



AGENDA

For the Council Meeting to be Held
At the Saanich Municipal Hall,
770 Vernon Avenue
MONDAY, JULY 4, 2016

I **6:00 P.M., COMMITTEE ROOM NO. 2**

Motion to close the meeting to the public in accordance with Section 90(1)(i) of the *Community Charter*.

II **7:00 P.M., COUNCIL CHAMBERS**

A. **ADOPTION OF MINUTES**

1. Council meeting held June 20, 2016
2. Committee of the Whole meeting held June 20, 2016

B. **BYLAWS**

FINAL READING

1. **4351 GORDON HEAD ROAD – REMOVAL OF COASTAL BLUFF FROM THE ENVIRONMENTAL DEVELOPMENT PERMIT AREA ATLAS**

Final reading of "Official Community Plan Bylaw, 2008, Amendment Bylaw, 2016, No. 9390". To amend Plate 29 of Schedule 3 of Appendix N (Development Permit Areas Justification and Guidelines) of the Environment Development Permit Area Atlas for the removal of the Coastal Bluff at the subject property from the EDPA Atlas.

BYLAWS FOR FIRST READING (SUBJECT TO A PUBLIC HEARING)

2. **ZONING BYLAW AMENDMENT – NEW ZONE C-3U**
P. 3 First reading of "Zoning Bylaw, 2003, Amendment Bylaw, 2016, No. 9392". To create a new Shopping Centre/Uptown Zone C-3U.
3. **3440 SAANICH ROAD – REZONING TO C-3U**
P. 4 First reading of "Zoning Bylaw, 2003, Amendment Bylaw, 2016, No. 9393". To rezone from Zone C-3L (Shopping Centre/Major Liquor Retail) to Zone C-3U (Shopping Centre/Uptown).
4. **5197 DEL MONTE AVENUE – REZONING TO RS-12**
P. 5 First reading of "Zoning Bylaw, 2003, Amendment Bylaw, 2016, No. 9394". To rezone from Zone A-1 (Rural) to Zone RS-12 (Single Family Dwelling) for a proposed subdivision to create three additional lots for single family dwelling use.

C. **PUBLIC INPUT (ON BUSINESS ITEM D)**

D. **CAPITAL REGIONAL DISTRICT ACTIVITIES UPDATE**

* * * Adjournment * * *

AGENDA

For the Committee of the Whole Meeting

**** IMMEDIATELY FOLLOWING ****

The Council Meeting in the Council Chambers

- P. 6** 1. **5813 WEST SAANICH ROAD – DEVELOPMENT VARIANCE PERMIT APPLICATION**
Report of the Director of Planning dated May 10, 2016 recommending that Council not support Development Variance Permit DVP00367 to increase the maximum building height by 11.2 m and increase the permitted single-face building height by 11.3 m to construct a new single family dwelling on top of fill placed on the lot.

- P. 48** 2. **3215 & 3255 ALDER STREET – DEVELOPMENT PERMIT AMENDMENT APPLICATION**
Report of the Director of Planning dated May 24, 2016 recommending that Council approve Development Permit Amendment DPA00845 to allow an apartment complex to make revisions to the existing parking lot and vary the number of required parking spaces, the number of visitor parking spaces and the required width of six parking spaces.

* * * Adjournment * * *

“IN CAMERA” COUNCIL MEETING IMMEDIATELY FOLLOWS

encl Jul 4/16

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9392

Mayor
Councillors
Administrator
Council
Administra
Media
Jun 28/16 *bl*

TO AMEND BYLAW NO. 8200,
BEING THE "ZONING BYLAW, 2003"

The Municipal Council of The Corporation of the District of Saanich enacts as follows:

- 1) Bylaw No. 8200, being the "Zoning Bylaw, 2003" is hereby amended as follows:
 - (a) By adding to Subsection 4.1 – Zones, the following new classification under Commercial:

"C-3U"
 - (b) By adding to Subsection 4.2 – Zone Schedules, a new Zone Schedule 825 – Shopping Centre/Uptown Zone C-3U, attached hereto as Schedule "A".

- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9392**".

Read a first time this day of

Public Hearing held at the Municipal Hall on the day of

Read a second time this day of

Read a third time this day of

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the day of

Municipal Clerk

Mayor

CM
B. 2

cnc1 Jul 4/16
Council Administrator
Media Administrator
Mayor Councillors Administrator
Jan 28/16 PM

THE CORPORATION OF THE DISTRICT OF SAANICH
BYLAW NO. 9393

TO AMEND BYLAW NO. 8200,
BEING THE "ZONING BYLAW, 2003"

The Municipal Council of The Corporation of the District of Saanich enacts as follows:

- 1) Bylaw No. 8200, being the "Zoning Bylaw, 2003" is hereby amended by deleting from Zone C-3L (Shopping Centre/Major Liquor Retail) and adding to Zone C-3U (Shopping Centre / Uptown) the following lands:

Lot A, Sections 7 and 9, Victoria District, Plan VIP85149, Except Part in Plan VIP85154

(3440 Saanich Road)
- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9393**".

Read a first time this day of

Public Hearing held at the Municipal Hall on the day of

Read a second time this day of

Read a third time this day .

Approved under Part 4 of the *Transportation Act* on the day of

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the day of

Municipal Clerk

Mayor

CM
B. 3

encl Jul 4 116

Mayor
Councillors
Administrator
Council
Administrative
Media
Jun 28/16 DL

THE CORPORATION OF THE DISTRICT OF SAANICH

BYLAW NO. 9394

TO AMEND BYLAW NO. 8200,
BEING THE "ZONING BYLAW, 2003"

The Municipal Council of The Corporation of the District of Saanich enacts as follows:

- 1) Bylaw No. 8200, being the "Zoning Bylaw, 2003" is hereby amended by deleting from Zone A-1 (Rural) and adding to Zone RS-12 (Single Family Dwelling) the following lands:

Lot 1, Block 4, Section 44, Lake District, Plan 1522

(5197 Del Monte Avenue)
- 2) This Bylaw may be cited for all purposes as the "**ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9394**".

Read a first time this day of .

Public Hearing held at the Municipal Hall on the day of

Read a second time this day of

Read a third time this day .

Approved under Part 4 of the *Transportation Act* on the day of

Adopted by Council, signed by the Mayor and Clerk and sealed with the Seal of the Corporation on the day of

Municipal Clerk

Mayor

**CM
B. 4**



The Corporation of the District of Saanich

Mayor
Councillors
Administrator
Com. Assoc.
Applicant

Council
Administrator
Media
Jun 24/16 *MA*

Report

Report To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: May 10, 2016
Subject: Development Variance Permit Application
File: DVP00367 • 5813 West Saanich Road

PROJECT DETAILS

Project Proposal: The applicant is requesting a Development Variance Permit to increase the maximum building height by 11.2 m (maximum 7.5 m allowed, 18.7 m proposed), and increase the permitted single-face building height by 11.3 m (maximum 7.5 m allowed, 18.8 m proposed). The variances are requested so the applicant can construct a new single family dwelling on top of a significant volume of fill the property owner placed on the lot. The existing house would be converted to an agricultural building or deconstructed, as only one house is permitted on the A-1 (Rural) Zoned lot.

Address: 5813 West Saanich Road
Legal Description: Lot B, Section 10, Lake District, Plan VIP69744
Owner: Leon Michael Rosteski & Cheryl-Anne Petersen
Applicant: Marlisa Martin (Lambert & Williams)
Parcel Size: 4.26 ha
Existing Use of Parcel: Rural Residential
Existing Use of Adjacent Parcels: North: A-1 (Rural) Zone
South: A-1 (Rural) Zone
East: A-1 (Rural) Zone
West: A-1 (Rural) Zone
Current Zoning: A-1 (Rural) Zone
Minimum Lot Size: 2 ha (20,000 m²)



CW
1

Proposed Zoning:	No Change
Proposed Minimum Lot Size:	2 ha (20,000 m ²)
Local Area Plan:	Rural Saanich
LAP Designation:	Rural Residential/Agriculture
Community Assn Referral:	Prospect Lake Community Association • No response received to date.

PROPOSAL

The applicant is requesting a Development Variance Permit to increase the maximum building height by 11.2 m (maximum 7.5 m allowed, 18.7 m proposed), and increase the permitted single-face building height by 11.3 m (maximum 7.5 m allowed, 18.8 m proposed). The variances are requested so the applicant can construct a new single family dwelling on top of a significant volume of fill the property owner placed on the lot. The existing house would be converted to an agricultural building or deconstructed, as only one house is permitted on the A-1 (Rural) Zoned lot.

PLANNING POLICY

Official Community Plan (2008)

4.2.2.3. “Consider the use of variances to development control bylaws where they would achieve a more appropriate development in terms of streetscape, pedestrian environment, view protection, overall site design, and compatibility with neighbourhood character and adjoining properties.”

7.1.6. “Consider varying development control bylaws where the variance would contribute to a more appropriate site development having regard for the impact on adjoining lands.”

Rural Saanich Local Area Plan (2007)

8.6. “Protect rural streetscapes, significant ecosystems, and public views to and from hilltops and steep slopes when considering applications for new development.”

13.8. “Encourage residential site and building design that acknowledges and contributes to the rural character and minimizes the risk of wildfires.”

DISCUSSION

Neighbourhood Context

The subject property is located in Rural Saanich and is among those parcels situated between West Saanich Road and Old West Saanich Road, near the northern border of Saanich. It is outside both the Urban Containment Boundary and Sewer Service Area, and is not within the Agricultural Land Reserve. The subject property is zoned A-1 (Rural), as are surrounding parcels.

The nearest school is Prospect Lake Elementary School, approximately 2.35 km due south of the subject property. The nearest parks would be Bear Hill and Elk/Beaver Lake Regional Parks, located 1.3 km and 1.46 km to the east, respectively.

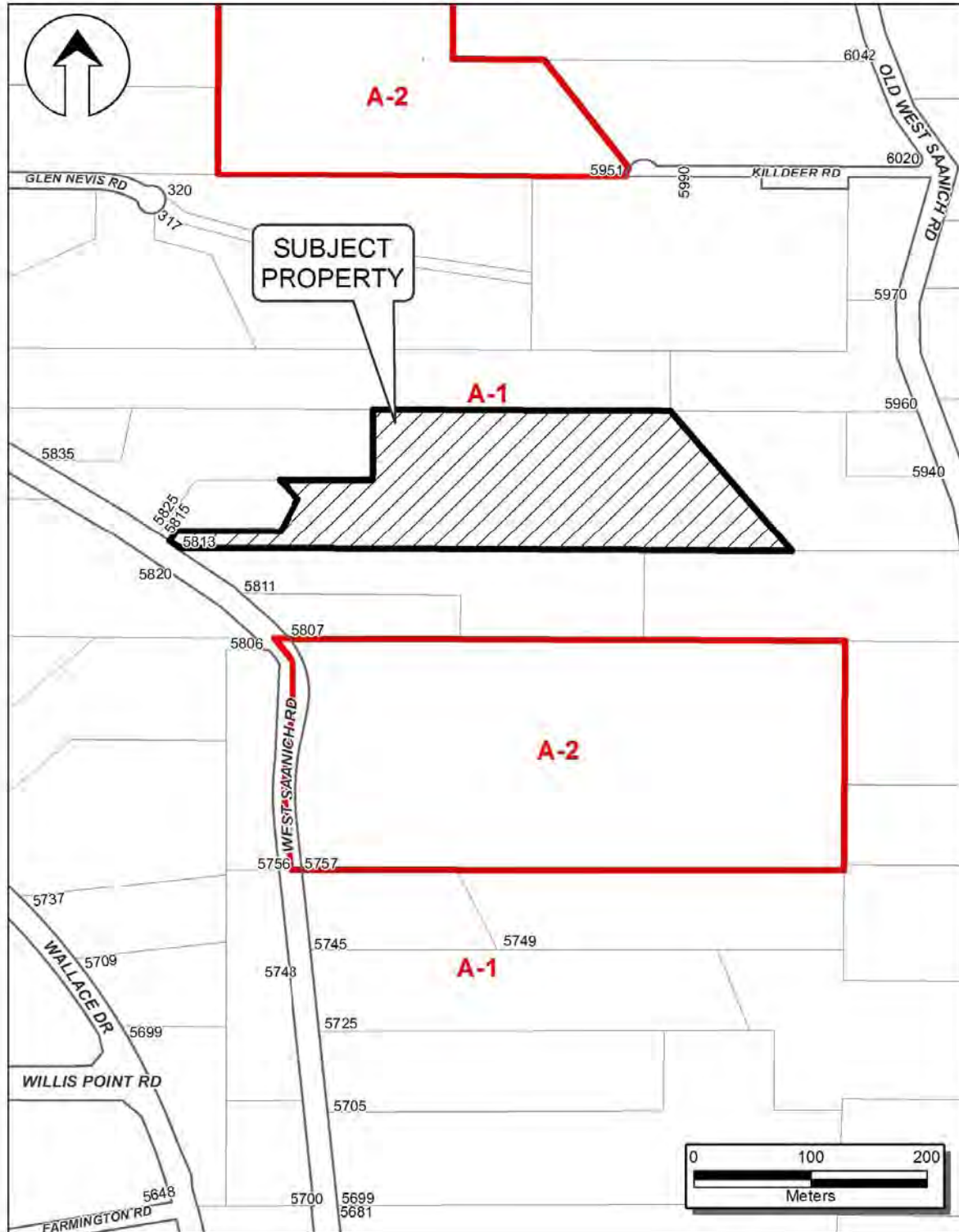


Figure 1: Neighbourhood Context

Land Use and Site Design

The original parcel ran from East Saanich Road to Old West Saanich Road until subdivided in 1957. A subsequent subdivision took place in 1960, and 5815 West Saanich Road was created through subdivision in 1999.

The subject property is over 500 m deep at its longest point, over 100 m at its widest, and is 4.26 ha in area. Not counting the recent fill brought onto the lot, the land rises from an elevation of 93 m at the road (i.e. west side) to about 140 m at the rear, or east end of the property. A depression in the centre of the property holds a pond. The land has been partially cleared in places, but there are a number of groups of trees scattered throughout the property. The rear (east) side of the property is heavily wooded.

A single family dwelling constructed in 2004 is situated to the east of the pond, and is connected to the road by a driveway that runs along the southerly property line. A Building Permit (BLD00-00287) was issued on July 11, 2000, and renewed July 12, 2004 for an agricultural building. A note in that file indicates that the “project changed, during course of construction, from an accessory building to a single family dwelling.”

The applicant is proposing to build a new house on top of the fill. The existing house would be converted to an agricultural building or deconstructed, as only one house is permitted on the A-1 (Rural) Zoned lot (see Figure 2).



Figure 2: Partial Site Plan (proposed)

History of Filling on the Property

There has been an ongoing history of fill being placed on this property. The first fill permit on record for this parcel was issued in 2002 for development of a pasture area. Following that, on August 24, 2009 Fill Permit FIL00142 was issued, and renewed on August 9, 2011. A

subsequent Fill Permit (FIL00162) was issued on September 10, 2012. The stated purpose of the most recent fill permits were to “Build up Suitable Flat Platform on Hill for Construction of Single Family Dwelling”. It should be noted that the purpose section of the application is filled out by the property owner.

A letter on file from the Manager of Development and Municipal Facilities, dated March 9, 2012, states:

“While the original stated purpose of the fill was to build a house, when it was pointed out by staff that a permit may not ultimately be allowed by Council, the owner chose to continue with the application anyway. While we ask what the purpose of a proposed fill is, we cannot use that as a reason in and of itself to either deny or approve a permit. An owner of rural land is free to fill on their property as long as the fill is not in a prohibited area such as a floodplain or riparian area and it meets the bylaw requirements for slopes and other things. If the bylaw requirements are met, we have to issue a permit.”

Old Fill Bylaw

As Council will remember, there was significant interest in the most recent filling of the property. At that time many neighbours voiced their concerns about the negative impacts of the volume of fill being brought on to the lot and the applicant’s stated intention to building a house on top of the newly created “hill”.

The Deposit of Fill Bylaw in effect at that time was “Deposit of Fill Bylaw, 1993, No. 7058”. Section 8(e) of that bylaw stated: “The size and configuration of the fill deposit shall be such as neither to affect adversely the air, light and view of adjoining or adjacent properties, nor to alter substantially, the appearance and nature of the surrounding area.” Staff obtained legal advice regarding the ability to enforce this section of the Bylaw and it was determined that it would not be considered applicable by the courts because of the distance from the fill to other properties and the rural nature of the area.

A Memo to Mayor and Council from the Director of Engineering, dated August 20, 2012, addressed the situation with the then-current Deposit of Fill Bylaw as follows:

“The owner of 5813 West Saanich Road held a valid fill permit which expired on August 8, 2012. Filling, which occurred under the permit, prior to the expiry date, raised concerns with a number of immediate neighbours. Several of these neighbours have learned that the owner intends to apply for a new permit and have written to express their opposition to the issuance of a new fill permit. We have reviewed our existing bylaw, with the assistance of our Solicitor and it is his conclusion that the existing bylaw does not allow us to refuse a permit. The following are the key points to bear in mind:

- The Deposit of Fill bylaw provides the ability to regulate, but not prohibit, the deposit of fill;
- The Deposit of Fill, and other municipal bylaws, regulate the manner in which the work is carried out including allowable hours of work, the requirement to minimize dust and debris from the filling and a number of other conditions;
- A new permit will only be issued if it meets all the legal requirements of the bylaw; and
- Should a new permit be issued for the site, staff will be monitoring the operation to ensure compliance with all relevant bylaws.”

Revised Bylaw

The Deposit of Fill Bylaw in effect at the time the subject fill was placed on the subject property has since been replaced with "Deposit of Fill Bylaw, 2012, No. 9204". The vaguely-worded section 8(e) in the previous bylaw was subject to broad interpretation, and has been removed. Limits to the amount of fill that can be introduced onto a property have been also been put in place.

The applicant's surveyor stated in a letter dated October 24, 2013 that "The total volume placed over the course of the permit is 31,000 cubic metres, [and] the amount permitted for was 50,000 cubic metres." The new Deposit of Fill Bylaw, Section 4.(b)(ii) limits the amount of fill that can be deposited on a lot to 2000 cubic metres or less.

VARIANCES

The requested variances are related to the proposed new single family dwelling. The maximum permitted height for a single family dwelling in the A-1 (Rural) Zone is 7.5 m, as measured from grade. A second height calculation, referred to as "single-face height", also has a maximum height of 7.5 m.

Section 5.18(c) of the Zoning Bylaw states that: "Where it is proposed to construct all or part of a building or structure on land where fill has been placed on top of the natural grade, grade shall mean the plane of elevation of the original natural grade".

As the proposed house would be situated on newly placed fill, which has a finished grade 10.95 m above the original natural grade, variances for building height and single-face building height are required.

According to the Letter of Assurance from the applicant's surveyor, the height of the proposed dwelling, according to Zoning Bylaw definitions as measured from grade, would be 18.7 m, resulting in a required variance of 11.2 m (see Figure 3). Single-face building height of the proposed dwelling as measured from grade would be 18.8 m, resulting in a required variance of 11.3 m.

Staff Recommendation:

Given the magnitude of the requested variances, the undesirable precedent this would set, and that a new home could easily be accommodated in other locations on the property, the proposal is not supported by staff.

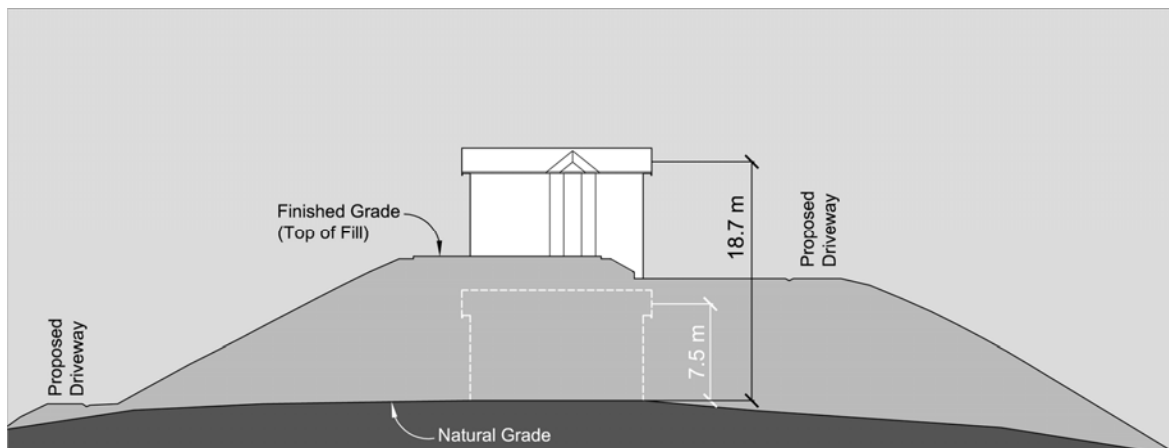


Figure 3: Section looking West showing Proposed Dwelling and requested Height Variance

COMMUNITY CONSULTATION

As part of the review process, the application was referred to the Prospect Lake Community Association. No response has been received to date.


The applicants have stated that they “canvassed the neighbours along West Saanich Road” and are in possession of “a letter from 15 of these neighbours who have indicated that they do not take a position against the variance being granted.”

RECOMMENDATION

That Development Variance Permit DVP00367 not be supported.

Note: Should Council decide to approve the application, ratification of the Development Variance Permit should be withheld pending registration of a Restrictive Covenant to ensure the following:

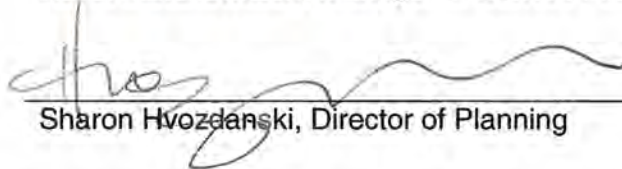
- (a) The deconstruction or decommissioning of the existing dwelling once the new dwelling has been granted occupancy;
- (b) The Geotechnical Report(s) be registered on title; and
- (c) The Owner will save the District and Province harmless in case of erosion/slippage/slope or soil failure on this property.

Report prepared by: 

 Chuck Bell, Planner

Report prepared & reviewed by: 

 Jarret Matanowitsch, Manager of Current Planning

Report reviewed by: 


 Sharon Hvozdzanski, Director of Planning

CWB/sl/ads
 H:\TEMPEST\PROSPERO\ATTACHMENTS\DVP\DVP00367\REPORT_5813 WEST SAANICH ROAD_MAY 2016 FINAL.DOC

cc: Paul Thorkelsson, CAO
 Graham Barbour, Manager of Inspection Services

ADMINISTRATOR’S COMMENTS:

I endorse the recommendation of the Director of Planning.


 for Paul Thorkelsson, CAO

DISTRICT OF SAANICH

DEVELOPMENT VARIANCE PERMIT

NO. DVP00367

TO: Leon Michael Rosteski and Cheryl-Anne Petersen
5813 West Saanich Road
Victoria BC V9E 2G3

(herein called "the Owner")

- 1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied by this Permit.
2. This Development Variance Permit applies to the lands known and described as:

Lot B, Section 10, Lake District, Plan VIP69744

5813 West Saanich Road

(herein called "the lands")

- 3. This Development Variance Permit varies the provisions of the Zoning Bylaw 2003, Section 101.4 (b) by permitting the single family dwelling to be constructed with a overall height of 18.7 m (7.5 m required) and a single face building height of 18.8 m (7.5 m required) as shown on the plans prepared by AJB Home Design and Brad Cunnin Land Surveyor received September 2, 2015, copies of which are attached to and form part of this permit.
4. The lands shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and shall comply with all Municipal bylaws except for those provisions specifically varied herein. Minor variations which do not affect the overall building and landscape design and appearance may be permitted by the Director of Planning or in her absence, the Manager of Current Planning.
5. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL ON THE

DAY OF 20

ISSUED THIS DAY OF 20

Municipal Clerk

Memo

To: Planning Department
From: Jagtar Bains – Development Coordinator
Date: September 15, 2015
Subject: Servicing Requirements for the Proposed Development

PROJECT: TO CONSTRUCT A SFD WITH A HEIGHT VARIANCE REQUEST

SITE ADDRESS: 5813 WEST SAANICH RD
PID: 024-620-432
LEGAL: LOT B SECTION 81 LAKE PLAN VIP69744
DEV. SERVICING FILE: SVS01959
PROJECT NO: PRJ2015-00424

The above noted application for Development Variance Permit to vary height for a proposed dwelling has been reviewed.

There are no servicing requirements.

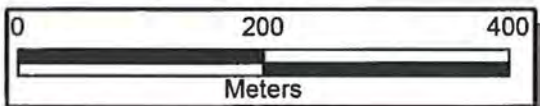
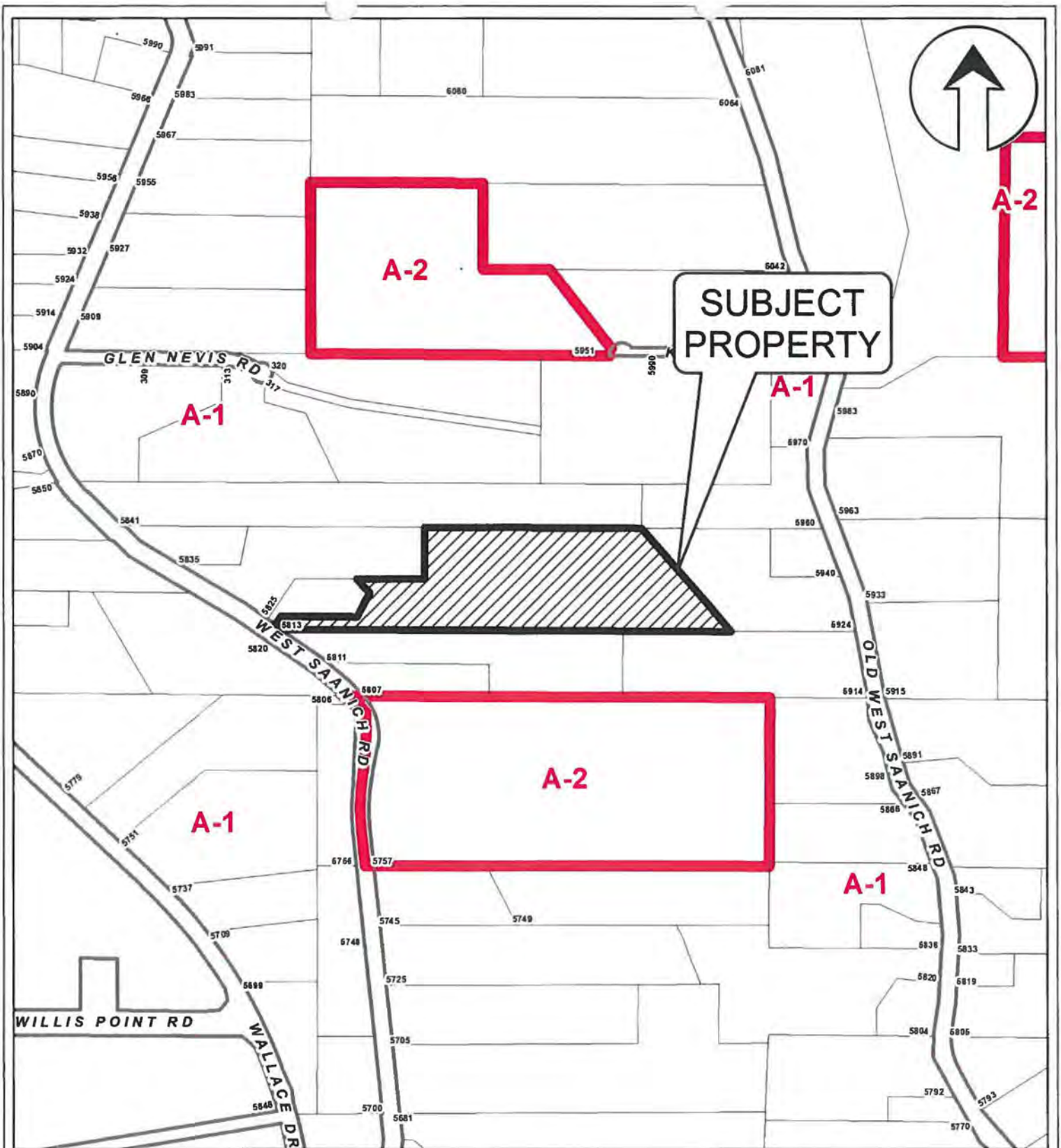


Jagtar Bains
DEVELOPMENT COORDINATOR

cc: David Sparanese, MANAGER OF TRANSPORTATION & DEVELOPMENT

ENTERED
IN CASE





District of Saanich
Planning Dept.
 July 24, 2015

RECEIVED

JUN 30 2016

LEGISLATIVE DIVISION
DISTRICT OF SAANICH

North of 5813 West Saanich Road
District of Saanich Map

5890 West Saanich Road
Letter of Support

5870 West Saanich Road
Letter of Support

5850 West Saanich Road
Letter of Support

Address/access not on West Saanich Road

5820 West Saanich Road
Letter of Support

Unable to contact

Unable to contact

Unable to Contact

5909

5904

5890

5870

5858

5850

5841

5835

5825

5815

5813

GLEN NEVIS RD

WEST SAANICH RD

Legend

- Building
- Municipal Boundary
- Streets
 - Other
 - Highway
 - Major
 - Collector
- Water Course
 - Man-made
 - Natural
- Water Body
- Parks
- Parcel

Of the 10 properties to the North and across from the Property (up to Glen Nevis Road), 4 neighbours signed a Letter of Support.

3 had gates or no one was home during canvassing.

Of the 7 canvased 4 provided a Letter of support

Three additional properties to the north were canvassed: 5938, 5951 and 5990 and they also provided letters of support for a total of 8 supporting properties to the north.

Date Produced:
6/28/2016 10:46:09 AM

1: 1,953

This map is for general information purposes and should not be considered authoritative for any purpose. Accuracy, currency and precision are not guaranteed.

RECEIVED

JUN 30 2016

LEGISLATIVE DIVISION
DISTRICT OF SAANICH

South of 5813 West
Saanich Road

District of Saanich Map

5820 West Saanich Road
Letter of Support

5806 West Saanich Road
Letter of Support









5756 West Saanich
Road
Letter of Support

5807 West Saanich Road
Letter of Support

5757 West Saanich Road
Letter of Support

5745 West Saanich Road
Letter of Support

Legend

-  Building
-  Municipal Boundary
- Streets
 -  Other
 -  Highway
 -  Major
 -  Collector
- Water Course
 -  Man-made
 -  Natural
- Water Body
- Parks
- Parcel

Of the 8 properties showing to the south of the Property 6 signed a Letter of Support.

Two additional properties to the south were canvassed: 5705 and 5699 and they also provided letters of support for a total of 8 supporting properties to the south.

Date Produced:
6/28/2016 10:49:30 AM

1: 2,064

This map is for general information purposes and should not be considered authoritative for any purpose. Accuracy, currency and precision are not guaranteed.

RECEIVED

JUN 30 2016

LEGISLATIVE DIVISION
DISTRICT OF SAANICH

Centred on Driveway to
5813 West Saanich Road

District of Saanich Map

Legend

- Building
- Municipal Boundary
- Streets
 - Other
 - Highway
 - Major
 - Collector
- Water Course
 - Man-made
 - Natural
- Water Body
- Parks
- Parcel

PROPERTY

VARIANCE REQUEST

Of the 10 properties that show up on the district map when the Property is centered, 5 provided Letters of Support.

Immediate South = 6/8
75% Support

Immediate North = 4/7
57% Support

Surrounding = 5/10
50% Support

Total = 60% Support

Total number of Letters of Support = 15 from West Saanich Road Neighbours

Date Produced:
6/28/2016 10:48:33 AM

1: 1,608

This map is for general information purposes and should not be considered authoritative for any purpose. Accuracy, currency and precision are not guaranteed.

5835

5825
5815

5813

5820 West Saanich Road
Letter of Support

5820

5811

5807 West Saanich Road
Letter of Support

5807

5806

5806 West Saanich Road
Letter of Support

5756 West Saanich Road
Letter of Support

5757 West Saanich Road
Letter of Support



Letter of Support

Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1

I, 5699 West, of VICTORIA
Saanich, BC, Saanich Rd

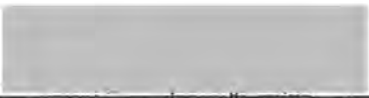
1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

Jan 18 2013
Date

[Redacted Signature]
Signature

Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

 of 5705 West Saanich Rd
Saanich, BC,

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

18 Jan 2015

Date



Signature

Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**



of 5813 W. SAANICH RD.

Saanich, BC,

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rostaski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

JAN 18/15


Date

[Handwritten Signature]

Signature

Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

I,  of 5807 WEST SAANICH RD.
Saanich, BC,

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

Jan 18/45


Date



Signature

Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

I, , of 5870 W SAANICH
Saanich, BC,

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

Feb 8 2015

Date



Signature

Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

I, [redacted] of 5890 W. SAANICH
Saanich, BC,

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

FEB 7/15

Date

[redacted]
[Signature]

Signature

Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanch Road, Victoria BC V9E 2G1**

I, [REDACTED], of 3850 West Saanch Road
Saanch, BC,

1. am a member of the Saanch community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanch Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

Feb 8 /15


Date

[REDACTED]
[Handwritten Signature]

Signature


Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

 of 5806 W. Saanich Rd
Saanich, BC

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rostedt are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

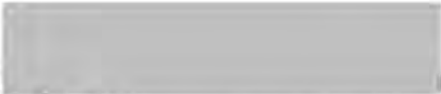
Date



Signature


Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

I,  of 5756 WEST SAANICH
Saanich, BC,



1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

JAN 18 2015
Date


Signature

Letter of Support


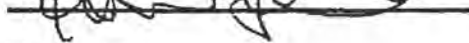
**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

I,  , of 5757 W. Saanich Rd
Saanich, BC,

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

Jan 18/15

Date

Signature

Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

I, BESSAANICH of Victoria BC
Saanich, BC,

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

Jan 18/15

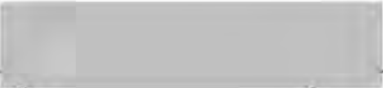
Date

[Signature]

Signature

Letter of Support

Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1

I,  of 5757 West Saanich Rd,
Victoria,

1. am a member of the Saanich community;
2. am aware that Cheryl and Leon are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. am in support of the application.

Therefore, I request that a Development Permit Variance be issued to allow Cheryl and Leon to build a single family dwelling.

Date



Signature

Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

I, [REDACTED], of 5951A Hillbier Rd Victoria BC
Saanich, BC,

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit


Feb 8 2015

Date

[REDACTED]
[Signature]
Signature

Letter of Support

Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1

I,  of 5990 Old West Saanich Rd
Saanich, BC, Victoria, BC

- 1. am a member of the Saanich community;
- 2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
- 3. take no position with respect to the issuing of the variance permit

Feb 18, 2015


[Signature]

Date

Signature

Letter of Support

**Re: Development Permit Variance Application for 5813 West
Saanich Road, Victoria BC V9E 2G1**

I, [REDACTED], of 5938 WEST SAANICH RD,
Saanich, BC,

1. am a member of the Saanich community;
2. am aware that Cheryl Peterson and Leon Rosteski are, or will be, making an application for a variance to permit him to build a home on top of the hill that has been built on the property at 5813 West Saanich Road, Victoria, BC; and
3. take no position with respect to the issuing of the variance permit

FEB 09/17

Date

[REDACTED]
[Signature]

Signature

Information Regarding 5813 West Saanich Road

Why a Variance Should be Issued

1. In July 2009 Mr. Rosteski applied for a fill permit setting out that his intent was to increase the height of a hill on his property and to build his home on top of the hill and providing a plan showing the height and dimensions of the plan.
2. On July 22, 2009 the District of Saanich sent Mr. Rosteski a letter stating that because his plan showed a depth of 10 metres over the top of an existing hill and the maximum building height is 7.5 meters from natural grade they *"would not issue a fill permit unless it was in conjunction with a DVP approved by council."* DVP meaning Development Variance Permit. The District of Saanich further states that the proposed slopes do not comply with the bylaw requirements.
3. Following a telephone conversation between Mr. Rosteski and the District of Saanich on July 27, 2009, the District of Saanich sent a letter to Mr. Rosteski on July 31, 2009. In the letter they state that *"Council may or may not be prepared to grant a variance in the future that would allow you to build on the site, and that you were prepared to take that risk. Accordingly, we have reviewed your fill application just on the basis of the Deposit of Fill Bylaw."* In addition, the District of Saanich accepted the 1:1 slopes on the condition that the geotechnical engineer submit a letter *"that states that the fill as places is stable and suitable for the intended purpose."*
4. On August 24, 2009 the District of Saanich renewed Fill & Soil Removal Permit number FIL00142 and the description states: *"BUILD UP SUITABLE FLAT PLATFORM ON HILL FOR CONSTRUCTION OF SINGLE FAMILY DWELLING"*
5. The permit contains special conditions one of which is that *"Placement of the fill is to be under the review of Alec Morse, P. Eng. As per Schedules B-1 & B-2..."*
6. Schedules B1 and B2 showed the engineers plans including the slope, area and height of the proposed fill plan.
7. On July 20, 2010 the District of Saanich renewed Fill & Soil Removal Permit number FIL00142 and the description continued to state: *"BUILD UP SUITABLE FLAT PLATFORM ON HILL FOR CONSTRUCTION OF SINGLE FAMILY DWELLING"*
8. On August 9, 2011 the District of Saanich renewed Fill & Soil Removal Permit number FIL00142 and the description continued to state: *"BUILD UP SUITABLE FLAT PLATFORM ON HILL FOR CONSTRUCTION OF SINGLE FAMILY DWELLING"*
9. In 2012, the District of Saanich inspected the property and advised that the hill could not be built at the slopes in the original plan, regardless of whether the geotech could provide a letter confirming its stability and stability, despite the fact that the original permit was issued on that basis. The district had made an error in issuing the original permit.

10. On September 10, 2012 the District of Saanich issued Fill & Soil Removal Permit FIL00162 and the description also states: *"BUILD UP SUITABLE FLAT PLATFORM ON HILL FOR CONSTRUCTION OF SINGLE FAMILY DWELLING"*

11. Problems created by Saanich:

- i. The Fill & Soil Permit should not have been issued given that the proposed plan did not comply with maximum slopes allowed under the bylaw
 1. If this had been clarified and the permit denied in the first place as it should have been, the hill would not have been built as there is insufficient space.
- ii. The Engineering department should not have issued the permit on the basis that Council *"may or may not"* be prepared to grant the variance
 1. This left the impression that Mr. Rosteski simply had to apply and in no way indicated that it would be extremely difficult and highly unlikely that a permit would be issued.
 2. The department should have advised Mr. Rosteski that it was highly unlikely and would be very difficult and sent him to the planning department for more information.
 3. They should not have issued a permit to allowing him to proceed with something they knew he would have significant difficulty completing. They should have not issued the permit or at the very least they should have forced him to apply for a variance before issuing the permit.

Cheryl and Leon are left in a position where they have spent significant sums of money to build a platform on which to build their retirement home. This is not a fair position for them to be in as a result of Saanich's failure to have a proper procedure in place when it comes to issuing permits.

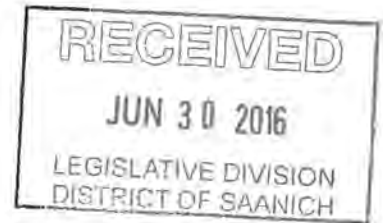
Permits simply should not be issued if they may result in people being in positions where they spend money but can not finalize their plans.

Saanich was entirely aware of the plan from the beginning. They were also aware of the difficulties that would arise in getting a variance. They issued the permit anyways. This did not serve any purpose other than to create the current situation.

On September 4, 2012 Mayor and Council approved an amendment to the Deposit of Fill Bylaw placing a lifetime limit of fill on any property at 2000 cubic metres per hectare of lot size and limiting fill coverage to no more than 15% of the lot area.

5813 West Saanich Road is 10 acres (approximately 4 hectares)

Based on the new bylaw, allowing this variance does not open Pandora's box, it simply fairly deals with a situation that has arisen due to Saanich's failure to only issue permits for plans that comply with the bylaws or have obtained a variance from council.



Dear Saanich Council,

I am writing to ask that the height variance requested by 5813 West Saanich Road be denied.

As an owner of property adjacent to the aforementioned address, I have lived in my home for 26 years. I strongly feel that the development of a home in this location violates the intention of the Rural Saanich Local Area Plan which "...provides a policy framework to maintain the character of the rural area, the integrity of its natural systems, and the rural lifestyle." The plan further states that "Rural Saanich is valued by its residents and by those from outside the area for its natural beauty, diverse environments, high biological diversity, agricultural and well-forested lands and rural lifestyle". This is indeed an accurate description of why I love living in Saanich and what I value about my property; it is also precisely what will be destroyed should a development occur at the site in question.

The site proposed for development has already seen extreme environmental destruction through extensive tree-cutting which occurred when substantial amounts of fill were dumped on the property, on a site overlooking my home, patio and garden. The hillside was once a balanced ecosystem made up of oak and arbutus trees, salal, oregon grape and camas lilies providing cover and habitat for a wide variety of birds and animals. The hillside is now covered in grass and weeds, a perfect spot for invasive species to take root and an extreme fire hazard in the summer. A new bylaw has been passed since the willful degradation of this property and the excessive dumping of soil, as the previous bylaw never envisioned having to prevent homeowners from effectively building mountains on their property. While I appreciate that the by-law has been amended to ensure other habitats and properties are not destroyed, our property is still at risk of being negatively impacted by further development at this site. I ask that you please support the decision of the Variance Board, which refused to hear this request, by denying this development permit and preventing a precedent from being set.

Saanich has designated the area of this proposed development as rural, and as a result the lots are primarily large, treed lots which encourage wildlife, green-space and solitude. The houses are positioned to maximize privacy and the enjoyment of nature. For our community to maintain its unique and desirable quality, it is necessary for everyone to respect and preserve the rural nature of the neighbourhood, an expectation enforced by the Rural Saanich Local Area Plan. I bought my property with the reasonable understanding that Saanich would retain the rural feel of the district that had initially drawn me to it, by limiting development through area-appropriate bylaws. My enjoyment of my property and my well-being has been degraded by the development that has already occurred and would deteriorate further should a house be permitted on top of this man-made mountain which overlooks my home.

I still fail to understand why a "mountain" was allowed to be built for a potential view from a house which did not have a permit and which would now be far beyond allowable height restrictions. If a house were built on this mountain, it would be the predominant view from my home, deck and garden. Noise from above now impacts our adjacent properties due to the height of the man-made mountain and the reduction of tree coverage. Previously I enjoyed spending a large portion of my time gardening in the backyard and relaxing on the patio but this is simply no longer enjoyable when there is activity on the mountain; this would be greatly worsened should there be a house built. It would have been possible for a house to be built on the property as it existed, utilizing the natural topography, minimizing disruption to the land, flora and fauna, and

reducing the years of turmoil experienced by the neighbourhood while allowing the property owner to build a height appropriate home but he made the informed decision to import an excessive amount of fill before getting his house permit.

Finally, I believe that this clearcut mountain has adversely affected our property values. This development has destroyed the initial draw of my property, and this certainly impacts it's value. I continue to consider moving as a result of this development. Given the numerous negative affects of the current level of development of this property, the serious implications for our property and lifestyle, and those of our neighbours, and the potential precedent setting scenario, I ask that you please deny the variance requested by 5813 West Saanich Road.

Thank you for your consideration.
Laura Nichols

Don W. Crew

RECEIVED

JUN 28 2016

LEGISLATIVE DIVISION
DISTRICT OF SAANICH

To: Saanich Mayor & Council

June 27, 2016

Re: 5813 West Saanich Road; height variance application DVP00367

WHY THE APPLICATION? - The suggested justification for the height variance being requested for 5813 West Saanich Road seems to be that the applicant wants to build a house with a view, and the height bylaw is inconvenient to him. He seems to simply want the rules to not apply to him. The size of the requested variance, 11.2m, leaves one wondering what amazing back story of unusual circumstances beyond the applicant's control might buttress the request. I've heard nothing like that. An application for such a large variance might suggest the applicant is unfamiliar with the system. But in this case, one has to look for other explanations, given the lengthy set of interactions over this property, including representation by a number of experienced lawyers.

CONTEXT - Activities relevant to this variance application reach back a number of years. This property has sought a series of variances and required bylaw enforcement throughout the time of the current ownership. Subdivision variance, the use of an agricultural building as a dwelling, and multiple issues regarding deposits of fill; this is a partial list of the special demands on the neighbours, Saanich staff and Council over the years. Now, yet again, it seems that the owner of this property wants to be granted special dispensation to avoid the normal limits that other Saanich property owners must observe. I believe the track record of this property is relevant context because it may belie an underlying attitude that informs the current application.

As you are aware, this height variance application is the follow-up chapter to the deposit of fill saga which ran from 2009 through 2013. The fill permits and extensions listed the purpose of the fill as being to create a hill upon which to build a house. Saanich staff repeatedly counselled the applicant regarding the building height bylaw, specifically explaining that the height of any eventual building would be measured from the *original natural grade*, before any filling. Thus, the height of any fill would subtract from the permissible building height since it is their combined height that matters. In fact, the original 2009 fill application was at first *denied* with the additional suggestion that the applicant should first try to obtain the necessary height variance before working on the hill. Staff has recounted that the applicant and his lawyer then insisted that he did not *have to* do things in that logical order. He wanted to build the hill first and take his chances on getting a height variance later, as a separate matter, acknowledging that without the variance a house could not be built and the hill-building efforts may become a waste. Saanich, fearing a lawsuit, reversed track, and issued the fill permits, but took every opportunity to document their warnings that no height variance could be expected. (Please see attachments.) The neighbourhood was told that Saanich *had to* issue fill permits, but that it does *not* have to provide a building height variance. The permits for deposit of fill, and any variance for building height were not to be coupled in this instance, just as the applicant demanded.

The period of active filling proved to be a long and tortured experience for many of the neighbours, and I expect, for Saanich staff who received their complaints. That, in itself is a long chapter. Suffice to say that the fill debacle included a number of FOI releases, the eventual overhaul of the deposit of fill bylaw for future applications, and a letter of apology from the Saanich CAO of the day. Some of those involved are now *ex-*employees of Saanich. The May 10, 2016 staff report to Mayor and Council devotes a surprising amount of attention to characterizing the old and new Deposit of Fill bylaws and how they were applied to this property. While the experiences of the fill operations provide important context for the current height variance application, it must be judged separately on its own merits as per the process Saanich locked in at the time of the fill permits.

IMPACT & ASSESSMENT - Some might now see it as "a waste" to have allowed the hill to be built and then not allow a house. But the decision to expend resources on the deposit of fill project was squarely on the

applicant who acknowledged that the risk was his alone to build the hill without any reason to think that a height variance would be granted for a house. Saanich went out of its way to help him see that he may be shooting himself in the foot, given the height bylaw. But he would have none of it, insisting instead on taking this gamble. If there is a “waste”, it is of his own making, with his eyes open.

If one were to ask “What would it hurt to allow the variance?”, the answers fall under two headings; 1) direct impacts to neighbours and 2) the implications for Saanich's system of bylaws.

Firstly, the neighbours of this area have a right to the quiet enjoyment and protection of their properties. When one considers the distance to a neighbouring house, the views from ones windows or deck, or the noise levels from surrounding activity, context is vital. In an *urban or suburban* setting, one can expect a certain level of impact from neighbours on the experience of privacy, views, and noise. In Saanich's *rural* areas however, it is appropriate to expect a heightened level of these rural values, as is reflected in Saanich's many planning and bylaw documents. After all, these are some of the main reasons people choose to live in this part of Saanich. So, the impacts of neighbouring development must be seen in the rural context of this neighbourhood, and its Community Plan. In an unincorporated area one may be stuck with whatever happens on the other side of the property line, say an auto junk yard. In a municipality like Saanich however, the community has agreed, by way of its elected representatives, to a set of minimal standards that provides a level of protection from the effects of willy-nilly land use. In this case, the building height bylaw is protecting the neighbours from the loss of views, privacy and relative quiet that are highly valued in this rural area. That level of protection is reasonable and consistent with the past pattern in rural Saanich.

In this regard, the applicant seems to have a different vision of what it means to live in rural Saanich. In a December 13, 2012 Saanich News article on the deposit of fill controversy, Leon Rosteski is quoted as saying, *“I'm filling to a height where I get a view, and then I'm going to build (a house) on top of it.”* *“When you live out in rural areas, it means you've got room to do something like this”*. That may be his view of what he would like to do in rural Saanich, but some of us object and so does the Saanich building height bylaw and the Planning Department. This is not a situation in the middle of nowhere where no one objects to a small variance that harms no one. It harms us. We do not waive the protection of this bylaw, and instead are again requesting that Saanich enforce the rules that are on the books.

The personal losses to me and my family have been significant over the years of the fill operation and are anticipated to be worse and permanent if the height variance were to be approved. Our former views of sunsets from our living room and patio are now of the hill rising above us. If a house were built on top, it would peer right into the private back portion of our house and property. Instead of the quiet bird songs and frog chorus we would hear the conversations and other activities, whatever they may be, of our neighbour. This has already been the case when there is activity on the hill, but with a house, there would be no end to it. There has been considerable anxiety about the prospect of the loss of our quality of life or the possibility of having to move out of Saanich, after 36 years, in order to maintain it. Neither the applicant, nor Saanich representatives, can accurately assess the impacts on the neighbours by standing on top of the hill. A financial loss is also reasonable to project since the value of our property is closely linked to the threatened rural quality of life.

The Staff report includes a section titled “Community Consultation”, although it contains nothing except a claim from the applicant of letters from West Saanich Road neighbours. We all recognize that careful wording of polling questions can suggest misleading interpretations. Fifteen letters, should they materialize, from *“neighbours who have indicated that they do not take a position against the variance being granted”* are not letters of support. These signatories have apparently not taken any position whatsoever on the matter. They are no more committed on the question of this variance than some 100,000 other citizens of Saanich, for they too, have *not taken a position*. So, if one of the criteria is a head-count of public opinion, these fifteen are counted as neither for, nor against.

Secondly, as for the implications for Saanich's system of bylaw enforcement and variance, this application would seem to be at odds, in a very material way, with the record of past building height variances denied and

granted over the years. In the past, justifications that were successful in gaining approval tended to involve *small* variations from the bylaw standard, involve undue hardship, and cause no damage to the public good. I don't have to tell you that an 11.2m height variance would be *wildly* beyond "small", no matter how you look at it. It would be unprecedented by an extreme margin. Even if the proposed two-story house was cut to one story, the necessary variance would be way beyond reasonable, given Saanich's past pattern. The hill itself, is higher than the allowed *combined* height of any house and hill. This sets an absurd scenario of a conforming house needing to have "*negative*" height. There is no room for a house of any kind on top of the existing hill. As for any attempt to argue that an undue hardship would be incurred, if not for a variance, a self-inflicted disappointment, or even loss, has not previously met the test, for obvious reasons. This is not even a case of innocent ignorance leading to a self-inflicted loss. This gamble was a carefully calculated and advised decision, in full view of the risks. Given these circumstances, the Saanich Board of Variance refused to even consider this application.

Is Council prepared to set such a precedent? Would it stand a legal challenge? What expectations for height variances will future builders reasonably have if this variance is granted?

SUMMARY - Given:

- the context of the property's past record,
- the impacts on neighbours' reasonable quality-of-life expectations and property values,
- the informed choices made by the applicant and his conflicting vision for rural Saanich,
- the clear and long-standing rules on Saanich's books regarding building height and the standard set for variances, and
- the recommendation of the Planning Department,

I am asking Council to deny this application as a closing chapter to this mis-adventure.

Thank you.

File: FIL00142

July 22, 2009

5813 West Saanich Rd
Victoria, BC V9E 2G3

Dear Sir,

RE: Fill Permit Application FIL00142

We have reviewed your fill permit application and we write to advise you that we are not prepared to approve it.

The plan by Brad Cunnin, BCLS, shows fill to a depth of 10 metres over the top of an existing hill, with slopes of 1:1. Your property is zoned A-1 which has a maximum building height of 7.5 metres above natural grade. In order to build a house on top of the fill, you would need a Development Variance Permit (DVP). Accordingly, we would not issue a fill permit unless it was in conjunction with a DVP approved by Council.

Our Environmental Services staff are still reviewing your application to see what impacts your proposal may have, and to determine if any additional permits are required. We did, however, want to let you know of the requirement for a DVP as it will require a detailed and extensive application, including house plans and landscaping plans.

If you do wish to pursue a DVP and Fill Permit, your current Fill Permit application will need to be amended to conform to the Deposit of Fill Bylaw, and have maximum fill slopes of 2:1. Among other things, you will also need to be prepared to show how the fill will comply with section 8(e) of the Deposit of Fill Bylaw:

8(e) The size and configuration of the fill deposit shall be such as neither to affect adversely the air, light and view of adjoining or adjacent properties, nor to alter substantially, the appearance and nature of the surrounding area.

We have enclosed an application form for a DVP, a Fee Schedule, and a sample of the information required. You may want to discuss the matter further with the Area Planner, Chuck Bell. Chuck can be reached at (250) 475-1775 ext 3467.

.....2

If you or your consultants wish to discuss the requirements of the Fill Permit further, please contact me at your convenience.

Yours truly,

Donavon (Von) Bishop, P.Eng.
Manager of Development and Municipal Facilities

DVB/jw

cc: Chuck Bell, Area Planner, Saanich
Michael Roth, Environmental Planning Officer, Saanich

encl.

File: FIL00142

To file 1942

July 31, 2009

██████████
5813 West Saanich Rd
Victoria, BC V9E 2G3

Dear Sir:

RE: Fill Permit Application FIL00142

In our telephone conversation July 27, 2009 you indicated that you wished to fill without first seeking Council approval for a development variance to the height limits of the Zoning Bylaw. You acknowledged that Council may or may not be prepared to grant a variance in the future that would allow you to build on the site, and that you were prepared to take that risk. Accordingly, we have reviewed your fill application just on the basis of the Deposit of Fill Bylaw.

As noted in our letter of July 22, your plans show slopes of 1:1 instead of the required 2:1. To account for this, you have retained a geotechnical engineer to review the design and placement of fill, and a condition of the permit will be that they submit a letter report that states that the fill as placed is stable and suitable for the intended purpose.

Our Environmental Services staff have reviewed your application, and a copy of their memo to us is enclosed for your information. A further condition of the permit will be that you follow the best management practices outlined in the memo, particularly the requirement to place silt fencing at the toe of the slope to contain any erosion.

Our last point regards the removal of trees in order to accommodate the fill. Your submitted plans did not include any details on trees in the fill area, and the 2007 aerial photograph from our GIS system (copy enclosed) shows quite a few trees. As a rural property owner, you are allowed under the Tree Preservation Bylaw to remove up to three designated trees per 0.4 hectares of property per year. Designated trees include those with a diameter greater than 100cm or over 5 metres in height. For your size of property, that equates to 30 trees per year. Please submit a plan that shows the location of any designated trees in the fill area. If the number of trees exceeds 30, please indicate how the filling operation will be phased over more than one year to allow the trees to be removed in advance of the filling at the allowable rate.

... /2

If you or your consultants wish to discuss the requirements of the Fill Permit further, please contact me at your convenience. I can be reached by phone at 250-475-5492 or by email at von.bishop@saanich.ca .

Yours truly,



Donavon (Von) Bishop, P.Eng.
Manager of Development and Municipal Facilities

DB/cn
Attachments

cc: Chuck Bell, Area Planner, Saanich Planning Dept.
Michael Roth, Environmental Planning Officer, Saanich Planning Dept.
Cory Manton, Manager of Urban Forestry, Horticulture & Natural Areas, Saanich Parks

H:\TEMPESTPROSPERO\ATTACHMENTS\FIL\FIL00142\LTR2 LROSTESKI FM VB RE FILL APPN JULY 31 2009.DOC

Mountain of fill grows in West Saanich



Neighbours are complaining about the noise, dust and obstruction of the heap of fill at 5813 West Saanich Rd. insisting it's a man-made mountain, not just a molehill.

Sharon Tiffin/News staff

Share this story

By [Kyle Slavin - Saanich News](#)

Published: **December 13, 2012 7:00 AM**

Updated: **December 13, 2012 9:25 AM**

Planning - Shaw, Jeff - West Saanich Road 5813, Referral

From: "Jeff Shaw" <jeffshaw@shaw.ca>
To: <planning@saanich.ca>
Date: 6/22/2016 12:44 PM
Subject: Shaw, Jeff - West Saanich Road 5813, Referral
Attachments: west-saanich-road-5813-saanich-planning-referral-june-22-2016.pdf

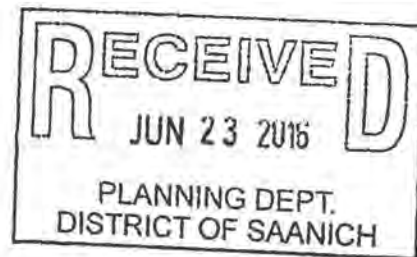
Good afternoon,

Attached is the response to your request for the Prospect Lake District Community Association review and comment on the variance application for 5813 West Saanich Road.

Kindest regards,
Jeff Shaw

PLDCA
Vice-President

REALTOR
RE/MAX Camosun
#1 - 671 Goldstream Avenue
Victoria, BC, V9B 2X5
Cell: 250-508-8035
Phone: 250-478-9600
Fax: 250-478-6060
Email: jeffshaw@shaw.ca



District of Saanich
 Current Planning
 770 Vernon Ave.
 Victoria BC V8X 2W7

t. 250-475-5471
 f. 250-475-5430
 saanich.ca

POST TO	CPN	POSTED
COPY TO		
INFORMATION	<input checked="" type="checkbox"/>	
REPLY TO WRITER	<input type="checkbox"/>	
COPY RESPONSE TO LEGISLATIVE DIVISION	<input type="checkbox"/>	
REPORT	<input type="checkbox"/>	
FOR		
ACKNOWLEDGED		



Application No.	Referral date: September 1, 2015
<input type="checkbox"/> DPR –	Comments due by: September 21, 2015
<input type="checkbox"/> DPA –	File Manager: Chuck Bell
<input checked="" type="checkbox"/> DVP – DVP00367	Applicant: Marisa Martin (Lambert & Williams) 210 174 Wilson Street Victoria BC V9A 7N6 250-888-0002
<input type="checkbox"/> REZ –	Owner: Leon Rosteski and Cheryl Petersen
<input type="checkbox"/> SIG –	Site address: 5813 West Saanich Rd
	Legal: Lot B, Section 81, Lake Plan, VIP69744
External Referrals:	
<input type="checkbox"/> Ministry of Transportation	ISD file #: 1942
<input type="checkbox"/> Observatory (5 km radius)	Present zone: A-1
<input type="checkbox"/> Provincial Capital Commission (PCC)	Proposed zone: A-1
<input type="checkbox"/> BC Transit	Current OCP designation: Rural Residential/Agriculture
<input type="checkbox"/> School District # 61	Required OCP amendment: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="checkbox"/> School District #63	DP Area: Rural Saanich
<input checked="" type="checkbox"/> Community Association – Prospect Lake Community Association	
	Sign Posting Required: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Internal Referrals:	
<input checked="" type="checkbox"/> Plan Check (LAP)	Project Description:
<input checked="" type="checkbox"/> Environment	<div style="border: 2px solid black; padding: 5px; text-align: center;"> <p>RECEIVED</p> <p>JUN 23 2016</p> <p>PLANNING DEPT. DISTRICT OF SAANICH</p> </div> <p>Request for a height variance to construct a new single family dwelling on fill</p>
<input checked="" type="checkbox"/> Parks	
<input checked="" type="checkbox"/> Development Services	
<input type="checkbox"/> Police	
<input type="checkbox"/> Committee	
<input checked="" type="checkbox"/> Internal Referral (EDPA/SDPA)	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
<input type="checkbox"/>	
	Project Description Reviewed/Updated <input checked="" type="checkbox"/> Planners Initials CB

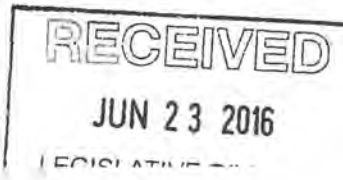
Departments and Agencies:
 Please complete. If no response is received by the above "Comments due by" date, it is understood that you have no objections. Send email responses to planning@saanich.ca.

Name: JEFF SHAW
Title: VICE-PRESIDENT
Phone: 250-508-8035
Date: JUNE 22 2016
E-mail: jeffshaw@shaw.ca

Response:
 No objection
 No objection subject to comments below
 Approval NOT recommended (please outline reasons and/or comments below)

Comments: Add additional page(s) if necessary
 All fill has been done following the guidelines set out by Saanich staff. The applicant has complied with all requirements including the amount of fill, slope of fill and has a geotechnical engineer sign off on the work. To do anything other than approve the variance will cause undue hardship on this project owner.

ENTERED
IN CASE





The Corporation of the District of Saanich

Report

Mayor
Councillors
Administrator
Com. Assoc.
Applicant
Council Administrator
Media
Jun 24/16 DL

Report To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: May 24, 2016
Subject: Development Permit Amendment Application
File: DPA00845 • 3215 & 3225 Alder Street

PROJECT DETAILS

Project Proposal: The applicant proposes to amend Development Permit DPR81-0019 to allow revisions to the existing parking lot and to vary the number of required parking spaces, the number of visitor parking spaces, and the required width of six of the parking spaces.

Address: 3215 & 3225 Alder Street

Legal Description: Strata Lots 1 to 60, Section 7, Victoria District, Strata Plan 1166, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1

Owner: Multiple

Applicant: Laura Tinker, Resident and Strata Council Representative

Parcel Size: 7,094 m²

Existing Use of Parcel: Apartment

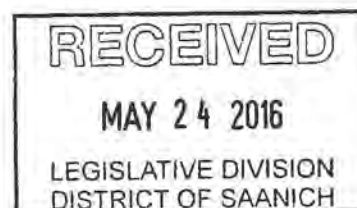
Existing Use of Adjacent Parcels: North: RM-5 (Residential Mixed) and RA-3 (Apartment) Zones
South: RA-3 (Apartment) Zone
East: RS-6 (Single Family Dwelling) and RM-5 (Residential Mixed) Zones
West: RM-5 (Residential Mixed) and RA-3 (Apartment) Zones

Current Zoning: RA-3 (Apartment) Zone

Minimum Lot Size: N/A

Proposed Zoning: N/A

Local Area Plan: Saanich Core



LAP Designation: Multi-family

Community Assn Quadra Cedar Hill Community Association • Response received October 14, 2015, stating they have no objection.

PROPOSAL

The applicant proposes to amend Development Permit DPR81-0019 to allow revisions to the existing parking lot and to vary the number of required parking spaces, the number of visitor parking spaces, and the required width of six of the parking spaces.

The existing parking spaces constructed in the early 1980's are narrower than today's standard and the residents would like to realign their parking layout. The proposed amendment would widen a number of the existing spaces, reduce the number of visitor parking spaces, add one additional resident space, and designate a portion of spaces as small car stalls. The net result would be four fewer parking stalls than are currently provided.

PLANNING POLICY

Official Community Plan (2008)

4.2.2.3 "Consider the use of variances to development control bylaws where they would achieve a more appropriate development in terms of streetscape, pedestrian environment, view protection, overall site design, and compatibility with neighbourhood character and adjoining properties."

4.2.9.37 "Consider parking variances where one or more of the following apply:

- Transportation demand strategies (TDM) are implemented;
- A variety of alternative transit options exist within the immediate vicinity of the proposed development;
- There is a minimal reduction in required parking;
- The development is located in a "Centre";
- Availability of on-street parking."

Saanich Core Local Area Plan (1999)

There are no relevant policies in the Saanich Core Local Area Plan.

Development Permit Area Guidelines

The development is subject to the Saanich Core Development Permit Area Guidelines. Relevant guidelines include minimizing the amount of impervious surfacing, retention of trees and other natural vegetation, and the provision of parking structures that are sympathetic to and complement the surroundings.



Figure 1: Site Plan

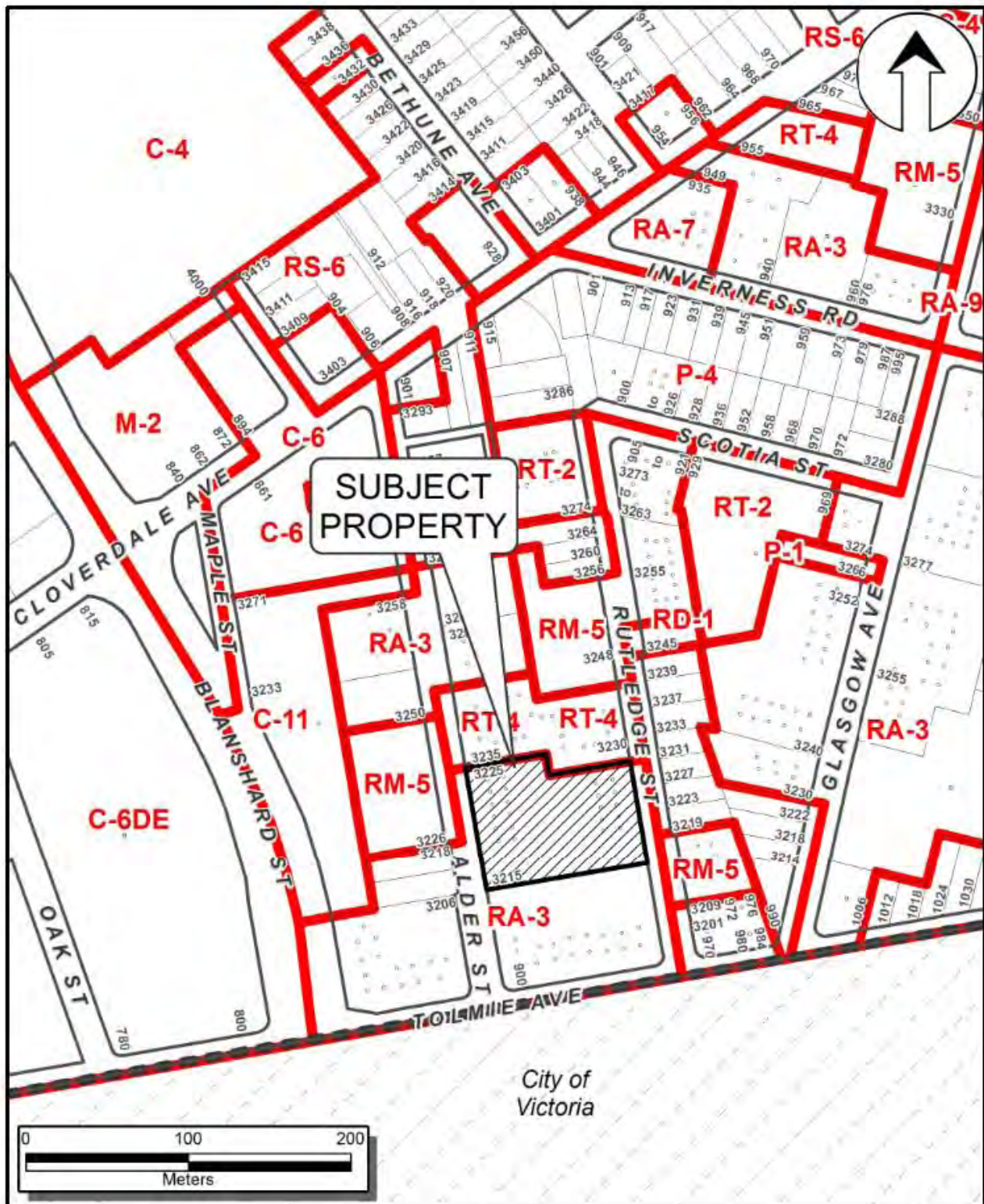


Figure 2: Neighbourhood Context

DISCUSSION

Neighbourhood Context

The subject property is a rectangular lot bounded by Alder Street on the west and Rutledge Street on the east. Townhouses are located to the north, and another apartment complex is located to the south which faces on to Tolmie Avenue and the border between the District of Saanich and the City of Victoria. Blanshard Street is one block to the west, beyond which is the Island Home Centre shopping centre, and south of that (in Victoria) the Mayfair Shopping Centre.

The lot is currently developed with two separate apartment buildings, and flanked on the south end by surface parking. Access into the lot is via a driveway off of Alder Street.



Figure 3: Bird's Eye View of Site

Land Use and Density

The site is currently zoned RA-3 (Apartment) Zone. There is no proposed change in land use or density with the Development Permit Amendment application.

Site and Building Design

The existing 60-unit apartment complex consists of two residential buildings flanking a central surface parking lot, and was built in the early 1980s under Development Permit DPR81-0019. According to the Development Permit drawings, proposed parking at that time consisted of the required 90 spaces, including 18 small car spaces. The regular sized parking spaces were all supposed to be 2.4 m x 5.5 m (7.9 ft x 18 ft) in size, as per Zoning Bylaw requirements. Most of the spaces are uncovered, although 11 spaces are located under a shed roof. Under the Zoning

Bylaw, 18 parking spaces are required to be Visitor Parking, currently there are 12 Visitor Parking spaces available.

It is not clear whether or not all of the required parking was ever built, as some well-established vegetation areas appear to be in locations that were identified for parking, as do two loading spaces. Over the years, a number of additional spaces have been lost to recycling areas, and four spaces were converted into two disabled parking spaces. The net result is that currently on site there are 81 parking spaces, or 9 less than the required number. In addition, the existing spaces are in many cases substandard in terms of size, with stall widths varying from a width of 2.54 m (8.3 ft) to 2.03 m (6.6 ft) whereas a stall width of 2.4 m is required under the Zoning Bylaw.

The applicant states that in some cases the existing parking stalls are so narrow that some residents have taken to parking on the street instead of in the parking lot.

Requested Variances

The applicant is requesting the following variances:

Number of Parking Stalls

For Apartment buildings, the Zoning Bylaw requires 1.5 parking spaces per dwelling unit to be provided, of which 0.3 spaces per unit are to be designated as Visitor Parking. For this property, with 60 units, 90 parking spaces are required, of which 18 must be designated for Visitor Parking. The applicants state that the current complement of 12 visitor parking spaces are never fully utilized, and therefore are proposing to allocate some of the existing visitor parking spaces to residential use. The net result would be 77 parking spaces, including 8 visitor parking spaces. This would require a variance for overall required parking of 13 spaces (90 spaces required, 77 spaces provided) and a variance for visitor parking of 10 spaces (18 spaces required, 8 provided). One additional space would be allocated for motorcycle parking.

Stall Width

The applicant is proposing a modest redesign of their parking lot which would provide wider parking stalls for most stalls, although six spaces would remain undersized with three stalls at 2.13 m and three at 2.18 m and would therefore require a variance for parking stall width.

Given that the subject property is a long-established residential complex located on the periphery of the Uptown Major "Centre", and is close to shops, services and transit, and that the proposed changes would enhance the usability of the existing parking lot (and potentially alleviate some on street parking), the requested variances can be supported.

Environment

There are well established trees and vegetation throughout the site and no changes are proposed to these areas. There would be no change in impervious surface area, the proposed changes are minor and would involve realigning of existing parking areas only. Environmental Services and the Parks Division had no concerns with the proposal.

CONSULTATION

The applicant has notified their neighbours in adjacent properties (both single family and apartments) by letter. To date no response has been received from neighbours of the subject property.

Community Associations

A referral was sent to the Quadra Cedar Hill Community Association. The association responded on October 14, 2015, stating they have no objection.

SUMMARY

The applicant is seeking to amend Development Permit DPR81-0019 to allow revisions to the existing parking lot and vary the number of required parking spaces, the number of visitor parking spaces, and the required width of six of the parking spaces.

The proposed revisions would be minor in nature and improve circulation and parking convenience for the residents. Given the proximity to transit and the Uptown Major "Centre", the requested parking variances can be supported.

RECOMMENDATION:

That Development Permit Amendment DPA00845, amending DPR81-0019, be approved.

Report prepared by:



Chuck Bell, Planner

Report prepared and reviewed by:



Jarret Matanowitsch, Manager of Current Planning

Report reviewed by:


for:

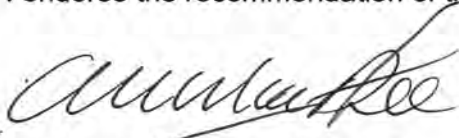
Sharon Hvozdzanski, Director of Planning

CWB/gv
H:\TEMPEST\PROSPERO\ATTACHMENTS\IDPA\DPA00845\CWB_RPT_3215 ALDER ST.DOCX

cc: Paul Thorkelsson, CAO
Graham Barbour, Manager of Inspection Services

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation of the Director of Planning.

for 
Paul Thorkelsson, CAO

DISTRICT OF SAANICH

DPA00845
AMENDS DPR81-0019

AMENDMENT TO DEVELOPMENT PERMIT

**TO: The Owners of Strata Plan 1166
3215 and 3225 Alder Street
Victoria, BC V8X 1P3**

(herein called "the Owner")

1. This Amended Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied by this Permit.
2. This Amended Development Permit applies to the lands known and described as:

**Strata Lots 1 to 60, Section 7, Victoria District, Strata Plan 1166,
Together with an Interest in the Common Property in Proportion to the
Unit Entitlement of the Strata Lot as Shown on Form 1**

3215 and 3225 Alder Street

(herein called "the lands")

3. This Amended Development Permit further regulates the development of the lands as follows:
 - (a) By varying the provisions of the Zoning Bylaw 2003, Section 7.3 (c) to allow 77 parking spaces to be provided (90 parking spaces required) as shown on the plans received August 20, 2015, copies of which are attached to and form part of this permit.
 - (b) By varying the provisions of the Zoning Bylaw 2003, Section 7.4 (a) to allow 8 visitor parking spaces to be provided (18 visitor parking spaces required) as shown on the plans received August 20, 2015, copies of which are attached to and form part of this permit.
 - (c) By varying the provisions of the Zoning Bylaw 2003, Section 7.5 (a) to allow 3 parking spaces to have a width of 2.13 m and 3 parking spaces to have a width of 2.18 m (2.4 m width required) as shown on the plans received August 20, 2015, copies of which are attached to and form part of this permit.
 - (d) By requiring the buildings and lands to be constructed and developed in accordance with the plans received August 20, 2015 copies of which are attached to and form part of this permit.

4. The Owner shall substantially start the development within 24 months from the date of issuance of the Permit, in default of which the Municipality may at its option upon 10 days prior written notice to the Owner terminate this Permit and the Permit shall be null and void and of no further force or effect.
5. The lands shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and shall comply with all Municipal bylaws except for those provisions specifically varied herein. Minor variations which do not affect the overall building and landscape design and appearance may be permitted by the Director of Planning or in her absence, the Manager of Current Planning.
6. Notwithstanding the provisions of Section 6 of this Permit the following changes will be permitted and not require an amendment to this Permit:
 - (a) When the height or siting of a building or structure is varied 20 cm or less provided, however, that this variance will not exceed the maximum height or siting requirements of the Zoning Bylaw.
 - (b) Changes to the relative location and size of doors and windows on any façade which do not alter the general character of the design or impact the privacy of neighbouring properties following consultation with the Director of Planning, or Manager of Current Planning in their absence.
 - (c) Where items noted under Section 6(b) are required to comply with the Building Code and/or the Fire Code and those changes are not perceptible from a road or adjacent property.
 - (d) Changes to soft landscaping provided the changes meet or exceed the standards contained on the landscape plans forming part of this Permit.
7. The terms and conditions contained in this Permit shall enure to the benefit of and be binding upon the Owner, their executors, heirs and administrators, successors and assigns as the case may be or their successors in title to the land.
8. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL ON THE

_____ DAY OF _____ 20 _____
 ISSUED THIS _____ DAY OF _____ 20 _____

 Municipal Clerk

Memo

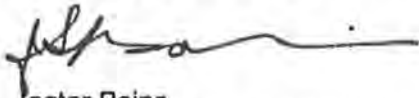
To: Planning Department
From: Jagtar Bains – Development Coordinator
Date: October 14, 2015
Subject: Servicing Requirements for the Proposed Development

PROJECT: TO AMEND P/19/81 TO ALLOW REVISIONS TO EXISTING PARKING LOT AND VARY THE NUMBER OF REQUIRED PARKING SPACES.

SITE ADDRESS: CMLPX 3215 ALDER ST
PID:
LEGAL:
DEV. SERVICING FILE: SVS01969
PROJECT NO: PRJ2015-00506

The above noted application for Development Permit Amendment has been reviewed.

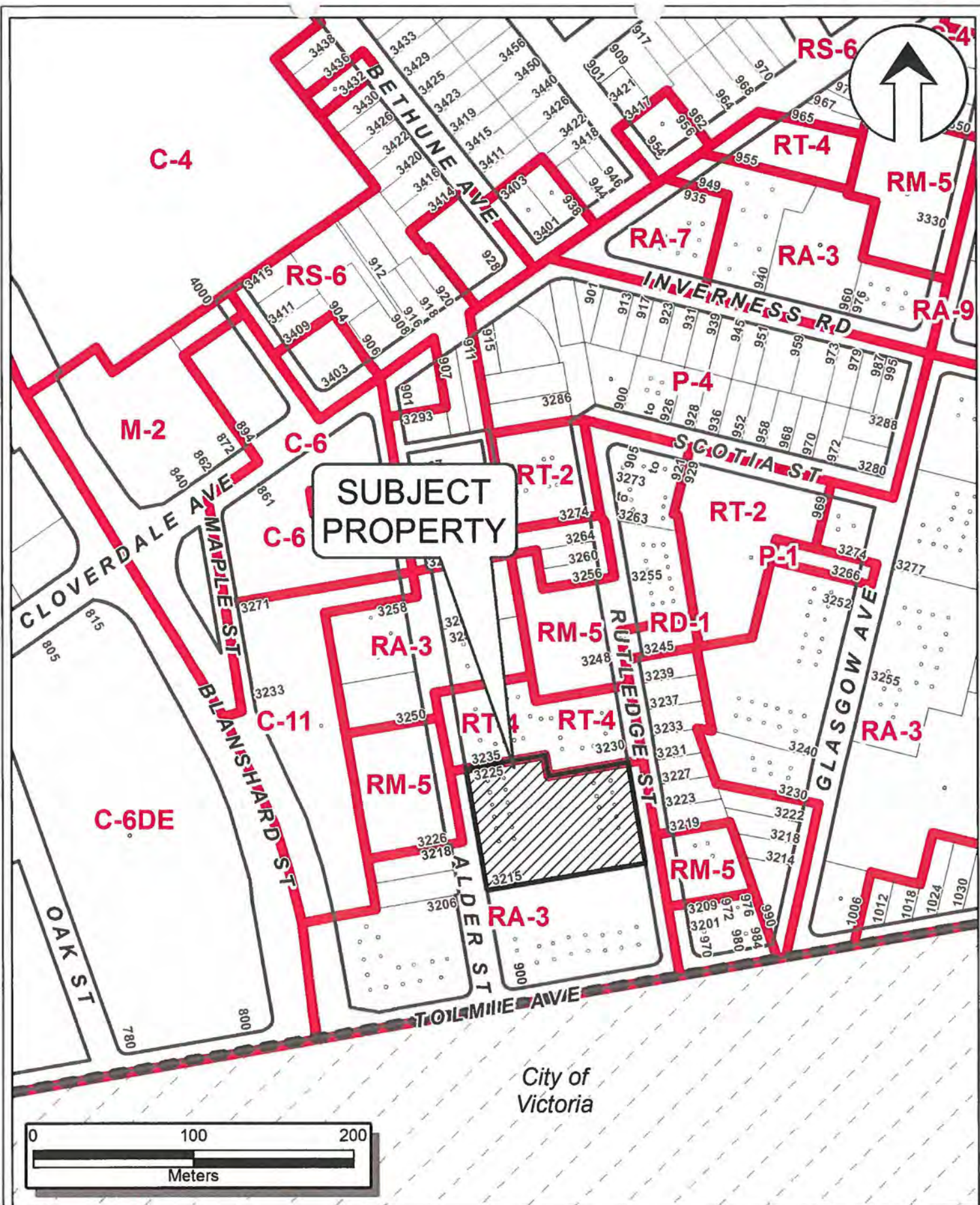
Parking layout does not meet the requirements of section 7 of the Zoning Bylaw with respect to width and depth of stalls.



Jagtar Bains
DEVELOPMENT COORDINATOR

ENTERED
IN CASE





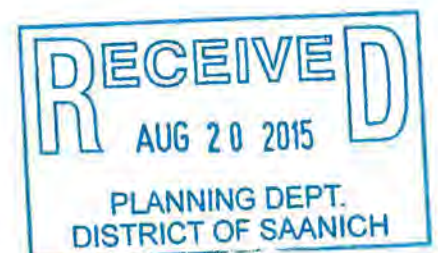
Statement of Sustainability - 3215 and 3225 Alder St.

The Alders (VIS 1166, 3215 and 3225 Alder St.) has always prided itself on our green space. We are a relatively large property with a grassy area and many well-established beautiful trees and shrubs that provide homes for birds, squirrels, and other wildlife. It is an almost park-like setting which positively adds to the living experience of all residents of The Alders. We take great pride in our green footprint and our long-term expert landscaper takes excellent care of our grounds and our plants.

That being said, our proposal for changes to our parking lot does not necessarily add to our green space. However, if we were to try to accommodate our residents' parking needs by reverting to the original parking plan from the eighties, we would lose some of our lovely green space and well-established trees (not to mention the space for our paper recycling bin) to asphalt. As well, I believe our proposal if approved and implemented, would make the best use of the asphalted area we do have, rather than leaving spaces empty and vehicles parked on the street. As we are required to have an asphalted area for parking, doesn't it make sense to make the best use of this area and use it to its full capacity?

At the Alders we support the use of bicycles by providing easily accessible bicycle storage areas in both buildings. As well, we have provided a locked commuter bicycle storage room in our outdoor covered parking area. So that cyclists can have easy access to this room, we have designated the covered parking space adjacent to this room motorcycle parking only. And, although the parking proposal we have presented to Saanich does not provide for additional bicycle storage, we believe that, if our proposal were approved and implemented, fewer residents would park their vehicles on the street.

Once residents have a more secure area to park their cars, it is more likely that they will feel comfortable leaving their vehicles at home and use alternate forms of transportation such as walking, cycling, or using public transit.



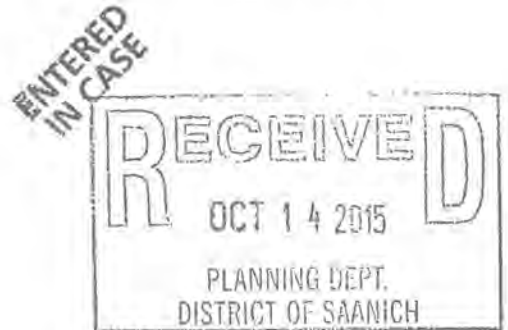
Planning - RE: Saanich Referral re 3215 & 3225 Alder Street

From: "John Schmuck" <johnschmuck@shaw.ca>
To: "'Sarah deMedeiros'" <Sarah.deMedeiros@saanich.ca>, <planning@saanich.ca>
Date: 10/14/2015 10:40 AM
Subject: RE: Saanich Referral re 3215 & 3225 Alder Street

The Quadra Cedar Hill Community Association does not have any objection to this proposal. Thank you for the opportunity for our group to comment.

John Schmuck

President, Quadra Cedar Hill Community Association
 Phone (250) 384-5190



From: Sarah deMedeiros [Sarah.deMedeiros@saanich.ca]
Sent: Wednesday, September 30, 2015 2:39 PM
To: Mt Association; John Schmuck
Subject: Saanich Referral

Dear Community Association:

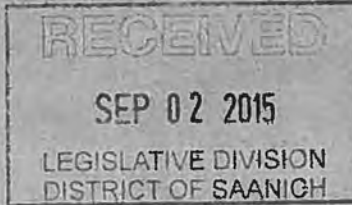
Re: Application for Development:

Applicant: Strata VIS1166, Laura Tinker
Site Address: 3215 Alder St
 3225 Alder St
Legal: Lot 1 Section 7 Victoria Land District Plan VIS1166 together With
 An Interest In The Common Property In Proportion To The Unit
 Entitlement of The Strata Lot As Shown On Form 1 Or V, As
 Appropriate.
Folder No.: DPA00845
Description: To amend P/19/81 to allow revisions to existing parking lot and
 vary the number of required parking spaces.

The District of Saanich has received an application for a site within your Community Association area. The Planning Department is referring the proposed plans and relevant information to your Community Association for review and comment. Please note that any

Alder

August 29, 2015



Dear Mayor and Council of Saanich,

I am a (resident) landlord, tenant (owner) - circle all that apply) at The Alders (VIS 1166, 3215 and 3225 Alder St.). I am writing to express my support for the application of Development Variance permit being made by The Alders Strata Council (on the behalf of owners) to Saanich. The development permit number amendment application (DPA) is: # DPA00845. The variance permit would allow our Strata to carry out much-needed changes to our parking lot.

Our current parking lot has many challenges. Many of our parking stalls are incredibly narrow, almost to the point of being unusable. It can be challenging to open vehicle doors in some of these stalls and some people find it so difficult to park in their stalls that they are parking on the street instead. Not everyone who wants one, can acquire a second parking stall that is adequate. So parking stalls are left empty in the parking lot while cars use up valuable street parking.

Meanwhile, our Visitor's Parking area is under-utilized. There are 12 Visitor's parking stalls available but rarely are they used to full capacity. Most of the time there are only 2 to 6 vehicles parked in Visitor's Parking.

I fully support the Alders Strata Council's proposal to remove from our parking lot 4 Visitor's parking spaces, to increase the number of residential parking spaces by one, and to increase the widths of many of the existing parking stalls to much more usable widths. I believe these changes will make our parking lot much more functional and will result in fewer feelings of frustration for all involved.

Thank you for your time and attention to this matter.

[Redacted signature] _____ (Signature)

Julia Phillips _____ (Name, please print)

Additional comments:

Some of the spots are so small that the car door of a small car cannot be opened correctly. In addition, there is lots of street parking that guests can have, but we have waited 10 months for a second spot in the parking lot for our second vehicle. A reduction in visitor spots seems very appropriate.

Alders

POST TO: City 1200 SO V Sheds

COPY TO: SH

INFORMATION

REPLY TO WRITER

COPY RESPONSE TO LEGISLATIVE DIVISION

REPORT

FOR: _____

ACKNOWLEDGED: blm

August 23, 2015

Dear Mayor and Council of Saanich,

I am an owner at The Alders (VIS 1166, 3215 and 3225 Alder St.). I am writing to express my support for the application of Development Variance permit being made by The Alders Strata Council (on the behalf of owners) to Saanich. The development permit number amendment application (DPA) is: # DPA00845. The variance permit would allow our Strata to carry out much-needed changes to our parking lot.

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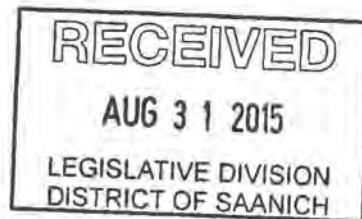
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Thank you for your time and attention to this matter.

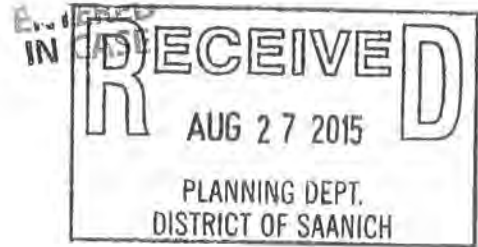
Sincerely,

Joslin Blake Sinclair

Joslin Blake Sinclair



August 24, 2015



Dear Mayor and Council of Saanich,

I am a (resident, landlord, tenant, owner – circle all that apply) at The Alders (VIS 1166, 3215 and 3225 Alder St.). I am writing to express my support for the application of Development Variance permit being made by The Alders Strata Council (on the behalf of owners) to Saanich. The development permit number amendment application (DPA) is: # DPA00845. The variance permit would allow our Strata to carry out much-needed changes to our parking lot.

Our current parking lot has many challenges. Many of our parking stalls are incredibly narrow, almost to the point of being unusable. It can be challenging to open vehicle doors in some of these stalls and some people find it so difficult to park in their stalls that they are parking on the street instead. Not everyone who wants one, can acquire a second parking stall that is adequate. So parking stalls are left empty in the parking lot while cars use up valuable street parking.

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Thank you for your time and attention to this matter.

Sincerely,

[Redacted Signature] (Signature)

[Redacted Name] (Name, please print)

[Redacted Address] 3225 Alder St.

Additional comments:

I have lived in this complex since February 1998 and can attest to the fact that the size of our parking spots has always been a problem. Even though we have 12 visitor spots they are definitely underutilized. Some of my visitors prefer to park on the street rather than use the ridiculously narrow visitor spots and risk dings and scratches to their cars. Therefore, under current circumstances, neither the residents nor visitors are happy with the parking situation and the council is right to pursue a solution.

2860-20/ALDER

August 08, 2015

Dear Mayor and Council of Saanich,

I am a landlord at The Alders 3215 Alder St. I am writing to express my support for the application of Development Variance permit being made by The Alders Strata Council (on the behalf of owners) to Saanich. The development permit number amendment application (DPA) is: # DPA00845. The variance permit would allow our Strata to carry out much-needed changes to our parking lot.

Our current parking lot has many challenges. Many of our parking stalls are incredibly narrow, almost to the point of being unusable. It can be challenging to open vehicle doors in some of these stalls and some people find it so difficult to park in their stalls that they are parking on the street instead. Not everyone who wants one, can acquire a second parking stall that is adequate. So parking stalls are left empty in the parking lot while cars use up valuable street parking.

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Thank you for your time and attention to this matter.

Sincerely,

Henry Corbett (Signature)

(Name, please print)

RECEIVED
AUG 25 2015
LEGISLATIVE DIVISION
DISTRICT OF SAANICH

POST TO	GEN	POSTED
COPY TO	SH	
INFORMATION	<input type="checkbox"/>	
REPLY TO WRITER	<input type="checkbox"/>	
REPORT	<input type="checkbox"/>	
FOR	_____	
ACKNOWLEDGED	_____	

ENTERED
IN CASE

RECEIVED
AUG 26 2015
PLANNING DEPT.
DISTRICT OF SAANICH

2860-20/Ar'er

Aug 20, 2015

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INFORMATION	<input checked="" type="checkbox"/>		
REPLY TO WRITER	<input type="checkbox"/>		
COPY RESPONSE TO LEGISLATIVE DIVISION	<input type="checkbox"/>		
REPORT	<input type="checkbox"/>		
ACKNOWLEDGED			

Dear Mayor and Council of Saanich,

I am a (resident, landlord, tenant, owner - circle all that apply) at The Alders (VIS 1166, 3215 and 3225 Alder St.). I am writing to express my support for the application of Development Variance permit made by The Alders Strata Council (on the behalf of owners) to Saanich. The development permit number amendment application (DPA) is: # DPA00845. The variance permit would allow our Strata to carry out much-needed changes to our parking lot.

Our current parking lot has many challenges. Many of our parking stalls are incredibly narrow, almost to the point of being unusable. It can be challenging to open vehicle doors in some of these stalls and some people find it so difficult to park in their stalls that they are parking on the street instead. Not everyone who wants one, can acquire a second parking stall that is adequate. So parking stalls are left empty in the parking lot while cars use up valuable street parking.

Meanwhile, our Visitor's Parking area is under-utilized. There are 12 Visitor's parking stalls available but rarely are they used to full capacity. Most of the time there are only 2 to 6 vehicles parked in Visitor's Parking.

I fully support the Alders Strata Council's proposal to remove from our parking lot 4 Visitor's parking spaces, to increase the number of residential parking spaces by one, and to increase the widths of many of the existing parking stalls to much more usable widths. I believe these changes will make our parking lot much more functional and will result in fewer feelings of frustration for all involved.

Thank you for your time and attention to this matter.

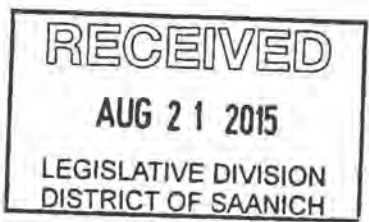
Sincerely,

[Signature] (Signature)

C Blake Rose (Name, please print)

Additional comments:

To put matter in perspective, we drive a Mini Cooper and still find it difficult to get in and out of our car. Thank you for your consideration. No reply to me is necessary as I know your time is valuable. BR



2860-20/ALDER

August 20, 2015

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COPY RESPONSE TO LEGISLATIVE DIVISION REPORT	<input type="checkbox"/>		
FOR			
ACKNOWLEDGED			

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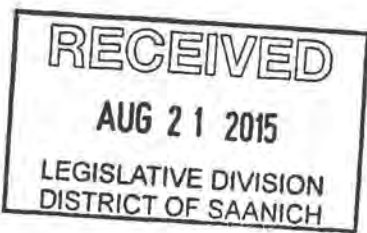
Thank you for your time and attention to this matter.

Sincerely,

 (Signature)

Patricia Campbell (Name, please print)

Additional comments:



2860-20/ALDER

Just - PM1 - 8/20/15

August 21, 2015

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Dear Mayor and Council of Saanich,

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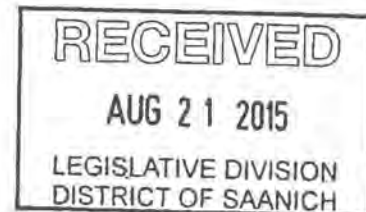
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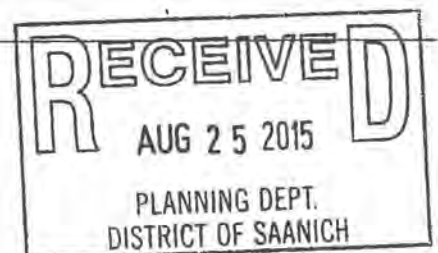
Sincerely,

 (Signature)

KARA IZA (Name, please print)



Additional comments:



2860-20/Ald-r

Jul - Pul - St/02

Aug 20, 2015

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REPORT	<input type="checkbox"/>	
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C Blake Rose (Name, please print)

Additional comments:

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AUG 21 2015
LEGISLATIVE DIVISION
DISTRICT OF SAANICH

RECEIVED
AUG 25 2015
PLANNING DEPT.
DISTRICT OF SAANICH

Planning - Support letter re: DPA00845

From: kara martin [REDACTED]
To: <council@saanich.ca>, <mayor@saanich.ca>
Date: 8/21/2015 10:00 AM
Subject: Support letter re: DPA00845
CC: <chuck.bell@saanich.ca>
Attachments: Variance Support Letter.pdf

Sent from my Samsung device

Hello Mayor,

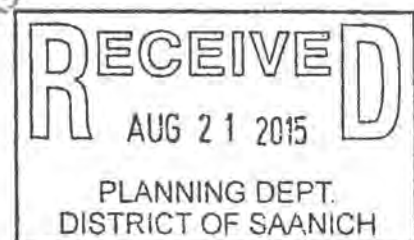
Please accept my letter of support for the Application of Development Variance permit being made by the Alders Strata council. The development permit number amendment application is # DPA00845.

I appreciate your consideration on this matter.

Sincerely,

Kara & Richard Iza
[REDACTED]

ENTERED
IN CASE



Aug 20, 2015

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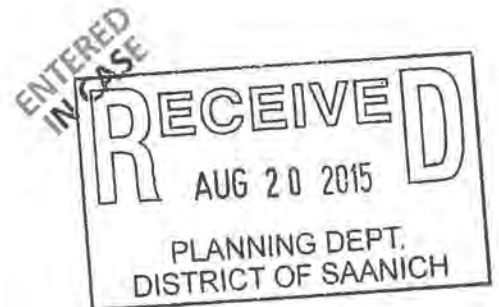
Sincerely,

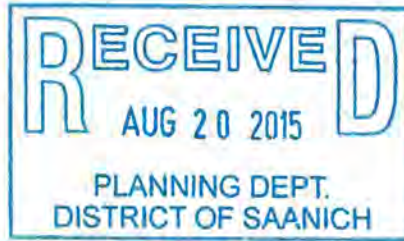
 (Signature)

C. Blake Rose (Name, please print)

Additional comments:

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August 10, 2015

Alders Strata Council,
c/o Laura Tinker,
[REDACTED]-3215 Alder St.,
Victoria, B.C.
V8X 1P3
[REDACTED]
[REDACTED]

Dear Saanich Mayor and Council:

My name is Laura Tinker and I write to you as a representative of The Alders' Strata Council and the owners of The Alders (VIS 1166 - 3215 and 3225 Alder St.). We are applying for a **variance to alter the parking lot at The Alders**. Last year, as parking lot coordinator, I developed an **alternate plan** for the parking lot. I brought this plan to our **AGM** in February of this year in the form of a proposal. The proposal for the parking plan **was passed by owners** by a vote of 29 to 1.

I would like to give you a little **background** information on our parking lot. The **original parking plan** brought to Saanich by the developer in the early 1980's included **90 parking stalls**. The **actual parking lot** that was **built**, however, and that we **live with now** has only 67 resident stalls, 12 visitor stalls, and 2 stalls for the disabled. In total we have **81 parking stalls**. We also have 2 loading zones at the front of each building (there are two buildings at The Alders) but I was recently informed by Chuck Bell in Planning that the loading zones do not count as parking stalls. **Saanich bylaws** say we should have 1.5 stalls per unit or **90 stalls** so we are **definitely short** of parking stalls (and always have been). However, it would be **completely infeasible** to **restore these missing parking stalls** as per the original plan. Some of the areas that were deemed for parking now house a **green space** with a **paper recycling bin** and a **green space** with a **Hydro unit** while another area was developed as a **larger green space** where mature trees now grow.

So one of our problems is a **shortage of parking stalls**. However, although we have a shortage of stalls, our **biggest concern** is not the number of stalls but the **SIZE of stalls** that we have. From what I understand from **Table 7.2 in Zoning Bylaw 8200**, the minimum **required width** of parking stalls at a 90 degree angle from the manoeuvring aisle is **2.6 m**. Currently, the **widths of the stalls** in The Alders' parking lot **vary greatly** but almost all of the stalls are narrower than 2.6 m in width and some of them are much narrower. We have **10 stalls** ranging in width from **2 m to 2.11 m** in width. Our largest parking stall is 2.51 m in width but **most stalls** are anywhere from **2.13 m in width to 2.36 m in width**.

Basically, **all of our parking stalls are narrow and some are basically unusably narrow**. I have been the parking lot coordinator at The Alders for over 5 years and I have fielded complaints from people not being able to **properly open their doors** in their stalls or even being able to **fit their vehicles into their stalls**. Currently we have a number of residents **using street parking** rather than using their assigned stalls as their stalls are too narrow for them to use. There are a number of stalls that I would assign as secondary stalls for residents that are currently going unused, primarily because they are so narrow.

On the other hand, we **have 12 Visitor's stalls that are rarely used to capacity**. In my five years as parking lot coordinator, the only time that I have seen the Visitor's Parking full was in the 'early days' when residents were using the Visitor's Parking. **Once residents stopped using Visitor's Parking, the**

Visitor's Parking has rarely been used to capacity. On average, I have observed **two to six vehicles** parked in Visitor's Parking on a daily basis (even on weekends).

Our proposal is to decrease the number of Visitor's stalls from 12 to eight, increase the number of stalls for residents from 67 to 68, and to reduce the size of the loading zones. We would maintain two stalls for people with disabilities as we have two buildings. Providing **another parking stall for residents** would **decrease** the number of vehicles **needing to park on the street.**

In **removing four Visitor's stalls**, not only could we provide **one more parking stall for residents**, we could **make many of the stalls** for residents and visitors **wider and** much more **functional**. **Specifically**, parking stalls 12 to 19 would each measure **2.59 m** in width and stalls 22 to 43 would each measure **2.64 m** in width. By making the loading zones smaller, we would increase the width of parking stalls 2 to 8 and stalls 70 to 78 to **2.59 m** in width. The increases in width to these stalls would make them much more functional. As well, it is **unlikely** that anyone using these stalls would feel a **need to park their vehicles in the street.**

Unfortunately, **due to physical restrictions** (covered parking supporting beams, existing curbs, width of manoeuvring aisles, green space), there is **not much** we could do to **increase the width of stalls in the rest of the parking lot** (see diagram). However, we would **average out the widths** of stalls 67 to 69 and 54 to 56 to 2.44 m, 64 to 66 to 2.18 metres and 57 to 59 to 2.13 m. Stalls 64 to 66 and 57 to 59 would be designated as **'Small Car'** stalls.

Our Strata Council has put a great deal of time and effort in developing this plan and making the application for variance. **Please be assured that we would not go to this effort without the support of owners and unless we thought that the plan would vastly improve the parking situation for our residents.**

Please be aware, too, that we have **notified our neighbours** (those living in other condominiums and in single family dwellings adjacent to both our buildings) of the **parking lot changes** we have **proposed**. (Please find a copy of the letter included.)

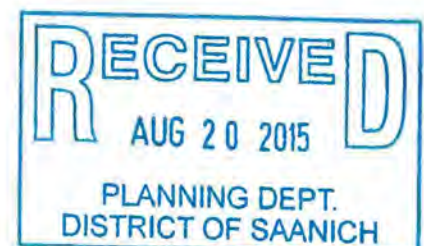
Please carefully consider our application for variance. **The Alders Strata Council and the owners of The Alders would very much appreciate the approval by Mayor and Council of this application.**

Most sincerely,

Laura Tinker,

President and Parking Lot Coordinator,

Alders Strata Council





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