

- The exterior finishes include hardi plank siding with wood trim and feature gables; the roofing material will be a laminated asphalt shingle.
- The hard landscape treatment has been changed from an asphalt surface to exposed aggregate.
- Ample parking will be provided however a variance is being requested for one visitor parking stall; many units have double car garages but the driveways do not count as visitor parking.

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

- If the parking space between Block B2 and B3 was designated as visitor parking they will not require a parking variance.
- The number of units can be supported as the site layout still provides visual corridors between the blocks while maintaining a street presence.
- It was felt that the open space variance could be supported given the retention of the existing plantings and the introduction of new landscaping in combination with the nearby Rutledge park amenity.
- The internal courtyard will be finished with exposed aggregate.

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

- The project meets the total parking requirement but requires a variance for one visitor parking space; a variance would not be required if one of the spaces was designated as visitor.

PUBLIC INPUT:

Ms. V. Sanders, 3226 Richmond Road, President of the Quadra Cedar Hill Community Association, stated:

- The Association believes that the project is too dense and should be reduced by one unit.
- The height of the building facing Scotia Street should be lowered to provide a softer transition to Rutledge Park.
- There is no parking available on Scotia Street during the day; perhaps a 2 hour parking limitation could be introduced to help with overcrowding.
- It appears that Scotia Street is being used by the employees of BC Buildings Corporation so on-street parking is already limited.
- Other concerns outlined by the Association include the height of buildings in terms of its impact on Scotia Street, need for traffic calming and lack of open space.
- The Association is in support of the applicant's offer to install speed humps on Rutledge Street.
- The Association is supportive of multi-family use on this site but would like it to fit in without requiring numerous variances.

Ms. E. Miller, 3 – 3255 Rutledge Street, stated:

- She questioned whether the significant trees on the site will be retained.
- She agrees that parking is a problem as it is already impossible for users of Rutledge Park to find a parking space; additional parking should be provided for users of Rutledge Park as part of this development.

Mr. K. Whitcroft, 1044 Inverness, spoke in opposition and stated:

- Blocks 1 and Block 2 give the effect of two straight up walls which does not add or enhance the park amenity across the street.

- One unit should be removed from each building on Scotia Street and make them into two storey buildings; this will provide a more gentle transition from the park and permit the other two buildings on the site to have views of Rutledge park.
- As it stands, this proposal takes away from the liveability of this area.

Mr. J. Hilton, 2 – 3274 Rutledge Street, President of the Strata Council, spoke in support and stated:

- He is representing the residents of 3274 Rutledge Street, some of which have lived in the building for 27 years.
- The Council is pleased that more people will be moving into this area as they believe it will bring more security into the area in terms of reducing crime.
- This project will be an enhancement to the neighbourhood.
- He is pleased that the applicant has agreed to introduce traffic calming measures at the corner of Rutledge and Scotia Street particularly for the safety of the children using Rutledge Park.
- He supports the suggestion of a two hour parking limit as on-street parking is a problem in this area; Scotia Street is used as a parking lot for a number of employees in the area.
- The developer has been responsive to concerns raised.

Mr. K. Dodd, co-owner of 3255 Rutledge Street, spoke in support and stated:

- The old houses that were on these lots were a disgrace to look at so he was very pleased when this development proposal was put forward.
- Rutledge Park has been a great improvement to the area and cleaning up the corner of Rutledge Street and Scotia Street will be the next great improvement.

Mr. R. Satanavic, 1 – 3255 Rutledge Street, spoke in support and stated:

- There has been crime in the area so he agrees that with more neighbours comes more vigilance.
- As his dining room and living room faces the rear of one of the buildings, he would rather see clusters of buildings than one large structure.
- He is pleased with the design of the building; this development will add to the beautification of the area.

APPLICANT-S RESPONSE:

Mr. Gardiner stated:

- The major trees will be retained as it will help provide a buffer from the adjacent properties; fencing will also be introduced along the rear property line.
- Substantial landscaping will be provided in the front of the building.
- Measures will be taken during the construction phase to ensure the survival of the major trees.

Mr. D. Ensing, Landscape Consultant stated:

- The new plantings will include 6 centimetre calliper trees along the perimeter of the property and the boulevard; the existing cedar trees will be retained.

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

- If the Engineering Services Department feels it will be beneficial, he would provide speed tables to help reduce traffic speeds on Scotia Street.
- He is supportive of signs to reduce traffic speeds to 30 KM on Scotia Street given that children are playing in the area.

- The hard landscaping treatment will be a combination of interlocking brick and exposed aggregate.
- He will provide 30% interlocking bricks in the courtyard area to help break up the appearance of exposed aggregate.
- He will provide one year transit passes for the new owners/residents.

The Mayor requested that the suggestion of a 2 hour parking limitation on Scotia Street be referred to the Administrative Traffic Committee for consideration.

Moved by Councillor Cubberley and Seconded by Councillor Wergeland: "That the application to rezone to RM-5 be approved and the development permit plans be amended to indicate 6cm calliper trees along the perimeter of the property and boulevard area, designate an additional parking space as visitor parking thereby removing the need for a variance, and include 30% interlocking bricks for the courtyard area."

Councillor Cubberley stated:

- Initially, he was concerned with the lack of connection between the development and the park as it was originally presented at the Committee of the Whole meeting.
- Breaking up the buildings into four blocks is an advantage to this tight site and provides opportunity to soften the massing.
- The traffic bulb and road improvements will bring the project together and with appropriate landscaping, the feeling of greenspace will be extended.
- He is pleased with the amount of landscaping that will be provided in the front of the building and hopes the traffic bulb will be landscaped with major vegetation.
- This project meets the bylaw requirements for parking and substantial parking is being provided on site.
- This development will set the tone for the area.

Councillor Wergeland stated:

- This is an attractive development that will add to the liveability of this community.
- It is important to have multi-family development close to amenities.
- He is pleased that the applicant has agreed to offer one year transit passes to the new owners.

Councillor Derman stated:

- This is an appropriate site for a multi-family residential development rather than three single family homes.
- This development offers the opportunity to improve the entrance and edge of Rutledge Park.
- The traffic bulb feature will give a sense of additional greenspace and will enhance the pedestrian environment in this area.
- There will be no requirement for a parking variance if one of the parking spaces is designated as visitor parking.
- Scotia Street should be made into a park street as much as possible; perhaps the speed limit should be changed to 30KM.
- He is pleased with the applicant's willingness to create speed tables on Scotia Street or other changes in texture or treatment to show that it is a special street.

Councillor Pickup stated:

- She is pleased that the applicant is willing to do whatever is necessary to improve the quality of his development for the residents in the area.
- This type of multi-family housing is more appropriate than single family dwellings.

Mayor Leonard stated:

- Variances can be supported if it results in a better development; in this case, the variances will result in a creatively designed project.

The Motion was then Put and CARRIED

No. 375
Bylaw No. 8584
Rutledge/Scotia

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8584"
Second and Third Readings.

Moved by Councillor Cubberley and Seconded by Councillor Wergeland:
"That Bylaw No. 8584 be read a second time."

CARRIED

Moved by Councillor Cubberley and Seconded by Councillor Wergeland:
"That Bylaw No. 8584 be now passed."

CARRIED

Moved by Councillor Cubberley and Seconded by Councillor Derman: "That it be recommended that Council approve and issue Development Permit No. DPR2003-00035 as amended on Lots 26, 27 and 28, Section 7, Victoria District, Plan 1164 and Parcel A (DD146854I) of Lot 1, Section 7, Victoria District, Plan 255D (905/919/927 Scotia Street/3263 Rutledge Street)."

CARRIED

No. 376
Bylaw No. 8604
Cedar Hill X Rd

"LUTHER COURT SOCIETY LAND USE CONTRACT BYLAW, 1977, AMENDMENT BYLAW, 2004, NO. 8604"

PROPOSED LAND USE CONTRACT AMENDMENT FOR A MEDICAL CLINIC ON CEDAR HILL CROSS ROAD

The intent of this proposed bylaw is to amend the Land Use Contract on Lot 2, Sections 39 and 40, Victoria District, Plan 31105 (**1525 CEDAR HILL CROSS ROAD**) to allow a 334m² accessory medical clinic within the existing building (Luther Court).

The Notice of Public Hearing; report of the Director of Planning dated August 25, 2004 recommending approval; and 2 letters providing comments on the proposed amendment, were introduced.

APPLICANT:

Ms. J. T. Solomonson, CEO, Luther Court Housing Society, 1525 Cedar Hill X Road, stated:

- Luther Court Society is a non-profit faith based Society that has been providing care and housing for seniors and persons with disabilities since 1979.
- There are 66 licensed, accredited care beds and 58 subsidized seniors apartments.

- The Society's vision is caring for seniors in the community and in meeting this need, the Society is moving towards a Campus of Care model of service delivery.
- There are several services currently offered on site including a wellness clinic, a foot care nurse, a social worker, dietician, physiotherapist, occupational therapist and palliative care.
- With the change from intermediate to complex care, residents now remain where they are and no longer have to move to extended care when they require that level of service.
- The missing link in their Campus of Care model of service delivery is access to physicians and other health care professionals in a timely and comprehensive fashion; a primary health centre would provide this missing piece.
- The primary health centre would be resourced with physicians, nurse practitioners, nurses, dieticians, foot care specialists and possibly physiotherapists, occupational therapists, massage therapists, social workers and counsellors working together as a team.
- Given the proximity to UVic, the centre may also become a clinical teaching unit or practicum site.
- The centre will encourage a preventative approach to the maintenance and improvement of health care and social conditions through education; it will also identify needs and support community involvement in areas that affect the quality of life in the community.
- Dr. Swan and his colleagues were approached by the Society to work on this innovative concept because two of the physicians from the practice have been medical coordinators for Luther Court for the past 21 years and have been proven to be outstanding in their role.
- The physicians are progressive in their approach and thinking and are willing to work with the Society and other health care professionals to provide services with an interdisciplinary team.
- The Luther Court postal area and the adjacent postal area have 80% of the patient load the doctors already see in their current practice at the corner of Shelbourne Street and Cedar Hill X Road.
- The intent is to have one full time doctor and 4 part time doctors.
- In terms of traffic, she understands that this is a concern as Cedar Hill X Road is used as a connector for commuters, however, of the 134 residents in Luther Court who potentially could have vehicles only four do.
- The people who come to the adult day program come via handi-dart and most of the elderly in the surrounding area use public transportation.
- She would be supportive of any traffic calming measures to help alleviate traffic congestion.
- They have 3 parking lots with a total of 89 parking spaces and seldom are they all used; Cedar Hill Court, which is their lifelease project, is one block away and has 45 parking spaces with only 5 – 7 used at any one time.
- The projected additional cars on the property with the introduction of the primary health centre if all patients drove to the centre would be 6 – 10 cars from 9am to 12 pm and 1 pm to 5 pm, Monday through Friday.
- They have erected a sign to ensure that the community is aware of the proposed amendment.
- They partnered with the Horticulture Centre of the Pacific to develop gardens in the back area of the property and have implemented a staff wellness program.

- An amendment to the Land Use Contract will allow the Society to create a very cost effective, innovative program focused on wellness to meet the needs of their own clients as well as the needs of the community.
- Their plans have not changed since they last met with the Quadra Cedar Hill Community Association.

Dr. A. Swan, one of the five physicians from the proposed clinic, stated:

- Three of the doctors are planning to take on new patients to ensure that their population of patients will be centered in the building more than it already is.
- They will be available to respond to existing non-patient residents in an emergency situation if their physician were not able to come.
- There will be a treatment facility available to suture lacerations so that residents do not have to go by ambulance to the hospital.

In response to questions from Council, Ms. J. Solomonson stated:

- The kind of traffic load that could result with the primary health care operating at its maximum is about six to ten vehicles; these vehicles could be accommodated within the three available parking lots.
- Parking spaces could be designated in the front of the building for the primary health care centre and the staff who typically park in the front of the building could be re-educated to park elsewhere.

PUBLIC INPUT:

Ms. Mui-Hiang Ang, 1515 Louise Place, stated:

- She questioned whether the doctors will accept young families or is it just seniors.
- She is concerned that in introducing more people into the building there will be more germs entering a facility where seniors are susceptible and physically frail.
- The third phase of the Twilight Homes development on Cedar Hill X Road will include seniors housing and she is concerned that this proposal will set a precedent for them to open their own medical clinic.
- She is concerned about the safety of the school children in the area with the increase in traffic.
- She is not opposed to the clinic if it caters to the needs of the seniors in the surrounding area.

Mr. H. McLachner, 3851 Shebourne Street, spoke in opposition and stated:

- He does not believe that the doctors will take on new patients.
- If the patients come in on handi-dart and taxi cabs it will result in twice as much traffic.
- He does not see any benefit for the residents of Luther Court or the immediate community.

Mr. D. Ellis, 1556 Elm Street, spoke in opposition and stated:

- Introducing a medical clinic in Luther Court will exacerbate an already existing traffic problem; the fourteen additional townhouses recently approved for this area will also add to this traffic situation.
- He does not object to a medical clinic that is restricted to the residents of Luther Court but not a busy doctor's clinic with patients coming and going.
- Introducing a doctor's clinic in Luther Court is like a regular doctor's clinic operating at this location with associated traffic concerns.

Ms. V. Sanders, 3326 Richmond Road, President of the Quadra Cedar Hill Community Association, spoke in opposition and stated:

- The proposal is commendable and a primary health care centre would be advantageous to the community.
- The Association has been disappointed with the lack of public input with this application; the last community meeting was in November 2003 and there has not been any further sharing of plans.
- She is unsure of the benefit to the existing residents of Luther Court and if they can not provide care to the residents then what assistance will there be.
- She understands that the benefit to the doctors is to relocate as their lease is up and the rent is high and the Society will benefit from the rent.
- If this became a learning centre or teaching centre for UVic students then this will introduce new traffic into the area.
- The applicant agreed to a right in and right out only; she questioned whether will be applied.

Mr. L. McKenzie, 1527 Prairie Street, Pastor of Luther Court Church, spoke in support and stated:

- The concerns regarding traffic congestion in the area are valid and should be addressed.
- In terms of Luther Court, he has not seen a parking problem during the week and does not believe the traffic generated in the area is a result of traffic coming in and out of Luther Court.
- The residents of Luther Court already have a connection with some of the doctors that will operate at the clinic.
- As the residents of Luther Court age, it will become more and more difficult for them to leave the building to seek medical care.

Mr. L. Davis, 3855 Cedar Hill Road, spoke in opposition and stated:

- In 1998, a request was made to rezone 1530 Church Street to allow an office within the apartment building and this was rejected; there should be some consistency with this application as well.

Mr. J. Frisk, 1574 Craigiewood Court, member of the Church of the Cross, spoke in support and stated:

- The traffic on Cedar Hill and Cedar Hill X Roads is tremendous but he is not convinced that this proposed medical clinic will have a huge impact on the traffic situation.
- If parking spaces in front of the building were designated for the medical clinic and staff redirected to park elsewhere; there will be ample parking for this new use.
- This proposal will be in the best interest of the community as residents will have easier access to medical care.

Ms. K. Johnson, 4222 Lynnfield Crescent, Director of Pastoral Care, Luther Court, spoke in support and stated:

- In terms of Luther Court and Ophir Place, most of the residents of these two facilities already see the physicians at their current practice at the corner of Shelbourne Street and Cedar Hill X Road.
- The doctors that will be moving from this practice to Luther Court have been very open in taking on seniors as clients.

- For the mobile seniors in this area, the hill on Cedar Hill X Road is very steep; if the doctors move to Luther Court they will only have half the hill to contend with.
- The primary health care centre is using a holistic approach which is different than a medical clinic; there will be a complexity of care offered that will enhance quality of life.

APPLICANT'S RESPONSE:

Ms. J. Solomonson, stated:

- The primary health care centre will accept members of the community as patients including young families.
- The primary health care centre is within a closed area of the building so cross contamination to the living areas would not occur.
- There is an additional access into the building from Cedar Hill Road as well as Cedar Hill X Road.
- She believes it would be advisable to have a right in and right out from Cedar Hill X Road to alleviate traffic congestion.

Moved by Councillor Pickup and Seconded by Councillor Derman: "That the application to amend the Land Use Contract to allow a 334m² accessory medical clinic within the existing building be approved."

Councillor Pickup stated:

- This is an innovative proposal that will be an asset to the community; providing access to a variety of para-professionals will only enhance the facility and meet the needs of the residents of Luther Court.
- This is a not-for-profit society so it does not operate the same as a privately operated clinic.
- Traffic congestion in the area is a concern however she believes adequate parking is being made available on-site.
- She is pleased that VIHA will monitor the operation of the centre.

Councillor Derman stated:

- This is an innovation in primary health care and a valuable one.
- He is pleased that the centre will provide a holistic approach to care.
- The renovation will not reduce the amenities to the residents.
- The advantage of having treatment on site is that it will reduce traffic from the facility.
- Traffic in the area is a concern and perhaps a right-in/right-out from Cedar Hill X Road will help alleviate the situation.

Councillor Wergeland stated:

- He is in support of a Health Care centre at this location.

Councillor Cubberley stated:

- The medical clinic use should be restricted to the first floor of the building.
- He is in support of the project and the associated network of professionals as opposed to just doctors.
- In the future, there should also be better communication with the residents within the area affected by the proposed land use contract amendment.

- Traffic will have to be addressed so that the site operates well; the traffic that will be generated as a result of this medical clinic is traffic that is in the area already.

Moved by Councillor Pickup and Seconded by Councillor Derman: "That the motion be amended to restrict the medical clinic to the first floor."

CARRIED

The MAIN MOTION was then Put and Carried.

Mayor Leonard requested that staff provide a report on requiring signage for Land Use Contract amendments similar to rezoning applications.

No. 377
Bylaw No. 8604
Cedar Hill X Rd

"LUTHER COURT SOCIETY LAND USE CONTRACT BYLAW, 1977, AMENDMENT BYLAW, 2004, NO. 8604"
Second and Third Readings.

Moved by Councillor Pickup and Seconded by Councillor Derman: "That Bylaw No. 8604 be read a second time."

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Derman: "That Bylaw No. 8604 be amended to restrict the medical office to the first floor of the building."

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Derman: "That Bylaw No. 8604 be now passed."

CARRIED

Adjournment

On a motion from Councillor Derman the meeting adjourned at 10:12 p.m.

.....
MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK