

SPECIAL COUNCIL MEETING  
FOR THE PURPOSES OF A **PUBLIC HEARING**  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**TUESDAY, DECEMBER 7, 2004 AT 7:30 P.M.**

Present: **Chair:** Mayor Leonard  
**Council:** Councillors Brownoff, Cubberley, Gillespie, Derman, Ngai, Pickup, and Wergeland.  
**Staff:** Anne Topp, Manager of Planning Services; Dwayne Halldorson, Development Manager; Margaret Trottier, Deputy Municipal Clerk; and Shirley Leggett, Senior Committee Clerk.

No. 436  
Bylaw No. 8621  
PLD55

"OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2004, NO. 8621"

**PROPOSED CAREY LOCAL AREA PLAN AMENDMENT – SOUTH WILKINSON VALLEY ACTION PLAN**

The intent of this proposed bylaw is to amend the Carey Local Area Plan to revise Map 7 – Residential Land Use of the South Wilkinson Valley Action Plan to allow a residential density of 11.1 units/ha for Lot E, Section 16, Victoria District, Plan VIP77445, **(1100 TULIP AVENUE)** and 12 units/ha for Lot 1, Section 16, Victoria District, Plan VIP53415 and Lot D, Section 16, Victoria District, Composite Plan 2438; **(3941/3959/3975 WILKINSON ROAD)**.

Bylaw No. 8622  
Wilkinson Road/  
Tulip Avenue

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8622"

**PROPOSED 39 UNIT RESIDENTIAL DEVELOPMENT ON WILKINSON ROAD/TULIP AVENUE**

To rezone Lot 1, Section 16, Victoria District, Plan VIP53415; Lot D, Section 16, Victoria District, Composite Plan 2438; and Lot E, Section 16, Victoria District, Plan VIP77445 **(3941/3959/3975 WILKINSON ROAD/1100 TULIP AVENUE)** from zones A-1 (rural) and A-2 (rural) to zones RS-4 (single family dwelling), RT-2 (attached housing) and P-4 (recreation and open space) for a proposed 39 unit residential development consisting of 20 single family dwellings, 19 townhouse units and a park. **DEVELOPMENT VARIANCE PERMITS** applicable to the above lands will also be considered to reduce the minimum lot depth for proposed Lot 1 from 27.5 m to 26.32 m, proposed Lot 17 from 27.5 m to 26.56 m, proposed Lot 18 from 27.5 m to 26.72 m and proposed Lot 21 from 27.5 m to 23.11 m.

The Notice of Public Hearing; the report from the Director of Planning dated August 5 and November 5, 2004 recommending rezoning and development variance permit approval, appropriate easements for access to 3925 and 3929 Wilkinson Road be considered as a requirement by the Approving Officer at the time of subdivision review, trail surfacing as proposed be endorsed, a Development Permit for the townhouse sites be considered at a future time, the applicant be requested to register a covenant committing to the general siting and elevations of the townhouse plans as presented, and the amendment to the South Wilkinson Valley Action Plan be approved; additional information from the applicant concerning the proposed development including a letter dated December 6, 2004, in response to issues raised at the Committee of the Whole meeting; and one letter in opposition, were introduced.

**APPLICANT:**

Mr. D. Scott, Homewood Constructors Ltd., stated:

- The proposed development has been before Council four times in various forms; one of the main concerns was that a comprehensive plan for the Valley should somehow be achieved; they think this has been accomplished with this revision.
- Their proposal requires one amendment to the South Wilkinson Valley Action Plan and that is for density; under the existing Action Plan policy 60.13 units based on units can be constructed per hectare; this proposal is for a total of 62 units.
- Their proposal dedicates 20 percent of the total property as park space and is a mix of single family and townhouses units.
- By locating the townhouse lots to the east of the riparian zone it means there will only be one creek crossing; it will also allow for a six-metre wide road to be constructed of grasscrete along the escarpment which will be dedicated as park with a statutory right-of-way in favour of Saanich; this will provide a pedestrian access to the north park area.
- All of the single family homes will be controlled by a registered building scheme and design panel which will also control the landscaping and irrigation systems.
- They held a public information meeting on November 25, 2004; flyers were delivered by hand and signs were posted on site; seven people attended the meeting.
- There will be 19 townhouse units; some will be two-storey and some three-storey with an unfinished basement.
- The units will be about 2,000 square feet in size and all will have double car garages some of which will face the street and some will be tucked away on the side of the townhouse.
- The finishing materials will consist of hardi-plank siding, shingles, and fibreglass shingles on the roofs.
- They will likely ban all on-street parking as there is adequate parking for each of the units; the road is a strata road and the Fire Department has the authority to ban parking along it.

Ms. L. Malmkvist, Swell Environmental Consulting, stated:

- The channel and stormwater facilities will be designed using the properly Functioning Condition criteria and Classification system to determine the physical attributes necessary to ensure that an ecologically functioning ecosystem is created.
- It is their intention to restore the riparian corridor through the park and join the ponds that have been created in the adjacent Peers Creeks subdivision.
- The creek corridor will be restored using wood, rock, terracing and riparian vegetation; the hydrology will also be addressed to accommodate stormwater from the site.
- There will be a trail that runs along the creek and joins with the Peers Creek subdivision.
- There will be grasscrete or some other permeable material used for the pull-out parking areas and the driveways for the residences; they will also address the stormwater management for the roof drainage on site.

**PUBLIC INPUT:**

Mr. A. Meek, 3909 Mildred Street, stated:

- His property on Mildred Street overlooks the Wilkinson Valley.
- He is concerned with the traffic in the area; sometimes he can wait for long periods of time trying to turn onto West Burnside Road from Mildred Street.
- The proposed new development will bring additional traffic to the area and he would like to know how it will be addressed.

**APPLICANT'S RESPONSE:**

Nil.

In response to questions from the public, the Development Manager stated:

- In the development of the South Wilkinson Valley Action Plan, traffic was considered but no specific improvements were contemplated at the Burnside/Wilkinson intersection.
- There are significant improvements being constructed at the Wilkinson/Helmcken intersection as part of the Peers Creek development which is intended to draw some of the traffic flows from the Wilkinson Valley toward that area.
- Traffic along the Burnside Road corridor is under consideration by staff because of general traffic concerns; he does not know if any improvements have been suggested at this time.
- He will speak to the Above Ground Services Manager about providing Council with a supplemental report.

**Moved by Councillor Pickup and Seconded by Councillor Cubberley: "That,**

- 1. The application to rezone to RS-4, RT-2 and P-4 be approved;**
- 2. Appropriate easements for access to and from 3952 and 3929 Wilkinson Road be considered as a requirement by the Approving Officer at the time of subdivision review;**
- 3. Trail surfacing as shown on Map 2 (Proposed Surfaces) be endorsed;**
- 4. Development Variance Permit Nos. DVP2003-00026 and DVP2003-00027 be approved;**
- 5. A Development Permit for the townhouse sites be considered at a future time;**
- 6. The applicant be requested to register a covenant committing to the general siting and elevations of the townhouse plans presented;**
- 7. The amendment to Map 7 – Residential Land Use of the South Wilkinson Valley Action Plan be approved concerning density; and,**
- 8. The issue of a tot lot location be reviewed after the trail construction is completed."**

Councillor Cubberley stated:

- He is happy with the efforts of the proponents and thanks them for their patience throughout the long process.
- It is very difficult to anticipate all of the issues that can occur when trying to translate principles in an Action Plan into an actual development that can both satisfy and achieve a balance of those principles.
- It is very exciting to contemplate a high quality development and the potential

- for a continuous access in a greenspace through the Valley.
- The major corridors throughout Saanich are functioning as highways and Burnside Road has now become a service road for the Trans Canada Highway.
- Traffic is bypassing the highway corridor and using West Burnside Road instead.
- There are already problems with accesses onto Helmcken and Interurban Road on an ongoing basis; we may have to install traffic lights to allow people to make left and right hand turns and slow traffic along these corridors.

Councillor Brownoff stated:

- The community wants to be assured that the tot lot will be constructed in this area and not have the money go into another area.
- Traffic congestion in the area is starting earlier in the day and lasting longer into the evening.
- She was told by Ministry of Highway staff that the highway improvements to the Western Communities would last 20 years before traffic backed up; so far it has only been seven or eight years.

Councillor Pickup stated:

- She would like to thank the community and the developer for their patience.
- She is happy with the amenities that are being proposed with the development: the use of grasscrete, swales, and their attention to parking; she thinks this could be a demonstration project in terms of integrating green technology.
- The project looks like part of a comprehensive plan in conjunction with the Peers Creek subdivision and that is very pleasing.

Councillor Gillespie stated:

- Neighbourhoods change over time; the subject property used to be farmland for many years and now it will become a residential area.
- The applicant has been willing to listen to the concerns of the community and revised their plans accordingly a number of times.
- He agrees that there needs to be some kind of traffic calming in the area and perhaps traffic lights.

Councillor Derman stated:

- He would like to thank the applicants for their willingness to listen to the community and make compromises.
- The proposed concept plan is a much better plan than was originally brought forward; there is more greenspace preserved, less impervious surfaces, increased amenities and only one creek crossing.
- He hopes that parking along the strata road will be banned.
- Installing traffic lights needs to be considered to make it easier for people to enter and exit from their homes.

Councillor Ngai stated:

- She thanks the applicants for their patience.

Councillor Wergeland stated:

- He thinks the proposed development is very attractive and interesting; the

- applicants have put a lot of thought into the design and listened to the concerns of the community.
- He questions how the creek will look after two years if Saanich staff does not clean it out on a regular basis.

**The Motion was then Put and CARRIED**

No. 437  
Bylaw No. 8621  
PLD55

“OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2004, NO. 8621”  
Second and Third Readings.

**Moved by Councillor Cubberley and Seconded by Councillor Pickup: “That Bylaw No. 8621 be read a second time.”**

**CARRIED**

**Moved by Councillor Cubberley and Seconded by Councillor Pickup: “That Bylaw No. 8621 be now passed.”**

**CARRIED**

No. 438  
Bylaw No. 8622  
Wilkinson Rd/  
Tulip Ave.

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8622”  
Second and Third Readings.

**Moved by Councillor Cubberley and Seconded by Councillor Wergeland: “That Bylaw No. 8622 be read a second time.”**

**CARRIED**

**Moved by Councillor Cubberley and Seconded by Councillor Wergeland: “That Bylaw No. 8622 be now passed.”**

**CARRIED**

**Moved by Councillor Ngai and Seconded by Councillor Wergeland: “That it be recommended that Council approve and issue Development Variance Permit No. DVP2003-00027 on Lot 1, Plan VIP53415 and Lot D, Composite Plan 2438, Both Section 16, Victoria District (3941 and 3959/3975 Wilkinson Road).”**

**CARRIED**

**Moved by Councillor Ngai and Seconded by Councillor Wergeland: “That it be recommended that Council approve and issue Development Variance Permit No. DVP2003-00026 on Lot E, Section 16, Victoria District, Plan VIP77445 (1100 Tulip Avenue).”**

**CARRIED**

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Councillor Ngai left the meeting at 8:10 p.m.

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No. 439  
Bylaw No. 8623  
Canterbury Road

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8623"

**PROPOSED 2 LOT RESIDENTIAL SUBDIVISION ON CANTERBURY ROAD**

To rezone Lot 9, Block 9, Section 64, Victoria District, Plan 1178 (**881 CANTERBURY ROAD**) from zone RS-6 (single family dwelling - minimum lot size 560m<sup>2</sup>) to zone RS-4 (single family dwelling - minimum lot size 460m<sup>2</sup>) for a proposed two lot residential subdivision. **A DEVELOPMENT VARIANCE PERMIT** applicable to the above lands will also be considered to reduce the minimum lot width for proposed Lots A and B of the subdivision from 14 m to 12.1m.

The Notice of Public Hearing, the report from the Director of Planning dated February 3, 2004 recommending rezoning approval; the supplemental report from the Director of Planning dated November 15, 2004 outlining issues pertaining to house size and setbacks and recommending that they be addressed during the subdivision process; the report from the Development Manager dated March 15, 2004 providing information with respect to stormwater management; 12 letters in support; and 1 letter in opposition and a letter from the Swan Lake Christmas Hill Nature Sanctuary outlining concerns with respect to potential flooding in the area of the Nature Sanctuary trail adjacent to the subject property; were introduced.

**APPLICANT:**

Mr. J. Gardiner, 4043 Braefoot Road, on behalf of the owners, stated:

- At the Committee of the Whole meeting held in February, concerns were raised pertaining to the proposed house size, lot coverage, stormwater management, and the proximity to Swan Lake Nature Sanctuary.
- In response to these concerns the size of the proposed house has been reduced from 2138 square feet to 1851 square feet plus a two-car garage.
- They have also been working with Mann Engineering on the stormwater management system.
- They have agreed to a restrictive covenant to regulate the house size, design and siting, as well as stormwater management.
- They will also site the proposed house a minimum of 16.7 metres from the rear lot line and maintain a three metre setback from the eastern property line.
- They will plant three Black Hawthorn trees along the southeast property line to help buffer the Sanctuary.
- They have met with representatives from the Nature Sanctuary and the Rainbow Park Ratepayers' Association, and have received support from most of the neighbours.
- If there is a reduction in the required road works they will provide cash-in-lieu.

**PUBLIC INPUT:**

Ms. M. Ryan, 871 Canterbury Road, stated:

- Her property is adjacent to the subject property.
- In the past few years several lots along Canterbury Road have been subdivided; some of the new homes have been quite attractive and some are not.
- One of the new houses is a duplex and she is concerned that the proposed new development will also be a duplex; the existing house on Lot 9 already

- has a suite in it.
- The new house that was built next to her property only has a 5-foot sideyard setback; she would like to know why Saanich did not require a ten foot setback.
- Some portions of Canterbury Road have ditches and some have curb and gutter; the overall look of the street is very piecemeal and messy and she would like it cleaned up.

Mr. L. Bomford, on behalf of the Rainbow Ratepayers' Association and the Swan Lake Christmas Hill Nature Sanctuary, stated:

- The Ratepayers' Association does not support or oppose any particular rezoning or subdivision applications; they only ask questions pertaining to the various applications.
- One by one the properties along Canterbury Road are being rezoned; now there is no longer one contiguous zone on the south side of the road, there is a mix of four different RS zones.
- The Association is happy that the applicant has offered to plant some trees along the property line to buffer the Nature Sanctuary and maintain a three metre setback.
- The east end of Canterbury Road is one of the accesses to the trail system around Swan Lake; there is a newly constructed open ditch at the end of the subject property and runs east to the sewer main which then drains into Swan lake itself.
- Using a field tile drain in the subject property means they will have to pump upwards into the ditch which will then drain down beside the property; it may be better to have a field tile drain instead of a Saanich storm drain.
- The zoning variance application for two 12.1 metre wide lots adjacent to a green area is a concern; if it is approved it will be the third such approval on the block.

Mr. H. McArthur, 851 Canterbury Road, stated:

- He has lived in his present location for the past 24 years; the neighbourhood has undergone many changes during that time.
- He has not had any issues with any of the previous rezonings on the street; the dwelling next to his property is a duplex with one owner and it has not generated much additional traffic.
- He supports affordable housing in Saanich and hopes more of it will become available so his children can afford to purchase homes.

Mr. M. Wild, 882 Canterbury Road, stated:

- He does not have any issues with the proposed rezoning as long as the new dwelling fits in with the character of the rest of the street.
- The road itself is unsightly because of the inconsistency with ditches and curb and gutters and it would be nice if it were fixed up.

Mr. J. Howey, 821 Canterbury Road, stated:

- He has only lived on the street for the past seven or eight months but he does not have any problems with the proposed rezoning.

Mr. S. Bhatnagar, 3969 Rainbow Street, stated:

- He supports the proposed subdivision and thinks it will be an asset to the community.

**APPLICANT'S RESPONSE:**

Mr. Gardiner stated:

- There will be an infiltrator system on site so there will be no pumping into the ditch; this is the same system that is used with the existing house and it works well.
- They will build the house as shown on the concept plan.
- The house will be constructed on a cement slab; there will not be a suite.
- If they enclose the ditch they will be able to install a silt trap so that all of the water in the ditch is collected and cleaned before it goes into the Nature Sanctuary.

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

- The details of the treatment of the water in the ditch before it reaches Swan Lake will be resolved with the Approving Officer.
- With regard to the siting of the existing house, all residential zones have a minimum setback of five feet on one side of a dwelling with a total of 15 feet for both sides.
- When a person applies for a building permit they can decide what combination of setbacks they want so long as it adds up to 15 feet and there is nothing less than five feet on one side; Saanich does not regulate which side of the lot a house can be sited on.

**Moved by Councillor Gillespie and Seconded by Councillor Derman: "That the application to rezone to RS-4 be approved."**

Councillor Derman stated:

- The applicant has made a number of compromises in order to address the concerns that were raised.
- He is happy that the runoff water will be treated before it goes into Swan Lake.
- It would be a good idea to decide ahead of time what we want to see happen with a road when we allow this type of redevelopment take place so the finished product is consistent.
- He appreciates that the applicant has agreed to limit the size of the house, ensure there are no accessory buildings on the property, that there is a ten foot setback from the Nature Sanctuary, and that the driveway will be constructed with a permeable material.

Councillor Cubberley stated:

- He is happy with the revisions to the proposal.
- In the finishing of the development of the subject property there is an opportunity to set the form for the road, the treatment of the ditch and the buffer to the Nature Sanctuary; it would be ideal if the Nature Sanctuary, the Ratepayers' Association and the neighbours worked together to see this happen.

Councillor Pickup stated:

- She will not support the proposed development.

- There is a general policy maintaining lower densities adjacent to the Nature Sanctuary and she thinks this application is in total violation of that policy.

**The Motion was then Put and CARRIED**

No. 440  
Bylaw No. 8623  
Canterbury Road

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8623"  
Second and Third Readings.

**Moved by Councillor Gillespie and Seconded by Councillor Derman: "That Bylaw No. 8623 be read a second time."**

**CARRIED**

**Moved by Councillor Gillespie and Seconded by Councillor Derman: "That Bylaw No. 8623 be now passed."**

**CARRIED**

**Moved by Councillor Gillespie and Seconded by Councillor Cubberley: "That it be recommended that Council approve and issue Development Variance Permit No. DVP2004-00021 on Lot 9, Section 64, Victoria District, Plan 1178 (881 Canterbury Road)."**

**CARRIED**

Adjournment

On a motion from Councillor Gillespie the meeting adjourned at 8:45 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK