

- appropriately-sized dwelling; the existing house will be removed.
- Neighbours have been generally supportive although the Cadboro Bay Residents Association does not support the application.
 - Many nearby houses are rental, holding properties; this project will convert a rental property to more valuable single family dwellings.
 - An increased front yard setback of 10.5 metres is proposed which would match that of the existing house.
 - Two trees on the east side of proposed Lot 2 may be in jeopardy while the one large tree on neighbouring property west of proposed Lot 1, can be protected.
 - The owner has agreed to a covenant that requires construction to a Built Green Gold standard or equivalent.
 - Nichol Brothers house movers, concluded the existing house was not suitable for relocation.
 - Although there are no clear guidelines with respect to deconstruction and salvage of the existing dwelling, they have committed to carry out the process to the best of their ability.

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

- There is no mechanism available at this time to covenant deconstruction; Saanich relies on the goodwill of each applicant to carry this out.

In response to questions from Council, the applicant stated:

- Although the tree to the west is on neighbouring property, they believe it can be protected since construction will take place further from the root zone than the existing dwelling.

PUBLIC INPUT:

Nil

COUNCIL DELIBERATIONS:

MOTION

MOVED BY Councillor Derman and Seconded by Councillor Gerrard:
“That:

- 1) the application to rezone from RS-10 to RS-6 be approved;**
- 2) prior to final reading of the zoning bylaw, a covenant be registered to secure the following:**
 - a) construction of dwellings on proposed Lots 1 and 2 to meet or exceed a construction standard equivalent to Built Green Gold;**
 - b) prohibit the siting of any dwelling on proposed Lots 1 and 2 within 10.5 metres of Sinclair Road;**
 - c) prohibit the siting of any dwelling within 2.0 metres of the westerly side lot line of proposed Lot 1 and within 2.0 metres of the easterly side lot line of proposed Lot 2.”**

Councillor Derman stated:

- He understands the concern of the Cadboro Bay Residents Association that development is occurring without the guidance and control of an up-to-date Local Area Plan; however, it is not reasonable to hold up applications indefinitely until a revised plan is achieved.
- He would urge the Residents Association to monitor and consult with the

municipality on development activity, since under the existing zoning, redevelopment of a typical Cadboro Bay lot could take place without Council involvement and more negatively impact the character of the Village.

Councillor Gerrard stated:

- The application represents appropriate infill close to the Village.
- He prefers the option of two smaller houses on two lots to the possible alternative of one much larger home.

Councillor Brice stated:

- Any new development close to Cadboro Bay Village must ensure the livability and character of the area is preserved.
- The two smaller homes proposed would be appropriate development for the area even within a revised LAP.
- She supports the application and commends the applicant for a thorough and detailed application.

Councillor Brownoff stated:

- Residents of Cadboro Bay Village have a vision for the future development of their neighbourhood.
- The applicant has been sensitive to the comments of the Cadboro Bay Residents' Association.
- She appreciates the applicant's commitment to Built Green Gold, tree protection and to deconstruction of the existing house.
- Saanich must develop guidelines on the deconstruction process to assist future applicants.

Councillor Murdock stated:

- The application is supportable; two reasonably-sized homes will result.
- It is evident the Local Area Plan must be reviewed.
- He would like to see the Planning Department explore ways to ensure houses are properly taken care of when removed from a site.

Councillor Sanders stated:

- The applicant has responded to the concerns previously raised by Council.
- Commitment has been made to preserve the tree adjacent to proposed Lot 1.
- Definitive guidelines on deconstruction are needed to assist future applicants.

The Motion was then Put and CARRIED

2870-30
Sinclair Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2012, NO. 9190”
Second and Third Readings

MOVED by Councillor Derman and Seconded by Councillor Gerrard:
“That Bylaw No. 9190 be read a second time.”

CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 9190 be now passed.”**

CARRIED

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Brownoff and Seconded by Councillor Brice: “That Council adopt the minutes of the July 9, 2012 Council and Committee of the Whole meetings.”

CARRIED

RECOMMENDATIONS FROM COMMITTEES

2540-40
Shark Fin Ban

ENVIRONMENTAL ADVISORY COMMITTEE – PROHIBITION OF IMPORTATION OF SHARK FINS.

Recommendation from the June 26, 2012 Environmental Advisory Committee meeting recommending Council support Federal Bill C-380 to prohibit the importation of shark fins; and the UBCM resolution from the City of Port Moody urging the Province to help protect an endangered species that is essential to the sustainability of our global ecosystem by enacting provincial legislation to ban the possession, sale, trade and distribution of shark fins.

**MOVED by Councillor Sanders and Seconded by Councillor Derman:
“That Council support Federal Bill C-380 to prohibit the importation of shark fins, and the UBCM resolution from the City of Port Moody urging the Province to help protect an endangered species that is essential to the sustainability of our global ecosystem by enacting provincial legislation to ban the possession, sale, trade and distribution of shark fins.”**

Councillor Sanders stated:

- The concern about the harvesting of shark fins was initially raised by a member of the Environmental Advisory Committee, then became the subject of a presentation by students of Glenlyon Norfolk School.
- This is an inhumane practice with no attempt to harvest the entire animal.
- Reducing the shark population threatens the stability of the ocean ecosystem. Many other jurisdictions have begun to take action to ban this activity.

Councillor Derman stated:

- Sharks have survived for many millennia without change; it would be tragic to see their existence threatened by this inhumane harvesting.
- This motion is an important first step.

Councillor Brownoff stated:

- She would like to recognize the passion of the young students of Glenlyon Norfolk School who raised this issue and are promoting the ban on harvesting of shark fins.
- There are indications that the old culture is changing and moving away from such traditions.

Councillor Wergeland stated:

- It is not appropriate for a municipal council which has no control over shark fin harvesting to have this topic on their agenda; it should be directed elsewhere.

The Motion was then Put and CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 8:10 pm.

The meeting reconvened at 9:01 pm.

In Camera Motion **MOVED by Councillor Brice and Seconded by Councillor Brownoff: "That the following meeting be closed to the public as the subject matters being considered relate to personal information about an individual who holds or is being considered for an award; personal information about an identifiable individual being considered for an appointment; and the proposed disposition of land and improvements."**

CARRIED

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 9:02 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH
 MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
 HELD IN THE COUNCIL CHAMBERS
 SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JULY 16, 2012 AT 8:11 PM

Present: **Chair:** Councillor Brownoff
Council: Mayor Leonard, Councillors Brice, Derman, Gerrard, Murdock, Sanders and Wergeland
Staff: Carrie MacPhee, Acting Administrator; Colin Doyle, Director of Engineering; Sharon Hvozanski, Director of Planning; Donna Dupas, Legislative Manager; and Andrea Park, Senior Committee Clerk

2870-30
 Mount Douglas
 Cross Road

1550 MOUNT DOUGLAS CROSS ROAD – REZONING APPLICATION – RISHI SHARMA.

Report of the Director of Planning dated June 5, 2012 recommending Council approve the rezoning from RS-18 to RS-10 and Development Variance Permit DVP00310 for a proposed two lot residential subdivision; and that a covenant be registered prior to final reading to require that the siting of new dwellings on proposed Lots 1 and 2 conforms to the plans presented by the applicant, and that the design and construction of the new dwellings conforms to a minimum Built Green™ Silver, EnerGuide 80™, or equivalent energy efficiency standard.

In response to questions from Council, the Director of Engineering stated:
 – Traffic counts for Mount Douglas Cross Road are currently being tabulated but he can report that in 2010, traffic volume was 3200 cars per day; in 2008, traffic volume was 3500 cars per day and in 2001, 3000 per day; the road is classified as a collector.

The Director of Planning stated:

- A panhandle lot on this property would not be possible without another rezoning application.
- Blasting requires defined procedures to be followed, including a pre-blast examination of adjacent homes and blasting insurance.
- Any development requires that a surveyor determine the grade of the property.

Mr. R. Sharma, owner and applicant, made a presentation to Council, highlighting the following:

- He has lived in Saanich for approximately 30 years.
- He considered constructing one large home on the property or creating a panhandle lot, but neither seemed suitable for the neighbourhood.
- He appreciates the guidance provided by the Planning Department and agree with the recommendations.
- The proposed subdivision will have two lots and two houses, with the existing house removed.
- The neighbouring community works together to resolve issues; he has consulted with residents, held an open house and tried to address any concerns.

- An additional letter of support from Mr. and Mrs. Bird, 4106 Cedar Hill Road was read.

In response to questions from the Council, Mr. Sharma stated:

- For the public hearing, he will consider the possibility of design and construction to a Built Green Gold level.

Mr. R. McNeil, McNeil Building Designs Limited, stated:

- Concerns have been expressed regarding the different sizes of the two lots; the owners wish to have control of the hilly rear section of the site and will also benefit from a greater floor space ratio.
- There is no intent to create an additional panhandle lot in future; they would like the opportunity to construct an accessory building at the rear.
- Lot 2 will have a two-storey home and Lot 1, a larger two and one half storey home; proposed driveways now satisfy Engineering requirements for view safety.
- The design and size of the homes are in keeping with the neighbourhood; separation distance from the existing dwellings on the west and the east of the site have been kept larger than that between the proposed new homes.
- They will be cutting into the grade to build the houses but cannot go lower due to the rock terrain.

In response to questions from the Council, Mr. McNeil stated:

- It is intended that windows of the house on proposed Lot 2 will overlook the front and rear yards with ancillary windows only, on the east side.
- They would be willing to consider a covenant to prohibit any balcony or principal windows on the east side of the home.
- They are also agreeable to covenant protection of the Garry oaks as recommended by the Parks Department.
- They will investigate the possibility of deconstruction of the existing home and respond at the Public Hearing.
- The existing hedge on the east side will remain in place; there will also be a larger setback on that side.

PUBLIC INPUT

Ms. P. Summers, 1560 Mount Douglas Cross Road, stated:

- The applicant consulted well with the neighbourhood on this proposal; the site is ready for redevelopment.
- Her concerns are with the large size of the proposed house on Lot 1 and that the required blasting may cause damage to her heritage home and to the Garry oak trees.
- She would prefer a smaller home on Lot 1 and minimal blasting.

Mrs. M. Cameron, on behalf of the Romanos, 1556 Mount Doug Cross Road, stated:

- The house plans presented are an aesthetic improvement over the existing house; keep footprint the same as in plans submitted.
- She would like to ensure there will be no further subdivision in future.
- There is a possibility of runoff and damage to their property and they would prefer that the homes be constructed at as low a grade as

possible.

- To maintain their privacy, they prefer that no decks or balconies be allowed to overlook their backyard.

Mr. D. Gunn, Gordon Head Ratepayers Association, stated:

- The application appears reasonable but there remain concerns about the impact on the streetscape; the home on Lot 1 may appear massive from the street.
- With respect to density, there is the potential for four dwellings (if suites included) and an accessory building on the site; it is important that any new accessory building not interfere with the privacy of the adjacent dwellings; its location and size could be included in the covenant.
- Traffic concerns may arise due to the municipality's plans for potential road changes in the area.

Mr. S. Sharma, 4572 Gordon Point Drive, father of the applicant, stated:

- Although initially they preferred to build one large home on the site, this would not have been appropriate for the community; they consulted with the Planning Department and instead have proposed this subdivision which is consistent with the neighbourhood.
- Blasting is done in a professional manner today and is safe and insured.
- The applicant will preserve as many trees as possible; they will try to deconstruct and recycle to the best of their ability.
- There is no possibility of a third lot under RS-10 zoning.

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

- The lots slope uphill; the homes are designed to step back on the middle and top floors to lessen the massing from the street.
- No balconies or principal windows would be included on the east wall of the dwelling on Lot 2; this may be included in the covenant.
- The applicant has not yet considered the possible location and size of any future accessory building but could have this information for the public hearing.
- The driveway grade has influenced the design of the house which is cut into the ground.

MOTION

MOVED by Councillor Derman and Seconded by Councillor Gerrard: "That a Public Hearing be called to further consider the rezoning application on Lot B, Section 55, Victoria District, Plan 48141 (1550 Mount Douglas Cross Road)."

Councillor Derman stated:

- Concern about the size of the proposed home on Lot 1 has been stated; however, the current RS-18 zoning would allow for a much larger home to be built on the site without the need to rezone.
- Blasting techniques today should be able to address any concerns about the impact on heritage homes and trees.
- He appreciates this application for two smaller homes.

Councillor Gerrard stated:

- The RS-18 zoned lots in the area remain from the time when sewer service was not available and it would be possible to build a very large home on such lots; two smaller homes are preferable.
- There are no consistent lot sizes or zones nearby;
- The development is close to a major centre and its services.

Councillor Brice stated:

- The applicant has consulted with his neighbours and will work to address any outstanding concerns at the public hearing.

Councillor Wergeland stated:

- The applicant has kept his neighbours informed of the design of the proposed development.
- Blasting should not be a concern.
- The "Built Green Gold" standard is being requested by Council without knowing the additional cost to the developer of such a requirement.

Councillor Murdock stated:

- He would like to thank the applicant and community for working together and continuing to be flexible, as it is in everyone's interest for the new homes to fit into the existing neighbourhood.
- Saanich is moving towards a higher standard of energy efficiency in construction; Built Green Gold can be attained without adding enormously to the costs.
- He looks forward to clarifying the requested components of the covenant at the public hearing.

Councillor Sanders stated:

- She appreciates the applicant's public consultation with nearby neighbours, as it does make a difference.
- She is pleased the applicant appears willing to enter into a covenant to secure the items raised by Council at this meeting.
- The proposed homes will be larger than adjacent homes but not out of place.
- Blasting is now professionally done but the rock landscape can be unpredictable.

The Motion was then Put and CARRIED

Adjournment

On a motion from Mayor Leonard, the meeting adjourned at 9:00 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK