

SPECIAL COUNCIL MEETING
FOR THE PURPOSES OF A **PUBLIC HEARING**
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
TUESDAY, OCTOBER 4, 2005 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
Council: Councillors Derman, Gillespie, Ngai, Pickup and Wergeland
Staff: Chris Nation, Municipal Solicitor; Neil Findlow, Senior Planner; Von Bishop, Manager of Development and Municipal Facilities; and MaryAnn Greco, Senior Committee Clerk.

No. 365
Bylaw No. 8710
Short Street

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2005, NO. 8710”

PROPOSED EXPANSION OF THE EXISTING LA-Z-BOY FURNITURE STORE ON SHORT STREET

To rezone Lot 1, Section 7, Victoria District, Plan 45105 (**3481 SHORT STREET**) from zone C-4 (office and apartment) to zone C-2 (general commercial) in order to expand the existing La-z-boy furniture store. **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 Services dated August 29, 2005 recommending rezoning and development permit approval; and report of the Advisory Design Panel dated May 19, 2005 recommending design approval were introduced.

APPLICANT:

Mr. E. Barker, Eric Barker Architects, stated:

- There have been no revisions made to the project since the Committee of the Whole meeting.
- He will ensure that storm water will be treated on site.

PUBLIC INPUT:

Nil.

APPLICANT’S RESPONSE:

Nil.

MOTION: **Moved by Councillor Pickup and Seconded by Councillor Gillespie: “That the application to rezone to C-2 be approved.”**

Councillor Pickup stated:

- She appreciates the public consultation process undertaken by the applicant.
- She believes the applicant will handle storm water on site in an environmental sensitive way.

Councillor Derman stated:

- He appreciates the applicant’s commitment to treat storm water on site.

The Motion was then Put and CARRIED

No. 366
 Bylaw No. 8710
Short Street

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2005, NO. 8710”
 Second and Third Readings.

Moved by Councillor Pickup and Seconded by Councillor Gillespie: “That Bylaw No. 8710 be read a second time.”

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Gillespie: “That Bylaw No. 8710 be now passed.”

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Gillespie: “That it be recommended that Council approve and issue Development Permit No. DPR2005- 00010 on Lot 1, Section 7, Victoria District, Plan 45105 (3481 Short Street).

CARRIED

No. 367
 Bylaw No. 8711
Interurban Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2005, NO. 8711”

PROPOSED PACIFIC SPORT INSTITUTE AT CAMOSUN COLLEGE ON INTERURBAN ROAD

To rezone Lot A, Sections 1 and 20, Lake District, Plan VIP69114 (**4371 INTERURBAN ROAD**) from zone A-1 (rural) to zone P-1 (assembly) for a proposed sport performance facility (Pacific Sport Institute) at Camosun College. As part of the development proposal Council will also consider excluding a portion of the site from the Agricultural Land Reserve. A restrictive covenant will also be considered to ensure the portions of the site identified as Natural State Covenant Areas 1 and 2 are protected and to prohibit issuance of a building permit pending an addendum to the Glendale Lands Memorandum of Understanding and/or appropriate covenants/easements/rights-of-way agreements on a number of outstanding issues related to the detailed plans for the facility.

The Notice of Public Hearing; report of the Director of Planning Services dated August 5, 2005 recommending that the Agricultural Land Reserve Exclusion Application be forwarded to the Agricultural Land Commission with a recommendation for approval, the rezoning be approved, a covenant be registered prior to final reading for proposed Natural State Covenant Areas 1 and 2, a covenant be registered prior to final reading prohibiting issuance of a building permit on the proposed Pacific Sport Institute site pending the development of an addendum to the Glendale Lands Memorandum of Understanding and/or appropriate covenants/easements/rights-of-way agreements on a number of outstanding issues related to the detailed plans for the facility and final reading be withheld pending a decision by the Agricultural Land Commission on the exclusion application; report from the Director of Engineering dated September 6, 2005 providing an update on future upgrades to the intersection of Wilkinson Road and Interurban Road; a supplementary report from the Director of Planning dated October 3, 2005 regarding the land use designation in the Rural Saanich Local Area Plan; 1 letter from the applicant; 4 letters in opposition; and 1 letter in support, were introduced.

APPLICANT:

Mr. G. Symmons, City Spaces Consulting, stated:

- They have hired consultants to prepare reports on issues such as a preliminary environment assessment, traffic impacts, trees and soils and site servicing.
- Currently, Camosun College has no gym, no purpose built sport facilities and no outdoor playing fields despite its size; Pacific Sport Institute is looking for a facility for sport medicine and science with adequate training facilities for coaches and athletes.
- The project includes 2.5 gyms, a sport medicine and science centre, fitness and wellness facilities, a multi-purpose centre, a lit all weather field, a centre for sport innovation, technology and research and a location for Pacific Sport Victoria operations.
- To address the lack of parking for Layritz Park they are proposing to build trails to make the parking on the Interurban Campus available for users; this intention will be included in an addendum to the Memorandum of Understanding.
- The facility will be a 'green' building with an emphasis on health and wellness in the design and the aim is to achieve LEED Gold certification.
- The preliminary environmental study indicated that there are no non-rare and endangered plant or wildlife species in the area that will be impacted by the proposed facility.
- A raptor study was conducted which indicated that there is no active raptor or breeding birds nests within the area proposed for construction.
- Approximately 125 trees will be removed: 30% of those trees are in poor health, 37% are in fair condition and 33% are good; 250 new replacement trees will be planted.
- Approximately 4 hectares of the site (36%) is within the Agricultural Land Reserve; the soil study has determined that only .8 ha would be suitable for soil bound agriculture and the remainder is unsuitable for agricultural use.
- Under the current A-1 zone, the trees are not protected and could all be cut down for agriculture purposes; the covenants proposed will protect 43% of the trees on the site.
- A Traffic Demand Management study will be undertaken to address on site parking.
- In terms of the traffic impact on the intersection of Wilkinson and Interurban Roads, there will be a 6% increase during the peak am period and an 8% increase during the peak pm period.
- As part of this project, they will provide \$206,000 towards off-site road improvements including upgrades to the intersection of Wilkinson and Interurban Roads.
- Trail linkages will also be introduced to encourage access to this site by means other than by car.
- When the detailed design of the facility has commenced an advisory committee will be struck to provide input and feedback.

- An addendum to the Memorandum of Understanding will address covenants, trails and linkages, parking lot usage for Layritz Park users, traffic demand management, public access to the site, playing field usage and illumination, environmental measures such as tree planting and perhaps a buffer along North Avenue.
- The proposed Pacific Sport Institute facility will be a national centre and a major asset for Saanich and the region.
- This is a unique concept will target sport performance as well as sport integration into the community to in encourage health and wellness.

In response to a question from Council, Mr. Symmons stated:

- He has no objections to ensuring preservation of a 12 metre wide strip between the Natural State Covenants Areas 1 and 2; it will provide a buffer to the existing residents should redevelopment take place in the future and a wildlife corridor.
- The replacement trees will be in sympathy with the Garry oaks and firs.

Ms. L. Ashton, Camosun College, stated:

- This is an initiative that will be a benefit to the community for years to come.
- The proposed facility will educate people of all ages about the benefit of healthy lifestyles and making the right choices.
- The community will benefit from an estimated \$23M/year of economic activity in addition to the \$170M being generated by Camosun College on an annual basis.
- The funding for this project is coming from the province, federal government, corporate and philanthropic sources; the municipality has not been asked for any financial contribution although it is one of the main benefactors.
- Saanich residents will be the beneficiaries of the college's community programming and will have access to a world class facility, new sport related post secondary educational programming, sport science and sport medicine services second to none.

Mr. D. Goodburn, Assistant Coach, Camosun College Men's Chargers Volley Ball Team, stated:

- For over a decade they have not had a home gymnasium to use.
- This proposed facility will open up countless opportunities for athletes, coaches, students and staff.
- They will also be able to run community activities such as sport camps for kids.

Mr. R. Skillings, Pacific Sport Victoria, stated:

- Many athletes are role-models and are involved in community projects such as Raise-A-Reader, Habitat for Humanity, Times Colonist 10K and Power of Athletes; Pacific Sport Victoria wants to do more but can not without this proposed facility.
- Camosun College has hired an internationally recognized expert in physical activity, health and wellness and he will be establishing programs for youth, adults and seniors to ensure that the community will benefit from this facility in a way that no other in Canada will.

- This will be a world calliper institute in Saanich of which an estimated \$36M is coming into the community and not from Saanich taxpayers.

Mr. Ian Bramble, Executive Director of BC Athlete Voice, stated:

- This facility will provide exposure and opportunities to the student athletes and allow high performance athletes to provide insights into the requirements of physical activity involved.
- The trails proposed will become a training opportunity for the athletes.

PUBLIC INPUT:

Ms. K. Whitworth, President of the Royal Oak Community Association, 4580 Viewmont Avenue, spoke in opposition and stated:

- She would like clarification on whether Camosun College or Pacific Sport will be running this facility.
- She questions the rationale for considering the rezoning and the exclusion from the ALR as a package; they should be considered as separate items.
- If all of the 4 ha site is rezoned to P-1, then it will not be too difficult to rezone it again for something else.
- The Rural Saanich Local Area Plan does not support rezoning applications for institutional uses in the Agricultural Land Reserve.
- This Public Hearing should be adjourned until the draft March 2005 Rural Saanich Local Area Plan is adopted.
- The traffic congestion in this area is a problem; future development of student housing will only exacerbate the situation.
- She questioned how the lit field will impact the neighbours or the Dominion Astrophysical Observatory; how many hours will the fields be open for and how many days of the week?
- This proposal should be rejected until the 11 outstanding issues outlined in the Planner's report have been addressed.
- The information provided regarding the options available to staff and students to get to and from the college is good however clarification is needed on the parking variances.

Ms. A. Barnes, 1214 Glyn Road, spoke in opposition and stated:

- She is not opposed to the proposal for a Pacific Sport Institute but it should be postponed until details of the project are addressed.
- She would like clarification on a number of issues including:
 - Whether there will be a guarantee that 50% of the students will be from Vancouver Island?
 - The extent of the expansion of the rowing facility at Elk Lake and whether Pacific Sport will have exclusive use;
 - What additional use of Saanich Commonwealth Place will take place;
 - Whether there will be trail upgrades because of increased use by students;
 - Whether a stadium will be constructed in the future;
 - The adequacy of the existing on site storm water system; and
 - The number of trees to be removed.

- The addendum to the Memorandum of Understanding should incorporate community use for the facilities at Elk Lake, Layritz Park, Saanich Commonwealth Place and Saanich trails.
- She hopes that local residents will still be permitted to use the trails.
- Traffic congestion at the intersection of Wilkinson and Interurban Roads needs to be addressed with participation from the public.

Ms. E. Turnbull, Vice President, Royal Oak Community Association, 785 Viaduct Avenue East, spoke in opposition and stated:

- In the letter from Ms. S. Berch, Professional Agrologist, dated May 4, 2005, she states that half the parcel is not needed for development and should not be removed from the Agricultural Land Reserve.
- As a world class facility, additional housing will be needed.
- Because the proposed all weather field will be lit, there should be assurances that adjacent neighbours will not be impacted.
- She would like clarification on:
 - The reduction in community use of Layritz Park and Saanich Commonwealth Place due to special events
 - The number of people anticipated to use this facility on a daily basis;
 - Whether the traffic study considered the impact of administrative staff as well as athletes:
 - What road improvements will be provided;
 - When the advisory committee will be struck to review proposed development plans
- The gate between the Victoria Tech Park and Camosun College should be reinstated to minimize the impact on residents on Markham and West Saanich Roads.
- If sufficient parking is not provided there will be spill over parking onto residential roads.
- Future development of student housing will further impact traffic; a Traffic Demand Management study should have been available for public review.
- Given that bus subsidies for students are paid from parking revenues, she hopes that the free parking offered to the community will not be jeopardized in the future.
- She believes that the size of the proposed Pacific Sport Institute facility exceeds the allowable gross floor area outlined in the existing covenant.
- The rezoning and Agricultural Land Reserve applications should not be considered as a package.
- She believes that the base data used for sewage flows is outdated and that upgrades will be needed once updated data is provided.
- There are too many outstanding issues for the Association to support this proposed rezoning.

Mr. M. Meagher, 666 Jones Terrace, member of the Garry Oak Meadow Preservation Society, spoke in opposition and stated:

- He questioned the rationale for siting the building where Garry oaks will have to be removed when there appears to be other options.

- Although replacement trees will be placed, the trees to be cut will be replaced with trees that cannot be cut for generations.
- Saanich is a leader in regard to environmental planning and Garry oak restoration; while sensitive eco-systems on this site will be protected, consideration also needs to be given to species at risk on the rest of the land.
- These species can exist outside of the sensitive eco-system and their detection can only be determined by the time of year the survey is done.
- A bird impact survey should be undertaken because the lights from the sports fields will disrupt their mating.
- He questioned the criteria used for determining that only 37 trees should be retained; regardless if trees are dead or dying, they are still alive as far as the birds are concerned and still serve a purpose to them.
- In terms of tree replanting, the trees should come from local seedlings.

Mr. H. Gibbard, 1439 Wende, Road, spoke in opposition and stated:

- He is concerned with removing land from the Agricultural Land Reserve when there is a shortage of available agricultural land.
- In terms of the Natural State Covenant Areas, perhaps a co-covenantor from one of the Land Conservancies could be included to give more strength to the covenant.

Mr. R. Stonebanks, President of the Cordova Bay Association, 5050 Lochside Drive, stated:

- He does not oppose the Pacific Sport Institute facility but is in favour of an adjournment so that additional information can be provided for the public to review.

Mr. M. Drescher, 1285 Layritz Place, stated:

- He is not against the proposal but has concerns regarding the impact to the residents surrounding Layritz Park.
- Currently, many students from Camosun College use Layritz Park to park and walk to the campus; with the expansion of Layritz Park and the proposed Pacific Sport Institute, he is not sure whether parking at Camosun College will still be made available for Layritz Park users for free.
- He questioned whether the Ministry of Forests lands are subject to a future expansion by Pacific Sport Victoria or other type of redevelopment.
- He questioned what the building sight lines will be for the adjacent neighbours, what the lighting parameters will be and whether they will be special events that they will hear on weekends or late into the night.
- He does not want this initiative rejected but would like some answers.

Mr. G. Howard, 1289 Glyn Road, stated:

- He is in support of the proposal for a Pacific Sport Institute facility but has concerns regarding the impact of the lit sporting fields on the residential properties particularly on North Road, Alan Road and Glyn Road.

- The portion of the property east of the proposed buildings and field should remain within the Agricultural Land Reserve and the current zoning maintained to prevent it from being redeveloped in the future without the requirement for rezoning.

Dr. G. Slievert, Vice President, for Pacific Sport Victoria, spoke in support and stated:

- Saanich and Pacific Sport Victoria can lead the world in sport innovation with this proposed facility.
- They are engaged in work with the 2010 Olympics in developing new technologies for use by our athletes and many of these technologies will have transferability to industry and business.
- They are in the middle of a grant proposal with the BC Government that will allow them to attract a world class expert in sport innovation to be located at this proposed facility.

Mr. H. McNeil, 4402 Leny Place, spoke in support and stated:

- This facility will bring in high performance athletes who will inspire young children and adolescents.

Mr. L. Mar, resident of Central Saanich, spoke in opposition and stated:

- Although he appreciates the vision for this facility, he does not believe that Camosun College will fulfill the intent of the addendum to the Memorandum of Understanding.

Mr. H. Charania, 757 Genevieve Road, stated:

- He does not believe that Camosun College or Pacific Sport Victoria has offered Saanich residents the same development trade offs that were offered by BCBC for the Vancouver Island Technology Park.
- This is a major decision and should be adjourned for a full Council and for additional information to be provided.

Mr. D. Rebneris, 520 Beaver Lake Road, spoke in opposition and stated:

- He would like to challenge the idea that a centralized sport performance facility can deliver health and wellness to the community.
- With a centralized location, most people will have to drive to access it and there is a direct relationship to obesity in young people and the amount of time spent in cars.
- There should be more money spent throughout the community in upgrading existing halls and facilities to make them centres of wellness in the community that are within walking distance.

Ms. S. McPherson, 398 Goward Road, spoke in opposition and stated:

- The Prospect Lake Community Associations has not had the time to review this application given the tight turnaround and all of the outstanding issues.

Ms. S. Zupanec, 1061 Laburnum Road, a member of the Strawberry Vale Residents Associations, spoke in opposition and stated:

- The Association has many questions regarding this proposal that have not yet been answered.

APPLICANT'S RESPONSE:

In response to a question from Council, the Municipal Solicitor stated:

- The covenant regarding gross floor area does not apply to the lands in question; it applies to the Vancouver Island Technology Park property (former Glendale Lands site).

Ms. G. Symmons, stated:

- The intent is that this facility will be used by all members of the community.
- They submitted this application in March of last year and it has gone through a very detailed process and many studies have been undertaken that address most of the questions raised.
- In terms of the Urban Containment Boundary, this proposal is an infill development within a college campus site that has employment for thousands of people and has millions of dollars of capital investment.
- They need to be confident that the site zoning is confirmed before embarking on the design details; they will invite the public to provide input at that time.
- Conditions or covenants will be provided to ensure the public interest is protected.
- They will work with Saanich to use low glare lights that do not impact the adjacent residents; the lights will be on in the evening until approximately 10 o'clock which is similar to other lit fields in Saanich.
- The expectation is that community access will be in the evenings, five days a week and probably on weekends similar to municipal fields.
- In terms of traffic, he believes that community use will be during off-peak hours; the traffic impact study indicates that there is more than enough parking available in the day time and hundreds of parking spaces available in the evening; on the weekend some of these spaces can be made available for Layritz Park users for free.
- The intersection of Wilkinson and Interurban Roads will need to be upgraded and they will be contributing \$206,000 towards these improvements.
- Approximately 500 athletes will be served by this proposed facility however there will not be 500 athletes on the site at any one time; this is not being built as a major event centre.
- The proposed location was selected because it ties Camosun College to Layritz Park very well.
- A Traffic Demand Management study will be undertaken when the design is completed that will be put before Saanich for approval before an occupancy permit is issued.

- A final decision has not been made on the organization that will be running this facility; they anticipate that it will be a non-profit society with a board of directors with some community representation and will be formed jointly by Camosun College and Pacific Sport Victoria to reflect the values of the community.
- They have no plans to build a stadium on this site and believe there is no space available for one.
- The majority of the Garry oaks are on the southwest portion of the site and they will be protected through a natural state covenant
- He is prepared to go through the Advisory Design Panel for review of the design to ensure that it will fit into this area.
- Community access is needed for the fields and gymnasiums to help pay for them; it can not be fully used by just the athletes and Camosun College.

MOTION:

MOVED by Councillor Ngai and Seconded by Councillor Gillespie: “That,

- 1. The Agricultural Land Reserve Exclusion Application be forwarded to the Agricultural Land Commission with a recommendation for approval;**
- 2. The application to rezone to P-1 be approved;**
- 3. A covenant be registered prior to final reading for proposed Natural State Covenant Areas 1 and 2, as indicated on the plan prepared by Brad Cunnin Land Surveyor dated may 11, 2005 and received June 15, 2005;**
- 4. A covenant be registered prior to final reading prohibiting issuance of a building permit on the proposed Pacific Sport Institute site pending the development of an addendum to the Glendale Lands MOU and/or appropriate covenants/easements/rights-of-way agreements acceptable to Council in terms of the outstanding issues outlined in the report of the Director of Planning dated August 5, 2005;**
- 5. The addendum to the Memorandum of Understanding be considered by Council at a Committee of the Whole meeting prior to issuance of a building permit; and,**
- 6. Final reading be withheld pending a decision by the Agricultural Land Commission on the exclusion application.”**

Councillor Ngai stated:

- A leap of faith was needed to foresee the success of Saanich Commonwealth Place and the same is needed for the Pacific Sport Institute facility; this proposal is a similar visionary project.
- This proposal will have to meet the requirements of the draft lighting policy for sports field.
- Traffic impacts will be addressed through the Traffic Demand Management study.
- Conditions will be placed on this project to ensure that the public's interest is protected.
- The other outstanding issues will be addressed through the Memorandum of Understanding with input from the public.

Councillor Gillespie stated:

- This facility will promote clean and healthy living in the community.
- The site is no longer suitable for agricultural purposes.
- There are outstanding issues that will be addressed through the addendum to the Memorandum of Understanding prior to a building permit being issued.
- He appreciates the financial contribution towards off-site road improvements and upgrades to the Wilkinson and Interurban Roads intersection.
- The applicant has commitment to a LEED Gold standard.
- This facility will bring economic development into Saanich.
- Education through sporting is a great legacy to our children.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Gillespie: “That the Main Motion be amended to include an agreement respecting community access to the sport facilities be included in the proposal and development of an expanded Traffic Demand Management plan in the list of outstanding items outlined in the report of the Director of Planning dated August 5, 2005.”

CARRIED

Councillor Derman stated:

- This is project that will provide a nexus for the development of sport in this area.
- This is an economic and social opportunity that will have an effect on the promotion of sport and healthy lifestyles.
- The Agricultural Land Reserve designation does not protect the trees; they could all be cut down if the site was used for agriculture purposes.

Councillor Pickup stated:

- This is a visionary project that will go forward and be successful however she is concerned with the process in terms of the outstanding items that have not yet been addressed.
- The impacts of lighting the sport fields can be very intrusive in residential areas and the policy for outdoor lighting has not yet been finalized.

Councillor Wergeland stated:

- This site is not viable for farming and is in the centre of a college campus.
- This proposed facility will be a great legacy for the community and an excellent opportunity for youth and seniors.
- Traffic will be addressed within the Traffic Demand Management plan.

Mayor Leonard stated:

- This facility will combine health and wellness and high performance sport for all ages and abilities.
- Education and sport are becoming job creators for the region.

The Main Motion was Put and CARRIED with Councillor Pickup voting against.

No. 368
Bylaw No. 8711
Interurban Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2005, NO. 8711”
Second and Third Readings.

Moved by Councillor Ngai and Seconded by Councillor Gillespie: “That Bylaw No. 8711 be read a second time.”

CARRIED

with Councillor Pickup voting against.

Moved by Councillor Ngai and Seconded by Councillor Gillespie: “That Bylaw No. 8711 be now passed.”

CARRIED

with Councillor Pickup voting against.

No. 369
Bylaw No. 8712
Claremont Ave

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2005, NO. 8712”

PROPOSED 4 LOT RESIDENTIAL SUBDIVISION ON CLAREMONT AVE/CORDOVA BAY ROAD

To rezone Lot 1, Section 30, Lake District, Plan 19850; Lot 9, Section 30, Lake District, Plan 7575; and, a portion of Lot 3, Section 30, Lake District, Plan 44884 (**982 AND 988 CLAREMONT AVENUE/5046 CORDOVA BAY ROAD**) from zones RS-12 (single family dwelling – minimum lot size 930 m²) and RS-18 (single family dwelling – minimum lot size 2ha) to zones RS-8 (single family dwelling – minimum lot size 665 m²) and RS-12 (single family dwelling – minimum lot size 930 m²) for a proposed four lot residential subdivision. **A DEVELOPMENT VARIANCE PERMIT** applicable to the above lands will be considered to reduce the minimum front lot line for proposed Lot A of the subdivision from 7.5m to 4.5m, proposed Lot B from 6.0m to 4.2m and proposed Lot D from 7.5m to 1.9m; to reduce the minimum rear lot line for proposed Lot A of the subdivision from 10.5m to 6.03m and for proposed Lot D from 10.5m to 3.5m; and, to reduce the minimum lot width for proposed Lot C of the subdivision from 22.0m to 17.0m. Council will also consider exempting proposed Lots C and D (panhandle lots) from the minimum highway frontage requirement.

The Notice of Public Hearing and report of the Director of Planning dated September 2, 2005 recommending that the rezoning and development variance permit be approved, a restrictive covenant be registered to restrict the house size on proposed Lot C to a floor space ratio of 0.50 or a maximum gross floor area of 364m² whichever is the lesser be referred to the Approving Officer for consideration during the subdivision review process and the recommendations contained in the geotechnical reports prepared by C.N. Ryzuk & Associates be referred to the Approving Officer for consideration in the subdivision review process; 1 letter of no objection from the Cordova Bay Community Association provided a covenant is provided to limit the dwelling size; and 2 letters in opposition, were introduced.

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

- The proposal is to provide access to proposed Lot C from Cordova Bay Road and it is not known whether the private reciprocal access agreement with 5050 Cordova Bay Road will provide access to this new lot from Cordova Bay Road.

- This is a civil matter to be worked out by the applicant and the owners of 5050 Cordova Bay Road.
- If both parties were not able to come to an agreement, a driveway access can be provided for proposed Lot C from Claremont Avenue.

APPLICANT:

Mr. D. Scotney, stated:

- He has spoken to the owners of 5050 Cordova Bay Road and believes that they fully understood that the driveway would be shared.
- They meet the requirements to provide a driveway access from Claremont Avenue.
- In terms of construction traffic, most of the access will be from Claremont Avenue and they will provide assurances to the neighbours with respect to any damages that might occur.
- They have gone through great lengths to ensure that the development meets the requirements of the neighbourhood and have reduced the size of the new dwelling.

PUBLIC INPUT:

Mr. R. Stonebanks, President, Cordova Bay Association, stated:

- The Association has no objections to this proposed development.

APPLICANT'S RESPONSE:

Nil.

MOTION:

Moved by Councillor Gillespie and Seconded by Councillor Derman: "That,

- 1. The application to rezone to RS-8 and RS-12 be approved;**
- 2. The applicant's commitment to register a restrictive covenant to restrict the house size on proposed Lot C to a floor space ratio of 0.50 or a maximum gross floor area of 364m² whichever is the lesser be referred to the Approving Officer for consideration during the subdivision review process.**
- 3. The recommendations contained in the geotechnical reports prepared by C.N. Ryzuk & Associates be referred to the Approving Officer for consideration in the subdivision review process."**

CARRIED

No. 370
Bylaw No. 8712
Claremont Ave

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2005, NO. 8712"
Second, Third and Final Readings.

Moved by Councillor Gillespie and Seconded by Councillor Derman: "That Bylaw No. 8712 be read a second time."

CARRIED

Moved by Councillor Gillespie and Seconded by Councillor Derman: “That Bylaw No. 8712 be now passed.”

CARRIED

Moved by Councillor Gillespie and Seconded by Councillor Derman: “That Bylaw No. 8712 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

Moved by Councillor Gillespie and Seconded by Councillor Derman: “That Council approve and issue Development Variance Permit No. DVP2005-00019 on Lot 1, Section 30, Lake District, Plan 19850; Lot 9, Section 30, Lake District, Plan 7575; and, a portion of Lot 3, Section 30, Lake District, Plan 44884 (982 AND 988 Claremont Avenue/5046 Cordova Bay Road).

CARRIED

Moved by Councillor Gillespie and Seconded by Councillor Derman: “That Council exempt Lots C and D of a proposed subdivision of Lot 1, Section 30, Lake District, Plan 19850; Lot 9, Section 30, Lake District, Plan 7575; and, a portion of Lot 3, Section 30, Lake District, Plan 44884 (982 AND 988 Claremont Avenue/5046 Cordova Bay Road) from the minimum highway frontage requirement pursuant to Section 9444(2) of the *Local Government Act*.

CARRIED

Adjournment

On a motion from Councillor Gillespie the meeting adjourned at 11:25 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK