

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, SEPTEMBER 8, 2008 AT 7:30 P.M.

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

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff: "That the Minutes of the Council and Committee of the Whole Meetings held August 18, 2008, be adopted."

CARRIED

BYLAWS

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 any discussion of the bylaw amendment. Councillor Wergeland then left the meeting at 7:31 p.m.

No. 220
PLD60
Bylaw 8948

OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT - HELVETIA CRESCENT DEVELOPMENT GUIDELINES

First reading of the "Official Community Plan Bylaw, 2008, Amendment Bylaw, 2008, No. 8948". To amend the Cordova Bay Local Area Plan to designate the Helvetia Crescent study area as a Restricted Subdivision Area.

MOVED by Councillor Derman and Seconded by Councillor Hunter: "That Bylaw No. 8948 be introduced and read."

CARRIED

Councillor Wergeland returned to the meeting at 7:32 p.m.

No. 221
ADM40
Bylaw 8949

HERITAGE DESIGNATION BYLAW AMENDMENT - PROPOSED RELOCATION OF ROYAL OAK SCHOOL HOUSE

First reading of the "Heritage Designation Bylaw, 1982, No. 4866, Amendment Bylaw, 2008, No. 8949". To designate the new location of the heritage Royal Oak Elementary School as a municipal heritage site.

MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That Bylaw No. 8949 be introduced and read."

CARRIED

No. 222
ADM40
Bylaw 8950

HERITAGE REVITALIZATION AGREEMENT AUTHORIZATION BYLAW - ROYAL OAK SCHOOL HOUSE

First reading of the "Heritage Revitalization Agreement Authorization Bylaw, 2008, No. 8950". To authorize an agreement with the owners of the property at 4525 West Saanich Road for the restoration and maintenance of the heritage Royal Oak Elementary School.

MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That Bylaw No. 8950 be introduced and read."

CARRIED

No. 223
ADM40
Bylaw 8951

ZONING BYLAW AMENDMENT - PROPOSED NEW ROYAL OAK COMMERCIAL/ APARTMENT ZONE

First reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2008, No. 8951". To create a new C-2RO Zone (Royal Oak Commercial/Apartment).

MOVED by Councillor Wergeland and Seconded by Councillor Gillespie: "That Bylaw No. 8951 be introduced and read."

CARRIED

No. 224
ADM40
Bylaw 8952

ZONING BYLAW AMENDMENT – 4525 WEST SAANICH ROAD (A PORTION)

First reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2008, No. 8952". To rezone from P-1 (Assembly) to C-2RO (Royal Oak Commercial/Apartment).

MOVED by Councillor Ngai and Seconded by Councillor Brownoff: "That Bylaw No. 8952 be introduced and read."

CARRIED

REPORTS FROM SAANICH ADVISORY COMMITTEE CHAIRS

No. 225
ADM85
Updates

Council members provided updates on the various Saanich Advisory Committees they chair.

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 7:45 p.m.

The Meeting reconvened at 10:51 p.m.

Recommendations **RECOMMENDATIONS**

From the Committee of the Whole Meeting held September 8, 2008

No. 226
EPW100
Transit Study

ACCESS TO TRANSIT STUDY

MOVED by Councillor Derman and Seconded by Councillor Brownoff: "That Council receive and endorse the recommendations of the Access to Transit (2007) study."

CARRIED

No. 227
Glanford Avenue
Development Permit
Application

4243 GLANFORD AVENUE – DEVELOPMENT PERMIT APPLICATION - KEAY AND ASSOCIATES ARCHITECTURE LTD.

MOVED by Councillor Brownoff and Seconded by Councillor Gillespie: "That Council approve and issue amended Development Permit DPA2008-00029 on Lot 1, Section 100, Lake District, Plan VIP52269 (4243 Glanford Avenue) subject to receipt of revised drawings showing the location of Class II short term bike parking near the entrance to the building and the location of proposed bicycle storage and shower facilities on the second floor of the building."

CARRIED

In Camera Motion

MOVED by Councillor Gillespie and Seconded by Councillor Brownoff: "That the following meeting be closed to the public as the subject matter pertains to labour relations and the disposition of land and/or improvements."

CARRIED

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 10:52 p.m.

.....
MAYOR

I hereby certify these Minutes are accurate.

.....
MUNICIPAL CLERK

MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, SEPTEMBER 8, 2008 AT 7:46 P.M.

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

Walking Stick Lane
Development
Variance Permit

900 WALKING STICK LANE – DEVELOPMENT VARIANCE PERMIT – JOHN AND KATHERINE BRANTON

Report of the Director of Planning dated July 18, 2008 recommending approval of Development Variance Permit DVP2008-00015.

Ms. K. Branton, owner and applicant, 900 Walking Stick Lane, stated:

- They complied with all of Saanich’s regulations and the Mattick’s Woods Guidelines throughout the construction process which commenced in July 2007; they also engaged qualified professionals to design and build their home.
- She and her husband believe that some of the information submitted by the adjacent neighbours at 904 Walking Stick Lane and by other residents in the strata is not relevant to the subject development variance permit.
- As progress continued, all inspections occurred at appropriate times until their conditional occupancy in 2008; although their property is zoned to permit a two-storey dwelling, they elected to build one storey with a flat roof as opposed to a peaked roof; their building footprint is within the correct survey and the entire roofline is within their property.
- Mattick’s Woods is unique in character and style and is not a cookie-cutter subdivision; there are several dwellings with irregular roof configurations throughout the subdivision which have been accommodated and a precedent has been established.
- Any refinement of the overhang in question will not alter the adjacent neighbours’ view and the neighbours’ newly planted trees will ultimately screen the overhang entirely; alterations to the roofline of their house will therefore be unnecessary and could adversely affect the structural integrity of their architectural design.
- They were never approached directly by the adjacent neighbours prior to their complaints to Saanich with regard to the roof overhang.
- They are working diligently to complete the house and landscaping and have suffered significant delays and hardship as a result of the situation; they have a letter of support from a number of immediate neighbours.

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

- Initial measurements were taken from the building footprint and not the actual roof overhang; they were not aware that the projection of the overhang into the side yard setback exceeded what is permitted under the Zoning Bylaw.

- After the inspection by the building department they still did not realize what was involved or that a portion of the roof may need to be modified.

Ms. M. Leech, 904 Walking Stick Lane, stated:

- She and her husband purchased their house which is adjacent to the subject property about two years ago; their property will be directly impacted by the roof overhang so they are asking that the Development Variance Permit application to retain it not be approved and that the decision by the Board of Variance be upheld.
- They initially expressed concern with the roof overhang 13 months ago; the Board of Variance met and rejected the application in January 2008 and now Council is considering the matter; they feel the length of time and the number of people who have been involved in the process has been unnecessary.
- The Planning report states that the roof overhang was only discovered following substantial completion; the encroachment was actually discovered early in construction, and between August and September of 2007 they contacted the site foreman on three occasions to express concerns; they also made several calls to the Saanich Inspection Department and on October 17, 2007 the problem was finally acknowledged and a stop work order was issued for the northeast section of the roof.
- The Planning report also states that removal of the eave to correct the mistake would be a considerable expense to the applicants; they were informed by the applicants' contractor, that it was not a "big deal" to remove a portion of the overhang and that he could cut it back at no cost to the applicants; they also received an email from the applicants on October 23, 2007 confirming that their contractor would be correcting the mistake; according to an estimate from Steve Copp Construction Ltd. it would cost \$4,910 to cut back the overhang which is not a prohibitive amount.
- The encroachment is significant and represents 30 percent over the allowable side lot limit under the existing bylaw; they should not be expected to live with the consequences of the collective mistakes that were made by various parties, and hope that Council will not approve the Development Permit application.

Ms. J. Mignault, 909 Mattick's Wood Lane, stated:

- She has lived in her present location for the past two years; she supports the Development Permit application; any discrepancies that were made were unintentional and an oversight.
- She has been assisting the applicants with their landscape design and rehabilitation; one of the challenges in Mattick's Woods is the dominant greenspace so houses are situated in close proximity and many are covenanted to protect the greenspace; one-third of the applicants' property has a restrictive covenant and cannot be built on.
- The terrain is also a challenge to work with and in some cases a large house can be situated next to a small house on a rocky slope; there is very little privacy between some houses but that was the intent so that there is a feeling of community amongst the subdivision.
- She has experience with renovating homes and it can be very

expensive; a portion of an engineered truss cannot just be cut back, the load has to be balanced across the entire frame and involves using a structural engineer to redesign and then re-install new trusses.

- There are many architectural differences between the houses throughout the subdivision; there are other homes with far larger side roof massing than the subject overhang and she does not feel that it is out of character.

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

- She has not viewed the roof overhang from the property of the applicants' adjacent neighbours but there is pathway that runs along the front of all of the houses and when it is viewed from that perspective it does not appear overly massive.
- As a contractor you do not have the ability to change an engineered truss; a structural engineer has to design the trusses and have access to the roof; she does not understand how the contractor arrived at the estimated cost to cut back the trusses.
- She has a cadre of colleagues that are engineers and professional building inspectors so she is able to determine how much these kinds of renovations can cost.

Ms. K. Currie, 917 Mattick's Wood Lane, stated:

- She has lived in her present location for the past eight years and was one of the original owners in Mattick's Woods; she is opposed to the Development Variance Permit.
- Mattick's Woods was originally designed with relatively small lot sizes; it is only because the houses were built in accordance with the existing zoning bylaws that their community has worked well both in the overall design and individual privacy of the lots; she thinks the last house to be built in Mattick's Woods should follow the same rules and bylaws as the previous 39 houses did.

Mr. J. Broklebank, 306-5329 Cordova Bay Road, stated:

- He is opposed to the Development Variance Permit application and hopes that Council will not approve it.
- He has seen what the subject roof overhang looks like from inside the adjacent neighbor's patio and from inside their home and it is massive and imposing.
- The mistakes that have been made by various individuals should not be condoned.

Mr. A. Lowe, Alan Lowe Architect, on behalf of the applicants, stated:

- There is 28 feet of overhang on the subject dwelling which is encroaching by 10 inches totaling about 25 percent of the entire site; it was never anyone's intention to create any problems with the neighbours and it is unfortunate that it has occurred.
- The initial house plans were for a two-storey house but after examining the building costs the applicants decided on a one-storey dwelling which meant using more of the site and expanding the building footprint to the property lines.
- Their office did not take into consideration the limitation for the side yard setbacks which are different from front and rear yard setbacks and that is why the house was designed with a three foot overhang

throughout the entire house.

- In this situation, the adjacent property has a 10 foot setback on the adjoining side and the applicants' side is 5 feet which means there is 15 feet between the two houses; even with the 10 inch encroachment it is still further away from the adjacent house than some of the other houses within the development.
- Given that, they feel the 10 inch encroachment may be permissible and they ask Council to take it into consideration.

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

- The trusses would not have to be replaced and could just be cut back.

Mr. J. Colbert, 5005 Bonanza Place, stated:

- He has noticed the roof overhang on the subject dwelling when he drives by; it is quite an imposing roof and he would not want to live beside it.
- He does not feel that cutting back the overhang will impact the integrity of the house.

MOTION:

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: "That the Development Variance Permit application for Lot 12, Section 33, Lake District, Plan VIS4576 (900 Walking Stick Lane), not be approved."

Councillor Wergeland stated:

- It is unfortunate this problem was not discussed between the applicants and the adjacent neighbour and that they were not able to come to some kind of resolution.
- Apparently the applicants were made aware that there was an encroachment early on in the construction process and it could have been fixed at the time at little or no cost to the applicants.
- The overhang is barely visible from the street and he does not feel that cutting it back by 10 inches will impact the integrity or architectural value of the home.

Councillor Sanders stated:

- It is unfortunate that this issue has been going on since August 2007 and that it still has not been resolved.
- A three foot deep overhang on a roof that is 14 feet high appears massive to the adjacent neighbours.
- There may be other houses throughout the subdivision that are close together but there are no encroachments; it is a relatively insignificant cost to cut back the overhang.
- There has not been any compelling information presented for her to support the Development Variance Permit application.

Councillor Gillespie stated:

- Side yard setbacks are important so that privacy between adjacent houses is protected.
- If the trusses have to be removed and re-engineered than the cost to fix the overhang could be more than what has been estimated; the

- problem could have been fixed months ago at little or no cost.
- He does not think the overhang is very noticeable as it is on the side of the house; he supports the Development Variance Permit application.

Councillor Brice stated:

- She supports the motion to not approve the Development Variance Permit application; the neighbourhood has championed the existing zoning bylaw and have taken responsibility to uphold it.
- While she sympathizes with the applicants and recognizes that they have been let down by some of the professionals that have worked on their project, they should still be asked to rectify the mistake.

Councillor Brownoff stated:

- She agrees that it is unfortunate that some mistakes were made and that they were not resolved earlier.
- She thinks the overhang is imposing and that it would be even more so if there was not the 15 foot side yard setback between the two adjoining properties.
- The zoning regulations should apply to everyone; she supports the motion not to approve the application; the architect has stated that the trusses could just be cut back.

Councillor Ngai stated:

- It is unfortunate this issue has come forward to Council and that the applicants and their neighbours were not able to resolve the issue months ago; it started out as a minor mistake that has just escalated.
- She does not support the Development Variance Permit application.

Mayor Leonard stated:

- He urges the applicants and the neighbours to resolve the issues between them; in this case, nobody has won, it was Council's decision to uphold the Zoning Bylaw.

Councillor Derman stated:

- He viewed the encroachment from the neighbours' property and feels that it is very imposing.
- Steve Copp Construction Ltd. is a very experienced company and the estimate they provided to cut back the roof overhang is minimal; he does not feel that modifying the overhang will impact the applicants' lifestyle or their property value.

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

Quadra Street
Rezoning and
Development Permit

4085 QUADRA STREET – REZONING AND DEVELOPMENT PERMIT APPLICATIONS – NEIL AND MICHELLE SALMOND

Supplemental report of the Director of Planning dated August 22, 2008 recommending approval of the rezoning from C-1 (Local Commercial Zone) to C-1NC (Neighbourhood Commercial Zone), and Development Permit DPR2007-00028, subject to the preparation of a covenant as outlined.

Mr. N. Salmond, applicant, 4085 Quadra Street, stated:

- As a result of discussions at the previous Committee of the Whole meeting he has met with planning staff and revised his rezoning application to rezone from C-1 to C-1NC.

Mr. P. Chenier, president, North Quadra Land Use Protection Association, stated:

- The Association has no objections to the recommendations in the supplemental report from the Planning Department.

Mr. H. Charania, 757 Genevieve Road, stated:

- He concurs with the recommendations in Planning Department's supplemental report.
- He feels the recommendations do the following: respect the historic and current nature of the land use, recognize the current businesses' and tenants' investments and their interests to develop their businesses at the current location, epitomize the current uses and eliminate the need for temporary permits, allow greater flexibility to the applicants and current owners in attracting new small neighbourhood businesses, and, represent an appropriate and reasonable compromise on the land use from C-1 to C-1NC.
- Having said that, he is reluctant to support the entire supplemental report at this time because it comments on the strong potential for mixed use development for long term land use; he believes larger land assembly and a change in the zoning of the old gas station site are necessary, and also a specificity of the development and public consultation are required before such a mix use can be supported.

MOTION:

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

CARRIED

EPW100
Transit Study

ACCESS TO TRANSIT STUDY

Report of the Directors of Planning and Engineering dated July 29, 2008 making recommendations further to the Access to Transit Study.

Mr. D. Murdock, 405-899 Darwin Avenue, stated:

- The issue of mobility extends beyond just public transportation; it concerns residents who travel by all modes of transportation and addresses greenhouse gas emissions, healthy communities, safety, and our economy.
- In an aging community it is important that we consider opportunities for all individuals to access all forms of transportation; it is crucial that we be able to move about within our community and have

- access to goods and services without the need for a vehicle.
- It is excellent that the report recognizes that you have to actually travel to the bus stop by some mode and that Saanich is undertaking an audit in order to assess the feasibility for people to travel to public transit.
 - He recommends that we broaden the scope of the study and take the opportunity to undertake a municipal mobility audit to look at all forms of transportation so that it is not exclusive to accessing public transit but rather how all individuals move throughout the community and in determining any impediments.
 - Priority 3 – Sidewalks: *“Uneven surfaces/treatment; weeds and debris; obstacles in pathway.....”*; these are impediments for all individuals; in Saanich there are sidewalks on major streets that do not run the entire length of the street.
 - Priority 4 - Corners and Crosswalks: *“Inadequate time to cross at signaled intersections; too few curb cuts.....”*; traffic circles are not adequately marked for pedestrians and it is unclear that vehicles are meant to stop when approaching the intersection.
 - The sidewalk maintenance program should not just apply to pruning the vegetation around sidewalks; it should also include maintaining it.

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

- The document does not mention greenways and trails and that is part of the public access.
- Many of the neighborhoods in Saanich do not have sidewalks at all; there are boulevards but most of them are turning into gravel parking lots for private use which makes it unsafe for pedestrians.
- He supports the document.

MOTION:

**MOVED by Mayor Leonard and Seconded by Councillor Brownoff:
“That:**

- 1. It be recommended that Council receive and endorse the recommendations of the Access to Transit (2007) study;**
- 2. Council support implementation by:**
 - a) Calling a Public Hearing to consider incorporating the Access to Transit Development Permit Guidelines (Appendix 2) into Appendix N of the Official Community Plan – Development Permit Areas, Justification and Guidelines;**
 - b) Amending Schedule H Engineering Specifications to include sidewalk and driveway apron requirements (Appendix 3); and**
 - c) Supporting the ongoing investigation of bus stop and intersection design details through the Engineering work plan.”**

Councillor Brownoff stated:

- The report is timely; a number of issues that have been raised are significant for mobility; there has been a demographic shift and there

- more elderly people living in Saanich.
- The issue of accessibility around ditches was not mentioned in the report; in Saanich there are a fair amount of ditches and there can be safety issues associated with them.
- Impediments are a major concern for pedestrians; if we are serious about getting people calling in to report impediments then perhaps there should be a hotline set up so they can leave a message.
- People who have to use HandyDART need to be able to access it; we need to have some street space so that they can load in a safe manner.
- She supports the report.

Mayor Leonard stated:

- He is pleased with the report; the solutions are laid out in order of priority and the work we do can be strategic with the money spent effectively; he is confident that within the next couple of budgets we can make a big difference.

Councillor Sanders stated:

- The report is very comprehensive and a good start.
- Perhaps along with some kind of hot line for the public to use we could have information posted on Saanich's website as well.

Councillor Derman stated:

- He thanks staff for the excellent document.
- There are many seniors using scooters and they need to be able to pass each other on sidewalks so we may need to look beyond the two metre standard; we also need to increase the budget for sidewalks and sidewalk maintenance; pedestrian movement is a priority.
- Cyclists need access to secure bike lock ups at bus stops because buses can only carry a limited number of bicycles on the front of the bus.

The Motion was then PUT and CARRIED

Glanford Avenue
Development Permit
Application

**4243 GLANFORD AVENUE – DEVELOPMENT PERMIT APPLICATION
- KEAY AND ASSOCIATES ARCHITECTURE LTD.**

Report of the Director of Planning dated August 8, 2008 recommending approval of Development Permit DPA2008-00029, subject to receipt of revised drawings as outlined.

Mr. J. Keay, Keay and Associates Architecture Ltd., applicant, stated:

- The application is to increase the gross floor area of the existing building by enclosing a portion of an existing exterior walkway; a two space parking variance is also required.
- When the building was constructed it was built for partial office use and partial laboratory use; the current owner wishes to switch the building to all office use.
- The owner is proposing to provide additional interior and exterior bicycle storage, showers for cyclists, six bus passes; carpooling is also a viable option and the subject site is on a major transit route.

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

- It may be possible to plant three or four small boulevard trees on the roadside of the separated sidewalk and he will discuss it with the owner and the Parks Department.

MOTION:

MOVED by Councillor Wergeland and Seconded by Councillor Brice: “That it be recommended that Council approve and issue amended Development Permit DPA2008-00029 on Lot 1, Section 100, Lake District, Plan VIP52269 (4243 Glanford Avenue), subject to receipt of revised drawings showing the location of Class II short term bike parking near the entrance to the building and the location of proposed bicycle storage and shower facilities on the second floor of the building.”

CARRIED

MacDonald Dr. East
Rezoning and
Subdivision
Application

2661 MACDONALD DRIVE EAST – REZONING AND SUBDIVISION APPLICATION – KELLY AND ALLAN HALL

Report of the Director of Planning dated August 21, 2008 recommending the application to amend Policy 7.2 of the Cadboro Bay Local Area Plan, and rezone a portion of the property from RS-14 (single family dwelling) to RS-13 (single family dwelling) not be approved.

Mr. D. Millen, 204-1010 View Street, on behalf of the applicants, stated:

- The applicants propose to rezone the northwest portion of their property and create one additional lot for single family dwelling use.
- The subject property is one of the larger lots along MacDonald Drive East; if the lot is subdivided the two parcels will still be larger than some of the other properties but will still be compatible with neighbouring properties; subdividing will make good use of underused land and increase the property’s curb appeal.
- The existing urban forest at the rear of the property will be retained and the applicants are willing to undertake the stormwater requirements at their expense.
- They feel that the proposal will be good for the neighbourhood and is an ideal location for infill as it is close to amenities, transit, parks and the beach.
- The applicants have received overwhelming support for their proposal from the neighbours.

Mr. S. Peterson, 2671 MacDonald Drive East, stated:

- He and his wife have lived in their present location for the past 22 years and are looking forward to seeing further improvements to the subject property; the previous owner was elderly and not able to maintain the property.
- The current owners demolished the original house and built a new house and are to be commended; they are a credit to the neighbourhood.

Mr. K. Whitcroft, Saanich Environmental Advisory Committee, stated:

- The Planner’s report talks about addressing the flooding which occurs during the winter on the subject property and adjacent lot by enclosing the existing ditch with a drain pipe; this approach is not

environmentally sustainable; we need to maintain a healthy environment for future generations.

Mr. M. Kovacs, 3960 Burchett Place, stated:

- His property is located immediately to the rear of the applicants' property; he is not opposed to the proposed subdivision, however, he would like some assurance that his property will not be adversely impacted by any work that is undertaken with regard to the servicing requirements.

Mr. R. Cullum, 2694 MacDonald Drive East, stated:

- He has lived in his present location for the past 22 years and he supports the proposal; the neighbourhood is very supportive of the proposed development as it will enhance the streetscape.
- Any flooding that occurs will be addressed with a new stormwater management system.

Mr. P. Eckard, 2558 Annabern Crescent, stated:

- He supports the proposed development and feels it is a reasonable proposal given the nature of the surrounding properties.
- It is a great opportunity to create infill development as it is close to amenities.

Mr. I. Gallant, 2570 Annabern Crescent, stated:

- He also owns property on MacDonald Drive East; he supports infill development and hopes the proposed subdivision is approved.
- The neighbourhood is a beautiful area to live in and the applicants will be creating an opportunity for another new family to enjoy the area.

Mr. E. Barker, 2658 MacDonald Drive East, stated:

- He and his wife support the proposed subdivision; the applicants have been working with the neighbourhood to keep them apprised of their proposal.
- They have asked the applicants to increase the front yard setback from 25 metres to 45 metres so that it is similar to the adjacent properties.

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

- They have not seen any detailed house designs at this point just a building footprint plan.

Mr. I. Horobin, 2659 Arbutus Road, stated:

- He and his wife support the proposed subdivision; they do not feel there will be any undue visual impacts; no significant trees will be impacted.
- The proposed new lot will be bigger than some of the other lots on the street.

Mr. R. Strom, 2685 MacDonald Drive East, stated:

- His father is also a resident in the neighbourhood and has lived in the area for the past 51 years; they both support the proposal.

Mr. E. Dahli, 2923 Mount Baker Way, stated:

- He is the past president of the Cadboro Bay Residents' Association.
- The Association supports the policies in the Cadboro Bay Local Area Plan and the Planner's recommendation to not support the proposed subdivision.
- The Association feels that it is time to review and update the Local Area Plan.

Ms. E. Mills, 3980 Smuggler's Cove Road, stated:

- Ten Mile Point is subdivided into parcels that are much smaller than what is being proposed yet they still have curb appeal and real estate appeal and are a valuable asset to the Cadboro Bay community.
- She feels the proposed lot sizes are consistent with other properties in the Cadboro Bay area and that the application should be approved.

Ms. D. Stevens, 2660 MacDonald Drive East, stated:

- She and her husband endorse the proposal; it will enhance the community and they hope that Council will approve it.

Mr. A. Pinches, 2604 MacDonald Drive West, stated:

- He and his wife have only lived in their present location for the past year however they have no objections to the proposed subdivision.

Ms. S. Edwards, 3930 Dawe Road, stated:

- Dawe Road has undergone many changes in the past several years; there used to be a lot of elderly people and that seems to have changed; there is more diversity now.
- Cadboro Bay is an expensive area to live in and she appreciates that there are still long time residents in the Cadboro Bay and Gordon Head areas and that the applicants can afford to live in the area and choose to do so.

Mayor Leonard stated:

- He is amazed that so many residents have come out in support of a development that has been recommended for rejection.
- The applicants and residents have presented a strong case so he will support forwarding the application to a Public Hearing; however, the applicants need to provide comprehensive information with regard to house design, covenants, driveway location, and servicing requirements.
- The current Council may not be the Council who will hear the application at the Public Hearing so he recommends that all of the residents who spoke in support send in letters so they are on file.

**MOTION: MOVED by Mayor Leonard and Seconded by Councillor Gillespie:
“That a Public Hearing be called.”**

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

- The Servicing Requirements will require an upgrading of a portion of the storm drainage system which is currently deficient; they are also undertaking an upgrade of a deteriorated wood stove pipe which is downstream of the subject property; these improvements should address the issue of flooding.

Councillor Wergeland stated:

- He is impressed with the amount of public support; it is exciting to see a community come together.

Councillor Ngai stated:

- It is amazing to see a community come together and show such support; she is impressed and happy to hear that the neighbourhood wants to welcome younger families to their area.
- She congratulates everyone for working together and hopes the residents will follow up with providing letters of support.

Councillor Sanders stated:

- It is wonderful to see the community come out in support of the proposed development.
- She agrees that the applicants need to provide more detailed information at the Public Hearing so the neighbourhood will know what they will be getting; some of the setbacks have already been discussed amongst the neighbours.
- There needs to be some information on the existing trees and if they will be impacted and if there will be any environmental impacts associated with the proposed development.
- She supports forwarding the application to a Public Hearing.

Councillor Brownoff stated:

- From the display of support it is obvious the applicants have been working with the neighbourhood; she supports the application proceeding to a Public Hearing.
- At the Public Hearing the applicants will need to provide information on where the proposed new dwelling will be sited and the building footprint, covenants, driveway location, and house design; a visual display is important.
- She supports Saanich’s local area plans but she agrees that the Cadboro Bay Local Area Plan is outdated and should be reviewed; she also supports the work of the community associations.

Councillor Brice stated:

- She is impressed with the turnout from the community; they have been involved in the process and had an opportunity to provide input.
- The public will have another opportunity to show support at the Public Hearing and hopefully the Community Association will be in a

position at that time to also approve of the proposal.

Councillor Hunter stated:

- He supports the application going forward to a Public Hearing but agrees that the applicants need to provide more information.
- The support from the neighbourhood was great but they need to have more specific details on what the proposal entails.

Councillor Gillespie stated:

- He supports the application proceeding to a Public Hearing; the community has shown great support for the proposed development.
- The subject property is a good location for infill development and the issues pertaining to flooding and stormwater management will be addressed.

Councillor Derman stated:

- He understands the position of the Community Association.
- There is a significant urban forest on the subject property and the applicants have indicated that it will not be impacted; he would like more information at the Public Hearing on what measures will be taken to ensure it will be preserved.
- At the Public Hearing the applicants will also need to provide additional information on covenants, house size, setbacks, and how stormwater management will be handled.

The Motion was then PUT and CARRIED

Douglas Street
Development Permit

**3351 DOUGLAS STREET – DEVELOPMENT PERMIT APPLICATION –
OMICRON ARCHITECTURE ENGINEERING CONSTRUCTION LTD.**

Report of the Director of Planning dated August 22, 2008 recommending approval of Development Permit DPR2008-00005, and the rezoning from C-8 (Service Station Zone) to C-6DE (Douglas East Highway Commercial Zone), subject to registration of a Statutory Right-of-Way and a covenant as outlined.

Mr. J. Levine, Omicron Architecture Engineering Construction Ltd., applicant, stated:

- The site is comprised of three parcels; the proposal is to rezone one of the parcels and consolidate the three lots to construct a new four storey building to house the Jaguar/Land Rover Car Dealership; the current owners have been in their present location for the past 40 years.
- The new building will be adaptable and sustainable for different uses in the future; high quality materials will be used in the construction of the building which will be used for an auto show room, sales area, service garage, and three floors of office space.
- The building will incorporate recycled concrete, energy efficient fixtures, windows that open, and landscaping will include drought resistant plantings.

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

- They are committed to the Sustainability Statement that was submitted to the Planning Department.

- The building is designed with a green roof which in this case, is a reflective membrane to limit heat island effect; in order to have a green roof with plantings; they would have to modify the proposed building structurally.
- At the Public Hearing they will provide more information with regard to the landscaping and boulevard trees which are required along the frontage.

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

- This is a major centre and there needs to be a comprehensive plan for the entire area.
- The possibility of a future connection opportunity between Douglas Street and Oak Street via Audley Street is a concern; if there was a visionary plan for this major centre it would not be necessary to use Oak Street, Cloverdale Avenue, or Audley Street, as there would be one massive underground parking area which would use feeder roads to access businesses and a surface of building footprints, walkways, and greenways.
- If we want to create a true walkable environment then we need to eliminate vehicles; we should postpone all new development in this area until there is a plan for the entire area.

MOTION:

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

Mayor Leonard stated:

- He appreciates the fact that the owners of the subject property have been there for the past 40 years and he values their contribution to the economy in the region.
- It is beneficial that the proposed building is being designed for multi-purpose use and not just for the sale of vehicles; they are looking to future of their own business by adding office space and other purposes.
- He also appreciates the LEED component of their application and he looks forward to their application proceeding to a Public Hearing.

Councillor Brownoff stated:

- She agrees that there should be a comprehensive plan for the entire area; the design of the proposed building is unique and adaptable for future uses.
- At the Public Hearing she would like to have more information on the landscape plan as well as some assurance that the walkability for pedestrians is enhanced.

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

- A LEED estimate can be done during the pre-design stage but certification does not take place until building construction is completed.

Councillor Wergeland stated:

- He is pleased to see that the applicants are proposing to construct the building to LEED Silver standard.

Councillor Brice stated:

- She looks forward to the application proceeding to a Public Hearing; the owners have made a great contribution to the community and if they are proposing to build to LEED Silver standard then she expects they will achieve it.

Councillor Sanders stated:

- She supports the application proceeding to a Public Hearing; the owners have a long history in the community.
- She looks forward to having more information at the Public Hearing on the proposed pedestrian environment.

Councillor Derman stated:

- He is disappointed that the report does mention the Regional Growth Strategy which is an important document for this municipality and the region.
- The subject area is the most important potential major centre in the entire region; there needs to be a comprehensive plan for the area as it is where we are anticipating density and creating a complete community.
- He appreciates the features that the applicants have brought forward and their commitment to sustainability within the proposed building; he recognizes the long term commitment of the owners and that they have been good corporate citizens.
- You cannot create a complete community with a series of one-off developments; it needs to encompass community wide sustainability.
- He does not support the application proceeding to a Public Hearing prior to the development of a comprehensive plan.

**The Motion was then PUT CARRIED,
With Councillor Derman voting against.**

Adjournment

On a motion from Councillor Gillespie, the meeting adjourned at 10:50 p.m.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK