

MINUTES OF THE COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, JULY 9, 2007 AT 7:30 P.M.**

Present: **Chair:** Mayor Leonard  
**Council:** Councillors Brice, Brownoff, Derman, Gillespie, Ngai, Sanders and Wergeland.  
**Staff:** Tim Wood, Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Margaret Trottier, Deputy Municipal Clerk; and Maura Brothers, Committee Clerk.

Minutes **ADOPTION OF MINUTES**

**MOVED by Councillor Sanders and Seconded by Councillor Gillespie:**  
**“That the Minutes of the Council and Committee of the Whole Meetings held June 25, 2007 be adopted.”**

**CARRIED**

Bylaws **BYLAWS**

No. 168  
Elk Lake Dr.  
Bylaw 8861

**ROAD DEDICATION BYLAW (ELK LAKE DRIVE).**

Three Readings of the “Road Dedication Bylaw, 2007 (Elk Lake Drive), No. 8861”. To dedicate for road a 2.0 metre wide strip on the Elk Lake Drive frontage of 4595 Elk Lake Drive for the Royal Oak Transit Exchange.

**MOVED by Councillor Derman and Seconded by Councillor Brownoff:**  
**“That Bylaw No. 8861 be introduced and read.”**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Brownoff:**  
**“That Bylaw No. 8861 be read a second time.”**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Brownoff:**  
**“That Bylaw No. 8861 be now passed.”**

**CARRIED**

**RESOLUTIONS FOR ADOPTION**

No. 169  
ADM 120 - MFA  
2007 Fall Issue

**MUNICIPAL FINANCE AUTHORITY – 2007 FALL ISSUE.**

Report of the Director of Finance dated June 29, 2007 recommending Council authorize long term borrowing through the Municipal Finance Authority for a number of approved capital projects.

**MOVED by Councillor Brownoff and Seconded by Councillor Wergeland:** “That Council approve borrowing from the Municipal Finance Authority of British Columbia, as part of their 2007 Fall Issue, \$2,306,300 as authorized through the following Loan Authorization Bylaws for the projects specified and that the Capital Regional District be requested to consent to our borrowing over a 15 year term and include the borrowing in their security issuing bylaw:

<u>Bylaw</u>	<u>Purpose</u>	<u>Amt. of Borrowing Authorized</u>	<u>Amt. Already Borrowed</u>	<u>Remaining</u>	<u>Amount of Issue</u>
8690	School Improvement	\$687,000	\$450,000	\$237,000	\$237,000
8783	Recreation Facility/Library	\$2,069,300	-	\$2,069,300	\$1,469,300
8785	Sewer Construction	\$1,000,000	-	\$1,000,000	\$600,000
<b>TOTAL</b>		<b><u>\$3,756,300</u></b>	<b><u>\$450,000</u></b>	<b><u>\$3,306,300</u></b>	<b><u>\$2,306,300</u></b>

**CARRIED**

No. 170  
Royal Oak Drive  
 Rescindment of  
 Development  
 Permit  
 Amendment

**777 ROYAL OAK DRIVE – RESCINDMENT OF DEVELOPMENT PERMIT AMENDMENT.**

Report of the Director of Planning dated June 27, 2007 further to a letter from Chang Holovsky Architects Inc. dated June 15, 2007, recommending Development Permit Amendment DPA2005-00003 be rescinded.

**MOVED by Councillor Gillespie and Seconded by Councillor Sanders: “That Amendment DPA2005-00003 to Development Permit p/50/90 on Lot 1, Section 8A, Lake District, Plan VIP53456 (777 Royal Oak Drive) be rescinded.”**

**CARRIED**

No. 171  
ADM 115 – CRD  
 Sewage Treatment  
 and Resource  
 Recovery Options

**SEWAGE TREATMENT AND RESOURCE RECOVERY OPTIONS**

Joint report of Councillors Derman and Gillespie date July 5, 2007 recommending Council adopt the resolution outlined and forward it to the Chief Administrative Officer of the Capital Regional District with a copy to the Core Area Liquid Waste Management Committee.

**MOVED by Councillor Derman and Seconded by Councillor Gillespie: “That the District of Saanich request the Capital Regional District Board to engage an alternative ‘college of well qualified second opinion and expertise’ commissioned to examine and propose alternative financial strategies and allied technical means that incorporate contemporary treatment and resource recovery values, that look for an integrated networked and distributed set of treatment and investments that can be implemented in an incremental fashion and whose final conclusions are the removal of current environmental concerns centered on existing outfalls, the maximum possible amelioration of future local and global environmental concerns without placing an undue burden on financial resources.”**

Councillor Derman stated:

- The Core Area Liquid Waste Management Committee should have the opportunity to review all submissions; one submission for decentralized and environmentally sensitive treatments which made great use of resource recovery was received but not forwarded on to the Committee.
- There has not been sufficient canvassing of the treatment options, due in part to the need to meet the June deadline set by the Ministry of Environment.
- As this project will cost approximately \$1 billion and could be in place for over sixty years it is important to take the time to choose the best financially and environmentally sensitive option available

Councillor Gillespie stated:

- A speaker at a recent meeting at the University of Victoria indicated that the current direction proposed for sewage treatment could result in too great an expenditure invested in outdated infrastructure.
- All options currently available should be considered and environmental and health concerns need to be addressed.
- The existing overflows will continue to occur which is a major environmental concern.

Mr. Dwayne Kalynchuk, the Capital Regional District's Director of Environmental Services, noted:

- The Core Area Liquid Waste Management Committee has approved a decentralized integrated strategy.
- The strategy allows for growth through liquid-only plants on the boundary where there would be opportunity for heat and resource recovery.
- A briefing has been arranged with the Minister of Environment to review the strategy; there should be a response back from the briefing in the next two months.
- In the next phase of this project, there will be proposals brought forward on resource recovery and reuse options, short and long term regional market opportunities, and a discussion paper on principles.
- Business advisory services will report on procurement methods and the cost of the development to individual home owners.
- The siting process will consider the environmental and social aspects of various potential plant locations.
- In terms of obtaining a qualified second opinion, a report reviewing the process to date is currently being finalized for the Core Committee's consideration.
- Alternative financial strategies will be considered by the firm retained for business advisory services.
- The submissions made were intended to provide an indication of the technologies available; only decisions on representative technology have been made at this time.
- As the project grows there will be further opportunities to consider more decentralized and newer technology.

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

- A presentation on the activities of the Core Committee has been made to View Royal and one is scheduled for Esquimalt as well.
- The investment in existing infrastructure is \$45 million, which will be factored into the decision on the technology.
- Additional studies to confirm if it is best to continue investing in existing infrastructure would be possible.
- There are five Saanich representatives on the Core Committee.
- The studies to date on all aspects of this project have cost approximately \$1 million.
- Environmental Services will bring a report to the Core Committee at the August meeting to address the issues mentioned in a similar motion from View Royal and additional concerns from Esquimalt.

- Regarding values, a draft report clearly stating the goals and strategies for this development will be brought to the Core Committee in approximately 2 weeks.
- When going through the procurement analysis, it is provincially mandated to consider public/private partnerships and there is an ongoing conversation with both the provincial and federal governments in regards to funding.
- It is typical for a project of this size to undergo a peer review, which can cost approximately \$200,000; the project should be ready for a peer review by the end of this year.

**MOVED by Councillor Brownoff and seconded by Councillor Brice: “That further discussion be postponed until after a similar recommendation from View Royal has been considered by the Core Area Liquid Waste Management Committee.”**

Councillor Derman stated:

- He has no objection to postponing discussion on this issue until further information is made available.

**The motion was then put and CARRIED.**

**MOVED by Councillor Brown off and seconded by Councillor Derman: “That the Capital Regional District’s Director of Environmental Services be invited to provide an update on the activities of the Core Area Liquid Waste Management Committee.”**

**CARRIED**

Adjournment

On a Motion from Councillor Ngai, the meeting adjourned at 7:55 p.m.

The meeting reconvened at 11:40 p.m.

*From the Committee of the Whole Meeting July 9, 2007*

No. 172  
Cedar Hill Road  
 Development  
 Variance Permit

**MOVED by Councillor Derman and Seconded by Councillor Brice: “That:**

1. Council approve and issue Development Variance Permit DVP2007 00004 on Lot 15, Block 2, Sections 36 and 42, Plan 1276 (3366 Cedar Hill Road);
2. The applicant be encouraged to consider heritage designation of the existing dwelling; and
3. The comments made by the applicant with respect the location of the proposed new house on the site and limiting the size to that permitted under the RS-4 zone be forwarded to the Approving Officer for consideration during the subdivision review process.”

**CARRIED**

Adjournment      On a motion from Councillor Brice, the meeting adjourned at 11:41 p.m.

.....  
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, JULY 9, 2007 AT 7:56 P.M.**

Present: **Chair:** Councillor Gillespie  
**Council:** Mayor Leonard and Councillors Brice, Brownoff, Derman, Ngai, Sanders and Wergeland.  
**Staff:** Tim Wood, Administrator; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Margaret Trotter, Deputy Municipal Clerk; and Maura Brothers, Committee Clerk.

Rainbow Street  
Rezoning  
Application

**4021 AND 4045 RAINBOW STREET AND 850 MCKENZIE AVENUE – REZONING APPLICATION – DANIEL DOORE.**

Reports of the Director of Planning dated June 19, 2007 recommending 4021 Rainbow Street be included in the Sewer Service Area, approval of the rezoning from A-1 and RT-1 to a new RM-RH (residential mixed Rainbow Hill) zone, that a covenant be registered prior to final reading to require that the development be constructed generally in accordance with the Master Concept Site Plan and to require that a conservation covenant be registered for Garry oak habitat restoration areas prior to the issuance of any development permit, and that Development Permit P/23/96 be rescinded; and the Advisory Design Panel dated January 22, 2007 recommending the site concept plan be accepted.

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

- It is proposed as part of this application that a previously approved development permit for the northerly parcel be rescinded.
- The covenanted areas of Garry Oaks amount to 23% of the site.
- Covenants offered as part of a rezoning application cannot be amended or rescinded by staff and must be brought back to Council.
- The application will not proceed until the areas to be protected have been delineated and registered.

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

- The traffic study has been reviewed by staff; the content is satisfactory and generally in line with the servicing requirements.
- The traffic study was not circulated as no concerns are anticipated and the document is of a considerable size.
- The gravel trail on Rainbow Street is on the municipal right-of-way, separate from the roadway; it is not designed to serve as a sidewalk.
- How to best strengthen the pedestrian link to the McKenzie overpass, the Christmas Hill Nature Sanctuary and Roger’s School is still to be discussed.

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

- The new zone is largely based on the architectural style proposed by the applicant, which includes flat roofs.
- Saanich would be a party to the conservation covenant, along with the Land Conservancy or another appropriate agency; the intent is to have an additional party monitoring the protected area.
- Figures can be provided comparing the density of the entire original South Island Development Corporation (SIDC) rezoning and the

density of the proposed development, taking into account the resulting donation of 80 acres of parkland by the SIDC as well as the apartment complex to the west of the proposed development.

- At this time, municipalities do not have the authority to require energy efficiency before approving a development permit, though some of the design features in Saanich's new development permit guidelines will encourage green building practices; with a willing developer the rezoning process is the time to consider energy efficiency.

Mr. F. D'Ambrosio, D'Ambrosio Architecture & Urbanism stated:

- Both the Official Community Plan and the North Quadra Local Area Plan call for increased density within the Urban Containment Boundary.
- The intent is to create a development that reflects the form and character of the surrounding area while increasing the density.
- This site has been extensively used over the years, and has numerous buildings, roadways and abandoned agricultural sites.
- The extensive Garry Oak cover was the starting point for the site analysis and development concept.

Mr. S. Murdoch, Murdoch Degrief Inc. stated:

- Tree inventories, slope and drainage were all considered in the site analysis plan; the intent is to make the development fit the site instead of imposing on it.
- Tree planting on both sides of Rainbow Street is meant to reestablish the crown canopy.
- Landscaping on McKenzie Avenue will include pulling back the existing wall to improve site views.
- Placement of buildings and roadways were based on the location of the large Garry Oak meadows on the site.
- An open space buffer will be provided between the single family houses on Rainbow Street and the strata units behind.
- Tree planting to reestablish Garry Oaks in appropriate zones is a significant part of the landscape plan.
- The site is very sandy and as a result almost all the stormwater infiltrates into the soil and moves very slowly down the slope.
- The intent is to integrate the stormwater management system into raingardens, swails, and permeable road products.
- If civil engineering modeling indicates that the landscaping as described will not be sufficient to manage the rainwater, cisterns and water-reuse will be considered for the apartment buildings.
- Green space, including covenanted areas, landscaping and open space, accounts for 65% of the site; building foot prints account for 20% and 15% for the road and driveways.

Mr. F. D'Ambrosio stated:

- Development principles included: having a variety of building types; concentrating development on disturbed land; enhancing the Garry Oak meadow ecosystem; designing roadways to have minimal impact; having all parking covered or underground; onsite stormwater management; addressing Rainbow Street with street oriented houses;

optimizing views from Rainbow Hill for present and future residents; and incorporating outdoor patios and spaces.

Mr. D. Bottrell, Dogwood Tree Service Ltd. stated:

- The Garry Oaks on site have likely received varying levels of impact from previous agricultural activities.
- During the tree inventory, overall condition of the trees including appearance, canopy and root system, were reviewed; the mechanical support provided by the root system is considered to ensure the tree can withstand inclement weather.
- The areas for building development either have no trees or trees that have sustained high levels of impact.
- There is some mortality, and there will be more in the Garry Oaks north of the wall on McKenzie Avenue and the regeneration has been hindered by the clearances required for BC Hydro lines.
- In the fall, the intent is to replant 500 Gary Oak seedlings in the covenanted area with the assistance of the Swan Lake Nature Sanctuary; nursery stock Garry Oaks will be used for higher profile areas.

Mr. F. D'Ambrosio stated:

- The buildings have been located to minimize excavation and disruption of the topography, so that the ecosystem can better adapt.
- The area to be covenanted includes and exceeds the space identified by the previous rezoning process for park dedication; it was Saanich's preference that the area be protected.
- The development includes 12 single family lots modeled on the RS-4 zone, 27 attached housing units and 64 apartments, for a total of 103 units; this translates to 10.8 units per acre.
- The houses will be two or two and a half stories, and will all be built on a slope, with the garages built beneath private patios.
- Each building phase will come forward with its own development permit.
- The single family houses will have similar footprints, floor-plans and palette of materials, but there will be variations in the house design allowing for some customization; all the houses will have shallow sloped roofs, reducing the impact on the view from uphill.
- The attached housing will be customized and have green roofs on their garages/carports.
- The two large clearings were identified as good locations for the 8 story apartment buildings, which were the best option with a higher density and a smaller footprint; the design guidelines for the apartments include large terraces to increase the connection to the landscape.

Mr. M. Skeen, Boulevard Transportation Group, stated:

- The site will generate approximately 80 vehicles in the peak evening hour.
- At both the McKenzie access and the Rainbow/Blackberry access the level of service is identified at A/B or "very good" and in the 10 year horizon the same result is achieved.
- The McKenzie access will be restricted to right turns in and out

- through road construction and geometry; relocating the existing wall will achieve the appropriate site distance and make the access safer.
- The traffic study addresses transit, cycling and pedestrians.
  - Additional recommendations include: provide future funding for bicycle lanes on McKenzie Avenue; construct main internal driveway to 5.5 meters with 1.5 meter pedestrian area; provide an emergency pre-emption signal device at Douglas and McKenzie; and follow up with Rainbow Ridge strata to monitor and respond to traffic problems on Sanctuary Court.

Mr. F. D'Ambrosio, stated:

- One of the biggest components of this development is the potential to participate in the LEED Neighbourhood Design Pilot Project, which requires rezoning prior to commitment.
- A split rail wood fence, which is more aesthetically pleasing and friendly to wildlife, will be constructed to define the adjacent park; the neighbouring church administration is considering replacing their chain-link fence with something similar.
- Extensive public consultation has been undertaken with various stakeholders.
- A shadow study indicates that the proposed building's impact on adjacent properties will not be greater than that currently caused by the trees onsite.
- In addition to screening the buildings by distance, slope and tree cover, a cone study was used to minimize their impact on the view of those uphill of the development.

In response to questions from Council, the applicant stated:

- He is willing to covenant the architectural design guidelines, the landscape design guidelines, and the maintenance strategies for the protected areas on the land title to give a very strong guarantee for the rezoning stage.
- As financing is already in place, if the development is forwarded to a Public Hearing, work on the design drawings will begin immediately.
- He is willing to make a commitment to the covenants at the Public Hearing and to have them in place prior to final reading of the rezoning bylaw.
- Copies of the photo renderings will be submitted for the Public Hearing, including the view of the development from the highway if possible due to tree coverage.
- Some detail on the concept for the top floor suites with large garden/green spaces can be incorporated into the presentation at the Public Hearing.
- Consideration would be given to donating any agricultural pieces with historical value left derelict on the site from previous use.
- He is willing to work with Saanich staff in regards to resurfacing the trail on Rainbow Street to increase accessibility and safety.
- There is the potential of installing a solar array on top of the apartment buildings and for making the other buildings solar ready; the feasibility can be addressed at the Public Hearing.

Mr. Bomford, 907 Graythorpe Place stated:

- He lives in a cul-de-sac to the south of the proposed development, and is a volunteer at the Swan Lake Nature Sanctuary as well as the Chair of the Rainbow Ratepayers Association.
- There are several questions regarding this development that still haven't been answered, such as the details of the earlier rezoning at Rainbow Street.
- The flooding on the properties to the south seems to have increased as development occurred to the north; while this is not the responsibility of the current developer, it causes significant problems for the residents and should be addressed by Saanich.
- Consideration could be given to donating the land to Saanich instead of covenanting it; the Land Conservancy could manage and maintain the area as a way of paying off their loan for a previous acquisition.
- Though this is an excellent development team, this project is not yet ready to go to Public Hearing.

Mr. P. Chénier, President of the North Quadra Land Use Protection Association, stated:

- The Association views the Planner's report as incomplete and as exceeding the guidelines in the Christmas Hill Slopes Action Plan and the North Quadra Local Area Plan; there is an increase in density and deviation from the existing zoning without appropriate rationale.
- There are several reports which are still incomplete and have not been shared with the Association or the neighbours.
- Neighbours are very concerned about the possible increase in flooding on properties to the south of McKenzie Avenue.
- The Association does not support the rezoning recommended in the Planner's report, and feels that the proposal lacks public amenities and an adequate amount of covenanted land.
- Instead of a conservation covenant, the Association strongly urges Saanich to consider acquiring the land.
- The loss of Garry Oaks due to the set back of the retaining wall on McKenzie Avenue is also a concern.
- It is premature to send this proposal to Public a Hearing and the Association is willing to work with the developer and Planning staff to resolve all outstanding issues.

Mr. N. Mellor, #15-881 Nicholson St., Christmas Hill Townhome Development, stated:

- There has been extensive consultation with the developer regarding the conservation of the Garry Oaks on site.
- The height proposed for the apartment buildings does not conform to that of the surrounding area.
- The number of units proposed could create upwards of 150 or more vehicles on this site; this will make access very dangerous, despite the restriction to right turns only.

Ms. J. Robinson, 848 Rainbow Crescent, stated:

- She is in favour of the development, which is a wonderful use of the space and appears to be well thought out.

- There will be problems on Rainbow Street as it is too narrow to accommodate 12 units with driveways.
- Another concern is that the private roads nearby will be used; a potential solution would be a gate at the intersection, or at least speed humps to discourage traffic.
- Many of the houses in this neighbourhood have one or more suites, which increases the density and exacerbates traffic problems; the developer should consider providing a covenant to ensure that there are no secondary suites.

Mr. H. Gibbard, President of the Garry Oak Meadow Preservation Society, noted:

- Though it would have been ideal to have this entire area acquired for the Christmas Hill Nature Sanctuary, it is now too expensive; the development shows an encouraging level of interest in conservation.
- A major concern of the Society is that commitments made by the developer are locked in to ensure that there are some protections in place even if the land is sold.
- The Land Conservancy is a good choice for a third party in the conservation covenant.
- The Society has some concerns regarding the loss of Garry Oaks as a result of the widening of McKenzie Avenue and would like to see the power lines servicing the development underground.
- Overall, this development shows a sensitivity and understanding of the local Garry Oak ecosystem.

Mr. M. Laplante, 723 Canterbury Road, stated:

- He has concerns about a development on the doorstep of the Christmas Hill Nature Sanctuary which is already seeing problems with misuse of the land by people walking their dogs; consideration should be given to improving the signage indicating proper use.

Mr. R. Hewitt, #9-759 Sanctuary Court, stated:

- While there is strong support for the concept of the development, residents have serious concerns regarding traffic from this development using their private road to cut through to Quadra Street.
- A letter submitted by Mr. A. Hibbs provides suggestions on dealing with traffic problems on Rainbow Street.

Mr. S. Brygadyr, 847 Cameo Street, stated:

- He was impressed by the work done so far by the developer and architect as presented at their public meetings and meetings with the North Quadra Land Use Protection Association.
- He can strongly support the right in and right out access on McKenzie Avenue, and feels that the impact on the viewscape by the 8 story building will be minimal.
- To protect the land to be covenanted, Saanich should reconsider the agreement with the developer for cash in lieu instead of park dedication.
- The deviation in density from that recommended in the Christmas Hill Slopes Action Plan has not been justified by additional amenities.
- He doesn't support this project as it is currently, but believes it has

considerable potential; the Public Hearing should be delayed until there is further work done to resolve the outstanding issues.

Mr. H. Charania, 757 Genevieve Road, member of the North Quadra Land Use Association, stated:

- He is disappointed with the Planner's report and urges Council to not approve its recommendations.
- The proposal has a density of 27 units per hectare, which is 50% more than the density suggested in the Christmas Hill Slopes Action Plan, and does not provide any additional amenities.
- The original rezoning for this site included an offer of approximately 7% of the land for park dedication, while the current proposal will result in the loss of 12 Garry Oaks along McKenzie Avenue.
- Taking cash in lieu of land for park dedication will be seen as shortsighted.
- There has not been sufficient explanation from staff as to the rationale for not accepting a park dedication.
- There are further concerns regarding: the height of the apartment buildings; the dimensions of the attached housing; and the percentage of the site which will be impermeable.
- In summary, further consideration should be given to: reducing the density to between 18 and 20 gross units per hectare; acquisition by Saanich of the proposed covenanted land for park dedication; registration of the right of way on the access road in favour of Saanich; and preventing further damage to the Garry Oak ecosystem as a result of the future connection to Blackberry Road.

Ms. M. Milne, 734 Genevieve Road, stated:

- She disagrees with the Planner's report and recommendations; more work on the proposal and land dedication instead of cash in lieu need to occur before the proposal goes to a Public Hearing.

Mr. R. Grant, #29-881 Nicholson Street, Christmas Hill Townhome Development, stated:

- He shares the concerns already voiced regarding the height of the apartment buildings, the Garry Oak habitat preservation, and the safety of the access to McKenzie Avenue.

Mr. M. McArthur, 3073 Rainbow Street, stated:

- He has seen a significant increase over the last three years in the amount of water on his property located to the south of McKenzie Avenue.
- The safety of those living on Rainbow Street and Sevenoaks Road will be affected by the access on to McKenzie Avenue, where there is already a traffic problem.

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

- He was impressed by several of the features for the proposed development including: the buffer between the single family and attached housing, the permeable internal roadway, and the stormwater management.
- There still hasn't been sufficient justification for the proposed height of

the apartment buildings and the development is too far away from the urban centre for the proposed density.

Mr. R. Sim, #9-881 Nicholson Court, stated:

- He disagrees with the Planner's report that the proposal generally complies with the Christmas Hill Slopes Action Plan; the density of the development is too high.

Mr. M. Jackson, #10-881 Nicholson Court, stated:

- The apartment buildings' proposed height of 8 stories is out of character with the surrounding neighbourhood; a maximum of 4 stories would be more appropriate.
- The development will result in an increase in traffic on McKenzie Avenue, which is already very busy; without a divider, it may not be possible to prevent drivers from making left turns; the McKenzie Avenue access will also compromise the safety of pedestrians.

Mrs. M. Fitterer, #12-881 Nicholson Court, stated:

- There is wildlife on this site including owls, hawks, deer and quail.
- This development will block the view from the townhouses of Swan Lake and the city; Saanich should acquire this land for park.

Mr. D. Doore stated:

- He is willing to use all enforceable mechanisms available to the municipality to ensure that the site design, building design, setbacks, density, parking, height, Garry Oak Meadow protection, open space, stormwater management, and traffic control are executed as stated in the proposal.
- As was confirmed by the Planner's report, the properties fronting onto McKenzie Avenue do not fall under the same density requirements of the Christmas Hill Slopes Action Plan.

Mr. F. D'Ambrosio, stated:

- The Garry Oak meadows on site are not pristine as they have extensive invasive species and damage due to previous land use; a significant part of this development's contribution to the community is the restoration and reclamation of these meadows.

The Mayor stated:

- He supports the land use and density of this proposal, but would prefer it to have come forward with a development permit; the design criteria and commitments provided by the applicant are necessary to support the change in land use.
- The Public Hearing should be delayed for the applicant to address all the concerns and commitments made; another community meeting prior to the Public Hearing will also allow the applicant to address some of the issues.

**MOTION:**

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

Councillor Brice stated:

- She would like the community to have more opportunity to meet with the developer prior to the Public Hearing and for there to be clarification on: the park lands issue; the management of the interior roads; and the flooding to the south of McKenzie Avenue.
- It is an attractive proposal and is challenging in regards to the significant amount of green space; the developer is to be commended.

Councillor Ngai stated:

- She supports this project going to a Public Hearing.
- There is a significant contrast in the size of the footprint evident in the project to the west of this development and the much smaller footprint proposed for this development.
- The applicant is to be commended in the amount of effort put into this proposal; there has been a lot of thought put into the shadowing of the buildings and their effect on the skyline.
- She supports choices in housing offered near major centres as it provides an opportunity for families looking to purchase their first home.

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

- Developments typically remove ground water, and he is not sure how exactly they would increase flooding on the properties to the south of McKenzie Avenue.
- Traffic from the development going east on McKenzie Avenue would likely do so via Rainbow, Blackberry and Douglas, and is not likely to affect the traffic accessing the St. Andrew's school site.

Councillor Wergeland stated:

- He supports the proposal and would like to thank the applicant and his team for their detailed presentation.
- In regards to the concerns regarding density, it will allow for the high percentage of green space proposed for this development.
- His only disappointment is the lack of affordable housing.

Councillor Derman stated:

- His initial inclination was to suggest tabling this application, but as long as there is no rush to hold the Public Hearing there is still time to address outstanding issues.
- It is important that a proposal come to Council with as much resolved as possible, especially on a sensitive site.
- This is not the worst location for density, but it is not ideal either, as it is further from the concentration of services at Quadra and McKenzie than is recommended in the Regional Growth Strategy.
- He would also like a rationale on the decision not to accept land for park dedication instead of having the area covenanted.
- It is crucial that there be guarantees at the Public Hearing stage that what has been proposed this evening will be implemented by the developer, and it would be useful to have a report from staff at the Public Hearing on these guarantees.
- Guarantees are needed on: building and design schemes; energy

innovations; and landscape commitments.

- Consideration could be given, especially for the condominiums, to providing bus passes or involvement in a car share program.

Councillor Brownoff stated:

- Both the community and the development team have put a lot effort into this proposal.
- The concept of a management plan with the Land Conservancy for the care of the Garry Oak meadows is an innovative suggestion.
- Consideration should be given by the developer to: additional interpretive signage; monitoring traffic after the development is completed; and incorporating affordable housing.
- Staff will need to supply information on the reason for the flooding on the properties south of McKenzie Avenue, and if this development's onsite stormwater management will be sufficient.
- The issue of improving the trail on Rainbow Street for use as a sidewalk is important.
- Hopefully through the LEED Neighbourhood Design there will also be innovations around transportation such as bus passes or involvement in the car share program.
- It will be important to meet with the community again prior to the Public Hearing.
- Some consideration should be given to altering the plans for the McKenzie access to prevent trees loss as it will eventually be closed for public use when the Blackberry Road access is opened.
- She would also like staff to address why there is a preference for a covenant instead of park dedication.
- She will support the application going to a Public Hearing, after the concerns raised at this meeting have been addressed.

Councillor Sanders stated:

- She is disappointed that there is not more concrete detail in the presentation.
- There should be stronger statements in the covenants with respect to the development than being "generally in accordance with the Master Concept Site Plan".
- Prior to the Public Hearing, the conservation covenant needs to be available for review, as well as the traffic study indicating the future connection with Blackberry Road.
- While the restoration of the Garry Oaks is commendable, it will be an amenity owned by the strata not available for the public.
- Clarification is needed on which areas will be for conservation and which will be for the use of the strata.
- This development will not address affordable housing issues and is a long walk in a hostile pedestrian environment to the services at Quadra and McKenzie.
- Saanich must be careful, as more strata developments occur, not to direct traffic on to private roads.
- The issue of interpretive signage is important and has been discussed at the Environmental Advisory Committee.
- She supports this proceeding to a Public Hearing, but that there should be sufficient time taken to complete the details.

Councillor Gillespie stated:

- Due to the danger posed by the access on McKenzie Avenue, he does not support this development.
- This is another development which does not address affordable housing.

**The Motion was then Put and CARRIED,  
with Councillor Gillespie voting against**

**MOTION:                    MOVED by Councillor Brownoff and Seconded by Councillor Brice:  
"That the meeting continue past 11:00 pm".**

**CARRIED**

Cedar Hill Road  
Development  
Variance Permit

**3366 CEDAR HILL ROAD – DEVELOPMENT VARIANCE PERMIT –  
LEN TYRRELL.**

Report of the Director of Planning dated June 22, 2007 recommending approval of Development Variance Permit DVP2007-00004, and that the owner be encouraged to consider heritage designation of the existing dwelling.

Mr. Tyrrell, the applicant stated:

- This is a relatively simple subdivision on an infill lot.
- The intent is to restore the existing heritage building.

In response to questions from Council, the applicant stated:

- The owner would be willing to meet with the Saanich Heritage Foundation to discuss heritage designation for the existing building.
- The rhododendrons existing on the property could be removed and replanted elsewhere on the property.
- In regards to the house to be constructed on the proposed lot, consideration could be given to: reducing the size of the house to meet the standards of a RS-4 zone; shifting the location of the house back on the lot, provided that there is still sufficient space to construct a small garage behind the building; reviewing the building's design with the architect to ensure it is sympathetic to the existing heritage house; and to covenanting the house's footprint.

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

- The parcel is located within the area served by the Quadra Cedar Hill Community Association, and the application was not forwarded to them for consideration.

**MOTION:                    MOVED by Councillor Derman and Seconded by Councillor Brice:  
"That it be recommended that:**

- 4. Council approve and issue Development Variance Permit DVP2007 00004 on Lot 15, Block 2, Sections 36 and 42, Plan 1276 (3366 Cedar Hill Road);**
- 5. The applicant be encouraged to consider heritage designation of the existing dwelling; and**
- 6. The comments made by the applicant with respect to the location of the proposed new house on the site and limiting the size to that permitted under the RS-4 zone be forwarded to the Approving Officer for consideration during the subdivision review process."**

**CARRIED**Simon Road  
Rezoning  
Application**1440, 1444 AND 1448 SIMON ROAD – REZONING APPLICATION – PAUL PAQUIN.**

Report of the Director of Planning dated June 14, 2007 recommending approval of the rezoning from A-1 to RS-8 and Development Variance Permit DVP2006-00018.

Mr. P. Paquin, applicant and co-owner, stated:

- To illustrate the application, a technical drawing and an artistic rendering have been distributed.
- If granted, the application will create 3 additional lots, resulting in a total of 6; it is proposed that two of the three existing houses be retained, and for four new houses to be constructed.
- Only the south east property would have a driveway off Simon Road, while the rest would use the proposed private road.
- The locations of the houses, driveways, and water and sewer servicing are placed to retain the most trees possible; the only driveway accessing Simon Road has been located to protect the 12 trees on the north of the proposed lot.
- The majority of the lots in this neighbourhood are zoned RS-8 which permits dwellings between 267 m<sup>2</sup> to 291 m<sup>2</sup> in size; this range of dwelling size is not excessive for the lots proposed and would be consistent with the houses in the surrounding area.
- The intent is to protect 63% of the trees on the properties; with 21 oaks lost due to buildings and driveways, 35 oaks are to be retained and protected during lot development using the procedures identified in the arborist's report dated December 14, 2006.
- These lots would be excellent for families as they are close to schools, transportation and parks.

In response to questions from Council, the applicant stated:

- Consideration is still being given to the kind of road surfacing.
- Though constructing a dwelling on Lot A will result in the loss of some oaks, the remaining oaks will likely be better cared for than they are currently.
- A diagram indicating which trees will be kept and which will be lost can be provided.
- The existing house may be removed from the property intact instead of being demolished.
- Additional drawings will be provided at the Public Hearing for house design, elevation and the relationship of the proposed development to the surrounding properties.

**MOTION:**

**MOVED by Mayor Leonard and Seconded by Councillor Ngai: "That a Public Hearing be called."**

**CARRIED**Major Road  
Rezoning  
Application**4821 MAJOR ROAD – REZONING APPLICATION – ROY VERBRUGGE AND TERRI FOSTER.**

Report of the Director of Planning dated June 21, 2007 recommending approval of the rezoning from RS-18 to RS-12, that the items outlined be addressed by the applicant prior to the Public Hearing, and that proposed

Lot B be exempted from the statutory requirement to provide a minimum 10 percent perimeter road frontage under Section 944(2) of the *Local Government Act*.

Mr. R. Verbrugge, co-owner and co-applicant, stated:

- The Planner's report suggested that there be a rear yard setback variance on Lot A; if this variance is granted for the south east corner, it will allow retention of five trees at the northwest corner of the property.
- An area of approximately 3,070 square feet on Lot B is offered as an alternative to the circular area suggested in the Planner's report for a Natural State Area; the location proposed by the Planner's report would be very restrictive on the building envelope, and the proposed alternative would include the area from behind the building envelope on Lot B to the shore.
- The property owners currently have the right under the existing zoning to construct a beach access and to limb trees; it is requested that this be confirmed during rezoning instead of being considered by the Approving Officer during subdivision.
- Questions on height and on the common driveway have also been addressed in supporting documents.

**MOTION:**

**MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That a Public Hearing be called and that the following be addressed by the applicant prior to the Public Hearing:**

- 1. Clarification and additional information in regards to trees to be retained and removed and that the building envelope of proposed Lot A be amended as necessary along with a possible minor rear yard setback variance to retain as many trees as possible;**
- 2. Confirmation by B.C.L.S. of the proposed height of the proposed house on Lot B;**
- 3. Determination of the exact area for natural state protection adjacent to the proposed house on Lot B."**

**CARRIED**

The Mayor stated:

- Forwarding this application to a Public Hearing does not mean that Council supports the changes requested by the applicant.
- He would like staff to provide a report for the Public Hearing addressing the issues raised by the applicant and clarifying how they might be addressed.

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

- Staff can support the proposed setback variance, and will provide a subsequent report on the applicant's recommendations at the Public Hearing.

Councillor Sanders requested additional information with respect to the

various studies undertaken for this application.

**The Motion was then put and CARRIED**

**MOTION: MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That the rear yard setback variance be included with the Rezoning application for consideration at a Public Hearing."**

**CARRIED**

Braefoot Road  
Rezoning  
Application

**3903 BRAEFoot ROAD – REZONING APPLICATION – RON McNEIL.**  
Report of the Director of Planning dated June 26, 2007 recommending approval of the rezoning from RS-10 to RS-8, and that proposed Lot B be exempted from the statutory requirement to provide a minimum 10 percent perimeter road frontage under Section 944(2) of the *Local Government Act*.

Mr. R. McNeil, the applicant, stated:

- If approved the proposal will create an additional lot to the front of the property, with the existing house located at the rear on a panhandle lot accessed by the existing driveway.
- The Community Association has been consulted and a public meeting was held; the two attendees at the public meeting were primarily concerned with drainage, and in response it will be ensured that the plateau of the proposed rear lot's driveway will not direct water on to their properties.
- The building's footprint for the proposed front lot has been altered to accommodate for the road dedication and the protected root zone of the existing oaks; after pinning and hand-digging the building's perimeter, the arborist's report supports the location.
- The architectural style of the building for the proposed front lot is very similar to the existing dwelling and the size is considerably smaller than what is permitted under the RS-8 zoning.

In response to questions from Council, the applicant stated:

- The owner is willing to covenant the house size and concept, as well as covenanting the trees to be retained.
- The arborist supports the removal of the hedge in front.
- On-street parking is available.

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

- Though the applicant met with the executive of the Quadra Cedar Hill Association to discuss the initial design which did not include the road dedication or removal of the hedge, they were not provided with the revised design or informed of the subsequent public meeting.

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

**CARRIED**

Adjournment

On a motion from Mayor Leonard, the meeting adjourned at 11:39 p.m.

.....  
CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK