

RESOLUTIONS FOR ADOPTION5170-20Community
Infrastructure
Improvement
Fund**COMMUNITY INFRASTRUCTURE IMPROVEMENT FUND**

Report of the Director of Parks and Recreation dated September 20, 2012 recommending Council support the application of the identified projects to the Community Infrastructure Improvement Fund and confirm the District's contribution to the total project estimates of the project.

MOVED by Councillor Brownoff and Seconded by Councillor Murdock: "That Council approve the applications to the Community Infrastructure Improvement Fund and the District Funding contributions, for the projects listed below:

Saanich Commonwealth Place: Centralized Customer Service Centre (C001416)

Project Cost: \$500,000

District Funding: \$250,000

G.R. Pearkes Recreation Centre: Energy Efficient Lighting (C001434)

Project Cost: \$113,000

District Funding: \$57,000

Cedar Hill Recreation Centre: Tennis Court (4) Surface Improvements (C001409)

Project Cost: \$120,000

District Funding: \$60,000

Majestic Park: Playground Equipment Improvements (C000826)

Project Cost: \$149,984

District Funding: \$74,992

Keats Pedestrian Bridge Improvements (C001191)

Project Cost: \$310,000

District Funding: \$155,000

Total Project Costs: \$1,192,984

Total District Funding: \$596,992."

CARRIED1410-01Council
Proceedings**COUNCIL MEETING OUTSIDE SAANICH BOUNDARIES**

Report of the Director of Legislative Services dated October 1, 2012 recommending Council authorize a meeting of Saanich Council be held in the City of Victoria on October 17, 2012 or on a rescheduled date specifically for this meeting.

MOVED by Councillor Wade and Seconded by Councillor Derman: "That Council authorize that a meeting of Saanich Council be held in the City of Victoria on October 17, 2012 or on a rescheduled date specifically for this meeting."

CARRIED

Adjournment

On a motion from Councillor Murdock, the meeting adjourned at 7:35 pm.

The Meeting reconvened at 10:53 pm.

Recommendations **RECOMMENDATIONS**

From the Committee of the Whole Meeting held October 1, 2012

2870-30
Leyns Road

4577 LEYNS ROAD (A PORTION) – REZONING APPLICATION – HANNY HILMY

MOVED by Councillor Brownoff and Seconded by Councillor Brice: “That the rezoning application for Lot A, Section 85, Victoria District, Plan VIP83324 (4577 Leyns Road) be rejected.”

**CARRIED
Councillor Sanders OPPOSED**

2870-30
Del Monte Avenue

5147 DEL MONTE AVENUE – REZONING APPLICATION – J.E. ANDERSON & ASSOCIATES (DANNY CARRIER, B.C.L.S.)

MOVED by Councillor Brownoff and Seconded by Councillor Gerrard: “That the rezoning application for Parcel A (DD181505 I) of Lots 5 and 6, Section 45, Lake District, Plan 1522 (5147 Del Monte Avenue) be rejected.”

CARRIED

In Camera Motion

MOVED by Councillor Murdock and Seconded by Councillor Gerrard: “That the following meeting be closed to the public as the subject matter being considered relates to personal information about an identifiable individual being considered for an award or honour; and discussion with municipal officers and employees respecting District objectives, measures and progress reports for the purpose of preparing an annual report.”

CARRIED

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 10:56 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

Councillor Sanders stated:

- She supports this application going to Public Hearing.
- The access onto Hastings Street, the slope of the driveway and the extra vehicle traffic are concerns.
- A covenant to prohibit suites could be considered.

Councillor Brownoff stated:

- She supports this application going to Public Hearing; a commitment to the Built Green Gold energy efficiency standard of construction is expected.
- There is a concern that the driveway is steep; backing a vehicle onto Hastings Street would cause safety concerns.
- Clarification as to the movement of vehicles and overflow parking is needed.

The Motion was then Put and CARRIED

2870-30
Leyns Road

4577 LEYNS ROAD (A PORTION) – REZONING APPLICATION – HANNY HILMY

Report of the Director of Planning dated July 16, 2012 recommending Council not approve the rezoning from RS-16 to RS-14 for a proposed two lot residential subdivision.

The applicant, Mr. H. Hilmy, highlighted the following:

- He has committed to maintaining the waterfront parcel as an RS-16, the proposed newly created lot as RS-14, to creating two large natural state protected and registered conservation areas, an extensive landscape plan and Built Green Gold energy efficiency standard of construction.
- This proposed development will maintain the character of the neighbourhood; two large conservation zones will provide additional setback and cover for the houses.
- There has been overwhelming support from the neighbours.

PUBLIC INPUT:

Mr. B. Gartshore, 4619 Vantreight Drive stated:

- He is in favour of the proposed subdivision; it does not lessen the ambiance of the area.
- Urban renewal is inevitable; this development will increase the value of surrounding properties.
- The proposed landscaping will visually enhance the area, will screen the proposed dwelling, and will not impair the sea glimpses; it complements the natural beauty of Leyns Road.

Ms. J. Ellwood, 4577 Montfort Crescent stated:

- Two other properties in this area were recently approved for subdivision.
- She strongly supports this application; the new proposed residence will be built in the footprint of the former residence.

Ms. J. Gartshore, 4619 Vantreight Drive stated:

- Neighbours are concerned from misinformation that they will have to be included in the Sewer Service Area and that their taxes will double because of this subdivision.
- She supports this application; there is going to be more development in the future in this area because of the age of the dwellings.

Ms. M. Sandhu , 4560 Gordon Point Drive stated:

- She supports this project; this is a huge property which can be subdivided appropriately to fit the ambiance of the neighbourhood.

Mr. Z. Roman, 4574 Vantreight Drive stated:

- He supports this application being sent to a Public Hearing; there are 33 letters and a petition with 37 signatures in support of this development.

Mr. R. Grimwood, 4603 Vantreight Drive stated:

- He does not support this application; there is a need to protect Ferndale Forest for future generations.
- The Ferndale Forest is a western wind break for trees on residential properties.

Ms. M. Reintjes, on behalf of Mr. F. Reintjes, 4571 Leyns Road stated:

- He is opposed to the proposed subdivision of this property; there are concerns about blasting, the height of the dwelling and the preservation of the Ferndale Forest.
- If the proposed dwelling is built on the bluff, the neighbouring residence will lose privacy.

Mr. K. Scotten, 1937 Leyns Road stated:

- He does not support the application; if this application is approved, other applications for subdivision will be approved, increasing densification.
- Trees have been removed for development of other properties; removal of that wind break resulted in power outages.

Mr. S. Hutchinson, 1909 Leyns Road stated:

- He does not support this application; the degradation of trees will have a serious impact on the Ferndale Forest and Vantreight Park.

Mr. P. Eligh, 4521 Balmacarra Road stated:

- The misinformation and lack of information surrounding this proposal is substantial; the information provided by the applicant meets the requirements of subdivision.
- He has reviewed the revised plans and supports the application.

Ms. A. Whetham, 4522 Gordon Point Drive stated:

- Subdivision of the other property took place 50 years ago; there is a concern that if this application is approved, that other properties will apply for subdivision.

Mr. B. Boardman, 1901 Leyns Road stated:

- He supports the application; this is appropriate infill for the area and a good contribution to the neighbourhood.

Mr. H. Ravensdale, 2734 Hibbens Close stated:

- He strongly supports the application; there is the potential for more subdivision in the area if there is a capacity for inclusion in the Sewer Service Area.
- There was criticism of the size of the existing home; the properties on Leyns Road will change hands, houses will be torn down and will be replaced with similar sized residences.

Mr. R. Allen, 2527 Chelsea Place stated:

- He supports this application; this development meets the goals of the Urban Containment Boundary.
- This is not significant infill; the proposal will have two very large lots.

Ms. D. Ravensdale, 2734 Hibbens Close stated:

- Development is inevitable; the applicant has addressed the concerns from neighbours by protecting the trees.
- More information and public debate is required regarding the recent change in the approach to approvals of subdivisions.

Mr. R. Duke, 2020 Pauls Terrace stated:

- He supports this application; this project will be a benefit to the community.
- The applicant consulted with the neighbours and continually made changes in each application to ensure the development was more suitable to the area.

In response to questions from Council, the Planning Supervisor stated:

- There is one property in this neighbourhood that would have service by gravity to the existing Sewer Service Area.
- The Official Community Plan (OCP) encourages densification in centres and villages and provides for limited infill within neighbourhoods; community input and previous Council decisions indicate that this neighbourhood may have reached its saturation point.

MOTION:

**MOVED by Mayor Leonard and Seconded by Councillor Gerrard:
“That it be recommended that Council reject the rezoning application for Lot A, Section 85, Victoria District, Plan VIP83324 (4577 Leyns Road).”**

Mayor Leonard stated:

- He does not support this application; this is a land use decision and panhandle lots in this area have not been approved in the past.

Councillor Gerrard stated:

- He does not support this application; this is a land use decision.
- The application for Sewer Service Area inclusion does not meet the requirements of the OCP.

Councillor Sanders stated:

- She does not support the motion to reject the application; there is support from the Gordon Head Residents' Association and the neighbours in the area.
- There is a panhandle lot on the next property; proximity to village centres should not be an issue as other subdivisions in the area have been approved.

Councillor Brice stated:

- She supports the motion to reject the application despite the excellent points that have been made by the public.
- Change will occur; it is not in Council's best interest to exasperate the issue.

Councillor Murdock stated:

- He supports the motion to reject the application; panhandle lots should not be a part of this neighbourhood.
- Densification in this area does not make sense; it is not in proximity to a village centre.

Councillor Derman stated:

- He appreciates the efforts the applicant has made to make the proposal more desirable by reducing the size of the residences, offering covenant areas and agreeing to a Built Green Gold energy efficiency standard of construction.
- He does not support this application going to Public Hearing; this application is on the perimeter of the Urban Containment Boundary and is not close to amenities.

Councillor Wergeland stated:

- There is a sense from the community that this area is saturated; infill is not desirable.
- He does not support the application.

Councillor Brownoff stated:

- The applicant has made an effort to address neighbourhood concerns; this is a unique neighbourhood.
- Construction traffic would be an issue in this neighbourhood; infill is at its saturation point.
- She does not support this application; this is a land use issue; panhandle lots are not desirable in this area.

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

2870-30
Del Monte Avenue

5147 DEL MONTE AVENUE – REZONING APPLICATION – J.E. ANDERSON & ASSOCIATES (DANNY CARRIER, B.C.L.S.)

Supplemental report of the Director of Planning dated August 22, 2012 recommending Council approve the rezoning from A-1 to RS-10 and P-4N for a proposed four lot residential subdivision and park dedication; and that prior to final reading the applicant provide a suitable cost estimate and performance surety for construction of black vinyl coated chain link fencing along the boundary of the proposed park dedication; and

registration of a covenant to prohibit subdivision of the parcel without dedication of the 1796.3 m² proposed park and to prohibit tree or vegetation removal in the proposed park area.

On behalf of the applicant, Mr. J. McMillan presented the following:

- This application meets the requirements of the Official Community Plan (OCP) and the Cordova Bay Local Area Plan.
- 90% of existing trees on the site will be retained; 16 trees will be removed and they will be replaced with native trees.
- There will be no danger of bank erosion; a Landslide Assessment was completed and a Landslide Assurance Statement has been issued.
- The proposed development includes a 1.5 m porous concrete walkway to be built outside the property line; this type of walkway minimizes disruption to the root systems of the existing boulevard trees.
- Proposed driveways on Del Monte Avenue will not cause safety issues.
- The applicant has agreed to placing covenants, to ensure Built Green Gold energy efficiency standard of construction and will minimize visual disturbances.
- The proposed application more accurately reflects neighbourhood concerns; benefits to the neighbourhood include 32% park dedication.

In response to questions from Council, the applicant stated:

- The owners have committed to a Built Green Gold energy efficiency standard of construction.
- There will be a fence installed between the park and the residential property.

PUBLIC INPUT:

Ms. H. Lewis and Mr. D. Lewis, 5176 Rutli Meadows Place stated:

- This is a very special neighbourhood; she urges Council to carefully consider what is approved in this area.

Mr. S. Ball, 743 Helvetia Crescent stated:

- In the previous application, the proposed development of four lots was not supported by the community.
- This revised application does not address the concerns of the community; it is not in keeping with the character of this unique neighbourhood.
- He urges Council to put a moratorium on development in this area; Local Area Plans need to be amended to preserve the neighbourhood.

Ms. J. Klassen, 5154 Del Monte Road stated:

- Rezoning is a privilege; the community should consider what is appropriate in this area.
- This is not an area for infill; it is necessary to have a vehicle to live in this area; development will bring more vehicles to the neighbourhood.
- She does not support this application; she could support a three lot subdivision.

Mr. L. Wilson, 764 Helvetia Avenue stated:

- He is opposed to this application; this is a special area.

Ms. K. Krane, 768 Helvetia Avenue stated:

- Safety concerns occur with densification, the addition of driveways and more traffic.
- Sidewalks are not supported in this area; sidewalks do not protect pedestrians.

Ms. S. Ball, 743 Helvetia Avenue stated:

- She is a walker in this area; she does not support the application.
- The Local Area Plan needs to be changed to protect this area.

Mr. G. Klassen, 5154 Del Monte Avenue stated:

- He is opposed to this application; there has been an increase in properties being bought by developers.
- The Local Area Plan needs to be amended for this area.

Mr. A. McLellan, Cordova Bay Association for Community Affairs stated:

- The Cordova Bay Association supports this application; there will be tree covenants, a park dedication, and the lot sizes maintained are desirable additions to the application.

Mr. J. Hayhurst, 802 Piedmont Gardens stated:

- The changes in the application are cosmetic only; they address only minor issues that were brought forward from the community.
- It is important to maintain the greenspace and liveability of the area.
- Climate change issues may result from the development of the four residences; traffic and safety issues will increase with the additional proposed driveways and vehicles.
- It is a generous offer of parkland; but that area is unusable.

Ms. K. Lereverend, 755 Helvetia Avenue stated:

- She very strongly opposes the application; four extra lots mean more vehicles.
- She has concerns over the increasing number of rezoning applications in the area.

Ms. J. Abel, 5164 Del Monte Avenue stated:

- She does not support the application; three proposed new driveways on Del Monte Avenue is a safety concern.

Mr. R. Boylan, 5144 Del Monte Avenue stated:

- He does not support the application.

Mr. R. Debuc, 202-758 Sayward Hill Terrace stated:

- This project is reasonable; it takes into consideration the trees, the setbacks, dedicated parkland and is added tax revenue for Saanich.

Mr. P. Kerr, 5161 Del Monte Avenue stated:

- The proposed walkway would end near his driveway; developers would have to add a guard rail and cement abutment to the proposed walkway to avoid the drainage ditch.
- The dedicate parkland is not usable due to water erosion in the ravine.
- He is not in favour of this proposal; he may support subdivision for three lots.

MOTION: **MOVED by Councillor Derman and Seconded by Councillor Gerrard: "That it be recommended that Council reject the rezoning application for Parcel A (DD181505 I), Lots 5 and 6, Section 45, Lake District, Plan 1522 (5147 Del Monte Avenue)."**

Councillor Derman stated:

- Neighbours are concerned with the character of the area and the increased safety issues with the proposed driveways.
- This is the wrong place for infill; it is not close to a village centre, vehicles are required and would increase congestion.

Councillor Gerrard stated:

- He is happy to see that the applicant revised the proposal to include saving street trees and has included a walkway for pedestrian safety; he expected the proposal to be returned with application for three lots, not four.
- Speeding on this corner is already a problem; the distance between the corner and the two proposed driveways is a safety concern.

Councillor Sanders stated:

- The issues from the previous proposal were not addressed; there has been limited support from neighbours.
- This is not an appropriate area for infill; it is not close to amenities.
- This piece of property is valuable to the Urban Forest Strategy and to climate change.

Mayor Leonard stated:

- This is a land use issue; rezoning to four lots is not appropriate.
- He encourages the applicant to consider three lots and appropriate covenants.

Councillor Wergeland stated:

- He thanks the applicant and the community for sharing their concerns at the meeting.
- This area is unique but it is a car-oriented community; he does not support this application.

The Motion was then Put and CARRIED

1110-30
Tax Exemption
Bylaw

PERMISSIVE TAX EXEMPTIONS

- a) Report of the Director of Finance dated September 24, 2012 recommending Council consider granting tax exemptions to New Life Community Fellowship and Victoria Full Gospel Fellowship for their properties at 3900 Carey Road and 550 Obed Avenue respectively which are used for church purposes.

PUBLIC INPUT:

Nil

In response to questions from Council, the Director of Finance responded that all churches are exempted by statute.

MOTION: **MOVED by Mayor Leonard and Seconded by Councillor Brownoff: “That the requests for permissive tax exemption from New Life Community Fellowship for the property at 3900 Carey Road and Victoria Full Gospel Fellowship for the property at 550 Obed Avenue, as outlined in the September 24, 2012 report of the Director of Finance, be granted.”**

CARRIED

- b) Report of the Director of Finance dated September 25, 2012 recommending Council endorse the 2013 to 2015 property tax exemptions outlined and contained in the Notice of Permissive Tax Exemptions.

PUBLIC INPUT:

Mr. D. Seed, Abbeyfield House - St. Peters Society, 1133A Reynolds Road stated:

- Abbeyfield St. Peters Society has twelve residents; is a non-profit society; encourages independent living; its resident's are low-income.
- He wishes to hire a part time recreational therapist.

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

- Facilities that include a support component for residents are eligible to apply for permissive tax exemptions.
- There will be an annual review of applicants to ensure that they continue to meet the requirements for the permissive tax exemption.
- This item was brought forward to streamline the approach and provide certainty to applicants.
- This item provides an opportunity to reduce costs of advertising and brings the term in line with the term of Councillors.

MOTION: **MOVED by Mayor Leonard and Seconded by Councillor Brice: “That Council endorse the three year permissive tax exemption; and that the organizations as outlined in the report of the Director of Finance dated September 25, 2012 and contained in the Notice of Permissive Tax Exemptions, be granted tax exemptions for 2013-2015.”**

CARRIED

Mayor Leonard stated:

- He supports the three year term if there is an annual review of applications by the Finance, Audit and Personnel Standing Committee.

Councillor Gerrard stated:

- There needs to be a review and a policy for the approval of permissive tax exemptions.

Councillor Brownoff stated:

- The tax exemptions have a financial impact on taxpayers; Council needs to review the recommendations.
- She would suggest that staff report on a policy for permissive tax exemptions.

Councillor Derman stated:

- There needs to be a review process to assist Council in making decisions for permissive tax exemptions.

MOTION: MOVED by Councillor Brownoff and Seconded by Councillor Derman: "That staff prepare a report to the Finance, Audit and Personnel Standing Committee considering policy recommendations regarding permissive tax exemptions."

CARRIED

Adjournment On a motion from Councillor Derman, the meeting adjourned at 10:52 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK