

SPECIAL COUNCIL MEETING  
FOR THE PURPOSES OF A **PUBLIC HEARING**  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**TUESDAY, SEPTEMBER 28, 2004 AT 7:30 P.M.**

Present: **Chair:** Acting Mayor Ngai  
**Council:** Councillors Brownoff, Cubberley, Derman, Pickup and Wergeland.  
**Staff:** Neil Findlow, Senior Planner; Dana Cusin, Zoning Planner; Dwayne Halldorson, Development Manager and MaryAnn Greco, Senior Committee Clerk.

No. 363  
Bylaw No. 8600  
Elk Lake Drive

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8600"

**PROPOSED 57 UNIT RESIDENTIAL DEVELOPMENT ON ELK LAKE DRIVE/ROYAL OAK DRIVE**

To rezone Lot 2, Section 9, Lake District, Plan VIP69707 (**4570 ELK LAKE DRIVE/ROYAL OAK DRIVE**) from zone A-1 (rural ) to zones RS-2 (single family dwelling), RT-4 (attached housing) and RA-3 (apartment) for a 57 unit residential development consisting of 10 single family dwellings, 26 townhouse units and a 21 unit apartment building. **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.

The Notice of Public Hearing; report of the Director of Planning dated August 13, 2004 recommending rezoning and development permit approval; Advisory Design Panel reports dated February 23 and March 24, 2004 recommending design approval; and 2 letters in support; were introduced.

**APPLICANT:**

Mr. M. Geric, Mike Geric Construction, stated:

- The proposal adheres to the relevant policies in the Royal Oak Local Area Plan.
- Council, the Planning Department and the Royal Oak Community Association have all participated in the design of the project.
- The project increases the viability of businesses and services that already exist in the area and is a catalyst for the new transit exchange on Royal Oak Drive.
- The CRD's Regional Growth Strategy identifies this area as a major centre and within walking distance to many amenities.
- The landscape design plans will provide a seamless transition from this development to the transit exchange.
- In terms of the consultation process, there have been over 50 meetings with the Royal Oak Community Association, and 7 meetings and/or presentations to their executive and members, and two well attended open houses.
- The building coverage is only 25% of the site; given the reduced site coverage the proposal is able to provide 82,000 square feet of greenspace.
- A total of 97 parking spaces have been provided that are either underground or in garages; there are another 58 spaces in the double car garages and town houses and 23 visitor parking spaces.
- In terms of the single family dwelling lots, he will be requesting a development variance permit to allow setbacks and site coverage similar to the RS-CH2 zone.

- The variances will enhance the attractiveness of the homes and provide a 25 foot rear setback for the residential lots in order to provide greater privacy for the adjacent townhouse development on Pipeline Road.
- A performance bond will be provided with respect to work that will be undertaken along Elk Lake Drive and Royal Oak Drive.
- A legal right-of-way will be granted to Saanich for public access through the site however they will prefer a straight line connection through the property rather than over all the strata paths and roads.
- He is prepared to purchase a one month bus pass for all future strata owners to encourage the use of transit.

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

- In terms of the residential lots, it is more marketable to build a one or one and half storey home than two storeys.
- Signage will be erected to indicate which paths and roads are private or public
- The second storey component for the houses on the residential lots can be hidden in the roof element or in the middle of the home so that there is not an appearance of a two storey façade at the rear facing the townhouse development.
- He will design a bus shelter that will compliment the design features of the development and pay for those costs.
- He will discuss transit pass options with BC Transit

#### **PUBLIC INPUT:**

Ms. S. Post, 4521 Elk Lake Drive, spoke in support and stated:

- BC Transit should be encouraged to complete the transit exchange as soon as possible.

Mr. S. Lucato, 4545 Elk Lake Drive, spoke in support and stated:

- He hopes that the sidewalk on the east side of Elk Lake Drive is completed in tandem with the road improvements for this development.

Ms. M. Barber, 4537 Elk Lake Drive, spoke in support and stated:

- She hopes that the sidewalk on the east side of Elk Lake Drive will be completed at the same time as the road improvements for this development.
- She is pleased that the new residents will be encouraged to use BC Transit and with the architectural design of the proposal.

Ms. I. Block, President of the Strawberry Vale Residents Association, stated:

- She is concerned that Wilkinson Road will have to cope with the additional traffic generated from this development - it is already over burdened.
- Consideration should be given to where traffic ends up and how it will be managed.

Ms. E. Turnball, 785 Viaduct Avenue East, President of the Royal Oak Community Association, stated:

- The additional sidewalk improvements suggested by the Engineering Department for the east side of Elk Lake Drive should be done at the same time the development proceeds.

- The Association is in agreement with a variance similar to the requirements permitted in the RS-2CH zone particularly the 25 foot rear setbacks for the residential lots; the increased rear setback will be complimentary to the townhouses and not impede their viewscapes.
- The Association and the applicant have had numerous meetings and worked very hard on this proposal.
- She hopes the bus shelters will be designed to compliment the development.
- A left turn bay should be introduced into this development from Elk Lake Drive.

**APPLICANT'S RESPONSE:**

Nil.

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

- In terms of the sidewalk on the east side of Elk Lake Drive, it will be done as part of the streetscape concept for this area which has been started but has not gone through a full public review.
- The sidewalk width will be 2 metres versus 1.5 metres in order to accommodate wheelchair users.

**Moved by Councillor Derman and Seconded by Councillor Wergeland: "That the application to rezone to RS-2, RT-4 and RA-3 be approved."**

Councillor Derman stated:

- He is pleased with all the work that has gone into this development by the Royal Oak Community Association, applicant and staff; this will be the inertia needed to make major changes for this section of Royal Oak Drive.
- The image of Royal Oak Drive needs to be softened so that it is made more pedestrian friendly; it needs to feel as if it is a residential street and not a major road.

Councillor Cubberley stated:

- The streetscape concept needs to include the improvements to be made at the corner of West Saanich Road and Wilkinson Road so that the design template devised for Wilkinson Road can be implemented in tandem with the improvements for Royal Oak Drive.
- The streetscape concept also needs to include the traffic island on the east end of Royal Oak Drive; currently there is no recognition of pedestrian movement as there is no crosswalk, curb cut or sidewalk through the island.
- This streetscape concept is a huge opportunity to redefine this area.

Councillor Brownoff stated:

- The applicant should consider a transit package similar to the one offered for the recently approved residential/commercial development on Short Street.
- She is pleased that the applicant has been sensitive to the townhouse development on Pipeline Road in terms of the setbacks for the residential lots. This proposal will be a benefit to the area and the community.
- The streetscape concept plan for Wilkinson Road should commence as soon as possible to address future increase in traffic.
- The sidewalk needs to continue further down Wilkinson Road for safety reasons.

Councillor Wergeland stated:

- He appreciates the time spent on this proposal; it will be a benefit to the community.
- The impact of increased traffic on Wilkinson Road needs to be addressed in terms of how it can be improved for all modes of transportation.

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

- He is not aware of a resolution for a left turn bay and will look into this item.
- Construction on the intersection of West Saanich Road and Royal Oak Avenue will be delayed for a Spring start due to construction reasons; construction will be from the intersection of West Saanich Road and Royal Oak, and Royal Oak Drive to Pipeline Road.
- The development of the concept plan will occur over the winter; he is not sure whether the concept plan will be developed to the stage where funding can be provided for improvements to begin for next year.

Councillor Pickup stated:

- The traffic volumes going into the Wilkinson Road corridor needs to be addressed.
- This is an exciting development for this area.

**The Motion was then Put and CARRIED**

No. 364  
Bylaw No. 8600  
Elk Lake Drive

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8600"  
Second and Third Readings.

**Moved by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8600 be read a second time."**

**CARRIED**

**Moved by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8600 be now passed."**

**CARRIED**

**Moved by Councillor Pickup and Seconded by Councillor Derman: "That it be recommended that Council approve and issue Development Permit No. DPR2003-00032 on Lot 2, Section 9, Lake District, Plan VIP69707 (4570 Elk Lake Drive)."**

**CARRIED**

No. 365  
Bylaw No. 8601  
PLD60/  
Wilkinson Road

"OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2004 NO. 8601"

**PROPOSED SAANICH GENERAL PLAN AMENDMENT TO REVISE THE URBAN CONTAINMENT BOUNDARY AND SEWER ENTERPRISE BOUNDARY POLICIES**

The intent of this proposed bylaw is to amend the existing Urban Containment Boundary (UCB) and Sewer Enterprise Boundary (SEB) policies in the Saanich General Plan as follows:

- a) to update policies 3.5 and 3.6 to delete references to the year 2001;

- b) to amend policy 11.4 to consider extending the Sewer Enterprise Boundary within the Urban Containment Boundary based on health concerns, land use policies, and cost effectiveness and when applicable, the extension be considered in conjunction with a specific rezoning and/or subdivision application.
- c) to amend policy 11.5 to consider extending the Sewer Enterprise Boundary outside the Urban Containment Boundary only as a means to resolve a current health problem if no reasonable alternative is feasible; and,
- d) to add policy 11.6 to consider extending the Sewer Enterprise Boundary outside the Urban Containment Boundary to include a property provided with a sewer connection by municipal crews prior to December 31, 2003 in response to an emergency.

The Notice of Public Hearing; report of the Director of Planning dated August 5, 2004 recommending the Saanich General Plan be amended as outlined and the Municipal Clerk be requested to amend Administrative Policy 2/SEW-URB to reflect the procedural changes for processing applications as outlined; and 1 letter in support were introduced.

**APPLICANT:**

The Corporation of the District of Saanich.

In response to questions from Council, the Senior Planner stated:

- In order to provide flexibility, past Councils have not defined “major” or “minor” change.
- The local area plans speak to what is a minor change in that it refers to amendments to include land that can be serviced by gravity to the existing sanitary sewer without replacing or deepening existing sewers.
- In terms of Policy 11.4, cost effectiveness could be interpreted in terms of the applicant or the Municipality however, the original intent of this policy was to deal with the issue of long sewer extensions where a property would be within the UCB but remote from the SEB.
- For example a number of properties along the Cordova Bay Ridge could not be serviced cost effectively until the services were extended through the Sayward Pitt development.

Councillor Cubberley stated:

- He is concerned about any ambiguity; Policy 11.4 needs to be clear in that it is cost effectiveness for the municipality as it will always be cost effective from the point of view of an individual homeowner to access a public sewer.

Councillor Derman stated:

- Whether property should be serviced should not be determined on the ability of it being serviced by gravity.
- In terms of Policy 3.6, any resolution providing for a major expansion to the UCB should be done through a plebiscite or referendum and not an Alternative Approval Process.

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**PUBLIC INPUT:**

Ms. E. Turnball, 785 Viaduct Avenue East, President of the Royal Oak Community Association, stated:

- The Associations which are affected by changes to the Urban Containment and Sewer Enterprise Boundaries should form a Committee to discuss issues such as issues as how major and minor expansion should be defined.
- Cost effectiveness needs to be clarified as it is unfair to permit some properties to connect to sewers when the owners have not maintained their septic tanks.
- She agrees that properties should be connected for health reasons but perhaps there should be proof of maintenance of these septic fields.

Ms. I. Block, President of the Strawberry Vale Community Association stated:

- Policy 3.5 should be amended to not consider any changes to the Urban Containment Boundary.
- She agrees that Policy 3.6 should be amended to indicate that no changes would occur to the UCB without first obtaining the assent of the electors by a referendum.
- In terms of Policy 11.4, cost effectiveness should be in regard to the Municipality of Saanich.

Mr. K. Whitcroft, Secretary of the Royal Oak Community Association, stated:

- A workshop with the affected community associations is a good idea.

Mr. R. Stonebanks, President of the Cordova Bay Community Association, stated:

- The Association would agree with the statement in terms of cost effectiveness as it relates to Saanich and not an individual as it will always be cost effective for the individual to connect.
- If cost effectiveness is based on whether someone can afford it, it will become a means test into someone's finances which is appalling; the flip side is if one person is permitted to connect, then it will have to be granted to all.

Mr. R. Fatcher, 4611 Blenkinsop Road, stated:

- He pumps and maintains his septic field regularly.

A resident of Saanich, stated:

- In terms of cost effectiveness, she believes it needs to be beneficial to everybody.
- People who have septic tanks have paid for the sewerage system which goes past their homes indirectly like everyone else.
- It would be cost effective for people with septic tanks to connect to sewers as they will be paying for the connection fee and not the taxpayer.
- It is not cost effective to spend millions of dollars for a sewage system for the public and then not allow its full use; more people should be permitted to connect to make it more cost effective.

Mr. H. Charania, 757 Genevieve Road, President of the North Quadra Residents Association, stated:

- In terms of Policy 3.6, if Council is serious about its commitment to maintaining the UCB then it should be through an electoral assent and not a passive process.

- The Official Community Plan is not only a guiding document but a social contract between Council and its citizens; the reality is that this Council and the citizens want the UCB to be maintained.

**APPLICANT'S RESPONSE:**

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

- 1. Policy 3.5 be amended to read: Do not consider major changes to the Urban Containment Boundary except as an outcome of a comprehensive five year review of the Regional Growth Strategy;**
- 2. Policy 3.6 be amended to read: Do not adopt any bylaw or resolution providing for a major expansion to the Urban Containment Boundary without first obtaining the assent of the electors through a referendum or plebiscite;**
- 3. Policy 11.4 be amended to read: Do not consider extensions to the Sewer Enterprise Boundary within the Urban Containment Boundary based on health concerns, land use policies, and cost effectiveness to the Municipality. Where the proposed extension is considered to be a necessary component of a rezoning and/or subdivision application, it shall be reviewed at the same time as the application;**
- 4. Policy 11.5 be amended to read: Consider extending the Sewer Enterprise Boundary outside the Urban Containment Boundary only as a means to resolve a current health problem if no reasonable alternative is feasible; and,**
- 5. Policy 11.6 be added to read: Consider extending the Sewer Enterprise Boundary outside the Urban Containment Boundary to include a property provided with a sewer connection by municipal crews prior to December 31, 2003 in response to an emergency.**
- 6. The Municipal Clerk amend Administrative Policy 2/SEW-URB as necessary."**

Councillor Derman stated:

- A process for defining what is a major or minor change needs to be identified.

Councillor Wergeland stated:

- In terms of defining a major or minor change, there should be some flexibility; there has not been a major change in 20 years without it being defined.

Acting Major Ngai stated:

- The cost effectiveness to the Municipality means that the Municipality will not be incurring any cost for the property owner to connect.

**CARRIED**

No. 366  
Bylaw No. 8601  
PLD 60/  
Wilkinson Road

"OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2004 NO. 8601"  
Second, Third and Final Readings.

**Moved by Councillor Derman and Seconded by Councillor Cubberley: "That Bylaw No. 8601 be read a second time."**

**CARRIED**

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**Moved by Councillor Derman and Seconded by Councillor Cubberley: "That Bylaw No. 8601 be now passed."**

**CARRIED**

**Moved by Councillor Derman and Seconded by Councillor Cubberley: "That Bylaw No. 8601 be adopted by Council and the Seal of the Corporation be attached thereto."**

**CARRIED**

**Moved by Councillor Pickup and Seconded by Councillor Brownoff: "That staff be requested to examine the issue of defining major and minor expansion to the Urban Containment Boundary in consultation with community associations and other interested parties."**

**CARRIED**

Adjournment

On a motion from Councillor Derman the meeting adjourned at 9:00 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK