

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, NOVEMBER 27, 2006 AT 7:30 P.M.

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

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Wergeland and Seconded by Councillor Gillespie: "That the Minutes of the Council and Committee of the Whole Meetings held November 20, 2006, be adopted."

CARRIED

BYLAWS

No. 366
ADM40
Bylaw 8816

TICKET BYLAW - HOUSEKEEPING AMENDMENT.

Final Reading of the "Ticket Bylaw, 2001, Amendment Bylaw, 2006, No. 8816". Housekeeping amendment to include Fire Prevention Bylaw No. 8807.

MOVED by Councillor Hunter and Seconded by Councillor Gillespie: "That Bylaw No. 8816 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 367
ADM40
Bylaw 8821

DELEGATION AUTHORIZATION BYLAW – HOUSEKEEPING AMENDMENT.

Final Reading of the "Delegation Authorization Bylaw (Modification and Discharge of Restrictive Covenants), 2006, No. 8821". Housekeeping amendment for staff position changes.

MOVED by Councillor Gillespie and Seconded by Councillor Wergeland: "That Bylaw No. 8821 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 368
ADM40
Bylaw 8815

ANIMALS BYLAW AMENDMENT – DOG LICENCE FEES.

Final Reading of the "Animals Bylaw, 2004, Amendment Bylaw, 2006, No. 8815". To amend Sections 19.1 and 25.1 regarding dog licence fees and impoundment fees.

MOVED by Councillor Ngai and Seconded by Councillor Gillespie: "That Bylaw No. 8815 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 369
McLellan Place
Bylaw 8813

ROAD CLOSING AND HIGHWAY DEDICATION REMOVAL BYLAW (MCLELLAN PLACE).

Three Readings of "Road Closing and Highway Dedication Removal Bylaw, 2006 (McLellan Place), No. 8813". To stop up and close to traffic and remove the highway dedication from a portion of McLellan Place.

MOVED by Councillor Derman and Seconded by Councillor Sanders:
"That Bylaw No. 8813 be introduced and read."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Sanders:
"That Bylaw No. 8813 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Sanders:
"That Bylaw No. 8813 be now passed."

CARRIED

No. 370
West Saanich Rd
Bylaw 8818

4541 AND 4545 WEST SAANICH ROAD.

First Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2006, No. 8818". Rezoning from A-1 to RT-3.

MOVED by Councillor Sanders and Seconded by Councillor Brice:
"That Bylaw No. 8818 be introduced and read."

CARRIED

RESOLUTIONS FOR ADOPTION

No. 371
ADM85
Advisory
Committees –
Terms of
Reference

2007 COUNCIL ADVISORY COMMITTEES – TERMS OF REFERENCE.

Report of the Manager of Legislative Services dated November 21, 2006 recommending Council approve the November 15, 2006 Terms of Reference for the Council Advisory Committees outlined.

MOVED by Councillor Ngai and Seconded by Councillor Gillespie:
"That Council approve the November 15, 2006 Terms of Reference for the following Council Advisory Committees:

- 1. Healthy Saanich**
- 2. Parks, Trails and Recreation**
- 3. Arts, Culture and Heritage**
- 4. Planning, Transportation and Economic Development**
- 5. Bicycle and Pedestrian Mobility"**

Councillor Derman stated:

- He does not support the process that has been undertaken.
- The nature and structure of the advisory committees was adjusted in 2005 and now we are proposing further adjustments.
- Saanich advertised for volunteers to sit on their various Committees and it does not make sense or send a good message to the public if we make further changes to a committee structure after people have applied.
- He feels it makes more sense to leave pedestrian concerns with the

proposed new Planning, Transportation and Economic Development Advisory Committee as they will deal with transportation and land planning rather than transfer that function to the Bicycle Advisory Committee as proposed.

Councillor Brice stated:

- The proposed adjustments to the advisory committee structure will serve Saanich well; in the past there has been a great deal of overlap in the functions of some of the committees.
- The proposed new Terms of Reference are broad enough to encompass various issues yet still allow committees to stay focused on their mandate.

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

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 7:40 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, NOVEMBER 27, 2006 AT 7:41 P.M.

Present: **Chair:** Councillor Hunter
Council: Mayor Leonard and Councillors Brice, Derman, Gillespie, Ngai, Sanders and Wergeland
Staff: Tim Wood, Administrator; Colin Doyle, Director of Engineering; Neil Findlow, Planning Supervisor; Margaret Trotter, Deputy Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Kremlin Street
 Rezoning

3815 KREMLIN STREET (A PORTION) – REZONING APPLICATION – DONALD AND BONNIE KREYE.

Report of the Director of Planning dated November 9, 2006 recommending approval of the rezoning from RS-6 to RS-4.

Mr. D. Kreye, owner and applicant, stated:

- The proposal is to subdivide and create one RS-6 lot and one RS-4 lot; he and his wife have lived in their present location for the past five years and would like to remain in the neighbourhood.
- The current dwelling was built in the 1940's and was used as a farmhouse; it will be relocated onto proposed Lot 2.
- Proposed Lot 2 will be accessed from the existing driveway on Kremlin Street and proposed Lot 1 will be accessed by a new driveway on Kisber Place.
- The subdivision does not require any variances; the size of the proposed dwelling will be compatible with neighbouring dwellings.
- In June 2006 they held an Open House and invited the immediate neighbourhood and the Mount Tolmie Community Association; 10 residents attended.
- They have received letters of support from many of the neighbours as well as the Community Association; a few neighbours have expressed concern with traffic safety and parking, as well as impacts to property values.
- To address those concerns, proposed Lot 1 will be accessed by a new driveway and the existing access on Kremlin Street will be shifted slightly to the south; they will also provide three off-street parking spaces for each of the two lots.
- He has spoken with various professionals regarding impacts to property values and was told that the proposed subdivision will likely increase property values in the neighbourhood.

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

- They are planning to use permeable pavers on the proposed new driveway as well as recycle the concrete on the existing driveway and replace it with pavers.
- They will provide concept plans at the Public Hearing and will commit to building those plans.
- The existing dwelling has a carport which they had hoped to move and use as an accessory building on proposed Lot 2, but it is too large so they will deconstruct it and salvage what they can; they will then construct a smaller carport.

Mr. D. Thatcher, 1759 Kisber Place, stated:

- He has lived in his present location for the past 15 years.
- The applicants have been very upfront and transparent with the neighbours with regard to their proposal and he supports it.
- The applicants invited 30 or 40 of the residents in the area to an Open House where they presented their plans and displayed concept plans showing the scale and character of the proposed new dwelling.
- It is an older neighbourhood and he thinks the proposed subdivision will enhance it and not impact neighbouring property values or parking and traffic.

Mr. P. Spurr, on behalf of the Mount Tolmie Community Association, stated:

- The Association is impressed with the proposed subdivision and supports it; the applicants held an Open House and were upfront with their plans.
- The proposal meets the requirements of the Zoning Bylaw, is suitable infill for the area, and will enhance the neighbourhood.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Gillespie: "That a Public Hearing be called."

Councillor Derman stated:

- The applicants have done a good job with their proposal.
- There are a few neighbours who have some concerns with the proposed subdivision and it is too bad they could not make it to the meeting.

Councillor Sanders stated:

- She is happy that the applicants held an Open House and presented concept plans so the neighbours could see what they are planning to build.
- She also appreciates that the applicants are respectful of the heritage value of the existing dwelling and that it will be saved.

Mayor Leonard stated:

- He supports the proposed subdivision; it meets Saanich's commitment to provide infill development.
- He is aware of the concerns from some of the neighbours who were unable to attend the meeting; copies of their letters were provided to Council and they will have an opportunity to express their concerns at the Public Hearing.

The Motion was then PUT and CARRIED

Cordova Bay Road
Rezoning

4705 CORDOVA BAY ROAD – REZONING APPLICATION – E.Y. PROPERTIES LIMITED.

Report of the Director of Planning dated November 15, 2006 recommending approval of the rezoning from RS-18 to RS-12, and that prior to final reading a covenant be registered to limit the number of lots to seventeen.

Mr. E. Yakimovich, applicant, E.Y. Properties Limited, stated:

- The proposal is to rezone and create 17 lots in a bare land strata development; the existing dwelling and two garages will be removed.
- There are numerous trees on the property and they have made an effort to preserve as many as possible; it is their intention to create a streetscape fronting the development that maintains the park-like feeling of this portion of Cordova Bay Road.
- They have had a number of discussions with the Planning Department and the Cordova Bay Association; they have a letter of no objection from the Association.
- The site will be developed using Low Impact Development techniques along with strict tree retention policies and Naturescape guidelines; each purchaser will be required to agree to a landscape contract.
- Citta Construction Ltd. will construct all 17 of the dwellings so the finished product will be one of high quality.

Ms. L. Malmkvist, Swell Environmental Consulting, stated:

- Four zones of vegetation management have been established.
- Zone A is a native vegetation area where the primary goal is habitat protection and enhancement with some limited human uses.
- Zone B is a transitional Naturescape Area located between the covenanted native vegetation area and the private yard area for each proposed lot; Zone C is the private yard Naturescape areas for each lot.
- Zone D includes stormwater management areas, road edges and the entrance area to the development site.

Ms. Windjack, LADR Landscape Architect, stated:

- All landscape designs will be based on Naturescape principles; each of the four zones will be managed according to the Vegetation Management Guidelines.
- Only native species can be planted in Zone A (Native Vegetation Covenant Areas); the developer will provide a management plan within each strata lot that identifies the potential human use area.
- An edge of plantings or low fencing will be installed between Zones A and B (No Build Naturescape Area) to delineate the boundary of the Native Vegetation Area; in Zone B, there will native vegetation, grassed lawns and approved ornamental vegetation.
- Zone C (Naturescape Area) is the area closest to the dwellings; owners will be encouraged to use Naturescape principles; flower beds, vegetable gardens and dog runs will be permitted.
- Zone D is the entrance to the development; there will be downspout discharge areas, a grassed verge, a grassed/vegetated swale, and a mix of native and wildlife habitat plantings.

- Downspouts will be disconnected so that rainwater can go back into the ground.

Mr. B. Patterson, Citta Construction Ltd., stated:

- The proposed development will be sympathetic to the environment; building designs will meet BC Energuide and Built Green BC Gold standards to ensure sustainability principles and green building strategies are accomplished.
- Building design will be influenced by the natural setting, climate, and the relationship between indoor and outdoor living areas; house styles will be a combination of traditional and west coast design.

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

- Covenant enforcement can be a difficult issue; the strata council will have the ability to administer and enforce the concepts that have been presented with regard to the proposed development.

Mr. M. Litwin, 4700 Deerwood Court, stated:

- He has known the applicant for many years; he is very sympathetic to the environment and will do a good job.

Mr. N. Eden, 4540 Blenkinsop Road, stated:

- He likes the quality of the proposed development and supports it.

MOTION:

**MOVED by Councillor Derman and Seconded by Councillor Brice:
"That a Public Hearing be called."**

Councillor Derman stated:

- He congratulates the applicant; the proposed development is a very attractive concept and he supports it.
- He hopes the applicant will consider the possibility of a third party covenant where someone like the Land Conservancy, for example, is the signatory.

Councillor Gillespie stated:

- It is a pleasure to see this kind of quality development; the materials and finishes that are being proposed will add to the character of the homes and natural setting.
- He is happy to hear that stormwater will be recycled and that they will be using Naturescape principles; he supports it.

Councillor Brice stated:

- She congratulates the applicant and everyone that is working with him on the proposed subdivision; the project is very innovative and forward thinking and will no doubt be a first class development.
- She hopes that everyone who lives there will buy into the concept of naturescape principles and landscaping so that the integrity of the development is maintained.

Councillor Wergeland stated:

- He congratulates the applicant and hopes that everyone who lives in the development is respectful of the covenanted areas and that they

are preserved in perpetuity.

Councillor Sanders stated:

- She compliments the applicant for the innovative proposal and appreciates the efforts taken to preserve the environment.

The Motion was then PUT and CARRIED

Tolmie Avenue
Rezoning

1108 TOLMIE AVENUE – REZONING APPLICATION - EARL W. LARGE.

Reports of the Director of Planning dated November 17, 2006 recommending the Quadra Local Area Plan Map 4.1 be amended to designate the property as Potential Multi-Family Housing, approval of the rezoning from RS-6 to RT-3, that the outstanding issues identified be addressed prior to a Public Hearing, and that approval of Development Permit DPR2006-00015 be withheld pending receipt of revised plans addressing the outstanding issues; and the Advisory Design Panel dated September 27, 2006 recommending approval of the design.

Mr. P. Large, president, Large & Co. Developers, stated:

- The proposal is to rezone and construct four units of attached housing in two buildings.
- Three neighbourhood meetings were held to discuss the proposed development; they have a letter of support from the Quadra Cedar Hill Community Association and from several of the neighbours.
- They were asked to provide a revised tree retention plan and further detail on the sidewalk modification and proposed driveway profile on Tolmie Avenue; both of these issues have been dealt with.
- He has also revised the tree retention plan with additional detail about mitigation measures to reduce the impact of construction.

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

- Permeable pavers will be used on the proposed new driveway; instead of having a grass strip on the lane accessing Linwood Lane as proposed, they could consider using pavers in that area as well.
- They will also be installing a new fence around the perimeter of the development at their expense.

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

- He appreciates the efforts of the applicant; at the first neighbourhood meeting there was an indication from those in attendance that they did not support the proposal.
- The applicant then held two more meetings in order to address the neighbourhood's concerns and presented landscape and concept plans.
- They are happy to see that the applicant is proposing a rain garden on the west side of the property although there could be the potential for excess water behind the wall on the neighbour's property.
- The Association has no objections to the proposed development.

MOTION: **MOVED by Mayor Leonard and Seconded by Councillor Brice:**
“That:

- 1. **A Public Hearing be called;**
- 2. **The following outstanding issues be addressed prior to a Public Hearing:**
 - a) **Provision of a revised tree retention plan.**
 - b) **Further detail on the sidewalk modification and proposed driveway profile on Tolmie Avenue.**
- 3. **Approval of Development Permit DPR2006-00015 be withheld pending receipt of revised plans addressing the outstanding issues.”**

CARRIED

In Camera Motion **MOVED by Councillor Brice and Seconded by Councillor Gillespie:**
“That the following meeting be closed to the public as the subject matter being discussed relates to the proposed acquisition and/or disposition of land and/or improvements, law enforcement, and personnel matters.”

CARRIED

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

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK