

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, FEBRUARY 6, 2006 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Derman, Hunter, Ngai, Sanders and Wergeland
Staff: Tim Wood, Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Carrie M. MacPhee, Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Wergeland and Seconded by Councillor Derman: "That the Minutes of the Council and Committee of the Whole Meetings held January 30, 2006 and the Minutes of the Special Council Meeting held January 24, 2006, be adopted."

CARRIED

BYLAWS

No. 31
ADM40
Bylaw 8741

SIGN BYLAW AMENDMENT – CHANGE IN ADMINISTRATIVE RESPONSIBILITY.

First Three Readings of "Sign Bylaw, 2000, Amendment Bylaw, 2006, No. 8741". To replace all references to the Manager of Inspection Services with the Manager of Community Planning.

MOVED by Councillor Brice and Seconded by Councillor Derman: "That Bylaw No. 8741 be introduced and read."

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Derman: "That Bylaw No. 8741 be read a second time."

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Derman: "That Bylaw No. 8741 be now passed."

CARRIED

RESOLUTIONS FOR ADOPTION

No. 32
PQS100
RFP 22/05

REQUEST FOR PROPOSAL 22/05 – CONSULTING ENGINEERING FOR SCADA SYSTEM.

Report of the Director of Purchasing dated January 31, 2006 recommending Request for Proposal 22/05 for consulting engineering services for the SCADA system be awarded to Dayton & Knight.

In response to questions from Council, the Director of Purchasing stated:

- Dayton & Knight's proposal was comprehensive and demonstrated a clear understanding of the project scope; based on the criteria their submission was rated the highest of the nine proposals received.
- The number of hours proposed by Dayton & Knight reflects the anticipated level of effort required for a project of this scope and complexity.

MOVED by Councillor Ngai and Seconded by Councillor Hunter: "That Request for Proposal 22/05 for consulting engineering services for the SCADA system be awarded to Dayton & Knight."

CARRIED

**COUNCIL DELIBERATIONS AND DECISION FOLLOWING THE
JANUARY 24, 2006 PUBLIC HEARING**

0No. 33
PLD55/Laval Ave.
Bylaws 8727 and
8728

**“OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW,
2006, NO. 8727”****PROPOSED DESIGNATION OF PROPERTY ON LAVAL AVENUE FOR
ATTACHED HOUSING**

The intent of this proposed bylaw is to amend the Gordon Head Local Area Plan to designate Lot 1, Section 59, Victoria District, Plan VIP78322 (**1880 LAVAL AVENUE**) for potential attached housing.

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2006, NO. 8728”**PROPOSED 28 UNIT TOWNHOUSE COMPLEX ON LAVAL AVENUE**

To rezone Lot 1, Section 59, Victoria District, Plan VIP78322 (**1880 LAVAL AVENUE**) from zone P-1 (assembly) to zone RT-3 (attached housing) for a proposed 28 unit townhouse complex. A **DEVELOPMENT PERMIT** applicable to the above lands will also be considered to require the buildings and lands to be constructed and developed in accordance with the plans submitted.

Councillor Ngai stated:

- She supports the proposed development; the applicant worked well with the community and the result is an attractive project that will provide an opportunity for a more affordable type of housing in the Gordon Head area.

Councillor Sanders stated:

- She supports the proposed development; a townhouse proposal on the subject property is a good use of the land and will provide more housing in the Gordon Head area.
- The applicant worked well with the community and revised the streetscape portion of the proposal several times to give it more of a presence.
- Concerns have been expressed that the height of proposed Blocks 5, 6, and 7 could impact the residents on Chimo Place; proposed Blocks 2 and 8 should have more street presence along Laval Avenue.
- Parking bulbs along Laval Avenue could provide some traffic calming.
- She is concerned that the pedestrian walkway be kept open to the public until the future of the Fairburn School property has been settled.

Councillor Brice stated:

- She supports the proposed development; it will invigorate the neighbourhood and create additional housing without changing the character of the community.
- She expects the developer to comply with the registered covenants to ensure there is minimal impact to the Garry oak trees on the property.

Councillor Derman stated:

- He supports the proposal although he would have preferred one or two less units and an increase in playground open space.
- It is an attractive development that will be a positive addition to the neighbourhood and have minimum impacts on the Garry oak trees.

- The proposed stormwater management plan is exemplary.

Councillor Wergeland stated:

- The proposed development is a very interesting proposal; the clustering of the buildings and varying rooflines makes it an attractive design and it will be an asset to the neighbourhood.
- He is confident the design plans that the developer has provided is what will actually be built.

MOVED by Councillor Hunter and Seconded by Councillor Wergeland: "That:

1. **The Gordon Head Local Area Plan Map 5.2 be amended to designate the site for attached housing;**
2. **The application to rezone from P-1 to RT-3 be approved; and**
3. **A revised statutory right-of-way for public access through the site be registered prior to final reading."**

CARRIED

No. 34
PLD55
Bylaw 8727

"OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2006, NO. 8727"

Second and Third Readings

MOVED by Councillor Hunter and Seconded by Councillor Wergeland: "That Bylaw No. 8727 be read a second time."

CARRIED

MOVED by Councillor Hunter and Seconded by Councillor Wergeland: "That Bylaw No. 8727 be now passed."

CARRIED

No. 35
Laval Ave.
Bylaw 8728

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2006, NO. 8728"

Second and Third Readings

MOVED by Councillor Ngai and Seconded by Councillor Wergeland: "That Bylaw No. 8728 be read a second time."

CARRIED

MOVED by Councillor Ngai and Seconded by Councillor Wergeland: "That Bylaw No. 8728 be now passed."

CARRIED

MOVED by Councillor Ngai and Seconded by Councillor Wergeland: "That it be recommended that Council approve and issue Development Permit DPR2004-00021 on Lot 1, Section 59, Victoria District, Plan VIP78322 (1880 Laval Avenue)."

CARRIED

Adjournment

On a Motion from Councillor Ngai, the meeting adjourned at 7:54 p.m.

The meeting reconvened at 8:25.

From the Committee of the Whole Meeting held February 6, 2006.

No. 36
Shelbourne Street
Development
Variance Permit

4101 SHELBOURNE STREET – DEVELOPMENT VARIANCE PERMIT – MT. DOUGLAS HOLDINGS LTD.

MOVED by Councillor Wergeland and Seconded by Councillor Ngai: “That Council approve and issue Development Variance Permit DVP2004-00027 on Lot 1, Sections 54 and 55, Victoria District, Plan 11777 (4101 Shelbourne Street).”

CARRIED

No. 37
Garry Oak Place
Development
Variance Permit

1234 GARRY OAK PLACE – DEVELOPMENT VARIANCE PERMIT – NILS IHLEN.

MOVED by Councillor Ngai and Seconded by Councillor Wergeland: “That Council approve and issue Development Variance Permit DVP2005-00023 on Lot 2, Section 32, Victoria District, Plan 37879 (1234 Garry Oak Place).”

**CARRIED,
with Councillor Sanders voting against.**

Adjournment

On a motion from Councillor Wergeland, the meeting adjourned at 8:26 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, FEBRUARY 6, 2006 AT 7:55 P.M.

Present: **Chair:** Councillor Hunter
 Council: Mayor Leonard and Councillors Brice, Derman, Ngai, Sanders and Wergeland
 Staff: Tim Wood, Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Carrie M. MacPhee, Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Shelbourne Street **4101 SHELBOURNE STREET – DEVELOPMENT VARIANCE PERMIT**
 Development **– MT. DOUGLAS HOLDINGS LTD.**
 Variance Permit Report of the Director of Planning dated January 19, 2006 recommending Development Variance Permit DVP2004-00027 be approved.

The applicant was present in support of his application.

MOTION: **MOVED by Councillor Wergeland and Seconded by Councillor Derman: “That it be recommended that Council approve and issue Development Variance Permit DVP2004-00027 on Lot 1, Sections 54 and 55, Victoria District, Plan 11777 (4101 Shelbourne Street).”**

CARRIED

Garry Oak Place **1234 GARRY OAK PLACE – DEVELOPMENT VARIANCE PERMIT –**
 Development **NILS IHLEN.**
 Variance Permit Report of the Director of Planning dated January 17, 2006 recommending Development Variance Permit DVP2005-00023 be approved.

- Mr. W. Peereboom, Victoria Design Ltd., stated:
- He has been involved with the design of the house for proposed Lot B; it is a modest sized two-storey house with the second level stepped back into the roof.
 - Years ago fill was deposited on the property when the existing dwelling was built; the average grade on the property is undeterminable at this point so they are requesting a variance for proposed Lot B to change the determination of grade for building height calculation purposes from natural grade to existing grade.
 - The proposed house will be two storeys in keeping with the character of the neighbourhood; it will step up from the south elevation to two storeys and then follow the grade to become one storey at the north elevation.

- In response to questions from Council, Mr. Peereboom stated:
- He has prepared working drawings to renovate the existing building on proposed Lot A into a single family dwelling; it was originally a garage with a suite above it but the owners plan to extend the west side of the house to incorporate a kitchen, living room and garage on the lower floor with bedrooms and bathrooms on the upper floor.

- Mr. N. Ihlen, owner, stated:
- He and his wife purchased the subject property two years ago and they would like to subdivide it and build their residence on proposed

Lot B.

- They presented their proposal to the neighbourhood and the overall response was positive.
- He has spoken with the adjacent neighbours regarding the stability of the bank and they are working with a geotechnical engineer to ensure the bank is safe to build on.
- They have spent a lot of time developing a plan that will work with the site and be compatible with the rest of the neighbourhood.

Mr. M. Miller, president, Abstract Developments stated:

- He has been working with the owners, subdivision approving officer, and area planner to develop a sensitive low scale design for the subject property.
- The house on proposed Lot B will appear as a 1 1/2 storey home with no basement and will blend in with the neighbouring houses; it will have a double garage, additional driveway parking, and no trees will be impacted.
- They have a Building Permit and in the spring they plan to finish the renovations to the existing building on proposed Lot A which has never received an Occupancy Permit.
- The elevation of the house on proposed Lot B will not exceed allowable height; the variance is for the grade alterations that took place approximately 20 years ago; blasting should not be required.

Mr. J. Mannel-Fretwell, 1235-B Palmer Road, stated:

- He purchased his property nine months ago and his driveway is directly below the subject property.
- He has spoken with the owners and reviewed the report prepared by the geotechnical engineer pertaining to the stability of the bank; he does not think it should be a problem and supports the proposed development.

Mr. K. Whitcroft, president, Quadra Cedar Hill Community Association, stated:

- At the neighbourhood meeting concerns were expressed regarding stability of the bank as well as impacts to privacy of the residents situated below the bank on Palmer Road.
- The existing house has never been completed nor had an Occupancy Permit issued yet someone is living there and the Association would like to know how this situation could happen.

In response to comments, the Director of Planning stated:

- A final inspection must be undertaken prior to issuing an Occupancy Permit; if people do not contact Saanich and ask for a final inspection then an Occupancy Permit is not issued.

Councillor Sanders stated:

- The proposed subdivision should not impact the neighbouring residents on Garry Oak Place but some of the residents on Palmer Road could be impacted.
- The proposed house will be supported on pilings and hang over the edge of the bank and that is what the people will see from the houses directly below on Palmer Road.
- The neighbours located to the north have water that runs across their property from the existing building on proposed Lot A that has not yet

been completed and that is an issue.

- She thinks there should be a specific footprint for the proposed house and that the owners should reconsider the design so it does not overhang the bank.

Councillor Brice stated:

- The issue of stability of the bank is critical; she hopes that if the application is approved covenants based on the geotechnical engineer's recommendations will be considered by the Approving Officer.

Councillor Wergeland stated:

- It is important for the benefit of the neighbours that the existing building be completed and an Occupancy Permit be issued.

MOTION:

MOVED by Mayor Leonard and Seconded by Councillor Brice: "That it be recommended that Council approve and issue Development Variance Permit DVP2005-00023 on Lot 2, Section 32, Victoria District, Plan 37879 (1234 Garry Oak Place)."

Councillor Derman stated:

- Even though the neighbour directly below on Palmer Road could be impacted by the location of the proposed house he is supportive of the proposed development.

The Motion was then PUT and CARRIED, with Councillor Sanders voting against.

Adjournment

On a motion from Councillor Ngai, the meeting adjourned at 8:26 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK