

Ms. M. Paton, 1908 San Rafael Crescent, stated:

- Neighbours were not adequately advised of the application.
- Such a structure is not appropriate in a residential neighbourhood.

Ms. B. Thomson, on behalf of Mr. H. Nussbaumer, 2025 San Rafael Crescent, read from his letter stating:

- He is opposed to the unsightly, industrial antenna which is inappropriate for his neighbourhood.

Ms. D. Cook, 1949 San Rafael Crescent, stated:

- She lives next door to the applicant; the proposed antenna will overshadow her garden and deck, diminishing their enjoyment and devaluing their property.
- The rotating antenna on top of the tower may pose a safety hazard.
- She would urge Council to reconsider its decision.

Mr. B. Palin, 1953 San Rafael Crescent, stated:

- He understands the valuable contribution made by amateur ham radio operators in emergency situations but there are alternative providers in the area.
- There is strong opposition to this tower in the immediate neighbourhood.
- The height of the tower appears excessive.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That the question of the antenna application for 1945 San Rafael Crescent be referred back to the Committee of the Whole for further consideration.”

Councillor Derman stated:

- This application appears to support the expansion of a hobby, which should not occur at the expense of neighbours.

Councillor Brownoff stated:

- As Industry Canada is the licensing body for this antenna, a representative could be invited to attend a Committee of the Whole meeting and provide answers to the many concerns raised; issues such as the tower height, screening, and safety, could be clarified.

Councillor Brice stated:

- It is appropriate to refer this application back to Committee of the Whole to consider the new issues raised and for staff to be available to answer questions, in particular, on the value of this radio tower for emergency situations.

Councillor Wergeland stated:

- He supports reconsideration of this application in order to address the concerns stated by residents and Council.

Councillor Sanders stated:

- The issues raised at this meeting such as notice, safety, and noise and interference merit further discussion at the Committee of the Whole.

Councillor Gerrard stated:

- The applicant has an adequate radio system; structures such as the tower proposed are inappropriate in residential neighbourhoods.

Councillor Murdock stated:

- The new issues raised merit further discussion and he supports referring the application back to the Committee of the Whole.

Councillor Hunter stated:

- Amateur radio operators utilizing such antennas, make a valuable contribution to the emergency preparedness network.
- The questions raised merit further consideration.

Mayor Leonard stated:

- This is a difficult process for the applicant, for neighbours, for Council and for Industry Canada.
- Further consideration of the proposal at a future meeting of the Committee of the Whole is appropriate; a representative of Industry Canada is to be invited to answer questions.

The Motion was then Put and CARRIED.

APPEALS UNDER GARBAGE COLLECTION AND DISPOSAL BYLAW

EPW70
Garbage
Collection Fee

4180 BRACKEN AVENUE – GARBAGE COLLECTION FEE – DAVID POJE

Report of the Director of Finance dated April 21, 2009 recommending that Mr. Poje's request to Council for a waiver of the garbage collection fee for 4180 Bracken Avenue not be approved.

APPLICANT:

Mr. D. Poje, 4180 Bracken Avenue, stated:

- Section 4.2 of the Garbage Collection Bylaw allows for an owner to apply to opt out of garbage collection service.
- His application for a waiver should be considered on its own merits and not be tied to a future municipal waste management strategy.
- His commitment to recycling is hard work and he should not be penalized under this bylaw while other residents less committed to recycling are subsidized.

Mayor Leonard stated:

- Council has recently received additional information from the applicant and staff on this subject and it is appropriate to take time to review the materials and consider the appeal at the next meeting of Council.

It was unanimously agreed that the Council deliberations on the matter of the appeal by Mr. Poje under the Garbage Collection and Disposal Bylaw be referred to the next meeting of Council on May 4, 2009.

BYLAWS

Prospect Lake Rd
Bylaw 8982

PARKS RESERVATION BYLAW AMENDMENT – 4315 PROSPECT LAKE ROAD

Final Reading of the “Parks Reservation Bylaw, 2006, Amendment Bylaw, 2009, No. 8982”. To reserve 4315 Prospect Lake Road as park.

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 8982 be adopted by Council and the Seal of the Corporation be attached thereto.”**

CARRIED

ADM40
Bylaw 8983

SIGN BYLAW – HOUSEKEEPING AMENDMENT

Final Reading of the “Sign Bylaw, 2006, Amendment Bylaw, 2009, No. 8983”. To include new zone C-2RO (Royal Oak Commercial/Apartment) and to correct a section numbering reference in Section 19 (b).

**MOVED by Councillor Brownoff and Seconded by Councillor Hunter:
“That Bylaw No. 8983 be adopted by Council and the Seal of the Corporation be attached thereto.”**

CARRIED

PKA35
Bylaw 8966

PARKS MANAGEMENT AND CONTROL BYLAW AMENDMENT – LAYRITZ PARK PARKING RESTRICTIONS

Three Readings of the “Parks Management and Control Bylaw, 1997, Amendment Bylaw, 2009, No. 8966”. To permit a two hour maximum time limit for parking at Layritz Park from 8:00 a.m. to 5:00 p.m. on weekdays.

**MOVED by Councillor Hunter and Seconded by Councillor Sanders:
“That Bylaw No. 8966 be introduced and read.”**

CARRIED

In response to questions from Council, the Director of Parks & Recreation stated:

- Enforcement of the bylaw will be handled by Parks staff assisted by security contractors; initially there will be an education period advising users of the new parking restrictions.

**MOVED by Councillor Hunter and Seconded by Councillor Sanders:
“That Bylaw No. 8966 be read a second time.”**

CARRIED

**MOVED by Councillor Hunter and Seconded by Councillor Sanders:
“That Bylaw No. 8966 be now passed.”**

CARRIED

ADM40
Bylaw 8989

TICKET BYLAW AMENDMENT – LAYRITZ PARK PARKING RESTRICTIONS

Three Readings of the “Ticket Bylaw, 2009, Amendment Bylaw, 2009, No. 8989”. To amend Schedule 10 - Parks Management and Control Bylaw to include the Layritz Park parking restrictions as a ticketed offence.

MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 8989 be introduced and read.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 8989 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 8989 be now passed.”

CARRIED

ADM40
Bylaw 8984

FINANCIAL PLAN BYLAW (2009 – 2013)

Three Readings of the “Financial Plan Bylaw, 2009, No. 8984”. To establish the five year financial plan for 2009 – 2013.

MOVED by Councillor Gerrard and Seconded by Councillor Hunter:
“That Bylaw No. 8984 be introduced and read.”

CARRIED

MOVED by Councillor Gerrard and Seconded by Councillor Brice: “That Bylaw No. 8984 be read a second time.”

CARRIED

MOVED by Councillor Gerrard and Seconded by Councillor Brice: “That Bylaw No. 8984 be now passed.”

CARRIED

ADM40
Bylaw 8985

GARBAGE COLLECTION AND DISPOSAL BYLAW AMENDMENT

Three Readings of the “Garbage Collection and Disposal Bylaw, 2005, Amendment Bylaw, 2009, No. 8985”. To increase the annual rate from \$127.75 to \$132.50.

MOVED by Councillor Sanders and Seconded by Councillor Wergeland:
“That Bylaw No. 8985 be introduced and read.”

CARRIED

MOVED by Councillor Sanders and Seconded by Councillor Wergeland:
“That Bylaw No. 8985 be read a second time.”

CARRIED

MOVED by Councillor Sanders and Seconded by Councillor Wergeland:
“That Bylaw No. 8985 be now passed.”

CARRIED

ADM40
Bylaw 8986

TAX BYLAW

Three Readings of the "Tax Bylaw, 2009, No. 8986". To establish the tax rates for 2009.

MOVED by Councillor Brownoff and Seconded by Councillor Sanders: "That Bylaw No. 8986 be introduced and read."

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That Bylaw No. 8986 be read a second time."

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That Bylaw No. 8986 be now passed."

CARRIED

RECOMMENDATIONS FROM COMMITTEES

ADM115 - UBCM
Alternative Land
Use Services

ALUS: ALTERNATIVE LAND USE SERVICES

Recommendation from the March 24, 2009 Environmental Advisory Committee Meeting that Council endorse the ALUS principle and request the Province and other Provincial agencies to consider the concept when addressing farmland taxation status.

Mayor Leonard declared pursuant to Section 85 of the Council Procedure Bylaw that he is not entitled to participate in the discussion of the ALUS principle as he is a member of the provincial Farm Assessment Review Panel. The Mayor then left the meeting at 8:30 p.m. and Councillor Derman assumed the Chair.

MOVED by Councillor Sanders and Seconded by Councillor Gerrard: "That:

- 1. Council endorse the ALUS principle and request the Province and other Provincial agencies to consider the concept when addressing farmland taxation status; and**
- 2. That a resolution encouraging consideration of the ALUS principle be forwarded to the UBCM for consideration."**

Councillor Sanders stated:

- The current taxation system penalizes farmers for maintaining their environmental areas but the ALUS system provides an economic incentive to producers to become better landscape managers for environmental sustainability in the protection of their fields.
- Presently farmers receive mixed messages either to increase their efficiencies and production or preserve the environment and protect the water supply.
- The ALUS program offers producing farmers the choice of leaving environmentally sensitive areas in their natural state without being

penalized and at the same time receiving compensation.

Councillor Brownoff stated:

- This is an important issue for farmers and the ALUS program appears supportive and beneficial in many ways.

Councillor Derman stated:

- When the BC Assessment Authority began classifying as residential, those sections of farms that were not in production but were environmentally sensitive, this was inconsistent with provincial policy on climate change.
- This resolution could be of assistance to provincial agencies in addressing farm taxation issues.

The Motion was then Put and CARRIED

 Mayor Leonard returned to the meeting at 8:36 p.m. and resumed the Chair.

ADM115 - CRD
 CRD Activities

CAPITAL REGIONAL DISTRICT ACTIVITIES UPDATE

Council members provided updates on a variety of Capital Regional District initiatives.

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 9:10 p.m.
 The meeting reconvened at 9:41 p.m.

RECOMMENDATIONS

From the Committee of the Whole Meeting held April 27, 2009

Merriman Drive
 Remedial Action
 Order

3847 MERRIMAN DRIVE – REMEDIAL ACTION ORDER – UNSIGHTLY PREMISES

MOVED by Councillor Brownoff and Seconded by Councillor Brice: “That Council pass the following resolution imposing remedial action requirements:

1. Council hereby declares the wood debris, used building materials, metals and plastic containers stored outside on the parcel described as Lot 3, Section 32, Victoria District, Plan 11987, having a street address of 3847 Merriman Drive, in the Municipality of Saanich (herein called “the lands”) to be a nuisance pursuant to Sections 72 and 74 of the Community Charter 2003 SBC.c.26.
2. The Council hereby directs William Lester Armour and Gladys Mildred Armour (herein called “the owners of the lands”) to clean up the property by removing the wood debris, used building materials, metals and plastic containers from the lands within sixty (60) days from the date on which notice of this order is served upon the owner of the lands.
3. If the owner of the lands fails to comply with the requirements of Section 2, the Municipality may through its employees, agents, or contractors, enter upon the lands and carry out the work described in Section 2 at the expense of the owner pursuant to Section 17 of the *Community Charter*.”

CARRIED

In Camera Motion **MOVED by Councillor Gerrard and Seconded by Councillor Derman:
“That the following meeting be closed to the public as the subject
matter being discussed pertains to personal information about
identifiable individuals.”**

CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 9:42 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
 HELD IN THE COUNCIL CHAMBERS
 SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, APRIL 27, 2009 AT 9:11 P.M.

Present: **Chair:** Councillor Derman
Council: Mayor Leonard and Councillors Brice, Brownoff, Gerrard, Hunter, Murdock, Sanders and Wergeland
Staff: Tim Wood, Administrator; Colin Doyle, Director of Engineering; Carrie MacPhee, Manager of Legislative Services; and Andrea Park, Senior Committee Clerk

Merriman Drive
 Remedial Action
 Order

3847 MERRIMAN DRIVE – REMEDIAL ACTION ORDER – UNSIGHTLY PREMISES.

Report of the Manager of Inspection Services dated March 13, 2009 recommending Council pass a resolution imposing remedial action requirements pursuant to Sections 72 and 74 of the *Community Charter*.

In response to questions from the Council, Ms. J. Grover, Bylaw and Licence Enforcement Officer, stated:

- It is not possible to estimate the cost of the cleanup due to the many variables that occur during the process.

Mr. C. Armour, son of the owner of 3847 Merriman Drive, attended on his behalf and stated:

- Delays in the yard cleanup occurred due to the serious illness of his father.
- Work is continuing; wood is being stored to be used for heating; the deck is unfinished but work is proceeding to complete its construction.
- He expects the cleanup to be completed in two weeks.

Mayor Leonard stated:

- If the Remedial Action Order is issued the owner will have 60 days from receipt of the Order to complete the cleanup.

MOTION: MOVED by Mayor Leonard and Seconded by Councillor Wergeland: “That it be recommended that Council pass the following resolution imposing remedial action requirements:

1. Council hereby declares the wood debris, used building materials, metals and plastic containers stored outside on the parcel described as Lot 3, Section 32, Victoria District, Plan 11987, having a street address of 3847 Merriman Drive, in the Municipality of Saanich (herein called “the lands”) to be a nuisance pursuant to Sections 72 and 74 of the Community Charter 2003 SBC.c.26.
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3. If the owner of the lands fails to comply with the requirements of

Section 2, the Municipality may through its employees, agents, or contractors, enter upon the lands and carry out the work described in Section 2 at the expense of the owner pursuant to Section 17 of the *Community Charter*.”

CARRIED

ADM40

Council Procedures

COUNCIL PROCEDURES FOR RECOMMENDATIONS FROM COMMITTEES AND PRESENTATIONS TO COUNCIL

Report of the Manager of Legislative Services dated March 27, 2009 making recommendations further to the Council procedures for recommendations from committees and presentations.

MOTION:

MOVED by Councillor Brice and Seconded by Councillor Hunter:
“That:

- 1. Council not amend Procedure Bylaw No. 8840 with respect to the consideration of committee recommendations as the option of passing a motion to move consideration to a Committee of the Whole meeting exists;**
- 2. Council amend Procedure Bylaw No. 8840 to formalize the existing presentations that take place at Council meetings: Awards Presentations; Reports on CRD Initiatives; Reports from Advisory Committee Chair and Councillor Liaisons.**
- 3. That Council continue with the C/W – CRD Night and move it from a Tuesday to a Monday in order to improve public participation.**
- 4. That Council continue the current practice for presentations at Council meetings in accordance with clause 2 above.”**

Councillor Brownoff stated:

- Reports from Councillors who have been appointed as liaisons to other Boards and Committees should also be formalized as part of the Agenda.
- An opportunity for additional informational presentations to Council, where appropriate, should be considered.

Councillor Hunter stated:

- It may be useful to establish a procedure to enable Advisory Committees to hold a combined meeting on subjects of mutual interest.

Councillor Sanders stated:

- Opportunities could be provided for presentations, other than awards presentations, to be included on the Council Agenda; presently such matters are directed to an Advisory Committee.

Councillor Murdock stated:

- It would be beneficial to consider providing opportunities for additional informational presentations to Council; perhaps a separate evening welcoming public input on a special issue, for example.
- Setting a period for review of any changes is advisable.

Councillor Gerrard stated:

- Saanich Council’s meeting processes are considered to be an excellent example of an open and transparent system of local government throughout the Region.

Mayor Leonard stated:

- Saanich has a tradition of holding open meetings, such as that on the recent Strategic Plan and the Annual Report, where citizens were able to speak on a wide range of topics.
- Council could consider developing this process by promoting and situating these annual meetings throughout the District to attract more input on a broader range of issues.

Councillor Derman stated:

- Should residents wish to comment on recommendations from Advisory Committees, Council has the ability to allow that to happen.

The Motion was then Put and CARRIED

Adjournment

On a motion from Mayor Leonard, the meeting adjourned at 9:40 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK