

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, NOVEMBER 2, 2009 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Brownoff, Derman, Gerrard, Hunter, Murdock, Sanders and Wergeland
Staff: Chris Nation, Municipal Solicitor; Colin Doyle, Director of Engineering; Anne Topp, Acting Director of Planning; Donna Dupas, Deputy Manager of Legislative Services; and Maura Brothers, Senior Committee Clerk

PUBLIC HEARING

Maplewood Road
Bylaw 9024

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2009, NO. 9024”

PROPOSED REZONING FOR TWO FAMILY DWELLING ON MAPLEWOOD ROAD

To rezone Lot 4, Block 1, Section 62, Victoria District, Plan 1083 (**3437 MAPLEWOOD ROAD**) from Zone RS-6 (Single Family Dwelling) to Zone RD-1 (Two Family Dwelling) to permit a duplex. A **DEVELOPMENT PERMIT** applicable to the above lands will also be considered to require the buildings and lands to be constructed and developed in accordance with the plans submitted and to vary the interior side lot line setback for the two family dwelling from 3.0 metres to 1.5 metres and the exterior lot line setback for an accessory structure from 4.5 metres to 2.4 metres.

The Notice of Public Hearing; the reports of the Director of Planning dated September 15, 2009 and October 22, 2009 recommending approval, were introduced.

APPLICANT:

On behalf of the applicant, Mr. D. Lund, Mesa Design Group Inc., stated:

- If the permit is approved, the existing dwelling would be moved to the south and west of the property to provide space for the construction of an additional dwelling.
- The finishing and roofline for the additional dwelling will give the appearance that the duplex is a single residence.
- Extensive landscaping is proposed for the property, in keeping with the requirements for hard surface and water penetration.

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

- Permeable pavers, not asphalt, will be used for the driveways on the subject property.

PUBLIC INPUT:

Nil.

APPLICANT'S RESPONSE:

Nil.

Councillor Derman stated:

- He appreciates the applicant’s commitment to additional energy saving features for the development.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That the application to rezone from RS-6 to RD-1 be approved.”

CARRIED

Maplewood Road
Bylaw 9024

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2009, NO. 9024”
Second and Third Readings.

MOVED by Councillor Derman and Seconded by Councillor Gerrard: “That Bylaw No. 9024 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Gerrard: “That Bylaw No. 9024 be now passed.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Gerrard: “That it be recommended that Council approve Development Permit DPR00415 on Lot 4, Block 1, Section 62, Victoria Land District, Plan 1083 (3437 Maplewood Road).”

CARRIED

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Hunter and Seconded by Councillor Brownoff: “That the Minutes of the Council and the Committee of the Whole Meeting held October 26, 2009, and the Minutes of the Special Council Meeting held October 20, 2009, be adopted.”

CARRIED

BYLAWS

ADM 40
Bylaw 9009

TOW-AWAY BYLAW AMENDMENT.

Three Readings of the “Tow-Away Bylaw, 1997, Amendment Bylaw, 2009, No. 9009”. To increase the towing charge, release fee and storage fee.

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That Bylaw No. 9009 be introduced and read.”

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That Bylaw No. 9009 be read a second time.”

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Wergeland: “That Bylaw No. 9009 be now passed.”

CARRIED

RESOLUTIONS FOR ADOPTION

ADM40/ADM135
Rezoning School
Properties

REZONING SCHOOL PROPERTIES – PROPOSAL TO REGULATE THE FUTURE REDEVELOPMENT OF PUBLIC SCHOOL PROPERTIES.

Report from Councillor Derman dated October 27, 2009 referring to his July 3, 2008 report regarding a proposal to regulate the future redevelopment of public school properties and the recommendations subsequently postponed from the July 21, 2008 Council Meeting.

Councillor Derman stated:

- His report, brought to Council over a year ago, arose in response to the sale and subsequent rezoning of school properties.
- The existing P-1 zone allows for various institutional uses but makes no provision for protection of green space, placing Council in a difficult position when rezoning or development applications are made for former school properties.
- The Official Community Plan (OCP) now indicates that Saanich Council will seek the dedication of 50% of public school property to green space in the event of a rezoning application.
- The intention of the original report is to establish a zone for existing school properties that allows only schools as a permitted use; the zone should also include provisions to protect existing green space.
- The new zone would not preclude the sale of school properties or rezoning applications, but it would ensure that a full public process is required to make changes in the land use.
- He brought the report back to Council for further consideration, as sufficient time has elapsed for consultation with the School Districts and public school properties in Saanich remain vulnerable; however, if a response to the report is forthcoming in a timely fashion, he is satisfied.
- A lack of sufficient funding from the provincial government has put School Boards in a difficult position.

Councillor Brownoff stated:

- School District representatives indicated concerns regarding the recommendation, including the zoning of private schools and the accommodation in the new zone of various uses currently underway in public schools.
- The provincial government introduced a new policy this year which places greater restrictions on school boards in regards to closing schools and the disposal of school property.
- Further discussions are needed with the Province and School Districts, as well as review by the Municipal Solicitor, to determine whether this new policy will sufficiently address the issue of rezoning school properties.
- The School Districts have agreed to meet with Saanich staff annually to review their capital plans.
- Planning staff anticipates a response to Councillor Derman's report coming back to Council as part of the OCP updates.

Councillor Hunter stated:

- At the 2009 Union of British Columbia Municipalities conference, the Minister of Education indicated that the Province's attitude towards school properties has changed, due in part to the increase in services they provide to many communities.

- The Greater Victoria School District has sent in a letter responding to the recommendations in Councillor Derman’s report.
- The provincial government’s reduction in funding has made it difficult for School Boards to address needed capital projects.
- If Council asks that the rezoning of school properties be given priority, Planning staff will not be available to address other projects.

Councillor Sanders stated:

- She thanks Councillors Brownoff and Hunter for pursuing their inquiries with the school board and supports the referral motion.

Councillor Gerrard stated:

- It is unfortunate that the Province’s new policy has delayed the response on this item, through no fault of the school board or the Council liaisons.

Mayor Leonard stated:

- As it has not been rescinded by Council, the motion to refer the issue to the School District liaisons still stands.
- While the liaisons continue to work with the School Districts, a request will be put to the Administrator that he ensure the response to Councillor Derman’s report is brought forward in a timely manner.

ADM90
Council/Committee
of the Whole
Meetings

JANUARY 4, 2010 COUNCIL/COMMITTEE OF THE WHOLE MEETINGS.
Memorandum from the Manager of Legislative Services dated October 19, 2009 requesting Council cancel the January 4, 2010 Council and Committee of the Whole Meetings.

**MOVED by Councillor Derman and Seconded by Councillor Brownoff:
“That the January 4, 2010 Council and Committee of the Whole
Meetings be cancelled.”**

CARRIED

Recommendations **RECOMMENDATIONS**

From the Committee of the Whole Meeting held October 26, 2009

Oak Street
Xref: Short Street
Development
Permit

3371 OAK STREET AND 829 SHORT STREET – DEVELOPMENT PERMIT – ALAN LOWE ARCHITECT INC.

Approval of the October 26, 2009 Committee of the Whole recommendation to rescind Development Permit DPR2007-00020 and approve Development Permit DPR00434 for the construction of a retail/office building to house the Infinity dealership.

**MOVED by Councillor Hunter and Seconded by Councillor Brownoff:
“That Council:**

1. Rescind Development Permit DPR2007-00020; and
2. Approve and issue Development Permit DPR00434 on Lot A, Section 7, Victoria District, Plan VIP79665 (3371 Oak Street and 829 Short Street).”

CARRIED

Councillors Derman, Gerrard and Murdock voting against

In Camera Motion **MOVED by Councillor Brownoff and Seconded by Councillor Gerrard:
“That the following meeting be closed to the public as the subject
matter being discussed relates to personal information about
identifiable individuals being considered for appointment.”**

CARRIED

Adjournment On a motion from Councillor Hunter, the meeting adjourned at 7:55 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK