

DISTRICT OF SAANICH
MINUTES OF THE SPECIAL COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
TUESDAY, OCTOBER 25, 2016 AT 7:00 P.M.

Present: **Chair:** Mayor Atwell
Council: Councillors Brice, Brownoff, Derman, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Jarret Matanowitsch, Manager, Current Planning; Catherine Mohoruk, Manager, Transportation & Development; MaryAnn Greco, Senior Committee Clerk; and Penny Masse, Senior Committee Clerk

PUBLIC HEARING

2870-30
Saanich Road

A1. "ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, No. 9392"

PROPOSED NEW SHOPPING CENTRE/UPTOWN ZONE

To create a new C-3U (Shopping Centre/Uptown) Zone with display and/or retail sale of all classes of goods, wares, and merchandise; personal service; medical services; restaurant; drive-in restaurant; fast food restaurant; office; recreation facility; assembly; apartment; congregate housing; service station; supplementary off-street parking; cable hub site; beverage container depot; liquor retail store; daycare-adult; and daycare-child; as permitted uses. Regulations with respect to prohibited uses; density; buildings and structures; buildings and structures for apartment or congregate housing; service station; liquor retail store and beverage container depot; are unique to this proposed zone.

A2. "ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, No. 9393"

PROPOSED REZONING FOR RENTAL APARTMENTS, TOWNHOUSES AND RETAIL COMMERCIAL SPACE AT UPTOWN SHOPPING CENTRE ON SAANICH ROAD/BLANSHARD STREET/DOUGLAS STREET/RAVINE WAY

To rezone Lot A, Sections 7 and 9, Victoria District, Plan VIP85149, Except Part in Plan VIP85154 (3440 Saanich Road) from Zone C-3L (Shopping Centre/Major Liquor Retail) to a new Zone C-3U (Shopping Centre Uptown) in order to construct Phase 4 of the Uptown Shopping Centre comprised of rental apartment units and townhouses, and retail commercial space. An amendment to the Development Permit will be considered to allow for variances for setbacks, parking and loading space.

The Clerk introduced the following:

- Notice of Public Hearing;
- Reports from the Director Planning dated September 13, 2016 and June 7, 2016;
- Sustainable Site Design report dated Received February 22, 2016;
- Transportation Rationale dated February 18, 2016;
- Storm Water Management Approach report dated January 12, 2016;
- Excerpt from the Committee of the Whole Meeting held June 20, 2016;
- Report of the Advisory Design Panel dated May 4, 2016;
- A letter from the Mount View Colquitz Community Association dated June 19, 2016; and
- A letter from a resident dated January 29, 2016.

APPLICANT:

G. Nagle, Morguard Investments Ltd; D. Jonas, Merrick Architecture, and P. Joyce, Bunt & Associates Engineering, highlighted the proposal and stated:

- This proposal represents the completion of the 10-year, 4-phase Uptown Shopping Centre development project. Phase 4 introduces a mixed-use, residential element to the project.
- The overall scheme of Phase 4 encompasses a 55,000 ft², 3-storey podium for commercial/retail uses with an 11-storey residential component built above comprised of 134 dwelling units.
- The building forms a V-shape, which will open at the corner of Carey Road and Ravine Way. The space within the V-shape will serve as a courtyard.
- The residential component will be terraced in order to transfer structural weight to the rear of the retail spaces and reduce massing.
- A series of anodized, aluminum louvered screen panels on the exterior of the corridors will form a shelter between the elements and the interior space. The screens will be strategically placed to cover entryways and open up to views as the building rises.
- Low intensity and low level lighting will be used to reduce light pollution or glare.
- Public and private amenity spaces be provided throughout, including several terraces and garden areas.
- Street improvements include a multi-use trail along Ravine Way and Carey Road with soft landscaping located between the building and the pedestrian zone.

PUBLIC INPUT:

C. Hamill, President, Mount View Colquitz Community Association, stated:

- This building will create a landmark and set a standard of aesthetics and function for taller buildings in Saanich.
- Any traffic concerns will not be solved until such time that speed allowances are reduced and crosswalks are installed on surrounding busy roadways.
- While this project will not increase traditional affordable housing stock, it may attract renters willing to pay for one of the best views in Saanich.
- Uptown Phase 4 may instigate more proposals for taller buildings; air rights should be carefully considered by controlling the height and placement of buildings to protect the character of the skyline.

K. Whitcroft, Inverness Road, stated:

- Surveys and studies undertaken in the past indicate that high-rise buildings are not desired in Saanich. Views will be blocked or lost.
- The proposal does not provide adequate amenities for the community.
- A shadow study should be undertaken and analyzed.
- Light pollution created by the proposal will be detrimental.
- Uptown is a car-oriented, destination shopping centre and not a community space.
- While this proposal adds to the rental stock, these units are not affordable.
- Council needs to consider accountability and responsibility to the residents and taxpayers of Saanich.

A. Beck, James Heights, stated:

- Uptown has been presented as a community space; however, not enough public areas are offered and it has not become a true community space.

R. McGrath, Rainbow Street, stated:

- Traffic congestion and hazards on nearby roadways will worsen and viewscales will be negatively affected if the proposal is approved.

APPLICANTS RESPONSE:

In response to questions from Council, the applicant stated:

- Negative effects of light pollution have been carefully considered; all exterior walkway lighting is designed to be low density and environmentally sensitive.
- The energy efficient design of the building and units result in a reduction in end-costs for occupants; the dwellings are targeted towards average incomes in the community and can be considered workforce housing, not subsidized housing.
- The most significant community amenity this project has provided is the creation of a community space; this project is a catalyst for future growth and improvements to the area. This is an emerging urban core that continues to evolve and grow.
- The Ministry of Transportation has given approval-in-principle for a fully signalized, mid-point crosswalk on Blanshard Street. The intent is for the work to be underway prior to the New Year.
- Traffic circulation and congestion issues will continue to be actively addressed. A new interior signage program has been initiated to direct and improve traffic flow.
- Shadow studies have concluded there are no negative impacts to surrounding properties.
- A family renting a 583 ft², one-bedroom unit will need to have a combined income of \$55,000 to \$58,000 per year. These parameters are based on Canada Mortgage and Housing Corporation statistics and qualify as affordable housing.
- BC Transit passes at a 10% discount to future residents of Uptown can be accommodated.

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

- The OCP designates the subject area as 'Uptown Major Centre' and identifies that up to 18 storeys are permitted.
- Discounted BC Transit access passes for residents of Uptown can be secured through a covenant, Letter of Assurance or bonding.

COUNCIL DELIBERATIONS:

Motion:

MOVED by Councillor Derman and Seconded by Councillor Haynes: "That the amendment to Zoning Bylaw 8200 to add a new Zone C-3U (Shopping Centre/Uptown) be approved".

Councillor Derman stated:

- Traffic congestion issues are the result of land use decisions over many years and cannot be solely attributed to Uptown.
- This is a good location for increased height and density.
- While this does not provide low-cost housing options, it does create an opportunity to provide housing without the need for a vehicle, which does offer significant yearly savings.

Councillor Murdock stated:

- He is pleased to see the completion of what has been a lengthy and comprehensive effort by the applicant.
- Rental units are in demand and while this is not typical affordable housing, there will be units available for those who want to live and work in the area without a vehicle.
- He appreciates the offer of discounted BC Transit passes to residents.

Councillor Brownoff stated:

- She is hopeful the continued traffic congestion and circulation abatement efforts are successful.
- The design is commendable and will create a vibrant, people-orientated community space.
- Directional signs should be fully utilized wherever possible on this site.
- The Ministry of Transportation, the applicant and staff should continue working together to ensure a safe pedestrian crosswalk on Blanshard Street.

Councillor Brice stated:

- A bold and visionary project was needed at this site; it is a community-oriented and vibrant development that will be a future landmark.
- She appreciates the Mount View Colquitz Community Association for their thoughtful and intelligent guidance throughout the process.

Councillor Wergeland stated:

- He appreciates the quality and attention to detail that has been incorporated into each phase of the Uptown development.
- Rental units are in demand; this proposal will effectively meet the needs of a segment of our community.

Councillor Sanders stated:

- The design and attention to detail is commendable; the building will make an attractive statement at an important gateway of Saanich.
- She appreciates the commitment to discounted BC Transit passes for Uptown residents.

Councillor Haynes stated:

- Uptown has evolved into a vibrant and busy community space for Saanich.
- Traffic congestion and circulation should continue to be assessed and improved.
- The rooftop terraces will be a great benefit to future residents.

Mayor Atwell stated:

- Traffic issues are still a concern, although the full bearing of that cannot be placed on the Uptown development.
- It may be useful for the applicant to fully analyze traffic flow patterns through the use of drone technology.

The Motion was then Put and CARRIED

2870-30
Saanich Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, No. 9392”
Second and Third Readings

MOVED by Councillor Brice and Seconded by Councillor Brownoff: “That Bylaw No. 9392 be read a second time.”

CARRIED

MOVED by Councillor Brice and Seconded by Councillor Brownoff: “That Bylaw No. 9392 be now passed.”

CARRIED

2870-30
Saanich Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, No. 9393”

MOVED by Councillor Derman and Seconded by Councillor Haynes: “That the application to rezone Uptown Shopping Centre from Zone C-3L (Shopping Centre/Major Liquor Retail) to Zone C-3U (Shopping Centre/Uptown) be approved”.

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Bylaw No. 9393 be read a second time.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Bylaw No. 9393 be now passed.”

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That it be recommended that Council approve and issue Development Permit Amendment DPA00863 on Lot A, Sections 7 and 9, Victoria District, Plan VIP85149, Except Part in Plan VIP85154 (3440 Saanich Road).”

CARRIED

2870-30
Hess Crescent

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, No. 9400”

PROPOSED REZONING TO CONSOLIDATE TWO LOTS ON HESS CRESCENT WITH THE PACIFIC CHRISTIAN SCHOOL SITE ON AGNES STREET FOR A NEW GYMNASIUM

To rezone Lot 23, Section 49, Plan 1477 (664 Hess Crescent) and Lot 1, Section 49, Victoria District, Plan VIP55591 (670 Hess Crescent) from Zone RS-6 (Single Family Dwelling) to Zone P-1 (Assembly) for the purpose of consolidation with the existing P-1 zoned Pacific Christian School site (671 Agnes Street) in order to construct a new gymnasium. An amendment to the Development Permit will be considered to allow variances for setbacks and height.

The Clerk introduced the following:

- Notice of Public Hearing.

- Reports from the Director Planning dated August 11, 2016 and March 07, 2014.
- Technical Memo – Storm Water Management Statement dated November 27, 2012.
- Sustainability Statement dated April 2, 2013.
- Excerpts from the Committee of the Whole Meetings September 12, 2016 and April 28, 2014.
- Report from the Advisory Design Panel dated August 26, 2015.
- Referral responses from the Residents Association of Strawberry Vale, Marigold and Glanford dated August 6, 2015 and November, 05, 2015.
- A letter from a resident received September 12, 2016.
- A letter from the Ministry of Transportation dated April 29, 2013.

APPLICANT:

J. Mann, CEI Architecture; and Rene Lucier, LADR Landscape Architect; highlighted the proposal and stated:

- The Pacific Christian School site encompasses the high school and elementary school campuses with over 400 combined students; the Christian Reform Church is located in the centre of the site.
- Plans include deconstructing the existing, undersized gymnasium and constructing a new expanded one for the elementary school. No changes to parking are proposed.
- Existing playgrounds will be relocated to the south side of the property to allow for more natural light and easier supervision.
- A more prominent, covered front entrance will be incorporated into the design.
- The landscape plan includes a rain garden, stormwater management and expanded playground areas.

In response to questions from Council, the applicant stated:

- Conduits to be solar ready for possible photovoltaic or solar hot water systems will be installed as part of the construction.

PUBLIC INPUT:

D. Baanstra, Hess Crescent, stated:

- He is in general support of the proposal; however, he is concerned about the locked gate along Hess Crescent and whether or not the intent of the gate could be compromised by users of the existing pedestrian pathways.
- He would like the decaying apple trees to be removed from the boulevard between the curb and fence on Hess Crescent; they attract vermin and may be unsafe. New small trees or shrubs should replace the rotting trees.

B. Helmus, Principal, Pacific Christian School, stated:

- The current gymnasium is outdated and too small; the new facility will be better lit, allow for more efficient spectator viewing and eliminate the daily need to bus students to other venues to participate in athletic activities.
- All green spaces are being retained or expanded.
- The new gymnasium will host many community tournaments, craft fairs and other activities.

A. Langley, Copperfield Lane, stated:

- He is hopeful the locked gate on Hess Crescent will decrease existing traffic congestion problems.

- The design will create an attractive centerpiece to the area and will be a positive addition for the entire community.

In response to questions from Council, the applicant stated:

- The fence along Hess Crescent will be replaced with a new, taller fence and will include a gate which will be locked during drop-off or pick-up times, but will be accessible to students and staff at all other times of the day. This should alleviate existing traffic congestion concerns.
- They inquired with the Engineering Department about replacing the decaying fruit trees along Hess Crescent; it was confirmed that existing services are located below grade and trees cannot be replanted there.

COUNCIL DELIBERATIONS:

Motion:

MOVED by Councillor Plant and Seconded by Councillor Derman: “That the application to rezone the property at 664 and 670 Hess Crescent from Zone RS-6 (Single Family Dwelling) to Zone P-1 (Assembly) be approved.”

Councillor Haynes stated:

- He is pleased to support the proposal as it encourages youth health and opportunities for the community to come together.

Councillor Derman stated:

- He understands the importance of this upgrade to the students, staff and families of the neighbourhood.

Councillor Wergeland stated:

- He appreciates the vision and plan of the proposal.
- The proposed signage could be better contrasted to increase visibility.

The Motion was then Put and CARRIED

2870-30
Hess Crescent

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, No. 9400”
Second and Third Readings

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Bylaw No. 9400 be read a second time.”

CARRIED

MOVED by Councillor Haynes and Seconded by Councillor Haynes: “That Bylaw No. 9400 be now passed.”

CARRIED

MOVED by Councillor Plant and Seconded by Councillor Wergeland: “That it be recommended that Council approve and issue Development Permit Amendment DPA00792 on Lot 23, Section 49, Victoria District, Plan 1477 (664 Hess Crescent), Lot 1, Section 49, Victoria District, Plan VIP55591 (670 Hess Crescent), and Lot B, Section 49, Victoria District, Plan 34566 Except Part in Plan 44261 (671 Agnes Street).”

CARRIED

2870-30
Braefoot Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, No. 9401”

PROPOSED REZONING FOR AN EIGHT LOT RESIDENTIAL SUBDIVISION ON BRAEFoot ROAD AND MALTON AVENUE

To rezone a portion of Lot 2, Block D, Section 32, Victoria District, Plan 4181 (4079 Braefoot Road) from Zone A-1 (Rural – Minimum Lot Size 2 ha) to Zone RS-12 (Single Family Dwelling – Minimum Lot Size 930 m²) for the purpose of subdivision to create five lots for single family dwelling use and three lots in the existing RS-8 (Single Family Dwelling – Minimum Lot Size 665 m²) Zone. A Development Variance Permit will be considered to allow a variance for the front yard setback for proposed Lot C. 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 Planning dated September 16, 2016.
- Revised Sustainability Statement dated April 19, 2016.
- Arborists Report #1 dated July 14, 2016.
- Arborists Report #2 dated August 24, 2016.
- Stormwater Management Statement dated July, 2013.
- Excerpt of the Committee of the Whole Meeting of October 3, 2016.
- Letter from the applicant dated October 12, 2016.
- Letter from the Gordon Head Residents' Association dated September 30, 2016 and June 10, 2016.
- Four letters from residents.

APPLICANT:

R. Slogotski, Braefoot Lands Limited; highlighted the proposal and stated:

- Similar subdivisions on the east side of Braefoot Road have been constructed.
- Secondary suites will be permitted in each dwelling; the proposed resident and visitor parking meets or exceeds bylaw requirements.
- Maintenance and on-going protection of the natural state covenanted area will be the responsibility of future owners.
- The proposed fee-simple lot will not form part of the strata.

PUBLIC INPUT:

M. Speller, Malton Avenue, stated:

- Street parking and traffic will increase and will affect neighbours negatively.
- She attended all meetings associated with the Braefoot Action Plan and does not believe concerns were heard; subdivisions continue to be proposed that allow for additional suites and increased density.
- To allow for more efficient wildlife movement, the wildlife corridor should be realigned with the wildlife corridor located at 4065 Braefoot Road.

K. Cropp, Malton Avenue, stated:

- The proposed turn-around may not have sufficient space for emergency or garbage collection vehicles to maneuver.

J. Klassen, Malton Avenue, stated:

- Proposed Lot C does not appear to be big enough to build a suited home, especially when considering impacts of the natural state covenant on the lands.

COUNCIL DELIBERATIONS:

- Motion:** **MOVED by Councillor Derman and Seconded by Councillor Wergeland:**
- 1. “That the application to rezone from Zone A-1 (Rural) to Zone RS-12 (Single Family Dwelling) be approved;**
 - 2. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Variance Permit be withheld pending payment of \$6375 (\$1275 x 5) for the planting of 5 Schedule I Boulevard trees;**
 - 3. That 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) Buildings and structures for single family dwelling use be sited not less than 10 m from any lot line abutting Braefoot Road;**
 - (b) All new dwellings be constructed to BUILT GREEN® Gold, or equivalent energy efficiency standard;**
 - (c) All new dwelling designs to be consistent with the Design Guidelines to the satisfaction of the Director of Planning;**
 - (d) Private driveways for all new lots to be constructed with permeable pavers;**
 - (e) Replanting 48 trees to compensate for the removal of 24 bylaw protected trees for road improvements and site servicing; and**
 - (f) A requirement to replace any of the following trees identified in the Arborist Report prepared by Talbot Mackenzie & Associates dated April 21, 2016 with 2 replacement trees should their removal be requested: Garry Oak trees #127, 128, 129, 130, 240, 241.”**

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

- Zoning on the subject property permits a suite; however, parking requirements will have to be met.
- The Engineering and Fire Departments have confirmed the turn-around meets all requirements for emergency and refuse vehicular movement.
- The variance request on Lot C proposes to move the dwelling away from the natural state covenant area; it may have a smaller buildable area; however, it can be constructed and a suite will be permitted.

Councillor Derman stated:

- The applicant has done a good job of addressing the concerns of Council.

Councillor Brownoff stated:

- The Braefoot Action Plan was approved after a considerable amount of public input.
- She is hopeful that future owners will be properly advised as to how to best maintain the natural state covenant area.

Councillor Wergeland stated:

- Parking requirements have been met or exceeded and secondary suites are permitted; however, only one suite per dwelling is permitted.

Councillor Sanders stated:

- She knows this area well and is concerned about sufficient parking and impacts to Malton Avenue and the public footpath.
- One roadway would have created less impact to the neighbourhood.
- She is concerned the natural state covenant area will not be properly maintained or protected.

Councillor Murdock stated:

- The original intent of the Braefoot Action Plan did not contemplate this type of development, it may have some detrimental effects to the neighbourhood.
- He is concerned that the wildlife corridor may not efficiently facilitate wildlife movement.
- He cannot support the application due to the proposed density.

Councillor Brice stated:

- The applicant has addressed the concerns of Council.
- Additional public education should be considered regarding natural state area maintenance and protection.

**The Motion was then Put and CARRIED
with Councillors Murdock and Sanders OPPOSED**

2870-30
Braefoot Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2016, No. 9401”
Second and Third Readings

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 9401 be read a second time.”**

**CARRIED
with Councillors Murdock and Sanders OPPOSED**

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:
“That Bylaw No. 9401 be now passed.”**

**CARRIED
with Councillors Murdock and Sanders OPPOSED**

**MOVED by Councillor Brice and Seconded by Councillor Wergeland:
“That it be recommended that Council approve and issue Development
Variance Permit DVP00377 on Lot 2, Block D, Section 32, Victoria District,
Plan 4181 (4079 Braefoot Road).”**

**CARRIED
with Councillors Murdock and Sanders OPPOSED**

Adjournment

On a motion from Councillor Derman, the meeting adjourned at 10:01 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK