



**APPLICANT:**

Mr. D. Smith, Focus Corporation, applicant, stated:

- The application before Council today is the result of a comprehensive development review process; 18 single family houses are proposed and 30% of the parcel is to be dedicated as parkland.
- As directed by Council, a restrictive covenant has been registered on title that will prohibit secondary suites, ensure a Built Green standard for construction and ensure that 5017 m<sup>2</sup> of the parcel is dedicated as parkland.
- A meeting has been held with the adjacent Montessori School to resolve any parking issues created by the development; stormwater management will be provided in accordance with Saanich Engineering requirements.
- A cheque for \$90,000 has been deposited with the District to be used for affordable housing.

**PUBLIC INPUT:**

Ms. Wei Tu, 4432 Tyndall Avenue, stated:

- There is strong support for this development and a demand for housing in Gordon Head; it is regrettable that secondary suites will not be allowed; she appreciates the amount of land to be dedicated for parkland.

Mr. Z. Henderson, 3969 Panther Street, stated:

- This application should be rejected; placement of the driveway impacts the protected root zone of the Garry oak trees and violates our Tree Protection Bylaw.

Ms. K. Norman, 4031 Loyola Street, stated:

- Her neighbourhood has lost its public school and now may lose valued greenspace; increased traffic from this development will be a problem.
- BC Hydro and Telus presently use the playing fields to access their lines behind the homes on Loyola Street; this access may now be lost and an alternative will be necessary.

Mrs. L. Travers, 1709 Carnegie Crescent, stated:

- The decision by the Greater Victoria School Board to sell the Fairburn School property was wrong and occurred without public consultation; a public asset has been lost; in her opinion, school properties are a legacy and should never be sold.
- Council is considering a new Official Community Plan (OCP) which includes a policy regarding disposition of school properties; until the OCP is approved, it is premature to proceed with this rezoning application and it should be tabled.
- The Friends of Fairburn have requested that Council consider a referendum as part of the 2008 municipal election on the question of returning this land to public ownership.

Ms. B. Robson, 4020 Loyola Street, stated:

- The roads in this neighbourhood are not designed for the present volume of traffic.
- There is no need to develop greenspace for housing.

- We should protect public land for the future needs of the community, ensuring that if developed, it is for the benefit of the community.

Mr. H. Richardson, 1871 Elmhurst Place, stated:

- It is accepted science that loss of greenspace is harmful to the planet.
- The school closure and sale process was undemocratic.
- Rather than developing playing fields, consider replacing derelict houses with new housing.
- Saanich should put a referendum to the next election so the people can decide whether to buy back the playing field for parkland; alternatively, leave the lands zoned P-1.

Ms. J. Gaylord, 1692 Carnegie Crescent, stated:

- It is not necessary to prohibit secondary suites; this development should be treated the same as the rest of the municipality.
- The process leading to this rezoning was undemocratic and we must ensure it does not happen again.
- Further discussion and public input is needed on the policy for disposition of school lands.

Mr. R. Mills, 1848 Fairburn Drive, stated:

- Several surveys of the community were done as a result of this rezoning application and the results consistently showed the community prefers to retain the existing greenspace; it is discouraging for residents who have participated fully in this process to lose the greenspace.

Mrs. B. Lamplugh, 1830 Fairburn Drive, stated:

- The community will need this greenspace in the future; it should not be developed.

Mr. A. Leku, 4334 Torquay Drive, stated;

- He supports this development as there is a need for such housing in Gordon Head; secondary suites should not be prohibited.

**APPLICANT'S RESPONSE:**

Mr. D. Smith, Focus Corporation, stated:

- They are aiming for a high Built Green standard but cannot commit to a particular level at this time.
- The public walkway will be constructed of concrete in accordance with Saanich Engineering requirements.
- They will preserve or replace the existing playground equipment for public use.
- The location of the road was based on an arborists recommendation; Saanich reviewed and approved the plan ensuring that the trees would be protected; an arborist will be onsite during construction.
- They cannot offer any further community amenities.
- The owner does not wish to sell the land; it will not be available for purchase by the District of Saanich.
- The covenant prohibiting secondary suites was requested by the

neighbourhood and therefore they would not be willing to remove it unless directed to do so by the Council.

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

- Presently there is no registered right of way for hydro or telephone on the playing field property subject to rezoning.

**MOTION:**

**MOVED by Councillor Ngai and Seconded by Councillor Brice:  
“That the application to rezone from P-1 to RS-F and P-4 be approved.”**

Councillor Ngai stated:

- This development will improve the area although it is unfortunate that secondary suites will not be permitted.

Councillor Brice stated:

- The applicant has responded to the community, revised his plans and offered increased parkland.
- This Council was not part of the decision to sell the Fairburn School lands; fortunately a Montessori School purchased the school and it has been kept for the purpose intended.
- The proposed new homes will be absorbed into the community and the park space appreciated.

Councillor Derman stated:

- Piecemeal planning in the past has led to considerable density in this area; the Regional Growth Strategy will provide a more effective tool for planning in future;
- The property under application is no longer a public asset but privately owned; there are limited options now and leaving the land zoned P-1 is unacceptable.
- The question of legalization of secondary suites must be considered carefully by Council.

Councillor Brownoff stated:

- P-1 zoning is not an acceptable use for this land.
- A referendum could be considered for park planning over the entire municipality and after the ongoing parks priority study is completed.
- The applicant should address the BC Hydro and Telus access issues.
- Local governments must be more persistent in monitoring the school board planning processes.

Councillor Sanders stated:

- The school board’s decision to sell the Fairburn School property placed Council in the position where rezoning the land must be considered.
- The applicant has generously increased the parkland donation.

Councillor Hunter stated:

- Decisions around the preservation or development of greenspace are challenging for the community and Council.

Mayor Leonard stated:

- The community is better served if this property is rezoned from P-1.

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

No.139  
Bylaw No.8930  
PLD40

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2008, NO. 8930”  
Second, Third and Final Readings.

**MOVED by Councillor Ngai and Seconded by Councillor Brice: “That Bylaw No. 8930 be read a second time.”**

**CARRIED**

**MOVED by Councillor Ngai and Seconded by Councillor Brice : “That Bylaw No. 8930 be now passed.”**

**CARRIED**

**MOVED by Councillor Ngai and Seconded by Councillor Brice; “That Bylaw No. 8930 be adopted by Council and the Seal of the Corporation attached thereto.”**

**CARRIED**

No.140  
Bylaw No. 8931  
Fairburn Drive

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2008, NO. 8931”  
Second, Third and Final Readings

**MOVED by Councillor Ngai and Seconded by Councillor Brice: “That Bylaw No. 8931 be read a second time.”**

**CARRIED**

**MOVED by Councillor Ngai and Seconded by Councillor Brice : “That Bylaw No. 8931 be now passed.”**

**CARRIED**

**MOVED by Councillor Ngai and Seconded by Councillor Brice; “That Bylaw No. 8931 be adopted by Council and the Seal of the Corporation attached thereto.”**

**CARRIED**

No. 141  
Bylaw No. 8932  
PLD60

“OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW,  
2008, NO. 8932”

**PROPOSED HOUSEKEEPING AMENDMENTS TO THE STREAMSIDE DEVELOPMENT PERMIT ATLAS**

To amend the Streamside Development Permit Area Atlas in order to update the stream tributaries mapping in compliance with the provincial Riparian Areas Regulation.

The report of the Director of Planning dated April 21, 2008 recommending that Schedule 2 to Appendix “N” of the Official Community Plan Bylaw, 1993 - Streamside Development Permit Area Atlas – be amended.

**PUBLIC INPUT:**

Nil

**MOTION:**                    **MOVED by Councillor Brownoff and Seconded by Councillor Sanders: "That the amendment to Schedule 2 to Appendix "N" of the Official Community Plan Bylaw, 1993, Streamside Development Permit Area Atlas, be approved."**

**CARRIED**

No. 142  
Bylaw No. 8932  
PLD60

"OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2008, NO. 8932"  
Second, Third and Final Readings

**MOVED by Councillor Brownoff and Seconded by Councillor Sanders: "That Bylaw No. 8932 be read a second time."**

**CARRIED**

**MOVED by Councillor Brownoff and Seconded by Councillor Derman: "That Bylaw No. 8932 be now passed."**

**CARRIED**

**MOVED by Councillor Brownoff and Seconded by Councillor Derman: "That Bylaw No. 8932 be adopted by Council and the Seal of the Corporation be attached thereto."**

**CARRIED**

Adjournment                    On a motion from Councillor Derman, the meeting adjourned at 9:13 p.m.

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MAYOR

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MUNICIPAL CLERK