

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, OCTOBER 16, 2006 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Sanders and Wergeland
Staff: Tim Wood, Administrator; Chris Nation, Municipal Solicitor; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Margaret Trotter, Deputy Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brice and Seconded by Councillor Brownoff:
"That the Minutes of the Council and Committee of the Whole Meetings held October 2, 2006, and the Minutes of the Special Council Meeting held September 26, 2006, be adopted."

CARRIED

BYLAWS

No. 325
ADM40
Bylaw 8805

SUBDIVISION BYLAW HOUSEKEEPING AMENDMENT – DEFINITION OF LOT WIDTH.

Final Reading of the "Subdivision Bylaw, 1995, Amendment Bylaw, 2006, No. 8805". To include a new definition of "lot width".

MOVED by Councillor Derman and Seconded by Councillor Brice:
"That Bylaw No. 8805 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 326
ADM40/FIN95
Bylaw 8792

SANITARY SEWER BYLAW.

First and Second Readings of the "Sanitary Sewer Bylaw, 2006, No. 8792". To provide for the management and regulation of the sanitary sewer system and impose sewer user charges.

MOVED by Councillor Derman and Seconded by Councillor Brice:
"That Bylaw No. 8792 be introduced and read."

CARRIED,

with Councillors Gillespie and Wergeland voting against.

MOVED by Councillor Derman and Seconded by Councillor Brice:
"That Bylaw No. 8792 be read a second time."

Councillor Gillespie stated:

- It is likely that in the next three to five years there will be a new sewage treatment system for the region that will impact taxpayers with regard to the cost of operation; we do not know at this time how it will be funded.
- He feels that the proposed new bylaw is premature.

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

- UVic will be charged the same as everyone else; the sewer fee will be based on a small fixed charge and a rate per cubic metre of consumption.
- When the phasing process is complete, the fixture charge along with the other charges on the Tax Notice will be completely eliminated and

- users will then be charged based on consumption.
- The transition period will provide an opportunity for renters and landlords to sort out how it will be worked into rental agreements.
- All properties will be based on consumption once the transition period is completed.

The Motion was then PUT and CARRIED, with Councillors Gillespie and Wergeland voting against.

No. 327
PLD60
 Bylaw 8792

OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT – HARMONIZATION OF DEVELOPMENT PERMIT AREAS JUSTIFICATIONS AND GUIDELINES WITH THE STREAMSIDE DEVELOPMENT PERMIT AREA.

First Reading of the “Official Community Plan Bylaw, 1993, Amendment Bylaw, 2006, No. 8809”. To include housekeeping changes to harmonize Development Permit Areas Justifications and Guidelines with the Streamside Development Permit Area.

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That Bylaw No. 8792 be introduced and read.”

CARRIED

RECOMMENDATIONS FROM COMMITTEES

From the Public Safety and Emergency Planning Committee Meeting held September 19, 2006

No. 328
ADM40
 Bylaw 7755

FIRE PREVENTION BYLAW – PROPOSED AMENDMENT

Memorandum from the Public Safety and Emergency Planning Committee dated September 25, 2006 and Report from the Fire Chief dated August 18, 2006 recommending that Council adopt the proposed amendments to the Fire Prevention Bylaw.

In response to questions from Council, the Fire Chief stated:

- Residents who use smokers to smoke fish can still do so as long as they use natural gas or propane as fuel; wood chips can be used inside the smoker to add flavor but cannot be used as fuel.
- In 2005 and 2006, 685 permits were issued for beach fires and rural open burning; he does not have any statistics for illegal open burning.
- A \$10 permit fee is recommended in terms of cost recovery; it also means that staff can ensure that an individual applying for a permit is over the age of 19 years.
- With regard to the proposed fee of \$100 per hour, per fire investigator exceeding two man hours in duration, the *BC Fire Service Act* requires a general investigation at a fire scene which normally takes up to two hours.
- The intent of the proposed bylaw is not to be onerous on homeowners but in some instances the duration of a fire investigation can generate significant overtime charges; currently the Municipality is absorbing these costs.
- There was significant time spent investigating the recent fire at Lumberworld; the cost recovery for that fire was approximately \$8,000 to \$9,000.
- Usually property insurance coverage includes fire department service charges.

The Administrator stated:

- People who pay property taxes in Saanich likely receive a reduction in their property insurance because fire services are provided.

MOVED by Councillor Hunter and Seconded by Councillor Ngai: "That the following amendments to the Fire Prevention Bylaw be approved:

1. **Amendments to definitions concerning Open Air Burning;**
2. **Elimination of all land clearing and demolition waste burning within the Municipality;**
3. **Establishment of the following four new fees or charges for Fire Department services:**
 - i) **Fire Safety Plan Review: \$100 for review and approval of all Fire Safety Plans required under the British Columbia Fire Code;**
 - ii) **Fire Investigation Service: \$100 per hour, per fire investigator for fire investigation services exceeding two person hours in duration;**
 - iii) **Beach Fire Permit: \$10 for each beach fire permit;**
 - iv) **Special Rural Burning Permit: \$10 for each special rural burning permit (for fires greater than three feet and less than six feet in diameter)."**

Councillor Derman stated:

- Open air burning within the Urban Containment Boundary was banned a number of years ago; people used to complain that they could not open their windows because of all the smoke.
- The proposed revisions to the bylaw are a progressive step forward; there are many options available these days to get rid of material instead of burning it.

Councillor Gillespie stated:

- He is concerned with the air tight units that fit into fireplaces; the wood can smolder and smoke all night.

The Fire Chief stated:

- The bylaw already addresses smoke opacity standards; if there is a concern with an air tight unit then the Fire Department should be contacted so they can deal with it.

The Motion was then PUT and CARRIED

On a Motion from Councillor Gillespie, the meeting adjourned at 7:50 p.m.

The meeting reconvened at 9:41 p.m.

No. 329
ADM40
Bylaw 8807

FIRE PREVENTION BYLAW

First Three Readings of the "Fire Prevention, Bylaw, 2006, No. 8807". To amend Bylaw 7755 to include housekeeping changes.

MOVED by Councillor Derman and Seconded by Councillor Hunter:
"That Bylaw No. 8807 be introduced and read."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Gillespie:
"That Bylaw No. 8807 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Gillespie:
"That Bylaw No. 8807 be read a third time."

CARRIED

From the Committee of the Whole Meeting held October 16, 2006.

No. 330
ADM40
Bylaw 8808

TAX EXEMPTION BYLAW

First Three Readings of the "Tax Exemption Real Property Bylaw, 2006, No. 8808".

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: "That Bylaw No. 8808 be introduced and read."

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That Bylaw No. 8808 be read a second time."

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That Bylaw No. 8808 be read a third time."

CARRIED

No. 331
ADM40
Bylaw 8810

TAX EXEMPTION BYLAW (RIPARIAN LAND)

First Three Readings of the "Tax Exemption Real Property Bylaw (Riparian Land), 2006, No. 8810".

MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That Bylaw No. 8810 be introduced and read."

CARRIED

MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That Bylaw No. 8810 be read a second time."

CARRIED

MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That Bylaw No. 8810 be read a third time."

CARRIED

No. 332
Quadra Street
Development
Permit

3939 QUADRA STREET – DEVELOPMENT PERMIT – HILLEL ARCHITECTURE INC.

MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: “That Council approve and issue Development Permit DPR2006-00005 on Lot B, Section 32, Victoria District, Plan 4606 (3939 Quadra Street).”

CARRIED

No. 332
Royal Oak Ave.
Subdivision
Application

863 AND 867 ROYAL OAK AVENUE – COMMUNITY HERITAGE REGISTER AND SUBDIVISION APPLICATION – DONALD WILDE.

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff : “That:

- 1. The Community Heritage Register be amended to delete the dwelling at 863 Royal Oak Avenue;**
- 2. The applicant be encouraged to de-construct the dwelling as an alternative to demolition and that prior to removal of the structure, the Saanich Heritage Foundation be provided access to photograph it for the Saanich Archives; and**
- 3. Council approve an exemption from the 10 percent road frontage requirement of the *Local Government Act* for Lots A and C of a proposed subdivision of Lots 11 and 12, Section 8, Lake District, Plan 9095 (863 and 867 Royal Oak Avenue).”**

CARRIED,

with Councillors Brownoff and Sanders voting against.

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 9:45 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, OCTOBER 16, 2006 AT 7:51 P.M.

Present: **Chair:** Councillor Wergeland
Council: Mayor Leonard and Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Ngai, and Sanders
Staff: Tim Wood, Administrator; Chris Nation, Municipal Solicitor; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Margaret Trottier, Deputy Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

Quadra Street
Development Permit

3939 QUADRA STREET – DEVELOPMENT PERMIT – HILLEL ARCHITECTURE INC.

Reports of the Director of Planning dated October 4, 2006 recommending approval of Development Permit DPR2006-00005, and the Advisory Design Panel dated April 26, 2006 recommending approval of the design.

Ms. K. Hillel, Hillel Architecture Inc., on behalf of the owners was present in support of the application.

Councillor Derman stated:

- The pedestrian environment would be improved if there were opportunities for separated sidewalks.

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

- The subject site has a large area of impervious surface and the Association feels that it would be beneficial to use environmentally sustainable methods to upgrade the treatment of runoff from the parking area as well as consider a green roof.
- The Association has no objections to the Development Permit application.

MOTION: MOVED by Councillor and Seconded by Councillor: “That it be recommended that Council approve and issue Development Permit DPR2006-00005 on Lot B, Section 32, Victoria District, Plan 4606 (3939 Quadra Street).”

CARRIED

Royal Oak Ave.
Subdivision
Application

863 AND 867 ROYAL OAK AVENUE – COMMUNITY HERITAGE REGISTER AND SUBDIVISION APPLICATION – DONALD WILDE.

Report of the Director of Planning dated October 3, 2006 recommending the Community Heritage Register be amended to delete the dwelling at 863 Royal Oak Avenue, that the applicant be encouraged to de-construct the dwelling as an alternative to demolition and that prior to removal of the structure the Saanich Heritage Foundation be provided access to photograph it for the Archives, and that the statutory 10 percent road frontage requirement be waived for proposed Lots A and C of a proposed 4 lot subdivision.

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

- With Option 2, increasing the dimensions of proposed Lots B and C by about another four metres would meet the minimum parcel area required for the zone but then the applicants would need to vary the minimum depth for proposed Lot B which has to be 30 metres; either way they will need a variance or a rezoning to affect the layout in Option 2.

Councillor Derman stated:

- If Council was to refuse a permit for demolition would they then be required to designate the property in the Heritage Register, and if they did that, would there be issues of recompense to the homeowner or anything of that nature?

The Director of Planning responded:

- If Council refused to allow the removal of the house from the Registry, there is a waiting period after which time Council must proceed to designation with possible compensation to the homeowners.
- Saanich has never done a forced heritage designation; it has always been in cooperation with the property owner.

The Municipal Solicitor stated:

- The only scenario where the Municipality would be exposed to a claim for compensation is if Council designated a property as heritage and it is seen to cause a reduction in the value of the property.

Ms. D. Binder, owner, 863 Royal Oak Avenue, stated:

- She and her husband own the property at 863 Royal Oak Avenue; they originally submitted a proposal that incorporated a subdivision around the existing heritage inventoried dwelling.
- They had hoped that the sale of one the lots once the property was subdivided would pay for the renovations to their house; however all of the contractors and realtors that they spoke with told them that even if they spent another \$100,000 on renovations they would still incur a huge financial loss.
- They are working with their neighbours at 867 Royal Oak Drive to subdivide their two properties so that they can each build a new home and use the money from the sale of the proposed new lots to fund the building process, and provide some additional equity for their retirement.
- The current application gives them the option to build a retirement home without stairs and would not prevent them from selling the home at fair market value.
- The Planning Department has concerns with Option 4 as it could set a precedent leading to other applications to utilize the same unusual lot configuration.
- Option 1 does not meet their needs and Options 2 and 3 require either a rezoning or strata development process.
- They have already invested significant funds towards renovations on their house and the cost of further renovations are economically unjustifiable; they are not prepared to pursue heritage designation of the dwelling.

- Nickel Bros. House Moving has indicated that it would be very difficult to relocate the house as it would have to be cut into three sections because of the huge fireplace; however, they are prepared to sell it for \$1 to a person or organization who wants to move it and use it for heritage purposes.
- The proposed new houses will be well set back from the property lines and there is existing shrubbery that will help provide privacy to the neighbouring properties.
- The issue of drainage and runoff has been addressed in the Engineering Report and all of the recommendations will be adhered to.
- The 400 year old Garry Oak tree is listed on Saanich's Significant Tree Inventory and they will be working with an arborist to ensure that its roots will be protected during the construction phase.

In response to questions from Council, Ms. Binder stated:

- They will consider a covenant to preserve the existing shrubbery along the property line; the adjoining property owners on Dalewood Lane have already planted new shrubbery that parallels the property line.
- They did not hold a neighbourhood meeting but they consulted with the immediate neighbours.
- They are prepared to deconstruct the dwelling and not demolish it.

Mr. D. Wilde, owner, 867 Royal Oak Drive, stated:

- Their home at 867 Royal Oak Drive was built in 1952; it has no insulation, is infected with termites, and the roof leaks; it is not worth renovating.
- When the property on the other side of them was subdivided and a panhandle lot created, Council passed a resolution to amend the location of the access to accommodate the further subdivision of Lot 12 which is their property.
- He and his wife have been waiting for quite some time to subdivide and they are prepared to spend another winter in the house while they build a new house.
- They are asking that Council approve the removal of the dwelling at 863 Royal Oak Avenue from the Heritage Inventory and forego the 10 percent frontage requirement for the proposed two panhandle lots.
- Many of the houses along Royal Oak Avenue have an interesting history and they would like to create two new homes that will help preserve the character of the area.

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

- They will remain in their present house on proposed Lot D until their new house on proposed Lot C is completed; they will deconstruct the existing house as soon as the new house is completed.

Mr. B. Shuya, president, Saanich Heritage Foundation, stated:

- The Saanich Heritage Foundation discussed the proposed subdivision at their meetings in March and July of 2006.
- When they reviewed the application in March, the proposal included retaining the heritage inventoried dwelling at 863 Royal Oak Avenue

- so their comments pertained to setbacks and the possible view corridor across one of the proposed lots.
- When they considered a revised proposal in July it included demolition of the dwelling; they subsequently passed a motion for the applicant to come up with a more creative subdivision proposal that would respect the integrity of the existing dwelling, as well as pursue heritage designation in order to qualify for a restoration grant from the Heritage Foundation to help pay for some of the costs.
 - The architect, John DiCatri, is a highly regarded architect and the house at 863 Royal Oak Avenue is a delightful example of his work.
 - Some creatively designed additions and renovations could improve the livability of the house and he urges Council to preserve it.

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

- The Heritage Foundation would support either Option 2 or 4.

Mr. A. Collier, 1199 Palmer Road, stated:

- It has been noted that the dwelling is not really visible because of the foliage that surrounds it so the public cannot see its heritage value.
- There are only three DiCatri houses left in Saanich and if this one is not preserved it is likely only a matter of time before the other two houses disappear as well.

Mr. M. Erasmus, 868 Dalewood Lane, stated:

- His property is located south of the proposed subdivision and he has lived there for the past three years.
- Although he is sympathetic to the financial constraints the owners are faced with, he is concerned that his privacy could be impacted by the creation of panhandle lots.
- There is a large cedar hedge that currently affords them some degree of privacy but it could be impacted with the construction of the proposed new houses; perhaps there could be a covenant to protect the hedge.
- He finished landscaping his property about two months ago but the vegetation is still immature and it will be several years before it is significant enough to provide any privacy.

Ms. M. Lapwood, 872 Dalewood Lane, stated:

- Her property is situated below 867 Royal Oak Avenue.
- She is concerned that if the owners proceed with Option 4, that the new dwellings on Lots A and D will be extremely close to the rear property line and look directly into their yard and deck.
- There is a cedar hedge but because of the slope of the property any new dwelling will likely overshadow their property.
- She is also concerned with runoff; when the panhandle lot was created next to them, the property at 876 Dalewood Lane ended up with a significant amount of water in their basement after the house was built because stormwater runoff was not properly addressed.
- She agrees that there should be a covenant to protect the existing hedge.

Mr. G. Potter, president, Broadmead Area Residents' Association, stated:

- The applicants did not hold a neighbourhood meeting but they have

- been in contact with the Association to discuss their proposal.
- Royal Oak Avenue may be in the middle of Broadmead but it does not have the Broadmead restrictive covenants.
- The Association has not received any phone calls or correspondence with regard to the proposed subdivision.

MOTION:

MOVED by Councillor Brice and Seconded by Councillor Ngai: “That it be recommended to Council that:

- 1. The Community Heritage Register be amended to delete the dwelling at 863 Royal Oak Avenue;**
- 2. The applicant be encouraged to deconstruct the dwelling as an alternative to demolition and that prior to removal of the structure, the Saanich Heritage Foundation be provided access to photograph it for the Saanich Archives; and**
- 3. Council approve an exemption from the 10 percent road frontage requirement of the *Local Government Act* for Lots A and C of a proposed subdivision of Lots 11 and 12, Section 8, Lake District, Plan 9095 (863 and 867 Royal Oak Avenue).”**

Councillor Brice stated:

- She thinks the proposal is reasonable and she will support it.
- The comments from the neighbours on Dalewood Lane are valid although similar comments were likely made by residents along Royal Oak Avenue when the Dalewood Lane subdivision was created.
- The unusual dwelling was designed to take advantage of a view that no longer exists and it is not in the public domain at this time; it would also take a great of money to renovate it to current standards.
- The owners have offered to sell the house for \$1 so it can be moved to another site and she hopes that someone will take advantage of that offer; if not, the homeowners will deconstruct the dwelling instead of demolishing it.

Councillor Sanders stated:

- She does not support the application and would prefer to see it postponed.
- She agrees with the comments of the president of the Saanich Heritage Foundation and encourages the applicants to come up with a proposal that works around either Option 2 or 4 to preserve the dwelling.
- Retaining the heritage inventoried dwelling would not prohibit subdividing the property nor mean an economical hardship because the owners would still have the lot with the house on it and one lot to sell.
- The dwelling was built by a prominent architect and typically that means they command more value; if the owners applied for heritage designation they would be eligible for restoration grants.
- She agrees that it is a quirky little house built to take advantage of the view of Rithet’s Bog but it is just one example of the range of architectural styles used by John DiCastrì; there is not another

example of this type in Saanich.

Councillor Brownoff stated:

- She does not support the proposed subdivision; we need to preserve the heritage aspect of Saanich and this DiCastrì dwelling has value in the heritage community.
- She would like to see the application postponed so that the applicants can discuss a lot layout based on Option 2.

Councillor Ngai stated:

- She thinks the proposal is reasonable and she will support it; the Community Association has not received any objections to the proposed subdivision.
- Deciding what has heritage significance is very personal and subjective; not everyone may agree on it.
- There is also the matter of a property owner's rights; the subject dwelling has not been designated heritage and the owners should not be forced to do so.
- The owners have gotten advice from professionals and have been told that it would cost thousands of dollars to bring it up to current standards; it would also be extremely difficult to move the house.
- The owners are not trying to make a profit, they are just people who want to build a house for their retirement; they have also offered to sell the house for \$1 so that it can be used for heritage purposes.

Councillor Gillespie stated:

- He knew John DiCastrì very well and did electrical work for many of the places that DiCastrì built; he was a very progressive architect.
- The owners have been told that they will have to spend a lot of money to bring the house up to current standards to make it more livable.
- He supports the proposal; the owners are working with an arborist and the issue of runoff will likely be alleviated once the property is subdivided.

Councillor Derman stated:

- He does not think there is any question about the heritage value of the subject dwelling.
- Council could try to force heritage designation on the owners but that is not a practice they wish to start.
- Rejecting the application will just cause a delay and force the applicants to apply again in the future.
- He will support the proposal with some regrets because he cannot see a viable solution to protect the heritage value of the dwelling.
- He encourages the owners to site the proposed new dwellings on Lots A and C so they do not impact the privacy of the properties on Dalewood Lane, and preserve the existing hedge if possible.

Mayor Leonard stated:

- He supports the proposed subdivision.
- In 1991 the residents of Royal Oak Avenue wanted the road for the Dalewood Lane subdivision to run along the rear of their properties; the new homes on Dalewood Lane would then be located to the

- south with their backyards facing Rithet's Bog.
- The Council at the time felt that Rithet's Bog would be more of a public amenity if it was open to the road; subsequent to that decision, the residents on Royal Oak Avenue were assured that the Local Area Plan would support the creation of panhandle lots.
 - The community also agreed that they wanted to keep the RS-10 zoning on Royal Oak Avenue even though panhandle lots could be achieved under that Zone.

Councillor Hunter stated:

- The Saanich Heritage Foundation has done their due diligence with the proposed subdivision and he urges them to continue to do so in the future and not see this as a setback.

**The Motion was then PUT and CARRIED,
with Councillors Brownoff and Sanders voting against.**

West Saanich Road
Rezoning

**4541 AND 4545 WEST SAANICH ROAD – REZONING APPLICATION
– CHARLES CHANG.**

Reports of the Director of Planning dated October 4, 2006 recommending approval of the rezoning from A-1 to RT-3, that the outstanding issues outlined be addressed prior to a Public Hearing, and that approval of Development Permit DPR2006-00007 be withheld pending receipt of revised plans addressing the outstanding issues; and the Advisory Design Panel dated June 21, 2006 recommending approval of the design subject to the conditions outlined.

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

- A road dedication will be made to improve the radius of the West Saanich/Elk Lake Drive intersection; the access on West Saanich Road will be restricted to right turn movements only.
- Normally with right turn movements only, we would rely on signage to restrict turning; in this case, if it is necessary to construct a physical restriction to those turns, it can be done with a small barrier curb along the centre line of the road.
- The sidewalk treatment along this portion of West Saanich Road is intended to be inbound with a boulevard.

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

- It is not critical that a public pedestrian access be secured through the site by covenant because the sidewalk environment is adequate for pedestrians.

Mr. R. McNeil, McNeil Building Designs Ltd., on behalf of the applicant, stated:

- The proposal is to construct a 17-unit townhouse in six building blocks; site coverage is approximately 34 percent.
- Height variances for Blocks 2, 3, and 4 are required, as well as variances for setbacks for interior and rear lots lines to provide for outdoor living space, spatial separation for fire safety, and a recreation space and stormwater treatment area near the intersection of West Saanich Road and Elk Lake Drive.
- Access to the site is from West Saanich Road; the Royal Oak

Community Association was not supportive of an additional vehicle access from Elk Lake Drive although there will be two gated pedestrian accesses.

- Blocks 2, 3, and 4 will be set into the grade so that they appear as two storeys from Elk Lake Drive and adjacent properties.
- The majority of existing trees and vegetation along the Elk Lake Drive property line will be retained and they will be planting a substantial number of trees throughout the site and boulevard; they will be incorporating decorative textured paving at the vehicle entrance to the site.

Ms. C. Rossell, Small & Rossell Landscape Architects, stated:

- They have consulted with the Parks Department with regard to the trees along Elk Lake Drive.
- There are a number of Garry Oak, Elm and Douglas Fir trees; some of the Fir trees may be removed or pruned; the Garry Oak and Elm trees are protected species.
- They are proposing to undertake some vegetation management by removing invasive species such as Himalayan blackberry and Scotch broom and planting some draught resistant native and ornamental species.
- There will be an open space amenity near the intersection of West Saanich Road and Elk Lake Drive which will include a patio area with fixed patio furniture and a small water feature.
- Each unit will have its own rear patio or deck space with small lawns and ornamental plantings.
- There will be solid wood fences on the north and west property lines to screen adjoining parcels.
- They will be using pervious paving materials including grasscrete and aqua pavers in the parking areas; they are also considering stormwater treatment in the soft landscape areas.

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

- The units will each have three bedrooms which are suitable for family living as is the close proximity to amenities such as the shopping centres, recreation centre, public library and transit system.
- None of the units will have suites; that stipulation can be written into the strata regulations.

Ms. K. Whitworth, president, Royal Oak Community Association, stated:

- The Association has had several discussions with the applicants since November 2005 with regard to their proposal.
- In February they held a public meeting and some concerns were expressed pertaining to proposed height, density and landscaping; as a result of that feedback the applicants made some changes to their proposal.
- The Association was not supportive of an access to the site at the north corner of the property because that is a school bus drop-off area.
- The applicants have made a sincere effort to work with the Community Association and residents; the Association supports their proposal.

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

- He would like to know if the perimeter drains will be connected directly into the storm drains.

Mr. M. Wignall, Civil Engineer for the project, stated:

- Stormwater management will be in compliance with Schedule H of the Subdivision Bylaw; there are many opportunities for stormwater retention.

MOTION:

MOVED by Councillor and Seconded by Councillor: "That:

- 1. A Public Hearing be called, and that prior to the Public Hearing the following outstanding issues be addressed:**
 - a) Provision of one disability parking space.**
 - b) Clarification of building code spatial separation issues.**
 - c) Relocation of steps from right-of-way to parcel.**
 - d) Further detail on landscape lighting.**
 - e) Reconciliation of stormwater management concepts with landscape plan.**
- 2. Approval of Development Permit DPR2006-00007 be withheld pending receipt of revised plans addressing the outstanding issues."**

Councillor Derman stated:

- The proposal is well designed and he supports it.
- At the Public Hearing he would like to have more information on the perimeter sidewalks and if they will be separated or widened.

The Motion was then PUT and CARRIED

EPW65
Inclusion in Sewer
Enterprise
Boundary

4627 VANTREIGHT DRIVE – REQUEST FOR INCLUSION IN THE SEWER ENTERPRISE BOUNDARY.

Report of the Director of Engineering dated September 22, 2006 recommending Lot 4, Block B, Section 85, Victoria District, Plan 26917 be included within the Sewer Enterprise Boundary.

Mr. V. Marcinkovic, owner, was present in support of his application.

MOTION:

MOVED by Councillor Gillespie and Seconded by Councillor Brice: "That the application to include Lot 4, Block, Section 85, Victoria District, Plan 2617, (4627 Vantreight Drive) within the Sewer Enterprise Boundary be approved."

CARRIED

ADM40
Permissive Tax
Exemptions

PERMISSIVE TAX EXEMPTIONS FOR THE YEAR 2007.

Report of the Director of Finance dated October 6, 2006 making recommendations with respect to requests for 2007 permissive tax exemptions.

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

- In reviewing the material from the Disabled Workers Foundation of

Canada, the organization appears to have national scope; there are international references with links to a number of countries which could be characterized differently from an organization such as the local Boy Scouts Club.

- The Extreme Outreach Society has requested tax exemptions for several properties; a portion of the dwellings on two of the properties are used for administrative/volunteer purposes while the remaining properties are used strictly for housing.

Mayor Leonard stated:

- We do not have a written policy with regard to tax exemptions; we have an evolving precedent setting policy so we have to refer to past practices.
- What is being recommended is that the spaces that are rented out by the Extreme Outreach Society will pay property taxes as is the case with CRD Housing; what will be tax exempt is the office space that provides service for the non-profit organization.

MOTION:

MOVED by Mayor Leonard and Seconded by Councillor Hunter:
“That:

- 1. The organizations outlined in the October 6, 2006 report of the Director of Finance be granted a tax exemption for 2007; and**
- 2. Partial 2007 permissive tax exemptions for the Extreme Outreach Society equal to 50 percent of the taxes for 982 McKenzie Avenue and 75 percent of the taxes for 999 McKenzie Avenue be approved.”**

CARRIED

ADM40
 Permissive Tax
 Exemptions –
 Riparian Land

2007 PERMISSIVE TAX EXEMPTION REQUEST FOR RIPARIAN LAND – 203 GOWARD ROAD

Report from the Director of Finance dated October 6, 2006 pertaining to a permissive tax exemption request for riparian land for 203 Goward Road.

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

- He supports the tax exemption request; he thinks it is a step in the right direction.

Ms. F. Hunter, owner, 203 Goward Road, stated:

- The watershed around Prospect Lake is very endangered by tree cutting and a number of problems associated with runoff.
- The covenant will prevent future owners from being allowed to remove five trees an acre per year from the slope leading down to the waterfront.
- It would also be beneficial for other property owners who own five or ten acres around Prospect Lake to be encouraged by Saanich to covenant their lands to maintain the health of the lake.

MOTION: MOVED by Councillor Derman and Seconded by Councillor Gillespie: "That:

- 1. The 2007 property tax exemption request for riparian property at 203 Goward Road be approved as outlined in Schedule A of the report of the Director of Finance dated October 6, 2006; and**
- 2. Prior to considering other applications under Section 225 of the Community Charter, the BC Assessment Authority valuation be reviewed in the context of the overall program for permissive tax exemptions."**

CARRIED

Adjournment On a motion from Councillor Ngai, the meeting adjourned at 9:40 p.m.

.....
CHAIR

I hereby certify these Minutes are accurate.

.....
MUNICIPAL CLERK