

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, APRIL 28, 2014 AT 7:30 PM

Present: **Chair:** Mayor Leonard
 Council: Councillors Brice, 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 Wergeland and Seconded by Councillor Wade: “That Council adopt the minutes of the April 7, 2014 Council and Committee of the Whole meetings and the April 8, 2014 Special Committee of the Whole and Special Council meetings.”

CARRIED

BYLAWS

1110-30
Cadboro Bay
Business
Improvement Area

CADBORO BAY VILLAGE BUSINESS IMPROVEMENT ASSOCIATION BUSINESS IMPROVEMENT AREA BYLAW

Final Reading of the “Cadboro Bay Village Business Improvement Association Business Improvement Area Bylaw, 2014, No. 9264” and recommendation from the April 8, 2014 Special Committee of the Whole to approve the 2014 Cadboro Bay Village Business Improvement Association funding request and property taxation levy. To establish and designate a Cadboro Bay Business Improvement Area for the purpose of annual funding for the years 2014 to 2023.

MOVED by Councillor Brownoff and Seconded by Councillor Derman: “That Bylaw No. 9264 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Wade: “That Council approve the 2014 Cadboro Bay Village Business Improvement Association funding request and property taxation levy in the amount of \$15,000.”

CARRIED

1110-30
Financial Plan
Bylaw

FINANCIAL PLAN BYLAW (2014-2018)

Three Readings of the “Financial Plan Bylaw, 2014, No. 9269”. To establish the five-year financial plan for 2014 – 2018.

Grant Request – Swan Lake Nature Sanctuary. Memorandum from the Director of Finance dated April 28, 2014 outlining a request of the Swan Lake Nature Sanctuary regarding further renovation of the Martelli House.

MOVED by Councillor Derman and Seconded by Councillor Wade: "That Council approve that \$15,000 of the currently approved \$40,000 grant be used to finish the renovation of the Martelli House, and a grant request for the completion of the boardwalk project be considered in 2015."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 9269 be introduced and read."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 9269 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 9269 be now passed."

CARRIED

1110-30
Tax Bylaw

TAX BYLAW

Three Readings of the "Tax Bylaw, 2014, No. 9270". To establish the tax rates for 2014.

MOVED by Councillor Wergeland and Seconded by Councillor Brice: "That Bylaw No. 9270 be introduced and read."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Brice: "That Bylaw No. 9270 be read a second time."

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Brice: "That Bylaw No. 9270 be now passed."

CARRIED

1110-30
CRD Onsite
Sewage Systems
Service Parcel
Tax Bylaw

CRD ONSITE SEWAGE SYSTEMS SERVICE PARCEL TAX BYLAW AMENDMENT

Three Readings of the "CRD Onsite Sewage Systems Service Parcel Tax Bylaw, 2008, Amendment Bylaw, 2014, No. 9271". To establish the parcel tax rate for 2014.

MOVED by Councillor Brownoff and Seconded by Councillor Gerrard: "That Bylaw No. 9271 be introduced and read."

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Gerrard: "That Bylaw No. 9271 be read a second time."

CARRIED

**MOVED by Councillor Brownoff and Seconded by Councillor Gerrard:
“That Bylaw No. 9271 be now passed.”**

CARRIED

RESOLUTIONS FOR ADOPTION

1110-30

Oil Burning
Equipment and
Flammable Liquid
and Combustible
Liquid Fuel Tank
Bylaw

OIL BURNING EQUIPMENT AND FLAMMABLE LIQUID AND COMBUSTIBLE LIQUID FUEL TANK BYLAW AMENDMENT

Report of the Fire Chief dated April 11, 2014 recommending Council adopt the proposed new “Oil Burning Equipment and Flammable Liquid and Combustible Liquid Fuel Tank Bylaw, 2014, No. 9265”.

MOVED by Councillor Derman and Seconded by Councillor Brice: “That Council approve the proposed new “Oil Burning Equipment and Flammable Liquid and Combustible Liquid Fuel Tank Bylaw.”

Councillor Murdock stated:

- He thanks staff for the thorough review and recommendations; the recommendations are an example of an interdepartmental effort to mitigate potential oil tank failure.
- There are provisions related to home heating oil tanks and oil tank failure which are outside the municipal regulatory framework; the Province has the legislated ability to make changes with respect to vendors and delivery of home heating oil.

Councillor Sanders stated:

- It is the responsibility of the homeowner to maintain equipment.
- She questions the safety of leaving oil tanks underground when they are decommissioned; Council may want to revisit this issue in the future.

Councillor Gerrard stated:

- There may be an opportunity to work with the Real Estate Board and oil companies to mitigate oil tank failure.

Councillor Derman stated:

- He thanks staff for bringing the Bylaw forward; oil tank failure has severely affected municipal watersheds.

The Motion was then Put and CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 9265 be introduced and read.”**

CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 9265 be read a second time.”**

CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 9265 be now passed.”**

CARRIED

5370-30
RFP 09/14

REQUEST FOR PROPOSAL 09/14 – TILLICUM ROAD COMPLETE STREET PROJECT CONSULTING ENGINEERING SERVICES

Report of the Director of Finance dated April 23, 2014 recommending Council award Request for Proposal 09/14 for the Tillicum Road Complete Street Project Consulting Engineering Services to Delcan – A Parsons Company with the upset fee for engineering of \$255,553 (exclusive of taxes) with a provision to extend the Contract Administration services at a later date.

MOVED by Councillor Brice and Seconded by Councillor Gerrard: “That Request for Proposal 09/14 for the Tillicum Road Complete Street Project be awarded to Delcan – A Parsons Company with the upset fee for consulting engineering services of \$255,553 (exclusive of taxes) with a provision to extend the contract administration services at a later date.”

CARRIED

Adjournment On a motion from Councillor Gerrard, the meeting adjourned at 7:42 pm.

The meeting reconvened at 9:45 pm.

In Camera Motion **MOVED by Councillor Brownoff and Seconded by Councillor Gerrard: “That pursuant to Section 18(c) of the Council Procedure Bylaw, 2007, No. 8840, the following meeting be closed to the public as the subject matters being considered relate to labour and other employee relations.”**

CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 9:47 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, APRIL 28, 2014 AT 7:43 PM

Present: **Chair:** Councillor Wade
Council: Mayor Leonard and Councillors Brice, Brownoff, Derman, Gerrard, Murdock, Sanders 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

2870-30

Agnes
 Street/Hess
 Crescent

671 AGNES STREET/664 AND 670 HESS CRESCENT – REZONING APPLICATION – CEI ARCHITECTURE (ROD WINDJACK)

Report of the Director of Planning dated March 7, 2014 recommending Council approve the rezoning of 664 and 670 Hess Crescent from RS-6 to P-1 and Development Permit Amendment DPA00792 for proposed consolidation with the Pacific Christian School site in order to construct a new gymnasium; and that final reading and ratification of the Development Permit Amendment be withheld pending lot consolidation. Report of the Advisory Design Panel dated August 1, 2013 recommending approval of the design.

The applicant, Mr. J. Mann, CEI Architecture, along with Mr. R. Windjack, CEI Architecture, and Ms. J. Lommerse, LADR Landscape Architects, made a presentation to Council and highlighted the following:

- The school recently purchased the two residential lots on Hess Crescent.
- Currently, because the existing gymnasium is too small, some students have been attending the Salvation Army Church for physical education.
- This is the first stage of a phased approach for redevelopment of the school buildings.
- Rear and side setback variances are requested.
- The placement of the gymnasium will not impact the existing buildings.
- Corrugated metal panels that are durable and low maintenance will be used for cladding.
- Storm water management would be provided using storm water detention tanks and rain gardens.
- Neighbours' concerns regarding pick up and drop off on Hess Crescent will be mitigated by the addition of locked gates in the fence.
- A new 2 meter-wide sidewalk will be constructed on Hess Crescent.
- 26 new trees will be planted; trees will not be planted on Hess Crescent due to underground utilities.

In response to questions from Council, the applicant stated:

- 5 centimeter caliper trees will be planted.
- The new planting bed at the side of the building adjacent to the highway barrier will consist of low growing plants; there is lighting on the side of the building in that area.
- The heat source will be a gas-fired boiler.

PUBLIC INPUT:

H. Bomhof, Goward Road, stated:

- The Pacific Christian School is an asset to the community.
- The residences on Hess Crescent are aligned with the soccer field and do not directly face the proposed gymnasium.

A. Rawes, South Valley Drive, on behalf of the Residents Association of Strawberry Vale, Marigold and Glanford, stated:

- The Community Association supports this proposal and is in favour of enhancing and promoting year-round physical activity for youths; it is time for a new gymnasium.
- The design has attempted to mitigate the impact of this large building on the neighbours; the rain gardens and planting of native shrubs are desirable components of the proposal.

Motion: MOVED by Councillor Brice and Seconded by Councillor Wergeland: “That a Public Hearing be called to further consider the rezoning application on Lot 23, Section 49, Victoria District, Plan 1477 and Lot 1, Section 49, Victoria District, Plan VIP55591 (664 and 670 Hess Crescent).”

Councillor Brice stated:

- This institution is an important part of the community; it is essential to give the school the opportunity to expand.
- Every effort has been made to mitigate the effect on the neighbours; the rain gardens and 26 new plantings are commendable.
- The Community Association is supportive.

Councillor Wergeland stated:

- He compliments the school’s vision; it is a credit to the school to propose this development without government funding.

Councillor Derman stated:

- This school is an asset to the community.
- A commitment from the applicant for energy efficiency standards would be appreciated.

Councillor Brownoff stated:

- More detail regarding lighting the sidewalk adjacent to the highway barrier is required.
- Crime Prevention through Environmental Design practices should be considered for this area of the project to ensure that unwanted activity does not occur.

The Motion was then Put and CARRIED

2870-30
Cedar Hill Cross
Road

4000 CEDAR HILL CROSS ROAD – REZONING APPLICATION – HABITAT FOR HUMANITY (GREG WELSH)

Report of the Director of Planning dated April 9, 2014 recommending Council approve the rezoning from RS-10 to a new zone RT-AH (attached housing – affordable housing) and Development Permit DPR00553 for a proposed four unit townhouse building for an affordable housing project; and that final reading and

ratification of the Development Permit be withheld pending registration of a Housing Agreement to secure the property for affordable housing, and registration of a covenant for a BuiltGreen™ Gold or equivalent building energy standard. Report of the Advisory Design Panel dated January 28, 2014 recommending approval of the design.

The applicant, Mr. G. Welsh, Habitat for Humanity, made a presentation to Council and highlighted the following:

- This development will provide four families with affordable housing.
- Garry Oaks will be preserved and storm water managed on site.
- A south facing play area will be provided for children; off street parking and bicycle parking will also be provided.
- The design was provided to neighbours and the Community Association.
- This proposed development is in close proximity to bus routes, schools and services.

In response to questions from Council, the applicant stated:

- The addition of conduits for solar hot water and solar voltaic will be considered.
- The engineer will be asked if stored storm water can be used for irrigation.
- Some blasting will take place and care will be taken to preserve critical root zones.
- Noise-reducing windows will be considered for the south side.

PUBLIC INPUT:

H. Charania, Genevieve Road, on behalf of the North Quadra Land Use Protection Association, stated:

- The project is supported by the Community Association; the proposed development is close to amenities.
- The compactness of the site may not allow for a playground.
- The site specific zoning created for this development allows home occupation offices and accessory buildings; home offices may be a concern due to the lack of parking.

Motion:

MOVED by Councillor Derman and Seconded by Councillor Gerrard: “That a Public Hearing be called to further consider the rezoning application on Parcel C (DD 2202W) of Lot 33, Section 32, Victoria District, Plan 721, Except Parts in Plan VIP81269 and EPP27987 (4000 Cedar Hill Cross Road).”

Councillor Derman stated:

- The reputation of Habitat for Humanity and the services they provide to the community is exceptional; with the close proximity to amenities and the Lochside Trail, the site is well suited for this proposed development.
- The applicant is encouraged to consider solar-ready services and noise-reducing windows for the south side of the residences.

Councillor Gerrard stated:

- The proposed development will provide affordable housing for four families; this is an attractive design on a small property.
- The location is close to bus routes, green space and services; the Community Association is in favour of the application.
- The existing dwelling will be deconstructed and usable materials will be sold at the Habitat for Humanity ReStore; retention of the Garry oaks is appreciated.

In response to a question from Council, the Director of Planning stated that the site specific zone for this proposed development was patterned after other townhouse zones. Permitted uses for attached housing zones include home occupation offices and day care; day care was removed from this site specific zone because of the potential increased volume of traffic. Accessory buildings were included for storage of supplies for maintenance of lawns and outdoor spaces.

Councillor Murdock stated:

- The vision and creativity applied to this design will allow four families the opportunity to own housing; the proposed development is close to services, transit, schools and playgrounds.

Councillor Wergeland stated:

- He congratulates Habitat for Humanity for providing affordable housing in a good location.

Councillor Sanders stated:

- This proposed development has an appropriate number of units for the site; the changes to the design seen from McKenzie Avenue is appreciated.
- Noise from McKenzie Avenue is a concern which could be alleviated by noise-reducing windows.

Councillor Brownoff stated:

- Noise from traffic may affect liveability for residents; it is appreciated that the concerns of the Advisory Design Panel regarding the appearance from McKenzie Avenue were addressed.
- The proposed development is close to parks, amenities and the Lochside Trail.

Mayor Leonard stated:

- The Director of Planning has answered the questions regarding permitted uses for this zone; if changes are needed to the permitted uses, it should be done before the Public Hearing.

Councillor Brice stated:

- This is a creative, compact project on an odd-shaped lot; the proposed development fits within the neighbourhood.

The Motion was then Put and CARRIED

2860-30
Quadra Street

3207, 3211, 3217 AND 3223 QUADRA STREET – DEVELOPMENT PERMIT – CITYSPACES CONSULTING LTD. (DEANE STRONGITHARM)

Report of the Director of Planning dated April 10, 2014 recommending Council rescind Development Permit DPR95-0027, and approve Development Permit DPR00570 for a proposed four-storey, 45 unit supportive housing complex under the current RA-3 zone requesting variances for building height, siting, open space, building separation and parking; and that prior to ratification a covenant be registered to require the project be constructed to a minimum LEED® Gold or equivalent energy and environmental performance standard. Report of the Advisory Design Panel dated February 11, 2014 recommending approval of the design.

The applicant, Ms. K. Stinson, Executive Director of the Victoria Cool Aid Society, along with Mr. D. Strongitharm, CitySpaces Consulting Ltd. and Mr. J. Newell, Joe Newell Architect, presented to Council and highlighted the following:

- The proposed development will be owned and operated by the Victoria Cool Aid Society (Cool Aid).
- The complex will be staffed 24 hours, 7 days a week.
- The applicant is committed to LEED® Gold or equivalent energy standards.
- The proposed development is within walking distance to amenities and services.
- Consultation took place with neighbours and the Quadra Cedar Hill Community Association.
- Landscape elements have been modified in response to comments from neighbours.
- The rear yard setback variance is necessary to retain the existing Garry oak trees.

In response to questions from Council, the applicant stated:

- Smoking is not allowed in common areas; smoking is permitted in the northeast corner of the rear yard.
- There are large trees to the rear of the property that screens the yard from the neighbours.
- The addition of conduits for solar voltaic will be considered.
- If it is necessary to remove plants from the site, they will be offered to Saanich's Native Plant Salvage Program.

PUBLIC INPUT:

L. Churcher, Quadra Street, stated:

- The recent addition of the fence at the rear of this property makes visibility limited when exiting her driveway.
- There is a lack of visitor parking for this proposed development and there is limited on-street parking available; this development is not within walking distance to services.
- This is not an appropriate location for this development.

C. Coleman, Tolmie Avenue, stated:

- It is a delight to see this application come forward; the operating principles of the Victoria Cool Aid Society are commendable.

C. Fraté, Tolmie Avenue, stated:

- This is a huge building which will block views and light and have a negative impact on neighbouring buildings; there is no on-street parking available.
- The intersection at Tolmie Avenue and Quadra Street is dangerous and this proposed development will bring increased traffic to the area.

Motion:

MOVED by Mayor Leonard and Seconded by Councillor Gerrard: "That it be recommended that:

- 1) Council rescind Development Permit DPR95-0027 on Lot 3, Lot 4, Lot 5 & Amended Lot 6 (DD 220330I), Section 63, Victoria District, Plan 2333;**
- 2) Council approve and issue Development Permit DPR00570 on Lot 3, Lot 4, Lot 5 & Amended Lot 6 (DD 220330I), Section 63, Victoria District, Plan 2333; and**
- 3) Prior to ratification a covenant be registered to require the project be constructed to a minimum LEED® Gold or equivalent energy and environmental performance standard."**

Mayor Leonard stated:

- This is not a rezoning application; the property is zoned for this type of development.
- The public good offered by this development is outstanding; the Provincial Government should be encouraged to provide the funding necessary for this development.

Councillor Gerrard stated:

- He is pleased that this development is named Cottage Grove after the past property owner's business; other sites that Cool Aid own and manage are very successful.
- This is an attractive building which will be constructed to a minimum LEED® Gold or equivalent energy standard; Planning staff should consider updating height restrictions to accommodate the trend for 9 foot ceilings in apartment complexes.
- Parking variances are supportable; residents will not have vehicles.

Councillor Derman stated:

- Cool Aid has an excellent reputation and understands the need to be a good neighbour.
- He appreciates the commitment to LEED® Gold or equivalent energy standard.
- This proposed development is a valuable social amenity for the community.

Councillor Sanders stated:

- She understands the neighbours' concerns regarding the lack of visibility from the neighbouring driveway and the location of the smoking shelter.
- Cool Aid has the reputation of running good facilities; salvaging the native plants that have to be removed would be appreciated.

Councillor Murdock stated:

- This is an opportunity to offer housing to those in need; he is delighted that the previous property owner's vision for the property is being respected and fulfilled.
- This location is close to amenities and public transit.

Councillor Brownoff stated:

- The design elements of the project have been sympathetic to the neighbours; raised garden beds can be used to grow vegetables on site.
- She is pleased that the project is named after the previous owner's business.
- Cool Aid should develop a plan to manage construction traffic and parking and maintain contact with neighbours throughout the project.

Councillor Wergeland stated:

- He thanks members of the public for attending and discussing concerns; there is a need for this type of development in the community.

The Motion was then Put and CARRIED

Development Permit Amendment DPA00809 for proposed rebuilding of the restaurant and addition of a spa and office space at the Accent Inn. Report of the Advisory Design Panel dated April 2, 2014 recommending approval of the design.

The applicant, Ms. M. Farmer, Chief Executive Officer, Accent Inns along with Kevin Klippenstein, Vic Davies Architect, presented to Council and highlighted the following:

- Accent Inns Head Office will be moved to this flagship location.
- Accent Inns supports “green” and sustainable practices.
- Covered bicycle parking and an elevator for accessibility will be added.
- LEED® certification was considered, but the cost for certification and consultant fees were too much for this small project to absorb.

In response to questions from Council, the applicant stated:

- Refrigeration trucks will be asked to park in front of the building in response to noise concerns from neighbours.
- The heat source will be gas-fired rooftop units; confirmation of the heat source will be provided should a Public Hearing be scheduled.
- Installation of conduits for solar-ready would be considered and additional information will be provided at a Public Hearing
- Bicycle parking can be added in front of the restaurant.

PUBLIC INPUT:

Nil

Motion:

MOVED by Councillor Brice and Seconded by Councillor Derman: “That a Public Hearing be called to further consider the rezoning application on Lot A, Section 7, Victoria District, Plan 43259 (3269 Maple Street).”

Councillor Brice stated:

- This is a modest request to make a well-established business more viable; consultation with neighbours was appreciated.

Councillor Derman stated:

- This company has a good reputation in the community; at Public Hearing, he would like to hear how the business will be building on its green reputation.

Councillor Gerrard stated:

- The HVAC system for the proposed new building needs to be addressed at the Public Hearing.

The Motion was then Put and CARRIED

Adjournment

On a motion from Councillor Murdock, 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