

DISTRICT OF SAANICH  
MINUTES OF THE COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, SEPTEMBER 17, 2012 AT 7:30 PM**

Present: **Chair:** Acting Mayor Murdock  
**Council:** Councillors Brice, Brownoff, Derman, Gerrard, Sanders and Wade  
**Staff:** Paul Murray, Chief Administrative Officer; Colin Doyle, Director of Engineering; Sharon Hvozdzanski, Director of Planning; Donna Dupas, Legislative Manager; and Andrea Park and Lynn Merry, Senior Committee Clerks

**PUBLIC HEARING**

2870-30  
Braefoot Road

“ZONING BYLAW 2003, AMENDMENT BYLAW, 2012, NO. 9194”.

**PROPOSED REZONING FOR RESIDENTIAL SUBDIVISION ON BRAEFOOT ROAD.**

To rezone Lot 4, Block D, Section 32, Victoria District, Plan 4181, Except the northerly 15 feet thereof (**4051 BRAEFOOT ROAD**) from Zone A-1 (Rural) to Zone RS-8 (Single Family Dwelling, minimum lot size – 665m<sup>2</sup>) and RS-12 (Single Family Dwelling, minimum lot size – 930m<sup>2</sup>) for the purpose of subdivision to create seven lots for single family dwelling use. A **COVENANT** will be considered to further regulate the use of the lands and buildings.

The Clerk introduced the following:

- Notice of Public Hearing.
- Memo from the Approving Officer dated September 4, 2012 regarding the commitments from the applicant, with email dated August 31, 2012 from the applicant.
- Report from the Director of Planning dated July 31, 2012.
- Excerpt from the Committee of the Whole Meeting minutes of August 13, 2012.
- Notes from public meeting held by applicant on September 6, 2011.
- Letters dated January 12, 2012 and May 9, 2012 from the Gordon Head Residents Association commenting on the application.
- Correspondence from five residents commenting on the application.

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

- Passive solar construction educational opportunities may be available in the future.
- Currently there is no database that tracks covenant areas being managed by strata developments.

**APPLICANT:**

Mr. Wil Peereboom, Victoria Design Group Ltd. stated:

- One driveway from Braefoot Road will serve three of the lots reducing the number of driveway accesses.
- The proposed pedestrian pathway was situated on the portion of the site with a gentle slope and fewer trees; it provides for pedestrian connectivity between Malton Avenue and Blenkinsop Road.

- The subdivision was designed so that the environmentally sensitive areas are in rear yards for minimal encroachment.
- Secondary suites are not allowed in this area of Saanich; individual property owners may, however, choose to provide accommodation for a family member.

Mr. D. Ensing of Duane Ensing Landscape Design, stated:

- The footprints of the proposed homes were determined after consultation with an arborist and a biologist; 22% of the site will be protected under the natural state covenant and through the wildlife corridor.
- Owners of Strata Lots A and B will be responsible for maintaining the proposed rain garden and the common property access route.
- Split rail fencing will be installed along the wildlife corridor; permeable pavers will be used for driveways, patios and walkways.
- This development is close to amenities and trails that promote an active lifestyle.
- No variances will be necessary.

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

- The natural state covenant area will be registered on title to the properties; however, information could also be provided to the new owners of the strata and fee simple lots regarding their responsibilities with respect to the natural state covenant area, the raingardens, the common driveway, the wildlife corridor and fences, and advising that Saanich prohibits the feeding of deer.
- Each residence will have a two-car garage and room for two vehicles in the driveway.

#### **PUBLIC INPUT**

Mr. C. Fairlie, 4045B Braefoot Road, stated:

- The proposed boulevard trees on Braefoot Road may cause blind spots for vehicles pulling out of driveways and impact pedestrian safety.
- He would prefer additional parking spaces on Braefoot Road.

Mr. D. Gunn, Gordon Head Residents Association, stated:

- The Gordon Head Residents Association supports the application.
- The natural state covenant areas, the wildlife corridor and the pedestrian pathway are appreciated.

Mr. D. Steingard, 1431 Braefoot Close, stated:

- He is in favour of the rezoning but believes that neighbouring residents do not support the proposed pedestrian pathway.

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

- The Zoning Bylaw requires parking to be provided onsite in such developments.
- The proposed sidewalks on Braefoot Road will be separated from the roadway by boulevard trees.

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

- The municipality requires that the applicant provide boulevard trees; staff will work with the applicant to place the trees in appropriate locations.

**APPLICANT'S RESPONSE:**

- The type of boulevard trees selected will not obstruct driver sight lines.
- Braefoot Road is a rural type of road and to install concrete curbs would be contrary to the goals for this development.

**COUNCIL DELIBERATIONS:****MOTION:**

**MOVED by Councillor Wade and Seconded by Councillor Gerrard : "That:**

- 1) the application to rezone from A-1 to RS-8 and RS-12 be approved;**
- 2) a covenant be registered prior to final reading of the zoning bylaw, to require:**
  - a) design and construction of proposed new dwellings to conform to a minimum Built Green Gold standard, Energuide 80 for New Houses or an equivalent energy efficient building design and construction standard;**
  - b) all driveways, patios and walkways on Lots 1-5 and Strata Lots A and B to be constructed using interlocking pavers or equivalent permeable surfacing materials;**
- 3) prior to final reading the applicant provide a suitable cost estimate and performance surety for planting of replacement trees at a 1:1 ratio, plant salvage, and restoration of proposed covenant areas with native vegetation as recommended by Saanich Environmental Services staff."**

Councillor Wade stated:

- This project has been well thought out.
- It is appropriate for staff to determine the location of sidewalks and boulevard trees keeping in mind the sightlines of vehicles.
- The pedestrian pathway is needed for future connectivity between neighbourhoods.

Councillor Brice stated:

- She supports the motion; the building footprints are sensitive to the natural environment and the fact that 22% of the site will be protected under a natural state covenant is a key component.
- The wildlife corridor and pedestrian pathway will allow this property to stay vibrant.

Councillor Gerrard stated:

- He supports the application; this infill development is suitable for the area; it is close to amenities, consistent with the Braefoot Action Plan and the Gordon Head Residents Association is in support.
- He supports the creation of the pedestrian pathway and its location mid-block.

Councillor Derman stated:

- He supports this development.
- The applicant has agreed to inform new owners of their responsibilities towards maintaining the natural state covenant area.
- The applicant has agreed to a Built Green Gold level of energy efficiency, which could become a standard requirement of the municipality.

Councillor Brownoff stated:

- Significant greenspace has been preserved within this development and the new owners are to be advised of their responsibility in this regard.
- The pedestrian pathway provides an opportunity for residents to connect to other neighbourhoods; the addition of the sidewalk will increase mobility.
- The mix of sizes for the residences is suitable for the area.

Councillor Sanders stated:

- She supports this application and is pleased about the proposed pedestrian pathway; many connections have been created throughout Saanich neighbourhoods in this way.
- It is important that the natural state covenant areas are not encroached upon by new owners.
- She would encourage the applicant to consider whether proposed Lot 5 might contribute to the costs of maintaining the shared driveway.

**The Motion was then Put and CARRIED**

2870-30  
Braefoot Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2012, NO. 9194”  
Second and Third Readings

**MOVED by Councillor Wade and Seconded by Councillor Brice: “That Bylaw No. 9194 be read a second time.”**

**CARRIED**

**MOVED by Councillor Wade and Seconded by Councillor Brice: “That Bylaw No. 9194 be now passed.”**

**CARRIED**

Minutes

**ADOPTION OF MINUTES**

**MOVED by Councillor Brownoff and Seconded by Councillor Gerrard: “That Council adopt the minutes of the September 10, 2012 Council and Committee of the Whole meetings.”**

**CARRIED**

**BYLAWS**

1110-30  
Deposit of Fill

**DEPOSIT OF FILL BYLAW AMENDMENT – TO REGULATE THE VOLUME OF FILL.**

Final Reading of the “Deposit of Fill Bylaw, 1993, Amendment Bylaw, 2012, No. 9193”. To regulate the volume of fill.

**MOVED by Councillor Derman and Seconded by Councillor Wade: “That Bylaw No. 9193 be adopted and the Seal of the Corporation be attached thereto.”**

**CARRIED**

6840-20  
Carloss Place

**SANITARY SEWER BYLAW AMENDMENT – INCLUSION OF 4763 CARLOSS PLACE IN THE SEWER SERVICE AREA.**

Three Readings of the “Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2012, No. 9195”. To include 4763 Carloss Place in the Sewer Service Area.

**MOVED by Councillor Gerrard and Seconded by Councillor Derman: “That Bylaw No. 9195 be introduced and read.”**

**CARRIED**

**MOVED by Councillor Gerrard and Seconded by Councillor Derman: “That Bylaw No. 9195 be read a second time.”**

**CARRIED**

**MOVED by Councillor Gerrard and Seconded by Councillor Derman: “That Bylaw No. 9195 be now passed.”**

**CARRIED**

**RESOLUTIONS FOR ADOPTION**

1410-01  
Council Procedures

**MOVED by Councillor Derman and Seconded by Councillor Wade: “That Councillor Gerrard be appointed as Acting Mayor for the reconvened Council and In Camera meetings to follow.”**

**CARRIED**

Adjournment

On a motion from Councillor Derman, the meeting adjourned at 8:25 pm.

The meeting reconvened at 9:47 pm. Acting Mayor Gerrard took the Chair.

**RECOMMENDATIONS**

*From the Committee of the Whole Meeting held September 17, 2012*

2860-40  
Finnerty Road

**3800 FINNERTY ROAD – DEVELOPMENT VARIANCE PERMIT – UNIVERSITY OF VICTORIA.**

**MOVED by Councillor Wade and Seconded by Councillor Brownoff: “That Council approve the Development Variance Permit DVP00282 on Lot 1, Sections 31, 44, 45, 71, 72, Victoria District, Plan VIP57957 (3800 FINNERTY ROAD) for height and number of parking spaces for the proposed new Centre for Athletics, Recreation and Special Abilities with attached parkade.”**

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Brice: “That Council approve the removal of S Hut from the Community Heritage Register as outlined in the report of the Director of Planning dated August 13, 2012.”**

**CARRIED**

In Camera Motion      **MOVED by Councillor Brownoff and Seconded by Councillor Wade: “That the following meeting be closed to the public as the subject matter being considered relates to the acquisition of land and/or improvements.”**

**CARRIED**

Adjournment            **On a motion from Councillor Derman, the meeting adjourned at 9:48 pm.**

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 ACTING MAYOR

I hereby certify these Minutes are accurate

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 MUNICIPAL CLERK

THE FOLLOWING WAS REPORTED FROM THE “IN CAMERA” COUNCIL MEETING HELD ON FEBRUARY 13, 2012.

2710-40  
 Wilkinson Road

**4158 WILKINSON ROAD (A PORTION) – PROPOSED ACQUISITION**

**“That Council approve the acquisition of a portion of Lot 4, Block A, Section 5, Lake District, Plan 1341A (4158 Wilkinson Road) on the terms negotiated.”**

DISTRICT OF SAANICH  
 MINUTES OF THE COMMITTEE OF THE WHOLE MEETING  
 HELD IN THE COUNCIL CHAMBERS  
 SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**MONDAY, SEPTEMBER 17, 2012 AT 8:26 PM**

Present: **Chair:** Councillor Gerrard  
**Council:** Councillors Brice, Brownoff, Derman, Murdock, Sanders and Wade  
**Staff:** Paul Murray, Chief Administrative Officer; Colin Doyle, Director of Engineering; Sharon Hvozdanski, Director of Planning; Donna Dupas, Legislative Manager; Andrea Park and Lynn Merry, Senior Committee Clerks

2860-40  
 Finnerty Road

**3800 FINNERTY ROAD – DEVELOPMENT VARIANCE PERMIT – UNIVERSITY OF VICTORIA.**

Supplemental report of the Director of Planning dated August 13, 2012 recommending Council approve Development Variance Permit DVP00282 for height and number of parking spaces for the proposed new Centre for Athletics, Recreation and Special Abilities (CARSA) with attached parkade; and approve the removal of S Hut from the Community Heritage Register.

\*\*\*\*\*  
 Councillor Murdock declared, pursuant to Section 85 of the Council Procedure Bylaw, that his spouse is employed by the University of Victoria and therefore he will not take part in the discussion nor vote on a motion in respect of the development variance permit for 3800 Finnerty Road.

Councillor Murdock left the meeting at 8:29 p.m.

\*\*\*\*\*  
 The applicant, Ms. G. Gorrill, Vice President, Finance & Operations, University of Victoria (UVic); Mr. V. Verlaan, HB Lanarc Consultants; and Mr. D. Johnson, Cannon Design Architecture Inc.; made presentations to Council highlighting the following:

- Council previously postponed consideration of this application to allow for further public consultation and design changes.
- HB Lanarc was retained by UVic to design an improved communication and public participation process with respect to this project.
- Interviews were undertaken with community and stakeholders; there were 13 recommendations made for moving ahead in the consultation process.
- Process and content concerns were identified from the previous application; the community did not feel that they were being listened to and their concerns were not being addressed during the process.
- The community also had concerns with the height, mass and visual appearance of the parkade and traffic and parking impacts of an expanded number of events at the facility.
- Five steps were recommended for an improved consultation process; getting information out and sharing documentation with the

community; designing a number of options and reviewing the options with the community; taking the community input through a revised design process; taking the new proposed design back to the community and finding out if it met expectations; and preparing a final design.

- The revised design of the parkade conforms to the 10 metre height maximum set out in the Zoning Bylaw and does not require a height variance; the main recreation facility has three height variances for the climbing tower, field house and performance gym.
- The revised design of the parkade will control artificial lighting including low angle glare from parkade fixtures, roof level perimeter light and headlight spill.
- The design plan also accommodates for future public transit opportunities.

In response to questions from Council, the applicants stated:

- UVic will provide information on alternative means of transportation to the campus for future large scale events; overflow parking in the community will be minimized.
- The parkade is intended to be unmanned but this approach will be monitored.

**PUBLIC INPUT:**

Ms. G. Baranieski , Mt. Tolmie Community Association, stated:

- The Mt. Tolmie Community Association supports this application and appreciates the efforts that UVic put into the community consultation process.

Ms. B. Raponi, Cadboro Bay Residents Association, stated:

- The Association does not oppose this project; the current proposal represents a compromise.
- Any future consultation processes could be improved by involving community associations in the preliminary design stages.

Mr. M. Boland, 2624 Cranmore Avenue, stated:

- The Royal Astronomical Society of Canada, Victoria Centre was included in the consultation process; they endorse the changes to the project.
- Light pollution and sky glow are concerns and he trusts the LEED requirements for light abatement will be followed.

Ms. C. Atwell, 3943 Locarno Lane, stated:

- Her concern is that traffic patterns may not have been addressed in the current application.

Mr. J. Anderson, 3902 Lauder Road, stated:

- The reduction in the height of the parkade has been well received; the resulting parking variance is workable and consistent with the university's Traffic Demand Management Plan.
- The CARSA project should be recognized as a significant facility for the region.

Mr. J. Ming, 3987 Finnerty Road, stated:

- This facility will provide a great opportunity for students and the community to take part in climbing.

Ms. D. Paul , 2217 Greenlands Road, stated:

- She is in favour of the new complex and is supportive of CanAssist.
- She has concerns with the increase in impervious surfaces and existing outdoor light pollution on the campus.

Mr. C. Spicer, 4435 Shelbourne Avenue, stated:

- UVic has done an incredible job encouraging alternative means of transportation.
- The Victoria region already benefits from the facilities at UVic and will further benefit from this new project.

Mr. D. Gunn, Gordon Head Residents' Association, stated:

- The Gordon Head Residents' Association participated in the consultation process and is fully supportive of the project; it will be a great asset to the community.
- The proposed improvements to McKenzie Avenue are welcome.
- He understands that construction, assembling and disposal of materials will be contained within the construction area.

Mr. D. Norwood, 3995 Gordon Head Road, stated:

- He uses the UVic recreation facilities regularly and is excited about the proposed new buildings.

Mr. R. Bettauer, Chief Executive Officer of the Pacific Institute of Sports Excellence (PISE), stated:

- It is a tribute to Saanich that there are outstanding facilities available to students and the community which promote healthy living.
- He appreciates the consultation process and the detail and effort that went into revising this application.

In response to questions from Council, the applicants stated:

- They are pursuing LEED Gold certification of this project which will regulate the lighting components.
- The interior lighting fixtures on the climbing wall will be focused inward on the task.

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

- The Boulevard Transportation Group conducted a transportation study of the CARSA project in conjunction with the McKenzie Avenue upgrade; the study concluded that future traffic volumes will be handled by the road improvements.

**Motion:** **MOVED by Councillor Derman and Seconded by Councillor Brice: “That it be recommended that Council approve the Development Variance Permit DVP00282 on Lot 1, Sections 31, 44, 45, 71, 72, Victoria District, Plan VIP57957 (3800 FINNERTY ROAD) for the proposed new Centre for Athletics, Recreation and Special Abilities with attached parkade.”**

Councillor Derman stated:

- These facilities are a tremendous asset; there is a need for UVic and the community to have facilities that are built for future generations.
- He was heartened by the improved communication and consultation process which took place.
- This project has also heightened awareness of heritage on campus.

Councillor Wade stated:

- She is delighted to support the project; the applicant undertook a comprehensive consultation process and addressed community concerns.

Councillor Brice stated:

- She is pleased to give her support and thanks the community and UVic for the successful consultation process.
- The proposed facility will enhance the community.

Councillor Brownoff stated:

- HB Lanarc developed an effective consultation process and this resulted in a revised design for a facility which will be a valuable resource for the community and UVic.
- UVic is now developing a new and open communication and consultation process.

Councillor Sanders stated:

- She supports the revised CARSA proposal; the excellent consultation process resulted in a reasonable compromise.
- The parking variance is a concern; however, traffic patterns will improve with the upgrade to McKenzie Avenue and transit improvements are also under consideration.

Councillor Gerrard stated:

- This is an outstanding development which will attract world-class sporting events; the climbing wall is a positive addition to UVic.
- The proposed trees on both sides of McKenzie Avenue will enhance the entrance to the University.

**The Motion was then Put and CARRIED**

**Motion:** **MOVED by Councillor Derman and Seconded by Councillor Brice: “That it be recommended that Council approve the removal of S Hut from the Community Heritage Register as outlined in the report of the Director of Planning dated August 13, 2012.”**

**CARRIED**

Adjournment            On a motion from Councillor Derman, the meeting adjourned at 9:45 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK