

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, MARCH 10, 2008 AT 7:30 P.M.

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

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Brownoff and Seconded by Councillor Brice:
"That the Minutes of the Council and Committee of the Whole Meetings held March 3, 2008, and the Special Committee of the Whole Meeting held February 26, 2008, be adopted."

CARRIED

BYLAWS

No. 56
Stockton Cres.
Bylaw 8886

3906 STOCKTON CRESCENT.
Final Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2007, No. 8886" and approval of Development Variance Permit DVP2007-00012. Rezoning from RS-6 to RS-8.

MOVED by Councillor Ngai and Seconded by Councillor Wergeland:
"That Bylaw No. 8886 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 approve and issue Development Variance Permit DVP2007-00012 on Lot 3, Section 41, Victoria District, Plan 14882 (3906 Stockton Crescent)."

CARRIED

No. 57
ADM115
Bylaw 8915

CRD ONSITE SEWAGE SYSTEMS SERVICE PARCEL TAX BYLAW.
Final Reading of the "CRD Onsite Sewage Systems Service Parcel Tax Bylaw, 2008, No. 8915". To impose a parcel tax to collect an amount requisitioned by the CRD for the regional district onsite sewage disposal system service.

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: "That Bylaw No. 8915 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 58
ADM115
Bylaw 8916

CRD ONSITE SEWAGE SYSTEMS SERVICE PARCEL TAX ROLL PREPARATION BYLAW.

Final Reading of the "CRD Onsite Sewage Systems Service Parcel Tax Roll Preparation Bylaw, 2008, No. 8916". To direct the preparation of a parcel tax roll further to the regional district onsite sewage disposal system service.

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: "That Bylaw No. 8916 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 59
ADM60
Greater Victoria
Public Library

NOTICE OF MOTION – GREATER VICTORIA PUBLIC LIBRARY

Memorandum from Councillor Brownoff dated March 10, 2008 advising that she will be submitting a report for the April 7, 2008 Council Meeting requesting Council pass a motion to urge the Greater Victoria Public Library Board and the Union to get back to the bargaining table and negotiate a solution to the current impasse, and that the Greater Victoria Library Board take a leadership role to give direction to their Negotiator to find a solution.

No. 60
ADM115 – CRD
Pesticide Free
Pledge

NOTICE OF MOTION – PESTICIDE FREE PLEDGE

Memorandum from Councillor Brice dated March 10, 2008 advising that she will be submitting a report for the April 7, 2008 Council Meeting requesting Council pass a motion to "Take the Pledge to go Pesticide Free" on the grounds of the Saanich Municipal Hall, and serve as an example to residents, the Municipality's commitment to natural stewardship by using safe, natural, gardening practices.

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 7:34 p.m.

The Meeting reconvened at 10:07 p.m.

From the Committee of the Whole Meeting held March 10, 2008

Recommendations

RECOMMENDATIONS

No. 61
Burnside Road W.
Remedial Action
Order

1534 BURNSIDE ROAD WEST – REMEDIAL ACTION ORDER

"MOVED by Councillor Brownoff and Seconded by Councillor Brice: "That Council pass the following resolution imposing remedial action requirements:

- 1. Council hereby declares the unlicensed vehicles, vehicle parts, wood, metals, plastics, dilapidated equipment, appliances, fixtures, rubbish, and household refuse stored outside on the lands described as Lot 2, Section 9, Esquimalt District, Plan 6791, having a street address of 1534 Burnside Road West, (herein called "the lands") to be a nuisance pursuant to Section 74(1)(d) of the *Community Charter 2003 SBC.c.26*;**

- 2. The Council hereby directs Phyllis Ruth Carswell and Margaret Elaine Carswell (herein called “the owners of the lands”) to remove the wood debris, metals, plastics, rubbish, and household refuse currently stored on the lands and to remove or place within a building all fixtures, appliances, dilapidated equipment, unlicensed vehicles, and vehicle parts currently on the property, and to neatly stack all lumber and firewood which is intended for use on the property. This work is to be completed within sixty (60) days from the date on which notice of this order is served upon the owner of the lands; and
- 3. If the owner of the lands fails to comply with the requirements of Section 2, the Municipality may through its employees, agents, or contractors, enter upon the lands and carry out the work described in Section 1 at the expense of the owner pursuant to Section 17 of the *Community Charter*.”

CARRIED

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

CARRIED

Adjournment On a motion from Councillor Gillespie, the meeting adjourned at 10:08 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, MARCH 10, 2008 AT 7:35 P.M.

Present: **Chair:** Councillor Hunter
Council: Mayor Leonard and 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 Shirley Leggett, Senior Committee Clerk.

West Saanich Road
 Rezoning

4525 WEST SAANICH ROAD – REZONING APPLICATION – WARNER JAMES ARCHITECTS INC.

Report of the Director of Planning dated February 27, 2008 recommending the rezoning from P-1 to a new zone C-2RO (Royal Oak Commercial/Apartment) be approved; that consideration of Development Permit DPR2007-00022 be withheld pending resolution of the outstanding issues including the required plan corrections; and that the outstanding issues identified be addressed prior to a Public Hearing. Report of the Advisory Design Panel dated February 12, 2008 recommending that consideration of the design plans be postponed to allow the applicant to consider a revised design incorporating the elements suggested by the Panel.

Mr. E. Geric, Mike Geric Construction Ltd., stated:

- The proposal is in response to a Request for Proposal (RFP) that was issued by the District of Saanich for development of the municipally owned site; the subsequent Purchase Agreement was endorsed by Council.
- As a result of meetings and feedback from the neighboring residents, the Royal Oak Community Association, heritage consultants, arborists, and Parks and Planning staff, the drawings, plans and details of their project have changed since their initial proposal.

Mr. T. James, Warner James Architects, stated:

- They are proposing to rezone the subject property in order to construct a four storey, mixed commercial and residential development incorporating 47 one and two-bedroom condominium units and 476 square metres of commercial space which will be located at the south end of the site facing West Saanich Road.
- The site is located at the northeast corner of the intersection of West Saanich Road and Elk Lake Drive; there is an existing heritage school house on the property which will be restored and moved closer to the West Saanich Road frontage, restored, for use as office space.
- Adjacent to the north of the subject property are two single family dwellings; after consulting with the property owners it was decided to reduce the height of the north side of the building to three storeys of which the lower floor is a half level below the grade at the property line; this means the property owners will only see the top two floors

of the proposed building which will also be softened with a sloping roof in order to fit in with the residential character of the neighbourhood.

- They are also proposing to increase the setbacks to locate the building farther away from the two single family dwellings, install a good neighbour fence along the entire property line, and plant extensive landscaping to screen and enhance the area.
- There is an existing cluster of four Garry oak trees near the east property line which have been impacted to some extent by the development to the east; two of the Garry oak trees on the property line will be removed, and the other two will be retained and protected during construction of the proposed building.
- The exterior finishes on the proposed new building will include an interesting palette of colors, cedar shingles, rock and timber, and gabled rooflines to reflect the character of the existing heritage school house.
- The proposed development combines a mix of uses and types of residences in a central location close to a number of amenities, services, and the transit exchange; vehicle use could be greatly reduced in favor of pedestrian traffic.
- As the proposed development will not have high-end market residences and some of the units will be rental units, there is not likely to be an excessive number of vehicles.
- One aspect of green building is the use of high efficient fixtures such as heating, plumbing, lighting, and use of recycled materials, etc; they will be considering all of these.
- One of the outstanding issues to be dealt with pertains to Plan corrections which are relatively minor in nature and will be addressed prior to the Public Hearing.
- One of the recommendations from the Advisory Design Panel was to strengthen the visual appearance of the face of the building at the corner of Elk Lake Drive and West Saanich Road; they will be adding some interesting rock covered wing walls coming out from each side of the entrance accented with lighting and signage.
- They will also be using horizontal siding on the two lower levels of the building that is not faced with rock; this will reflect the horizontal siding on the school house.

Mr. Stuart Stark, Stuart Stark and Associates, stated:

- When the school was built in 1885 it had five stairs leading to the front door; when it was moved to its present location it was raised up to provide for a basement which meant that 11 stairs were required.
- The school will be restored to its original height and relocated near its original historic location; this is in keeping with other heritage buildings along that section of West Saanich Road and will help create a heritage gateway.
- The school will be restored to its original colours with yellow-ochre siding and dark brown trim; similar colours were used on a 1914 school house in Metchosin along with cream coloured sashes and a medium bright red creosote stain on the roof.
- The driveway to the proposed building adjacent to the school house will be located approximately three metres away in order to preserve some greenspace around the school; there will also be a split rail

cedar fence around the school property in either a straight or snaked design in order to distance the school from its surroundings and help provide a greater context to the school building.

- It was also recommended that underground wiring be supplied to the school to replicate its pre-1922 appearance, and that a new sign of heritage appearance stating "Royal Oak School" on a painted board be mounted above the small front porch.
- Heritage building uses should not be detrimental to their long term preservation; accordingly, because restaurant and food service uses have extensive requirements, they are not recommended uses for the heritage school house.
- The developer is proposing that the school be brought into the strata title and that it be used for low impact office use that does not require partitions inside the building or heavy use of the school itself.
- They made two presentations to the Saanich Heritage Foundation and members supported the proposal to restore the school house.

Mr. Keith Grant, Keith N. Grant Landscape Architecture Ltd., stated:

- There will be boulevard trees along the West Saanich Road/Elk Lake Drive frontage; tree selection will be coordinated with the Saanich Parks Division.
- Plantings around the residential component of the development will complement the form of the building and provide interest and privacy for the patio areas.
- The main access to the retail area of the commercial component of the proposed development is provided by a wide stairway; this forms a direct pedestrian link from the streetscape along West Saanich Road and Elk Lake Drive.
- The promenade opposite the retail space consists of a raised terrace to accommodate the grade change over the underground parking; landscape elements will include paving stones, café style seating, pots with small trees and annuals, litter receptacles, and bicycle racks.
- There will be a planter along the front edge of the terrace to visually soften the promenade as viewed from the street.
- Plantings around the existing heritage school house will include a split rail fence, a grassy area around the perimeter incorporating a rainwater detention basin which is also part of the stormwater detention strategy, new Garry oak plantings, and indigenous species.
- The driveway treatment will consist of a combination of paving types including permeable pavers which will provide visual interest and provide groundwater infiltration as part of the stormwater management strategy.
- Landscape features for the small courtyard area will include pavers, raised planter boxes, benches, pots with small trees, and privacy screening.

Mr. Geric stated:

- In December 2006 they held a community meeting in the heritage school house building; the intent of the meeting was to present their proposal to the Royal Oak Community Association and the community.

- The feedback from the neighbourhood meeting was quite negative and a number of concerns were expressed with regard to height, parking, noise, rental units, privacy, etc.; subsequently they amended their proposal and presented the revised proposal to the Community Association at their general meeting where it was supported.
- The proposal is consistent with the Royal Oak Local Area Plan, the Regional Growth Strategy, the West Saanich Streetscape Plan, and the draft Official Community Plan.
- The project is named after the Duvall family who were one of the pioneer families in the Royal Oak area.

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

- 22 percent of the units will be rental units which will all be located on one floor; the owners of the adjacent single family dwellings were more comfortable having the rental units located on the lower floor as they will be less visible due to the grade of the site at the property line; the commercial component of the proposed development will also be located on the first floor which will make it easier to manage.
- They will be looking at providing \$1,000 per unit as a contribution to the Regional Housing Trust Fund; they are prepared to make that commitment at the Public Hearing.
- They have hired Boulevard Consulting to assist them with their Parking Management Strategy and they will be able to provide additional details at the Public Hearing; it is a difficult site to work with in order to provide the appropriate amount of underground parking because of the location of the Garry oak trees and the location of the existing heritage school house.
- At the Public Hearing they will provide additional information on what kind of energy efficient measures will be undertaken; it is their intention to keep the units affordable.
- They will also provide more information at the Public Hearing with regard to stormwater management, and some type of rendering or photo montage that illustrates how the proposed building will fit in with the existing neighbourhood and the heritage school house.
- There will be a covenant to allow investors or purchasers to rent out their condominium units.
- In order to provide privacy for the units, they did not develop a pathway around the entire site; there will be a bridge and a pathway leading into the Garry oak area but they will consider other connections as well.
- They will not be using any heat pumps in the proposed building so noise will not be an issue.
- In order to address pedestrian safety, they will consider using a contrasting paving material where the sidewalk crosses the driveway leading to the underground parking area.
- It is possible that they could end up being the owners of the commercial space, the 11 units on the ground floor, and the office space in the heritage school house; ideally all of these units will be rented out.
- There are a number of parking spaces that will be used for both visitor and commercial parking; the issue of tenants will be discussed with Boulevard Consulting and they will provide additional

information at the Public Hearing with regard to the type of tenant and how parking will be accommodated.

- Signage for the commercial component of the development will likely be on the building itself; all of the signage will be consistent.

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

- The recycling storage area will be located in the parking garage and will be accessed internally by the residents either by the elevator or the stairs.
- The only reason they are proposing a pathway along the north edge of the development is to provide emergency exits from the building; they do not want to encourage people to enter the building from that side of the building because they want to maintain the semi-private aspect of the central greenspace.

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

- The issue of signage was discussed at the Saanich Heritage Foundation Meeting but it pertained to the location of a free standing sign for the future occupant of the school house.
- If the school house is going to be used as office space then a free standing sign will be located closer to the street with the site to be determined depending on requirements.
- The sign on the school house itself is meant to identify its former use and its history; the front door on the school house is off-centre to its stairs and there is an ideal location which would be appropriate for a heritage plaque to the left of the door; interpretive signage could also be located within the landscaping or as a free standing sign.

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

- On December 19, 2006 the applicants held a community meeting to present their original proposal and approximately 35 people attended; attendees could not understand how Council could have chosen a proposal that did not honor the heritage value of the school house and its surrounding property.
- The Association provided the applicants with the names of two heritage consultants and suggested they consider engaging one to help with their proposal; subsequently in February 2007 the applicants presented a revised plan.
- At the June Association meeting members voted to adopt the proposal, however, there were still some residents that did not support it; many of them were disappointed in the consultation and selection process that was undertaken.
- Several residents also felt that since Royal Oak was designated a major centre in the Regional Growth Strategy, that greenspace should play a role in connecting all residents to their heritage values; having a neighbourhood commons would be a valuable asset to tie in the old school house with its neighbouring heritage buildings.
- It would be beneficial for the applicants to provide their parking management strategy to the Association prior to the Public Hearing.
- She believes that any piece of public land that can be selected to be sold through “In Camera” deliberations is unethical; all Councillors are placing themselves in a conflict of interest especially if the property is subject to rezoning.

- She suggested to the Lands Commissioner in May 2006 that Saanich host a design competition similar to Dockside Green in the City of Victoria; this competition was a huge success and provided a comfort level to everyone involved.
- Council needs to provide leadership through transparency in these matters regardless of what the *Local Government Act* requires them to do.

Mr. R. Slade, 970 Royal Oak Drive, stated:

- He is the president of the Royal Oak Lions Club which meets in the heritage school house; for the past six years they have been asking Council for an opportunity to formally discuss the idea of maintaining the historical property by developing a green space around it while preserving the school house for public community use.
- The heritage school house and surrounding property owes its existence to the generosity of Ms. Jane Bailey; in 1865 she donated the original property to the community for the purpose of building a school.
- The school was opened as the first Lake District school in 1865 but unfortunately burned to the ground in 1883; subsequently it was rebuilt in 1885.
- Since 1951 the school has been serving the community as a community hall and has been a meeting place for numerous groups and organizations.
- In 1965 the school was slated for demolition by the School Board, however, the community and family of Ms. Jane Bailey strongly objected so the property and school was taken over by the Municipality and in 1982 the school house was given heritage designation.
- The Royal Oak Lions Club and other concerned citizens of the community are asking that further consideration of the potential sale of the subject property be postponed so that they have an opportunity to discuss the issue directly with Council.
- Their objections to the proposal are based on the fact that the subject property was donated for public use and not for private development; the heritage designation of the school must be honored.
- At Saanich's request the Lions Club has invested substantial resources and volunteer time over the years in restoring and maintaining the school house; they were not notified of the impending sale of the property nor given the opportunity to provide input on the future of the property.
- They believe that the site around the school should be preserved as a park or greenspace which would serve the citizens of the community.

Mr. M. Watts, 667 Vanalman Avenue, stated:

- Heritage buildings and sites are maintained and preserved because someone has had the foresight to do so; once a site has been designated it should remain so forever otherwise its history could be lost.
- He is not against development but he thinks greenspace should be retained for all people to enjoy.

Ms. S. Post, 4521 Elk Lake Drive, stated:

- She and her family have lived in the single family dwelling that is adjacent to the subject property for the past 21 years; there have been many changes to the area during that time.
- Prior to purchasing the property they checked with Saanich to see what could happen with the subject property in the future and they have made a point of being involved in the community and with the Royal Oak Community Association.
- Initially they were shocked with the original proposal but they have spent countless hours talking to the developer about their concerns and the current proposal is a compromise that they can live with.
- They would not be happy with a continuous path around the site because it would impact their privacy.

Ms. C. Maycock, 4011 Gerrard Place, stated:

- The subject property is in an ideal location for the proposed development; she is impressed by the consultation process the applicants have undertaken; she feels the meetings were very productive.
- She is happy to see that there is a rental component in order to address the demand for affordable housing and is pleased that Council is considering granting variances to accommodate the development.
- The proposed development fits in with the neighbourhood and she supports it.

Mr. T. Linge, 4525 Elk Lake Drive, stated:

- He and his wife live to the north of the adjacent subject property; the developer has worked with them to address their concerns and lessen the impacts to their property.
- He does not agree with the process; the potential sale and rezoning of the property was discussed "In Camera" by Council and residents were not told why the property was being considered for rezoning from a public use to the proposed zoning.
- They would prefer that the property remain the same as its current zoning but they are comfortable with the proposed development.
- He would like clarification on the proposed covenant for the owned units that the developer is suggesting could be rented out; he was under the impression that the owned units would not be rented out because of the rental component that is part of the proposed development.

Ms. S. Fortais, Saanich Shores Division Commissioner, Girl Guides of Canada, stated:

- She is not against development but she would prefer to see a park and a greenspace around the heritage school house.
- If the development proceeds, she would like to know why the school house cannot be left as a community building for groups and organizations to continue using.

Ms. Y. Linge, 4525 Elk Lake Drive, stated:

- Across the street from the subject property there used to be a treed area and now there is high density housing; there is also a four

storey development being built behind their property and they have had to deal with a very uncooperative developer.

- Although Mr. Geric has been very kind to them and tried to work with them to address their concerns, they still feel like there has been very little choice as to the kind of development that will be built on the subject property.
- They built their house 22 years ago and now their property is overshadowed by four storey buildings; if there has to be a development on the subject property then she will support the applicant's proposal.

Ms. J. Fossim, 1525 Hillside Avenue, Capital City Lions Club, stated:

- During the summer months the Lions Club works in Rutledge Park for Music in the Park; it would be nice to have a park in the Royal Oak area that could be used for similar programs instead of another development.

Mr. R. Houlistan, Royal Oak Lions Club, stated:

- He is a member of the Royal Oak Lions Club and also has an investment office adjacent to the proposed development.
- The Geric's have been one of the most impressive developers in the Royal Oak area and their developments have always enhanced the neighborhoods they were built in.
- He has no concerns with the proposed development itself; it is a beautiful project but the subject location is not suitable.
- The original owners of the property took measures to donate their land in order to create a public space, and other families in the community banded together to build the school house; he does not understand how Council feel they have the right to sell the property for private development.
- The Lions Club used to have a lease agreement with the Municipality for the school house but for the past six years they have been renting it on a month by month basis; they have still been able to make the property available for ongoing public and community meetings, arts and crafts shows, film events, private functions, church meetings, etc.
- The fact that the developers are planning to move the school house to its historic location and restore it to its original state is wonderful, but then it will be used as a private office and no longer available for the community to use.
- The Lions Club is requesting that Council support their endeavor to keep the property a public, community space.

In response to questions and comments, Mr. Geric stated:

- The Royal Oak Community Plan was prepared in consultation with the community so there has been public input; the document states that the subject property is designated a potential commercial site.
- Representatives from the Royal Oak Lions Club have attended the community meetings; however, he has not had direct ongoing communication with them.
- If the adjacent property owners have concerns with the purchased units being rented out then he will take direction from Saanich in terms of a covenant.

Mayor Leonard stated:

- For more than a decade there has been public documents and local area plans listing the subject property as surplus lands and a potential commercial development site.
- The money from the potential sale of the land will go into the Land Sales Reserve Fund which Saanich has been, and will continue to, draw on for park acquisition.
- He is pleased that the applicants listened to the immediate neighbours, the Royal Oak Community Association and the community; the proposed development meets many of the goals in terms of providing some affordable market and rental housing in the Municipality.
- It is nice to hear that the existing heritage school will be moved close to its earliest historic location and restored to its original state; it is not necessary for a heritage treasure to be in the public domain for it to be enjoyed; the Fireside Grill and many other heritage structures in the Municipality are also privately owned.
- The Comprehensive Sign Plan is important as signage should be as tasteful as other aspects of the proposed development.
- The Parking Management Strategy should reflect the concept of less vehicle use, however, the neighbours will likely not support overflow parking.
- He supports the application proceeding to a Public Hearing.

MOTION:

**Moved by Mayor Leonard and Seconded by Councillor Gillespie:
"That:**

- 1. A Public Hearing be called;**
- 2. Consideration of Development Permit DPR2007-00022 be withheld pending resolution of the outstanding issues including the required plan corrections; and**
- 3. The following issues be addressed prior to the Public Hearing:**
 - a) Housing Agreement**
 - b) Heritage Revitalization Agreement**
 - c) Heritage Designation Bylaw amendment**
 - d) Heritage Alteration Permit**
 - e) Required plan corrections**
 - f) Parking Management Strategy**
 - g) Comprehensive Sign Plan"**

Councillor Gillespie stated:

- He is happy to hear that the applicants took the time to consult with the Community Association and the neighbours, and have made every effort to address their concerns.
- He is also pleased that the proposed development has a rental component; the applicants have taken measures to provide affordable housing and he commends them.
- The subject area is an ideal location for density; it is close to the transit exchange and numerous amenities.

Councillor Wergeland stated:

- He appreciates the input from the adjacent neighbours and the concessions the applicants have made in order to address concerns regarding height and setbacks.
- He also appreciates the efforts of the applicants with regard to a contribution toward the Regional Housing Trust Fund, and is pleased to see that there will be a number of affordable rental units.
- He values the work the Lions Club does in our community and for a number of years they have been using their own resources and volunteering their time to maintain the school house; there are other facilities in the community such as churches and restaurants where groups such as the Lions Club can also meet and he hopes they will find an alternate location.
- The applicants have a very good reputation and over the years have been committed to building quality developments and working with the community; he supports the proposal.
- With future developments it would be nice if architects and builders could provide more variety with exterior finishing materials other than using vertical or horizontal hardi-plank.

Councillor Sanders stated:

- She is pleased to see that the applicants are working with a heritage consultant on the proposed restoration of the school house, and that it will be moved close to its original historical location; she hopes the applicants will also consult with the Saanich Heritage Foundation on the restoration work.
- Moving the school closer to the West Saanich Road streetscape will put it more in context with the other heritage buildings along that portion of the road; she hopes the applicants will consider installing interpretive signage for the school house.
- She appreciates what the Royal Oak Lions Club has done for the school house over the past 20 years; they have been good stewards.
- She is happy to see that there is a rental component with the proposed development.
- There is such of proliferation of hardi-plank siding; perhaps developers could be more creative.

Councillor Derman stated:

- The subject property is designated as a major site for density under the Regional Growth Strategy.
- If you do not plan how to densify a community then you do not necessarily get the best overall results; if there is a long range plan for a community then you can consider issues such as environmental preservation and regeneration, green spaces and cultural activities, sustainability, etc.
- The subject property is a very significant site in the Royal Oak community and it needs a signature development; it is in an area with a cluster of other heritage buildings but he is not sure that the proposed building reflects the heritage character as well as it could.
- He hopes that the applicants will reconsider the use of the ubiquitous hardi-plank siding and perhaps come up with exterior finishes that are more reflective of the heritage surroundings.
- At the Public Hearing he looks forward to having more information on

the stormwater management plan, energy efficient measures, parking and the traffic demand management plan, and renderings of how the proposed development will fit in with the existing neighbourhood.

Councillor Ngai stated:

- She supports the proposed development; she is happy to see that the developers are working towards creating affordable housing.
- The developer has offered to donate \$1,000 per unit toward the Regional Housing Trust Fund; she supports that amount because the developer is also committing 22 percent of the development as rental units; in the future she would like to see developers commit to at least \$1,500 per unit.

Councillor Brice stated:

- She supports the proposed development; she spends a lot of time in the Royal Oak area and agrees that it is an ideal location for density.
- She hopes that the applicants will get the numerous outstanding issues addressed and that the information will be made available well in advance of the Public Hearing.

Councillor Brownoff stated:

- She supports the application going forward to a Public Hearing, however, there are a number of outstanding issues that still need to be addressed.
- She would like the applicants to take another look at the promenade area with respect to the property owner across the street; if the promenade is intended to be an outdoor meeting space then there are issues that need to be addressed such as noise; the design shows a railing around the promenade area but perhaps there should be glass as well to help with sound retention.
- She would like the applicants to reconsider the sidewalk on Elk Lake Drive; it is on the edge of the road and there should be some kind of pedestrian buffer.
- She is happy that the applicants are committed to donating \$1,000 per unit to the Regional Housing Trust Fund.
- The Lions Club is a very integral part of Saanich and other areas; they have been a great steward of the Royal Oak School House and she appreciates all of their efforts; perhaps Saanich will be able to help them find another location to meet.
- She is pleased to see that the heritage school house will be moved forward close to its historical location and that it will be restored to its original state; it will help bring the focus back to the history of the area.

The Motion was then PUT and CARRIED

Burnside Road W.
Remedial Action
Order

1534 BURNSIDE ROAD WEST – REMEDIAL ACTION ORDER.

Report of the Manager of Inspection Services dated February 12, 2008 recommending Council pass a resolution imposing remedial action requirements pursuant to Sections 72 and 74 of the *Community Charter* directing the owners to remove the wood debris, metals, plastics, rubbish and household refuse and to remove or place within a building all fixtures, appliances, dilapidated equipment, unlicensed vehicles and vehicle parts

and to stack neatly all lumber and firewood which is intended for use on the property.

The Bylaw Enforcement Officer stated:

- Over the years the property has been used to store salvaged material, construction debris, unlicensed vehicles and parts, containers and junk.
- Bylaw Enforcement staff have been dealing with issues associated with the subject property since 2004; the family home was destroyed by fire in 2005 so bylaw staff provided numerous extensions in order to give the owners more time to clean up the property.
- The owners gradually removed some of the material and Bylaw staff continued to monitor the situation until May 2007; in November 2007 when bylaw staff revisited the site, it was apparent that more debris had been brought in so staff sent the owners a letter instructing them to clean up the property within 30 days.
- Subsequent visits to the site have shown some improvement however the property is still in violation.

MOTION:

MOVED by Mayor Leonard and Seconded by Councillor Brice: "That it be recommended that Council pass the following resolution imposing remedial action requirements:

- 1. Council hereby declares the unlicensed vehicles, vehicle parts, wood, metals, plastics, dilapidated equipment, appliances, fixtures, rubbish, and household refuse stored outside on the lands described as Lot 2, Section 9, Esquimalt District, Plan 6791, having a street address of 1534 Burnside Road West, (herein called "the lands") to be a nuisance pursuant to Section 74(1)(d) of the *Community Charter* 2003 SBC.c.26;**
- 2. The Council hereby directs Phyllis Ruth Carswell and Margaret Elaine Carswell (herein called "the owners of the lands") to remove the wood debris, metals, plastics, rubbish, and household refuse currently stored on the lands and to remove or place within a building all fixtures, appliances, dilapidated equipment, unlicensed vehicles, and vehicle parts currently on the property, and to neatly stack all lumber and firewood which is intended for use on the property. This work is to be completed within sixty (60) days from the date on which notice of this order is served upon the owner of the lands; and**
- 3. If the owner of the lands fails to comply with the requirements of Section 2, the Municipality may through its employees, agents, or contractors, enter upon the lands and carry out the work described in Section 1 at the expense of the owner pursuant to Section 17 of the *Community Charter*."**

Councillor Wergeland stated:

- It there are people living in the house on the property then bylaw enforcement staff should also ensure that the house complies with current safety standards.

The Motion was then PUT and CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 10:06 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK