

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JULY 23, 2007 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Sanders and Wergeland
Staff: Tim Wood, Administrator; Colin Doyle, Director of Engineering; Carrie MacPhee, Manager of Legislative Services; Anne Topp, Manager of Community Planning; and Shirley Leggett, Senior Committee Clerk.

PUBLIC HEARING TO CONSIDER “ZONING BYLAW, 2003, AMENDMENT BYLAW, 2007, NO. 8863”

No. 180
Bylaw 8863
Braefoot Road

PROPOSED TWO LOT RESIDENTIAL SUBDIVISION ON BRAEFOOT ROAD

To rezone Lot 2, Section 32, Victoria District, Plan 7308 (**3903 BRAEFOOT ROAD**) from zone RS-10 (Single Family Dwelling – minimum lot size 780 m²) to zone RS-8 (Single Family Dwelling – minimum lot size 665 m²) for a proposed two lot residential subdivision. Council will also consider exempting proposed Lot B (a panhandle lot) from the minimum highway frontage requirement.

The Notice of Public Hearing; and report of the Director of Planning dated June 26, 2007, recommending that the application to rezone from RS-10 to RS-8 be approved, 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*, were introduced.

APPLICANT:

Mr. R. McNeil, applicant, McNeil Building Designs Limited, stated:

- The proposal is to subdivide the subject property and create an additional lot; proposed Lot B will be a panhandle lot.
- The existing driveway that currently provides access to the dwelling on proposed Lot B will have a private easement over the panhandle strip to access proposed Lot A; there will be a small turn-around area so vehicles will not have to back down the driveway.
- In order to minimize impacts to the existing trees, they are proposing a minimal building envelope and are requesting a one metre variance to the front yard.
- The surveyor hand dug and excavated the corners of the rear portion of the proposed dwelling and only found roots of the Leyland cypress trees; they did not find any roots for the two Garry oak trees.
- They are proposing to construct a non-basement, two storey, 1920 square foot house on proposed Lot A.
- There is 13 feet between the garage and the driveway so there is enough room for a vehicle to pull in and parallel park if additional parking is necessary.
- They have submitted a landscape plan to the Planning Department.

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

- They are prepared to register covenants to protect the trees and restrict the size of the proposed dwelling.

- They will consider providing one parking space on site but it means that the vehicle will have to pull in off the driveway into the front yard; they felt it was better to landscape that area rather than have more paving as there is street frontage for parking.

PUBLIC INPUT:

Mr. B. Trotter, 3823 Merriman Drive, stated:

- Braefoot Road is a narrow road; there are many students who either walk or are driven to school using Braefoot Road.
- He does not think on-street parking is a good idea as it is not safe; the applicants should provide two on-site parking spaces.

APPLICANT'S RESPONSE:

Mr. McNeil stated:

- There is only a six metre setback between the proposed dwelling and the property line; a single vehicle space would be feasible and could be screened.
- If they provide two vehicle spaces it means there has to be more space between the house and the road, and the grade becomes more of a differential.

MOTION:

**MOVED by Councillor Brice and Seconded by Councillor Gillespie:
"That:**

- 1. The application to rezone from RS-10 to RS-8 be approved; and**
- 2. 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*."**

Councillor Hunter stated:

- Perhaps it would be a good idea for the Administrative Traffic Committee to look at Braefoot Road with respect to pedestrian and traffic mobility.

Councillor Derman stated:

- He is happy that the applicant has agreed to provide covenants for tree preservation and restrictions on dwelling size.

Councillor Sanders stated:

- She does not support the proposed subdivision.
- There are already complaints regarding parking in the Braefoot Road area; the community could be further impacted if adequate onsite parking is not part of the proposed subdivision.

Councillor Brownoff stated:

- She also has concerns with the shortage of parking; it may be difficult for vehicles to manoeuvre on site.
- She agrees that the issue of the movement of pedestrians and safe routes to school should be looked at.

- She will not support the proposed subdivision.

Councillor Wergeland stated:

- He is also concerned with the issue of parking.
- He would like some assurance that there will not be a suite in the proposed new dwelling.

The Manager of Community Planning stated:

- The applicant could be requested to register a covenant stating that the concept plans that were provided for the dwelling on proposed Lot A is what will actually be built.

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

No. 181
Bylaw 8863
Braefoot Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2007, NO. 8863”
Second, Third, and Final Readings

MOVED by Councillor Gillespie and Seconded by Councillor Brice:
“That Bylaw No. 8863 be read a second time.”
CARRIED,
with Councillors Brownoff and Sanders voting against.

MOVED by Councillor Gillespie and Seconded by Councillor Brice:
“That Bylaw No. 8863 be now passed.”
CARRIED,
with Councillors Brownoff and Sanders voting against.

MOVED by Councillor Gillespie and Seconded by Councillor Brice:
“That Bylaw No. 8863 be adopted by Council and the Seal of the Corporation be attached thereto.”
CARRIED,
with Councillors Brownoff and Sanders voting against.

MOVED by Councillor Gillespie and Seconded by Councillor Brice:
“That Council approve an exemption from the 10 percent road frontage requirement of the *Local Government Act* for Lot 2, Section 32, Victoria District, Plan 7308 (3903 Braefoot Road).”
CARRIED,
with Councillors Brownoff and Sanders voting against.

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: **“That the Minutes of the Council and Committee of the Whole Meetings held July 16, 2007, be adopted.”**

CARRIED

Bylaws

BYLAWS

No. 182
EPW65/XRef:
W Saanich/
Leyns Rd.
Bylaw 8864

SANITARY SEWER BYLAW AMENDMENT – TO INCLUDE PORTIONS OF 4640 WEST SAANICH ROAD AND 1901 LEYNS ROAD IN THE SEWER SERVICE AREA.

Final Reading of the “Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2007, No. 8864”. To include portions of 4640 West Saanich Road and 1901 Leyns Road in the Sewer Service Area.

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That Bylaw No. 8864 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 7:49 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

THE FOLLOWING WAS REPORTED FROM THE ‘IN CAMERA’ COUNCIL MEETING HELD MARCH 5, 3007

West Saanich Rd.
Closure and Sale
of Surplus Road
Allowance

4396 WEST SAANICH ROAD – PROPOSED CLOSURE AND SALE OF SURPLUS ROAD ALLOWANCE FRONTING PROPERTY

MOVED by Councillor Derman and Seconded by Councillor Sanders: “That Council authorize the preparation of the necessary Road Closing Bylaw, and the sale of the closed road to the owner of Lot A, Section 8-A, Lake District, Plan VIP71164 (4396 West Saanich Road), in the amount of \$118, 835.”

CARRIED