

In response to questions from the Council, the Development Coordinator stated:

- If this application is successful, there will be no changes made to Major Road or Totem Lane as a result.

APPLICANT:

Mr. Dean Strongitharm attended on behalf of Mr. and Mrs. P. Johansson, owners, and stated:

- The application is to subdivide the lot along the original property boundaries of the two lots which had previously been consolidated.
- Covenants will restrict the size of homes on both lots; there are no plans to develop the smaller lot at this time.
- The application is consistent with the Regional Growth Strategy, the Official Community Plan, and the Cordova Bay Local Area Plan.
- The new lots will be similar in size to other properties in the area.
- The development has been designed to fit into the neighbourhood by maintaining boulevard trees, relocating the proposed driveway, by siting the house to mitigate neighbour's views, and will maintain the character of the street by shifting the normally required road improvements to the intersection of Temple Ave and Cordova Bay Road.
- The Cordova Bay Association for Community Affairs has no objection to the application.
- The applicant has tried to address the concerns raised by residents and feels this is an appropriate infill development for the location.

PUBLIC INPUT:

C. Cross, Major Road, stated:

- They are opposed to the application and have submitted correspondence giving their reasons.
- Increased traffic from this development will add to the existing problem of having only one exit for traffic from Major Road, Temple Ave and Totem Lane.
- Their property will be devalued if this subdivision is approved; more development of area properties is expected in future.

P. Bartle, Walema Avenue, stated:

- He supports the application.

R. Rabbani, Lochside Drive, stated:

- His family supports the application.

T. Owatz, Saturna Place, stated:

- The new home will be an improvement to the area.

M. Hennessy, Arsenault Place, stated:

- He supports the application which is preferable to a 'monster' house.

R. Tressider, Temple Avenue, stated:

- The application is not consistent with the Local Area Plan and he is opposed to it.

P. Chang, Cordova Bay Road, stated:

- It would be appropriate to first review and update the Local Area Plan before considering changes to the neighbourhood.
- The large lots are preferable and the neighbourhood character should be maintained.

M. Owen, Major Road, stated:

- Many of the speakers do not live on nearby streets; a personal survey shows most nearby residents are opposed to the application.
- There are no RS-8 or RS-10 lots nearby; most neighbourhood lots are larger than those proposed.
- The applicant has submitted only a conceptual plan for the new house.
- Traffic has increased and they do not want it compounded.

S. Chang, Temple Avenue, stated:

- As this property was originally two lots, he does not oppose its re-subdivision.
- It is preferable to have two sensible homes on two lots rather than one monster home.
- The covenant restricting the size of the homes is appreciated.

R. Stonebanks, Lochside Drive, stated:

- There is not much difference between this application and the one rejected by Council in 2011.
- Council should be reminded of their comments from that time to the effect that the proposed development would be out of character with the neighbourhood.

L. Gontovnick, Vice-President, Cordova Bay Association for Community Affairs, stated:

- The Association has no objection to the application; it is consistent with the Local Area Plan, lots will be similar in size to neighbouring lots and the proposed home in character with nearby homes.
- The driveway will be relocated and improvements made to the Temple Avenue and Cordova Bay Road intersection.
- A large house on the existing lot would have been a concern.

M. Grime, Lochside Drive, stated:

- She is opposed to monster homes and appreciates that this project will preserve trees.

G. Martin, Sayward Road, stated:

- He supports the application and opposes monster homes.

T. Baylis, Blakeney Place, stated:

- Many would appreciate a similar opportunity to live in such a home in this neighbourhood; he supports the application.

APPLICANTS RESPONSE:

- There are no recorded traffic issues at the intersection of Temple Avenue and Cordova Bay Road.

- Although there are no RS-8 or RS-10 zoned properties nearby, there are some RS-6 zoned properties; in any event, the lot sizes proposed are similar to nearby lots.
- The covenant will ensure the character of the neighbourhood is maintained.
- This is a significantly different application from the one submitted in 2011.

In response to a question from Council, the Planning Supervisor confirmed that no variances were required for this application.

COUNCIL DELIBERATIONS:

Motion:

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That:

- 1) the application to rezone Lot B (DD L44319), Block 1, Section 121, Lake District, Plan 1308 (1124 Temple Avenue) from Zone RS-18 to Zones RS-8 and RS-10 be approved; and**
- 2) that final reading of the Zoning Bylaw Amendment be withheld pending registration of a covenant to:**
 - require that any new dwelling on proposed Lot 1 conform to a minimum BuiltGreen™Gold or equivalent energy efficient building design and construction standard;**
 - require that the exterior design, height, and siting of a dwelling on proposed Lot 1 is consistent with the conceptual housing style presented to Council;**
 - restrict the size of any dwelling constructed on proposed Lot 1 to the maximum gross floor area permitted under RS-8 zoning regulations;**
 - restrict the size of any dwelling constructed on proposed Lot 2 to the maximum gross floor area permitted under RS-6 zoning regulations."**

Councillor Derman stated:

- The potential for an oversized house to be built on this lot under RS-18 zoning is real.
- This application will not change the streetscape or the character of the neighbourhood.
- Covenanting the size of the houses to less than that allowed under the zoning is appreciated.
- The proposed alternative intersection improvements will benefit the community.
- Approval of this application appears to be the safest and surest way to proceed.

Councillor Murdock stated:

- The neighbours' concerns have been heard; however, this application appears to be the best way to manage change in a manner appropriate to the neighbourhood.
- The proposed alternative intersection improvements and the commitments under the covenant respect the character of the area.

- The application is consistent with Local Area Plan which allows for deconsolidation of these lots.

Councillor Wergeland stated:

- He supports the application; it is consistent with the OCP and supported by the local Community Association.
- Preserving the character of the neighbourhood is important; this is a good location for the development; it will become part of the community.

Councillor Brice stated:

- This is a proactive move which will forestall the possibility of overbuilding on the lot.
- The area is a unique gem; Council is committed to maintaining the character of Cordova Bay and managing change sensitively
- The siting of the new home and its smaller footprint; the preservation of trees and the alternate location for road improvements are all compelling considerations.

Councillor Gerrard stated:

- The applicant has worked hard to address the concerns raised by the community.
- The illustration of a potential RS-18 home on this lot was helpful; this application offers two reasonable-sized homes on two reasonable-sized lots which is preferable to one large home.

Councillor Sanders stated:

- She appreciates the input from residents.
- The applicant took their concerns seriously and has attempted to address them.
- The size of the house will be covenanted and it will fit into the neighbourhood.
- The road improvements proposed at Temple Avenue and Cordova Bay Road as an alternative to any changes fronting the subdivision, will benefit the area.

Councillor Brownoff stated:

- There is lots of development in this area of Saanich and it was helpful to see a potential RS-18 home illustrated on this lot.
- Subdividing the property makes sense; no variances are required.
- The applicant listened to the community and made changes to address the issues raised.

Councillor Wade stated:

- She understands the concerns of the neighbours; the issue for Council is one of how to control change.
- The Cordova Bay Association's input was appreciated.
- Retaining the trees is important; this is a special area and the residents' passion to preserve it, is to be respected.

The Motion was then Put and CARRIED

2870-30
Temple Avenue

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2014, NO. 9267”
Second and Third Reading

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Bylaw No. 9267 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Bylaw No. 9267 be now passed.”

CARRIED

2860-55
Interurban Road

TEMPORARY COMMERCIAL USE PERMIT APPLICATION FOR 4657 INTERURBAN ROAD

Application by Dan Tosczak and Lori Voyer for a Temporary Use Permit in order to operate a line painting business at 4657 Interurban Road for a period of three years.

The Clerk introduced the following:

- Notice of Public Hearing
- Report from the Director of Planning dated April 4, 2014, recommending that Temporary Use Permit TUP00004 not be approved.
- Letter from the Prospect Lake and District Community Association commenting on the application.

APPLICANT

D. Tosczak, Walfred Road, stated:

- He is the owner of the line painting business operating at 4657 Interurban Road.
- He understands that he has been operating outside of the bylaw and regrets the situation.
- He has attempted to find an alternative site for the business but has not been successful; there is a shortage of industrial-zoned properties in the region.
- This location is central and logistically and environmentally appropriate for his business.
- There is a history of businesses such as hair salon and line painting at this site.
- The present use of the property fits into the area with minimal negative impact.
- All paint work is done off site, with light woodwork and maintenance of trucks and equipment only on site; customers do visit the property.
- He has improved the property by planting trees and installing fencing; he will add more trees and fencing if the permit is approved.
- The Temporary Use Permit is an appropriate method in this case; it could be revoked by Saanich if the business was found to be unsuitable.
- He would like an opportunity to prove himself to be a good neighbor and operate the business from this property.

In response to questions from the Council, the applicant confirmed that he

does not reside on the property.

PUBLIC INPUT:

M. Campbell, Interurban Road, stated:

- She resides across the road from the property under application.
- The rural nature of the area should be maintained and this industrial use is distressing.
- The owner does not live there to look after it.
- If this permit is allowed, she anticipates other such uses will come.
- The view of trucks from her property detracts from the ambience and devalues it.

F. Hallam, Butler Street, stated:

- She has a garden on this property and visits weekly.
- The vehicles are away all day; this is a low impact business.

J. Clarke, Lambie Drive, stated;

- He has visited the site and cycles in the area.
- The business is barely evident; the owners have improved the property.
- This is a temporary request to allow time for a longer term solution.

APPLICANTS RESPONSE:

- He can confirm that there was a smaller scale line painting business operating on the site previously.
- He has improved the lands and the buildings.
- He considered locating in the Keating Industrial Area but the travel distance would impact the business.
- Although he has not yet seen any properties in the Royal Oak Industrial Area, his experience elsewhere has shown that very few properties would be appropriate.

COUNCIL DELIBERATIONS

Motion:

**MOVED by Councillor Brice and Seconded by Councillor Wade:
"That the Temporary Use Permit TUP00004 not be approved."**

Councillor Brice stated:

- Its rural character is a hallmark of Saanich; and this business is not compatible with the land use designation.
- It would be inappropriate to allow this use to continue.

Councillor Wade stated:

- The operation of this business on this site runs counter to the rural nature of the area.
- A building permit was issued but was intended for improvements supporting an agricultural use.
- It is a difficult situation for the owner but to approve the permit would be the thin edge of the wedge.

Councillor Gerrard stated:

- He does not support the motion; this is a well-operated business.
- The Temporary Use Permit could be granted with the option of revoking it should complaints arise.

Councillor Sanders stated:

- The operation of this business is inconsistent with land use policy and does not comply with the zoning bylaw.
- The owner does not live on the property and the operation is disruptive to the rural ambience.

Councillor Derman stated;

- He is sympathetic to the problem experienced by the owner in trying to relocate the business; there is a lack of industrial-zoned land in the region.
- However, zoning is expected to be honoured and the operation is an inappropriate use of the land.
- The Community Association does not support the application.

Councillor Brownoff stated:

- This use is inappropriate for rural Saanich.
- Although the site is well-maintained and she is sympathetic to the owners' unsuccessful search for an industrial-zoned location, she will support the motion.

Councillor Wergeland stated:

- It appears that this business has passed the point of being considered a home-based business.
- He agrees with the staff recommendation.

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

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 9:00 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK