

SPECIAL COUNCIL MEETING  
FOR THE PURPOSES OF A **PUBLIC HEARING**  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**TUESDAY, MARCH 4, 2008 AT 7:30 P.M.**

Present: **Chair:** Mayor Leonard  
**Council:** Councillors Brice, Brownoff, Derman, Gillespie, Hunter, Ngai (8:00 p.m.) and Sanders.  
**Staff:** J. Bains, Development Coordinator; N. Findlow, Supervisor of Local Area Planning; and A. Park, Senior Committee Clerk

No. 52  
Bylaw No. 8910  
Gordon Head Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2008, NO. 8910”

**PROPOSED NINE LOT RESIDENTIAL SUBDIVISION ON GORDON HEAD ROAD**

To rezone a portion of Lot Pt.1, Section 85, Victoria District, Plan 345 (**4246 GORDON HEAD ROAD**) from zone RS-12 (Single Family Dwelling - minimum lot size 930 m<sup>2</sup>) to zone RS-10 (Single Family Dwelling - minimum lot size 780m<sup>2</sup>) for a proposed nine lot residential subdivision. A **DEVELOPMENT VARIANCE PERMIT** applicable to the above lands will also be considered to reduce the front yard setback for a portion of the frontage of proposed Strata Lots 4 and 6 from 7.5m to 3.5m and to reduce the lot depth of proposed Strata Lot 4 from 27.5m to 25.06m.

The Notice of Public Hearing; the reports from the Director of Planning dated December 20, 2007 and January 18, 2008 recommending approval of the rezoning and the Development Variance Permit; letters dated November 20, 2007 and February 8, 2008 from the applicant, the latter providing a tree replacement and a driveway plan along with additional information as requested by Council; two letters from the Gordon Head Residents Association in support of the application; three letters from residents in support; and four letters from residents expressing concerns; were introduced.

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

- The grade of the proposed pathway cannot exceed 12%; an 8% grade is preferred; stairs may have to be considered.

**APPLICANT:**

Mr. J. Condon, Norand Industries Ltd., applicant, stated:

- The development consists of three fee simple lots on Gordon Head Road and six bare land strata lots off Corniche Place.
- Gordon Head Road is to be widened seven feet including brush removal and installation of sidewalk, street lamps and a crosswalk.
- The existing heritage home at 4246 Gordon Head Road was built in 1907 by Andrew Strachan and has never been restored; it will be moved closer to the rear of proposed Lot 8, restored, and a double garage added; the new owner will be encouraged to apply for heritage designation.
- With respect to lighting the footpath, wiring will be roughed in but a decision whether to light the path will be left up to the incoming Strata Council.

- A six foot wooden fence is proposed on each side of the path; the slope of the path is steep and they will consult with Saanich Engineering on a resolution to this concern.
- A tree replacement plan has been submitted showing 13 trees to be removed and 26 new trees to be planted; he will comply with Saanich Parks requirements and future care of the trees will be the responsibility of the Strata Council.
- Permeable pavers will be used on the site; a new fence is to be constructed to the south in consultation with the neighbours.
- The strata road is wide enough to handle overflow parking; three vehicles can be parked on each lot.
- With respect to the property at 4256 Gordon Head Road, two emergency access gates will be installed; cedars will be planted for privacy.

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

- The Strata Council may administer a statutory building scheme after the project is built; however, his experience has shown that the builder's involvement continues long after completion.
- He is not willing to grant an easement to the owner of 4256 Gordon Head Road for access onto Corniche Place but prefers to leave it to the discretion of the Strata Council; Corniche Place residents object to the possible additional traffic onto their street.
- The property at 4256 Gordon Head Road has been given emergency access via two gates- one onto strata common property and one onto municipal property; Saanich emergency services could be provided with gate keys.
- He would be willing to guarantee the proposed energy saving features and the three parking spaces per strata lot.

**PUBLIC INPUT:**

Ms. P. Wirtanen, 2006 Corniche Place, stated;

- She opposes the proposed footpath and feels there is adequate access to Arbutus Place via other routes.
- The proposed crosswalk could be relocated to the busy Gordon Head Road and San Juan Avenue intersection.
- The grade of the path is too steep; there are safety concerns and future maintenance issues; a wooden fence will attract graffiti; trees may have to be removed for path construction.

Mr. D. Wirtanen, 2006 Corniche Place, stated;

- He is unsure who would use the pathway since it is very steep, lengthy, hidden from public view and unsuitable for the elderly or schoolchildren.

P. Newman, 2160 Wenman Drive, stated:

- She is concerned about accepting infill lots within an area of large lots and the impact on trees; perhaps one less lot on Gordon Head Road would be appropriate in order to preserve trees.

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 Councillor Ngai entered the meeting at 8:00 p.m.  
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Mr. J. McVee, 2009 Corniche Place, stated:

- The six new strata lots are similar in size to those on Corniche Place.
- He will use the footpath in the daytime; it will be useful for access to the bus stop; a wood chip surface is preferable to concrete.

Ms. J. Wenman, 2144 Wenman Drive, stated:

- She agrees with the establishment of the footpath and bike lanes but is concerned at the number of trees to be removed.
- The intersection of Gordon Head Road and San Juan Avenue is unsafe and could use a crosswalk, in addition to the one proposed.

Ms. E. Walker, 10-2200 Arbutus Cove Lane, stated:

- She supports this development; the developer has been respectful of neighbours concerns with past developments.
- The proposed pathway would link up to the Arbutus Cove path which has not caused any problems.

Mr. H. Gibbard, President, Garry Oak Meadow Preservation Society, stated:

- The Society could be consulted if there are Garry oaks on this property to be preserved.
- There is a new initiative to increase the production of Garry oak seedlings since they require seven years before they are mature enough to be planted.

Mr. D. Gunn, 4449 Tremblay, stated:

- He is a member of the Gordon Head Residents Association and supports construction of the path.

**APPLICANT'S RESPONSE:**

Mr. Condon stated:

- He understands there is one Garry oak on site which will have to be removed for construction purposes; he will attempt to preserve it by moving it to another location on the site.
- The original RS-12 zoning allows nine lots to be created; RS-10 zoning allows for ten lots; his application is for only nine.
- He will continue to consult with the Saanich Parks Department with respect to tree issues.

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Councillor Ngai declared that she is not entitled to vote on the application as she arrived after the Public Hearing had started and left the meeting at 8:20 p.m.

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In response to questions from Council, the Supervisor of Local Area Planning stated:

- Energy saving features could be guaranteed by means of a covenant registered prior to final reading; three parking spaces per strata lot could be guaranteed by means of a building scheme or a covenant imposed by the Approving Officer.

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

- A legal agreement between the developer and Saanich will cover the construction phase; responsibility will then be transferred to the Strata.
- The Strata Council will be responsible for maintenance and liability insurance for the pathway since it is privately owned; should maintenance become a problem in future, the municipality could perform the work and bill the Strata Council.
- Municipally-owned paths must be concrete, two metres wide, with a chain link fence; in this case, the developer may choose the construction materials and fencing.
- The final grade of the pathway has not yet been confirmed.
- The municipality will install one water meter for the strata subdivision; the builder will install separate meters in each dwelling with the Strata Council determining how owners will be charged.

**MOTION:**

**MOVED by Councillor Derman and Seconded by Councillor Brownoff:  
"That the application to rezone from RS-12 to RS-10 be approved."**

Councillor Hunter stated:

- The applicant has worked with the neighbours to resolve their concerns; his excellent reputation as a responsible developer is reassuring.
- Energy efficiency measures have been embraced.
- Problems associated with the design of the proposed pathway will have to be resolved by the developer in consultation with Saanich Engineering.
- He supports the application.

Councillor Derman stated:

- To ensure that the proposed energy efficiency measures offered by the applicant are accomplished, a covenant to that effect should be registered on title prior to final reading of the bylaw.
- Careful design of the pathway is necessary to resolve the challenges of the site.

Councillor Sanders stated:

- The applicant is to be applauded for preservation and restoration of the heritage house on Gordon Head Road.
- The pathway is a concern, in terms of future maintenance by the Strata.
- The builders reputation is a good one and reassures Council that his commitments will be carried out.
- Designated visitor parking should be required in developments of this type in future.

Councillor Brownoff stated:

- She appreciates that the developer will attempt to move and replant one Garry oak which has to be removed for building.
- Mr. Condon deserves recognition for his preservation of the heritage house.
- The pathway requires careful consideration.
- It will be a good development.

- Mayor Leonard stated;
- He supports this development without reservation.
- There are not many opportunities in Saanich for new subdivisions.

**The Motion was then Put and CARRIED.**

No. 53  
Bylaw No.8910  
Gordon Head Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2008, NO. 8910”  
Second and Third Readings.

**MOVED by Councillor Brownoff and Seconded by Councillor Derman:  
“That Bylaw No. 8910 be read a second time.”**

**CARRIED**

**MOVED by Councillor Brownoff and Seconded by Councillor Derman:  
“That Bylaw No. 8910 be now passed.”**

**CARRIED**

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Councillor Ngai reentered the meeting at 8:45 p.m.  
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No. 54  
Bylaw No. 8914  
Quadra Street

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2008, NO. 8914”

**PROPOSED MIXED RESIDENTIAL DEVELOPMENT ON QUADRA STREET, INVERNESS ROAD AND GLASGOW AVENUE**

To rezone Amended Lot 2 and Lot 10, Section 63, Victoria District, Plan 1781 and Lot Pt. 3, Block G, Section 63, Victoria District, Plan 255A (**3350 QUADRA STREET, 1016 INVERNESS ROAD AND 3351 GLASGOW AVENUE**) from zone RS-6 (Single Family Dwelling) to zone RM-6 (Residential Mixed) for a proposed four storey, 44 unit condominium apartment building and 12 attached dwelling units. A **DEVELOPMENT PERMIT** applicable to the above lands will be considered to require the buildings and lands to be constructed and developed in accordance with the plans submitted. Council will also consider the provision of a covenant to protect an existing Garry oak grove in its natural state, to prohibit the banning of rental units and to ensure all units meet green building standards.

The reports from the Director of Planning dated November 14, 2007 and February 18, 2008, the latter commenting on additional information provided by the applicant and recommending approval of the rezoning and the development permit, and that final approval be withheld pending confirmation of a contribution to the Regional Housing Trust Fund and the provision of covenants to protect the Garry oak grove, to prohibit the banning of rental units and to ensure the units are built to green building standards; a report from the Advisory Design Panel dated August 29, 2008 accepting the design subject to the conditions outlined; a letter dated February 8, 2008 from the applicant providing further information as requested by Council; letters from the Quadra Cedar Hill Community Association dated November 7 and June 29, 2007 expressing their concerns with the proposed development; four letters from residents in support; four letters in opposition; and four letters expressing concerns;

were introduced.

In response to questions from Council, the Supervisor of Local Area Planning stated:

- The provision of a car share and bus pass program will be included in the Development Permit.
- Revisions to the plans for this development arising from the Committee of the Whole meeting are supported by staff and have been incorporated into a revised development permit.
- To best ensure that rental tenures are allowed, a housing agreement is recommended by staff rather than the covenant which was originally recommended.

**APPLICANT:**

Mr. R. Tennant, Three Point Properties, applicant, stated:

- Improvements to the design of the townhouses, duplex and apartment building have been made to reflect comments received at the Committee of the Whole meeting.
- They were not successful in assembling a bigger parcel of land.
- \$1000 per unit (\$56,000) will be donated to the CRD Regional Housing Trust Fund in support of affordable housing.
- A two year bus pass will be provided at no cost to each owner.
- A smart car will be sold at cost to Victoria Ride Share for the use of the property owners.
- A Leed designation is targetted for the condominium and a Built Green standard for the townhouses.
- Inverness Road is the best access/egress to the development.
- This application is the result of extensive consultation with the neighbourhood and Saanich staff.

Ms. B. Windjack, LADR, Landscape Architectural Design & Rendering, stated:

- The landscape design for the site was based around preservation of the Garry oak grove; invasive species will be removed and a cedar snake fence erected around the grove.
- Stormwater management was planned in consultation with a civil engineer; water will be collected on site and directed to a series of raingardens.
- A large elm and oaks have been retained; native plantings will be emphasized; the main pedestrian entrance to the site off Quadra Street has been improved with landscaping; four parking stalls were replaced with a green node with benches.

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

- A \$56,000 donation will be made to the Regional Housing Trust Fund; they will consider whether this could be increased to \$1500. per unit.
- The developer will provide the car and the membership in Ride Share; one bus pass per unit is planned.

**PUBLIC INPUT:**

Mr. H. Gibbard, President, Garry Oak Meadow Preservation Society, stated:

- His organization worked with the developer to preserve the Garry oak grove; he is pleased with the result.
- Any future shadowing problems can be resolved; the underground parking may affect drainage to the grove.

Mr. D. Brown, 941 Cloverdale Avenue, stated:

- The condominium building is too high and will shadow the building to the north on Quadra Street.
- A footpath onto Glasgow Avenue was previously shown on the plans and is desirable; it is unfortunate that there are two solitary houses remaining on Quadra Street.

Mr. K. Nathoo, 1028 Inverness Road, stated:

- He owns the apartment building at 1028 Inverness Road and is concerned about the driveway entrance off Inverness Road as it may disturb his tenants and affect their views.

Ms. C. Mackenzie, 3350 Glasgow Avenue, stated:

- A pathway from the development onto Glasgow Avenue is needed, as well as a sidewalk.
- Traffic on Glasgow Avenue is a problem and requires review by Saanich.
- Inverness Road will require improvement due to increased usage from this development.

Mr. J. Bates, 995 Ridgeway Street, stated:

- The design concept is good; however, it would have been preferable for the three landowners of the area to consult and develop a comprehensive plan for the entire block.
- This application should be postponed for a more comprehensive neighbourhood plan.

Mr. M. Brown, 941 Cloverdale Avenue, stated:

- This application is an improvement over previous development applications for this site.
- He would prefer a more comprehensive plan for the entire block.
- The properties at 3334 and 3316 Quadra Street would benefit from access through this site.

Ms. L. Burns, 1279 Camrose Crescent, stated:

- This proposal is an improvement over previous ones; however, the developer has not considered the wishes of the community in terms of the two solitary lots on Quadra Street and the single entrance/ exit onto Inverness Road.

Ms. P. Asdan, 210-1025 Inverness Road, stated:

- On behalf of the Strata owners she stated that the only driveway for the development is directly across from the Strata building; the road is frequented by children and the elderly who use Rutledge Park; perhaps

an alternate entrance off Glasgow Avenue could be considered and the two remaining houses on Quadra Street included in the project.

- With respect to her personal views, she stated that the application should be postponed until a more integrated plan is put forward for the entire block; the parking variance will create additional street parking; Inverness Road is already congested and used as a short cut.

Ms. C. Ivetts, 966 Lovat Avenue, stated;

- She would prefer that 35% of the housing units be available for rental rather than the entire development since absentee owners are not as concerned about strata issues such as maintenance.

Mr. M. Brown, President, Quadra Cedar Hill Community Association, stated:

- Cosmetic changes only have been made to the application; problems remain including massing, the access from Inverness Road, the two isolated houses on Quadra Street, and the duplex on Glasgow Street which consumes greenspace.
- Both parties could have benefitted from a land exchange involving the two remaining houses on Quadra Street.

**APPLICANTS RESPONSE:**

Mr. J. McLaren, Three Point Properties, stated:

- It has taken three years to develop a design for this site.
- Many revisions have been made to satisfy the concerns of the community.
- No further changes can be made if they are to have a viable project.

Mr. Tennant, Three Point Properties, stated:

- A footpath is planned adjacent to the duplex lot which will exit onto Glasgow Avenue.
- The bus pass and car share program are intended to help address the traffic problems which concern the neighbourhood.
- They will increase the donation to the Regional Housing Trust Fund to \$75,000.

Councillor Derman stated:

- The commitment to energy saving features can be guaranteed through registration of a covenant.
- Although he appreciates the design improvements, the car share and bus pass programs, and the affordable housing donation, he cannot support the application; a comprehensive plan for the entire area is the first step.

**MOTION:**

**MOVED by Councillor Ngai and Seconded by Councillor Brice: “That the application to rezone from RS-6 to RM-6 be approved; and that final reading and ratification of the Development Permit be withheld pending the following:**

- a) registration of a natural state covenant for the Garry oak grove;**
- b) confirmation that the applicant has contributed \$75,000 to the Regional Housing Trust Fund;**
- c) registration of a housing agreement which prohibits the establishment of rental tenure restrictions for all residential dwelling units to be constructed on the subject lands; and**
- d) registration of a covenant to ensure the apartment and attached housing units meet the targetted green building standards.”**

Councillor Ngai stated:

- The developer has prepared the best design he can for the site and the application is supportable.
- The entrance/ exit from Inverness Road is the best option.
- The increased donation for affordable housing is commendable.

Councillor Gillespie stated:

- A comprehensive plan for the entire block would be preferable but was not possible.
- Rental units and affordable housing for low income citizens are needed; the donation by the applicant to the Regional Housing Trust fund is appreciated.
- Design changes have improved the appearance of the development.
- A leadership role in encouraging the construction of affordable housing and rental units should be taken by Saanich Council.

Councillor Brice stated:

- She supports this development; she would have preferred a more comprehensive neighbourhood plan but this could not be achieved.
- The design improvements are appreciated; it is a low density development which preserves the Garry oak grove and incorporates many sustainability features.

Councillor Sanders stated:

- It is unfortunate that a comprehensive plan for the block could not be achieved.
- The applicant has revised the plans to answer many of the concerns raised; the design has been improved and now suits the beautiful natural surroundings.
- Concerns remain that a bus pass for each occupant is preferable to one per suite, that a sidewalk on Glasgow Avenue is needed, that two solitary houses remain on Quadra Street and that the Inverness Road driveway will impact the tenants of 1028 Inverness Road.

Councillor Brownoff stated:

- The applicant has listened to concerns and improved the design.
- It is unfortunate that two houses remain isolated on Quadra Street; the bus pass is inadequate; the impacts on Inverness Road residents should be mitigated; a silver LEED designation is preferable.
- She supports the application and the increased density on Quadra Street.
- The community will benefit from the preservation of the Garry oak grove.

Councillor Hunter stated:

- Inverness Road is the best option for the driveway location.
- A more comprehensive plan for the block would be preferable but could not be achieved.
- He supports the application.

Mayor Leonard stated:

- Inverness Road would remain the entrance to the development even if the two houses on Quadra Street were incorporated into the development.
- The applicant has compromised in response to the neighbourhood concerns.

**The Motion was then Put and CARRIED, with Councillor Derman voting against.**

No. 55  
Bylaw No. 8914  
Quadra Street

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2008, No. 8914”  
Second and Third Readings

**MOVED by Councillor Brice and Seconded by Councillor Brownoff:  
“That Bylaw No. 8914 be read a second time.”**

**CARRIED,**  
**with Councillor Derman voting against.**

**MOVED by Councillor Brice and Seconded by Councillor Brownoff:  
“That Bylaw No. 8914 be now passed.”**

**CARRIED,**  
**with Councillor Derman voting against.**

**MOVED by Councillor Brownoff and Seconded by Councillor Gillespie:  
“That it be recommended that Council approve and issue Development Permit No. DPR2005-00026 on Amended Lot 2 and Lot 10, Section 63, Victoria District, Plan 1781 and Lot Pt. 3, Block G, Section 63, Victoria District, Plan 255A (3350 Quadra Street, 1016 Inverness Road and 3351 Glasgow Avenue).”**

**CARRIED,**  
**with Councillor Derman voting against.**

Adjournment            On a motion from Councillor Gillespie, the meeting adjourned at 10:30 p.m.

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MAYOR

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MUNICIPAL CLERK