

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, MARCH 16, 2009 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Brownoff, Derman, Gerrard, Murdock, Sanders, and Wergeland
Staff: Chris Nation, Municipal Solicitor; Carrie MacPhee, Manager of Legislative Services; Dwayne Halldorson, Manager of Underground Services; and Shirley Leggett, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brice and Seconded by Councillor Brownoff:
"That the Minutes of the Council and the Committee of the Whole Meetings held March 2, 2009, the Special Committee of the Whole Meeting held February 10, 2009, and the Special Council Meeting held March 3, 2009, be adopted."

CARRIED

BYLAWS

ADM40
Bylaw 8977

TREE PRESERVATION BYLAW AMENDMENT – SCHEDULE "B" (LIST OF SIGNIFICANT TREES)

Three Readings of the "Tree Preservation Bylaw, 1997, Amendment Bylaw, 2009, No. 8977". To update Schedule "B" (List of Significant Trees).

MOVED by Councillor Derman and Seconded by Councillor Brownoff:
"That Bylaw No. 8977 be introduced and read."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brownoff:
"That Bylaw No. 8977 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brownoff:
"That Bylaw No. 8977 be now passed."

CARRIED

Prospect Lake Rd.
Bylaw 8978

4315 PROSPECT LAKE ROAD

First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2009, No. 8978". Rezoning from A-1 and A-4 to P-4N.

MOVED by Councillor Brice and Seconded by Councillor Brownoff:
"That Bylaw No. 8978 be introduced and read."

CARRIED

Mt. Douglas X Rd.
Bylaw 8979

1520 MT. DOUGLAS X ROAD

First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2009, No. 8979". Rezoning from RS-18 to RS-10.

MOVED by Councillor Sanders and Seconded by Councillor Derman:
"That Bylaw No. 8979 be introduced and read."

CARRIED

Thunderbird Place
Bylaw 8980

4961 THUNDERBIRD PLACE

First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2009, No. 8980". Rezoning from RS-18 to RS-12.

MOVED by Councillor Brice and Seconded by Councillor Sanders: "That Bylaw No. 8980 be introduced and read."

CARRIED

RECOMMENDATION FROM COMMITTEES

Mayor Leonard declared that as the Co-Chair of the Farm Assessment Review Panel he will not be participating in the discussion with regard to the proposed resolution to the provincial government. Councillor Derman assumed the Chair and Mayor Leonard left the meeting at 7:33 p.m.

ADM120
Proposed
Revisions to
Property
Assessment
Process

PENINSULA AGRICULTURAL COMMISSION – RESPONSE TO COUNCIL REFERRAL ON RECOMMENDED PROVINCIAL ACTIONS TO IMPROVE SUPPORT FOR FARMING AND REVISE PROPERTY ASSESSMENT PROCESS.

Report of the Peninsula Agricultural Commission dated January 20, 2009, providing a recommended response from Saanich Council to the Province of BC with respect to Provincial support for farming, including small scale farming, and suggestions for approaches to a modified assessment policy.

MOVED by Councillor Murdock and Seconded by Councillor Brownoff: "That the proposed recommendations from the Peninsula Agricultural Commission (PAC) with respect to Provincial support for farming, including small scale farming and suggestions for approaches to a modified assessment policy, as outlined in the January 20, 2009 report from the PAC, be forwarded to the Province of BC for their consideration."

Councillor Murdock stated:

- As the Council liaison to the Peninsula Agricultural Commission (PAC) he is pleased to see this issue proceeding; it stems from a request sent from Council to the PAC with regard to actions to protect and enhance agricultural in our municipality and across the region.
- This particular section being considered is one of four series of recommendations from the PAC with respect to initiatives under the purview of the provincial government.
- This is an opportunity for Council to take an active role in the protection and enhancement of local food production and protection of our farmland; the PAC recommendations will be an excellent step forward in that direction.

Councillor Brownoff stated:

- She is very thankful to the PAC for their extensive review; Saanich has a large portion of small scale farming in its municipality and many of those farms are outside the Agricultural Land Reserve.
- The proposed recommendations from the PAC give the provincial government opportunities to establish a department of small scale agriculture and food security.

- Food security is a very crucial issue for the Province; it is timely that agriculture, food security, and health authorities get together and try to stabilize viable farming communities.
- Matching specific types of crops to specific types of soils in our region is very important and would be very beneficial in determining what crops would be viable.

Councillor Derman stated:

- He is happy to support the proposed recommendations and thanks the PAC for their extensive review.
- The Assessment Authority regulations are out of date in terms of farming in Saanich; they stem from a time when there were large scale single crop farms which are being replaced by small boutique farms that use a more ecologically based approach to farming and provide a number of specialty crops that are often organic for local markets.
- The Assessment Authority needs to recognize the nature of farming around urban areas and the importance of the role of farmers and farming in protecting the ecological viability of the area that surrounds us.

The Motion was then PUT and CARRIED

 Mayor Leonard returned to the meeting at 7:43 p.m.

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 7:43 p.m.
 The meeting reconvened at 9:46 p.m.

RECOMMENDATIONS

From the Committee of the Whole Meeting held March 16, 2009

PKA35
 Mt. Douglas Park

MT. DOUGLAS PARK – CHURCHILL DRIVE CLOSURE TIMES

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That a six (6) month test trial in Mt. Douglas Park be implemented for the Churchill Drive gate to remain closed until 12:00 p.m. (noon) daily for the period of May 1, 2009 to October 31, 2009.”

CARRIED

PKA35
 Mt. Tolmie Park

MT. TOLMIE PARK – SUMMIT CONCEPT PLAN

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Phase One of the Mt. Tolmie Park Summit Concept Plan be approved as outlined in the February 17, 2009 report of the Director of Parks and Recreation.”

CARRIED

In Camera Motion:

MOVED by Councillor Brownoff and Seconded by Councillor Murdock: “That the following meeting be closed to the public as the subject matter pertains to the proposed acquisition of land and/or improvements, and to personal information about identifiable individuals being considered for appointments.”

CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 9:47 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, MARCH 16, 2009 AT 7:44 P.M.

Present:

Chair: Councillor Gerrard
Council: Mayor Leonard and Councillors Brice, Brownoff, Derman, Murdock, Sanders, and Wergeland
Staff: Chris Nation, Municipal Solicitor; Carrie MacPhee, Manager of Legislative Services; Dwayne Halldorson, Manager of Underground Services; and Shirley Leggett, Senior Committee Clerk

PKA35

Mt. Douglas Park

MT. DOUGLAS PARK – CHURCHILL DRIVE CLOSURE TIMES

Report of the Director of Parks and Recreation dated February 13, 2009 recommending a six month test-trial in Mt. Douglas Park be implemented for the Churchill Drive gate to remain closed until 11:00 am daily for the period of May 1, 2009 to October 31, 2009.

Mr. J. Carson, 3507 Lorraine Road, stated:

- He would like to know the purpose of the proposed closure and if it is intended to just restrict vehicle traffic.

Mr. D. Wick, president, Friends of Mt. Douglas Park, stated:

- The Society conducted a survey and petitioned park users: 329 signatures were obtained from people who use Churchill Drive and support the proposed closure times.
- Survey analysis showed that 61 percent of the walkers come from outside the immediate Gordon Head area which demonstrates the regional popularity of the Park; 80 percent of the people arriving by vehicle at the base of Churchill Drive chose to park and walk.
- The proposed closure will still leave the park open to vehicle traffic 75 percent of the time.
- Although the Society would prefer to see the park gate closed until noon seven days a week, they will support a scheduled gate opening at 11:00 a.m. weekdays and noon on weekends.

Ms. A. Nightingale, 1721 Cultra Avenue, stated:

- She does not support the proposed trial closure of Churchill Drive until 11:00 a.m. daily; the morning is prime time for a number of activities such as bird watching, photography, meditation and viewing the sunrise.
- Not everyone has the time or endurance to walk to the summit of the Park; the proposed daily closure could limit access for people with disabilities, elderly people, people with small children, or those carrying camera equipment.
- Perhaps the trial closure should only be for a few days of the week so that people of all abilities and fitness levels can still access the summit during the mornings.

Mr. B. Bridgeman, 1481 Elnido Road, stated:

- He supports the proposed six-month trial gate closure until 11:00 a.m. each day.
- People who walk up Churchill Drive do not want to breathe exhaust fumes from vehicles; pedestrian safety is also a concern.

Mr. J. Tatum, 205-1680 Poplar Avenue, stated:

- He routinely goes bird and butterfly watching early in the mornings at Mt. Douglas Park; the summit is one of the prime locations and early morning is the best time.
- He does not have the stamina to walk to the summit and does not support the proposed daily closure; he feels that it is selfish to limit access to the park and to keep vehicle users off Churchill Drive in the mornings.

Mr. T. Chatton, 3490 Mayfair Drive, stated:

- Instead of closing Churchill Drive to vehicles each morning, perhaps an alternative solution would be to create a defined painted cycling/walking lane along one side of the road.
- Not everyone who walks to the summit will descend before the gate opens; this means that pedestrians will be walking back down as vehicles are heading up to the summit; there are safety concerns to take into consideration.

Ms. J. Morgan, 1554 Marcola Place, stated:

- She supports the proposed closure of Churchill Drive until 11:00 a.m. each day; the proposal takes into consideration the concerns from various user groups and is a good compromise.
- Walking down from the summit can be dangerous; pedestrians have to walk single file and be very cautious of vehicles.
- The trails to the summit are quite steep and not suitable for younger children and it is not safe to take them up Churchill Drive unless it is a Sunday morning when the gate is currently closed until noon.

Mr. D. Mann, 1089 Quailwood Place, stated:

- He is passionate about Mt. Douglas Park and supports the proposed trial closure; he would prefer to see the gate closed until noon every day instead of 11:00 a.m.
- Churchill Drive is not a dedicated road, it is park amenity that is accessible to everyone; pedestrian safety is a concern.

Ms. L. Vaninsberghe, 4585 Bonnieview Place, stated:

- There are many different birds to see from the summit of Mt. Douglas Park; however pedestrian safety is a concern.
- The speed of vehicle traffic in both directions on Churchill Drive can be excessive and exhaust fumes can be annoying for pedestrians.
- The proposed closure takes everyone's needs into consideration and is a fair compromise.

Mr. G. Shorthill, treasurer, Friends of Mt. Douglas Park, stated:

- Nine years ago Council approved the closure of the Churchill Drive gate in Mt. Douglas Park until noon on Sundays.
- Since that closure, surveys were undertaken to see if expanded closure of the road would impact the use of the park; there are mixed opinions from some of the groups and community associations that were asked to provide input.
- Ultimately, the goal of the increased closure of Churchill Drive to vehicle traffic is to improve the health of park users and take into consideration pedestrian safety.
- The comments from the people who like to bird and butterfly watch from the summit of the park during the mornings are valid and need to be taken into consideration.

Mr. I. Graeme, 2615 Dean Avenue, stated:

- He supports the proposed six-month test trial for the gate closure at Mt. Douglas Park.
- The absence of vehicle traffic during specific times may help contribute to better health for the pedestrians walking to the summit of the Park.

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Councillor Derman stated:

- There is a variety of users who access the summit of the Park from Churchill Drive on Sunday mornings and maintaining the current closure time of noon allows them ample time to do so.
- The Park is a fabulous venue for exercise and it is beneficial to have limited vehicle access during specific times.
- The proposed six-month trial period is appropriate and is an opportunity to monitor it and for users to provide feedback.

Councillor Wergeland stated:

- He supports the proposed six-month trial period; however, it may be appropriate to have the gate remain closed until noon every day.

Councillor Brownoff stated:

- Saturdays and Sundays are the greatest opportunity for families to use the park; it would be more beneficial if the gate were closed until noon Saturday and Sunday.
- She would also support the gate being closed until noon each day; the Bicycle and Pedestrian Mobility Advisory Committee passed a motion to endorse the closure of the gate until noon every day.

MOTION:

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That it be recommended to Council that a six (6) month test trial in Mt. Douglas Park be implemented for the Churchill Drive gate to remain closed until 12:00 p.m. (noon) daily for the period of May 1, 2009 to October 31, 2009.”

Councillor Brice stated:

- She will support the motion although closing the gate every morning will likely interfere with the enjoyment of some people; the advisory committees that were consulted supported the proposed six-month trial period.
- During the trial period it is important that park users have an opportunity to provide feedback on the closure; perhaps signage could be posted in the Park that provides information on who to contact.

Councillor Sanders stated:

- Nine years ago when the Council of the day approved the closure of the Churchill Drive gate in Mt. Douglas Park she was opposed to it, however, now she supports it; the closure has proven to be successful.
- She likes the fact that pedestrians will be able to walk safely every morning of the week and not have to worry about vehicles or their exhaust fumes.
- She hopes that the needs of all users are considered and that it is a fair compromise for everyone.

Councillor Murdock stated:

- He supports the proposed motion; he hopes that the six-month trial period will provide ways to accommodate birders and other user groups, and that there will be a favorable outcome to the trial period.

Mayor Leonard stated:

- He is disappointed that the proposed motion ignores the survey that staff provided which showed that 86 percent of the drivers visited the park after 11:00 a.m.
- Based on those results staff thought a trial period with the gate closed until 11:00 a.m. would have less resistance from the public.
- Signage and notice to the public will be important including alternate viewpoints such as Mt. Tolmie Park.

Councillor Gerrard stated:

- People tend to meander up the hill when they are walking to the summit and it is disconcerting to have to keep checking for traffic.
- The six-month trial period will provide an indication of whether or not the closure is affecting the use of the park.
- He likes the idea of signage as well; perhaps the Parks Department can come up with ways of communicating to the public how to provide feedback on the trial.

The Motion was then PUT and CARRIED

PKA35

Mt. Tolmie Park

MT. TOLMIE PARK – SUMMIT CONCEPT PLAN

Report of the Director of Parks and Recreation dated February 17, 2009 recommending that Phase One of the Summit Concept Plan for Mt. Tolmie Park be approved.

The Parks Manager stated:

- Saanich received a \$182,000 grant from the Community Tourism Program to upgrade the Mt. Tolmie Park summit.
- A Summit Concept Plan was developed to address the function, appearance and amenity of the Park; an engineering consultant was contracted to prepare the detailed designs for the traffic, parking, and circulation aspects.
- Stakeholder consultation took place in the summer of 2008 and the Concept Plan was presented at an Open House in October; Parks staff met with representatives of the tour bus companies who were supportive of the plans.
- The proposed improvements will be done in phases and the overall estimated cost is \$440,000; the lower northern parking lot will be the focus of Phase One which includes landscape restoration and interpretive maps/signs.
- The number of defined parking spaces at the summit will increase from 15 spaces to 36 spaces although the overall parking will be reduced.

Mr. J. Carson, 3507 Lorraine Road, stated:

- He is concerned that the existing 60 to 65 parking spaces will be reduced to 36 spaces; he prepared a sketch that shows how a total of 60 passenger vehicle and four tour bus parking spaces could still be accommodated.
- According to the Concept Plan, there could be a significant safety hazard area where the trail from the reservoir area intersects Mayfair Drive on the north side of the mountain; by eliminating the northbound traffic above the trail intersection, the hazard to pedestrians crossing Mayfair Drive would be reduced.
- Routing tour buses around the peak of the mountain and back down the northern part of Mayfair Drive would improve safety and the quality of life for residents along the south side of Mayfair Drive.
- He suggests that Council postpone further consideration until the residents on Mayfair Drive can consult with the Parks Department.

Mr. T. Chatton, 3490 Mayfair Drive, stated:

- He is the closest resident on Mayfair Drive to the Park and has lived there for the past 26 years; several times a week he and his family are woken up during the night due to loud parties in the park; he does not usually get a satisfactory response when he calls the Police.
- After working with the Parks Department a gate was installed at Parking Lot No. 3 which reduced the number of people using the park late at night; a few years ago a request was submitted to Saanich for a gate to be installed at Parking Lot No. 2 restricting vehicles after 11:00 p.m. but there was no response.
- There has been a significant increase in tour buses to the Park because of the increased number of cruise ships visiting Victoria; he

would like to see signage posted restricting the use of bus retarder brakes.

Mr. W. Savale, 315-1680 Poplar Avenue, stated:

- As a botanist and a naturalist, he is concerned about the amount of broken glass, bottles, and other garbage that is thrown off the west slope of the park; he has cleaned it up several times himself but it is too big a job.
- There are some unusual plants that grow on the west slope; perhaps some kind of a barrier could be installed to help reduce the amount of garbage being discarded.

Ms. T. Harding, 3440 Mayfair Drive, stated:

- The volume of traffic along Mayfair Drive has increased significantly over the past few years and it is impacting the residents who reside there.
- A few years ago a bench was installed across the road from her house and now people can sit and look directly into her living room.

Mr. J. Tatum, 205-1680 Poplar Avenue, stated:

- He agrees that there is an excessive amount of broken glass and garbage on the west side of the mountain.

Mr. I. Graeme, 2615 Dean Avenue, stated:

- He likes the idea of reducing the size of Parking Lot No. 1 and reclaiming and revitalizing the green space in that area.
- He congratulates staff for being successful in obtaining grant funding and for the collaborative efforts between the various organizations.
- This is an opportune time to focus on a stewardship plan for the Park.

Mr. D. Mann, 1089 Quailwood Place, stated:

- He agrees that calls to the police with regard to complaints about noise in the park is not always successful; there appears to be a disconnect between the bylaws and the enforcement of the bylaws.
- Installing or moving gates to strategic locations to restrict vehicles can help alleviate problems.

Mr. J. Jansen, 1101 Praisewood Terrace, stated:

- He is the General Manager of Wilson's Transportation; they are one of the tour bus companies that Saanich consulted during the stakeholder consultation process.
- The summit of Mt. Tolmie Park has outstanding panoramic views but it is in terrible condition and needs improvements; the preferred parking for buses is Parking Lot No. 2 on the apex of the curve because of the height differential between Parking Lot Nos. 1 and 2; they welcome any improvements that would enhance the area.
- If buses cannot use their retarder brakes it will eliminate any tour buses from visiting the summit of Mt. Tolmie Park; as a company it would be negligent for their drivers not to use the retarder brakes as the grade is too steep.

In response to questions from Council, Mr. Jansen stated:

- The buses currently come up Cedar Hill Cross Road to access the

Park; the brakes on the buses would likely make more noise if they returned by the same route as the grade is steeper and more challenging on that side of the mountain.

In response to questions and comments, the Parks Manager stated:

- The overall parking will be reduced by reclaiming some of the unstructured parking area for natural park.
- As well as the stakeholder consultation, they also sent out notices to about 200 households on both sides of the summit and down Mayfair Drive; a Public Open House was held on December 2, 2008.
- Staff can look into the feasibility of installing a gate at Parking Lot No. 2 in Phase One or Two of the Concept Plan.
- He is aware that there is some illegal dumping of garbage occurring in the Park and staff tries to clean it up; Parks staff also works with the Conservancy Association; fencing or gating could help alleviate the problem.
- Installing speed bumps to slow down traffic can be considered.

Councillor Sanders stated:

- Historically for about 50 years there was a bench on the east side of Mayfair Drive across from the house at 3440 Mayfair Drive; the bench was installed by the homeowner and removed at some point.
- The bench was missed by the neighbourhood so the Camosun Community Association received a matching grant in partnership with the Mt. Tolmie Bed and Breakfast on Richmond Road; they installed a new bench across from 3440 Mayfair Drive about four or five years ago with Parks approval.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Brice: “That it be recommended to Council that Phase One of the Mt. Tolmie Park Summit Concept Plan be approved as outlined in the February 17, 2009 report of the Director of Parks and Recreation.”

Councillor Derman stated:

- He congratulates staff for taking the initiative and for what they have accomplished to date with respect to the Summit Concept Plan; it will be a vast improvement to the Park.
- Parking Lot No. 1 seldom has many vehicles; formalized defined parking spaces will adequately address normal use.
- The road to the summit should be recognized as a park space and not just a through road; slowing traffic down will create a safer pedestrian environment.
- Retarder brakes are noisy and it is too bad that it is necessary for the buses to use them.

Councillor Brice stated:

- The upgrades for Mt. Tolmie Park contained in the Concept Plan are important to achieve; the area is used by many people and it will be well received by the public when it is returned to a more pleasant natural state.

Mayor Leonard stated:

- He acknowledges the contributions from the Mt. Tolmie Community Association and the Saanich Rotary Club; their efforts are much

appreciated.

- He also appreciates the thoroughness of the Parks Department consultation process when they take these types of concept plans to the public.
- At the detailed design stage, he wants some assurance that the entrance and egress from Parking Lot No. 1 does not preclude a bus from going back down the hill toward Cedar Hill Cross Road; it would mean that the driveway would have to be built in such a way that a bus could turn right or left and go back down the same way it came up.

Councillor Wergeland stated:

- He is concerned with the proposed parking reduction however he will support the Concept Plan; staff has done a tremendous job.
- The curb layout in Parking Lot No. 1 should be revised so that a bus can turnaround and go back down Cedar Hill Cross Road.

Councillor Sanders stated:

- She is impressed with the partnerships involved with this project.
- She is pleased that the parking will be formalized; it will respect the environment and the community.
- Formalizing the paths through the summit up to the reservoir will have less impact on the natural areas.
- She looks forward to the project being completed; hopefully traffic along Mayfair Drive will not increase and perhaps the buses will be able to go back down Cedar Hill Cross Road.

Councillor Brownoff stated:

- Phase One is a good start; reclaiming some of the unstructured parking and remediating it with native plantings will enhance the area.
- It would be ideal if the buses could turnaround from Parking Lot No. 1 and go back down Cedar Hill Cross Road.
- Part of Phase Two should incorporate consultation with the residents on Mayfair Drive.

Councillor Gerrard stated:

- He supports the motion and congratulates staff for a job well done; formalizing the site will greatly enhance the Park.
- The residents on Mayfair Drive should be given some consideration especially since bus traffic is increasing.
- He would also like to see a redesign of Parking Lot No. 1 to allow for a turnaround so that buses can go back down Cedar Hill Cross Road; we should also give consideration to installing gates for parking Lot No. 2.

The Motion was then PUT and CARRIED

Adjournment On a motion from Mayor Leonard, the meeting adjourned at 9:45 pm.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK