

SPECIAL COUNCIL MEETING  
FOR THE PURPOSES OF A **PUBLIC HEARING**  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**TUESDAY, JULY 6, 2004 AT 7:30 P.M.**

Present:

**Chair:** Mayor Leonard  
**Council:** Councillors Brownoff, Cubberley, Derman, Gillespie, Ngai (7:57 pm), Pickup and Wergeland.  
**Staff:** J. Bains, Development Coordinator; S. Hvozanski, Planner I; M. Trottier, Deputy Municipal Clerk; and C. Bonnick, Senior Committee Clerk.

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No. 250  
Forrester Street  
Bylaw No. 8573

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8573"

**PROPOSED 2 LOT RESIDENTIAL SUBDIVISION ON FORRESTER STREET**

To rezone a portion of Lot 9, Block 11, Section 27, Victoria District, Plan 1107 (**1940 FORRESTER STREET**) from zone RS-6 (single family dwelling - minimum lot size 560m<sup>2</sup>) to zone RS-4 (single family dwelling - minimum lot size 460m<sup>2</sup>) for a proposed two lot residential subdivision. In order to retain the existing house on proposed Lot A of the subdivision, **A DEVELOPMENT VARIANCE PERMIT** applicable to Lot 9, Block 11, Section 27, Victoria District, Plan 1107 will also be considered to increase the maximum percentage of non-basement area from 80% to 88%.

The Notice of Public Hearing; the report of the Director of Planning Services dated June 3, 2004, recommending approval; seven letters in opposition; a letter in support from the Camosun Community Association; and three letters from area residents withdrawing their opposition; were introduced.

**APPLICANT:**

Mr. A. Willie, on behalf of the owners, stated:

- S There will be a minimal impact to the neighbours north of the subject property.
- S In addition to the garage being located on the east side of the proposed house, there will be lots of vegetation to provide screening for the neighbour to the east.
- S The number of windows on the east and west elevations have been reduced from the original design to provide additional privacy; the majority of the windows on the east elevation are piano windows to allow light and provide privacy.
- S The proposed house has been designed to fit with the character of the surrounding neighbourhood; the setbacks are larger than required and the height is approximately 0.4 metres less than permitted.
- S A great deal of consultation has taken place with the neighbours to the north to maintain their view corridors.
- S The garage access will not interfere with the root zones of any of the trees that will be retained on the property.
- S A single door garage has been selected to match the other garages on the street.
- S The design has been amended to reduce the roofline and restrict the massing of the house to the middle of the footprint.

- S There are two small side dormers to accommodate a stairwell and bathroom.
- S The owners have addressed many concerns of the neighbours through consultation and compromise.
- S The square footage of the proposed house is less than the existing house.
- S There are several 2½ storey homes on the south side of Forrester Street; they have kept the basement as deep as possible to help reduce the height of the dwelling.

Mr. G. Leibel, 1940 Forrester Street, stated:

- S They advised all of the neighbours of their intent to rezone the property before submitting the application to Saanich, recognizing that community consultation was an important part of the process.
- S They have lived in the neighbourhood for approximately 7 years and have been in their current home for approximately 1½ years.
- S They held a neighbourhood meeting with the Camosun Community Association in March 2004.
- S The main concerns expressed by the community were parking, siting, retention of the vegetation, maintaining the rural road atmosphere, and preserving view corridors; all have been addressed.
- S The house has been redesigned twice after consulting with the neighbours although they were unable to meet with the neighbour at 1960 Forrester Street.
- S The peak of the roof is approximately the same height as the surrounding homes.

**PUBLIC INPUT:**

Ms. C. Rankin, 1960 Forrester Street, stated:

- S She is opposed to the rezoning and the variance request for the existing house.
- S If approved, she will lose all privacy in her rear yard and master bedroom and sunlight will be blocked.
- S She does not want more vehicles on this already busy road, additional stormwater runoff or any sidewalks or road widening to occur as a result of this proposal.
- S This development will negatively impact the value of her property.
- S She does not believe that any of the neighbours want this new home in their neighbourhood.
- S A bungalow would be more appropriate for the lot size and be more in keeping with the character of the neighbourhood provided storm drainage issues are addressed.

Ms. V. Sanders, 3326 Richmond Road, Camosun Community Association, stated:

- S The Association supports the public process the applicants have undertaken to recognize the desires of the neighbourhood.
- S The applicants have addressed most of the community's concerns.

- S The design was dramatically altered to address the concerns of the homeowners on Cochrane Street.
- S The neighbours to the north have withdrawn their original opposition.

Mr. J. Nicoll, 1593 Begbie Street, stated:

- S He grew up at 1971 Forrester Street and hopes to return to the neighbourhood in the future.
- S He is opposed to this development as this is a desirable neighbourhood with large treed lots and should be retained as such.
- S The subject property has a garden that has been cultivated for many years and no more trees should be lost.
- S During heavy rains, the south side of the street floods; this will only get worse with an additional house on the north side.
- S There are already many cars parked on the street which will increase if this rezoning is approved.
- S He does not wish to see the character of the neighbourhood changed.

#### **APPLICANT'S RESPONSE:**

Mr. Leibel stated:

- S There are several trees on the perimeter of the property that will be retained although some trees in the building envelope will not.
- S Many of the fruit trees on the property are dead or dying but an effort will be made to retain as many healthy trees as possible.
- S They are a two vehicle family and will make every effort to keep cars off the road.
- S They performed an informal shadow study at 5:00 pm that indicated there would be no shadowing in the rear yard at 1960 Forrester Street.
- S There is only one small 2' x 3' window on the east side of the garage; they will retain as much vegetation as possible to protect the privacy of their neighbour.

The Development Coordinator stated:

- S There is an existing stormdrain on the north side of Forrester Street that is capable of handling the runoff from the proposed house; a new stormdrain would need to be installed to resolve the stormwater issues for the south side of Forrester Street.
- S Residents could pursue the installation of a new stormdrain through the Local Improvement process.

In response to questions from Council, the Planner I stated:

- S The variance request is strictly a housekeeping measure; an attempt is usually made to make all structures conforming when dealing with density issues.
- S The Municipal Solicitor has advised that the floor space ratio variance will apply only to the existing dwelling; if demolished, future dwellings would have to conform to the bylaw in effect at that time.
- S The setback from the east side of the proposed dwelling to the property line is approximately 8.3 feet; the roof overhang will be less than 2 feet.

Councillor Pickup stated:

- S The proposed house is larger than the others on the street and is too large for an RS-4 lot.
- S She is not sure that the house will not overshadow the rear yard to the east.

Councillor Gillespie stated:

- S He believes the proposed house is larger than most of the surrounding houses and does not fit in with the neighbourhood.
- S He is concerned that the large lots on the south side of Forrester may also be subdivided in the future.

Councillor Wergeland stated:

- S A 2700 square foot home is large for this lot and neighbourhood.
- S He believes the proposed home will overshadow the rear yard to the east.

Councillor Cubberley stated:

- S The proposed house does offer architectural value to the neighbourhood while staying within the required setbacks.

Councillor Ngai stated:

- S The applicant has made significant changes to the design since their first proposal to address the concerns of the community.
- S She is pleased to see that many of the neighbours have withdrawn their opposition.
- S She believes a neighbourhood needs a variety of housing.
- S The size of the house did not appear to be an issue at the Committee of the Whole meeting and should not be raised at this late stage.

Councillor Derman stated:

- S This is a large RS-4 lot and meets the minimum width requirements.
- S There are six other RS-4 lots on the next block of Forrester Street.
- S The proposed house is smaller than the existing house, is attractively designed and fits into the neighbourhood.

Mayor Leonard stated:

- S RS-4 lots are becoming very common and have received high praise for many of their designs.
- S The massing, setbacks and design lend character to the dwelling; square footage is not the only issue to be considered.
- S The applicants have conducted a thorough consultation process and he does not believe amending the design would resolve any of the concerns raised this evening.

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

Councillor Wergeland stated:

- S He is concerned about the height and size of the home but the applicants have conducted a through consultation process with the neighbourhood.
- S There is not a lot of opposition to the application and he does not believe the value of the surrounding homes will decrease as a result of this development.

Councillor Pickup stated:

- S She cannot support this application as she believes the house is too large for an RS-4 lot size.
- S She would reconsider the application if the house size were smaller.

Councillor Gillespie stated:

- S He likes the design of the proposed house but believes the size is too big for the lot and cannot support the application.

Councillor Brownoff stated:

- S No formal shadow study was completed and she believes the neighbour to the east will be affected.
- S The house is too large and she cannot support the application.

**The Motion was then Put and CARRIED  
with Councillors Brownoff, Gillespie and Pickup voting against.**

No. 252  
Forrester Street  
Bylaw No. 8573

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8573"  
Second, Third and Final Readings

**Moved by Councillor Ngai and Seconded by Councillor Derman: "That  
Bylaw No. 8573 be read a second time."**

**CARRIED  
with Councillors Brownoff, Gillespie and Pickup opposed.**

**Moved by Councillor Ngai and Seconded by Councillor Derman: "That  
Bylaw No. 8573 be now passed."**

**CARRIED  
with Councillors Brownoff, Gillespie and Pickup opposed.**

**Moved by Councillor Ngai and Seconded by Councillor Derman: "That  
Bylaw No. 8573 be adopted by Council and the Seal of the Corporation  
be attached thereto."**

**CARRIED  
with Councillors Brownoff, Gillespie and Pickup opposed.**

**Moved by Councillor Derman and Seconded by Councillor Ngai: "That the development variance permit be amended to require adherence to the design plans as presented and that Council approve and issue Development Variance Permit No. DVP2004-00004 on Lot 9, Block 11, Section 27, Victoria District, Plan 1107 (1940 FORRESTER STREET) as amended."**

**CARRIED**

**with Councillors Brownoff, Gillespie and Pickup opposed.**

No. 252  
PLD55  
Bylaw No. 8574

- i "OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2004, NO. 8574"

**PROPOSED SAANICH CORE LOCAL AREA PLAN AMENDMENT TO DESIGNATE PROPERTY ON SHORT STREET FOR MULTI-FAMILY USE**

The intent of this proposed bylaw is to amend the Saanich Core Local Area Plan to designate Lot A, Section 7, Victoria District, Plan VIP77084 (**3497 SAANICH ROAD AND 850/860/880/3482 SHORT STREET**) as potential multi-family on Map 4.2 and to amend the Short Street Action Plan to revise the Short Street Cross-Section to bring the buildings closer to the property line in order to improve the streetscape.

Saanich Road/  
Short Street  
Bylaw No. 8575

- ii "ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8575"

**PROPOSED REZONING FOR A MIXED USE COMMERCIAL/ RESIDENTIAL DEVELOPMENT ON SHORT STREET**

To rezone Lot A, Section 7, Victoria District, Plan VIP77084 (**3497 SAANICH ROAD AND 850/860/880/3482 SHORT STREET**) from zones C-5 (civic core) and RS-6 (single family dwelling) to zone C-5 (civic core) for a proposed commercial and residential development. **A DEVELOPMENT PERMIT** applicable to the above lands will be considered to require the buildings and lands to be constructed and developed in accordance with the plans submitted. A restrictive covenant amendment will also be considered to reflect the parking requirements for this development.

By separate notice Council has invited representations with respect to the reopening of Short Street to through traffic. The road is being reopened because it is required to provide legal access to adjacent lands and in order to conform with municipal planning for this area.

The Notice of Public Hearing; the report of the Director of Planning Services dated May 7, 2004, recommending approval of the rezoning; a report dated June 22, 2004 recommending approval of the development permit; reports from the Advisory Design Panel dated October 7 and 20, 2003, recommending design approval; and a report from the Director of Engineering Services dated June 10, 2004, making recommendations with respect to the reopening of Short Street; were introduced.

**APPLICANT:**

Mr. D. Johnson, owner, stated:

- S They will undertake a pilot project in partnership with B.C. Transit that will provide a minimum of two annual bus passes for each residential unit in the development as a Transportation Demand Management measure.
- S The passes will be initiated upon occupancy.

Mr. R. Drolet, Vice President of Customer Service, B.C. Transit, stated:

- S This type of program has never been attempted in Canada.
- S B.C. Transit believes this is a good pilot project as the results are trackable; use and value can be evaluated.
- S Two bus passes will be issued for each suite and the owner will decide which occupants will use them; they are valid for all bus services including handyDART.
- S The program will be operated on a one year trial period.
- S They will work with Saanich staff to identify other benchmark buildings in Saanich in hopes of initiating similar programs.
- S B.C. Transit's revenue will never vary no matter how much or little the passes are used.
- S The program could be extended to the Strata in future.
- S They have anticipated that unit occupancy will be two people per suite and have based the fee on that number; they could provide additional passes to each suite with no increased cost to the developer.
- S A report on usage could be provided to Council at the end of the trial period.
- S They may be able to offer a bulk rate after the trial period.
- S \$103,680 is twice the current monthly bus rate multiplied by the number of suites in the development.

Councillor Cubberley stated:

- S The applicant should consider extending the program beyond one year at a decreased subsidy.

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

- S They are apprehensive of constructing a rooftop garden because of the liability involved and would propose to contribute an amount equal to the cost of a rooftop garden towards a subsidy for a second year of the transit program.
- S The program will also be made available to employees in the commercial areas of the development.

Mr. E. Barker, architect, stated:

- S There are small landscape bulbs at each end of the parallel parking spaces to provide a form of traffic calming.
- S There are decorative paver bulbs at the entrance to the parkade flanked by landscape bulbs; benches have been incorporated into these landscaped areas.
- S One parking space has been eliminated on Short Street so that a seating area can be incorporated at the southeast corner.
- S The landscaped area at the south end of the site has been enlarged

- as well as the greenspace between the building and the street on the southeast side of the building.
- S Porch roofs and street entrances have been incorporated on the lower floor of the residential building to create a street presence.
  - S The hard-surface area on the southwest side of the development has been replaced with landscaping and a seating area.
  - S Additional screening between the development and the adjacent McDonald's drive-thru has been provided.
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- S The applicant also owns the lots between this development and Oak Street; when future development occurs on those lots the green space allotment will be on the east side to connect with the green space on the west side of the current proposal.
  - S The rooftop garden currently forms part of the Development Permit; they would suggest converting it from a physical commodity to a financial commodity to subsidize a portion of the transit program for a second year.
  - S There are external bicycle parking facilities for both the commercial and residential areas as well as a significant number of secure bicycle parking spaces in the underground parking area.
  - S Short Street would be 7.5 metres wide if constructed as presented; Engineering staff have recommended a 6m minimum.
  - S They would be happy to extend the landscape bulbs and parallel parking spaces an additional two feet to provide a larger greenspace inside the sidewalk area.
  - S Rumble strips will be installed adjacent to the landscape bulbs as a traffic calming measure.
  - S There is sufficient room for two-way traffic all the way along Short Street.
  - S The pathway at the east corner could be extended through to the street depending on the development on the other side of Short Street.

Mr. L. Deniger, 1<sup>st</sup> Team Consulting Ltd., stated:

- S The majority of the plant material will be native shrubs and plants that are proven to be drought resistant.
- S Street trees will consist of Birch trees, Oak trees, and Columnar Maple trees, all of which are common street trees in Saanich and Victoria.
- S A hardy, fast-growing variety of Crabapple tree will be planted on the south side of Short Street.
- S Fast-spreading ground cover will be planted throughout the development.

In response to a question from Council, Mr. Barker stated:

- S They could consider an environmentally friendly rooftop in their stormwater management plan.

In response to a question from Council, the Planner I stated:

- S Only the portion of the landscape plans that lie within the lands owned by the developer can be included in the Development Permit; the remainder could be referred to staff.

**Moved by Councillor Pickup and Seconded by Councillor Gillespie:  
“That the application to rezone from C-5 and RS-6 to C-5 be approved.”**

**CARRIED**

No. 253  
PLD55  
Bylaw No. 8574

“OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2004, NO. 8574”  
Second and Third Readings

**Moved by Councillor Pickup and Seconded by Councillor Wergeland:  
“That Bylaw No. 8574 be read a second time.”**

**CARRIED**

**Moved by Councillor Pickup and Seconded by Councillor Wergeland:  
“That Bylaw No. 8574 be now passed.”**

**CARRIED**

No. 254  
Saanich Road/  
Short Street  
Bylaw No. 8575

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8575”  
Second and Third Readings

**Moved by Councillor Pickup and Seconded by Councillor Gillespie:  
“That Bylaw No. 8575 be read a second time.”**

**CARRIED**

**Moved by Councillor Pickup and Seconded by Councillor Gillespie:  
“That Bylaw No. 8575 be now passed.”**

**CARRIED**

**Moved by Councillor Cubberley and Seconded by Councillor Brownoff: “That:**

- 1. The development permit be amended to delete the rooftop garden element and that an equivalent sum be provided towards the enhancement of the transit bus pass program by extending the service to more than 2 people per unit and extending the term beyond the first year.;**
- 2. The applicant be requested to consider the incorporation of green roof technology**
- 3. Staff be requested to consider the applicants offer to extend the landscape bulbs and parallel parking spaces along Short Street by an additional two feet; and**

4. It be recommended that Council rescind Development Permit No. DPRDPR2002-00043 and approve and issue Development Permit No. DPR2003-00028 on Lot A, Section 7, Victoria District, Plan VIP77084 (3497 SAANICH ROAD AND 850/860/880/3482 SHORT STREET) as amended.”

CARRIED

Moved by Councillor Cubberley and Seconded by Councillor Brownoff: “That it be recommended to Council that the existing covenant No. EW003707 for 3497 Saanich Road and 850/860/880/3482 Short Street to regulate the provision of shared parking spaces between the commercial and residential uses be amended to reflect the parking requirements for the new proposal.”

CARRIED

No. 257  
ADM40  
Bylaw No. 8566

“ROAD REOPENING BYLAW, 2004, (SHORT STREET), NO. 8566”  
First three Readings of “Road Reopening Bylaw, 2004, (Short Street), No. 8566”. To open to traffic all that Part of Section 7, Victoria District, known as Short Street shown as Part Section 7, containing 27m<sup>2</sup> on a Reference Plan to accompany District of Saanich Bylaw 8463, to close Road in Section 7, Victoria District, prepared by Glen Mitchell B.C.L.S. and certified by him on the 2<sup>nd</sup> day of June 2003.

Moved by Councillor Pickup and Seconded by Councillor Wergeland:  
“That Bylaw No. 8566 be introduced and read.”

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Brownoff:  
“That Bylaw No. 8566 be read a second time.”

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Wergeland:  
“That Bylaw No. 8566 be now passed.”

CARRIED

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 9:20 p.m.

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MAYOR

I hereby certify that these minutes are correct.

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MUNICIPAL CLERK