

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **PUBLIC WORKS, TRANSPORTATION  
AND ECONOMIC DEVELOPMENT COMMITTEE** Meeting  
Monday, September 13, 2004 at 7:00 p.m.  
Central Saanich Municipal Council Chamber

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**PRESENT:** Councillor Robert Thompson, Acting Chair  
Mayor Allison Habkirk  
Councillors: Graham, Haddon, King and Korol  
Gary C. Nason, Administrator  
Trish Flanders, Municipal Clerk  
Hope V. Burns, Director of Planning and Building Services  
Nirmal Bhattacharya, Municipal Engineer

**ABSENT:** Councillor Susan Mason, Chair

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**APPROVAL OF THE AGENDA:**

The Administrator, Mr. Gary C. Nason, noted the addition to the Agenda of the following late items:

- Correspondence from Jill M. Percy Re: Soil Removal Bylaw Amendment Application for 8449 Alec Road (Bowcott), to be considered in conjunction with Item 1;

1038.04 MOVED BY COUNCILLOR KING  
NO SECONDER

*That the Agenda for the Public Works, Transportation & Economic Development Committee Meeting held on September 13, 2004 be approved as amended.*  
CARRIED UNANIMOUSLY

**1. Application for Request for Inclusion of Property Located at 8449 Alec Road in Schedule "A" of District's Soil Removal Bylaw (Mr. Dennis Bowcott)**

- a) Staff Memorandum dated July 26, 2004 from Nirmal Bhattacharya, Soil Conservation Officer [previously presented at the August 9, 2004 Special (Open) Council Meeting];
- b) Council motions (2) adopted on August 9, 2004 in regards to this application;
- c) Notice sent to neighbouring properties dated August 19, 2004;
- d) Proposed "Central Saanich Soil Removal Regulation Bylaw Amendment Bylaw No. 1507, 2004";
- e) Correspondence received pertaining to this application:
  - Roy and Jenny Hyndman, 8320 Alec Road, August 25, 2004;
  - John Garrett and Verena Tunnicliffe, 8410 Alec Road, August 24, 2004;
  - John and Susan Smith, 8262 Alec Road, August 27, 2004;
  - Kelly Eiers, 8100 Alec Road, August 27, 2004;
  - Anne Kittredge, 789 Eldorbud Place, August 30, 2004;
  - Fred and Jacqueline Doerffer, 930 Sheila Crescent, August 31, 2004;
  - L Law, 8286 Alec Road, August 31, 2004;
  - Mark Venn, 8273 Alec Road, August 29, 2004;
  - Ted and Gwen Greenwood, 8590 Alec Road, September 1, 2004;
  - Charles & Linda Long, 8319 Alec Road, August 31, 2004;
  - Elaine and Stephen Hobday, 8123 Alec Road, August 29, 2004;
  - Philip and Roger Jolley, 8393 Alec Road, Sept. 5, 2004;
  - Keith Harris, 8560 Alec Road, September 7, 2004;
  - Jill M. Percy, Saanichton, September 9, 2004.

The Administrator gave a brief overview of the direction given by Council at its Meeting held on August 9<sup>th</sup>, 2004 and referred to the various items of correspondence which have been received by the District in regards to the proposed Amendment to the District's Soil Removal Regulation Bylaw for property located at 8449 Alec Road.

The Applicant, Mr. Dennis Bowcott (Denbow Farms – 8449 Alec Road) advised the Committee that his proposal to develop a vineyard on his property and expand an existing irrigation pond for this purpose is no longer under consideration, as originally indicated in his Soil Removal Application. Instead, he advised that if his Soil Removal Application is approved, he intends to deepen the ponds on his property

located at 8449 Alec Road to provide for the storage of additional water for firefighting purposes, noting that this proposal would benefit both the District of Central Saanich and the District of North Saanich. Mr. Bowcott stated that the spread of fire on any of the properties along Alec Road is a significant concern for everyone, as this heavily forested area is without an adequate water supply. He submitted to the Committee correspondence from the Fire Chief of the District of North Saanich which expressed support for the development of an additional water supply in this area. Mr. Bowcott expressed concern that the local residents are complaining about the potential increase in truck traffic on Alec Road and related safety concerns, and stated that there will only be two truck loads per week travelling on Alec Road. He also stated that all of the various comments made by local residents in their letters are untrue.

The Acting Chair opened the floor for comments from the various letter writers.

It was noted that Roy and Jenny Hyndman were not in attendance at the meeting to address their correspondence.

Mr. John Garrett, 8410 Alec Road, advised of his concerns regarding the following three issues: (1) 200+ trucks travelling on Alec Road is very dangerous and will present serious traffic and pedestrian safety concerns for the area; (2) gravel extraction activities could have detrimental impacts on wells and water quality; and (3) an active soil/gravel extraction operation would have negative impacts on property values. Mr. Garrett referred to the somewhat lengthy process of amending the District's Soil Removal Bylaw to allow for this proposal, and expressed concern that there are no mechanisms in place that could quickly rectify problems associated with the removal of soil from this property, if any do arise.

Ms. Susan Smith, 8262 Alec Road, advised that she had no further comments to offer at this time.

Ms. Kelly Eiers, 8100 Alec Road, expressed concern with the excessive number of trucks that will be travelling along Alec Road if this application is approved.

It was noted that Anne Kittredge, 789 Eldorbud Place, was not in attendance at the meeting to address her correspondence.

It was noted that Fred and Jacqueline Doerffer, 930 Sheila Crescent, were not in attendance at the meeting to address their correspondence.

Ms. Mary Law, 8286 Alec Road, expressed concern with the discrepancies between the purpose for the Soil Removal Application as contained within the Staff Memorandum and the new information supplied by Mr. Bowcott at this meeting, and advised of her opposition to the proposed application.

Mr. Mark Venn, 8273 Alec Road, expressed concern with the potential "quarry" operations that would be taking place on Mr. Bowcott's property and advised that in his opinion, Mr. Bowcott's proposal is only a guise to conceal the sale of rock through a commercial business venture.

It was noted that Ted and Gwen Greenwood, 8590 Alec Road, were not in attendance at the meeting to address their correspondence.

Mr. Charles Long, 8319 Alec Road, agreed with the comments made by Mr. Venn and advised the Committee that he was recently threatened by Mr. Bowcott when discussing the proposed soil removal application. Mr. Long expressed concern with the large, gaping hole that has been blasted from the side of the hill. He questioned where the rock is being deposited and asked why the excavated rock could not be stored on-site as opposed to being trucked off the property.

It was noted that Elaine and Stephen Hobday, 8123 Alec Road, were not in attendance at the meeting to address their correspondence.

Mr. Philip Jolley, 8393 Alec Road, voiced concern that the soil extraction activities from Mr. Bowcott's property have been ongoing for several years, and that the local residents have had to withstand excessive noise and traffic notwithstanding the fact that not one of them has benefitted in any way from the extraction operations at 8449 Alec Road. He expressed concern with the potential harm to local wells that could result from continued extraction activities.

It was noted that Keith Harris, 8560 Alec Road, was not in attendance at the meeting to address his correspondence.

It was noted that Jill M. Percy, Saanichton, was not in attendance at the meeting to address her correspondence.

Mr. Grant Stringer, 8183 Alec Road, advised that he is a relatively new resident to the area and that he has not experienced any of the concerns or challenges that have been expressed by his neighbours. He stated that, from a professional perspective, the water-related concerns that have been expressed by local residents are not legitimate arguments to deny Mr. Bowcott's Soil Removal Application. Mr. Stringer commented on his observance that the posted 30 km/hr speed limit on Alec Road is not adhered to by the residents of Alec Road, and questioned the concerns that have been previously expressed by the Alec Road residents in this regard. He briefly commented on the rising cost of fire insurance, and advised the Committee that he is fully supportive of allowing Mr. Bowcott to remove soil/gravel from his property to allow for the storage of additional water for firefighting purposes.

The Chair offered Mr. Bowcott with a final opportunity to present additional comments in regards to his Soil Removal Application, and Mr. Bowcott advised that he had nothing further to add at this time.

In discussion around the table, the Committee indicated the following reasons why it was not prepared to recommend proceeding with Bylaw No. 1507 at this time:

- Concerns in regards to the impacts upon Alec Road of continuous trucking activity resulting from the removal of the proposed materials;
- The impact upon the neighbourhood and specifically the residents along Alec Road of the noise and associated disruptions resulting from the excavation and trucking activity;
- Traffic safety concerns as a result of the increase in trucking activity along Alec Road which would result were this proposal to be approved;
- The lack of specifics in regards to the nature and extent of the excavation activity that is proposed to be conducted, particularly in regards to the number, frequency and timelines for proposed trucking activity;
- Outstanding questions in regards to why the excavated rock could not be stored on-site as opposed to being trucked off the property; and
- The Applicant's statement that he is no longer proposing to grow grapes which is contrary to the reasons for the requested irrigation which are stated in the report from his consulting engineer.

1039.04      MOVED BY COUNCILLOR HADDON  
NO SECONDER  
*That It Be Recommended to Council:*

*That Council not proceed at this time with the necessary readings of "Central Saanich Soil Removal Regulation Bylaw Amendment Bylaw No. 1507, 2004" to include the property located at 8449 Alec Road in the District's Soil Removal Bylaw.*

CARRIED UNANIMOUSLY

## **2. Gravel Extraction Agreement – Butler Brothers Supplies Ltd.**

- a) Staff Memorandum dated August 24, 2004 from Gary C. Nason, Administrator Re: Gravel Extraction Agreement – Butler Brothers Supplies Ltd.

The Administrator gave an overview of the Staff Memorandum pertaining to the Gravel Extraction Agreement with Butler Brothers Supplies Ltd., and responded to questions from members of the Committee.

1040.04      MOVED BY COUNCILLOR HADDON  
NO SECONDER

*That It Be Recommended to Council:*

*That the Staff Memorandum dated August 24, 2004 entitled "Gravel Extraction Agreement – Butler Brothers Supplies Ltd." be received, and any decision to extend the Gravel Extraction Agreement with Butler Brothers Supplies Ltd. be deferred pending the completion by early 2005 of the upcoming Facilities review/strategic planning process which will include recommendations on the future development potential of the Works Yard site and options open to the District in this regard.*

CARRIED UNANIMOUSLY

### **3. Highway 17 – McKenzie Avenue to Swartz Bay**

- a) Correspondence dated September 1, 2004 from Mayor Don Amos, Town of Sidney  
Re: Highway 17 – McKenzie Avenue to Swartz Bay.

The Administrator gave a brief overview of the correspondence, and during a brief discussion members of the Committee suggested that the Town of Sidney be encouraged to invite Mayor Alan Lowe of the City of Victoria and Susan Brice, Saanich South MLA to the October 4<sup>th</sup> Meeting.

1041.04      MOVED BY COUNCILLOR GRAHAM  
NO SECONDER

*That It Be Recommended to Council:*

*That the correspondence be received and the Town of Sidney be advised that Mayor Habkirk, together with Councillors Graham, Haddon and Mason, will attend the October 4<sup>th</sup>, 2004 meeting with the Minister of Transportation regarding Highway 17 (McKenzie Avenue to Swartz Bay) issues, and the Town of Sidney be further requested to consider inviting the Mayor of Victoria and Susan Brice, Saanich South MLA, to attend the meeting.*

CARRIED UNANIMOUSLY

***The Public Works, Transportation & Economic Development Committee Meeting held on September 13, 2004 temporarily adjourned at 7:58 pm and reconvened at 9:41 pm.***

**PRESENT:**      Councillor Robert Thompson, Acting Chair  
Mayor Allison Habkirk  
Councillors: Graham, Haddon, King and Korol  
Gary C. Nason, Administrator  
Trish Flanders, Municipal Clerk  
Hope V. Burns, Director of Planning and Building Services  
Nirmal Bhattacharya, Municipal Engineer

### **4. Proposed Policies and Prioritization for Bicycle Routes and Pedestrian Facilities in the District, as Contained in the Transportation Planning Study**

- a) Staff Memorandum dated September 7, 2004 from Nirmal Bhattacharya, Municipal Engineer Re: Proposed Policies and Prioritization for Bicycle Routes and Pedestrian Facilities in the District, as Contained in the Transportation Planning Study.

### **5. Proposed Heritage Designation of Mt. Newton Cross Road, Between Malcolm Road and Senanus Drive, and the Adoption of Related Heritage Maintenance and Construction Standards**

- a) Staff Memorandum dated August 27, 2004 from Nirmal Bhattacharya, Municipal Engineer Re: Proposed Heritage Designation of Mt. Newton Cross Road, Between Malcolm Road and Senanus Drive, and the Adoption of Related Heritage Maintenance and Construction Standards.

The Administrator suggested that, due to the absence of the Committee Chair and the lateness of the meeting, the two above-noted items be received for information only at this time, and that further consideration and discussion of these items be deferred to a future Committee Meeting.

1042.04      MOVED BY MAYOR HABKIRK  
                 NO SECONDER  
                 *That It Be Recommended to Council:*

*That:*

1. *the Staff Memorandum dated September 7, 2004 entitled "Proposed Policies and Prioritization for Bicycle Routes and Pedestrian Facilities in the District, as Contained in the Transportation Planning Study" be received and referred to the Advisory Planning Commission for review and comment, and further consideration of the Memorandum be deferred to a future Committee Meeting; and*
2. *the Staff Memorandum dated August 27, 2004 entitled "Proposed Heritage Designation of Mt. Newton Cross Road, Between Malcolm Road and Senanus Drive, and the Adoption of Related Heritage Maintenance and Construction Standards" be received and referred to the Central Saanich Heritage Commission for review and comment, and further consideration of the Memorandum be deferred to a future Committee Meeting.*

CARRIED UNANIMOUSLY

**ADJOURNMENT:**

*On motion, the Public Works, Transportation & Economic Development Committee Meeting held on September 13, 2004 adjourned at 9:43 p.m.*

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Councillor Robert Thompson, Acting Chair

Recorded By: Trish Flanders  
Municipal Clerk