

- S The proposed house will be sited as close as possible to the north and west boundaries to minimize blasting to the feature rock on the property.
- S The majority of the blasting required will be for the front of the garage; it will be kept to a minimum.
- S The proposed 2,543 sq.ft. house will be terraced, designed to climb up the rock, and is below the maximum size and height allowed under the RS-6 zoning.
- S The applicants want to have the driveway on the east side of the property; the neighbours are also in agreement with this.
- S The dwelling will sit well below the existing homes to the south and the east; the roof of the proposed dwelling will be at ground elevation to the property on the south side.
- S The property most impacted by the development is the existing duplex owned by the applicant.
- S Windows on the east side of the house have been minimized.
- S The proposal is compatible with the existing neighbourhood and the new house will be situated to have the least impact on the natural features of the site.
- S The arborist's report indicates that the development will not impact the trees on the south side of the property; a couple of trees will have to be removed for the driveway, and tree #607 will be impacted.
- S The applicants will comply with municipal drainage requirements set out at the subdivision stage.
- S At the neighbourhood meeting, a resident asked if the existing rock wall and hedge could be retained; the applicant agreed to try to comply with this where possible.
- S There was some discussion about a natural state covenant for the rear of the property; the applicant doesn't think a covenant is necessary because of the large rear setback and the topography of the site; he is willing, however, to accept Council's advice in this matter.
- S The applicant is also willing to enter into a covenant to ensure that the plans submitted for this Hearing are the plans that will be built.
- S The applicant has worked hard to ensure that Council and the neighbours have received suitable information and feels that the proposed rezoning is appropriate in-fill development that fits in well with the existing neighbourhood.

PUBLIC INPUT:

Mr. D. Smith, 1594 Derby Road, stated:

- S His home is directly across the street and he has lived here for 26 years.
- S He has reviewed the plans and is strongly opposed to the proposal because the house is too big for the lot and will be out of character with the neighbourhood.
- S He is not anti-development and appreciates there has to be change.
- S This is a great neighbourhood and this particular lot plays a significant role because it is so unique.
- S Over the years, many people have enjoyed walking past this unexpected green space, which he has also enjoyed from his living room.

- S He spent over \$100,000 renovating his home a few years ago because he wanted to stay in the neighbourhood rather than move.
- S If this project is approved, some very significant trees and shrubs will be lost forever.
- S The needs of the people who already live on Derby Road should be respected.
- S He accepts that a house will be built here; it is the size of the proposed house that he has a problem with.

Mr. P. Hughes, 1596 Sonria Place, stated:

- S He has lived in this neighbourhood for 17 years and shares a common boundary with the property in question.
- S He is not against development, but agrees with the previous speaker that the house is too big for the property and the neighbourhood.
- S He noted a house was built on Sonria Place a few years ago which fits in very well with the neighbourhood.
- S Most of the properties in this area were built in the 50s and 60s, and are modest, single family homes with a basement.
- S He is concerned about the Garry Oaks and the large spruce tree that will be lost, as well as the natural flora and fauna on the rock outcrop which will be destroyed.
- S Although he shares a common boundary with the property, he has never been contacted directly by the applicant.
- S The notice for the January 22 public meeting was not delivered until January 19.
- S He looks forward to some kind of development on this property, but it should be in keeping with the neighbourhood.

Mrs. M. Hughes, 1596 Sonria Place, stated:

- S The last new dwelling built on Sonria Place about five years ago is a two-storey family home and it did not change the nature of the neighbourhood and fits in well.
- S The reason there were only two people at the neighbourhood meeting was probably because of the short notice.
- S In response to her request, a number of neighbours present in the audience stood up to show their opposition to the project.

Mr. Pollock, 1598 Derby Road, stated:

- S How can Council vote on "preliminary" plans?
- S This property is very steeply sloped and it is difficult to determine what is appropriate development for this site.
- S He is disappointed that the Blue Spruce tree has to be removed.

Ms. B. Reynolds, 1597 Derby Road, stated:

- S She lives adjacent to the property in question and has for 32 years.
- S Her property also has a natural outcropping with many natural and native plants.
- S The proposed house will be very close and she is concerned about the native trees that will be removed.
- S The site is like a park right now.

APPLICANT'S RESPONSE:

Mr. Mitchell stated:

- S The house has been designed by a professional to minimize the impact on the property.
- S The house will be stepped back 20' from the front of the garage to minimize the massing, and has a 15 metre rear yard setback.
- S It is a modest house and will be lower in height than what is permitted.
- S The applicant has indicated a willingness to enter into a natural state covenant.
- S He asked that Council not reject the application based on the house size.

In response to questions from Council, Mr. Mitchell responded as follows:

- S It was because of the neighbours' concerns that they held a neighbourhood meeting.
- S It is difficult to look at the one-dimensional plans and visualize the terracing effect of the building; the house is not as massive as it seems to appear.
- S With respect to height, the drawings have not been revised since the December 8, 2003 Committee of the Whole Meeting.

**Moved by Councillor Derman and Seconded by Councillor Brownoff:
"That the application to rezone to RS-4 be rejected."**

Councillor Derman stated:

- S This is a large lot with an opportunity for redevelopment.
- S The neighbours share this view and are not against development.
- S Many variances have been requested; the effect on the streetscape will be substantial.
- S The staff report notes that in-fill development must be compatible with and contribute to the community.
- S He believes the neighbourhood will accept something more compatible.

Councillor Wergeland stated:

- S The proposal looks too high and too massive from the road, even if it is within the bylaw.
- S He can understand the community's concerns and hopefully in the future something will be presented which fits in better with the neighbourhood.

Councillor Wade stated:

- S She has driven past the site a couple of times and agrees that although it is challenging, there is definitely potential for development.
- S Council consistently gets the message that its Zoning Bylaw allows for housing that is much too big, and yet this proposed house is lower than what could be built under RS-6 zoning.
- S The community is not against development, but this isn't the right proposal.

Councillor Brownoff stated:

- S This is a very unique and challenging site, and the house proposed is modest for an RS-6 lot.
- S In-fill is the most difficult zoning that Council has to deal with; it must fit in with the neighbourhood.
- S Although something could be developed on this site, the house as proposed is not the design which will fit in with the neighbourhood.

Councillor Gillespie stated:

- S It was made clear to the applicant at the Committee of the Whole Meeting that before the application came to Public Hearing, the size of the building should be addressed and the neighbours invited to a meeting.
- S A house of a different design is needed so it can fit in with the neighbourhood.

THE MOTION WAS THEN PUT AND CARRIED

No. 36
Sonria Place
Bylaw No. 8524

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8524"
Rescindment of first reading.

**Moved by Councillor Brownoff and Seconded by Councillor Gillespie:
"That first reading of Bylaw No. 8524 be rescinded."**

CARRIED

No. 37
PLD55
Bylaw 8525

- i "OFFICIAL COMMUNITY PLAN, 1993, AMENDMENT BYLAW, 2004, No. 8525"

PROPOSED AMENDMENT TO THE TILLICUM LOCAL AREA PLAN AND THE DEVELOPMENT PERMIT AREAS JUSTIFICATIONS AND GUIDELINES

The intent of this proposed bylaw is to amend the Official Community Plan as follows:

- a) To designate Parcel A (DD 120914I) of Lot 8, Block 10, Section 13, Victoria District, Plan 1070 and the easterly ½ of Lot 7, Block 10, Section 13, Victoria District, Plan 1070 (**2960 TILLICUM ROAD/313 WALTER AVENUE**) in the Tillicum Local Area Plan for institutional use.
- b) To include the easterly ½ of Lot 7, Block 10, Section 13, Victoria District, Plan 1070 (**313 WALTER AVENUE**) in the Tillicum Road Development Permit Area.

Tillicum Road
Bylaw 8526

- ii "ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8526"

PROPOSED REZONING FOR CHURCH USE ON TILLICUM ROAD AND WALTER AVENUE

To rezone Parcel A (DD 120914I) of Lot 8, Block 10, Section 13, Victoria District, Plan 1070 and the easterly ½ of Lot 7, Block 10, Section 13, Victoria District, Plan 1070 (**2960 TILLICUM ROAD/313 WALTER AVENUE**) from zones C-2 (general commercial) and RS-6 (single family dwelling) to zone P-1 (assembly) for a proposed parking lot and caretaker's dwelling for the adjacent Trinity Presbyterian Church. **A DEVELOPMENT PERMIT AMENDMENT** applicable to the above lands and to Lot 8, Block 10, Section 13, Victoria District, Plan 1070 except

Parcel A (DD 120914I) (**2964 TILlicUM ROAD**) will also be considered to reduce the total number of required parking spaces from 36 to 21, to reduce the rear yard setback for the existing house from 10.0m to 3.0m and to allow a proposed wheelchair ramp and exterior alterations to the existing church to be constructed 0.152m from the exterior side lot line.

The Notice of Public Hearing, the report of the Director of Planning Services dated December 16, 2003 recommending approval; the report of the Advisory Design Panel dated August 25, 2003, making recommendations with respect to the design; 7 letters in support; a letter in support from the Gorge Tillicum Community Association; and a 21 signature petition in support; were introduced.

APPLICANT:

Reverend B. Crosby, 524 Foster Road, stated:

- S There has been a lengthy consultation process with the church authorities and organizations concerning the use and development of the property.
- S After three years, it was concluded that the best plan is to remove one of the two houses adjacent to the church for a parking lot.
- S At the same time, it is proposed to renovate the church in order to make the entire property more attractive and to integrate it into the urban village concept plans for this area.
- S They have tried to consult with all the neighbours and he believes there is a good level of support from the local community.
- S He hopes the project can proceed as quickly as possible, with the first stage being construction of the parking lot.

PUBLIC INPUT:

Mr. A. McCaskill, 574 Landeen Place, stated:

- S He supports the proposed parking lot, which will provide an additional 21 off-street parking spaces.
- S Presently, members have to park on Walter or Vincent, or park in the shopping mall across the street and dash across Tillicum Road.
- S The church has the use of an adjacent parking lot on Sundays, but it is very small.

Mr. G. Hall, 2519 Cavandish Street, stated:

- S He was raised in this area and every Sunday he and his wife drive across town to attend the church; parking is always a problem.
- S He encouraged Council to support the rezoning.
- S The church has the funds available to do the work, raised through the members of the church; there is no corporate donations or government funding.

Mrs. Clarke, 2851 Wyndeatt Avenue, stated:

- S She supports the rezoning and development application.
- S The area has gone through a number of physical changes, including the widening of Tillicum Road.

- S The needs of the members and the impact on the immediate neighbours have always been at the forefront.
- S The off-street parking will benefit not only the members of the church, but others who use the church for karate lessons, weddings, funerals, etc.
- S The improvements to the church will contribute to the neighbourhood.
- S She thanked staff for their thoughtfulness and help during the process.

Mr. R. Katzer, 2814 Inez Drive, and a number of members of the congregation, were present in support of the application.

Mr. P. Gerrard, President of the Gorge Tillicum Community Association, stated:

- S Through this long process, the applicant has made presentations to the Community Association and held open houses for the neighbourhood.
- S The Community Association fully supports the project, which fits in with the intention to revitalize Tillicum Road.
- S The church should be congratulated; it is a small congregation that has made this project a reality.

APPLICANT'S RESPONSE:

Nil

**Moved by Councillor Derman and Seconded by Councillor Gillespie:
"That the application to rezone from C-2 and RS-6 to P-1 be approved."**

Councillor Derman congratulated the church on an excellent project, which will be a very positive contribution to the community.

Councillor Wergeland also congratulated the church on the work they have done on this application. He fully supports the project, which is attractive and will fit in with the whole community.

Mayor Leonard stated this project is not about a building, it is about a commitment to the community. Council appreciates the church members coming out tonight, not only to show support for the project, but also their activities for many years in the past as well as into the future.

The Motion was then Put and CARRIED

No. 38
PLD55
Bylaw No. 8525

"OFFICIAL COMMUNITY PLAN, 1993, AMENDMENT BYLAW, 2004, No. 8525"
Second and Third Readings

**Moved by Councillor Cubberley and Seconded by Councillor Derman:
"That Bylaw No. 8525 be read a second time."**

CARRIED

**Moved by Councillor Cubberley and Seconded by Councillor Derman:
“That Bylaw No. 8525 be now passed.”**

CARRIED

No. 39
Tillicum Road
Bylaw 8526

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8526”
Second and Third Readings

**MOVED by Councillor Cubberley and Seconded by Councillor Derman:
“That Bylaw No. 8526 be read a second time.”**

CARRIED

**MOVED by Councillor Cubberley and Seconded by Councillor Derman:
“That Bylaw No. 8526 be now passed.”**

CARRIED

MOVED by Councillor Cubberley and Seconded by Councillor Gillespie: “That it be recommended that Council approve and issue Amended Development Permit No. P/61/81 on the North Part of Lot 8, South Part of Lot 8 and East Part of Lot 7, all of Block 10, Section 13, Victoria District, Plan 1070 (2960 and 2964 Tillicum Road /313 Walter Avenue).”

CARRIED

No. 40
Santa Clara Ave.
Bylaw 8527

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8527”

PROPOSED 2 LOT RESIDENTIAL SUBDIVISION ON SANTA CLARA AVENUE AT PIEDMONT DRIVE

To rezone a portion of Parcel A (DD365439I) of Lot 1, Section 45, Lake District, Plan 8208 (**5125 SANTA CLARA AVENUE/PIEDMONT DRIVE**) from zone A-1 (rural - minimum lot size 2 ha) to zone RS-10 (single family dwelling - minimum lot size 780 m²) for a proposed two lot residential subdivision.

The Notice of Public Hearing and the report of the Director of Planning Services dated December 22, 2003, recommending approval, were introduced.

APPLICANT:

Mr. Dave Prette, 5125 Santa Clara Avenue, stated:

- S One concern, which he did not raise at the Committee of the Whole Meeting, was a recommendation from the Planning Department that the 33' front setbacks from Piedmont Drive that apply to the adjoining development apply to this property also.
- S The neighbour's property is 14' further back than his property.
- S If his property has a 33' front setback from Piedmont, there will be no backyard.
- S The initial house plans which have just been completed show the second storey is contained within the roof line and the house has a 27' setback from Piedmont.

S The living room is the only feature of the house that will be 27' from the front lot line, the rest of the house will be stepped back further, with the front of the garage 42' from the road.

S The neighbours he has spoken to are in support of the project.

PUBLIC INPUT:

Ms. V. Seginowich, 5121 Santa Clara Avenue, stated:

S She would prefer the setback from Piedmont to be as proposed on the applicant's plans because having the 33' setback brings the building closer to her backyard.

S She has no problem with the development as proposed.

S She has talked to the applicant about a hedge between the two properties and he has agreed to her request to plant cedar trees at 36" intervals.

S This will provide privacy to both properties, and she asked that this be included in a covenant.

APPLICANT'S RESPONSE:

Nil

Moved by Councillor Wade and Seconded by Councillor Gillespie:
"That:

- 1. The application to rezone from A-1 to RS-10 be approved; and**
- 2. The Approving Officer be encouraged to consider reducing the front yard setback to 27 ft. for the proposed new house as outlined by the applicant and to require a covenant to ensure a cedar hedge is provided along the south property line adjacent to 5121 Santa Clara Avenue."**

Councillor Wergeland stated that the proposal will blend in well into the neighbourhood and he supports the applicant's request for a 27' setback from Piedmont.

The Motion was then Put and CARRIED

No. 41
Santa Clara Ave.
Bylaw 8527

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8527"
Second and Third Readings

Moved by Councillor Gillespie and Seconded by Councillor Brownoff:
"That Bylaw No. 8527 be read a second time."

CARRIED

Moved by Councillor Gillespie and Seconded by Councillor Brownoff:
"That Bylaw No. 8527 be now passed."

CARRIED

No. 42
Piedmont Dr./Santa
Clara Ave
Bylaw 8528

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO.8528"

PROPOSED 3 LOT RESIDENTIAL SUBDIVISION ON PIEDMONT DRIVE

To rezone Lot 2, Section 45, Lake District, Plan 8208 and a portion of Parcel A (DD365439I) of Lot 1, Section 45, Lake District, Plan 8208 (**759 PIEDMONT DRIVE/5125 SANTA CLARA AVENUE**) from zone A-1 (rural - minimum lot size 2 ha) to zones RS-10 (single family dwelling - minimum lot size 780 m²) and RS-12 (single family dwelling - minimum lot size 930 m²) for a proposed three lot residential subdivision. Council will also consider exempting proposed Lot 3 (panhandle lot) from the required minimum highway frontage.

The Notice of Public Hearing; the report of the Director of Planning Services dated December 22, 2003, recommending approval; a 50 signature petition in opposition; 12 letters in opposition; and 2 letters from G. Chapman, 761 Piedmont Avenue indicating support for the application if restrictions to the house design, location and footprint are provided; were introduced.

Responding to questions from Council, the Development Coordinator stated:

- S The applicant will be required to provide curb and gutter on the street frontages.
- S There is an existing mountable curb and gutter on the north and south sides of Piedmont Drive.

APPLICANT:

Mr. B. Karcher, 5163 Santa Clara, on behalf of the applicant, stated:

- S He and the applicant have worked very hard with the Community Association and the neighbourhood to arrive at a comprehensive design that works for everyone.
- S Council has received several letters in opposition to the application, but they were received months ago, prior to completion of the final design.

PUBLIC INPUT:

Ms. V. Seginowich, 5121 Santa Clara Avenue, stated:

- S She requested a covenant be placed on this property to ensure there is a cedar hedge planted between her property and the proposed development.
- S The cedars should be a minimum height of 6' and planted 36" apart.

Mr. B. Chapman, 761 Piedmont Drive, stated:

- S Initially, this application raised a lot of opposition, but there has been a lot of discussion with the neighbours and changes have been made.
- S The immediate neighbours are all in agreement with the proposal.
- S The neighbours want to maintain the unique ambience of the street.
- S His understanding is at the time of subdivision a covenant will be in place and the plans for the footprint of the house, the hedges, etc. will be cast in stone.

S Based on this understanding, and as the person most affected by the proposal, he supports the project going forward.

APPLICANT’S RESPONSE:

Nil

MOVED by Councillor Derman and Seconded by Councillor Gillespie: “That the application to rezone from A-1 to RS-10 and RS-12 be approved.”

The Motion was then Put and CARRIED.

No. 43
Piedmont Dr./Santa Clara Ave
Bylaw 8528

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO.8528”

Second and Third Readings.

Moved by Councillor Gillespie and Seconded by Councillor Derman: “That Bylaw No. 8528 be read a second time.”

CARRIED

Moved by Councillor Gillespie and Seconded by Councillor Derman: “That Bylaw No. 8528 be now passed.”

CARRIED

MOVED by Councillor Cubberley and Seconded by Councillor Wergeland: “That it be recommended that Council approve an exemption from the 10% road frontage requirement of the *Local Government Act* for proposed Lot 3 of a subdivision of Lot 2, Section 45, Lake District, Plan 8208 (759 Piedmont Drive).”

CARRIED.

Adjournment

On a motion from Councillor Gillespie the meeting adjourned at 8:43 p.m.

.....
MAYOR

I hereby certify that these minutes are correct.

.....
MUNICIPAL CLERK