storm events should be taken into account when waterfront properties are being considered for removal from the EDPA and/or restoration work is being undertaken.

In response to questions from Council, the Chief Administrative Officer stated:

- As per legislative requirements, there was significant public consultation done over a two-year period when the EDPA Bylaw was being created.
- The request is to exclude the property from the bylaw; Council can choose to exclude the property from the EDPA, refuse exclusion or postpone consideration.
- As part of the EDPA review process, there may be changes to the EDPA bylaw that could affect properties; Council would have to make decisions on how to proceed should the EDPA bylaw change.

APPLICANT:

T. Luchies and T. Lea on behalf of the owners, presented to Council and highlighted:

- A Registered Professional Biologist's report was provided as part of the application; staff attended the property and confirmed that there are no native species on the portion of the property that the applicants are requesting to be removed from the EDPA.
- The applicants agree that Area "A" is an environmentally sensitive area that ought to remain in the EDPA.
- The area that the applicant wishes to remove from the EDPA contains ornamental rock work, grass, a retaining wall and slope that includes invasive species; the EDPA is not appropriate for this part of the property.
- It is unknown how long the review of the EDPA process would take.
- The EDPA results in a restriction on the applicants' property which is not appropriate.
- The 30 metre buffer zone encompasses the house; there is no environmental or scientific justification for a buffer on the property.
- The objective of the EDPA bylaw is to protect the areas of highest biodiversity.
- Area "A" meets the bylaw description of a marine backshore and should remain in the EDPA; field verification has shown that the rest of the property is not an area of highest diversity therefore it should be removed from the EDPA.
- There may be a need for buffers on properties that contain wetlands.

PUBLIC INPUT:

M. Mitchell, Kentwood Terrace, stated:

- The applicants have completed the requirements to apply for a removal of their property from the EDPA; the possibility of future applications requesting removal from the EDPA should not hinder a decision on this application.

J. Kushner, Tudor Avenue, stated:

- The application is based on good science; Council is encouraged to approve the request to remove the property from the EDPA.

J. Ball, Cordova Bay Road, stated:

- Saanich residents have been looking to Council for a transparent decision on the EDPA, the science and mapping; although a review is being undertaken, it is unknown how long the review will take and it is unclear if the review will address concerns.
- This is a reasonable and well substantiated application based on sound and substantiated material.

J. Barrand, Treetop Heights, stated:

- The delay for reviewing applications for removal is frustrating; the EDPA is a covenant on a property that is not appropriate.
- The biologist's report shows that the EDPA bylaw should not apply on the property.

E. Sawatsky, Miramontes Drive, stated:

- The applicant has followed Saanich's process for removal of the property from the EDPA.
- At other meetings, Council had indicated that if the professional evidence showed that the property should not be in the EDPA, it would be removed.

W. Pugh, Prospect Lake Road, stated:

- Protection of the marine backshore is supportable; the EDPA permits mowing lawns and moving lawn furniture.
- The absence of Garry oak trees on the property is not the only criteria for exclusion from the EDPA; there may be a lack of understanding of the EDPA bylaw and the processes required.
- Removal of waterfront properties could threaten the marine backshore and riparian areas; no decisions for removal of properties from the EDPA should be made until after the review is completed and the recommendations analyzed.

K. Harper, Bonair Place, stated:

- The request to remove the portion of the property from the EDPA bylaw is supportable; the owners have followed the process as set out in the bylaw.
- Council made a commitment to hear applications and make decisions on a case-by-case basis; Council also has the responsibility of enforcing the bylaw as written.
- The fact that more applications may come forward is irrelevant to this application.

M. Beauchamp, San Marino Crescent, stated:

- A Suzuki Foundation publication mentions Saanich's Environmentally Sensitive Area (ESA) Atlas as an example for other communities; the activities listed as concerns by the owner are exempted from the bylaw.

- The application for removal should be rejected at this time; there is no proposed development for the property.
- With sea level rise expected, the biggest challenges that Saanich will face are beyond the lifetime of current home owners; Saanich is the only stakeholder today that can reliably be expected to be interested in these matters in 50 years.

P. Haddon, James Heights, stated:

- There is reasonable and flexible criteria through the EDPA bylaw to preserve environmentally sensitive areas when development is proposed; the owner is not intending to develop their property at this time.
- Property values have not been impacted by EDPA designation; the proposed activities are permitted under the bylaw.
- Removal of the property from the EDPA bylaw is not justified; Council is encourage to wait for the review to be completed before considering removal of properties from the EDPA.

B. Morrison, Woodhall Drive, stated:

- The applicants have complied with the requirements of the application process; a report from a Registered Professional Biologist has been submitted.

C. Phillips, Gordon Head Road, stated:

- Council is to be commended for honouring their pledge to review applications for removal on a case-by-case basis; it is important that residents see that Saanich is abiding by its own bylaw.
- He supports the removal of the property based on the Registered Professional Biologist's report.

B. Von Schulmann, NFA, stated:

- There is concern with the application as it goes against good planning and governance; by removing properties from the EDPA, the future ability to decide what is an appropriate development in this area is lost.
- The EDPA does not impact property values and does not impact what an owner can do on their property on a day-by-day basis; the intent of the inclusion of the marine backshore in the EDPA is to restore what is already there.
- The EDPA does not limit development; property owners would work with Saanich staff to ensure that development is appropriate.

L. Husted, Cyril Owen Place, stated:

- The EDPA ensures development is done responsibly and respects the environment; other municipalities request that Registered Professional Biologists have coastal experience and be active in that area.
- It may be appropriate to have the Department of Oceans and Fisheries consult on changes to the marine backshore.
- Saanich needs to consider sea level rise; decisions to remove properties from the EDPA should be postponed until after the review is completed.

MOVED by Councillor Derman and Seconded by Councillor Sanders: "That the meeting continue past 11:00 p.m."

CARRIED

A. Wortmann, Phyllis Street, stated:

- The applicants have met the requirements of the EDPA bylaw and provided a Registered Professional Biologist's report.

G. Morrison, McAnally Road, stated:

- The application is supportable.

W. Wright, Sea View Road, stated:

- It is reasonable to assume that there are some properties that do not contain sensitive ecosystems; the bylaw was derived by photos taken from the air; properties should be ground truthed.
- New development does allow for removal of significant and protected trees; the property does not contain sensitive ecosystems.
- Decisions on removing properties from the EDPA should include consultation of the property owners.

A. Bull, Wilkinson Road, stated:

- Council previously adopted a motion to hear applications on a case-by-case basis; the applicants have met the requirements of the bylaw.
- Two Registered Professional Biologists have been to the property and provided reports; there is no requirement for the Environment and Natural Areas Advisory Committee to review the application.
- There is no scientific or technical justification to protect all but a small piece of shorefront on this property.
- Property owners should be encouraged to protect sensitive ecosystems.

COUNCIL DELIBERATIONS:

In response to questions from Council, the Director of Planning stated:

- Another property owner recently applied for removal from the EDPA, the property had two environmentally sensitive areas; coastal bluff and marine backshore. The marine backshore portion was retained in the EDPA.
- The municipality has confirmed its legal authority to include restoration and buffers in the EDPA.

Motion:

MOVED by Councillor Derman and Seconded by Councillor Sanders: "That it be recommended that Council not support the request to partially remove the property at 2893 Sea View Road from the Environmental Development Permit Area."

Councillor Derman stated:

- Moving lawn furniture and mowing grass is permitted under the EDPA and therefore removal is not required.
- There are parts of the property where there appears to be no sensitive ecosystem; restoration and buffers are also part of the bylaw.
- The larger goals need to be considered when reviewing applications for removal from the EDPA.

Councillor Brice stated:

- A review process is being undertaken to see if the EDPA can be improved; Council committed to reviewing applications for removal on a case-by-case basis.

- The property owner wants some peace of mind; the services of a Registered Professional Biologist was obtained.
- The owner met the requirements of the EDPA bylaw.

Councillor Wergeland stated:

- Reports from Registered Professional Biologists should be accepted; the applicant has met the requirements of the EDPA process.

Councillor Haynes stated:

- The Registered Professional Biologists have ground truthed the property; it may be appropriate to leave the existing ivy on the slope to protect against sea level rise.

Councillor Sanders stated:

- She would like to see the results of the review of the EDPA bylaw before consideration is given to removing properties; sea level rise is a serious consideration for this property.
- The reasons why the applicant wants the property removed are not defensible.

Councillor Murdock stated:

- The EDPA was created to protect sensitive ecosystems during development; it may be possible to have a more defined boundary with a buffer that may give the owner peace of mind while still protecting the marine backshore.

Councillor Brownoff stated:

- There may need to review the buffer as it goes through the house; the review of the EDPA bylaw may result in incentives being provided for properties in the EDPA.
- The mapping done by the Capital Regional District in relation to sea level rise is a concern.

Councillor Plant stated:

- Defining hardship is subjective; there may be other laws that would protect the marine backshore.

Mayor Atwell stated:

- There is a process in place to review applications for removal from the EDPA.
- The applicant has provided a report by a Registered Professional Biologist.

**The Motion was then Put and DEFEATED
With Mayor Atwell and Councillors Brice, Haynes, Murdock, Plant and
Wergeland OPPOSED**

MOVED by Councillor Brice and Seconded by Councillor Haynes: "That a Public Hearing be called to consider the request to remove the Environmental Development Permit Area from the property at Lot 2, Section 44, Victoria District, Plan 6197 (2893 Sea View Road) from the Environmental Development Permit Area Atlas, except Area "A" as outlined in the report of T. Lea, Registered Professional Biologist."

In response to questions from Council, the Director of Planning stated:

- Clarification in relation to the buffer would likely be needed before a Public Hearing is advertised; a buffer would not be added to the property unless Council directed staff to do so.
- The portion of the property that the owner is requesting be removed from the EDPA bylaw is Area "B", outlined in the report of the Registered Professional Biologist, Mr. Ted Lea, dated September 24, 2016.

In response to questions from Council, the Chief Administrative Officer stated:

- When the item comes to Council for First Reading of the bylaw, further information, including for a buffer, could be provided to Council; the recommendation for the buffer could be modified at the Public Hearing if need be.

Councillor Plant stated:

- If a buffer is not placed on this property, it will be the only property in the EDPA that does not have a buffer.

MOVED by Councillor Plant and Seconded by Councillor Derman: "That the motion be amended to include: that staff be directed to prepare a recommendation for Council's consideration in relation to including the existing 15 metre buffer as an option for this property."

In response to questions from Council, the Director of Planning stated:

- A supplemental report could be provided in regard to options related to provision of a buffer along with a staff recommendation.

Mayor Atwell stated:

- When the recommendation for a buffer is deliberated, the effect on other properties needs to be considered.

The Amendment to the Motion was then Put and CARRIED

The Main Motion was then Put and CARRIED

Adjournment On a motion from Councillor Plant, the meeting adjourned at 11:58 p.m.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK