

MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, FEBRUARY 23, 2009 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Derman, Gerrard, Hunter, Murdock, Sanders, and Wergeland
Staff: Tim Wood, Administrator; Colin Doyle, Director of Engineering; Donna Dupas, Deputy Manager of Legislative Services; Neil Findlow, Supervisor of Local Area Planning; and Andrea Park, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brice and Seconded by Councillor Hunter: "That the Minutes of the Council and the Committee of the Whole Meetings held February 2, 2009, and the Minutes of the Special Council Meetings held February 3, 2009 and January 27, 2009 be adopted."

CARRIED

BYLAWS

Ralph Street
Bylaw 8974
Development
Variance Permit

638 RALPH STREET

Final Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2009, No. 8974". To rezone from P-1 to RS-4.

MOVED by Councillor Derman and Seconded by Councillor Gerrard: "That Bylaw No. 8974 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Gerrard: "That Council approve and issue Development Variance Permit DVP2008-00004 on Lot 1, Section 49, Victoria District, Plan 33661, except part in Plan VIP68707 (688 Ralph Street)."

CARRIED

ADM40
Tax Certificate
Bylaw

TAX CERTIFICATE BYLAW – HOUSEKEEPING AMENDMENT

First, Second and Third Readings of the "Tax Certificate Bylaw, 2005, Amendment Bylaw, 2009, No. 8975". To amend Schedule "A" – Property Tax Information.

MOVED by Councillor Gerrard and Seconded by Councillor Brice: "That Bylaw No. 8975 be introduced and read."

CARRIED

MOVED by Councillor Gerrard and Seconded by Councillor Brice: "That Bylaw No. 8975 be read a second time."

CARRIED

Moved BY Councillor Gerrard and Seconded by Councillor Brice: "That Bylaw No. 8975 be now passed."

CARRIED

ADM40

Ticket Bylaw

TICKET BYLAW

First, Second and Third Readings of the "Ticket Bylaw, 2009, No. 8976". To consolidate and repeal Bylaw No. 8217.

MOVED by Councillor Derman and Seconded by Councillor Gerrard: "That Bylaw No. 8976 be introduced and read."

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Hunter: "That Bylaw No. 8976 be read a second time."

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Gerrard: "That Bylaw No. 8976 be now passed."

CARRIEDADM90

Council Meetings

MARCH 9, 2009 COUNCIL AND COMMITTEE OF THE WHOLE MEETINGS

Memorandum from the Manager of Legislative Services dated February 11, 2009 requesting Council cancel the March 9, 2009 Council and Committee of the Whole Meetings so that a Special Committee of the Whole (Financial Plan) meeting may be held.

MOVED by Councillor Derman and Seconded by Councillor Gerrard: "That the March 9, 2009 Council and Committee of the Whole Meetings be cancelled and a Special Committee of the Whole (Financial Plan) meeting be held in their place."

CARRIED**RECOMMENDATIONS FROM COMMITTEES**

From the Committee of the Whole meeting held December 8, 2008.

Douglas Street
Development
Permit
Amendment

3555 DOUGLAS STREET – DEVELOPMENT PERMIT AMENDMENT – CHANDLER ASSOCIATES ARCHITECTURE

Supplemental Report from the Director of Planning, dated February 12, 2009, recommending ratification of Amended Development Permit No. DPR2006-00012 on Lot A, Sections 7 and 9, Victoria District, Plan VIP85149, except part in Plan VIP85154 (3555 Douglas Street) now that all outstanding issues have been resolved.

MOTION:

MOVED by Councillor Brice and Seconded by Councillor Hunter: "That Council approve and issue Amended Development Permit DPR2006-00012 on Lot A, Sections 7 & 9, Victoria District, Plan VIP85149."

CARRIED,

with Councillors Derman, Murdock and Sanders voting against.

ADM115

CRD Activities

CAPITAL REGIONAL DISTRICT ACTIVITIES

Council members provided updates on a variety of Capital Regional District initiatives.

Adjournment On a motion from Councillor Gerrard, the meeting adjourned at 7:55 p.m.
The meeting reconvened at 10:51 p.m.

Recommendations **RECOMMENDATIONS**

From the Committee of the Whole Meeting held February 23, 2009

Nelthorpe Street
Development
Permit

3981 NELTHORPE STREET – DEVELOPMENT PERMIT – CUMMING DESIGN

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Council approve and issue Development Permit DPR2008-00029 on Strata Lots 1 – 24, Section 64, Victoria District, Strata Plan 111 (3981 Nelthorpe Street).”

CARRIED

ADM75
Strategic Plan

2009 - 2013 STRATEGIC PLAN

MOVED by Councillor Wergeland and Seconded by Councillor Hunter: “That Council adopt the 2009 - 2013 Strategic Plan.”

CARRIED

In Camera Motion

MOVED by Councillor Sanders and Seconded by Councillor Brice: “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, and to personal information about an identifiable individual being considered for appointment.”

CARRIED

Adjournment On a motion from Councillor Derman, the meeting adjourned at 10:53 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 FEBRUARY 23, 2009

ADM85

Appointment to
Bicycle and
Pedestrian Mobility
Advisory
Committee

**APPOINTMENT TO THE BICYCLE AND PEDESTRIAN MOBILITY
ADVISORY COMMITTEE**

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Ian Graeme be appointed to the Bicycle and Pedestrian Mobility Committee for a one year term expiring December 2009."

CARRIED

building to three storeys.

Mr. L. Thiessen, 1515 Louise Place, stated:

- He could support an apartment building up to three storeys high and would prefer a statutory right of way through the open greenspace as it would benefit the seniors who live nearby.
- He is concerned that development is occurring without an overall vision for the neighbourhood.
- He supports rezoning and multifamily developments generally but is opposed to this development.

Mr. D. Paul, 1513 Louise Place, stated:

- He is not satisfied with the information received from the applicants and remains concerned at the loss of privacy which will result from this design.

Mr. I. Graeme, 2615 Dean Avenue, Friends of Bowker Creek Society, stated:

- The design of this project recognizes its location in the Bowker Creek watershed and satisfactory measures have been included to protect the watershed.
- Type 1 and 2 watershed designations contained in Schedule H of the Subdivision Bylaw are at odds with the watershed plan.

Mr. M. Brown, President, Quadra Cedar Hill Community Association, stated:

- There is apparent momentum toward development in this neighbourhood; however, this site is not designated for development in the local area plan.
- An overall planning vision for the neighbourhood is lacking.

Mr. P. Spurr, Mount Tolmie Community Association, stated;

- The consultation process undertaken by the developer and the community appeared to work well.
- Traffic and the lack of sidewalks in the area are the concerns raised with the Mt. Tolmie Community Association.
- It is time for Saanich to push forward with the Shelbourne Corridor study.

Ms. M. Ang, 1515 Louise Place, stated:

- She has been participating in the process of preparing for a development on this property for years.
- She advised the applicant that she could agree to a three storey apartment building with public access for seniors to the central open space.
- The neighbourhood appears to be in decay and an overall plan for the neighbourhood would be reassuring for residents.
- She is opposed to the project as presented.

Mr. S. Klausen, #20-3633 Cedar Hill Road, stated:

- He is opposed to this project; the height of the apartment building is an issue for nearby residents.

Mr. M. Simpson, 3913 Cedar Hill Road, stated:

- He is opposed to a four storey apartment building and would prefer the neighbourhood remain as single family residential; there is enough development in the area.
- Lack of sidewalks is a concern.

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

- The developer's proposal for stormwater management on the site supports watershed rehabilitation.
- The sustainability statement for the project proposes that water collected in the stormwater tank be used for toilet flushing; this may not be workable due to the type of tank proposed.
- The rock pit infiltration system may not be situated properly to be effective.
- Road widening creates more impervious surface with the potential to damage the watershed.

Ms. L. Carere, 1513 Louise Place, stated:

- She shares the concerns put forth by the neighbourhood.
- She would appreciate information on any blasting proposed for the site.
- The lilac and wisteria trees situated between the proposed development and her property must be retained.
- She is concerned that her privacy will be lost; the apartment building and the townhouses are higher than anticipated.

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

- There appears to be a misunderstanding in the community as to the building height proposed; the applicant initially reduced the height of the apartment building by 1.8 metres but has not made any height revisions since.
- His client does not plan to do soils testing or a blasting study before the rezoning receives approval.
- If trees are removed due to construction, the applicant will plant replacements to suit the residents affected.

MOTION:

MOVED by Councillor Wergeland and Seconded by Councillor Derman: "That consideration of the rezoning application for 1514 and 1520 Cedar Hill Cross Road/ 3801 and 3811 Cedar Hill Road be postponed."

Councillor Hunter stated:

- It is apparent that more development and density will occur in this neighbourhood.
- Sidewalks cannot be constructed as quickly as the community wants.
- He would not be comfortable approving this project as presented.

Councillor Gerrard stated:

- He would encourage more discussion between the applicant and neighbours so that an acceptable proposal could be developed for this site.

- The applicant may be able to reconfigure the apartment building to reduce the height while maintaining the number of units.
- The lack of sidewalks creates an unsafe environment for pedestrians in this neighbourhood.

Councillor Wergeland stated:

- In many cases, initial opposition does not mean a development will not be accepted in future.
- There are existing traffic concerns at the Cedar Hill / Cedar Hill Cross Road intersection.
- A right of way through the property's greenspace is inappropriate.

Councillor Derman stated:

- The lack of an overall plan for the area results in piecemeal development and creates concerns for the residents.
- There appear to be issues with height and public access to the greenspace which need to be resolved by the applicant.

Councillor Murdock stated:

- The area suffers from densification without an overall vision for the neighbourhood.
- Poor pedestrian mobility is an issue.
- Further sustainability measures would be appreciated.

Councillor Brice stated:

- There is an opportunity to create a good development on this large site.
- It is possible that a height reduction and redesign could resolve the community's concerns.

Councillor Sanders stated:

- There is potential for the application to be accepted by the community after some redesign.

The Motion was then Put and CARRIED.

Nelthorpe Street
Development Permit

3981 NELTHORPE STREET – DEVELOPMENT PERMIT

Report of the Director of Planning dated December 19, 2008, recommending Development Permit DPR2008-00029 be approved for the enlargement of three balconies and construction of two staircases.

Mr. V. Hildebrand, #18-3981 Nelthorpe Street, attended on behalf of the Strata Council and responded to questions from Council.

MOTION:

MOVED by Councillor Wergeland and Seconded by Councillor Gerrard: “That it be recommended to Council that Development Permit DPR2008-00029 be approved and issued on Strata Lots 1-24, Section 64, Victoria District, Strata Plan 111 (3891 Nelthorpe Street).”

CARRIED

Mt. Douglas Cross
Road
Rezoning

**REZONING APPLICATION – 1520 MT. DOUGLAS CROSS ROAD –
BIKI KANG**

Report of the Director of Planning dated January 29, 2009 recommending approval of the rezoning from RS-18 to RS-10, the Development Variance Permit, and inclusion in the Sewer Service Area.

Mr. B. Kang, 4041 Braefoot Road, applicant, stated:

- Their proposed development will consist of seven lots for single family dwelling use and is intended to mirror the homes on the other side of Mercer Place.

In response to questions from the Council, Mr. Kang stated:

- They would be willing to provide a full sustainability statement and guarantee its completion.
- They will provide information on visitor parking and the request to consider a contribution to the Saanich Affordable Housing Fund at the public hearing.
- He has a letter of no objection dated February 20, 2009 from the Gordon Head Community Association for consideration.

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

- This appears to be another car-oriented development which is not in keeping with the sustainability principles in Saanich's Strategic Plan.

MOTION:

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

CARRIED

ADM75
Strategic Plan

2009 – 2013 STRATEGIC PLAN

The Municipal Administrator introduced the 2009-2013 Strategic Plan and advised that Theme Leaders were present to answer any questions.

Ms. B. McBain, 2900 Queenston Street, stated:

- She supports the Affordable Housing work plan contained in section C2.d. of the Strategic Plan.
- As a planner, local resident and author of a Provincial report on secondary suites, she believes that secondary suites are the lowest impact form of urban densification and have many advantages for the community; however, existing suites must be brought up to standard.
- She urged Council to take advantage of the Camosun Community Association offer to be the pilot community for the secondary suites project.

Mr. I. Graeme, 2615 Dean Avenue, stated;

- He would like the Strategic Plan to place more emphasis on adaptation to climate change in the Sustainable Environment Initiatives.
- A pilot project on secondary suites is not necessary; he urged Council to develop a secondary suites policy with the participation of the community for implementation within three months.

- Improve citizen engagement by utilizing the internet for discussion forums and opinion polls.

Mr. A. Lubkowski, 2886 Ilene Terrace, stated:

- He supports the Affordable Housing work plan and understands that policies and regulations for secondary suites must be developed.
- The Camosun Community Association is willing to be part of the pilot project.

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

- He supports the sustainable environment initiatives of the Strategic Plan but recommends the term "generally" is inappropriate in the stated aim of making Saanich "generally" more sustainable.
- A long term plan for the Bowker Creek Greenway has not been done.
- Unregulated secondary suites presently create problems for residents.

Ms. C. Morgan, 3373 Salisbury Way, stated:

- Consider how to strengthen citizen engagement and use methods such as those utilized in the development of the new Official Community Plan.
- Community meetings and online surveys would improve participation.

Mr. Y. Bajard, 1876 Watson Street, stated:

- He supports a gradual approach to the legalization of secondary suites as a flexible policy is needed to accommodate the needs of different neighbourhoods.

Ms. S. Critch, President, Camosun Community Association, stated:

- She urged Council to give the affordable housing work plan a high priority
- The Camosun Community Association has offered to be the pilot community for the study of secondary suites.

Ms. S. Belford, 3840 Roland Avenue, and member of the Mt. View Colquitz Community Association, stated:

- Under the livable communities initiatives, there is a need to include more cohesive overall planning of neighbourhoods.

Ms. B. Meek, Strawberry Vale Residents Association, stated:

- A pilot project in one community only is not appropriate for the study of secondary suites.

MOTION:

MOVED by Mayor Leonard and Seconded by Councillor Murdock; "That it be recommended to Council that the 2009-2013 Strategic Plan be adopted."

Councillor Murdock stated:

- A pilot project is appropriate since parking problems and densification issues require resolution.

- The Strategic Plan could also include Saanich’s role in the issue of homelessness in the region, an agricultural strategy, and an acceleration of the sidewalk construction target.
- He supports the suggestions for citizen engagement.

Councillor Derman stated:

- The process leading to approval of the Strategic Plan is flawed; the suggestions made at this meeting will not be included in the Plan.

Councillor Gerrard stated:

- The City of Victoria has already legalized secondary suites.

Councillor Brice stated:

- The draft Strategic Plan was presented to Saanich Advisory Committees and Community Associations for comment prior to its presentation for Council approval.

The Motion was then Put and CARRIED.

Adjournment

On a motion from Mayor Leonard, 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