

- h) a contribution of \$2000 to Saanich Parks for a safe standing area for bus stops.
- Letters from the applicant dated November 13, 2012, October 17, 2012 and October 16, 2012.
- Three letters from the Cordova Bay Community Association.
- Two letters from the Friends of Mount Douglas Park.
- One petition of support with 11 signatures.
- Two letters from residents.

APPLICANT:

L. Mari, Planster Consulting, presented and highlighted:

- The Subdivision, Development Variance Permit and Rezoning proposal is to add one additional lot, for a total of two lots. The site area is approximately 35,000ft², which would be divided into two lots of equal size. The Local Area Plan designation is General Residential.
- The proposed buildings are setback beyond the requirements of the RS-12 zone in order to protect the steep slope and marine backshore areas.
- An existing fence and extensive vegetation screen the street; the impact of the new construction will be minimal.
- The Development Variance Permit will not adversely affect the fabric of the existing neighbourhood as most lots are legal non-conforming in terms of lot width.
- The geometric design for Canadian roads suggest a 50km per hour road provide a 90-120m sightline; all sight lines fall within this standard range with the exception of the sightline looking north, which provides a 75m sightline. In order to mitigate this issue, a turn-around area will be provided to ensure no vehicles back onto Cordova Bay Road.
- A total of four parking stalls per lot will be provided.
- There will be a minimal increase of vehicular traffic on Cordova Bay Road.
- The design covenant will stipulate traditional craftsman architecture, including low pitched roofs, decorative supports, tapered columns, multiple paned windows and natural materials.
- The Cordova Bay Community Association supports the application as do the majority of neighbours to the subject property.
- A 2:1 tree replacement strategy will mitigate tree loss.
- In response to the request for an additional community contribution, a street light installation on Cordova Bay Road is proposed as well as a \$2000 contribution to install a safe standing area for the bus stop near the entrance to Mount Doug Park.
- Solar ready conduit and piping will be installed.

In response to questions from Council, the applicant stated:

- The development guidelines and building scheme referenced in the supplemental report dated July 24, 2015 will be incorporated into the development.

PUBLIC INPUT:

M. Lokan, Cordova Bay Road, stated:

- In support of the application; it fits the general character of the area and the applicant has addressed their concerns.

COUNCIL DELIBERATIONS:

Motion:

MOVED by Councillor Derman and Seconded by Councillor Wergeland That:

1. **“The application to rezone from RS-18 (Single Family Dwelling) Zone to RS-12 (Single Family Dwelling) Zone be approved.**
2. **That Final Reading of the Zoning Bylaw and ratification of the Development Variance Permit be withheld pending registration of a covenant to ensure that:**
 - a) **the Geotechnical Report(s) be registered on title;**
 - b) **the Owner will save the District and Province harmless in case of erosion/slippage/slope or soil failure on this property;**
 - c) **the Owner of the land will use the land only in the manner certified by the qualified professionals as enabling the safe use of the land for the use intended;**
 - d) **the Owner will reimburse the District for any expenses incurred as a result of a breach of the covenant under item (c) above.**
 - e) **the buildings are built to EnerGuide 82 level of energy efficiency;**
 - f) **the buildings conform to the siting, and generally in character, to what is shown on the plans presented to Council, received December 18, 2013, as well as to the building scheme dated July 16, 2015;**
 - g) **the buildings have the necessary ducting and conduit installed to be solar ready; and**
 - h) **a contribution of \$2000 to Saanich Parks for a safe standing area for bus stops”.**

Councillor Wergeland stated:

- This is a modest infill proposal with accessible amenities.
- The applicant has addressed concerns of Council and residents.

Councillor Haynes stated:

- The applicant can be commended on the in-depth analysis of traffic sightlines, the 2:1 tree replacement strategy and the care taken to retain the character of the neighbourhood.

The Motion was then Put and CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 9345 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 9345 be now passed."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That it be recommended that Council approve and issue Development Variance Permit DVP00318 on Parcel A (DD7803 – W) of Lot 1, Section 24, Lake District, Plan 11854 (4601 CORDOVA BAY ROAD)".

CARRIED

2870-30
Haliburton Road and
Wesley Road

**"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9316"
PROPOSED REZONING FOR A SIX LOT RESIDENTIAL SUBDIVISION
ON HALIBURTON ROAD AND WESLEY ROAD**

To rezone Lot C, Section 28, Lake District, Plan 9499, (**785 HALIBURTON ROAD**) and to rezone Lot 5, Section 28, Lake District, Plan 9380 (**4932 WESLEY ROAD**) from Zone A-1 (Rural) to Zone RS-10 (Single Family Dwelling) for the purpose of subdivision to create four additional lots for single family dwelling use. An exemption from the minimum 10% perimeter road frontage requirement for the proposed panhandle Lot 3 will be considered. A **COVENANT** will also be considered to further regulate the use of the lands and buildings.

Councillor Wergeland declared, pursuant to Section 85 of the Council Procedure Bylaw, that he is not entitled to participate in the discussion of the Rezoning Application for 785 Haliburton Road/4932 Wesley Road as he resides adjacent to the property.

Councillor Wergeland left the meeting at 7:20 pm.

The Clerk introduced the following:

- Notice of Public Hearing;
- Reports from the Director of Planning dated July 23, 2015, January 26, 2015 and August 5, 2014, recommending that:
 - the rezoning from A-1 to RS-10 be approved;
 - proposed Lot 3 be exempted from the statutory requirement to provide a minimum 10% perimeter road frontage under Section 944(2) of the "Local Government Act";
 - Final Reading of the zoning amendment be withheld pending registration of a covenant requiring that new dwellings on proposed Lots 1 through 6:

- a) conform to a minimum BUILT GREEN® Gold, EnerGuide82 or an equivalent energy efficient building design and construction standard and that construction of new dwellings include rough-in for future solar capabilities;
 - b) conform to the siting, general form and character and use of materials as per plans by Outline Home Design, dated December 17, 2014, as shown to Council, and to the guidelines of the building scheme dated November 19, 2014; and
 - c) include six parking spaces including two-car garages and on-site parking for an additional four cars per lot.
 - d) Prior to Final Reading of the Zoning Amendment Bylaw, the applicant provide a \$13,200 performance surety for planting of replacement trees on-site and / or elsewhere in the local community if no room can be found to plant replacement trees on-site.
- Letter from the applicant dated November 18, 2014.
 - One letter from the Residents' Association of Strawberry Vale, Marigold and Glanford and two letters from the Cordova Bay Community Association.
 - 20 letters from residents.

APPLICANT:

R. Tinney, Tinney and Associates Land Planning, stated:

- The subject property fronts onto four streets: Haliburton Road, Wesley Road, Lemaire Place, and Haliburton Place. The proposal is consistent with the policies of the OCP, the Cordova Local Area Plan and is within the Urban Containment Boundary.
- Council requested the applicant undertake more extensive neighbourhood consultation and make some design improvements, including proposing 6 lots instead of 7, the elimination of panhandle lots, increased tree retention, water pressure analysis, and traffic impact analysis.
- The dilapidated homes on the property have been removed which rectified the rat issue.
- Design of the six proposed homes will fit the character of the neighbourhood.
- A building scheme will be registered on title to the subject property and all previous commitments will carry forward.
- After extensive consultation with the Engineering Department and home owners regarding the width and design of the access to Lemaire Place, it was determined that decorative stone gates will be installed. Final design detail will be discussed with Lemaire residents prior to construction.
- A screening berm with cedar hedging and a privacy fence will be installed to the rear of Lot 3 to ensure no pedestrian access and to mitigate noise or light pollution. Bollard lighting is proposed for the communal parking area.

- Strata bylaws of the new development will ensure the visitor parking area will not be used by construction or recreational vehicles.
- The applicant will concentrate construction activity and traffic from Haliburton Road and will make this request of all contractors so as to not disrupt residents of Lemaire Place.
- A 1.8m high solid wood fence will be constructed the full length of the north lot line of 4927 Lemaire Place, the owner of which will have design input.
- Secondary suites are permitted and will be up to the discretion of the new homeowners.
- The applicant will endeavour to retain trees, regardless of size, where possible.

In response to questions from Council, the applicant stated:

- The transit stop at Wesley Road and Haliburton Road does not provide service during the summer months, weekends or after 5:30pm. Residents would prefer upgrades to the street rather than a higher level of transit service.
- Residents of Lemaire Place requested that the visitor parking area be moved north to ensure further protection of trees. In response, the lot line has been moved as far north as feasible.
- Construction completion of all six houses is estimated at 12-18 months.

PUBLIC INPUT:

L. Gerlinsky, Lemaire Place, stated:

- The residents of Lemaire Place requested lower density but were told it was not possible. The hope was to work with the developer to make the existing proposal "green" by reducing fossil fuels, protecting the environment and maintaining privacy. Adding more vehicles is not in line with the goals of the Blue Dot Program.
- There are two key issues that remain: moving the Lot 3 / visitor parking property line to secure tree protection; and the request that RS-12 zoning be applied to Lots 1, SL-2, SL-5 and 6 with a covenant securing the house size and building restrictions of the RS-10 zone. They also requested that two parking spaces on SL-5 be moved to the visitor parking area; however, current plans show them as being removed altogether.
- Council should reject the proposal as it stands. If it is supported, Council should request the property line between the common property and Lot 3 be in line with all Haliburton Road properties and to include the two parking spaces that were removed from the proposal.

E. Lavdovsky, Lemaire Place, stated:

- She concurs with the previous speakers comments.

P. Brix, Haliburton Road, stated:

- All of his concerns have been addressed and he is in support of the proposal.

- The load of construction vehicles should be shared by all nearby roads, not just Haliburton Road.

A. Coneys, Wesley Road, stated:

- The owner and Mr. Tinney have been agreeable and have listened to and addressed all her concerns.

S. Plater, Wesley Road, stated:

- Less density does not always result in a “green” development; services are required regardless of whether or not the proposal is for four homes or six homes.
- Looking forward to a quality development being built.

APPLICANT’S RESPONSE:

R. Tinney, Tinney and Associates Land Planning, stated:

- Adding two parking stalls to the common area is achievable.
- Realigning the building footprint on Lot 5 to protect trees no. 0024 and 0026 is achievable.
- The lots could accommodate RS-12 zoning, but the house sizes would increase accordingly. The intent of RS-10 zoning is to ensure house sizes are consistent with the existing neighbourhood.
- He is confident that the covenant particulars and documented commitments will be delivered.
- Under current zoning no further subdivision of the subject property is possible without rezoning, which would require an additional Public Hearing.
- If Council is comfortable moving the proposal forward he will work with the Planning Department to include the additional two parking spaces in the common area.
- A construction management plan will be in place.

In response to questions from Council, the Manager of Legislative Services stated:

- The requested amendments to the development plans do not affect the provisions of the proposed bylaw, but are instead development requirements; Council can make those recommendations this evening.

COUNCIL DELIBERATIONS:

MOTION

**MOVED by Councillor Murdock and Seconded by Councillor Brownoff:
“That:**

- 1. the application to rezone from A-1 (Rural) Zone to RS-10 (Single Family Dwelling) Zone be approved;**
- 2. Final Reading of the Zoning Amendment Bylaw be withheld pending registration of a covenant requiring that new dwellings on proposed Lots 1 – 6:**

- a) conform to a minimum **BUILT GREEN® Gold, EnerGuide 82** or equivalent energy efficient building design and construction standard and that construction of new dwellings include rough-in for future solar capabilities;
 - b) conform to the siting, general form and character and use of materials as per plans by Outline Home Design, dated December 17, 2014 as shown to Council and to the guidelines of the Building Scheme dated November 19, 2014; and
 - c) include six parking spaces including two-car garages and on-site parking for an additional four cars per lot on Lots 1, 3, 4, 5 and Strata Lot A, and four parking spaces including a two-car garage and on-site parking for an additional two cars per lot on Strata Lot B.
3. the requirement for two additional parking stalls to be included in the common area for a total of six parking stalls, and that the footprint of the proposed dwelling on Strata Lot B be realigned, if necessary, to protect trees No. 0024 and 0026; and
 4. prior to Final Reading of the Zoning Amendment Bylaw, the applicant provide a \$13,200 performance surety for planting of replacement trees on-site and / or elsewhere in the local community if no room can be found to plant replacement trees on-site”.

Councillor Murdock stated:

- There have been considerable improvements to the plan, the applicant listened to the concerns of Council and area residents.
- The achievement of EnerGuide 82 for sustainable development is commendable.

Councillor Derman stated:

- The applicant has responded to neighbourhood concerns; however, he remains opposed to the proposal as the density is not right for the area; it is not close to amenities or located in an area that is easy to walk or bike in.

Councillor Brownoff stated:

- The residents of Lemaire Place participation and the response of the applicant is appreciated.
- A Construction Management Plan should be in place. The construction having a stated timeline is beneficial.
- The stone gates at the Lemaire Place entrance are a nice feature.

Councillor Haynes stated:

- Neighbour consultation is evident in the improvements to this proposal.
- Infill needs to be done correctly and still be profitable. Until transit services are linked to density proposals, some areas will remain car-centric.

Councillor Brice stated:

- The Community Association and many neighbouring residents are in support of the proposal.
- The determination of the residents on Lemaire Place is evident and their input is appreciated.

Councillor Sanders stated:

- The improvements to this proposal are evident; the increased parking is likely needed.
- The language of the building scheme should reference the building footprint not the building envelope.
- The residents on Lemaire Place have been diligent.

Mayor Atwell stated:

- The members of the community should be commended for their input and determination. The proposal has vastly improved.

**The Motion was then Put and CARRIED
Councillor Derman OPPOSED**

2870-30
Haliburton Road and
Wesley Road

ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9316”
Second and Third Readings

**MOVED by Councillor Haynes and Seconded by Councillor Murdock:
“That Bylaw No. 9316 be read a second time.”**

**CARRIED
Councillor Derman OPPOSED**

**MOVED by Councillor Haynes and Seconded by Councillor Murdock:
“That Bylaw No. 9316 be now passed.”**

**CARRIED
Councillor Derman OPPOSED**

**MOVED by Councillor Brice and Seconded by Councillor Plant: “That
proposed Lot 3 be exempted from the statutory requirement to provide
a minimum 10% perimeter road frontage under Section 944(2) of the
Local Government Act.”**

**CARRIED
Councillor Derman OPPOSED**

Councillor Wergeland returned to the meeting at 8:23 pm.

2870-30
Cedar Hill Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9346”
**PROPOSED REZONING FOR A FIVE UNIT TOWNHOUSE
DEVELOPMENT ON CEDAR HILL ROAD**

To rezone Lot A, Section 56, Victoria District, Plan 17356 (**3999 CEDAR HILL ROAD**) from Zone RS-10 (Single Family Dwelling) to Zone RT-4 (Attached Housing) in order to construct a five unit townhouse development. A **DEVELOPMENT PERMIT** will be considered to require the buildings and lands to be constructed and developed in accordance with the plans submitted and to allow variances for siting, height, extent of allowable projections and fence height. A **COVENANT** will also be considered to further regulate the use of the lands and buildings.

The Clerk introduced the following:

- Notice of Public Hearing;
- Reports from the Director of Planning dated July 24, 2015 and June 9, 2015, recommending that:
 - the rezoning from RS-10 to RT-4 and the Development Permit be approved;
 - Final Reading of the zoning amendment be withheld pending bonding of \$1186.75 for the planting of one Schedule I Boulevard tree; and
 - Final Reading of the zoning amendment and ratification of the Development Permit be withheld pending registration of a covenant securing the following:
 - constructing the development to meet the BUILT GREEN® Gold or EnerGuide 82 standard (or their equivalent);
 - installing air-sourced heat pumps and the necessary conduit to be solar ready in each unit;
 - contribution of \$7500 to the Saanich Affordable Housing Fund;
 - providing a \$5000 fund (\$1000 per unit) to support alternative transportation costs including bus passes, bicycles or mobility scooters; and
 - providing \$2500 to Saanich to be donated to the Shelbourne Community Kitchen.
- Letter from the applicant dated July 21, 2015.
- Report from the Advisory Design Panel dated December 10, 2014.
- One letter from the Gordon Head Residents' Association.

APPLICANT:

J. Gill, SEBA Construction Ltd., stated:

- Three notable changes have been made to the proposal:
 - \$5000 will be placed into a legal trust account to go towards alternative transportation costs, including bus passes, bicycles or mobility scooters;
 - an additional community contribution of \$2500 to the Shelbourne Community Kitchen to go towards upgrades to the facility; and
 - providing garden plots and hose bibs for each proposed lot.
- All concerns have been addressed.

- Community consultation included an invitation to an information meeting mailed to all homes within a 90m radius of the subject property. Two residents attended the meeting and cited concerns about parking during construction and tree protection. The intention is to get permission from Canadian Tire to utilize their parking lot for overflow parking.

P. Misra, Misra Architect Ltd., stated:

- The concept is to retain all trees to the south of the subject property and push the building as far north as possible to ensure tree roots are not affected.

J. Lommerse, LADR Landscape Architects Ltd., stated:

- Hose bibs will be provided to each unit to ensure owners can undertake gardening on their patio or balcony.
- The landscape plan allows for the installation of three community garden plots on the eastern edge of the subject property. The new owners could collectively decide on the best use for the plots.
- Objectives of the landscape plan were to create an attractive landscape, to ensure there is an engaging public walkway, and to retain the existing trees. Five of the eight existing trees will be retained and enhanced by increasing the planting and adding understory and including permeable paving in the driveways.

PUBLIC INPUT:

Nil

COUNCIL DELIBERATIONS:

Motion:

**MOVED by Councillor Plant and Seconded by Councillor Murdock:
“That:**

- 1. the application to rezone from RS-10 (Single Family Dwelling) to RT-4 (Attached Housing) be approved;**
- 2. Final Reading of the Zoning Amendment Bylaw be withheld pending bonding of \$1186.75 for the planting of one Schedule I Boulevard tree; and**
- 3. Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending registration of a covenant securing the following:**
 - a) constructing the development to meet the BUILT GREEN® Gold or EnerGuide 82 standard (or their equivalent);**
 - b) installing air-sourced heat pumps and the necessary conduit to be solar ready in each unit;**
 - c) contributing \$7500 to the Saanich Affordable Fund;**
 - d) providing a \$5000 fund (\$1000) per unit to support alternative transportation costs including bus passes, bicycles, or mobility scooters; and**
 - e) providing \$2500 to be donated to the Shelbourne Community Kitchen.”**

Councillor Derman stated:

- This is an ideal location for density as it is inside a major centre.
- When multi-family developments are created, they should be an attractive alternative to single family living; the amenity plan is critical, including open, green and public spaces. A visionary plan would help in achieving an appropriate amenity package.
- One-off developments in major centres are not wise; he can not support this proposal.

Councillor Brice stated:

- The proposal fits nicely with the neighbouring project.
- The applicant should ensure the monies held in trust for alternative transportation costs are focused on public transit options only.

Councillor Haynes stated:

- The applicant has listened to concerns and addressed the issues; Saanich is lacking Master Plans for major centres.
- Bus passes are not always used or wanted; opportunities for bicycles or scooters would likely be appreciated.

Councillor Murdock stated:

- A pool of bicycles or scooters being provided for residents may avoid the issue of the transportation items being resold.
- This is an appropriate form of development for this area.

Councillor Sanders stated:

- This will be a nice addition to the community. Amenities are nearby and this will appeal to persons who do not want to live in a big development. The community garden plots are an appreciated feature.
- A bike share is a good idea to achieve mobility and avoid their sale for profit.

Mayor Atwell stated:

- Council can in some ways control the sustainability of proposals through our requirements and processes; however, applicants need guidance and a sense that they will be able to achieve an end.
- This Council needs to consider the strategic initiatives that can lead to a larger awareness about climate change.

**The Motion was then Put and CARRIED
Councillor Derman OPPOSED**

2870-30
Cedar Hill Road

ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9346”
Second and Third Readings

**MOVED by Councillor Haynes and Seconded by Councillor Plant:
“That Bylaw No. 9346 be read a second time.”**

**CARRIED
Councillor Derman OPPOSED**

**MOVED by Councillor Plant and Seconded by Councillor Haynes:
“That Bylaw No. 9346 be now passed.”**

**CARRIED
Councillor Derman OPPOSED**

**MOVED by Councillor Haynes and Seconded by Councillor Plant:
“That it be recommended that Council approve and issue
Development Permit DPR00582 on Lot A, Section 56, Victoria District,
Plan 17356 (3999 CEDAR HILL ROAD)”.**

**CARRIED
Councillor Derman OPPOSED**

Adjournment On a motion from Councillor Murdock, the meeting adjourned at 8:55 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK