

**MOVED by Councillor Derman and Seconded by Councillor Hunter:
“That Bylaw No. 9054 be now passed.”**

CARRIED

RESOLUTIONS FOR ADOPTION

ADM115-CRD
Regional Parks
Land Acquisition
Fund

CAPITAL REGIONAL DISTRICT REGIONAL PARKS LAND ACQUISITION FUND.

Letter from the Capital Regional District dated December 1, 2009 inviting Council’s comments on a recommendation from the Regional Parks Committee to the CRD Board that the Regional Parks Land Acquisition Fund be increased from \$10 to \$20 over the next 5 years (2010-2014) with a rate of increase of \$2 per year, and then maintained at \$20 for the following 5 years (2015-2019).

**MOVED by Councillor Brice and Seconded by Councillor Gerrard:
“That Council supports the recommendation of the Regional Parks Committee that the Regional Parks Land Acquisition Fund be increased from \$10 to \$20 over the next 5 years (2010-2014) with a rate increase of \$2 per year, and then maintained at \$20 for the following 5 years (2015-2019).”**

CARRIED

ADM115-CRD
Regional Housing
Trust Fund

CAPITAL REGIONAL DISTRICT REGIONAL HOUSING TRUST FUND SERVICE – PROPOSAL TO DELETE THE FIVE-YEAR EXPIRY CLAUSE TO PROVIDE CONTINUED PARTICIPATION, AND INCLUSION OF THE SOUTHERN GULF ISLANDS ELECTORAL AREA AS A PARTICIPANT.

Letter from the Capital Regional District dated December 10, 2009 requesting Council give consent to the CRD adopting Bylaw 3652, “Regional Housing Trust Fund Service Establishment Bylaw No. 1, 2005, Amendment Bylaw No. 6, 2009”.

MOVED by Councillor Brice and Seconded by Councillor Gerrard: “That Saanich Council give consent to the CRD adopting Bylaw ‘Regional Housing Trust Fund Service Establishment Bylaw No. 1, 2005, Amendment Bylaw No. 6, 2009’.”

Councillor Hunter stated:

- He supports deleting the five-year expiry clause.
- It is gratifying to see many members of the Capital Regional District supporting the Regional Housing Trust Fund Service.

Councillor Gerrard stated:

- The Regional Housing Trust Fund has been very successful, leveraging support from senior levels of government based on regional contributions at a ratio of between 13 and 15 to 1.
- In Saanich, the fund has undertaken a women’s transition house and a homeless shelter.

Councillor Derman stated:

- Affordable and supportive housing is a pressing regional concern.
- The fund is a successful program, perhaps the most successful program in the region addressing housing issues, and deserves Council’s support.

The Motion was then Put and CARRIED

ADM115-CRD
Millstream Site
Remediation Cost
Service Loan

CAPITAL REGIONAL DISTRICT MILLSTREAM SITE REMEDIATION COST SERVICE LOAN AUTHORIZATION BYLAW AND COST SERVICE ESTABLISHMENT BYLAW – PROPOSAL TO INCREASE THE BORROWING AMOUNT BY \$2.0 MILLION, INCREASE THE MAXIMUM TERM OF BORROWING FROM 5 TO 15 YEARS, AND TO CHANGE THE COST-SHARING FORMULA.

Letter from the Capital Regional District dated December 15, 2009 requesting Council give consent to the CRD adopting Bylaw 3662, “Millstream Site Remediation Cost Service Loan Authorization Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2009” and Bylaw 3663, “Millstream Site Remediation Cost Service Establishment Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2009”.

MOVED by Councillor Brice and Seconded by Councillor Gerrard: “That Saanich Council give consent to the CRD adopting Bylaw 3662, ‘Millstream Site Remediation Cost Service Loan Authorization Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2009’ and Bylaw 3663, ‘Millstream Site Remediation Cost Service Establishment Bylaw No. 1, 2008, Amendment Bylaw No. 1, 2009’.

CARRIED

Adjournment On a motion from Councillor Gerrard, the meeting adjourned at 7:38 p.m.

The meeting reconvened at 9:24 p.m.

In Camera Motion **MOVED by Councillor Derman and Seconded by Councillor Murdock: “That the following meeting be closed to the public as the subject matter being considered relates to the proposed acquisition of land and/or improvements, and to personal information about identifiable individuals being considered for appointment.”**

CARRIED

Adjournment On a motion from Councillor Murdock, the meeting adjourned at 9:25 p.m.

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ACTING MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH
 MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
 HELD IN THE COUNCIL CHAMBERS
 SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JANUARY 11, 2010 AT 7:39 P.M.

Present: **Chair:** Acting Mayor Wergeland
Council: Councillors Brice, Derman, Gerrard, Hunter; Murdock and Sanders
Staff: Tim Wood, Administrator; Colin Doyle, Director of Engineering;
 Sharon Hvozdzanski, Director of Planning; Carrie MacPhee,
 Manager of Legislative Services; and Maura Brothers, Senior
 Committee Clerk

Cloverdale Avenue/
 Inverness Road
 Rezoning
 Application

**931, 935 AND 945 CLOVERDALE AVENUE/914, 922 AND 930
 INVERNESS ROAD – REZONING APPLICATION – A.J. FINLAYSON
 ARCHITECT LTD.**

Report of the Director of Planning dated December 31, 2009 recommending the rezoning from RS-6 to a new zone RA-7 (apartment and commercial) be postponed pending submission of a proposal that includes all seven parcels for a proposed 28 unit apartment with underground parking and commercial space on the ground floor. Reports of the Advisory Design Panel dated August 27, September 2 and December 17, 2009 recommending approval of the design.

The applicant, Mr. A. J. Finlayson of A. J. Finlayson Architect Ltd. stated:

- Most of Council will likely be familiar with this project, which has been in progress for the last five years.
- Negotiations are underway to acquire the property at 941 Cloverdale Avenue, but no agreement has yet been reached; as a result, the proposal only includes the 28 unit apartment complex at this time.
- If the current proposal is sent forward to Public Hearing, real estate negotiations will continue, as both the owner of the subject properties and the neighbourhood would prefer the larger project on this site.

On behalf of the applicant, Ms. S. Bonet stated:

- The application is consistent with the Official Community Plan and the land use of the surrounding area.
- The proposed height of the development blends well with the neighbourhood, which includes multi-residential buildings with an average height of four storeys to the east and single-family homes across Cloverdale Avenue to the west.
- A second phase could be added to the development if 941 Cloverdale Avenue becomes available for purchase, or a separate townhouse development undertaken with access from 945 Cloverdale Avenue.
- Several changes to the original proposal were made in response to discussions with the community, including: moving the entrance to face Cloverdale Avenue; increasing the northern setback of the building from 3 feet to approximately 13 feet; centering the building on the south of the property; and providing direct access to the building from Inverness Road.

- The proposed building compliments Rutledge Park and enhances the entrance to North Cloverdale, with the landscaping providing green space to transition from the park to residential areas of the neighbourhood.
- The coffee shop with wrap-around terrace is strongly supported by the neighbourhood and will also be useful for nearby businesses.
- A retention pond for storm water management is proposed as part of the landscaping for the front of the building.
- The apartments will include one, two and three bedroom units; 2 of these units will be purchased by the Capital Regional District for affordable housing rental stock.
- The property's location close to commercial spaces, schools and public transportation makes it ideal for the proposed use.
- The underground parking lot includes 33 stalls and space for secure bicycle storage.
- Balconies for each suite contribute to the articulation of the building mass; from the third floor up, each floor steps back at the corner to reduce the massing effect and create expanding terraces.
- On the top floor, a community terrace with a partial green space will be available for use by the residents.
- There are various green initiatives proposed for the development, including: site selection; development density; alternative transportation; stormwater management; and energy conservation and performance.

In response to questions from Council, Mr. Finlayson stated:

- Consideration could be given to committing the project to meeting the equivalent of a Leadership in Energy and Environmental Design (LEED) standard.
- Several sustainable initiatives are planned for this project, including: low maintenance siding; thermal-efficient windows; and a passive venting system.
- The retention pond, with a large cistern beneath and a fountain on top, will be only a few inches deep and lined with plantings; it should require no special safety measures.
- Though the northern setback of the building has been increased as much as possible given infrastructure constraints, a variance is still required due to the property's irregular shape.
- The parking lot can include spaces for mobility scooters, with electric outlets for recharging the units; outlets for recharging electric cars are also being considered by the sustainability consultant.
- If the property at 941 Cloverdale Avenue is acquired, another 10 units could be added to the development, along with an increase in parking stalls.

In response to questions from Council, Ms. Bonet stated:

- The walkway from Inverness Road, past the coffee shop to Cloverdale Avenue, will be accessible by the public as well as residents.
- The houses currently located on the subject properties will be deconstructed.

- Consideration is being given to incorporating wiring in the proposed building now for future solar technology; however, providing wiring for photovoltaic cells at this time would be more problematic.
- The Capital Region Housing Corporation has need of 2 bedroom units for their affordable housing program, 700 to 800 square feet in size; if the application is approved, 2 apartments of this size within the proposed development will be sold to the Capital Region Housing Corporation at cost as the project's contribution to affordable housing.

Mr. M. Brown, 941 Cloverdale Avenue stated:

- The present application is much larger than a previous proposal for this site, which was unanimously rejected by Council; the issues identified by Council to reject the previous proposal have not been addressed by the present application.
- The applicant has requested mixed commercial residential use, variances in setbacks to all property lines, and reduction in parking spaces.
- The proposed height will severely impact 941 Cloverdale, resulting in no direct sunlight for the majority of the year.
- Since the applicant's December 2, 2009 community meeting, security for the buildings on the subject properties has improved, which was greatly appreciated.
- The owner of 941 Cloverdale Avenue is prepared to sell the property to the applicant; a professional assessment has been undertaken to facilitate negotiations.
- He would encourage the applicant to engage in consensus-based community consultation and endeavor to bring forth a comprehensive proposal that will meet the needs of the area.
- A surveyor should be brought to 941 Cloverdale Avenue to accurately determine how the proposal would impact this property.

In response to questions from Council, Mr. Brown stated:

- To date, three meetings have been held with the property assessor for 941 Cloverdale Avenue and another meeting is scheduled tomorrow.
- He would expect, but cannot confirm, that real estate negotiations could be completed within 30 days.

Mr. D. Cottrell, 4-940 Inverness Road, stated:

- Many security issues have impacted the neighbourhood due to the derelict houses currently located on the subject properties.
- The application is a significant improvement on the previous proposal with many units that can accommodate families, a coffee shop to compliment enjoyment of Rutledge Park, and excellent landscaping.
- He would like to see the application proceed.

Mr. D. Brown, 941 Cloverdale Avenue, stated:

- He is concerned that the parking proposed is insufficient and that the underground parking will be difficult to access and navigate.
- The pull-out on Cloverdale Avenue may be too close to the intersection with Inverness Road.

- The details regarding the fences or retaining walls necessary to address the variation in height between 941 Cloverdale Avenue and the subject properties have not been provided.
- The height of the proposed building will overshadow 941 Cloverdale Avenue, blocking the sunlight.
- The applicant should address how the stormwater run-off from the parking lot proposed for 945 Cloverdale Avenue will be handled so that it does not impact the garden at 941 Cloverdale Avenue.

Mr. P. Brown, 4313 Majestic Drive, stated:

- The parking proposed for the development is insufficient, as parking on Inverness Road and Cloverdale Avenue is already problematic; furthermore, public transit will not provide sufficient access to the closest schools and the coffee shop will likely increase the parking difficulties.
- Locating the entrance to the building on Cloverdale Avenue may negatively impact traffic safety.
- He is happy to see that progress is being made on the negotiations for the sale of 941 Cloverdale Avenue.

Ms. D. Unti, 956 and 954 Cloverdale Avenue, stated:

- The parking in this neighbourhood was planned to accommodate families with single vehicles and has become problematic now that the number of vehicles per household has increased; furthermore, parking space was lost to accommodate bicycle lanes.
- Approving a variance in parking for this application is not fair to other residents of the neighbourhood.
- She would prefer to see the building height reduced from five stories given the slope of area.

Ms. Q. Rees, Chair of Strata Council 1229, 6-949 Cloverdale Avenue, stated:

- In the last seven months, 949 Cloverdale Avenue has suffered three break-ins as a result of transients residing in the derelict buildings on the subject properties.
- The application may result in parking issues for the neighbourhood, though this has been partially addressed by the inclusion of a parking lot at 945 Cloverdale Avenue; however, the parking stalls proposed should be sufficient for the units in the building.
- Moving the application forward will help the current residents feel more secure.
- Another break-in occurred this evening prior to this meeting.

Mr. Schultz, 3417 Calumet Avenue, stated:

- His major concerns with the application are the amount of street parking provided and the proposed height.

Ms. K. Dearborn, President of the Quadra Cedar Hill Community Association, 3705 Nancy Place, stated:

- In discussion with residents, 29 out of 30 wanted to see the application proceed to address security concerns arising from the derelict houses on the subject properties; however, there are other community issues that should be addressed by the applicant.

- Parking issues during the day may be addressed by time limits, which would also facilitate the use of Rutledge Park and the proposed coffee shop.
- There are some serious issues with the intersection at Cloverdale Avenue and Inverness Road, which the applicant has indicated interest in addressing but has not included in the proposal.

Ms. T. Terrell, 1-940 Inverness Road, stated:

- The real estate negotiations for 941 Cloverdale Avenue have gone on for far too long.
- She is willing to have the proposed building block her setting sun in order to see the application proceed.
- The coffee shop will be a welcome addition to the neighbourhood.
- Parking issues in the area are largely a result of the employees in nearby business using the street parking.
- The pull-out on Cloverdale Avenue mentioned as problematic by a previous speaker is already in place and has caused no issues.

Mr. K. Whitcroft, 1044 Inverness Road, stated:

- Though the proposed building has a more appealing design than previous applications, there are still some massing issues to be addressed.
- As the subject property is located in a residential area, five storeys in height is too high – four storeys would be in character with the surrounding area.
- The parking bay on Cloverdale Avenue could cause safety issues for cyclists.
- The parking variance will not create more alternative transportation, but will cause an increase in street parking issues.
- As Gary Oak trees take some time to reach full height, the applicant should use a different species for planting on Inverness Road.
- The neighbourhood meeting hosted by the applicant may have been difficult for residents to attend due to the distance from the subject property.
- He supports development at Cloverdale Avenue and Inverness Road, but isolating 941 Cloverdale Avenue is problematic; Council should consider postponing consideration of the application for 30 days to allow for resolution of the real estate negotiations.

Mr. L. Anderson, 935 Stafford Street, stated:

- Though the proposed design is an improvement, he is not supportive of the application proceeding until parking issues and blocking of sunlight are addressed.
- Postponing consideration of the application would give an opportunity for real estate negotiations to be resolved and allow a comprehensive project to be presented for consideration.
- If the application must proceed without acquiring 941 Cloverdale Avenue, he is not in favour of a five storey building; a four storey building with the same amount of parking would be supportable.

Ms. M. Brown, 941 Cloverdale Avenue stated:

- She is in favour of a proposal coming forward for consideration including 941 Cloverdale Avenue, which would be best for the whole neighbourhood and the applicant.

Councillor Derman stated:

- The following issues with the application need to be addressed: clarify the sustainability statement so that vague terminology such as “above average” is made more detailed; clearly define commitments to sustainability initiatives, such as solar heating or wiring for future photovoltaic cells; and provide renderings of the proposal from various viewpoints, such as Cloverdale Avenue and Rutledge Park.
- The application is a considerable improvement from previous proposals which is critical for such a signature location, and the coffee shop with a public access walkway will be an advantage for the neighbourhood; however postponing consideration of the application may allow for real estate negotiations to be completed and a better proposal to be submitted.

MOTION

MOVED by Councillor Derman and Seconded by Councillor Gerrard: “That further consideration to rezone the properties at 931 Cloverdale Avenue, 935 Cloverdale Avenue, 945 Cloverdale Avenue, 914 Inverness Road, 922 Inverness Road, and 930 Inverness Road for a proposed 28 unit apartment building with underground parking and commercial space on the ground floor be postponed for 45 days to allow the applicant and the owner of 941 Cloverdale Avenue the opportunity to resolve ongoing real estate negotiations.”

Councillor Sanders stated:

- She sympathizes with the concerns of the neighbourhood in regards to the security issues resulting from the derelict homes on the subject properties and is pleased with the following elements of the application; the coffee shop; the design of the proposed building; and the attractive landscaping.
- The following concerns still need to be addressed by the applicant: renderings of the proposal from both the south and the north; the isolation and overshadowing of the property at 941 Cloverdale Avenue; the intersection at Cloverdale Avenue and Inverness Road; and consideration of lowering the height of the building.

Councillor Gerrard stated:

- He will support the motion to postpone consideration of the application pending resolution of real estate negotiations; however, if the application is amended as a result of purchasing the property at 941 Cloverdale Avenue, the amendments will also need to be considered by the community.
- A parking variance may not be required if the property at 941 Cloverdale Avenue is included in the application, as the subject properties are located on a major transit corridor; furthermore, locating a coffee shop near Rutledge Park would be of benefit to residents and park users.

Councillor Hunter stated:

- The current application is more in keeping with the subject properties' location at the entrance to the neighbourhood and to Saanich.
- He will support the motion to postpone consideration of the application and hopes that the real estate negotiations will be resolved in a timely fashion.

Councillor Murdock stated:

- He is pleased that the motion to postpone includes a time frame, and that the perspective of the neighbourhood towards the application is largely supportive.
- Parking will likely be a major concern arising from this proposal, which may be an opportunity to incorporate transportation demand management on site.

Councillor Brice stated:

- She supports the motion to postpone consideration of the application: furthermore, she would encourage the applicant to use the 45 day postponement not only to resolve real estate negotiations, but also to address the other issues raised by the community at this meeting, including height and parking concerns.
- Though the application is an improvement on previous proposals, she is concerned that the community is willing to compromise on other issues due to security problems arising from the derelict buildings on the subject properties.

Councillor Wergeland stated:

- The application shows a good mix of needed housing options, an interesting design, and is located close to amenities; furthermore, though parking and traffic remain ongoing issues, it is unlikely that providing more parking spaces will encourage changing behaviour.
- He supports Councillor Brice's comments asking the applicant to address the issues raised by the community at this meeting and encourages both the applicant and owner of 941 Cloverdale Avenue to resolve the real estate negotiations within 45 days.

The Motion was then Put and CARRIED

Queenswood
Drive/EPW65
Sewer Service Area
Inclusion

2615 QUEENSWOOD DRIVE – PROPOSED INCLUSION IN THE SEWER SERVICE AREA.

Report of the Director of Engineering dated December 15, 2009 recommending that 2615 Queenswood Drive be included in the Sewer Service Area.

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

- The applicant, who resides in Calgary, was unable to attend this evening; correspondence from the applicant detailing the proposal was circulated in the agenda package.

Mr. E. Dahli, 2923 Mount Baker View Road, stated:

- The Cadboro Bay Local Area Plan (LAP) indicates that residents wish to retain the characteristic flavour of privacy and semi-rural nature of the Queenswood Drive area and are resistant to any potential impacts to the existing character, especially amendments of large lot single family zoning.
- He was made aware of the application on January 6, 2010, which is insufficient notification; this may be why more neighbours are not present to speak regarding the proposal.
- Comments from the public on the draft Saanich Urban Forest Strategy specifically support retention of the existing trees on Queenswood Drive.
- Approval of the application would be premature, as more details are needed on the long-term intentions for the property, including clarification on: building sites; driveway locations; tree retention and protection; location of the sewer line; the Sherwood Road right-of-way; and potential for strata or subdivision of the subject property.

Mr. J. Sawka, representing the Cadboro Bay Village Business Improvement Association, 3850 Haro Road, stated:

- As a member of the Board of Directors for the Cadboro Bay Residents Association, the notification was insufficient to consider the application and was out of keeping with notification for other kinds of applications.
- Given the information provided with the application, he was surprised to see the staff report recommend approval.

Mr. K. Whitcroft, 1044 Inverness Road, questioned what kind of health concern was used to justify staff supporting inclusion of the property in the Sewer Service Area (SSA).

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

- The recommendation to approve the application is based on the policies in the Cadboro Bay LAP and is consistent with previous recommendations of a similar nature.
- Health concerns are only one of the criteria considered to support inclusion of a property in the Sewer Service Area.
- He is unaware of a formal notification process required by Saanich for this kind of application, unless accompanied by rezoning, subdivision or development.

Councillor Gerrard stated:

- The staff report indicates that the subject property is the last on Sherwood Road that can be serviced from the existing sewer main.
- When serving with a community association, he recalls receiving notification for applications to be included in the SSA.

MOTION

MOVED by Councillor Gerrard and Seconded by Councillor Sanders: "That the application to include in the Sewer Service Area Lot A, Section 44, Plan 5360, Victoria District, except part in Plan VIP 45077 (2615 Queenswood Drive) not be approved."

Councillor Hunter stated:

- This neighbourhood has been resistant to changes in land use and infrastructure in the past and is likely to continue to be resistant in the future.
- Community associations must receive sufficient notification in order to respond to applications; furthermore this particular application is problematic as it is not accompanied by a detailed development proposal.

Councillor Sanders stated:

- She shares the community's concerns regarding the following: insufficient notification to the community association; location of building sites and driveways; and protection of existing vegetation.
- Though neither the existing zoning nor the Cadboro Bay LAP allow for subdivision, an application for a rezoning or a variance could still be brought to Council for consideration.

Councillor Derman stated:

- The subject property is heavily vegetated and located in an area of importance to Saanich's urban forest.
- He is unable to support the application for inclusion into the SSA without knowing the location of the building site and proposed sewer line, as these will subsequently impact the trees on site.

The Motion was then Put and CARRIED

Adjournment

On a motion from Councillor Gerrard, the meeting adjourned at 9:24 p.m.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK