

SPECIAL COUNCIL MEETING
FOR THE PURPOSES OF A **PUBLIC HEARING**
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
TUESDAY, JULY 5, 2005 AT 7:33 P.M.

Present:

Chair: Mayor Leonard
Council: Councillors Brownoff, Gillespie, Derman, Ngai (8:40), Pickup, Wade and Wergeland
Staff: S. Hvozdzanski, Planner I; Jagtar Bains, Development Coordinator and, MaryAnn Greco, Senior Committee Clerk

No. 257
Bylaw No. 8682
Mt. Douglas X Rd

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2005, NO. 8682"

PROPOSED 3 LOT RESIDENTIAL SUBDIVISION ON MOUNT DOUGLAS CROSS ROAD

To rezone Lot 5, Section 54, Victoria District, Plan 5307 (**1504 MOUNT DOUGLAS CROSS ROAD**) from zone RS-18 (single family dwelling – minimum lot size 2ha) to zone RS-8 (single family dwelling – minimum lot size 665 m²) for a proposed 3 lot residential subdivision. **A DEVELOPMENT VARIANCE PERMIT** applicable to the above lands will also be considered to reduce the minimum combined front and rear yard setbacks for proposed Lot 1 of the subdivision from 15.0 m to 13.5 m. Council will also consider including the property within the Sewer Enterprise Boundary.

The Notice of Public Hearing; report from the Director of Planning dated May 3, 2005 recommending that the rezoning and development variance permit be approved and that the property be included in the Sewer Enterprise Boundary providing the owner agrees to bear the full cost of extending the infrastructure required to serve the proposed lots; the report from the Director of Engineering dated February 17, 2005 recommending the subject property be included within the Sewer Enterprise Boundary; a site plan and a petition submitted by the applicant indicating 27 signatures in support and 1 in opposition; a 23 signature petition in opposition submitted by area residents; and 4 letters in opposition, were introduced.

In response to a question from Council, the Planner stated:

- The properties across Mount Douglas X Road from the subject site are zoned RS-8 with lot sizes ranging from 819 m² to 897 m² and house size ranging from 290 m² (3100 square feet) and 355 m² (3800 square feet) respectfully.
- If the proposal was reduced by one lot, a variance would likely not be required.

In response to a question from Council, the Development Manager stated:

- If approved, the Subdivision Bylaw requires the applicant to provide municipal sanitary sewer system to the three lots; septic disposal fields are not permitted.
- The applicant is not required to upgrade the corner of Mt. Douglas X Road and Glendenning Road at this time; the existing bend in the road at this location acts as a built-in traffic calming measure.
- The applicant is required to dedicate some land at the corner of Mt. Douglas X Road and Glendenning Road for future road improvements.

APPLICANT:

Mr. S. Rados, 948 Boulderwood Rise, stated:

- The proposal will improve the neighbourhood and is a better use of the land.
- A variance is being requested to allow the new dwelling on proposed Lot 1 to line up with any new dwelling on 4111 Glendenning Road should the property redevelop in the future; the variance is not required to allow the property to be subdivided into three lots.
- He has addressed the issues raised at the Committee of the Whole meeting with respect to retention of trees, driveway location and building envelopes.

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

- He is not prepared to provide a restrictive covenant to protect the garry oaks on proposed Lot 1 at this time.
- He is not prepared to provide a restrictive covenant to limit the size of any dwellings at this time; he would like to be able to build a dwelling to the size that is permitted under the RS-8 zone.
- He has not considered the option of shared driveways; the Parks Department recommended the driveway locations shown on the proposed subdivision plan.
- He is willing to provide a vehicle turning area for proposed Lot 1 to avoid motorists from having to back out of their driveway.

PUBLIC INPUT:

Ms. B. Wise, 4211 Glendenning Road, spoke in opposition and stated:

- Her family purchased their property on Glendenning Road because it was a nice, large lot; it was not with any intention of subdividing in the future.
- The corner of Mt. Douglas X Road and Glendenning Road is very dangerous and pedestrian safety is a concern; if this proposal is approved, the safety issues at this corner will become worse.
- This proposal will change the character of the neighbourhood.
- She believes that this area is a little piece of paradise that should be kept the way it is.

Mrs. L. Mesner, owner of 4121 and 4131 Glendenning Road, spoke in opposition and stated:

- They have owned the property on Glendenning Road since 1972.
- She does not believe this proposal meets the intent of the policies in the Gordon Head Local Area Plan to only allow infill housing that respects the neighbourhood character, natural environment and the scale of surrounding houses.
- The residents want to preserve the natural character and low density housing in this area.
- The proposal should be reduced by one lot in order to maintain the spirit of the Gordon Head Local Area Plan for low density in this area.
- She is concerned that the character of the neighbourhood and the density of housing in this area are being threatened.

Mr. P. Mesner, owner of 4121 and 4131 Glendenning Road, spoke in opposition and stated:

- If approved, this proposal will change the fundamental character of the neighbourhood and nullify any protection their neighbourhood may have from higher density developments in the future.
- Many developers have sought their property over the years for redevelopment but they have refused.
- The residents in this area have paid high taxes to maintain their chosen lifestyles on these large lots.

Ms. M. Bennett, 4201 Glendenning Road, spoke in opposition and stated:

- She is not opposed to the subdivision of this property but believes the proposal should be reduced to a two lot residential subdivision.
- She has lived in the area for 25 years and loves the rural nature of it.
- Mt. Douglas X Road and Braefoot Road used to be quiet roads and now there are large homes on small lots.
- The goal outlined in the Gordon Head Local Area Plan to protect the neighbourhood character, preserve and protect trees, enhance greenspace and minimize traffic impacts has not been taken into consideration.
- There are many garry oaks on this site that should be retained.
- The subdivisions on the south side of Mt. Douglas X Road and Braefoot Road resulted in the removal of many garry oak trees and the remainder were blown down by high winds; she does not want the same to occur on this site.
- An open house was recently held to present a trail concept plan using Glendenning Road and Mt. Douglas X Road to connect to the Galloping Goose Trail; this proposal will bring more vehicles, pedestrian and cycling traffic into this already unsafe corner and the additional driveways will compound the situation.

Mr. E. Polinski, 4198 Glendenning Road, spoke in opposition and stated:

- He has lived on Glendenning Road for about 38 years.
- He believes that this proposal goes against the Housing Policy outlined in the Gordon Head Local Area Plan.
- This proposal should be reduced by one lot; three lots will significantly impact the character and ambiance of our neighbourhood.
- She is concerned that any future improvements to the corner of Mt. Douglas X Road and Glendenning Road will increase traffic speeds and result in the loss of some large garry oak trees within the road dedication area.

Ms. J. Rados, 948 Boulderwood Rise, owner of the subject property, spoke in support and stated:

- The petition circulated by the residents had a few signatures where no address was included; these signatures should not be counted.

Ms. C. Cosby, 4111 Glendenning Road, spoke in support and stated:

- She believes she was not approached to sign the residents' petition because she had property that could be redeveloped in the future.

- Most of the signatures in the residents' petition are from property owners on Glendenning Road whom are outside the Urban Containment Boundary and therefore can not develop their property as easily.
- The applicant has been sensitive to the community and shown a willingness to cooperate and work within the parameters of the Zoning Bylaw.

Mr. A. Hoole, 4141 Glendenning Road, spoke in opposition and stated:

- Part of the subject property has an Environmentally Significant Area within it.
- If approved, the character of this neighbourhood and Mt. Douglas Park will forever be changed.
- This proposal will result in a loss of greenspace in this neighbourhood.

Mr. D. Ferreira, 1418 McKenzie Avenue, spoke in support of the proposal.

Mr. H. Knight, 4190 Glendenning Road, spoke in opposition and stated:

- He is concerned about the impact of the increase in traffic in this already dangerous corner.
- It will be difficult for the new homeowners to exit their vehicles out of their driveways into this hazardous corner given the high traffic speeds.

Mr. M. Pendray, 2090 Bazan Bay Road, North Saanich, owner of 4111 Glendenning Road, spoke in support of the proposal.

Mr. K. Rankin, 4285 Cedar Hill Road, President of the Friends of Mt. Douglas Park Society, spoke in opposition and stated:

- This area is a popular approach to Mt. Douglas Park and this development will make access to the park more difficult.
- This proposal will result in a degradation of the environment.
- If approved, this proposal will set a precedent for the rest of area.

Mr. J. Rados, 948 Boulderwood Rise, spoke in support of the application.

Mr. I. Kalabric, 4378 Viewmont Avenue, spoke in support and stated:

- The applicant has taken the residents' concerns into consideration.
- He does not believe the concern regarding an increase in traffic is valid with just two additional lots.

Mr. T. Rados, 948 Boulderwood Rise, spoke in support.

Ms. S. Kalabric, 4378 Viewmont Avenue, spoke in support.

Ms. J. Spearing, 1545 Eric Road, spoke in opposition and stated:

- She has lived in the area for 13 year and there have been significant changes during that time, much of which has resulted in the degradation of many mature trees.
- This proposal will set a precedent for the remainder of Glendenning Road.
- The largest and healthiest garry oak trees are in the middle of proposed lot 2 and along the perimeter of the site; if the proposal was reduced to two lots it would allow for the preservation of more trees and greenspace.

Mr. K. Patterson, 4260 Blenkinsop Road, spoke in support.

Mr. and Mrs. K. Purvis, 1505 Mt. Douglas X Road, spoke in opposition and stated:

- When they were first approached by the applicant, they wanted to support the proposal but upon further examination of the proposal, they believe the trees should be supported instead.
- The largest and healthiest trees are in the centre of the site; a two lot residential subdivision would be more appropriate and protect more trees.
- Viewscapes and sound levels will be negatively affected by the removal of trees on this site.

Mr. D. Miller, 1416 Allison Road, spoke in support.

Mr. J. Bernhard, 4151 Glendenning Road, spoke in opposition and stated:

- The proposal should be reduced to a two lot residential subdivision; three lots are too crowded.
- Two driveways would be more appropriate and conducive to the traffic situation at this corner.
- There is no where to walk on either side of Mount Douglas X Road and this needs to be addressed.
- She is concerned that a new sewer system will impact the roots of the trees.
- If approved, a record/inventory of all the trees should be undertaken.

APPLICANT'S RESPONSE:

Mr. Rados stated:

- A variance is not required to allow the property to be subdivided into three lots, it is to ensure that any new dwelling constructed on 4111 Glendenning Road be lined up with the new dwelling on proposed Lot 1 should it redevelop in the future.
- Two trees will be removed on proposed Lot 1, five trees will be removed on proposed Lot 2 and three trees will be removed on proposed Lot 3.
- He has canvassed the neighbourhood and the residents who did not support the proposal did not want to sign in opposition.

In response to a question from Council, the Development Manager stated:

- Whether the proposal is for two or three lots, the Subdivision Bylaw still requires the installation of a municipal sewer system.

Moved by Councillor Pickup and Seconded by Councillor Brownoff: "That the application to rezone to RS-8 be rejected."

Councillor Pickup stated:

- The Regional Growth Strategy has a number of references to buffers to retain rural character and greenspace; this proposal does not take that into consideration and moves in the opposite direction.
- The density of this proposal is not in keeping with the principles of the Regional Growth Strategy.

- She is not pleased with the applicant's unwillingness to provide restrictive covenants.
- This proposal will set a precedent for future developments in this area.
- The applicant has not sufficiently addressed the concerns regarding driveway location and safety at the corner of Glendenning Road and Mt. Douglas X Road.
- In order to respect the whole concept of preserving rural areas and agricultural land, buffers needs to be provided; this proposal does not honour the commitment to the Urban Containment Boundary and the Regional Growth Strategy in regard to buffers.

Councillor Ngai entered the meeting at 8:40 p.m.

Councillor Gillespie stated:

- He is not received a satisfactory response from the applicant on the concerns regarding the size of the future dwellings.
- If the proposal was reduced to two lots it would retain more trees and greenspace, and reduce the amount of driveways coming into that busy corner.

Councillor Derman stated:

- He is disappointed that the applicant was not willing to provide a covenant to protect the garry oak trees on proposed Lot 1.
- He is also disappointed that no assurances were given for a covenant to limit the potential size of dwelling that could be built; a large home would change the look and feel of this neighbourhood.

Councillor Brownoff stated:

- She has concerns regarding tree retention, driveway access and the potential size of the new dwellings.
- Neighbourhood character should be taken into consideration.
- The residents appear to be supportive of a two lot residential subdivision; this will allow the dwellings to be placed more creatively.
- Council has recommended restricted house sizes in many other rezoning applications.
- She is disappointed that the applicant did not offer any covenants when the report of the Director of Planning suggests that consideration be given to covenants for controlling house siting and size.

Councillor Wade stated:

- She is concerned about the amount of trees that will be removed.
- This proposal is not creative enough and does not respect the neighbourhood or the character of the area.

Councillor Wergeland stated:

- The requested variance is a reasonable compromise.
- This proposal will not damage the community it will just change it.

- Although the Gordon Head Local Area Plan suggests that new dwellings be consistent with the neighbourhood, this needs to be looked at on a case by case basis because there are some very large homes in this area.
- It is unfortunate that the residents who signed the petition in support of the proposal did not attend the Hearing.
- He respects the feelings and views of the people who live in this area.

Mayor Leonard stated:

- He understands the rationale in the Planner's report and for that reason the application was sent to a Public Hearing.
- The Urban Containment Boundary encompasses five lots in this area that would be subject to future development applications; if approved, this application may set a precedent for RS-8 zoning for those other lots.
- Future development applications should be impressive and respect the site and character of the Glendenning Road area.
- He would not support an application for RS-8 zoning north of Mount Douglas X Road.
- He would be more supportive of an application for RS-10 or RS-12 zoning however, he would need some comfort from the applicant that they would cooperate with the Approving Officer's recommendations for covenants and other development issues.

The Motion was then Put and CARRIED

No. 258
Bylaw No. 8682
Mt. Douglas X Rd

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8682"
Resident of First Reading.

Moved by Councillor Brownoff and Seconded by Councillor Pickup: "That Bylaw No. 8682 be rescinded."

CARRIED

Adjournment

On a motion from Councillor Brownoff the meeting adjourned at 8:54 p.m.

The Meeting reconvened at 9:35.

RECOMEMDATIONS

From the Special Committee of the Whole meeting held July 5, 2005.

No. 259
Sayward Hill Tce

744 SAYWARD HILL TERRACE – DEVELOPMENT PERMIT – DEHOOG & KIERUFF ARCHITECTS

Reports of the Director of Planning dated June 20, 2005 recommending Development Permit No. DPR2005-00009 be approved; and the Advisory Design Panel dated May 10 and June 1, 2005 recommending approval of the design.

Moved by Councillor Brownoff and Seconded by Councillor Derman: "That Council approve and issue Development Permit No. DPR2005-0009 on Lot 2, Section 42, Lake District, Plan VIP77795 (744 Sayward Hill Terrace).

CARRIED

Adjournment On a motion from Councillor Gillespie the meeting adjourned at 9:36

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK