

DISTRICT OF SAANICH
MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
TUESDAY, SEPTEMBER 24, 2013 AT 7:30 P.M.

Present: **Chair:** Mayor Leonard
 Council: Councillors Brice, Derman, Gerrard, Murdock, Sanders, Wade and Wergeland.
 Staff: J. Matanowitsch, Manager of Community Planning; D. Halldorson, Manager of Underground Services; C. Bell, Planner; and A. Park, Senior Committee Clerk

PUBLIC HEARING

2870-30
Snowdrop Avenue

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2013, NO. 9235”

PROPOSED REZONING AND SUBDIVISION ON SNOWDROP AVENUE

To rezone Amended Parcel A (DD153664-I), Lots 1 and 2, Section 79, Victoria District, Plan 1318 (**920 SNOWDROP AVENUE**) from Zone RS-6 (Single Family Dwelling-minimum lot size 560m²) to Zone RS-4 (Single Family Dwelling-minimum lot size 460m²) for the purpose of subdivision to create one additional lot for single family dwelling use. A **DEVELOPMENT VARIANCE PERMIT** will be considered to vary the lot width of proposed Lot B. A **COVENANT** will also be considered to further regulate the use of the lands and buildings.

The Clerk introduced the following:

- Notice of Public Hearing.
- Report from the Director of Planning dated July 18, 2013 recommending approval of the rezoning and development variance permit and that a covenant be registered prior to final reading of the amending bylaw to require that the proposed dwellings conform with the plans prepared by Matthew Bergink dated February 14, 2013 and conform to a minimum EnerGuide 80 or better level of energy efficiency;
- One letter from the applicant submitting signatures in support of the application;
- One letter from the Residents Association of Strawberry Vale, Marigold and Glanford dated April 17, 2013;
- Two letters from residents and a petition.

APPLICANT:

R. Walker, Snowdrop Avenue, stated:

- Currently there is a single family dwelling on the site which has a large frontage and non-conforming front yard setback.
- Residential properties in the area are primarily RS-6 with some RS-4 and RS-2 lots.
- A previous rezoning application submitted in 2012 was denied; this new application attempts to address the concerns raised at that time.
- Two new arts and crafts style dwellings are proposed; the existing house will be deconstructed; the proposed dwellings are lower in height than that proposed in 2012.

- The privacy of neighbours will be enhanced through the planting of a boulevard tree, a new cedar hedge and a new fence and retaining wall; the use of transom windows and the siting of the rear deck on proposed Lot B will also assist.
- One variance will be necessary for lot width of proposed Lot B.
- The project has been designed to be consistent with the Saanich OCP and the Carey Local Area Plan which support infill development in this area close to services and amenities.
- The local community association has requested that he register a covenant ensuring no suites in either dwelling and he is willing to do so.

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

- Following the Committee of the Whole meeting in August, he met with the community association to resolve their concerns.

PUBLIC INPUT:

P. Theriault, Snowdrop Avenue, submitted a letter along with a letter on behalf of T. LeBlanc, Snowdrop Avenue, and stated:

- Both residents support the rezoning and believe the proposal will benefit the neighbourhood; the existing house is in poor condition.
- The applicant has revised his plans and the homes are now a better fit for the area.

S. Poderenko, Snowdrop Avenue, submitted a letter from F. Bernard, Snowdrop Avenue, and stated:

- Both residents support the application.
- The design is aesthetically pleasing and will fit in the neighbourhood.

A. Ross, on behalf of the Residents Association of Strawberry Vale, Marigold and Glanford, stated:

- They met with the applicant following the Committee of the Whole meeting and are now satisfied with the proposal.
- They commend him for his work with adjacent neighbours.
- The lot has a unique shape and wide frontage on Snowdrop Avenue; this allows the new homes to respect the look and feel of existing streetscape.
- They have requested the applicant register a covenant requiring that no suites be permitted in the new homes.
- The association is of the opinion that petitions cause turmoil in a neighbourhood and are not an effective means for residents or developers; Council might review how developers are advised to approach the community.

M. Brown, Cloverdale Avenue, stated:

- His concern is the lack of sidewalks and he questions why developments such as this one are not required to provide funding for sidewalk construction.

D. Ralph, Jasmine Avenue, stated:

- He supports the rezoning; the new homes will be of benefit to the community.

- The neighbourhood is a good one for families with lots of services nearby.

COUNCIL DELIBERATIONS:**Motion:**

MOVED by Councillor Derman and Seconded by Councillor Murdock:

“That:

- 1) the application to rezone from RS-6 to RS-4 be approved;**
- 2) prior to final reading of the zoning bylaw amendment, a covenant be registered to require that the dwellings on proposed Lots A and B:
 - a) conform with the plans prepared by Matthew Bergink and date stamped February 14, 2013;**
 - b) conform to a minimum EnerGuide 80 or better, level of energy efficiency.”****

Councillor Derman stated:

- This is a good location for infill development; the project has been thoughtfully designed; energy efficiency features have been included and the neighbours support the application.

Councillor Brice stated:

- A successful infill development can be difficult to achieve.
- This application exemplifies the applicant's patience and his understanding of the community; long term residents speak positively of the proposed change which they believe will fit in well with the existing neighbourhood.

Councillor Murdock stated:

- He commends the applicant, the residents association and neighbours for working through their differences.
- This development will provide an opportunity for a new family to move into a new home in a desirable location.

Councillor Gerrard stated:

- The existing house is in poor condition and will be deconstructed.
- The proposed new homes are well designed and will be energy efficient; the location is appropriate for infill.

Councillor Wade stated:

- The applicant has presented a project which is thoughtful and sensitive to the neighbourhood and therefore potential conflicts have been forestalled.

Councillor Sanders stated:

- She will support the motion; the community has indicated its support for the new homes.

Councillor Wergeland stated:

- The applicant has presented a well thought out project after consulting with the community.

The Motion was then Put and CARRIED

2870-30
Snowdrop Avenue

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2013, NO. 9235”
Second and Third Readings

MOVED by Councillor Gerrard and Seconded by Councillor Derman:
“ That Bylaw No. 9235 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Gerrard:
“That Bylaw No. 9235 be now passed.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Sanders:
“That it be recommended that Council approve Development Variance Permit No. DVP00336 on Amended Parcel A (DD 153664-I), Lots 1 and 2, Section 79, Victoria District, Plan 1318 (920 SNOWDROP AVENUE).”

CARRIED

PUBLIC HEARING

2870-30
Annie Street &
McKenzie Avenue

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2013, NO. 9236”

PROPOSED NEW RESIDENTIAL MIXED MCKENZIE-QUADRA ZONE

The intent of this proposed Zoning Bylaw amendment is to create a new RM-MQ1 (Residential Mixed McKenzie-Quadra) zone with Apartment, Attached Housing, Home Occupation Office and Accessory Buildings as permitted uses. Regulations with respect to lot coverage; density; buildings and structures for apartments and attached housing units; and accessory buildings and structures are unique to this proposed zone and interested persons are encouraged to obtain a copy of the bylaw.

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2013, NO. 9237”

PROPOSED REZONING FOR APARTMENT BUILDING AND TOWNHOUSES ON MCKENZIE AVENUE AND ANNIE STREET

To rezone Lot 9 (**992 ANNIE STREET**), Lot 10 (**998 ANNIE STREET**), Lot 16 (**991 MCKENZIE AVENUE**), Lot 17 (**999 MCKENZIE AVENUE**), all Section 64, Victoria District, Plan1319, from Zones RS-6 (Single Family Dwelling) and RS-10 (Single Family Dwelling) to a new Zone RM-MQ1 (Residential Mixed McKenzie-Quadra) in order to construct an apartment building and six attached townhouses over underground parking. A **DEVELOPMENT PERMIT** will be considered to require the buildings and lands to be constructed and developed in accordance with the plans submitted and to allow variances for surface parking location and roof projections. A **COVENANT** will be also be considered to further regulate the use of the lands and buildings.

The Clerk introduced the following:

- Notice of Public Hearing.
- Reports from the Director of Planning dated June 7, August 27 and September 10, 2013, the latter recommending approval of the new zone, the rezoning from RS-6 and RS-10 to RM-MQ1, and the development permit; that final reading and ratification of the development permit be withheld pending consolidation of the lots and pending registration of a covenant as outlined.
- Advisory Design Panel report dated August 29, 2012.
- Letter from the applicant dated September 6, 2013 responding to items raised.
- One letter from the Quadra Cedar Hill Community Association dated April 24, 2013.
- Two letters from the North Quadra Land use Protection Association dated March 5, 2012 and December 10, 2012.
- Sixty-two letters from residents.

APPLICANT:

A. Nault, Morgan Street Ventures, owner, stated:

- This project was initiated three years ago and was developed after consultation with the Planning Department and with neighbourhood representatives; it is consistent with the Official Community Plan (OCP) and the Quadra Local Area Plan.

J. Aalders, CEI Architecture, highlighted the following:

- The location offers services and amenities such as the commercial hub at Quadra and McKenzie, with good transportation and access to the outdoors; the proposed development will improve the pedestrian connection to these amenities.
- The project consists of six townhouses facing McKenzie Avenue having vehicle access from Morgan Street, and, a four storey apartment building facing Annie Street with access to underground parking from Annie Street.
- The apartment building was designed to suit the site, respecting the landscape, grade and rights of way.
- A significant Garry oak on the Annie Street frontage will be preserved.
- Variances for roof projection and for an accessible surface parking stall are required.

B. Windjack, LADR Landscape Architects Inc., stated:

- The project was designed to preserve the natural area and cluster of trees at the east end of Annie Street.
- A new pedestrian path will be constructed from Morgan Street to Annie Street offering better access to Annie Park.
- Townhouse units will have planted front yard courtyards and street trees which eventually will offer a double canopy of trees along McKenzie Avenue improving that pedestrian environment.
- Raised garden beds are proposed along the west side of the site.
- The main garden amenity is a central courtyard with a radial design and water feature, accessible from the ground and attractive when viewed from overlooking units above.

- There is extensive use of permeable paving throughout the development.

D. Kors, Kors Development Services Inc., stated:

- The project offers street improvements on McKenzie Ave and on Annie and Morgan Streets
- Access to parking will be split between Annie and Morgan Streets; all resident and visitor parking requirements are met on site.
- The sidewalk on Annie Street will be completed.
- The applicants consulted extensively through open houses and meetings.
- Amenity contributions for improvements to Annie Park and to the Saanich Affordable Housing Fund will be made.
- Two of the four existing houses will be moved and the others deconstructed.
- A transportation guide will be made available to residents.
- A construction management plan will be prepared, including traffic control measures and a procedure for neighbourhood complaints.
- They have offered to install a gate at the Royal Woods complex but have not been able to confirm this with the strata representatives.

PUBLIC INPUT:

J. Tigern, Royal Woods, McKenzie Avenue, stated:

- Her unit will face the apartment building; her concerns are loss of sunlight, noise and dust from construction, decreased property value, security issues.
- She was unaware of the application to develop the properties until recently.

L. Porco, Cloverdale Avenue, stated:

- He supports the application; it fits into the neighbourhood, has reasonable density, and trees are to be preserved; it will be an asset to the community.

D. Porco, Kenneth St, stated:

- He is in favour of the development which is attractive and will bring jobs to Saanich.

V. Hutzuliak, Royal Woods, McKenzie Avenue, stated:

- The buildings are well designed and the applicant has consulted with neighbouring residents; however, she is concerned about the changing nature of the area.
- Depending on the target market, she anticipates increased noise and visitors.
- The decision of remove two trees on McKenzie Avenue is unfortunate.
- She would prefer that the proposed bench on Morgan Street be relocated.
- The construction period and blasting are also concerns; the applicant should be liable over the long term for any damage to the Royal Woods complex from construction of this development.

J. Bates, Ridgeway Street, stated:

- The applicant has addressed the concerns raised by neighbours.
- Left turns should not be allowed from Morgan Street onto McKenzie Avenue.
- The amenities offered will make Annie Street safer and improve the streetscape.

K. Kimberley, Annie Street, stated:

- She supports the application and understands it is consistent with planning goals for the area; she was consulted by the applicant.
- This new development will improve the streetscape and property values on Annie Street.

M. Chobotar, President, Strata Council of Royal Woods, stated:

- The residents of Royal Woods are concerned about the changing character of their neighbourhood.
- Issues such as the widening and expanded use of Morgan Street, loss of sunlight, increased traffic on Annie Street, safety, loss of trees on McKenzie Avenue, potential water problems, damage from blasting, and the need for a gate to prevent cut through traffic, are among those raised.

In response to questions from Council, M. Chobotar confirmed meeting with the applicants to consider the gate options but not with respect to the other stated issues.

J. Milne, President, GMC Projects, Quadra Street, stated:

- This project accomplishes many of the goals set out in Saanich's Official Community Plan and the Local Area Plan.
- The applicant has responded well to neighbours' concerns.
- Development in the area should be encouraged as it would provide an impetus for future development of other properties, such as his industrial property on Quadra Street.

C. Fast, Annie Street, stated:

- She will be greatly impacted during the construction stage of this project.
- However, this neighbourhood is in transition and it is important to build affordable homes.
- The applicant undertook a respectful consultation process.
- She looks forward to the improvements to her street.

H. Charania, North Quadra Land Use Protection Association, stated:

- The land use is appropriate and supportable in this location.
- The association is satisfied with the proposed amenities and sustainable features.

M. Belikov, Royal Woods, McKenzie Avenue, stated:

- He is concerned at the possible loss of sunlight, views and privacy.
- The expanded width and use of Morgan Street will negatively impact residents of Royal Woods.
- The proposed apartment building is too close and too high.

- Speed bumps are advisable on Annie Street.

M. MacDonald, Saanich Road, stated:

- Her concern is the traffic on Annie Street and parked cars.
- A sidewalk could be considered for both sides of Annie Street.
- Damage to the road during construction must be repaired.

D. Lathigee, Annie Street, stated:

- His concern is the increase in traffic on Annie Street; he had understood that vehicle access to the development would be strictly from McKenzie Avenue.
- He would prefer that construction traffic access the site from McKenzie Avenue not Annie Street.

B. Willock, Annie Street, stated:

- She is concerned about the safety of children and pedestrians on Annie Street; perhaps a sidewalk could be constructed on both sides of the street.
- Cars park on both sides of street presently; adding construction traffic will be unmanageable.
- She would request that construction traffic be restricted to certain times and that construction workers not park their cars on Annie Street.

J. Mason, Royal Woods, McKenzie Avenue, stated:

- His concerns are with the height of the apartment building, the possible impact of construction on groundwater and drainage, potential shading of their complex, and the impacts on Annie Street.
- There is no demand for additional condominiums in the area.

I. Martin, Annie Street, stated:

- Although traffic is an issue, the addition of this attractive building on Annie Street will be a good change.

R. Peterson, Keewatin Place, stated:

- He appreciates the proposed improvements to McKenzie Avenue and feels the development will be a good addition to the street.

APPLICANTS RESPONSE:

- A shadow study concluded that only at the winter solstice will shadowing affect the Royal Woods building.
- The proposed apartment building will be a mix of predominantly one bedroom units, with 2 bedroom units.
- Bunt & Associates, Transportation Planners, determined that site generated trips from the proposed development will not have a significant impact.
- The applicants used notices and direct mail to keep nearby residents informed of open houses regarding the project.
- A height variance is not required.
- The new bench proposed for Morgan Street can be relocated.
- A geotechnical study of the site was completed and there were no unusual groundwater features identified.

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

- Blasting is subject to a permit issued by the municipality; insurance and a survey prior to commencement, are requirements.
- A damage deposit is collected before construction begins; the site will be monitored and cleaned up daily.

COUNCIL DELIBERATIONS:

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

- a) the zoning bylaw be amended to include a new zone RM-MQ1;**
- b) the rezoning from RS-6 and RS-10 to the new zone RM-MQ1 be approved;**
- c) final reading of the zoning bylaw and ratification of the Development Permit be withheld pending:**
 - i) consolidation of the lots; and**
 - ii) registration of a covenant to ensure:**
 - a maximum of 59 residential units;
 - BuiltGreen™ Gold (or equivalent) including the installation of an air-to-water heat pump system for both space and hot water heating as well as solar ready;
 - \$20,000 to the Parks Department for improvements to Annie Park;
 - \$47,500 to the Saanich Affordable Housing Fund;
 - the completion of a 1.5 metre concrete sidewalk (and any necessary drainage improvements) in front of 970, 982, 986, and 988 Annie Street.”

Councillor Derman stated:

- This location has been identified for development in Saanich planning documents; it is close to amenities and services such as transit.
- The design of the building is innovative and imaginative; it incorporates the features of the site.
- Needed improvements in the area will be secured with this approval.
- The construction of this development will change the area and the Royal Woods complex will be affected.
- Traffic calming is preferable to constructing sidewalks on both sides of Annie Street.

Councillor Gerrard stated:

- This creative and attractive development is consistent with the Saanich OCP and LAP and has many sustainable features; in addition, three streets will be upgraded.
- Construction disruption will occur but will be managed appropriately.
- The applicants kept the neighbourhood informed of their plans.
- The apartment building and townhouses will fit into the community and are in an appropriate location.

Councillor Murdock stated:

- These properties have been designated as suitable for multifamily use for some time; in addition to excellent transit, there are good services within walking distance.
- The design is supportable and will improve the area.
- He appreciates the efforts made by the applicant to keep the neighbours informed of the project.

Councillor Sanders stated:

- This is a perfect location for such a development; the applicant consulted with the neighbourhood.
- Having vehicle access divided between two streets is a good feature.
- The applicant's offer of a gate for the Royal Woods complex should be accepted.

Councillor Wergeland stated;

- He appreciates the input from neighbours.
- The project will cause a temporary disruption but the concerns raised will not remain when the development is completed.
- The applicant listened and responded to community concerns.

Councillor Brice stated:

- The location is ideal for this development; the design is attractive and will enhance property values nearby.
- The landscaping plan is effective and will anchor the new homes into the neighbourhood.
- It is a well thought out proposal with commendable features and offering good amenities.

Councillor Wade stated:

- The applicant has agreed to a construction plan and will continue to dialogue with Royal Woods.

Mayor Leonard stated:

- It is apparent this project is supported by Council and that is because the plans are consistent with not only regional planning goals but with the Official Community Plan, the Local Area Plan and development guidelines of the District of Saanich.
- The applicant ensured that the plans were developed in concert with the community.

The Motion was then Put and CARRIED

2870-30
Annie Street &
McKenzie Avenue

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2013, NO. 9236”
Second and Third Readings

**MOVED by Councillor Derman and Seconded by Councillor Gerrard:
“ That Bylaw No. 9236 be read a second time.”**

CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Gerrard:
“That Bylaw No. 9236 be now passed.”**

CARRIED

2870-30
Annie Street &
McKenzie Avenue

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2013, NO. 9237”
Second and Third Readings

**MOVED by Councillor Brice and Seconded by Councillor Derman:
“ That Bylaw No. 9237 be read a second time.”**

CARRIED

**MOVED by Councillor Brice and Seconded by Councillor Wergeland:
“That Bylaw No. 9237 be now passed.”**

CARRIED

**MOVED by Councillor Gerrard and Seconded by Councillor Sanders:
“That it be recommended that Council approve Development Permit
DPR00491 on Lots 9 & 10, Lots 16 & 17, Section 64, Victoria District,
Plan 1319 (992 & 998 ANNIE STREET, 991 & 999 MCKENZIE
AVENUE).”**

CARRIED

Adjournment On a motion from Councillor Brice, the meeting adjourned at 10:40 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK