

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, OCTOBER 21, 2013 AT 7:30 PM

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

Minutes **ADOPTION OF MINUTES**

**MOVED by Councillor Brownoff and Seconded by Councillor Wergeland:
"That Council adopt the minutes of the October 7, 2013 Council meeting."**

CARRIED

BYLAWS

1110-30
Tax Exemption
Bylaw

TAX EXEMPTION BYLAW (CHURCH EXEMPTIONS) AMENDMENT

Three Readings of the "Tax Exemption Bylaw (Church Exemptions), 2012, Amendment Bylaw, 2013, No. 9241". To include the Iglesia Ni Cristo (Church of Christ) at 4054 Carey Road.

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
"That Bylaw No. 9241 be introduced and read."**

CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
"That Bylaw No. 9241 be read a second time."**

CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
"That Bylaw No. 9241 be now passed."**

CARRIED

1110-30
Tax Exemption
Bylaw

TAX EXEMPTION REAL PROPERTY BYLAW AMENDMENT

Three Readings of the "Tax Exemption Real Property Bylaw, 2012, Amendment Bylaw, 2013, No. 9242". Housekeeping amendment to reflect the change in ownership of the Horticulture Centre of the Pacific at 505 Quayle Road from the Province to the District of Saanich.

**MOVED by Councillor Gerrard and Seconded by Councillor Sanders:
"That Bylaw No. 9242 be introduced and read."**

CARRIED

MOVED by Councillor Gerrard and Seconded by Councillor Sanders:
“That Bylaw No. 9242 be read a second time.”

CARRIED

MOVED by Councillor Gerrard and Seconded by Councillor Sanders:
“That Bylaw No. 9242 be now passed.”

CARRIED

2870-30
Boleskine Road

601 BOLESKINE ROAD – REZONING TO M-2DW

Final Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2013, No. 9240”. Rescindment of Final Reading, and re-read Final Reading of Bylaw No. 9240.

MOVED by Councillor Wade and Seconded by Councillor Gerrard: “That the October 7, 2013 Final Reading of Bylaw No. 9240 be rescinded”.

CARRIED

MOVED by Councillor Wade and Seconded by Councillor Gerrard: “That Bylaw No. 9240 be adopted by Council and the Seal of the Corporation be attached thereto”.

CARRIED

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 7:37 pm.

The meeting reconvened at 9:23 pm.

RECOMMENDATIONS

From the Committee of the Whole Meeting held October 21, 2013

1110-30
Tax Exemption
Bylaw

TAX EXEMPTION BYLAW (GREATER VICTORIA PUBLIC LIBRARY BOARD – UNIT 101 – 3521 BLANSHARD STREET)

MOVED by Councillor Wade and Seconded by Councillor Wergeland:
“That Bylaw No. 9243 be introduced and read.”

CARRIED

MOVED by Councillor Wade and Seconded by Councillor Wergeland:
“That Bylaw No. 9243 be read a second time.”

CARRIED

MOVED by Councillor Wade and Seconded by Councillor Wergeland:
“That Bylaw No. 9243 be now passed.”

CARRIED

1300-50
Liquor Licence
Amendment

5331 CORDOVA BAY ROAD – REVISIONS TO LIQUOR LICENCE AT CORDOVA BAY GOLF COURSE

MOVED by Councillor Wergeland and Seconded by Councillor Gerrard: “That Council support the request to the Liquor Control and Licensing Branch for a permanent change to liquor-primary licence #142262 for a change of hours from 10:00 am (11:00 am on Sundays) – 12:00 am to 9:00 am – 12:00 am daily; and to food-primary licence #141735 for a patron participation entertainment endorsement to include dancing at events such as wedding receptions and Christmas parties at the Cordova Bay Golf Course located at 5331 Cordova Bay Road”.

CARRIED

1300-50
Liquor Licence
Amendment

1654 MCKENZIE AVENUE – REVISIONS TO THE FOOD - PRIMARY LIQUOR LICENCE FOR ORIGINAL JOE’S RESTAURANT AND BAR

MOVED by Councillor Derman and Seconded by Councillor Sanders: “That Council support the request to the Liquor Control and Licensing Branch to amend the food-primary liquor licence to extend the hours of operation from 9:00 am - 12:00 am to 9:00 am - 1:00 am on Thursday, Friday and Saturday at Original Joe’s Restaurant and Bar located at 1654 McKenzie Avenue”.

CARRIED

In Camera Motion

MOVED by Councillor Brownoff and Seconded by Councillor Wade: “That pursuant to Sections 18(i) and (m) of the Council Procedure Bylaw, 2007, No. 8840, the following meeting be closed to the public as the subject matter being considered relates to advice that is subject to solicitor-client privilege, and excluded from release under another enactment (Section 17 of the Freedom of Information and Protection of Privacy Act).”

CARRIED

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 9:24 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, OCTOBER 21, 2013 AT 7:38 PM

Present: **Chair:** Councillor Derman
Council: Mayor Leonard and Councillors Brownoff, Gerrard, Murdock, Sanders, Wade and Wergeland
Staff: Paul Murray, Chief Administrative Officer; Colin Doyle, Director of Engineering; Sharon Hvozanski, Director of Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

1110-30
 Tax Exemption
 Bylaw

TAX EXEMPTION BYLAW (GREATER VICTORIA PUBLIC LIBRARY BOARD – UNIT 101 – 3521 BLANSHARD STREET)

Report of the Director of Finance dated October 8, 2013 recommending Council give three readings to Bylaw 9243 granting permissive tax exemption for Ravine Equities (Nominee) Inc. (leased to the District of Saanich and occupied by the Greater Victoria Public Library Board), Unit 101 at 3521 Blanshard Street for the duration of the current lease (ten years).

PUBLIC INPUT:

Nil

Motion: **MOVED by Mayor Leonard and Seconded by Councillor Wade : “That the request for a permissive tax exemption for Ravine Equities (Nominee) Inc. (leased to the District of Saanich and occupied by the Greater Victoria Public Library Board), for the property at 101-3521 Blanshard Street, be granted.**

CARRIED

1300-50
 Liquor Licence
 Amendment

5331 CORDOVA BAY ROAD – REVISIONS TO LIQUOR LICENCE AT CORDOVA BAY GOLF COURSE

Report of the Director of Planning dated August 27, 2013 recommending Council support the request to the Liquor Control and Licensing Branch for a permanent change to liquor-primary licence #142262 for a change of hours from 10:00 am (11:00 am on Sundays) – 12:00 am to 9:00 am - 12:00 am daily; and to food-primary licence #141735 for a patron participation entertainment endorsement to include dancing at events such as wedding receptions and Christmas parties.

Managing Partner, K. Jawl, stated:

- This application requests a change to the hours to the liquor-primary licence and an entertainment endorsement to the food-primary licence.
- The change to the hours in the liquor-primary licence would allow liquor service to begin at 9:00 am to allow golfers purchase a beverage before teeing off.
- The change to the food-primary licence would allow dancing at group functions such as weddings and Christmas parties; the intent is to have functions remain a small portion of the business.

- The restaurant is approximately 150 metres from the nearest home; staff will continue to monitor noise to ensure there are no complaints from neighbours.
- There have been no violations in regard to liquor over-service, service to minors or hours of operation and no noise complaints received by Police or Bylaw.

PUBLIC INPUT:

Nil

Motion:

MOVED by Councillor Gerrard and Seconded by Councillor Murdock: "That it be recommended that Council support the request to the Liquor Control and Licensing Branch for a permanent change to the liquor-primary licence #142262 for a change of hours from 10:00 am (11:00 am on Sundays) – 12:00 am to 9:00 am - 12:00 am daily; and to food-primary licence #141735 for a patron participation entertainment endorsement to include dancing at events such as wedding receptions and Christmas parties at the Cordova Bay Golf Course located at 5331 Cordova Bay Road".

CARRIED

1300-50
Liquor Licence
Amendment

1654 MCKENZIE AVENUE – REVISIONS TO FOOD-PRIMARY LIQUOR LICENCE FOR ORIGINAL JOE'S RESTAURANT AND BAR

Report of the Director of Planning dated September 16, 2013 recommending Council support the request to the Liquor Control and Licensing Branch for an amendment to the food-primary liquor licence to extend the hours of operation of Original Joe's Restaurant and Bar from 9:00 am – 12:00 am to 9:00 am – 1:00 am on Thursday, Friday and Saturday.

The applicant, M. Britton, Beckley Avenue, stated:

- This application requests an extension to business hours by one hour on Thursdays, Fridays and Saturdays; by extending business hours patrons do not have to be rushed at the end of the night.
- Due to previous complaints, the outdoor patio is closed at 10:00 pm to ensure that residents are not disturbed; the applicant is committed to maintaining the 10:00 pm patio closing.
- There is a limited choice of restaurants in the area that are open after midnight.

PUBLIC INPUT:

Nil

Motion:

MOVED by Mayor Leonard and Seconded by Councillor Gerrard: "That it be recommended that Council support the request for the Liquor Control and Licensing Branch to amend the food-primary liquor licence to extend the hours of operation from 9:00 am – 12:00 am to 9:00 am – 1:00 am on Thursday, Friday and Saturday at Original Joe's Restaurant and Bar located at 1654 McKenzie Avenue".

Councillor Gerrard stated that both the Gordon Head Residents' Association and the Strata Council are not opposed to the application.

CARRIED

2870-30
Kremlin Street

3839 KREMLIN STREET – REZONING APPLICATION – AMRIT GOSSAL

Report of the Director of Planning dated September 10, 2013 recommending Council approve the rezoning from RS-6 to RS-4 for a proposed two lot residential subdivision; and that prior to final reading a covenant be registered to require that the design and construction of both new dwellings on proposed Lots 1 and 2 conform to a minimum EnerGuide 80, or equivalent energy efficiency standard; and that the property owners shall not use any part of the proposed lots as a sidewalk or patio unless the surface of such sidewalk or patio is constructed of a permeable paving material.

The applicant, A, Gossal, Players Drive, and co-owner, A. Gossal, Leyns Avenue, stated:

- The proposed new dwellings will be owner-occupied; the applicant wants to move closer to work in a desirable neighbourhood.
- Prior to the design phase, the applicants met with neighbours and held an Open House to discuss the proposal; nine letters of support have been received from neighbours and the Community Association has stated they have no objections to the proposal.
- The current dwelling on the site will be deconstructed; both homes will be fronted and accessed from Kremlin Street.
- The proposed homes will be well screened, ensuring the privacy of immediate neighbours; there are no variances requested and no secondary suites are planned for the new dwellings.
- Sustainability features will be used to ensure a minimum EnerGuide 80 or equivalent energy efficiency standard; heat pumps, Energy Star appliances and energy efficient windows will be installed in both dwellings.
- Patios and sidewalks will be constructed using permeable pavers.
- This proposal will not have a significant impact on on-street parking or traffic in the area.
- This project is consistent with the Official Community Plan and the Shelbourne Local Area Plan; it is close amenities including schools, parks, the University of Victoria, Camosun College, and walking and hiking trails.

In response to a question from Council, the applicant stated that the bedrooms will be located on the upper level.

PUBLIC INPUT:

S. Allan, Cedar Hill Cross Road, stated:

- She supports the proposed development; low density infill allows preservation of green space while maintaining the character of the neighbourhood.
- The applicant is committed to EnerGuide 80 energy efficiency standards; the deconstruction will be done in a respectful manner utilizing the materials from the existing dwelling.
- The proposed dwellings are being designed for young families; this is important for keeping the neighbourhood vital.

- M. Adams, Vice President of the Mount Tolmie Community Association, stated:
- The Community Association supports the application; extensive community consultation took place.
 - This proposed development will allow young families to stay in the neighbourhood.
 - The Community Association would like to see new sidewalks on the west side of Kremlin Avenue and Ansell Road.

Motion:

MOVED by Councillor Wade and Seconded by Councillor Murdock: "That a Public Hearing be called to further consider the rezoning application on Lot 2, Section 40, Victoria District, Plan 14933 (3839 Kremlin Street)."

Councillor Wade stated:

- This is a thoughtful development; the proposed dwellings fits within the character of the neighbourhood.
- She supports the application going forward to Public Hearing.
- Sidewalks should be provided by priority.

Councillor Murdock stated:

- This application is worthy of a Public Hearing; it is appropriate infill for the neighbourhood.
- It is a good objective to provide housing close to employment; this neighbourhood is walkable to the University of Victoria, public transit and commercial services.
- The applicant is committed to EnerGuide 80 energy efficiency standard and deconstruction of the existing dwelling.

Councillor Brownoff stated:

- The developer has spoken with the community and addressed their concerns; deconstruction of the existing dwelling is a positive aspect of this application.

In response to a question from Council, the Director of Engineering stated that Ansell Road is not deemed a major walking route as described in the Safe Routes to School policy, therefore sidewalks are not a priority.

Councillor Sanders stated:

- She supports the application going to Public Hearing; the deconstruction of the existing dwelling is important.
- This proposed development fits within the character of the neighbourhood and is close to schools and amenities.

Councillor Derman stated:

- This is an appropriate area for low density infill; he supports this application going to Public Hearing.
- It is close to the University of Victoria and amenities.

The Motion was then Put and CARRIED

2870-30

Midgard Avenue

1764 MIDGARD AVENUE – REZONING APPLICATION – ADAM BATE

Report of the Director of Planning dated September 10, 2013 recommending Council approve the rezoning from RS-6 to RS-4 for a proposed two lot residential subdivision; and that prior to final reading suitable bonding for planting of three additional boulevard street trees be provided; and that a covenant be registered to require that the design and construction of both new dwellings on proposed Lots 1 and 2 conform to a minimum BuiltGreen™ Gold, or equivalent energy efficiency standard; and that the property owners shall not use any part of the proposed lots as a sidewalk or patio unless the surface of such sidewalk or patio is constructed of a permeable paving material.

The applicant, A. Bate, Cavendish Avenue, stated:

- The width of the proposed lots is in keeping with the size of current lots in the neighbourhood; the design of the house is compatible with the housing style of the neighbourhood.
- The addition of one additional dwelling will not impact traffic or on-street parking.
- Community consultation took place and favourable feedback has been received.
- The applicant is committed to planting three additional boulevard trees, deconstructing the existing dwelling, and BuiltGreen™ Gold energy efficiency standard of construction.

PUBLIC INPUT:

M. Adams, Vice President of the Mount Tolmie Community Association, stated:

- The Community Association supports the application; this proposed development fits within the character of the neighbourhood.
- The Community Association would like to see a continuation of the sidewalk on Midgard Avenue.

Motion:

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: "That a Public Hearing be called to further consider the rezoning application on Lot C, Section 40, Victoria District, Plan 20545 (1764 Midgard Avenue)."

Councillor Wergeland stated:

- He supports the application going forward to Public Hearing; this is a good location for infill.
- He appreciates that the applicant met with the neighbours to address concerns.

Councillor Gerrard stated:

- He supports the application going to Public Hearing; good community consultation took place.

Councillor Sanders stated:

- She supports the application proceeding to Public Hearing; there is a good walking environment in this neighbourhood.
- This proposed development will be a good addition to the neighbourhood.

The Motion was then Put and CARRIED

2870-30
Penrhyn Street

2580 AND 2588 PENRHYN STREET – REZONING APPLICATION – ABSTRACT DEVELOPMENTS INC.

Report of the Director of Planning dated October 10, 2013 recommending Council amend the Official Community Plan to include the site within Cadboro Bay Village Development Permit Area 16, approve the rezoning from RS-10 to a new zone C-1CBV (commercial Cadboro Bay Village) and Development Permit DPR00549 for a proposed 3-storey, mixed use development with two commercial retail units and 16 residential units; and that final reading be withheld pending provision of a Geotechnical Engineer's assessment of water table level and assurance of the feasibility of the proposed catch basins and stormwater absorption trench to the satisfaction of the Director of Engineering, and consolidation of the lots; and registration of a covenant to require that the building be constructed to a BuiltGreen™ Silver or equivalent energy efficiency standard, and provision of \$10,000 towards an Affordable Housing Contribution. Report of the Advisory Design Panel dated July 18, 2013 recommending approval of the design subject to covered bicycle parking at the front entrance.

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

- Because of constraints to the site layout, there is not significant width for a double driveway.
- The minimum width for a double driveway can be provided at the Public Hearing.

The applicant, M. Miller, Abstract Developments Inc., stated:

- This application proposes to rezone the property and construct a three-storey, mixed use building with two ground floor commercial units and 16 residential units.
- Door-to-door community consultation, consultation with the Cadboro Bay Residents Association and an Open House took place to solicit feedback; the applicant heard the community's concerns and the design has been revised.
- The applicant is committed to a BuiltGreen™ Gold energy efficiency standard of construction and to providing a \$10,000 contribution towards affordable housing.
- This contribution will be offered to an attainable housing option proposed by the applicant in conjunction with another rezoning application; failing that, the applicant is committed to providing \$10,000 to the Saanich Affordable Housing Fund.
- A total of 20 parking stalls will be provided; each unit will have secure bicycle parking and an additional six covered bicycle parking spots will be located at the front of the building.
- A range of unit sizes and types will be available.
- This development is within walking distance to shops and schools and is an appropriate design for the neighbourhood.
- The landscaping plan includes the use of permeable pavers and full boulevard restoration on Penrhyn Avenue; four additional trees will be planted in the rear yard to provide further screening.
- Cedar fencing will be built around the property.

In response to questions from Council, the applicant stated:

- There is no intention to light balconies; the parking area will be lit by surface mounted pot lights to control light deflection.

- Pot lights will connect to timers which will be controlled by the Strata; motion sensors can be used to trigger a second set of pot lights for security measures.
- The parking area will be screened by stone cladding.
- The addition of trees along the rear of the property will assist in providing screening from neighbouring properties.
- The substantial fir tree at the corner of the property will be retained; the cedar tree near the middle of the lot will have to be removed.
- The \$10,000 contribution to affordable housing will be discussed further at the Public Hearing.
- The width of the single driveway is approximately 3.5 meters.
- There will be provisions for future solar hot water and solar photovoltaic.

PUBLIC INPUT:

L. Wray, Cadboro Bay Road, stated:

- She is concerned about the view from her residence and the possibility of light pollution; the developer should be thorough and creative when dealing with the possibility of light pollution and ensure that the Strata is consulted.
- The four new trees that will be planted should be as large as possible to assist with screening.
- There is a concern that this development is the start of a series of multi-storey developments in the area.

P. Cooper, co-owner of Village Service, stated:

- He is concerned that the applicant did not meet with merchants in the area to get feedback; the parking for commercial units is an issue.
- He is not in favour of a parking variance; this development will provide a hardship for merchants in the area because of lack of parking.

D. Beaulieu, Pitcombe Place, stated:

- He supports the proposal; he is happy with the proposed screening and planting.
- He preferred the first site plan with the single driveway.

E. Daly, Mount Baker View Road, stated:

- Parking in this neighbourhood is an issue; the applicant needs to be creative in coming up with parking solutions as other merchants have done.

In response to questions from the public, S. Murdoch, Landscape Architect, stated:

- The Deodara cedar is on the edge of the building envelope; it will have to be removed.
- The height of the four additional trees will be approximately 15 feet.

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

- Consultation took place with residents and letters were mailed to owners of commercial units in the area.

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

- Some existing commercial properties are not in conformance with current parking bylaws; that information can be brought forward at the Public Hearing.
- An (a) or (b) option could be proposed in regards to the affordable housing contribution and would be secured via covenant.

- There are requirements for green space that can be compensated through internal amenities such as meeting space or externally such as on the roof; in this case Gyro Park can be seen as the green space.
- The possibility of future further development can be addressed through the Local Area planning process.
- The applicant should consider parking alternatives for the commercial units.

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

- It is possible to have underground parking but it is not ideal.
- With the number of parking stalls on site and typical traffic generation rates, the need for two-way traffic through the driveway is significant; the information comparing a single driveway versus a double driveway can be provided at the Public Hearing.

Motion:

MOVED by Councillor Wade and Seconded by Mayor Leonard: "That a Public Hearing be called to further consider the rezoning application on Lot 2, Section 44, Victoria District, Plan 8197 and Lot 5, Block "D", Section 44, Victoria District, Plan 1483 (2580 and 2588 Penrhyn Street)."

Councillor Wade stated:

- She supports the application proceeding to Public Hearing; the applicant needs to consider creative options regarding parking.
- The applicant should provide clarification for the affordable housing commitment option.

Mayor Leonard stated:

- He supports the motion; the applicant needs to do further consultation with merchants.
- Rationale for the parking variance needs to be provided at the Public Hearing; the design is appropriate for the neighbourhood.

Councillor Gerrard stated:

- He supports the motion to proceed to Public Hearing; parking is a problem that needs to be considered.
- This proposed development is attractive and will complement the neighbourhood; more discussion needs to take place between the applicant and staff regarding parking.
- The applicant has committed to BuiltGreen™ Gold; he will be interested to hear more about the attainable housing contribution.

Councillor Brownoff stated:

- Parking is an issue in this village; the applicant needs to address the issue of the commercial space and how it will affect parking.
- She is pleased that the applicant is committed to BuiltGreen™ Gold; the style of building is attractive.
- She is concerned about future development in the area; she would like to see a double driveway which would allow for more green space.
- The applicant needs to discuss concerns with merchants.

Councillor Murdock stated:

- He looks forward to hearing more about the affordable housing commitment; the issue of commercial parking needs to be elaborated on.

- He is pleased that the applicant has committed to BuiltGreen™ Gold; this mixed use development is appropriate and fits within the context of the village.
- He looks forward to the outstanding issues being addressed.

Councillor Wergeland stated:

- He supports the motion; he compliments the applicant on an attractive development.
- He encourages the applicant to be creative in addressing the parking issue; consultation with merchants needs to take place.

Councillor Sanders stated:

- She supports the motion to proceed to Public Hearing; the parking concerns needs to be addressed.
- Having the commercial units in the development gives the building a community feel; she encourages the applicant to have further public consultation in particular with merchants in the village.
- There could be further development in the village in the near future; the village should be looked at separately from the Local Area Plan and in a timely manner.

Councillor Derman stated:

- He supports the motion; this is an attractive development which fits well in the neighbourhood.
- The logical place to put density is close to a village; density can bring increased activity to the village.
- There is a need for consultation with merchants; the parking issue needs to be addressed.
- A modified two-way driveway would allow for more landscaping and would allow for one more parking spot.

The Motion was then Put and CARRIED

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 9:22 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK