

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

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Derman, Hunter, Ngai, Sanders and Wergeland
Staff: Tim Wood, Administrator; Colin Doyle, Director of Engineering; Anne Topp, Manager of Community Planning; Margaret Trottier, Deputy 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 23, 2006, be adopted."

CARRIED

Appeals **APPEALS**

No. 24
Ferndale Road
Rezoning

2170 FERNDAL ROAD – REZONING APPLICATION – STEVE RADOS.

Mr. S. Rados, applicant, on behalf of the owners, Mr. and Mrs. Pranic, stated:

- At the January 9, 2006 Committee of the Whole Meeting he submitted a house design for proposed Lot A; the owners were agreeable to a covenant restricting square footage for the house for proposed Lot B.
- After the meeting he received a letter from the Clerk's Office stating that prior to the Public Hearing they had to submit a house design for Lot B; he would like to know if that is still a requirement.

Mr. and Mrs. Pranic, owners, stated:

- They purchased the property in 2002 and would like to subdivide it and create two lots.
- They met with the neighbours and sent out 40 letters outlining their proposal; they received support from many of the neighbours.
- They have a house design for proposed Lot A; some of the neighbours did not like the size of the proposed house so they made some changes to the design.

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Council reconfirm its January 9, 2006 decision that a Public Hearing be called and that prior to scheduling the Public Hearing, the applicant submit form and character elevations for the dwelling on proposed Lot B which could be incorporated into a restrictive covenant."

CARRIED

BYLAWS

No. 25
ADM40
Bylaw 8732

STREETS AND TRAFFIC REGULATION BYLAW AMENDMENT – BICYCLING IN CROSSWALKS.

Final Reading of the "Streets and Traffic Regulation Bylaw, 2002, Amendment Bylaw, 2006, No. 8732". To clarify that bicycles are permitted to use all sections of the Regional and Municipal multi-use trail systems including all crosswalks lying between adjacent portions of the trails.

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 8732 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 26
ADM40
 Bylaw 8738

NOISE SUPPRESSION BYLAW – HOUSEKEEPING AMENDMENT TO SECTION 8 (C).

Final Reading of the “Noise Suppression Bylaw, 1993, Amendment Bylaw, 2006, No. 8738”. Housekeeping amendment to Section 8 (c) to clarify that the exemption for sounds caused by building and property maintenance and heat or water pumps applies only to shopping centres.

MOVED by Councillor Hunter and Seconded by Councillor Sanders: “That Bylaw No. 8738 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

RESOLUTIONS FOR ADOPTION

No. 27
ADM40
 Bylaw 8101

SIGN BYLAW AMENDMENT – CHANGE IN ADMINISTRATIVE RESPONSIBILITY.

Report of the Director of Planning dated January 10, 2006 recommending the Sign Bylaw be amended to replace all references to the Manager of Inspection Services with the Manager of Community Planning.

MOVED by Councillor Ngai and Seconded by Councillor Wergeland: “That Sign Bylaw No. 8101 be amended to replace all references to the Manager of Inspection Services with the Manager of Community Planning.”

CARRIED

COMMITTEE RECOMMENDATIONS

No. 28
FIN45
 Core Capital
 Projects

EARLY APPROVALS – 2006 CORE CAPITAL PROJECTS

Memorandum from the Finance and Personnel Standing Committee dated January 26, 2006 recommending that the 2006 Core Capital project budgets be approved.

MOVED by Councillor Ngai and Seconded by Councillor Hunter: “That Council give early expenditure approval for the following core capital projects:

2006 Water Capital Budget

- | | |
|--|-----------------|
| 1. Residential Water Meters | \$60,000 |
| 2. Detailed Design – 2006 Water Capital Projects | \$65,000 |
| 4. Miscellaneous Water Main Replacements | \$80,000 |

2006 Roads Capital Budget

- | | |
|--|------------------|
| 1. North Quadra Traffic Calming | \$165,000 |
| 2. Right-of-Way Acquisitions | \$100,000 |
| 3. Miscellaneous Pedestrian Facilities | \$296,000 |

2006 Sewer and Drains Capital Budget

- | | |
|---|------------------|
| 1. Miscellaneous Minor Drain Improvements | \$59,000 |
| 2. Video Inspection Trunk Drains | \$40,000 |
| 3. Tillicum Wood Stave Replacement | \$70,000 |
| 4. Miscellaneous Sewer Projects | \$100,000 |

2006 Recreation Capital Budget

1. Tables and Chairs at Recreation Centres \$15,000

2006 Parks Capital Budget

- 1. Playground Structures \$125,000
- 2. Normandy/SCP Lighting \$13,500
- 3. Cuthbert Holmes Bridge Replacement \$90,000
- 4. Kenmore Rain Garden \$20,000

TOTAL \$1,298,500

CARRIED

Adjournment On a Motion from Councillor Brice, the meeting adjourned at 7:40 p.m.
The meeting reconvened at 8:45.

From the Committee of the Whole Meeting held January 30, 2006.

No. 29
South Valley Drive
Development
Variance Permit

3999, 4001, 4003, 4005, 4007, 4008 AND 4010 SOUTH VALLEY DRIVE – DEVELOPMENT VARIANCE PERMIT – PEERS CREEK DEVELOPMENTS LIMITED.

MOVED by Councillor Ngai and Seconded by Councillor Wergeland: “That Council rescind Development Variance Permit DVP2005-00013 and approve and issue Development Variance Permit DVP2006-00001 on Lots 5 to 10, Section 5, Lake District and Lot 11, Section 5, Lake District and Section 16, Victoria District, all in Plan VIP79832 (3999, 4001, 4003, 4005, 4007, 4008 and 4010 South Valley Drive).”

CARRIED

No. 30
PLD45
Heritage Register

COMMUNITY HERITAGE REGISTER – SUPPLEMENTARY REPORT

MOVED by Councillor Derman and Seconded by Councillor Hunter: “That the dwellings at 5079 Cordova Bay Road and 4645 Vantreight Drive be removed from the Community Heritage Register.”

CARRIED

In Camera Motion

MOVED by Councillor Brice and Seconded by Councillor Hunter: “That the following meeting be closed to the public as the subject matter being considered relates to personnel matters and personal information about identifiable individuals being considered for appointment.”

CARRIED

Adjournment On a motion from Councillor Hunter, the meeting adjourned at 8:46 p.m.

.....
MAYOR

I hereby certify these Minutes are accurate.

.....
MUNICIPAL CLERK

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JANUARY 30, 2006 AT 7:41 P.M.

Present: **Chair:** Councillor Brice
Council: Mayor Leonard and Councillors Derman, Hunter, Ngai, Sanders and Wergeland
Staff: Tim Wood, Administrator; Colin Doyle, Director of Engineering; Anne Topp, Manager of Community Planning; Margaret Trottier; Deputy Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

South Valley Drive
Development
Variance Permit **3999, 4001, 4003, 4005, 4007, 4008 AND 4010 SOUTH VALLEY DRIVE – DEVELOPMENT VARIANCE PERMIT – PEERS CREEK DEVELOPMENTS LIMITED.**

Report of the Director of Planning dated January 16, 2006 recommending Development Variance Permit DVP2005-00013 be rescinded and DVP2006-00001 be approved.

A representative for Peers Creek Developments Limited stated:
– They are requesting the existing Development Variance Permit be rescinded and a new Permit be issued, in order to increase the height of the roof of the detached garage on Lot 7 so it is more in character with the other houses in the subdivision.

MOTION: MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That it be recommended that Council rescind Development Variance Permit DVP2005-00013 and approve and issue Development Variance Permit DVP2006-00001 on Lots 5 to 10, Section 5, Lake District, and Lot 11, Section 5, Lake District, and Section 16, Victoria District, all in Plan VIP79832 (3999, 4001, 4003, 4005, 4007, 4008 and 4010 South Valley Drive).”

CARRIED

Mount Douglas
Cross Road
Rezoning **1504 MOUNT DOUGLAS CROSS ROAD – REZONING APPLICATION – STEVE RADOS.**

Report of the Director of Planning dated January 17, 2006 recommending approval of the rezoning from RS-18 to RS-10 and RS-12 and Development Variance Permit DVP2005-00028, and that the property be included in the Sewer Enterprise Boundary providing the owner agrees to bear the full cost of extending the infrastructure required to service the proposed lots.

Mr. S. Rados, 948 Boulderwood Rise, stated:
– Their previous rezoning application for a three lot subdivision was rejected at a Public Hearing in July 2005.
– The neighbourhood expressed concerns regarding density, house size, traffic and trees; it was suggested they reduce their proposal to a two lot subdivision.
– This proposal is to rezone the property to one RS-10 lot and one RS-12 lot; they plan to construct a house for themselves on proposed Lot 1 and retain the existing house on proposed Lot 2 for the time being.
– By reducing the proposed subdivision to two lots they will only be creating one additional driveway which will be adjacent to Mount

Douglas Cross Road.

- Reducing the density means there will be minimal impact to the existing Garry oak trees on the property; they will plant replacement trees at a ratio of 1:1 for any of the trees that are removed, and work with the Municipality on an environmental assessment if necessary.
- They feel this new proposal addresses the concerns that were previously raised and hope that it will proceed to a Public Hearing.

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

- It was originally estimated that 18 trees would be removed but that figure has been reduced; he has submitted a tree plan indicating which trees will be removed.
- If the property were divided equally into two RS-12 lots the location of the proposed driveway would have to be moved which would impact more trees.

Mr. E. Polinsky, 4198 Glendenning Road, stated:

- He has lived in his present location for the past 39 years and he is concerned about the removal of so many Garry oak trees; it is very difficult to replace them.
- The subject property forms the entrance to Glendenning Road and it is important that it be treated with special consideration.

Mr. P. Mesner, 4121 Glendenning Road, stated:

- His house is adjacent to the new Centennial Trail that connects to the Lochside Trail and it is heavily used; he thinks the entrance to the trail and the area approaching it should be kept as attractive as possible.
- He would be more comfortable with the proposal if there were restrictive covenants guaranteeing what will be built.

Ms. B. Wise, 4211 Glendenning Road, stated:

- She and her family have lived in the present location for the past year and have come to love the rural atmosphere.
- They are grateful to have the Centennial Trail so close to their home; the trail has been a positive addition to their neighbourhood.
- She thinks the property should be subdivided into two equal sized lots and that the location of the proposed driveway should be moved further to the east for safety purposes.

Ms. L. Mesner, 4121 Glendenning Road, stated:

- She has lived in her present location for the past 36 years and is also concerned with the removal of some of the Garry oak trees.
- The intersection at Glendenning and Mount Douglas Cross Roads is very dangerous.

Mr. M. Rosen, Saanich Environmental Advisory Committee, stated:

- He estimates that 14 mature Garry oak trees will be removed if the proposed development is approved; this is unacceptable and he is opposed to it.
- Saanich has become the ideal community in North America as a place of preservation and environmental stewardship.

Ms. B. Tabata, 4151 Torquay Drive, on behalf of the Gordon Head

Residents' Association, stated:

- Whether or not the proposed development is approved, development along Mount Douglas Cross Road is going to increase and traffic issues will eventually need to be addressed.
- One of the other members on the Association's traffic sub-committee has gathered many names from the residents in this area on a petition pertaining to traffic issues; once it is completed it will be submitted to Council.
- The residents are requesting that the speed limit along Mount Douglas Cross Road be decreased and random once-a-month enforcement take place; the road has too many curves.
- Staff from the Saanich Engineering Department visited the site and told the residents that nothing could be done to improve the traffic situation; however, the residents are asking for a common sense solution of lowering the speed limit.
- The bicycle lane along Mount Douglas Cross Road ends abruptly at Glendenning Road and this is a safety risk for those using the trail.

Ms. M. Bennett, 4201 Glendenning Road, stated:

- She would be supportive of a two-lot subdivision for the property but only if both lots are equal size and zoned RS-12; she is concerned that proposed Lot 2 could be subdivided again in the future if both lots are not zoned RS-12.
- She is also concerned with the number of Garry oak trees that will be removed.

Mr. B. Loucks, 4160 Glendenning Road, stated:

- He is concerned that if the sewers are extended in this area it will set a precedent for more development.
- There have been many changes to the neighbourhood in the past few years and many trees have been removed; there is a lot of wildlife in the area that should be protected.

Mr. D. Wise, 4211 Glendenning Road, stated:

- Changing the zoning to create two RS-12 lots would be a better fit with the rest of the neighbourhood.
- If the property was subdivided into two RS-12 lots it should be with the provision that the easterly lot be smaller than 1,120 square metres in order to preclude future subdivision.

Mr. K. Rankin, president, Friends of Mount Douglas Park, stated:

- Their concern is that the entrance to the Park should be in keeping with the nature of the Park.
- If the proposal is approved it will be the second step in a domino affect which began with the development on the opposite corner of Mount Douglas Cross Road.
- The applicant is proposing to plant replacement trees but that is not adequate compensation for the loss of so many mature trees; they hope the proposal will not be approved.

Mr. K. Whitcroft, 1044 Inverness Road, stated:

- Urban forests are very important and should be retained; the proposed road dedication will result in the removal of five trees.

Ms. J. Spearing, 1545 Eric Road, stated:

- If the property is rezoned it should be rezoned to RS-12 in order to create two lots to ensure there is no future subdivision.
- The healthiest trees are located in the central portion of the property and those are the trees that the applicant is proposing to remove.
- The replacement trees that were planted in the new subdivision at Braefoot and Mount Douglas Roads do not compare to the trees that were removed.

Mr. A. Hoole, 4141 Glendenning Road, stated:

- If the property is rezoned it would be more suitable to create two RS-12 lots of 930 square metres each.
- House size should be restricted in order to retain the rural character of the neighbourhood, and the removal of mature trees should be kept to a minimum.
- If the sewers are extended to include the subject property it could set a precedent for development in the area and cause a cascading and irreversible change of character to the neighbourhood.
- He does not understand why the property has to be rezoned; the applicant could build a new house on the existing property and retain the septic field.

Ms. W. Dirks, 3991 Resolute Place, stated:

- She enjoys the rural nature of the neighbourhood although recent developments in the area have resulted in the loss of many trees and greenspace.
- She does not support the proposed development as too many trees will be impacted.

Councillor Hunter stated:

- Saanich has a very strong bylaw that protects trees and he can understand why there are so many people who are concerned with the number of trees that will be removed if this proposal proceeds.
- If the developer were to create two RS-12 lots it would be more in keeping with the rest of the area.

Councillor Wergeland stated:

- Many residents expressed concerns for the proposed density of the previous application and indicated that two lots would be more acceptable than three.
- Now the applicant is proposing to create two lots and some people are not happy with that either; he is not sure that creating two lots will have a negative impact on the rural character of the neighbourhood.
- He would be more supportive of the application if the property was divided into two equal sized RS-12 lots, and if the size of the houses were restricted to what is allowable under RS-10 zoning.

Mayor Leonard stated:

- The applicant is showing good faith by proposing to create two lots and not three, however, the application would be more forthright if he was proposing to subdivide and create two RS-12 lots; the lot line could be moved and the existing driveway could be left in its present location.
- He would be in favor of postponing further consideration of the application so the applicant can consider amending his application for two RS-12 zoned lots.

MOTION: MOVED by Mayor Leonard and Seconded by Councillor Wergeland: “That consideration of the rezoning application for 1504 Mount Douglas Cross Road be postponed to allow the applicant the opportunity to consider amending the application to create two RS-12 zoned lots.”

Councillor Ngai stated:

- She would be comfortable with postponing consideration of the application so the applicant can consider either amending his application to two RS-12 lots or providing a covenant to ensure proposed Lot 2 cannot be subdivided in the future.

Councillor Derman stated:

- He can support postponing further consideration of the application.
- Although the applicant has applied for a two-lot subdivision, the requested zoning of RS-12 and RS-10 could allow for future subdivision of the RS-12 lot.
- He agrees that the subject property is a buffer area in terms of the Urban Containment Boundary and Mount Douglas Park.
- If the application is postponed, the applicant needs to pay special attention to how houses can be accommodated and still preserve the majority of the trees.
- If the applicant amends his application to two RS-12 lots, he would like to see covenants on house size, location, and tree protection.

Councillor Sanders stated:

- She is not comfortable with rezoning the subject property to RS-12 and RS-10; she will support postponing further consideration of the application.
- If the applicant amends his application she hopes it will be more sympathetic to the streetscape and preservation of the trees.
- She would also like to see building footprints.

The Motion was then PUT and CARRIED

PLD45
Heritage Register

COMMUNITY HERITAGE REGISTER – SUPPLEMENTARY REPORT.
Report of the Director of Planning dated January 20, 2006 recommending the dwellings at 5079 Cordova Bay Road and 4645 Vantreight Drive be removed from the Community Heritage Register.

MOTION: MOVED by Councillor Hunter and Seconded by Councillor Ngai: “That it be recommended to Council that the dwellings at 5079 Cordova Bay Road and 4645 Vantreight Drive be removed from the Community Heritage Register.”

CARRIED

ADM40
Amendment to
Zoning Bylaw

ZONING BYLAW HOUSEKEEPING AMENDMENT – PROPOSED DELETION OF SECTION 7.8.

Report of the Director of Planning dated January 17, 2006 recommending Section 7.8 of the Zoning Bylaw be deleted.

MOTION:

**MOVED by Councillor Hunter and Seconded by Councillor Ngai:
“That a Public Hearing be called.”**

CARRIED

Adjournment

On a motion from Councillor Ngai, the meeting adjourned at 8:44 p.m.

.....
CHAIR

I hereby certify these Minutes are accurate.

.....
MUNICIPAL CLERK