

DISTRICT OF SAANICH
MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN COMMITTEE ROOM NO. 2
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
TUESDAY, DECEMBER 08, 2015 AT 6:00 PM

Present: Chair: Mayor Atwell
Council: Councillors Brice, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Andy Laidlaw, Chief Administrative Officer; Sharon Hvozdanski, Director of Planning; Harley Machielse, Director of Engineering (6:10 pm); Donna Dupas, Legislative Manager; Jarret Matanowitsch, Manager of Current Planning (7:00 pm); Jagtar Bains, Development Coordinator (7:00 pm); and Penny Masse, Senior Committee Clerk (7:00 pm)

Mayor Atwell called the Special Council meeting to order at 6:00 pm in Committee Room No. 2

In Camera Motion **MOVED by Councillor Derman and Seconded by Councillor Haynes: “That pursuant to Sections 90 (1) (a) and (c) of the *Community Charter*, the following meeting be closed to the public as the subject matters being considered relate to: personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality; and labour relations or other employee relations.”**

CARRIED

Adjournment On a Motion from Councillor Derman, the meeting adjourned to In Camera at 6:01 pm.

The open Special Council meeting reconvened in Council Chambers at 7:00 pm.

The Chief Administrative Officer, the Director of Planning and the Director of Engineering left the meeting at 7:00 pm.

PUBLIC HEARING

2870-30
Lurline Avenue

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9352”

PROPOSED REZONING FOR AN ADDITION TO A LEGAL NON-CONFORMING DUPLEX ON LURLINE AVENUE

To rezone Lot 9, Block 1, Section 81, Victoria District, Plan 1006 (**40 LURLINE AVENUE**) from Zone RS-6 (Single Family Dwelling) to Zone RD-1 (Two-Family Dwelling) for a proposed addition to an existing legal non-conforming duplex. A **DEVELOPMENT PERMIT** will be considered along with variances for lot width and interior and side yard setback. 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.
- Reports from the Director of Planning dated October 5, 2015 and June 10, 2015 recommending:
 - Approval of the rezoning application and Development Permit;
 - That Final Reading of the Zoning Bylaw Amendment and ratification of the Development Permit be withheld pending registration of a covenant to secure the following:
 - a) Decommissioning one of the existing two kitchens; and
 - b) The proposed addition is constructed to an EnerGuide 82 or equivalent energy efficient standard, inclusion of heat pumps and pre-ducting for solar.
- Advisory Design Panel report dated December 10, 2014.
- Letters from the applicant dated September 2, 2015 and September 1, 2015.
- A letter from the Gorge Tillicum Community Association dated September 2, 2014.
- Six letters from residents.

APPLICANT:

K. Dunmore, Owner and Applicant, stated:

- The proposal is compliant with Official Community Plan (OCP) and Tillicum Local Area Plan policies pertaining to two-family dwellings.
- The proposed addition would be situated to the rear of the existing dwelling and would be one storey in height to ensure it does not negatively affect the streetscape. Design elements would enhance and be compatible with the existing home.
- The proposed addition would be compact at 1200ft², with an overall lot coverage of 26%.
- The development is sustainable and will use green construction practices and materials.
- Two parking spaces will be provided for each dwelling.
- Landscape improvements include additional trees, shrubs, perennials and the use of rainwater for irrigation.
- Neighbours, Gorge Tillicum Community Association and the Saanich Planning Department support the proposal. One neighbour had concerns with privacy, loss of sunlight and parking. They addressed these concerns by raising the windows on the east side of the dwelling and installing screening along the property line shared with that neighbour.
- The property is close to many amenities and improves the legal housing stock without significantly impacting neighbourhood character.

PUBLIC INPUT:

- Nil

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

- There is a legal non-conforming status for the use of a duplex on the subject property; legislation dictates that the status remain until the non-conforming use is discontinued for a period of six months or more.

COUNCIL DELIBERATIONS:

MOVED by Councillor Plant and Seconded by Councillor Brice: “That:

- 1. The application to rezone from Zone RS-6 (Single Family Dwelling) to Zone RD-1 (Two-Family Dwelling) be approved.**
- 2. Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending registration of a covenant to secure the following:**
 - a) Decommissioning one of the existing two kitchens; and**
 - b) The proposed addition is constructed to an EnerGuide 82 or equivalent energy efficient standard, inclusion of heat pumps and pre-ducting for solar.”**

Motion:

Councillor Brice stated:

- She is impressed with the thoughtful stewardship of this application. Neighbourhood concerns have been addressed.

Councillor Derman stated:

- The applicant has a good record for improving the subject property.
- The commitment to energy efficiency is desirable and this is a good location for an increase in density.

Councillor Haynes stated:

- It is commendable that the applicant has addressed concerns noted by neighbours.
- Adding to the housing stock and aging-in-place are both commendable attributes of this application.

The Motion was then Put and CARRIED

ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9352”
Second and Third Readings

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That Bylaw No. 9352 be read a second time.”

CARRIED

2870-30
Lurline Avenue

MOVED by Councillor Haynes and Seconded by Councillor Brice: “That Bylaw No. 9352 be now passed.”

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Wergeland: “That it be recommended that Council approve and issue Development Permit DPR00593 on Lot 9, Block 1, Section 81, Victoria District, Plan 1006 (40 LURLINE AVENUE)”.

CARRIED

2870-30
Agnes Street

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9359”

PROPOSED REZONING FOR A DUPLEX ON AGNES STREET

To rezone Lot 10, Section 50, Victoria District, Plan 11604 (**593 AGNES STREET**) from Zone RS-6 (Single Family Dwelling) to Zone RD-1 (Two-Family Dwelling) for a proposed addition to an existing single family dwelling to allow for a duplex. A **DEVELOPMENT PERMIT** will be considered along with variances for interior side yard setbacks. 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 September 8, 2015 recommending:
 - Approval of the rezoning application and Development Permit;
 - That Final Reading of the Zoning Bylaw Amendment and ratification of the Development Permit be withheld pending registration of a covenant to secure the following:
 - a) BUILT GREEN® Gold, EnerGuide 82, or equivalent energy and environmental performance standard; and
 - b) Provision of conduit to accommodate the future installation of solar panels.
- Memo from the Planner dated October 30, 2015 confirming the applicant will undertake removal of the existing oil tank and that consideration will be given to improvements to the main entrance of the new dwelling.
- Advisory Design Panel report dated April 9, 2015.
- Letters from the Residents Association of Strawberry Vale, Marigold and Glanford dated December 8, 2015 and February 13, 2015.

APPLICANT:

B. Ramsay, Owner and Applicant, stated:

- No changes to the application have been undertaken since Council first reviewed the proposal.

PUBLIC INPUT:

M. Williams, Agnes Street, stated:

- She is opposed to the proposal. The Glanford area neighbourhood should remain as it was originally intended.
- Speeding and traffic congestion are concerns on Agnes Street; adding additional traffic could cause traffic accidents.

Motion:

COUNCIL DELIBERATIONS:

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That:

1. The application to rezone from Zone RS-6 (Single Family Dwelling) to Zone RD-1 (Two-Family Dwelling) be approved.
2. Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending registration of a covenant to secure the following:

- a) BUILT GREEN® Gold, EnerGuide 82 or equivalent energy and environmental performance standard; and

b) Provision of conduit to accommodate the future installation of solar panels.”

Councillor Brice stated:

- Efforts have been made to address concerns raised by the Advisory Design Panel.
- Traffic issues in the area are a concern regardless of this proposal.
- This development will not negatively impact the neighbourhood.

The Motion was then Put and CARRIED

2870-30
Agnes Street

ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9359”
Second and Third Readings

MOVED by Councillor Wergeland and Seconded by Councillor Haynes: “That Bylaw No. 9359 be read a second time.”

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That Bylaw No. 9359 be now passed.”

CARRIED

MOVED by Councillor Haynes and Seconded by Councillor Wergeland: “That it be recommended that Council approve and issue Development Permit DPR00600 on Lot 10, Section 50, Victoria District, Plan 11604 (593 AGNES STREET)”.

CARRIED

2870-30
Mortimer Street

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9360”

PROPOSED REZONING FOR A TWO LOT RESIDENTIAL SUBDIVISION ON MORTIMER STREET

To rezone a portion of Lot 2, Section 40, Victoria District, Plan 42392 (**1765 MORTIMER STREET**) from Zone RS-6 (Single Family Dwelling – Minimum Lot Size 560m²) to Zone RS-4 (Single Family Dwelling – Minimum Lot Size 460m²) for a proposed two lot residential subdivision. A **COVENANT** will 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 September 25, 2015 recommending:
 - Approval of the rezoning application;
 - That Final Reading of the Zoning Bylaw Amendment be withheld pending registration of a covenant to secure the following:
 - a) The design and construction of any dwelling on proposed Lot 1 conform to a minimum EnerGuide 82 or equivalent energy efficiency standard;
 - b) Any new dwelling on proposed Lot 1 include the installation of heat pumps and the necessary conduits for future solar installation; and

- c) That the new dwelling on proposed Lot 1 be constructed substantially in compliance with the plans prepared by Colwood Design Line date stamped Received June 23, 2015.
- Letters from the Mount Tolmie Community Association dated December 8, 2015, October 19, 2015 and February 17, 2015.
- One letter from a resident.

APPLICANT:

Norm Wiens, Comox, BC, Owner Representative, stated:

- Joan and Walter Bondesen purchased the subject property in 1950 and lived in the home for 65 years.
- The property was subdivided several times as the city grew; there is one remaining double-wide lot that the owner would like to subdivide and sell.

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

- This infill proposal is in line with the OCP and Local Area Plan (LAP) and is well within the Urban Containment Boundary (UCB).
- No variances are proposed and the designs provided will be secured via a covenant.
- The subject property is close to many amenities and mass transit.
- Storm water impacts are limited as all Saanich standards will be met.
- Sidewalk construction is proposed for the subject property and neighbouring property frontages.
- A neighbour's privacy concern was mitigated in regard to the front-facing window by reducing its size and locating a tree in front of the window.
- The upper storey will include piano windows and will not affect neighbour privacy.
- Eight surrounding property owners were contacted and provided with an information package. Mount Tolmie Community Association reviewed the proposal and have supplied letters of support. A neighbourhood open house occurred on November 11, 2015; two people attended with no stated objections.

PUBLIC INPUT:

- Nil

COUNCIL DELIBERATIONS:

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

Motion:

1. The application to rezone a portion of Lot 2, Plan 42392, from Zone RS-6 (Single Family Dwelling – Minimum Lot Size 560m²) to Zone RS-4 (Single Family Dwelling – Minimum Lot Size 460m²) be approved.
2. Final Reading of the Zoning Amendment Bylaw be withheld pending registration of a covenant to secure the following:

- a) The design and construction of any dwelling on proposed Lot 1 conform to a minimum EnerGuide 82 or equivalent energy efficiency standard;
- b) Any new dwelling on proposed Lot 1 include the installation of heat pumps and the necessary conduits to be solar-ready

- for future installation of photovoltaic or solar hot water systems; and
- c) That the new dwelling on proposed Lot 1 be constructed substantially in compliance with the plans prepared by Colwood Design Line date stamped Received June 23, 2015.”

Councillor Derman stated:

- This is a well-thought-out proposal with a good public consultation process and has the support of the community association.
- It is close to amenities and is consistent with previous area development.
- It will meet laudable energy efficiency standards and will provide sidewalks to the frontage of two homes.

The Motion was then Put and CARRIED

ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9360”
Second and Third Readings

2870-30
Mortimer Street

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That Bylaw No. 9360 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That Bylaw No. 9360 be now passed.”

CARRIED

2130-40
Vernon Avenue

“HERITAGE DESIGNATION BYLAW, 2015, (SAANICH MUNICIPAL HALL) NO. 9361”

PROPOSED NEW HERITAGE DESIGNATION BYLAW FOR SAANICH MUNICIPAL HALL

The intent of this bylaw is to retain the previous heritage designation of the exterior of the Saanich Municipal Hall building and add the character-defining interior features of the public areas, and the built landscape features surrounding the building on Lot A, Section 33, Victoria District, Plan 14934, except that part in plan 803 RW and Plan 33545 (**770 VERNON AVENUE**) as Municipal Heritage Property.

The Clerk introduced the following:

- Notice of Public Hearing.
- Report from the Director of Planning dated October 13, 2015 recommending:
 - That Council repeal Heritage Designation Bylaw No. 6887;
 - That Council adopt a new Heritage Designation Bylaw to protect the building and land of the Saanich Municipal Hall at 770 Vernon Avenue as Municipal Heritage Property as detailed in Schedule C of Bylaw No. 9361.
- Memos from the Arts, Culture and Heritage Advisory Committee dated April 7, 2015 and December 8, 2014.
- Letter and excerpt of minutes from the Saanich Heritage Foundation dated December 15, 2014 and November 26, 2014.

- Letter from the Hallmark Heritage Society dated December 15, 2014.
- A letter from a resident.

APPLICANT:

The Corporation of the District of Saanich

PUBLIC INPUT:

B. Shuya, President of the Saanich Heritage Foundation (SHF), stated:

- The SHF is pleased to support this Heritage Designation for Saanich Municipal Hall.
- Thoughtful and creative approaches can be made to renovate or update heritage buildings, as evidenced by the work done on Quadra Elementary School. They were able to mesh the heritage fabric of the original school with the required new structure with a seamless result.
- Heritage buildings can withstand changes over time, including seismic upgrades, renovations and additions.

K. Johnson, President of the Hallmark Heritage Society, and Saanich Arts, Culture and Heritage Committee member, stated:

- The elements identified in the Heritage Designation proposal add character and value to the Municipal Hall; Council, however, will always control proposed changes to any portion of the Hall, designated or not.
- Changes to heritage buildings must be sympathetic and reflect values that have been developed and agreed upon.

S. Colwill, member, Saanich Heritage Foundation, stated:

- She applauds and supports Council's intention to designate the unique interior features of the Municipal Hall.

T. Williams, Former President of the Architectural Institute of BC, and Former President of the Royal Architectural Institute of Canada, stated:

- He was a contributing partner to the architectural firm who designed and built Saanich Municipal Hall; it is a fine example of Canadian Structuralism and is a building of international stature influenced by European and Asian aesthetics and philosophies.
- The exterior and interior reflect a progressive and courageous design that was ahead of its time in many ways.
- The Hall is a result of people who investigated, researched and implemented progressive, global thinking by then acting locally.
- This building incorporates architecture as fine art and it should be recognized and celebrated as such.

COUNCIL DELIBERATIONS:

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

Motion:

1. Council repeal Heritage Designation Bylaw No. 6887.
2. Council adopt a new Heritage Designation Bylaw to protect the building and land of the Saanich Municipal Hall at 770 Vernon Avenue as Municipal Heritage Property, including:
 - a) The exterior of the Hall; and
 - b) The character-defining interior features of the public areas in the building, specifically the features listed below:

Public Areas:

- Exposed concrete walls and structural components;
- Incised design in the concrete of the walls and columns (including incised murals at the Vernon Avenue entry and the lower level entry);
- Laminated wood hand railings;
- Terrazzo floors;
- Exposed and cantilevered central staircase structure;
- Sculptural staircase to the third floor;
- Central open light well with large skylight;
- Grand open scale of public space with views through the building to the outside;
- Bands of large windows throughout;
- Clerestory windows in office walls and exterior walls;
- Large open reception counters on main and top floors;
- Recessed indirect lighting; and
- Original elevator sign (three dimensional orange acrylic).

Council Chambers:

- Finished wood panelling on walls and ceiling of the Council area;
- Unique ceiling form;
- Council dais (raised platform);
- Backdrop to Council Chambers made of wood strips with burlap backing;
- Vertical staked concrete block walls flanking the public gallery;
- Valance skylight at back wall; and
- Doors and jambs made of cedar board and glass light panels.

c) The built landscape features surrounding the Hall to include:

Landscape Features:

- Lands around the Hall to maintain the views to and from the Hall;
- Pedestrian bridge and pathways;
- Inter-connecting ponds, fountain and waterfalls;
- Terrace (Middleton Plaza) overlooking Swan Lake Nature Sanctuary;
- Wide concrete stairway descending from the terrace and lower entry;
- Significant tree – Contorted Pekin willow; and
- Two Bas Relief sculptures incorporated into the façade of the building."

Councillor Sanders stated:

- The Arts, Culture & Heritage Advisory Committee and the Saanich Heritage Foundation have been considering this designation for a long time and she is pleased it is before Council for a decision.
- The 50th Anniversary celebration of the Hall was a clear indication of how strongly the public feels about the building, its history and the architectural style. The anniversary tours were enlightening as they provided further insight into the unique and significant design elements of the building and

- how purposeful the architectural plans were.
- She appreciates the comments made by the delegations.
 - There was great foresight on behalf of the Archival Committee and the Saanich Heritage Foundation when the original heritage designation was secured for the building in 1992.
 - Council policy exists to ensure any proposed changes or alterations to the building will need to be vetted for approval through the Advisory Design Panel, The Saanich Heritage Foundation and the Arts, Culture & Heritage Advisory Committee.
 - The updated Designation Bylaw will support the original vision of the building while retaining its character and value for future generations; this is an important endeavor because as people age the corporate and community memory can be lost or forgotten.

Councillor Derman stated:

- He appreciates the comments of Councillor Sanders and the delegations; he gained an enhanced appreciation for the Hall.
- This designation provides protection for the look, feel and character of the building. Changes to the hall would be decided upon by this or a future Council; this designation ensures that proposed changes would require careful and sympathetic consideration of the heritage value of the building.

Councillor Haynes stated:

- He thanked Councillor Sanders for her efforts.
- During this process and the anniversary celebration he gained a better understanding and a deeper appreciation of the design and functionality of the Hall.

Councillor Murdock stated:

- It is important that we protect the heritage designation of the Hall and ensure that any proposed changes are thoughtful and respectful of the original intent.
- He has always appreciated the interesting design elements of the building; it was not until the presentations at the anniversary celebration that he gained a new appreciation for the Hall and could truly value the thoughtful design and construction of the building.
- This designation creates a legacy for future generations to appreciate this impressive building.

Councillor Brice stated:

- Councillor Sanders' steady commitment to this heritage designation project is acknowledged.
- She will continue to work hard to ensure that any proposed changes will be in keeping with the original intent of the architectural elements of the Hall.

Councillor Wergeland stated:

- He has gained a deeper appreciation and understanding of the unique design elements of the Municipal Hall through the designation process and the anniversary celebration.

Councillor Plant stated:

- He appreciates many of the design elements of the Hall; however, he does

believe Council Chambers could be improved upon in terms of function and design.

- The antechamber doors were rendered useless when Council tested the raised dais approach to Council seating; he is not sure how that will be addressed in the future.

Councillor Haynes stated:

- Plans are to raise the antechamber doors to be flush with the Council Dias stage.

Mayor Atwell stated:

- Proposed Council Chamber modifications have not yet been available for Council or the public to review. A report is forthcoming; however, the proposed costs are substantial, it would have been beneficial to discuss plans more clearly prior to this decision.
- It makes sense to preserve and protect the heritage and design elements of this Hall to ensure future changes retain the original intent and reflect corporate memory.

The Motion was then Put and CARRIED

HERITAGE DESIGNATION BYLAW, 2015, (SAANICH MUNICIPAL HALL) NO. 9361”

Second and Third Readings

2130-40
Vernon Avenue

MOVED by Councillor Sanders and Seconded by Councillor Haynes: “That Bylaw No. 9361 be read a second time.”

CARRIED

MOVED by Councillor Sanders and Seconded by Councillor Haynes: “That Bylaw No. 9361 be now passed.”

CARRIED

1220-20
Bylaw - Zoning

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9358”

PROPOSED BYLAW AMENDMENT TO PROHIBIT FLOAT HOMES OR OTHER FLOATING VESSELS IN THE P-1 ASSEMBLY ZONE

To amend Zone P-1 (Assembly) to add the following as Prohibited Uses:

- a) The use of float homes or other floating vessels as a residence.
- b) The anchoring or moorage of any vessel for a continuous period exceeding 72 hours.

The Clerk introduced the following:

- Notice of Public Hearing.
- Report from the Director of Planning dated October 21, 2015 recommending that Assembly Zone P-1 of the Zoning Bylaw, 2003, be amended by prohibiting the use of a float home or other floating vessel as a residence and the anchoring or moorage of any vessel for a continuous period exceeding 72 hours.
- Letters from Gorge Tillicum Community Association dated October 18, 2015 and September 14, 2015.

- Letter from the Portage Inlet Sanctuary Colquitz Estuary Society dated October 26, 2015.
- Six letters from residents.

APPLICANT:

The Corporation of the District of Saanich

PUBLIC INPUT:

C. James, Hibbens Close, stated:

- He has lived in the area for 15 years; every year many boats end up derelict or broken on the beach.
- A 72-hour limit for moorage is a good idea; although he is unsure how it would be enforced and managed; many of the boats are unoccupied and there are multiple government agencies involved in the process.
- Prevention is ideal but he is unsure how to best achieve that.

J. Angus, Hibbens Close, stated:

- Wreckage on the beach is the result of unregulated moorage and negligent boat owners.
- It is very expensive to remove the derelict and broken boats from the beach and it is unfair that the District of Saanich is responsible for those costs.
- Enforcement and management of the proposed bylaw is paramount for its success.

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

- This Zoning Bylaw provision applies to the waterways within Saanich jurisdiction.
- First steps would entail attempting to contact the owner of a vessel.
- Any further approach to enforcement will need to be discussed in more detail with Bylaw and Planning staff with a further report to Council forthcoming.

COUNCIL DELIBERATIONS:

Motion:

MOVED by Councillor Derman and Seconded by Councillor Haynes: "That Schedule 1001 – Assembly Zone P-1, of the Zoning Bylaw, 2003, be amended by adding the following:

1001.2 Prohibited Uses:

- a) The use of a float home or other floating vessel as a residence**
- b) The anchoring or moorage of any vessel for a continuous period exceeding 72 hours."**

Councillor Derman stated:

- Enforcement and management of the bylaw is a challenge due to the multi-jurisdictional nature of the issue; however, a consensus is needed.

Councillor Plant stated:

- He would like clarification of possible enforcement and management options for the proposed bylaw.

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

- Enforcement of this bylaw would be undertaken in the same manner as any other infraction to the Zoning Bylaw;
- Staff could prepare a memo to Council outlining how Bylaw Enforcement would enact the mechanisms necessary to enforce this and other provisions of the Zoning Bylaw.

Councillor Wergeland stated:

- Bylaw Enforcement responds on a complaint basis; a staff memo regarding enforcement would be appreciated.

Mayor Atwell stated:

- Governments need to work together and support each other to ensure our environment can be protected and enjoyed by all.

The Motion was then Put and CARRIED

1220-20
Bylaw - Zoning

ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9358"
Second and Third Readings

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
"That Bylaw No. 9358 be read a second time."**

CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
"That Bylaw No. 9358 be now passed."**

CARRIED

Motion:

MOVED by Councillor Plant and Seconded by Councillor Wergeland: "That Council request a memorandum from Bylaw Enforcement staff outlining options to enforce "Zoning Bylaw, 2003, Amendment Bylaw, 2015, No. 9358".

CARRIED

2870-30
West Saanich Road

"LAND USE CONTRACT DISCHARGE BYLAW, 2015, NO. 9363"

PROPOSED DISCHARGE OF LAND USE CONTRACT ON WEST SAANICH ROAD

To discharge the British Columbia Hydro & Power Authority Land Use Contract for the use and development of Lot B, Section 8-A, Lake District, Plan VIP71164 **(4400 WEST SAANICH ROAD)**.

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9364"

PROPOSED REDEVELOPMENT OF THE EXISTING BC HYDRO OPERATIONAL FACILITY ON WEST SAANICH ROAD

To rezone Lot B, Section 8-A, Lake District, Plan VIP71164 (**4400 WEST SAANICH ROAD**) from Zone M-2 (Wholesale, Warehouse and Office) to Zone P-2 (Utility) and Zone P-4 (Recreation and Open Space) in order to redevelop the existing BC Hydro Operational Facility. A **DEVELOPMENT PERMIT** will be considered along with a variance for setback. 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.
- Reports from the Director of Planning dated November 23, 2015 and September 14, 2015 recommending:
 - That the existing Land Use Contract be discharged;
 - Approval of the rezoning from Zone M-2 to Zones P-2 and P-4;
 - Approval of the Development Permit with an amendment to move the secondary access route northward to provide area for a third tennis court;
 - That Final Reading of the Zoning Bylaw Amendment and ratification of the Development Permit be withheld pending registration of:
 - A covenant securing construction of the development to meet the LEED Gold standard (or equivalent), the installation of heat pumps, and that the secondary access to Viewmont Avenue be used for emergency purposes only; and
 - A 3 metre wide statutory right-of-way along the northern property boundary for the purpose of a pedestrian and cycling pathway, and for that portion of the sidewalk adjacent to Viewmont Avenue that would encroach onto private property.
- Advisory Design Panel report dated July 23, 2015.
- Technical memo from the applicant dated November 10, 2015.

APPLICANT:

S. Kokalova, BC Hydro Consultant and Representative, Kres Brzica, WSP Canada Inc., Sherri Han, Kasian Architecture Inc., R. Lucier, LADR Landscape Architects and Ted Olynyk, BC Hydro, attended and highlighted the following:

- The two buildings currently on site are slated for demolition. The new consolidated facility will have improved aesthetics and safer access points for staff and the public.
- A well-landscaped welcoming entrance to the building and site will be created and the existing vegetative perimeter buffer will be enhanced.
- A future pedestrian link is proposed through the BC Hydro right-of-way connecting to West Saanich Road.
- A four-way stop and pedestrian crosswalk will be provided adjacent to the entrance.
- Tennis court parking will be improved and provided off Viewmont Avenue in connection with the newly created emergency access.
- There are 229 trees on site; 43 trees will be removed and 64 trees will be planted.
- This project will be a sustainable design equivalent to a LEED Gold energy efficiency standard.

In response to questions from Council, K. Brzica stated:

- The applicant will provide conduit for future solar installation.
- The proposed 3m right-of-way at the north end of the site would allow for pedestrian access to the Royal Oak Shopping Centre from Viewmont Avenue. The proposed right-of-way would complement the future

pedestrian pathway being proposed at the north end of the adjacent Tri-Eagle Development, linking it to the existing pedestrian/bicycle pathway along West Saanich Road.

- Three courts at the Saanich Tennis Club would be possible on the site; however, the two north tennis courts would need to be designed to accommodate vehicle traffic and would not be a traditional asphalt court. Saanich would need to comment on the resulting loss of parking.
- The option for four courts at the Saanich Tennis Club would impact proposed tree retention.

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

- Through discussion with the applicant, it was decided that as a condition of this application, the District of Saanich would acquire the 3m right-of-way at the north end of the site. Saanich would then have the right to construct and maintain a pedestrian pathway in the future, although it will not be constructed as part of this project.

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

- A design exercise would be necessary in order to ascertain where additional parking could be accommodated in the area.

PUBLIC INPUT:

R. Wanbon, Springridge Crescent, President, Saanich Tennis Club, stated:

- Saanich Tennis Club has been in operation for 45 years and has been located on BC Hydro land which has been leased to the District of Saanich since 1991.
- Ideally they would like to redevelop to a four-court model; however, they are unsure of the most efficient use of land and whether or not a three-court model is more suitable. A four-court model would be appreciated by the public as there is only one tennis club in Saanich with more than two courts.
- The proposed three-court model would result in a loss of parking in an area where there is already a serious lack of available parking.
- If the pathway were to be constructed as planned and an expanded parking area were installed, it would be a great benefit to the community; however, it would create the need for the Saanich Tennis Club to relocate to a site that would, ideally, allow for the four-court model and public washrooms.

M. Lazaro, Ferrie Road, stated:

- He is concerned that a large parking lot will be constructed close to his property.
- He does not want Brydon Park or the Centennial trail to be disturbed.

H. Pinel, West Saanich Road, stated:

- She is unsure of the impacts the proposed new zones would have on surrounding neighbours.

V. Shannon, President, Hansbraun Investments, Owner / Operator of Royal Oak Shopping Centre at 4410 West Saanich Road, stated:

- BC Hydro has not contacted Hansbraun Investments regarding the proposed future pedestrian pathway being connected to their property.
- The proposed four-way stop would create new traffic flow on their property.

A. Knudsen, West Saanich Road, stated:

- She is unsure of the meaning or impacts associated with the proposed new zones.
- She would like clarification regarding the height of the proposed new building.

P. Whitworth, 4548 Viewmont Avenue, Royal Oak Community Association, stated:

- Since BC Hydro is a Provincial Crown Corporation, the Community Association's role was to only ensure the general public in the neighbourhood were sufficiently informed; the area was leafleted twice and covered a notification area larger than required by Saanich policies.
- The Royal Oak Community Association did not receive any feedback or inquiries and is therefore neutral in its opinion of the proposal.

APPLICANT RESPONSE:

- The function of the facility will not change and Brydon Park and the Centennial strip will not be disturbed or impacted.
- The proposed zoning is related to discharging the existing Land Use Contract and continuing current functions.
- An extensive Storm Water Management Plan has been incorporated into this project.
- The project will have an overall height of 2 storeys.
- The proposed four-way stop and crosswalk will not alter the intersection, the intent is to achieve improved safety by design.
- Consultation with Hansbraun Investments has taken place regarding traffic implications and future pathway discussions.

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

- Discussions between Hansbraun Investments and BC Hydro representatives are a private matter between the two property owners. However, follow-up with the property owners could be undertaken.

Motion:

COUNCIL DELIBERATIONS:

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

- 1. The existing Land Use Contract be discharged;**
- 2. The application to rezone from Zone M-2 (Wholesale, Warehouse and Office) to Zone P-2 (Utility) and Zone P-4 (Recreation and Open Space) be approved;**
- 3. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending registration of:**
 - a) A covenant securing construction of the development to meet a LEED Gold standard (or equivalent), the installation of heat pumps, installation of the necessary conduit and piping to be considered solar ready for the future installation of solar**

photovoltaic or hot water heating systems, and that secondary access to Viewmont Avenue be used for emergency purposes only; and

b) A three metre wide statutory right of way along the northern property boundary for the purpose of a pedestrian and cycling pathway and for that portion of the sidewalk adjacent to Viewmont Avenue that would encroach onto private property.”

Councillor Derman stated:

- This proposal will result in a substantial improvement to the property and neighbourhood; however, he is disappointed that BC Hydro has not taken the opportunity to lead by example in regard to energy efficiency and sustainability.

Councillor Plant stated:

- He appreciates the provision of conduits to accommodate the future installation of solar panel and believes this should be a requirement of all future development proposals.

Councillor Sanders stated:

- She is disappointed at the lack of communication and public awareness related to this development; she would expect more from a company as large and responsible as BC Hydro.

Councillor Wergeland stated:

- Due to the minimal cost of providing conduit to accommodate future solar panels it should be an automatic requirement of all future development proposals.

2850-20
West Saanich Road

The Motion was then Put and CARRIED

“LAND USE CONTRACT DISCHARGE BYLAW, 2015, NO. 9363”
Second and Third Readings

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That Bylaw No. 9363 be read a second time.”

CARRIED

2870-30
West Saanich Road

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That Bylaw No. 9363 be now passed.”

CARRIED

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2015, NO. 9364
Second and Third Readings

MOVED by Councillor Wergeland and Seconded by Councillor Haynes: “That Bylaw No. 9364 be read a second time.”

CARRIED

MOVED by Councillor Wergeland and Seconded by Councillor Haynes: “That Bylaw No. 9364 be now passed.”

CARRIED

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That it be recommended that Council approve Development Permit
DPR00596 on Lot B, Section 8-A, Lake District, Plan VIP71164 (4400 WEST
SAANICH ROAD) subject to the amendment to move the secondary access
route northward to provide area for a third tennis court.”**

CARRIED

Adjournment On a motion from Councillor Wergeland, the meeting adjourned at 9:43 pm.

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CHAIR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK