

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, MAY 15, 2006 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Ngai, Sanders and Wergeland
Staff: Tim Wood, Administrator; Carrie M. MacPhee, Manager of Legislative Services; Von Bishop, Manager of Development & Municipal Facilities; Neil Findlow, Planning Supervisor; and Shirley Leggett, Senior Committee Clerk.

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Wergeland and Seconded by Councillor Brice: "That the Minutes of the Council and Committee of the Whole Meetings held May 8, 2006, and the Minutes of the Special Committee of the Whole – Financial Plan Meetings held April 25, 2006 and May 9, 2006, be adopted."

CARRIED

BYLAWS

No. 171
Interurban Road
Bylaw 8711

4371 INTERURBAN ROAD.

Final Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2005, No. 8711". Rezoning from A-1 to P-1.

MOVED by Councillor Wergeland and Seconded by Councillor Gillespie: "That Bylaw No. 8711 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

RESOLUTIONS FOR ADOPTION

No. 172
RSF35
SCP Scoreboard

SAANICH COMMONWEALTH PLACE TIMING SYSTEM UPGRADE AND SCOREBOARD PURCHASE.

Report of Director of Parks and Recreation dated May 9, 2006 recommending Council approve the partnership agreement proposed by Swim Canada for the replacement and upgrading of the timing system at Saanich Commonwealth Place, and approve the sole source purchase of an Omega Nova Display Board for \$275,000.

MOVED by Councillor Ngai and Seconded by Councillor Brice: "That Council approve:

- 1. The partnership agreement proposed by Swim Canada for the replacement and upgrading of the timing system at Saanich Commonwealth Place; and**
- 2. The sole source purchase of an Omega Nova Display Board for \$275,000."**

CARRIED

Adjournment On a Motion from Councillor Gillespie, the meeting adjourned at 7:33 p.m.
The meeting reconvened at 8:50 p.m.

From the Committee of the Whole Meeting held May 15, 2006.

No. 173
Cadboro Bay Rd.
Proposed Mural

3825 CADBORO BAY ROAD (CADBORO BAY VILLAGE PLAZA) - PROPOSED MURAL

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That Council approve the proposal to paint a mural on the south building face of the Cadboro Bay Village Plaza, as detailed in the May 2, 2006 letter from the Cadboro Bay Village Business Improvement Association."

CARRIED

No. 174
MacDonald Dr. E.
Proposed
Subdivision

2670 MACDONALD DRIVE EAST – PROPOSED SUBDIVISION – ALLAN WHITTAL

MOVED by Councillor Derman and Seconded by Councillor Brice: "That the request for an exemption from the 10% road frontage requirement of the Local Government Act for Lot 4, Section 44, Victoria District, Plan 5905, (2670 MacDonald Drive East), be rejected."

CARRIED

Adjournment

On a motion from Councillor Derman, the meeting adjourned at 8:51 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

Councillor Brice stated:

- She is very happy to support the proposed mural; it is a delightful project and she looks forward to its completion.

Councillor Brownoff stated:

- She congratulates the BIA and the Residents' Association for working together on the proposed mural; it will enhance the building and she looks forward to seeing it once it is completed.
- All of the Centennial projects will have plaques installed to commemorate Saanich's Centennial.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Gillespie: "That it be recommended that Council approve the proposal to paint a mural on the south building face of the Cadboro Bay Village Plaza, as detailed in the May 2, 2006 letter from the Cadboro Bay Village Business Improvement Association."

CARRIED

MacDonald Dr. E.
Proposed
Subdivision

2670 MACDONALD DRIVE EAST – PROPOSED SUBDIVISION – ALLAN WHITTAL.

Report of the Director of Planning dated May 1, 2006 outlining Council's options further to a request to waive the one-tenth road frontage requirement for a proposed 2 lot subdivision.

Mr. A. Whittal, applicant, 2670 MacDonald Drive East, stated:

- To date he has had the property surveyed, mapped and tagged protected trees, removed invasive species, had an environmental assessment done, and consulted with realtors.
- The subject property is very narrow; after receiving advice from various realtors he has attempted to situate everything over to one side of the front portion of the property; the proposed addition will be constructed on the west side of the existing dwelling and the driveway to access the rear of the property will be located on the east of the property.
- He would like to remove the garage from the east side of the existing dwelling and relocate it behind the house but still keep it far enough away from the neighbor's house so their privacy will not be impacted.

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

- He does not recall receiving a letter from the Planning Department in August 2005 suggesting he arrange a meeting with staff to discuss his proposal.

Mr. T. Morrison, 2691 MacDonald Drive East, stated:

- He has lived in his present location for the past 16 years and really appreciates the area's urban forest and its ecosystem.
- The applicant appears to be reluctant to address the environmental issues that have been raised by staff.
- Creating a panhandle lot on the subject property will not enhance the neighbourhood and he urges Council to reject the proposal.

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

- One of the objectives in Saanich's Corporate Plan is to preserve its

urban forests; creating the proposed panhandle lot will impact it.

- He urges Council to preserve Saanich's urban forests for future generations.

Mr. J. Vandreeson, 2677 MacDonald Drive East, stated:

- The Planner's report states that Mr. Whittal's current proposal is identical in all respects to his original proposal; no new information has been submitted.
- There has been a lot of effort on staffs' part to work with the applicant but he has not been very cooperative.
- There has not been any signage posted with regard to the latest proposal.
- There are still issues pertaining to the 10% road frontage requirement and the neighbours are concerned with water runoff; he urges Council to reject the application.

Mr. E. Dahli, president, Cadboro Bay Residents' Association, stated:

- The Association is concerned with the protected trees on the subject property; they do not support the proposed subdivision.

Mr. R. Strom, 2685 MacDonald Drive East, stated:

- The proposed subdivision was rejected by Council in October 2005; there have not been any changes to the proposal and he hopes that Council will reject it again.
- MacDonald Drive East has a slight curve in the road and visibility is poor along that portion; if the proposal is approved, there should be some improvements made to the road.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That it be recommended that the request for an exemption from the 10% road frontage requirement of the Local Government Act for Lot 4, Section 44, Victoria District, Plan 5905, (2670 MacDonald Drive East), be rejected."

Councillor Derman stated:

- The applicant has had plenty of opportunity to provide the necessary information yet refuses to cooperate with staff; there is no rationale to support the proposal.

Councillor Hunter stated:

- Staff has made several attempts to work with the applicant and explain to him that his proposal does not comply with the requirements of the *Local Government Act* yet he still has not made any changes to his proposal.

Councillor Sanders

- The applicant is wasting staffs' and Councils' time by bringing forward an application that is identical to the one that was rejected last year.
- The applicant needs to provide the information that staff is requesting.

Councillor Wergeland stated:

- The proposed subdivision is a sensitive issue with the neighbours especially when no changes have been made to the original proposal.

Councillor Brice stated:

- She finds it distressing that the application has not been revised and that the applicant has not worked with staff.
- It is a waste of staffs' and Councils' time and an abuse of taxpayers' money.

Councillor Brownoff stated:

- Even though staff has suggested to the applicant that he meet with them to discuss his proposal he still has not done so.

The Motion was then PUT and CARRIED

West Saanich Road
Rezoning

5621 WEST SAANICH ROAD – REZONING APPLICATION – JAMES RESLEIN.

Report of the Director of Planning dated May 2, 2006 recommending rejection of the rezoning from A-1 to A-7.

Mr. J. Reslein, applicant, 5621 West Saanich Road, stated:

- The application is to rezone the subject property and create one additional lot for the purpose of creating a productive working farm.
- The property is comprised of one parcel that is divided by West Saanich Road and the Wallace Drive intersection; this makes it difficult to keep animals and equipment in the lower area unattended.
- Up until recently the Galey Brothers farmed the property and now he intends to take over from them; in order to create a working farm, the land must have value to be able to finance buildings, equipment, machinery, storage bins, irrigation, etc.
- There are eight acres of the most productive land not in use because it is not easily accessible under the present configuration.
- His proposal complies with the minimum parcel requirements for a subdivision based on an A-7 Zone, however, Saanich has a policy that does not promote the division of land in rural Saanich in general.

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

- The west portion of the subject parcel is located in the floodplain.
- He wants to construct a new residence and farm buildings on the west side of West Saanich Road; this will help address the challenge of moving farm equipment across West Saanich Road and leaving animals and equipment unattended.

Mr. M. Rosen, 6075 West Saanich Road, stated:

- He operates an organic farm on West Saanich Road.
- For the past 16 years the subject property has flooded during the winter months and been offered for sale on several occasions.
- He supports the proposal to farm the property; it will help restore the original Tod Creek watercourse.
- The property is viable farm land and it makes sense to have the house and farm buildings located on the same side of West Saanich Road.

Councillor Gillespie stated:

- It is difficult to find people who want to farm land; it is easier to manage small farms as they require fewer people to work them.

MOTION: MOVED by Councillor Gillespie and Seconded by Councillor

Wergeland: “That a Public Hearing be called.”

Councillor Wergeland stated:

- He understands the rationale for the applicant wanting to have all of the buildings on the same side of West Saanich Road.

Councillor Hunter stated:

- Staff has some concerns with the proposed rezoning; he would prefer to postpone the proposal to allow further discussions among the Planning Department, the Environmental Advisory Committee, and the farming community in order to come up with a solution for this parcel that does not become precedent setting for future applications.

Councillor Sanders stated:

- She is reluctant to support the proposed rezoning; staff has some concerns.
- It is not unusual for a farm to be separated and have the house in a different location from the actual farm land and outbuildings; both the Galey Brothers and Mitchell farms are separated.
- She visited the site to assess the traffic situation; West Saanich Road has about 10,500 vehicles per day which is comparable to Tattersall Drive or Borden Avenue between Reynolds Road and McKenzie Avenue.
- The Prospect Lake Community Association does not support the application because of potential floodplain conflicts.

Councillor Derman stated:

- He can understand the rationale for wanting to increase the viability of the property but he does not think it is necessary to construct a new residence on the other side of West Saanich Road; that action could provide an opportunity to sever the property and then sell the smaller piece.
- He can support the construction of additional outbuildings but not another house; he would support postponing further consideration of the proposal.

MOVED by Councillor Hunter and Seconded by Councillor Brice: “That consideration of the rezoning application for 5621 West Saanich Road be postponed to allow further discussions among the Planning Department, the Environmental Advisory Committee, and the farming community.”

CARRIED

Councillor Hunter declared, pursuant to Section 84 of the Council Procedure Bylaw, that he is not entitled to participate in the discussion of the rezoning application for 4140 Glanford Avenue (Glanford School) as he is employed by School District No. 61. Councillor Hunter then left the meeting at 8:19 p.m.

Glanford Ave.
Rezoning

**4140 GLANFORD AVENUE (A PORTION) – REZONING APPLICATION
– MERDYN DEVELOPMENT GROUP.**

Report of the Director of Planning dated May 4, 2006 recommending the Carey Local Area Plan Map 14.1 be amended to remove the “institutional” designation from the westerly 0.433 ha portion of the Glanford School site, and approval of the rezoning from P-1 to RS-6 and Development Variance Permit DVP2006-00004.

Mr. W. Hopkins, Merdyn Development Group, stated:

- Merdyn Development Group acquired the subject school property through an open bidding process.
- Originally they considered constructing 12 single family houses, a 21-unit townhouse, or a church on the property but after receiving input at a public meeting they revised their proposal to create six single family dwelling lots; a further public meeting was held to present the latter proposal.
- Vehicle access to the site will be from a cul-de-sac to be constructed at the north end of Riel Place; they will construct a pedestrian walkway through the site between proposed Lots 4 and 5 that will connect Riel Place to the Glanford School playing fields.
- They will upgrade the existing asphalt walkway that connects Bremerton Street with Riel Place.
- Geotechnical Engineers assessed the soil conditions on the subject property and determined that between 1.0 metre and 4.5 metres of fill was placed on the site.
- They are requesting to vary the determination of grade for the purpose of calculating building height from the plane of elevation of original natural grade to the elevation of proposed grade; this will blend the elevation of the proposed lots with the elevations of surrounding properties and with Riel Place; dwelling heights will be calculated from these new elevations.
- They are proposing to register building schemes for the six new houses; the neighbourhood wanted the exterior finishing materials to consist of more stucco than siding; the style of homes will be similar to those in the Peers Creek development.

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

- For demonstration purposes at the Public Hearing he can provide elevations of the proposed houses in relation to the grade of the land.
- With regard to the proposed building schemes, they try to discourage the use of asphalt; they prefer to use concrete, stamped concrete and pavers; they encourage the use of permeable pavers but it is not a requirement.

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

- The proposed development is within a Type I watershed area; he would like to know what kind of stormwater treatment is proposed.

Mr. K. Tomlinson, 556 Baker Street, stated:

- He has lived in his present location for the past 44 years; it was disappointing that the School District sold the subject property.
- He was told by Saanich staff a number of years ago that the fill that is on the subject property is from excavation for the sewers that were installed in the 1970’s; the fill was then spread out into the field but it

did not extend to the berm.

- He was also told that the land would be developed for school use only and that at no time would any residences be constructed on the site because of the major sewer trunk that runs through the property.
- If the developer is planning to construct two-storey houses then either the berm should be reduced by 4.5 metres to bring it down to the natural grade or the height of the houses should be reduced.
- There are sewers and drains that run behind the properties on Baker Street; it may be more practical to locate a fenced walkway through that area connecting it to the school property rather than from the proposed cul-de-sac; this will eliminate having a path that is in an area where vehicles are backing out into the cul-de-sac.

Mr. B. Harris, 554 Riel Place, stated:

- His property is located to the west of the proposed development.
- He and his wife are happy to see that the proposal is for single family homes but they feel that it is too dense and would prefer to see four or five houses rather than six.
- They are concerned with the existing berm and think it should be removed; two-storey houses will tower over their property and will not blend into the surrounding neighbourhood.

Ms. M. Tomlinson, 556 Baker Street, stated:

- She is unsure of Saanich's process for notifying residents with regard to subdivision proposals; none of the neighbours received notification of the proposed development.

Mr. B. Gelsvik, 569 Baker Street, stated:

- He looks forward to the proposed subdivision.
- He has lived in his present location for the past eight years and thinks the development will be a great addition to the neighbourhood.
- He thinks that two-storey homes will be compatible with the surrounding houses.

Mr. D. Douglas, 564 Warren Place, stated:

- When the developers held the first Open House they were proposing to construct either 21 townhouses, 12 single family homes, or a church; the neighbours were outraged.
- Years ago he tried to get funding so that tennis courts could be constructed on the property but that was unsuccessful.

Mr. G. Kifiak, 548 Riel Place, stated:

- He has lived in his present location for many years; he has concerns with the height of the berm especially when viewed from the east side.

In response to questions from Council, the Manager of Development & Municipal Facilities, stated:

- The applicant will be required to install a Type I stormwater management system; the actual method will be approved by staff.

In response to a question from Council, the Manager of Legislative Services, stated:

- Council's role at a Committee of the Whole Meeting is to decide whether or not to call a rezoning application to a Public Hearing; if it

does proceed to a Public Hearing then formal notification will be sent to all residents within a 90 metre radius of the subject property.

- Notices of Committee of the Whole Meetings are posted in the newspaper, on Saanich's website, through Community Associations, and by telephone if requested.

In response to a question from Council, the Planning Supervisor, stated:

- There have been discussions with staff regarding how much fill is on the site; the applicant has also had geotechnical engineers review the fill.
- The depth of the fill ranges from 1 metre to 4.5 metres; if all of the fill was removed the proposed houses would sit well below Riel Place; the applicant is trying to find a compromise which will allow the grades to be similar to those of the adjacent properties without being excessive in terms of the heights of the proposed houses.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That a Public Hearing be called, and that the applicant provide elevations showing the grades of the proposed lots and the roof heights of the proposed houses compared to adjacent houses."

Councillor Derman stated:

- He thinks the general use that is proposed for the subject property is reasonable.
- The applicant is aware of the concerns the neighbours have in terms of what the streetscape will be like after a certain amount of fill has been removed; at the Public Hearing he would like the applicant to provide representation of what that streetscape will look like.
- It would also be nice to know at the Public Hearing what kind of stormwater management the applicant is proposing.

Councillor Sanders stated:

- She compliments the applicant for holding public meetings; the height and elevations of the proposed houses are obviously an issue with the neighbouring residents.
- She would like the applicant to provide elevations at the Public Hearing so the residents will have some satisfaction knowing that the proposed houses will not tower over their properties.
- She would also like to know if the applicant has examined whether or not there will be a safety issue with students accessing the proposed path to the school property if the path is accessed from the cul-de-sac.

Councillor Wergeland stated:

- He agrees that it would be a good idea to see the rooflines of the proposed houses in relation to the neighbouring houses.

Mayor Leonard stated:

- Before coming to the Public Hearing he encourages the applicant to consider reducing the requested variance.

The Motion was then PUT and CARRIED

Councillor Hunter returned to the meeting at 8:49 p.m.

Adjournment

On a motion from Councillor Derman, the meeting adjourned at 8:50 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK