

**MOTION: MOVED by Councillor Derman and Seconded by Councillor Brownoff:
 “That:
 1) the District of Saanich strongly support the Capital Regional District’s
 position that the proposed amendment to the District of Central
 Saanich’s Regional Context Statement to facilitate the development of
 a large retail food market, is contrary to the underlying principles of
 the Regional Growth Strategy and as such should not be supported;
 and
 2) the District of Saanich position on this matter be communicated to all
 local governments within the Capital Region and the Capital Regional
 District.”**

Councillor Derman stated:

- The proposed amendment to the Central Saanich Regional Context Statement is opposed by the CRD; the development would be within one kilometre of an existing urban settlement area and outside the urban containment boundary and is inconsistent with the Regional Growth Strategy (RGS); it would require moving the Urban Containment Boundary (UCB) or allowing spot zoning outside the UCB which would be an undesirable precedent.
- The regional importance of agreement on how we will move toward a sustainable future overrides other considerations.

Councillor Brownoff stated:

- The decision by the District of Central Saanich to amend their context statement creates many issues that contravene the adopted Regional Growth Strategy bylaw.
- The development site is outside the UCB; opportunities for more appropriate sites are available.
- The RGS is intended to manage regional infrastructure in a sustainable way which is important for all signatories.

Councillor Gerrard stated:

- It is important to keep the integrity of the RGS intact and he supports the motion.

The Motion was then Put and CARRIED

Councillor Brice, Councillor Wade and Councillor Wergeland then returned to the meeting at 7:35 pm.

Adjournment

On a motion from Councillor Gerrard, the meeting adjourned at 7:36 pm.

The meeting reconvened at 9:50 pm

Recommendations

RECOMMENDATIONS

From the Committee of the Whole Meeting held July 23, 2012

2860-20
Tillicum Road

3170 TILlicUM ROAD (TILlicUM CENTRE) – DEVELOPMENT PERMIT AMENDMENT – BROOK POONI AND ASSOCIATES (LAURIE SCHMIDT).

MOVED by Councillor Murdock and Seconded by Councillor Brice: “That Council approve and issue Development Permit Amendment DPA00764 on Lot 1, Sections 13,14,15,15A and 80, Victoria District, Plan 32836 (3170 Tillicum Road).”

CARRIED

2830-40
Blenkinsop Road

3919 BLENKINSOP ROAD – REQUEST TO AMEND COVENANT.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That the applicant be encouraged to consider a minor adjustment to the location of the heritage wall to allow the wall to be retained and, if achievable to the satisfaction of the Director of Planning, that the Director be authorized to approve the relocation as a minor amendment under the terms of the Covenant.”

CARRIED

2870-30
Mount Douglas Cross Road

1516 MOUNT DOUGLAS CROSS ROAD – AGRICULTURAL LAND RESERVE EXCLUSION / REZONING APPLICATION – TINNEY & ASSOCIATES LAND PLANNING (ROGER TINNEY).

MOVED by Councillor Derman and Seconded by Councillor Brice: “That Council not support the application to exclude all or a portion of Lot 1, Section 54, Victoria District, Plan 5369 (1516 Mount Douglas Cross Road) from the Agricultural Land Reserve and not forward the application to the Agricultural Land Commission.”

CARRIED

MOVED by Councillor Murdock and Seconded by Councillor Brice: “That Council direct staff to amend the Gordon Head Local Area Plan to clarify that removal from the Agricultural Land Reserve is not supported.”

CARRIED

Mayor Leonard, Councillors Derman, Sanders and Wade OPPOSED

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 9:52 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH
 MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
 HELD IN THE COUNCIL CHAMBERS
 SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JULY 23, 2012 AT 7:37 PM

Present: **Chair:** Councillor Wade
Council: Mayor Leonard and Councillors Brice, Brownoff, Derman, Gerrard, Murdock, Sanders, and Wergeland
Staff: Paul Murray, Administrator; Colin Doyle, Director of Engineering; Sharon Hvozdzanski, Director of Planning; Donna Dupas, Legislative Manager; and Andrea Park, Senior Committee Clerk

2860-20
 Tillicum Road

3170 TILLICUM ROAD (TILLICUM CENTRE) – DEVELOPMENT PERMIT AMENDMENT – BROOK POONI AND ASSOCIATES (LAURIE SCHMIDT).

Report of the Director of Planning dated June 25, 2012 recommending Council approve Development Permit Amendment DPA00764 for the proposed conversion of the existing Zellers retail space to a new Target store with variances for parking and signage. Report of the Advisory Design Panel dated January 24, 2012 recommending the design be accepted and that the comments from the Panel be considered.

In response to questions from the Council, the Director of Engineering stated:

- Staff have not discussed raising the pedestrian crossing and are not aware of any regulation with respect to the spherical red bollards proposed outside the new Target Store.

The Director of Planning stated:

- If Council wished to formalize the commitment to specific items in the applicant's Sustainability Statement, a covenant could be considered.

Ms. E. Brandts, President and Managing Principal, PBK Architects, and Mr. D. Oriente, Landscape Architect, made a presentation to Council highlighting the following:

- In converting the existing Zellers store to Target, both entrances will be redesigned and modifications made to the landscaping, pedestrian crossings and shopping cart corrals.
- The red bollards are proposed for pedestrian safety and also because they are a key part of Target's entrance identity and an intrinsic part of their branding.
- Target will have a contemporary design as opposed to the antiquated look of Zellers; a new blade wall, canopy and a red and off-white bulls-eye sign will be part of each entrance.
- Trees and landscaping in poor condition will be replaced; the plan is to pull greenery into the parking lots.

In response to questions from the Council, the applicants stated:

- Silva cell technology will not be necessary as any trees will be planted

- in a planting bed, not as part of the street.
- Consultation with Target would be necessary before entering into any covenant with respect to the sustainability statement.
- Additional bike racks and benches are planned; the specifications for the bike rack have not been confirmed.
- Target corporate policy does include a level of profit-sharing with the community; however, as each store takes individual responsibility for this program, it has not been considered at this time.
- Scooter parking for seniors has not been considered; however, the interior design of every Target store includes a wide raceway aisle around its perimeter with wide individual aisles accommodating larger shopping carts and scooters; a fully-accessible washroom will be available inside the store.
- The Zellers façade has both Boston and English ivy growth; it may be possible to remove the invasive English ivy and maintain the Boston.
- As tenants of Tillicum Centre, issues such as the installation of a living wall or lighting and walkways for pedestrian safety in the parking lots, or a study of transportation demands, are not usually within their purview.
- Target is aware of the strong recycling requirements in Canada and will continue to have multiple-binned containers for refuse.
- Target has to this point only considered the landscaping and parking areas adjacent to their store but agree that their design should match that already planned for the future of the mall.

PUBLIC INPUT:

Nil

MOTION:

MOVED by Mayor Leonard and Seconded by Councillor Brice: “That it be recommended that Council approve and issue Development Permit Amendment DPA00764 on Lot 1, Sections 13,14,15,15A and 80, Victoria District, Plan 32836 (3170 Tillicum Road).”

Mayor Leonard stated:

- Tillicum Centre is now in a better position due to the interest from Target in opening a store in Saanich.
- The architect could represent only the building plans; however, it would not be appropriate to consider holding up the permit in order to have a Target representative attend to answer questions.
- Their corporate policy is good and it would be unusual to ask for corporate policy to be part of a covenant.

Councillor Brice stated:

- This permit application will not result in a change in the land use or building footprint; the local Community Association is in support although traffic management is always a concern.
- Target has a good reputation and it will not be necessary to tie down good corporate intentions.

Councillor Gerrard stated:

- He welcomes Target to Saanich and would like this to be the impetus

for the owner, RioKim Holdings, to proceed with the new residential development approved for the mall.

Councillor Derman stated:

- The opening of the Target store will benefit the mall.
- He is disappointed that a Target representative was not in attendance; since there is a parking variance required, this is Council's opportunity to ask for improvements and tie down such assurances.

Councillor Murdock stated:

- He had hoped to hear more from a Target representative about the retail operation and how employees will be encouraged to consider alternative forms of transportation.
- The Sustainability Statement does speak to Target's commitment as a corporate citizen.
- His main concern is the pedestrian areas in front of the store; the big parking lots are a wasteland; negotiations for improvements could be leveraged by Target.

Councillor Sanders stated:

- Her experience with the Broadmead Mall in Saanich, showed her that retailers can adapt their image to suit a new environment.
- This mall and the Zellers operation was due for a change; she supports the application.

Councillor Brownoff stated:

- Target should consider the appearance of the store from Tillicum Road; also how the existing ivy softens the impact and appearance of the structure.
- The parking lot is a challenge for pedestrians; she would encourage Target to talk with the mall owners about making the parking lot areas safer for pedestrians.

Councillor Wergeland stated:

- He supports the application.

The Motion was then Put and CARRIED

2830-40

Blenkinsop Road

3919 BLENKINSOP ROAD – REQUEST TO AMEND COVENANT.

Report of the Director of Planning dated July 10, 2012 recommending Council not amend Covenant FB367950 to permit the removal of a segment of the heritage wall along the western property boundary of 3919 Blenkinsop Road.

The applicant, Mr. K. Crawford, made a presentation to Council highlighting the following:

- The larger portion of the heritage wall blends well with the property; however, the narrow driveway entrance between the gateposts limits vehicle manoeuvring.
- The original driveway to the heritage house was oriented straight into the property while the present driveway is curved.

- He would like to remove less than 10% of the wall; he was not a party to the original agreement to covenant.

PUBLIC

Mr. K. Johnson, Saanich Heritage Foundation member, stated:

- The Saanich Heritage Foundation considered and approved the applicant's request to remove a small portion of the heritage wall; it is confusing that Saanich staff have recommended against the removal.

MOTION:

MOVED by Councillor Brice and Seconded by Councillor Gerrard: "That it be recommended that the Covenant FB367950 be amended to permit removal of a segment of the wall along the western property boundary of 3919 Blenkinsop Road."

Councillor Brice stated:

- The Saanich Heritage Foundation considered this request and concluded that removal of a portion of the wall would not impact the property's historical significance.
- The largest portion of the wall will remain untouched.

Councillor Gerrard stated:

- He agrees with the covenant on the larger portion of the wall and with removal of the small portion as requested.

Councillor Sanders stated:

- Council required the covenant to ensure the wall was preserved; any purchaser of the property would have been made aware of this covenant.
- She would prefer to see the section of wall moved over on the property and retained, rather than removed; it is key to see both matching gate posts.

Councillor Derman stated:

- This covenant to preserve the wall was negotiated by Council and perhaps the existing heritage house could have been designated.
- The section of wall could be preserved by moving it over on the site.

Councillor Wergeland stated:

- He respects the reason for the covenant but also the applicant's request and will support the motion.

Councillor Brownoff stated:

- She is opposed to removal of the section of wall; apparently there is sufficient access for Fire Department vehicles.
- Removal would whittle away at the heritage significance of the property; ease of access for larger vehicles is not sufficient justification for removal.

Councillor Murdock stated:

- He is opposed to removing the wall and would prefer that it be relocated and preserved.

- Council should respect the intent of the covenant and preserve the heritage aspect.

Councillor Wade stated:

- She would prefer the fence be relocated on the site.

The Motion was then Put and DEFEATED

**Councillors Brownoff, Derman, Murdock, Sanders and Wade
OPPOSED**

MOVED by Councillor Murdock and Seconded by Councillor Brownoff: “That it be recommended that the applicant be encouraged to consider a minor adjustment to the location of the heritage wall to allow the wall to be retained and, if achievable to the satisfaction of the Director of Planning, that the Director be authorized to approve the relocation as a minor amendment under the terms of the Covenant.”

CARRIED

2870-30
Mount Douglas
Cross Road

1516 MOUNT DOUGLAS CROSS ROAD – AGRICULTURAL LAND RESERVE EXCLUSION/REZONING APPLICATION – TINNEY & ASSOCIATES LAND PLANNING (ROGER TINNEY).

Report of the Director of Planning dated June 28, 2012 recommending Council not support the application to exclude all, or a portion, of the parcel from the Agricultural Land Reserve, and not forward the application to the Agricultural Land Commission for the proposed rezoning to RS-10 (single family dwelling) and new allotment garden zone for twelve lots for single family dwelling use, and two lots for allotment garden use; and that Council direct staff to amend the Gordon Head Local Area Plan to clarify that the removal of the parcel from the Agricultural Land Reserve is not supported.

Mr. R. Tinney, Project Planner, made a presentation on behalf of the owners, the Alberg family, and highlighted the following:

- The family are the original owners of the house on the property which was used for agricultural purposes for many years.
- The Gordon Head Local Area Plan and the Saanich Official Community Plan (OCP) always anticipated that this site would be removed from the Agricultural Land Reserve (ALR).
- The site was assessed by an agrologist in 2010 and its agricultural suitability rated poor to very poor due to the soil and bedrock, the size of the parcel, and conflict with nearby single family homes.
- A project arborist reviewed all the trees on the site and reported that out of 166 existing trees, 25 are dead or dying and 36 will have to be removed for driveways, foundations, etc.
- The applicant has also engaged a civil engineer to consider underground services sensitive to the treed site, and an architect to lay out building footprints for the lots, in order to determine if subdivision could be accomplished while preserving the trees.
- The buildings and services therefore work around the trees and are of a modest size; covenants are proposed to regulate many aspects.

- The concerns raised regarding a previous proposal for the site were about the loss of trees and the removal of land from the ALR; the applicants reconsidered, removed four properties from the project and proposed that a community garden be included on the Mount Douglas Cross Road side, including the original home as a caretaker's cottage.
- This proposal was presented to the Gordon Head Ratepayers Association, the Blenkinsop Residents Association and to the Peninsula Agricultural Commission; notice was given to residents of the immediate area and opinions remain divided.
- This development will preserve a great number of the Garry oaks, offer some farming space and provide housing sensitive to the site.

In response to questions from the Council, Mr. Tinney stated:

- They are willing to consider a covenant to ensure construction of the homes to a Built Green Gold standard.
- The proposed covenant would protect Garry oak trees, provide a cedar split rail fence to protect the oak meadow and govern the design and location and size of the homes.
- Future maintenance of the lots would be the responsibility of the strata council.
- The Agricultural Land Commission was consulted regarding the possible removal of a portion of the site from the ALR and, although unusual for such a small lot to remain in the ALR, they found it acceptable.
- Up to 36 trees may be lost in addition to the ones that must be removed.

PUBLIC INPUT

Mr. D. Cranston, 4190 Lynnfield Crescent, stated:

- The proposed fire access route onto Lynnfield Crescent would be a concern if it became a road; the integrity of their cul-de-sac would be ruined.

Mr. R. Boyd, 4173 Lynnfield Crescent, stated:

- If the fire access route is closed except for emergency vehicles, then it would not be a concern.
- He enjoys living next to a meadow; however, if this development is approved, it is a better proposal than the last and preferable to what was permitted on Mercer Place where the houses are built to the maximum footprint.
- The ALR property at the corner of Glendenning Road and Mount Douglas Cross Road, has had most of its trees removed; he understands there could be a worse outcome for the site than this proposal.
- The undeveloped lot at the north end of Mercer Place was cleared and is now covered in broom.
- The two fee simple lots at the end of Lynnfield Crescent could have larger homes; perhaps their building footprints could be similarly constrained.

Mr. C. Bradbury, 4189 Lynnfield Crescent, stated:

- He would not support a through road from the subdivision onto Lynnfield Crescent.

- He wonders how the Alberg house, within a community garden, would be maintained over the years.

Ms. P. Summers, 1560 Mount Douglas Cross Road, stated:

- Council has a responsibility to preserve ALR lands; this site has benefitted from its ALR designation for many years.
- The subdivision application is not appropriate, nor was the previous application.
- She is concerned about the potential loss of trees and the problems that come with allotment gardens.

In response to questions from the Council, the Director of Engineering stated:

- The proposed fire route is for emergency vehicle use only and will have a physical barrier to prevent access by other vehicles.

In response to questions from the Council, the applicant stated:

- The present owners will retain ownership of the community garden site and home.

The Director of Planning stated:

- The existing RS-18 zoning would permit a large, single family residence while the ALR designation would allow some type of farming.
- Garry oak trees situated within a building envelope may be removed.
- For houses not in the sewer service area, a septic field is required; the capacity of the field would be determined by the Vancouver Island Health Authority (VIHA) and that would drive what could be constructed on the site.
- With regard to controls regarding a possible farm use, the best practices for farm use and our animals bylaw would be relevant.

Councillor Derman stated:

- The issues are whether to remove this land from the ALR and whether this application represents the right type of development for the site.
- The property has been evaluated as poor for agriculture; it has a large Garry oak meadow and is close to other heavily treed lands.
- He would prefer to see any development at the Mt. Douglas Cross Road side with the forest at the rear of the lot protected.
- A community garden at this location would be car-oriented.

MOTION:

MOVED by Councillor Derman and Seconded by Councillor Brice: “That it be recommended that Council not support the application to exclude all or a portion of Lot 1, Section 54, Victoria District, Plan 5369 (1516 Mt. Douglas Cross Road) from the Agricultural Land Reserve and not forward the application to the Agricultural Land Commission.”

Councillor Derman stated:

- The applicant could look at development on the already-disturbed portion of the site and protect the remaining forested area.
- A farming operation could strip the site of trees.

Councillor Murdock stated:

- The Director of Planning has also recommended that the Gordon Head Local Area Plan be amended to clarify Council's position and provide a clear message that Council will not support removal of this land from the ALR.
- Although the amenities offered with the development are welcome, the proposal is inconsistent with Saanich policy to support local food production and not remove land from the ALR.
- Perhaps another option could be considered as long as the land is not removed from the ALR.

Councillor Gerrard stated:

- Although community gardens are valued in Saanich, this is not the right project for the site.
- Council consistently tries to maintain the ALR and not approve developments outside the Urban Containment Boundary (UCB).
- The proposed development is not well-supported in the community.

Mayor Leonard stated:

- The Planning Department has correctly recommended that this land not be removed from the ALR, even though other parcels nearby have been.
- Existing planning documents support ALR exclusion; Council could consider supporting a partial exclusion.
- Uses allowed under the ALR designation would not involve review by this Council.

Councillor Wergeland stated:

- Not all ALR lands support food production; this site is within the ALR and outside the sewer service area and he can support the motion.

Councillor Sanders stated:

- It was anticipated that the site would be removed from the ALR at some point; the property is isolated from other farm land and has a large Garry oak meadow.
- There is concern that other uses allowed on ALR lands could have a negative impact.

Councillor Brownoff stated:

- It is clear that all different types of farming would be allowed on this site under the "Right To Farm" legislation and that many trees could be lost; however, it is Council's present policy not to support the removal of land from the ALR and she is reluctant to do so.
- She supports the motion.

Councillor Wade stated:

- To not consider removal of this land from the ALR appears unfair since our planning documents show that exclusion was always contemplated.
- It is somewhat confused messaging that we support tree preservation and also local food production and agriculture but a large greenhouse

operation could be established on the site and remove all the trees.

The Motion was then Put and CARRIED

MOVED by Councillor Murdock and Seconded by Councillor Brice: "That it be recommended that Council direct staff to amend the Gordon Head Local Area Plan to clarify that the removal from the Agricultural Land Reserve is not supported."

Councillor Murdock stated:

- Our OCP strongly supports local food production and the retention of farm land for agriculture.
- It is time to clarify Council's intent by amending the Gordon Head Local Area Plan as recommended by the Director of Planning, to bring it into harmony with the OCP.

Councillor Brice stated:

- Notwithstanding the appearance of fairness, she supports the motion.
- Council has already confirmed its stance that ALR land will be protected; it is the right thing to do.

Councillor Derman stated:

- This is a valuable piece of property and change will have to occur.
- Saanich has strong policies with regard to ALR lands, the urban forest, and preservation of Garry oaks.
- This land is a poor prospect for farming but has potential for other farm practices that would not fit with the neighbourhood; this would be out of Council's control.
- The only way to preserve the forest may be to allow some form of development on the portion of the lot facing Mt. Douglas Cross Road.
- The forest and its oaks have greater value in this case.

The Motion was then Put and CARRIED

Mayor Leonard, Councillors Derman, Sanders and Wade OPPOSED

Adjournment

On a motion from Mayor Leonard the meeting adjourned at 9:50 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK