Minutes of the Regular Meeting of Council
Monday, March 16, 2015 at 7:00 p.m.

PRESENT:
Mayor A. Finall
Councillor H. Gartshore
J. McClintock
G. Orr
J. Thornburgh
M. Weisenberger

ABSENT:
Councillor C. Stock

ATTENDING:
Acting Chief Administrative Officer C. Kingsley
Director of Financial Services T. Flynn
Acting Director of Planning and Community Services L. Mari
Director or Infrastructure Services P. O’Reilly
Deputy Clerk L. Coburn

1 CALL TO ORDER

The Chair called the meeting to order at 7:02 p.m.

2 PUBLIC HEARINGS

3 INTRODUCTION OF LATE ITEMS

a) Staff memorandum dated March 16, 2015 regarding Bylaw 1324.

4 APPROVAL OF AGENDA

MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor Weisenberger

157 That the agenda be approved as amended. CARRIED

5 PUBLIC PARTICIPATION PERIOD

As there was no one who wished to address Council the public participation period was closed at 7:05 p.m.
ADOPTION OF MINUTES

MOVED BY: Councillor Gartshore
SECONDED BY: Councillor Weisenberger

That the minutes of the March 2, 2015 regular meeting of Council, the March 4, 2015 special meeting of Council, and the March 9, 2015 special meeting of Council be approved.

CARRIED

PETITIONS AND DELEGATIONS

a) Mary Winspear Centre
Brad Edgett, Executive Director

B. Edgett gave a presentation on the need for upcoming capital investment in the Mary Winspear Centre and requested a contribution of $25,380 from the District of North Saanich for a capital restoration plan.

MOVED BY: Councillor Gartshore
SECONDED BY: Councillor McClintock

That the presentation from B. Edgett, Executive Director, Mary Winspear Centre, be received.

CARRIED

MAYOR'S REPORT

REPORTS

9.1 STAFF REPORTS

a) Update - Provincial Liquor Licensing Branch Application for Structural Change for Sidney North Saanich Yacht Club
Report dated March 6, 2015 from the Director of Corporate Services

MOVED BY: Councillor Gartshore
SECONDED BY: Councillor Weisenberger

That Council advise the Liquor Control and Licensing Branch that the District wishes to opt out of the process for this particular application.

CARRIED

b) Business License Process
Report dated January 22, 2015 from the Senior Building Inspector

MOVED BY: Councillor McClintock
SECONDED BY: Councillor Orr
That Council receive as information the revised Business License Application process report dated January 22, 2015 from the Senior Building Inspector.  

9.2 COMMITTEE OF THE WHOLE REPORT FOR MARCH 9, 2015

a) Rezoning and Development Permit for Bayfield McMicken [24-COW]

MOVED BY: Councillor McClintock  
SECONDED BY: Councillor Weisenberger

That Council deny the application for rezoning and a development permit for Bayfield McMicken.  

OPPOSED: Councillors Gartshore, McClintock  

CARRIED

b) Draft Bylaw to replace Board of Variance Bylaw No. 503 [25-COW]

MOVED BY: Councillor McClintock  
SECONDED BY: Councillor Gartshore

That Council advance the draft Bylaw No. 1387 to replace Board of Variance Bylaw No. 503 for consideration of readings.  

CARRIED

c) Medical Marihuana Bylaw 1353 [26-COW]

MOVED BY: Councillor McClintock  
SECONDED BY: Councillor Orr

That Council accept the staff report dated February 20, 2015 from the Planner as a six month update report to Bylaw 1353, the prohibition of medical marihuana.  

CARRIED

d) Town of Sidney Sewer System Transfer [27-COW]

MOVED BY: Councillor McClintock  
SECONDED BY: Councillor Weisenberger

That Council authorize staff to proceed with a Council Initiative to amend the sewer service area to include the three District of North Saanich properties currently connected to the Town of Sidney sewer system.  

CARRIED

MOVED BY: Councillor McClintock  
SECONDED BY: Councillor Thornburgh
That the minutes of the March 9, 2015 Committee of the Whole meeting be approved.  CARRIED

9.3 COUNCIL LIAISON REPORTS

a) Liaison report from Councillor Thornburgh regarding:
   1. CREST meeting February 18, 2015;
   2. Saanich Peninsula Water Commission meeting February 19, 2015;

MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor Weisenberger

That the written report from Councillor Thornburgh be received.  CARRIED

b) Liaison report from Councillor Gartshore for the Peninsula Recreation Commission meeting held February 26, 2015

MOVED BY: Councillor Gartshore
SECONDED BY: Councillor Weisenberger

That the written report from Councillor Gartshore of the Peninsula Recreation Commission meeting be received.  CARRIED

9.4 CRD REPORT

a) Oral report by Mayor Finall

MOVED BY: Mayor Finall
SECONDED BY: Councillor McClintock

That the oral report by Mayor Finall on the CRD be received.  CARRIED

9.5 BUDGET REPORT FROM MARCH 5, 2015

a) Water Operating Budget [2-BUDC]

MOVED BY: Councillor Gartshore
SECONDED BY: Councillor Thornburgh

That the subsidiary rate for the agricultural users be increased by 0%.  CARRIED
b) **CRFAIR Services Proposal [3-BUDC]**

MOVED BY: Councillor Gartshore  
SECONDED BY: Councillor Thornburgh  

171 That Council support the following CRFAIR services:  
1. The District Plans update and monitor system for $5,000-6,000;  
2. Sandown Public Consultation process for $25,000; and  
3. The District Agriculture Lands Management Model for $4,500.

**Subsidiary Motion:**

MOVED BY: Councillor McClintock  
SECONDED BY: Councillor Weisenberger  

172 That recommendation 3-BUDC be referred to the next meeting of the Budget Committee.  
CARRIED

c) **Emergency Planning [4-BUDC]**

MOVED BY: Councillor Weisenberger  
SECONDED BY: Councillor McClintock  

173 That Council:  
1. Update the risk hazard assessment for $7,000;  
2. Create a municipal continuity plan for all departments for $10,000; and  
3. Request a report in December 2015 reviewing what has been accomplished in 2015 and the next required steps.  
CARRIED

d) **Approval of Budget/Proposed Tax Rates [5 through 12-BUDC]**

MOVED BY: Councillor McClintock  
SECONDED BY: Councillor Thornburgh  

174 That Council establish a snow and ice removal reserve for $25,000.  
CARRIED

MOVED BY: Councillor Thornburgh  
SECONDED BY: Councillor Weisenberger  

175 That Council approve a property tax increase of 2.9%.  
CARRIED

OPPOSED: Councillors McClintock, Orr
MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor Weisenberger

176 That the water parcel tax be increased by 0%.  
CARRIED

MOVED BY: Councillor Weisenberger
SECONDED BY: Councillor McClintock

177 That the basic water rate increase of 2.15% be approved.  
CARRIED

MOVED BY: Councillor Weisenberger
SECONDED BY: Councillor Gartshore

178 That the SEQ sewer parcel tax of $560.50 be approved.  
CARRIED

MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor McClintock

179 That the Deep Cove/Pat Bay/McDonald Park sewer parcel tax of $1,201.95 be approved.  
CARRIED

MOVED BY: Councillor Weisenberger
SECONDED BY: Councillor Thornburgh

180 That the sewer user fee for single family dwellings be increased by .81%  
CARRIED

MOVED BY: Councillor Weisenberger
SECONDED BY: Councillor Thornburgh

181 That the sewer user fee for multi-family dwellings be increased by .81%.  
CARRIED

MOVED BY: Councillor Weisenberger
SECONDED BY: Councillor Thornburgh

182 That the minutes of the March 5, 2015 Budget Committee meeting be adopted as amended.  
CARRIED

10 **BYLAWS**

a) **North Saanich Development Application Procedures Bylaw No. 1324 (2015)**

MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor Weisenberger

That North Saanich Development Application Procedures Bylaw No. 1324 (2015) be amended with the recommended changes set out in the memorandum from staff dated March 17, 2015 attached to these minutes as Appendix A, and with the staff recommendation in the agenda.

CARRIED


MOVED BY: Councillor Gartshore
SECONDED BY: Councillor Orr

1. In Section 1, deleting "District of North Saanich Zoning Bylaw No. 1255, 2011"; and
2. Replacing it with: "District of North Saanich Official Community Plan Bylaw No. 1130 (2007)."

CARRIED

c) North Saanich Deep Cove/Patricia Bay/MacDonald Park Sewer Collection System Local Area Service (Sewer Area No. 3) Establishment Bylaw No. 1139 (2007) Amendment Bylaw No. 1390 (2015)

MOVED BY: Councillor Gartshore
SECONDED BY: Councillor Thornburgh

That North Saanich Deep Cove/Patricia Bay/MacDonald Park Sewer Collection System Local Area Service (Sewer Area No. 3) Establishment Bylaw No. 1139 (2007) Amendment Bylaw No. 1390 (2015) be read a first time.

CARRIED

MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor Weisenberger

That North Saanich Deep Cove/Patricia Bay/MacDonald Park Sewer Collection System Local Area Service (Sewer Area No. 3) Establishment Bylaw No. 1139 (2007) Amendment Bylaw No. 1390 (2015) be read a second time.

CARRIED

MOVED BY: Councillor Orr
SECONDED BY: Councillor Thornburgh

That North Saanich Deep Cove/Patricia Bay/MacDonald Park Sewer Collection System Local Area Service (Sewer Area No. 3) Establishment Bylaw No. 1139 (2007) Amendment Bylaw No. 1390 (2015) be read a third time.

CARRIED
d) North Saanich Board of Variance Bylaw No. 1387 (2015)

MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor Gartshore

188 That North Saanich Board of Variance Bylaw No. 1387 (2015) be read a first time. CARRIED

MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor Weisenberger

189 That North Saanich Board of Variance Bylaw No. 1387 (2015) be read a second time. CARRIED

MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor Orr

190 That North Saanich Board of Variance Bylaw No. 1387 (2015) be read a third time. CARRIED

11 UNFINISHED BUSINESS

a) Boat Launch at Pat Bay

MOVED BY: Councillor Orr
SECONDED BY: Councillor Weisenberger

191 That Council invite the Peninsula Marine Access Group to make a presentation, if possible at the April 13, 2015 Committee of the Whole meeting, prior to Council making further decisions with respect to meeting with the Minister. CARRIED

12 MOTIONS AND NEW BUSINESS

a) Mayor Finall requests Councils consideration of the following motion:

MOVED BY: Mayor Finall
SECONDED BY: Councillor Thornburgh

192 That Council request the CRD planning staff to co-host a public meeting with the District of North Saanich and the North Saanich Residents Association (or alternate community group) to review and discuss the draft Regional Sustainability Strategy in April if possible. CARRIED
13 CORRESPONDENCE

14 CORRESPONDENCE FOR COUNCIL’S INFORMATION

a) Correspondence dated February 27, 2015 from R. Anderson, the Corporation of Delta re: NAV Canada Assessment Appeal

b) Correspondence dated February 27, 2015 from Interim Board, Peninsula Workforce Housing Partnership, re: recent Tri-Municipal Council meeting presentation

c) Correspondence re: Bylaw 1352:
   1. H. Horie, dated February 24, 2015;
   2. H. and C. Richards, dated February 25, 2015;
   3. R. Le Noury, dated March 1, 2015;
   4. S. Harrison, dated March 2, 2015;

d) Correspondence dated March 2, 2015 from G. Logan, Chair, re: CREST

MOVED BY: Councillor Gartshore
SECONDED BY: Councillor Thornburgh

193 That the correspondence in section 14 of the agenda be received. CARRIED

15 IN CAMERA

16 RISE AND REPORT

a) At its meeting March 2, 2015 Council rose and reported on the following motions:

   4-IC That Council direct staff to include the Dean Park neighbourhood into the Secondary Suites zoning bylaw process and advise the Dean Park Estates Community Association of the decision and, in particular:
   1) that the decision will not affect the Dean Park statutory building schemes;
   2) the public benefits of secondary suite legalization, and
   3) that Council considered legal advice regarding the issue.

   39-IC That Council affirm the previous motion passed January 12, 2015 and send a letter to each owner in Dean Park Estates explaining that the covenant on their property is still enforceable and send a similar letter to the DPECA executive.

17 ADJOURNMENT

MOVED BY: Councillor Thornburgh
SECONDED BY: Councillor McClintock

194 That the meeting adjourn at 8:45 p.m.

CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

__________________________    __________________________
Curt Kingsley                Alice Finall
Director, Corporate Services  Mayor

Clerk
Mayor
APPENDIX A

Bylaw 1324 Development Application Procedures

March 17, 2015

1. Staff recommends the definition of “lot” is removed and replaced with:

“Lot” means a parcel of land registered in the Land Title Office and strata lots created by bare land strata subdivision, and in the case of that area of the District lying to the south of Towner Park Road and to the west of the road allowance immediately west of Plan 3577, includes those 27 unsubdivided plots of land described in the plan prepared for the Towner Bay Country Club Limited by A.S.G. Musgrave, B.C.L.S. and certified correct on November 29, 1941.

2. Staff recommends Section 5.1.1(a)(ii) be removed and replaced with:

(ii) A scheduled Council or Committee of the Whole meeting for considering a Development Variance Permit; or

3. Staff recommends Section 5.1.1(a)(iii) be removed and replaced with:

(iii) A scheduled Council or Committee of the Whole meeting for considering a Temporary Use Permit.

4. Staff recommends that section 5.1.1(c) removed and replaced with:

(c) If the District gives notice for a Public Hearing under this section, the Applicant must pay the notification fees set out in Schedule 2 to this Bylaw.

5. Staff recommends that section 7.1(a)(iii) removed and replaced with:

(iii) postpone the application until the Applicant provides further information requested by Council; or

6. Staff recommends that section 12(c) removed and replaced with:

(c) In addition to the amount calculated under s. 12(b), the Director may require that the Applicant provide security in an amount equal to 125% of the cost of work that the Director reasonably considers is likely to be required, in view of the scale and nature of the development being authorized and the nature of the site, to correct an unsafe condition or damage to the environment that could result from the contravention of a condition of the permit;