

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JANUARY 14, 2008 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Derman, Gillespie, Hunter, Ngai, Sanders and Wergeland
Staff: Tim Wood, Administrator; Chris Nation, Municipal Solicitor; Russ Fuoco, Director of Planning; Colin Doyle, Director of Engineering; Carrie MacPhee, Manager of Legislative Services; and Shirley Leggett, Senior Committee Clerk.

PUBLIC HEARING

No. 5
Mt. Douglas X Rd.
Bylaw 8901

“HERITAGE DESIGNATION BYLAW, 2008 (1560 MOUNT DOUGLAS CROSS ROAD), NO. 8901”

DESIGNATION OF A HERITAGE BUILDING ON MOUNT DOUGLAS CROSS ROAD

The intent of the proposed bylaw is to designate the dwelling on Lot B, Section 55, Victoria District, Plan VIP 55073 (**1560 MOUNT DOUGLAS CROSS ROAD**) as a municipal heritage property because of its architectural and historical significance.

The Notice of Public Hearing; and report of the Director of Planning dated November 29, 2007, recommending that the application to designate the dwelling at 1560 Mount Douglas Cross Road be approved, were introduced.

APPLICANT:

Ms. P. Summers, owner, 1560 Mt. Douglas Cross Road, stated:

- Designating the dwelling is a win/win solution for everyone; it is a lovely house and should be protected.

PUBLIC INPUT:

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

- On behalf of the Saanich Heritage Foundation he is very happy to support the application to designate the subject dwelling.
- The last time a house was given heritage designation in Saanich was 2004; it is important to rekindle public interest and encourage owners of heritage registered dwellings to take steps to have their houses designated.

MOTION: **MOVED by Councillor Derman and Seconded by Councillor Sanders:**
“That the dwelling on Lot B, Section 55, Victoria District, Plan VIP 55073 (1560 Mount Douglas Cross Road) be designated as a municipal heritage property.”

CARRIED

No. 6
Mt. Douglas X Rd.
Bylaw 8901

“HERITAGE DESIGNATION BYLAW, 2008 (1560 MOUNT DOUGLAS CROSS ROAD), NO. 8901”

Second, Third, and Final Readings.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Bylaw No. 8901 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Bylaw No. 8901 be now passed.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Bylaw No. 8901 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Ngai and Seconded by Councillor Gillespie: “That the Minutes of the Council and Committee of the Whole Meetings held January 7, 2008, be adopted.”

CARRIED

BYLAWS

No. 7
ADM40
Bylaw 8875

ZONING BYLAW AMENDMENT – NEW RM-RH ZONE (MIXED RESIDENTIAL RAINBOW HILL).

Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2007, No. 8875”. To create a new RM-RH Zone (mixed residential Rainbow Hill).

MOVED by Councillor Derman and Seconded by Councillor Hunter: “That Bylaw No. 8875 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

No. 8
Rainbow St/
McKenzie Ave.
Bylaw 8876

4021 AND 4045 RAINBOW STREET/850 MCKENZIE AVENUE.

Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2007, No. 8876” and rescindment of Development Permit P/23/96. Rezoning from A-1 and RT-1 to RM-RH.

MOVED by Councillor Ngai and Seconded by Councillor Wergeland: “That Bylaw No. 8876 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

MOVED by Councillor Ngai and Seconded by Councillor Wergeland: “That Council rescind Development Permit P/23/96 on Lot A, Section 49, Victoria District, Plan 10398 (4021 and 4045 Rainbow Street/850 McKenzie Avenue).”

CARRIED

No. 9
Rainbow Street
Bylaw 8882

SANITARY SEWER BYLAW AMENDMENT – 4021 RAINBOW STREET.
Final Reading of the “Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2007, No. 8882”. To include 4021 Rainbow Street in the Sewer Service Area.

MOVED by Councillor Gillespie and Seconded by Councillor Ngai:
“That Bylaw No. 8882 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

No. 10
ADM40
Bylaw 8902

POLICE SERVICES FEES BYLAW.
Three Readings of the “Police Services Fees Bylaw, 2008, No. 8902”. To impose fees for providing copies of police records.

MOVED by Councillor Wergeland and Seconded by Councillor Hunter:
“That Bylaw No. 8902 be introduced and read.”

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Hunter:
“That Bylaw No. 8902 be read a second time.”

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Hunter:
“That Bylaw No. 8902 be now passed.”

CARRIED

No. 11
Canterbury Rd.
Bylaw 8896

842 CANTERBURY ROAD.
Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2007, No. 8896”. Rezoning from RS-6 to RS-2.

MOVED by Councillor Ngai and Seconded by Councillor Gillespie:
“That Bylaw No. 8896 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

RESOLUTIONS FOR ADOPTION

No. 12
ADM115 – FCM
Membership Dues

FEDERATION OF CANADIAN MUNICIPALITIES MEMBERSHIP DUES.
Invoice from the Federation of Canadian Municipalities requesting payment of membership dues in the amount of \$12,875.27 and travel funds in the amount of \$1,894.64.

MOVED by Councillor Gillespie and Seconded by Councillor Derman:
“That Council authorize the payment of \$12,875.27 and travel funds in the amount of \$1,894.64 to the Federation of Canadian Municipalities for the 2008 Annual Dues.”

CARRIED

Adjournment On a motion from Councillor Hunter, the meeting adjourned at 7:36 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, 2007.

West Saanich Rd.
Proposed 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

Helvetia Crescent
Rezoning

763 HELVETIA CRESCENT – REZONING APPLICATION – PACIFIC EAST DEVELOPMENTS LIMITED

Report of the Director of Planning dated January 4, 2008 recommending the rezoning from A-1 to RS-8 and RS-10 be approved, and that proposed Lot 2 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 Wergeland declared, pursuant to Section 85 of the Council Procedure Bylaw, that he owns property at 771 Helvetia Crescent with potential for future development, and therefore he will not be taking part in the discussion of the rezoning application. Councillor Wergeland then left the meeting at 7:45 p.m.

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

- The Planning Department has received a rezoning application for a four-lot subdivision at 759 Helvetia Crescent for the property as well as a rezoning application for the property at 771 Helvetia Crescent.

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

- Anywhere there is an aerial trespass there is a requirement that either an easement be registered, or the aerial trespass be removed by relocating the poles or locating the wires underground.

Mr. J. Flaig, Pacific East Developments Limited, applicant, stated:

- In July 2007 they submitted an application to rezone the subject property from A-1 to RS-8 and RS-10 in order to create one additional single family dwelling lot.
- They canvassed the neighbourhood and held a meeting in November to discuss the proposal; three of the neighbours attended.
- On December 6, 2007 they held a meeting with the Cordova Bay Association and one resident attended as well; there was a request for underground services which they will provide subject to permission from BC Hydro.
- They were also asked to provide a privacy fence between the adjacent neighbour to the east and the subject property which they do not have any objections to, providing the neighbour agrees to share the cost.
- The existing dwelling will be retained with the garage and deck modified to comply with setback requirements; the proposed new dwelling will be two storeys which will be compatible with the existing neighbourhood.
- He and his partner grew up in Saanich and have contributed to the community over the last 15 years and hope that their application will be approved.

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

- They made an offer to purchase the property in January 2007 with the intention that his parents would live there, however their plans changed when his mother passed away in February 2007.

- In their discussions with the Community Association, they agreed to pay one-half of the cost of a fence between the subject property and the adjacent neighbour; however, if they can come to an agreement with the adjacent neighbour on the type of fence, they will agree to pay the total cost; there is currently an existing hedge along the property line.
- If the application proceeds to a Public Hearing they will provide concept plans showing the massing and character of the proposed new dwelling in relationship to the adjacent properties.
- They are prepared to provide the proposed tree covenants as outlined in the Planner's report.

Mr. S. Ball, 743 Helvetia Crescent, stated:

- He and his wife have lived in their present location for the past 41 years; the area still retains its rural character and they would be saddened to lose this unique environment.
- They have heard that there are also applications for other development proposals on the street; they are concerned that if the applications are approved, the increased density will mean the loss of many large trees, traffic and parking on the street will increase, and their property values will be negatively impacted.
- They hope that the Planning Department will undertake an impact study for the area before any subdivisions applications are approved.

Mr. R. Stonebanks, president, Cordova Bay Association, stated:

- The owners of 759 and 771 Helvetia Crescent have also applied to rezone and subdivide their properties; if the rezoning applications for these three properties are considered separately, there will likely be the same concerns raised at each meeting; he urges Council to consider the three applications together.

Mr. G. Klassen, 5154 Del Monte Avenue, stated:

- His property is located on the corner of Del Monte Avenue and Helvetia Crescent; he was not contacted by the applicants regarding the proposed subdivision.
- The proposed rezoning does not conform with the predominant zoning in the area which is RS-12; it will create smaller lots which will result in the removal of some of the large trees.
- Increasing the density in the neighbourhood will contribute to greenhouse gases; it is not an ideal location for density because the area is not well served by transit or other amenities.
- The number of houses on Helvetia Crescent has doubled since he moved into the area; traffic has increased significantly but there has not been any improvements to the existing infrastructure.
- It is difficult for him to back out of his driveway onto Del Monte Avenue because the intersection is only about 70 feet away and people ignore the stop sign at the Helvetia Crescent and Del Monte Avenue intersection; the intersection should be upgraded with traffic calming measures.
- Saanich has instituted a carbon neutral plan; increased density in this area does not help make that plan a reality.

Mr. D. Noel, 751 Helvetia Crescent, stated:

- Development is not a good idea unless it benefits the neighbourhood that is being developed; this area has a rural character that will be impacted if the rezoning application is approved.
- The residents on Helvetia Crescent have a commitment to their street; over the years they have paid their taxes and raised their families and we need to consider how the proposed development will benefit them.
- If this proposal and the other two rezoning applications are approved, it will result in a significant increase in traffic on the street; there are many children who are able to play on the street now because it is safe but that will likely change.

Mr. J. Vernon, 764 Helvetia Crescent, stated:

- He purchased his property in 1974 and over the years has been approached by various developers to see if he was interested in selling it.
- The existing house on the subject property has a double garage with two separate garage doors; the applicants are proposing to remove a portion of the garage so they can access the proposed rear lot.
- He is concerned that the applicants will leave the garage in its present location and then come to an agreement with the developer of 759 Helvetia Crescent to access the rear lot; Council should make it a condition of the subdivision approval that the portion of the garage be removed as indicated by the applicants.

Ms. P. Maedel, 767 Helvetia Crescent, stated:

- She and her husband along with their two children reside adjacent to the subject property; they are opposed to the proposed development as they feel it will impact their privacy and the value of their property.
- She learned today that there is a development proposal for 759 Helvetia Crescent for a four-lot subdivision and for 771 Helvetia Crescent for a two-lot subdivision; they will not support those subdivisions either when they come forward as it will mean a significant increase to the density and traffic in the area.
- She urges Council to consider all three applications together; if the subject application is approved it could set a precedent when considering the other two applications.
- The increase in traffic along their street will also impact the safety of the children who play on Helvetia Crescent and the adjoining cul-de-sac at Rutley Meadows.

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

- Their property is zoned A-1 and they have lived there for the past three or four years; they built their house.
- There are power lines that run along the side of the property to the cottage at the rear of their property but the servicing is underground from the pole to their house.
- When they purchased the property there was an old farmhouse located in the middle of the property as well as the existing cottage

at the rear of the property.

- They built their house and maintain the cottage but they do not need the space for themselves; there are separate hydro meters for the house and the cottage.

Ms. K. Krane, 768 Helvetia Crescent, stated:

- She has lived at her current address for the past 28 years and chose the quiet, rural cul-de-sac because of its large treed properties; she does not support the proposed development.
- Over the years areas of Cordova Bay have been transformed but Helvetia Crescent has largely remained the same; a few years ago the property across the street from them was sold, the existing house was demolished, and the majority of the trees were removed.
- Many of the residents on the street have lived there for a long time; she hopes that Council will not rush into any decisions with regard to approving any of the rezoning applications for the street.

Mayor Leonard stated:

- There is the potential for four of the existing driveways at the south side of the cul-de-sac becoming nine or ten driveways and that would be a significant change on Helvetia Crescent.
- It may be beneficial to postpone further discussion of the subject rezoning application and have the Planning Department bring forward suggested guidelines for development applications on Helvetia Crescent; Council can then have a broader discussion before dealing with any one particular application.
- He would like the Planning Department to bring forward a report that deals with the issue of driveways, tree retention, and the size and height of houses.

Councillor Hunter stated:

- He has reservations with rezoning large parcels of land to RS-8 and RS-10 because of potential tree loss; there are some tremendous properties in the subject area that have a lot of character because of the trees.
- The proposed subdivision may comply with policies in the Cordova Bay Local Area Plan with respect to lot sizes but we need to be reasonably restrictive in how the subdivision proceeds; RS-12 zoning may be more realistic.
- He agrees that it would be beneficial to postpone further discussion of the rezoning application so that the Planning Department can bring forward additional information.

Councillor Derman stated:

- He will support postponing the application; the subject area is the wrong place for density and he may have difficulty supporting a redevelopment of the street.
- The character of the area is very special; he agrees that the proposed subdivision would be inconsistent with what Saanich is trying to accomplish in response to climate change initiatives.
- The subject area is one of the most remote areas of Saanich within the urban containment boundary; it is not well served by either transit

or other local services, and redevelopment of the area would result in more vehicle traffic.

- We can not talk about Saanich being carbon neutral unless we look at how we are going to concern ourselves with future land use.

Councillor Sanders stated:

- Tonight we are discussing one rezoning application for Helvetia Crescent; apparently there will be two more applications coming forward and there are other properties in the area that could potentially be subdivided as well.
- If we are going to consider such a significant increase in density in this area we need to look at the entire neighbourhood as a whole.
- She agrees that the subject area is not the most suitable area for density; it is not close to any amenities.
- We have become very aware of the positive impact our urban forests have on the environment and the importance of retaining trees; we need to give consideration to this forested area of Cordova Bay.
- If the neighbourhood is going to be developed it will definitely change the character of the street as road improvements will be necessary to accommodate the increase in traffic.

Councillor Ngai stated:

- She agrees that it would be beneficial for the Planning Department to provide more information and some guidelines with respect to the proposed development of Helvetia Crescent.
- The tree retention and character of the area needs to be given serious consideration so that if development does proceed, it is done in a sensitive manner.
- It is premature to make any decisions on the proposed rezoning application.

Councillor Gillespie stated:

- He understands that it can be difficult for people to accept change to their neighbourhood; Saanich has a policy for infill in certain areas of the municipality and sometimes it can be contentious.
- He supports postponing further discussion so that the Planning Department can bring forward additional information.

MOTION:

MOVED by Mayor Leonard and Seconded by Councillor Ngai: "That consideration of the rezoning application for 763 Helvetia Crescent be postponed and the Planning Department recommend development guidelines for Helvetia Crescent that deal with a variety of issues including the number of driveways, tree retention, and the size and height of dwellings."

CARRIED

In Camera Motion

MOVED by Mayor Leonard and Seconded by Councillor Hunter: "That the following meeting be closed to the public as the subject matter being discussed relates to the proposed acquisition of land and/or improvements."

CARRIED

Adjournment On a motion from Councillor Hunter, the meeting adjourned at 8:34 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK