

DISTRICT OF SAANICH
MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
TUESDAY, JANUARY 26, 2016 AT 7:00 PM

Present: Chair: Mayor Atwell
Council: Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Donna Dupas, Legislative Manager; Neil Findlow, Senior Planner; Chuck Bell, Planner; Jagtar Bains, Development Coordinator; Penny Masse, Senior Committee Clerk

PUBLIC HEARING

2870-30
Cordova Bay Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9370”

PROPOSED REZONING FOR A RESIDENTIAL SUBDIVISION ON CORDOVA BAY ROAD

To rezone Amended Parcel A (DD 275888I) of Sections 24 and 25, Lake District (**4655 CORDOVA BAY ROAD**) from Zone RS-18 (Single Family Dwelling – Minimum Lot Size 2ha) to Zone RS-12 (Single Family Dwelling – Minimum Lot Size 930m²) for the purpose of subdivision in order to create 8 bare land strata lots for single family dwelling use. A **DEVELOPMENT VARIANCE PERMIT** will be considered to allow variances for lot width. A **COVENANT** will be considered to further regulate the use of the lands and buildings. A request to include the lands in the Sewer Service Area will also be considered.

The Clerk introduced the following:

- Notice of Public Hearing.
- Reports from the Director of Planning dated January 8, 2016 and September 9, 2015 recommending:
 - Approval of the rezoning application, Development Variance Permit and inclusion in the Sewer Service Area;
 - The Geotechnical Report(s) be registered on title, and that the site be developed in accordance with the recommendation of the Geotechnical Reports(s);
 - The Owner will save the District and Province harmless in case of erosion/slippage/slope and/or soil failure of this property;
 - The Owner of the land will use the land only in the manner certified by the qualified professionals as enabling the safe use of the land for the use intended, and will reimburse the District for any costs incurred whatsoever as a result of a breach of the restrictive covenant in this respect;
 - That new dwellings on proposed Lots 1-8 conform to a minimum BUILT GREEN® Gold or equivalent energy efficient building design and construction standard and are designed to be solar ready;
 - That new dwellings on proposed Lots 1-8 conform to the Design Scheme and that the dwellings not exceed a height of 6.5 metres as measured from grade; and
 - That a 2:1 ratio of replacement trees be planted on-site and/or elsewhere in the local community if no room can be found to plant replacement trees on-site.

- Bylaw No. 9370
- Supplemental documents from the applicant including updated Design Guidelines, Arborist Report and Landscape Plan dated December 7, 2015. Letter from the applicant dated October 4, 2015.
- A letter from the Cordova Bay Community Association dated November 3, 2014.
- Sixteen letters from residents.

APPLICANT:

L. Mari, Planster Consulting, Applicant, stated:

- In response to concerns, proposed Lot 1 is now situated 15m from the road and 11m from the property line; extensive landscaping and screening is proposed to ensure neighbour privacy.
- The updated Design Guidelines, which will form part of the text-based covenant, will ensure articulation of the streetscape and west coast contemporary architecture, including rock accents and natural siding.
- The Design Guidelines originally included flat roofs; barrel and shed roofs are now proposed to vary rooflines and create architectural interest. The design alteration will not result in additional height.
- Extensive community consultation has occurred with the majority in favour of the development as proposed.
- Environmental initiatives include marine backshore and steep slope protection, a Native Plants Salvage Program, and 22% of land dedicated for environmental protection.
- The bus stop on Cordova Bay Road will be replaced.
- A 2:1 tree replacement ratio is now in effect for the entire property and will result in the planting of up to 194 replacement trees.
- The Landscape Plan includes boulevard treatments, rain gardens, a pocket park at the north end of the site and a viewing deck to the water.

In response to questions from Council, the applicant stated:

- Changes to the proposed rooflines have not yet been discussed with neighbours as the height of the homes will not be affected; however, the covenant will specify the maximum permitted height of the homes is not to exceed 6.5m.
- The covenant includes a ratio of 2:1 tree replacement; if there is insufficient space on the property to accommodate all the replacement trees, the Parks Department will find suitable locations in the neighbourhood for the surplus.
- The intention is for the developer to build the new homes; however, if the strata lot owner builds their home they will be required to follow the covenanted Design Guidelines.
- Each home will be equipped with a two-car garage and a space for visitor parking; on- street parking will be permitted on one side of the road.

PUBLIC INPUT:

- Nil

COUNCIL DELIBERATIONS:

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

- 1. The application to rezone from Zone RS-18 (Single Family Dwelling – Minimum Lot Size 2ha) to Zone RS-12 (Single Family Dwelling – Minimum Lot Size 930m²) be approved;**
- 2. Final Reading of the Zoning Amendment Bylaw and ratification of the Development Variance Permit be withheld pending registration of a covenant to secure the following:**
 - a. The Geotechnical Report(s) be registered on title, and that the site be developed in accordance with the recommendation of the Geotechnical Reports(s);**
 - b. The Owner will save the District and Province harmless in case of erosion/slippage/slope and/or soil failure of this property;**
 - c. The Owner of the land will use the land only in the manner certified by the qualified professionals as enabling the safe use of the land for the use intended, and will reimburse the District for any costs incurred whatsoever as a result of a breach of the restrictive covenant in this respect;**
 - d. That new dwellings on proposed Lots 1-8 conform to a minimum BUILT GREEN® Gold or equivalent energy efficient building design and construction standard and are designed to be solar ready;**
 - e. That new dwellings on proposed Lots 1-8 conform to the Design Scheme and that the dwellings not exceed a height of 6.5 metres as measured from grade;**
 - f. That a 2:1 ratio of replacement trees be planted on-site and/or elsewhere in the local community if no room can be found to plant replacement trees on-site; and**
- 3. The application to include the property in the Sewer Service Area be approved”.**

Councillor Derman stated:

- There are many attractive features to this proposal; he appreciates the energy commitments and rain gardens; however, lot averaging results in maximizing the number of units, minimizing open space and increasing the amount of trees that need to be removed.
- The subject property is not close to amenities and will be auto-centric; going forward Council needs to look at the cumulative impact of developments of this type.

Councillor Brice stated:

- She supports this quality proposal. Neighbourhood character will be enhanced and the creativity of the developer will result in a desirable residential addition to the area.
- Due to the earlier commitment to flat roofs it would be preferable that all neighbours are notified about the proposed roofline changes.

Councillor Sanders stated:

- She is disappointed so many trees have to be removed and is hopeful the strata will provide proper maintenance of the trees to ensure their healthy survival.
- She will remain optimistic that the lot configuration and parking will not result in a negative impact to the neighbourhood.

Councillor Wergeland stated:

- Public Transit will be sufficient for residents to access amenities.
- He appreciates the tree replacement efforts.
- All future development proposals should be conduit-ready for electric vehicle charging stations.

Councillor Haynes stated:

- The developer has reduced the proposed number of lots from 10 to 8 in response to Council and community interest. This looks to be a quality, desirable development that will be at the higher end of the market.
- Incentives need to be established to remediate the energy deficiencies in older homes.
- Contacting the community in regard to the varying rooflines would be a valuable and worthwhile effort.
- Many of the existing trees on-site are unwell; the high count of replacement trees is appreciated and will provide a tree canopy in the future.

Councillor Brownoff stated:

- She is pleased with the commitment to tree replacement; however, a commitment to the maintenance of the new trees is also important for their survival.
- She is pleased with how the developer has responded to Council and neighbour concerns.
- She is hopeful that the development will enhance the neighbourhood and add to the existing character.
- Neighbours should be notified regarding the proposed change in rooflines.

**The Motion was then Put and CARRIED
Councillor Derman: OPPOSED**

2870-30
Cordova Bay Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, NO. 9370”
Second and Third Readings

MOVED by Councillor Plant and Seconded by Councillor Brice: “That Bylaw No. 9370 be read a second time.”

**CARRIED
Councillor Derman: OPPOSED**

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Bylaw No. 9370 be now passed.”

**CARRIED
Councillor Derman: OPPOSED**

MOVED by Councillor Haynes and Seconded by Councillor Brice: That Amended Parcel A (DD 275888I) of Sections 24 and 25, Lake District (4655 CORDOVA BAY ROAD) be included in the Sewer Service Area.

CARRIED

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That it be recommended that Council approve Development Permit DVP00344 on Amended Parcel A (DD 275888I) of Sections 24 and 25, Lake District (4655 CORDOVA BAY ROAD).”

**CARRIED
Councillor Derman: OPPOSED**

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 7:50 pm.

.....
CHAIR

I hereby certify these Minutes are accurate.

.....
MUNICIPAL CLERK