

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JANUARY 26, 2015 AT 7:30 PM

Present:

Chair: Mayor Atwell
Council: Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Carrie MacPhee, Director of Legislative Services (7:50 pm); Sharon Hvozdzanski, Director of Planning; Harley Machielse, Director of Engineering; Donna Dupas, Legislative Manager; and Andrea Park, Senior Committee Clerk

PUBLIC HEARING

2130-40
Harriet Road

PROPOSED DESIGNATION OF A HERITAGE STRUCTURE ON HARRIET ROAD

The intent of this proposed bylaw is to designate the exterior of the dwelling on Lot 41, Section 81, Victoria District, Plan 321 (**3261 HARRIET ROAD**) as a municipal heritage structure.

The Clerk introduced the following:

- Notice of Public Hearing
- Report from the Director of Planning dated August 12, 2014 recommending that Council designate the dwelling at 3261 Harriet Road as a Municipal Heritage Property.

APPLICANT:

Not in attendance.

PUBLIC INPUT:

B. Shuya, President, Saanich Heritage Foundation (SHF), stated:

- The Heritage Foundation supports the designation.

K. Johnson, Landis Place, member, SHF and Arts Culture and Heritage Advisory Committee and Hallmark Heritage Society, stated:

- He is in favour of this designation; more such designations are needed in Saanich.

COUNCIL DELIBERATIONS:

MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That the dwelling at 3261 Harriet Road be designated as a municipal heritage property.”

Councillor Derman stated:

- The owner of the dwelling is enthusiastic about its designation.
- The bylaw will allow for the potential removal of any non-heritage features on the exterior of the home.

Councillor Haynes stated:

- He is pleased to see the building return to a heritage state.

The Motion was Then Put and CARRIED

2130-40
Harriet Road

HERITAGE DESIGNATION BYLAW, 2015 (3261 HARRIET ROAD), NO. 9313
Second and Third Readings

**MOVED by Councilor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 9313 be read a second time.”**

CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 9313 be now passed.”**

CARRIED

2130-40
Gorge Road West

**PROPOSED DESIGNATION OF A HERITAGE STRUCTURE AND
LANDSCAPE ON GORGE ROAD WEST**

The intent of this bylaw is to designate the exterior of the dwelling and the landscape features that display the formal character of the garden, on Lot 5, Section 13, Victoria District, Plan 989 (**321 GORGE ROAD WEST**) as municipal heritage property.

The Clerk introduced the following:

Notice of Public Hearing

- Report from the Director of Planning dated September 18, 2014 recommending
- That the dwelling and landscape features be designated as municipal heritage property and that Council support the development of conservation plans and annual maintenance programs for all municipal heritage buildings and sites. Letter from the Gorge Tillicum Community Association dated October 13, 2014.
- Memo from the Arts Culture and Heritage Advisory Committee dated June 6, 2012 supporting the designation.

APPLICANT:

On behalf of The District of Saanich, the Director of Planning briefly outlined the proposed designation.

PUBLIC INPUT:

B. Shuya, President, Saanich Heritage Foundation, stated:

- The SHF is co-applicant for this designation.
- Other heritage properties owned by Saanich are managed by the Foundation; the Foundation initiated this application and supports it.

In response to questions from the Council, Mr. Shuya stated:

- He cannot confirm whether the brick used in the dwelling originated locally or as ship's ballast.
- They are aware of the Gorge Tillicum Community Association's interest in the use of the building; however, that would be a decision made by the District of Saanich, not the Foundation.

K. Johnson, Landis Place, member, SHF and Arts Culture and Heritage Advisory Committee and Hallmark Heritage Society, stated:

- He supports the designation of the dwelling and the landscape features as proposed.
- The property will become an attractive one over time and its location within a Saanich Park enhances the project.
- Integration of these heritage buildings into the community through finding a public use, is ideal.

R. Wickson, President, Gorge Tillicum Community Association, stated:

- The Association does have an interest in the future use of the building.
- The home, gardens and ponds are all of heritage value.

COUNCIL DELIBERATIONS:

Motion: **MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That the dwelling and built landscape features located at 321 Gorge Road West be designated as municipal heritage property."**

Councillor Derman stated:

- He supports this property's addition to the Saanich Heritage Register.
- He would also like to comment on the role of the SHF who volunteer their time and are invaluable in their advisory role, managing properties, grant program.
- The report addresses how the heritage portfolio can be managed and funded.

Councillor Sanders stated:

- She supports the designation; of the 9 heritage properties owned by Saanich, this is the last one to be designated.
- The dwelling has a significant history in the community.
- A maintenance bylaw for our heritage homes is anticipated.

Councillor Brownoff stated:

- Volunteers with expertise are key to this process.
- She appreciates the protection of the gardens as well as the dwelling.
- A conservation plan and maintenance program for all Saanich heritage properties is also being considered.

The Motion was then Put and CARRIED

Motion: **MOVED by Councillor Brownoff and Seconded by Councillor Haynes: "That Council support the development of conservation plans and annual maintenance programs for all municipal heritage buildings and sites as a future work item in the Planning Department's Work Plan."**

CARRIED

2130-40
Gorge Road West

HERITAGE DESIGNATION BYLAW, 2015 (321 GORGE ROAD WEST), NO. 9314
Second and Third Readings

MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 9314 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Haynes:
“That Bylaw No. 9314 be now passed.”

CARRIED

The Public Hearing was adjourned.

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Brice and Seconded by Councillor Wergeland:
“That Council adopt the minutes of the Special Council Meetings held January 5, 2015, January 10, 2015, January 12, 2015 and January 13, 2015 and the minutes of the January 12, 2015 Council meeting.”

CARRIED

BYLAWS

2870-30
Darwin Avenue

801 DARWIN AVENUE – LAND USE CONTRACT DISCHARGE BYLAW

Final Reading of the “Land Use Contract Discharge Bylaw (801 Darwin Avenue), 2014, No. 9304”. To discharge the Land Use contract; rezoning being considered to allow for the existing uses.

MOVED by Councillor Brice and Seconded by Councillor Murdock: “That Bylaw No. 9304 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

2870-30
Darwin Avenue

801 DARWIN AVENUE – REZONING TO RP-3

Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2014, No. 9305” and approval of Development Variance Permit DVP00364. Rezoning from RS-6 to RP-3 to allow for supervisory support for residents of this Capital Mental Health Association facility which has been operating under a Land Use Contract.

MOVED by Councillor Brownoff and Seconded by Councillor Brice: “That Bylaw No. 9305 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Brice: “That Council approve and issue Development Variance Permit DVP00364 on Lot A, Section 33, Victoria District, Plan 26904 (801 Darwin Avenue).”

CARRIED

RESOLUTIONS FOR ADOPTION

5370-30
Tender 33/14

TENDER 33/14 – SAANICH FIRE HALL NO. 1 - ASPHALT DRIVE AISLE RECONSTRUCTION.

Report of the Director of Engineering dated January 9, 2014 recommending Council award Tender 33/14 for Saanich Fire Hall No. 1 Parking Reconstruction and change orders within project budget to York Excavating Ltd. in the amount of \$203,744.75 (excluding GST).

MOVED by Councillor Haynes and Seconded by Councillor Wergeland: “That Tender 33/14 for Saanich Fire Hall No. 1 parking reconstruction and change orders within project budget be awarded to York Excavating Ltd. In the amount of \$203,744.75 (excluding GST).”

CARRIED

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 8:00 pm.

The meeting reconvened at 10:11 pm.

RECOMMENDATIONS

From the Committee of the Whole Meeting held January 26, 2015

2560-50
Healthy
Environment

DECLARATION OF THE RIGHT TO A HEALTHY ENVIRONMENT

MOVED by Councillor Brownoff and Seconded by Councillor Brice: “That the following resolution be approved:

WHEREAS the David Suzuki Foundation Blue Dot Tour has inspired many Canadians to request that the right to a healthy environment be enshrined in the Charter of Rights and Freedoms through support of the following motion;

AND WHEREAS the District of Saanich understands that people are part of the environment and that a healthy environment is inextricably linked to the well-being of our community;

AND WHEREAS the Saanich Official Community Plan provides a strong policy foundation to pursue actions and initiatives that contribute toward a healthy environment;

AND WHEREAS Saanich has the opportunity to endorse the Declaration of the Right to a Healthy Environment, joining other Canadian cities in reaffirming our commitment to social, environmental and economic sustainability;

THEREFORE BE IT RESOLVED THAT the District of Saanich endorse the following declaration:

That all people have the right to live in a healthy environment, including:

- The right to breathe clean air;
- The right to drink clean water;
- The right to consume safe food;
- The right to access nature;
- The right to know about pollutants and contaminants released into the local environment;

- **The right to participate in decision-making that will affect the environment.**

The District of Saanich has the responsibility within its jurisdiction to respect, protect, fulfill and promote these rights;

The District of Saanich will apply the precautionary principle; where threats of serious or irreversible damage to human health or the environment exist, Saanich will take cost effective measures to prevent the degradation of the environment and protect the health of its citizens. Lack of full scientific certainty shall not be viewed as sufficient reason for Saanich to postpone such measures.

The District of Saanich shall apply full cost accounting; when evaluating reasonably foreseeable costs of proposed actions and alternatives, Saanich will consider costs to human health and the environment.

By December 31, 2015, Saanich will consider objectives, targets, timelines and actions within its jurisdiction to fulfill residents' rights to a healthy environment , including options to:

- **Ensure equitable distribution of environmental benefits and burdens within the municipality;**
- **Ensure infrastructure and development projects protect the environment including air quality;**
- **Address Climate Change by reducing greenhouse gas emissions and implementing adaptation measures;**
- **Responsibly increase density;**
- **Prioritize walking, cycling and public transit as preferred modes of transportation;**
- **Ensure adequate infrastructure for the provision of safe and accessible drinking water;**
- **Promote the availability of safe foods;**
- **Reduce solid waste and promote recycling and composting;**
- **Establish and maintain accessible green spaces in all residential neighbourhoods;**

The District of Saanich shall review these objectives, targets, timelines and actions every five years, and evaluate progress towards fulfilling this declaration;

The District of Saanich will consult residents as part of this process.

AND BE IT FURTHER RESOLVED THAT Council forward this resolution to the Annual Meeting of the Association of Vancouver Island and Coastal Communities, the Union of British Columbia Municipalities and the Federation of Canadian Municipalities, requesting favourable consideration by delegates at the 2015 annual meetings of these Associations."

CARRIED

In Camera Motion **MOVED by Councillor Derman and Seconded by Councillor Brice: “That pursuant to Section 90(1) (e) of the Community Charter, the following meeting be closed to the public as the subject matter being considered relates to the acquisition of land.”**

CARRIED

Adjournment On a motion from Councillor Derman, the meeting adjourned at 10:14 pm.

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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, JANUARY 26, 2015 AT 8:01 PM

Present: **Chair:** Mayor Atwell
Council: Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Carrie MacPhee, Director of Legislative Services; Sharon Hvozanski, Director of Planning; Harley Machielse, Director of Engineering; Donna Dupas, Legislative Manager; and Andrea Park, Senior Committee Clerk

2560-50
Environmental
Health

DECLARATION OF THE RIGHT TO A HEALTHY ENVIRONMENT
Report from Councillor Brice dated January 6, 2015 requesting Council endorse in principle the Declaration of the Right to a Healthy Environment in the Charter of Rights and Freedoms, and that the resolution be forwarded to the Annual Meetings of the Association of Vancouver Island and Coastal Communities, the Union of BC Municipalities, and the Federation of Canadian Municipalities requesting favourable consideration by delegates at the 2015 annual meetings.

PUBLIC INPUT:
The following adults, children and youths, addressed Council and expressed their support for the declaration:
- R. Ladell and F. Ladell, Belmont Avenue, V. Boswell, Cadboro Bay Road; E. Harlan and N. Harlan, Princess Street; G. Dumdale, Lucas Avenue; E. Gray and M. Holse, Co-Presidents, Environmental Law Club at University of Victoria; B. Trotter, Merriman Drive; Bev Ross, Brookside Road; J. Townsend, Mariposa Heights, and G. Sinats, Daffodil Avenue; K. Usal, Bethune Avenue; P. Shaw, Burbank Crescent; A. Charania, Alder Street; D. Owens,

Doncaster Drive; Carmel Thomson, Prospect Lake Drive; Mr. C. Essler, Linden Street; K. Whitcroft, Inverness Road; Bob Furber, Arbutus Road; Ms. J. Gaylord, Carnegie Crescent; P. Houston, Tracksell Avenue; S. Brygadyr, Cameo Street; Karen Jensen, Greenvale; M. Najari, Leeds Place.

Presentations to Committee included the following statements:

- A safe and healthy environment should be a fundamental right for all Canadians;
- 110 countries have endorsed this declaration so far, but not Canada.
- Time to move from the goal of growth to that of sustainability.
- We must maintain the quality of life in Saanich and protect it for future generations.
- Wildspace is also important.
- In destroying nature, we destroy ourselves.
- The small kingdom of Bhutan has enshrined environmental rights in its constitution.
- Arc Horizon's initiative of placing warning labels on gas pump nozzles is meant to educate and change individual behaviours affecting climate change.
- An electric rail transportation system would be consistent with the goals of this declaration; reconstruction of cities would be required to fully implement these rights.
- School teachers are now using nature as their classroom; children have the power to make a difference in the world.
- Trees are important to our oxygen supply.
- Clean water is of prime importance; a future at war over water is possible if we don't take action to protect this resource.
- In a similar vein, the 'No Tankers' initiative received support from this Council; also the support for allotment gardens in Saanich is in keeping with this declaration.
- Without a healthy environment, we will be unable to achieve a good quality of life.
- The monitoring of initiatives arising from the declaration must be evidence-based.
- Children can develop a very strong connection to the environment and we must do all we can to protect the air, the water and the land.
- Maltby Lake in Saanich has pristine water quality and unique fauna; its drinking water quality is excellent and this must be protected.
- It is important to take this resolution to the Union of BC Municipalities (UBCM); municipalities must stand up for a healthy environment and support recognition in the Charter of Rights and Freedoms.
- It is also important to consider wildlife and watersheds and to ensure that this declaration does not become just words.
- We must be prepared to 'walk the talk' or this declaration will become meaningless; lead by example and get Saanich in order. Start with specific objectives and measure progress; citizens must be engaged in order to bring this to life.
- Use the declaration as a lens through which to view actions or decisions taken by the municipality.
- The 'Earth Charter' was endorsed 20 years ago and offered a different focus concentrating on the health of the planet.
- We are fortunate in Victoria that our water is as good as anywhere in the world.
- The practical aspect of having this declaration enshrined in the Charter must be evaluated.

- The Saanich Official Community Plan and the Local Area Plans require updating in light of this declaration; Saanich might consider the use of volunteers to assist with this review.
- It would be beneficial for Saanich to frame this declaration of environmental rights and hang it prominently in a public space.
- Decision-making from the perspective of ecological impact is a goal of this declaration; the carrying capacity of the land must also be considered.

Motion: MOVED by Councillor Brice and Seconded by Councillor Murdock: “That the following resolution be approved:

WHEREAS the David Suzuki Foundation Blue Dot Tour has inspired many Canadians to request that the right to a healthy environment be enshrined in the Charter of Rights and Freedoms through support of the following motion;

AND WHEREAS the District of Saanich understands that people are part of the environment and that a healthy environment is inextricably linked to the well-being of our community;

AND WHEREAS the Saanich Official Community Plan provides a strong policy foundation to pursue actions and initiatives that contribute toward a healthy environment;

AND WHEREAS Saanich has the opportunity to endorse the Declaration of the Right to a Healthy Environment, joining other Canadian cities in re-affirming our commitment to social, environmental and economic sustainability;

THEREFORE BE IT RESOLVED THAT the District of Saanich endorse the following declaration:

That all people have the right to live in a healthy environment, including:

- **The right to breathe clean air;**
- **The right to drink clean water;**
- **The right to consume safe food;**
- **The right to access nature;**
- **The right to know about pollutants and contaminants released into the local environment;**
- **The right to participate in decision-making that will affect the environment.**

The District of Saanich has the responsibility within its jurisdiction to respect, protect, fulfill and promote these rights;

The District of Saanich will apply the precautionary principle; where threats of serious or irreversible damage to human health or the environment exist, Saanich will take cost effective measures to prevent the degradation of the environment and protect the health of its citizens. Lack of full scientific certainty shall not be viewed as sufficient reason for Saanich to postpone such measures.

The District of Saanich shall apply full cost accounting; when evaluating reasonably foreseeable costs of proposed actions and alternatives, Saanich will consider costs to human health and the environment.

By December 31, 2015, Saanich will consider objectives, targets, timelines and actions within its jurisdiction to fulfill residents' rights to a healthy environment , including options to:

- **Ensure equitable distribution of environmental benefits and burdens within the municipality;**
- **Ensure infrastructure and development projects protect the environment including air quality;**
- **Address Climate Change by reducing greenhouse gas emissions and implementing adaptation measures;**
- **Responsibly increase density;**
- **Prioritize walking, cycling and public transit as preferred modes of transportation;**
- **Ensure adequate infrastructure for the provision of safe and accessible drinking water;**
- **Promote the availability of safe foods;**
- **Reduce solid waste and promote recycling and composting;**

- **Establish and maintain accessible green spaces in all residential neighbourhoods;**

The District of Saanich shall review these objectives, targets, timelines and actions every five years, and evaluate progress towards fulfilling this declaration;

The District of Saanich will consult residents as part of this process.

AND BE IT FURTHER RESOLVED THAT Council forward this resolution to the Annual Meeting of the Association of Vancouver Island and Coastal Communities, the Union of British Columbia Municipalities and the Federation of Canadian Municipalities, requesting favourable consideration by delegates at the 2015 annual meetings of these Associations.”

Councillor Brice stated:

- It has been heartwarming to see so many residents engaged and supporting this declaration of environmental rights.

- The Councillor read from a letter in support of the declaration from the students in Grades 3, 4 and 5 at Strawberry Vale Elementary School, who do 'walk the talk' in environmental matters.

Councillor Derman stated:

- He supports the declaration as a statement of intent and part of a growing public movement to create awareness of the importance of the environment; to accomplish the intent, however, a planning process with clear priorities, identifying the kinds of action to be taken will be necessary.

Councillor Wergeland stated:

- He has appreciated hearing from so many residents what a healthy environment means to them.
- We have made progress and have now recognized the importance of addressing the issue.

Councillor Murdock stated:

- So many young people have spoken tonight on this most crucial issue; making a change seems important to all.

- The impact of this declaration on our community can be measured through the processes contained within it; Saanich can be an example.

Councillor Brownoff stated:

- Saanich is already taking actions to preserve the environment.
- We must now consider how to reach out and engage the community.
- She will also take the declaration of the right to a healthy environment to the Capital Regional District Environment Committee for support.

Councillor Sanders stated:

- There are so many aspects of our environment that we take for granted will always be there; the attitude of 'out with the old' and 'in with the new' is being re-evaluated and reflected in this declaration of environmental rights.
- The right to participate in decision-making that will affect the environment is a particularly inspiring part of the declaration.

Councillor Haynes stated:

- The contribution from our youth and citizens of all ages has been amazing.
- Support for this declaration will reassure the community that we can continue to do more.
- Council might consider having a certificate produced showing the declaration as signed by all members of Council; this could be given to our schools confirming that young people speaking out can have results.

Council Plant stated:

- He appreciates so many residents attending on this issue; Saanich will actively pursue the goals of the declaration.

Mayor Atwell stated:

- It has been great to listen to the speakers tonight and to be reminded how important it is to keep our plans - the community's plans - up to date and to measure our progress.

The Motion was then Put and CARRIED

Motion:

MOVED by Councillor Brice and Seconded by Councillor Haynes: "That the Declaration of the Right to a Healthy Environment be signed by all members of Council and distributed to every school in Saanich for display."

CARRIED

1410-01
Council
Proceedings

PUBLIC PARTICIPATION AT COUNCIL MEETINGS

Report of the Director of Legislative Services dated January 22, 2015 summarizing the public input opportunities provided at Council meetings by other municipalities.

A discussion ensued with Council recommending that to allow more time for the public to review this report, it would be appropriate to consider it more fully at the next Committee of the Whole meeting on February 2, 2015.

In response to a question from Council, the Director of Legislative Services stated that it would be appropriate to hear the speakers in attendance for this issue tonight and hear from any new speakers regarding the public participation report at the next Committee of the Whole meeting on February 2, 2015.

PUBLIC INPUT:

J. Funke-Furber, Arbutus Road, stated:

- Supports the idea of increasing public participation at Council meetings and offered examples from other jurisdictions on their methods of doing so.
- The Federation of Canadian Municipalities (FCM) has created a Toolkit to support public participation in local government, which may be helpful.
- It may take time to develop a meaningful public engagement plan but Council could begin now with a pilot and revise it over time.
- Public engagement provides an opportunity to enrich the civic life of citizens.

V. Blogg, Portage Inlet Sanctuary Colquitz Estuary Society, stated;

- Supports the concept of more public participation at Council meetings but is concerned that it not slow down the process.
- Council should consider strict time allotments, require registration of speakers in advance and look at the timelines for notice of items on agendas.
- Perhaps an on line chat option would be helpful.

L. Middleton, Tampico Place, stated;

- He favours public participation at the Council level but such changes should be considered carefully.
- Engagement should start at the staff level.

P. Haddon, 3515 James Heights, stated:

- He would support allowing residents to speak to subjects not on the agenda; however, process is most important.
- There are many opportunities before a subject comes to Council for public consultation.
- Consider those decisions and plans made at the administrative level which is where the public participation process should begin.

E. Daly, 2923 Mount Baker View Road, stated:

- He agrees in principle with the considerations listed in the report.
- Open participation could occur at the beginning or the end of a meeting; all Council members would be expected to attend any open door meetings if that is supported.

J. Gaylord, Carnegie Crescent, stated:

- She supports public participation at Council but with time limits.
- It is not well known to the public where to direct basic enquiries or complaints or where they may raise issues for consideration; this information should be made available to the public.

S. Brygadyr, Cameo Street, stated;

- Council might consider how to schedule a period of time where a certain topic could be open for discussion by public.
- A formal process is needed with efficient scheduling.

K. Whitworth, Viewmont Road, stated;

- It is worth considering how items raised by the public at a council meeting would be handled – whether any action could be decided or the item simply received for information.
- In order to avoid holding up the business of Council, she would favour registration of speakers with a 3 minute time limit and a maximum time limit for deputations of 18 minutes.

K. Johnson, Landis Place, stated:

- He would suggest early publishing of agenda materials and holding public participation at the end of the Council meeting.

MOVED by Councillor Plant and Seconded by Councillor Brownoff: "That Council postpone further consideration of this report until the next Committee of the Whole meeting to be held on Monday, February 2, 2015."

CARRIED

Motion: MOVED by Councillor Brice and Seconded by Councillor Haynes: "That a ten minute recess be called."

CARRIED

The meeting recessed at 9:50 pm

The meeting resumed at 10:09 pm. with all members and staff present.

Adjournment On a motion from Councillor Derman, the meeting adjourned at 10:10 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK