

- The total number of units is to remain at 92;
 - 5) That a Housing Agreement Bylaw be approved to prohibit the ability to ban the rental of individual units and to provide nine units of affordable seniors housing for a minimum period of ten years with rent geared to income;
 - 6) That consolidation of Lots 3, 4 and 10, Section 63, Victoria District, Plan 1781 and Amended Lot 2(DD152828I), Section 63, Victoria District, Plan 1781 take place prior to the issuance of a building permit.
- Report from the Advisory Design Panel dated November 18, 2010;
 - Six letters from the applicant(June 2010 to November 2011);
 - Four letters from the Quadra Cedar Hill Community Association (June 2011 to April 2012);
 - Eleven letters from residents (2010 to April 2012).
 - One letter from a resident (December 2012).

APPLICANT:

Mr. R. Tinney, Tinney & Associates Land Planning & Design, along with Mr. J. McLaren and Mr. L. Wansborough, owners, and Mr. P. Misra, Architect, stated:

- This public hearing was called to deal with a change to the wording of the housing agreement for this development, for which he apologizes.
- His client has been unable to secure financing from the banks and proceed with the project due to the clause which required the nine affordable seniors rental units to be provided in perpetuity; they now propose to offer the rental units on the same basis for a minimum period of ten years, which is acceptable to the banks.
- As previously advised, they have been unable to secure a partnership with a housing society to acquire and operate these units and will therefore be managing them themselves.
- There are no other changes proposed to the development which was approved by Council on April 24, 2012.

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

- They consulted extensively with the Planning Department before putting forward this proposal.
- It is not the owners intent to close off the seniors units after ten years but to continue beyond that term.
- The Residential Tenancy Act would apply to any units removed from affordable status.

Mr. L. Wansborough, 83 Millburn Drive, owner, stated:

- The perpetuity clause made financing impossible through the banks because it discounted the value of the property.
- The ten year term will allow them to obtain the necessary financing; they intend to own the units beyond the ten year term and will continue to pursue a partnership with a housing society as well.
- The provisions of the Residential Tenancy Act would apply after the term of the seniors affordable rental tenancy expires.

The Planning Supervisor stated:

- The Landscape Plan secured by the Development Permit outlines the relative sizes of the replacement trees.
- The applicant's contribution toward Transportation Demand measures covers all units in the buildings, including the affordable units.
- There are a variety of ways to operate such subsidized rental units.

Mr. L. Wansborough further stated:

- The seniors rental units would be added to their company's rental portfolio and managed in the same way; however, they cannot get started on the development without the financing in place.
- They will consider allowing qualified tenants in place to continue renting on the same basis after the ten year term is completed.

Mr. J. McLaren stated:

- They are eager to start building this development but cannot, until financing is in place.
- They are committed to offering the affordable rental units and will absorb any losses associated with this proposal; they have not been able to find a partner to take on these units and have no other option.

Mr. Wansborough stated:

- In response to Councillor Wade's suggestion that the rental units with qualified senior tenants in place at the end of the 10 year term, be allowed to continue on an affordable basis until voluntarily terminating the tenancy, this can be considered, with the understanding that any vacated units would revert to market status.

PUBLIC INPUT:

Mr. D. Poje, 4180 Bracken Avenue, stated:

- The language used in the notice of this public hearing is a concern.
- There may be negative consequences when prohibiting a strata from banning rentals; this provision benefits absentee landlords not resident owners.
- He would request that Council slow down the housing agreement and consider alternatives.

Mr. K. Whitcroft, 1044 Inverness Road, stated:

- The Housing Agreement, under the terms approved by Council in April 2012, was the only community amenity offered by this developer; the owners' intent to continue the affordable units beyond the ten year term, is not sufficient security.
- The height of the proposed buildings will impact more residents than were notified of the proposed height at the previous public hearing.
- The interests of the surrounding community are not being represented, just those of the developer.
- The mature fir trees on Quadra Street act as a buffer, which will be lost.
- If the housing agreement amenity is to be diminished, then perhaps another community amenity could be offered.

Mr. M. Brown, 956 Cloverdale Avenue, stated:

- It appears that Saanich lacks clear standards for developments such as this one; the variances allowed are troubling.
- The community is not benefiting from this project; this neighbourhood has been neglected by Saanich Council.
- The location of the short term parking bay on Quadra Street may be unsafe.

APPLICANTS RESPONSE:

Mr. L. Wansborough stated:

- The owners are willing to revise the housing agreement clause so that those tenants in subsidized units could, if they wish, remain in the units on the same basis after the ten year term expires and until they choose to end their tenancy; once the unit is voluntarily vacated, it would revert to market rent status.
- They support prohibiting any ban on rentals.

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

- The mature trees in question on Quadra Street will have to be removed and replaced to allow for construction of the underground parking garage.

COUNCIL DELIBERATIONS:

MOVED by Councillor Wade and Seconded by Councillor Wergeland:

“That:

- 1) the application to rezone 3316 and 3334 Quadra Street from RS-6 to RM-6 be approved;**
- 2) Development Permit DPR2005-00026 be rescinded on Lot 10 and Amended Lot 2 (DD152828I), Section 63, Victoria District, Plan 1781;**
- 3) prior to final reading of the Zoning Bylaw and ratification of the Development Permit, the existing covenant be amended and registered to require:**
 - buildings be constructed to a Built Green Gold standard;**
 - protection of the original tree preservation area and the two new trees identified;**
 - contributions totalling \$82,800 as described, to be put towards Transportation Demand measures;**
 - that the total number of units remain at 92;**
- 4) that a Housing Agreement Bylaw be approved which would:**
 - prohibit the ability to ban the rental of individual units;**
 - provide nine units of affordable seniors housing with rent geared to income for a minimum period of ten years;**
 - include adequate provisions to facilitate qualified tenants who are in place at the end of the 10 year term to extend the rental term while continuing to rent on the same basis until voluntarily ending the tenancy, at which time the rental unit would, subject to provincial legislation, revert to market rent status;**

- 5) that consolidation of Lots 3, 4 and 10, Section 63, Victoria District, Plan 1781 and Amended Lot 2, (DD 152828I), Section 63, Victoria District, Plan 1781, take place prior to the issuance of a building permit.”**

Councillor Wade stated:

- The applicant has made a commitment to facilitate any tenants of the affordable units continuing their tenancy on the same basis beyond the ten year term, until they voluntarily leave.
- It has been confirmed that the contribution to transportation demand measures includes the nine affordable rental units and that large trees will replace the ones removed for construction of this development.

Councillor Murdock stated:

- The affordable rental units must be secured in the development approval and on that basis, he can support the motion.

Councillor Sanders stated:

- She supports the motion; it appears that the nine affordable seniors rental units may continue on that basis after the minimum ten year term.

Councillor Brice stated:

- The motion appears to have captured some affordable rental housing for seniors for the long term in a nice development .

Councillor Wergeland stated:

- Although the applicant had originally planned that a housing society would partner for the affordable rental units, he has been flexible and offered a new solution to secure the housing agreement.

Councillor Derman stated:

- He favours having a comprehensive development with rental units in this location close to Rutledge Park but preferred the terms of the original housing agreement and therefore cannot support the motion.

Councillor Gerrard stated:

- He is satisfied with the applicant’s commitment to allow the subsidized units to continue beyond the ten year term and can support the motion.

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

2870-30
Quadra Street and
Inverness Road

“ZONING BYLAW, 2003, AMENDMENT BYLAW, 2012, NO. 9175”
Second and Third Readings

**MOVED by Councillor Wade and Seconded by Councillor Gerrard:
“ That Bylaw No. 9175 be read a second time.”**

**CARRIED
Councillor Derman OPPOSED**

**MOVED by Councillor Wade and Seconded by Councillor Gerrard:
“That Bylaw No. 9175 be now passed.”**

**CARRIED
Councillor Derman OPPOSED**

**MOVED by Councillor Wade and Seconded by Councillor Wergeland:
“That it be recommended that Council approve Development Permit
No. DPR00452 on Lot 10, Lot 4, Lot 3, and Amended Lot 2
(DD152828I), all in Section 63, Victoria District, Plan 1781 (1016
Inverness Road, 3316, 3334, and 3350 Quadra Street respectively).”**

**CARRIED
Councillor Derman OPPOSED**

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

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ACTING MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK