

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, APRIL 22, 2013 AT 7:30 PM

Present: **Chair:** Mayor Leonard
Council: Councillors Brice, Brownoff, Derman, Gerrard, Murdock, Sanders, Wade and Wergeland
Staff: Paul Murray, Chief Administrative Officer; Sharon Hvozanski, Director of Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Derman and Seconded by Councillor Brownoff: "That Council adopt the minutes of the April 15, 2013 Council and Committee of the Whole meetings."

CARRIED

BYLAWS

2870-30
Quadra Street /
Inverness Road

3316/3334/3350 QUADRA STREET/1016 INVERNESS ROAD – REZONING TO RM-6

Final Reading of the "Zoning Bylaw, 2003, Amendment Bylaw, 2012, No. 9175" and approval of Development Permit DPR00452 and to rescind Development Permit DPR2005-00026 on Lot 10 and Amended Lot 2 (DD152828I), Section 63, Victoria District, Plan 1781. Rezoning from RS-6 to RM-6 and consolidated with 1016 Inverness Road and 3350 Quadra Street for proposed three apartment buildings.

Councillor Derman stated:

- He is disappointed that the earlier Housing Agreement was abandoned; the Housing Agreement would have provided affordable housing for a significant time period.
- The revised Housing Agreement limits access to affordable housing.

MOVED by Councillor Wade and Seconded by Councillor Gerrard: "That Bylaw No. 9175 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED
with Councillor Derman OPPOSED

MOVED by Councillor Wade and Seconded by Councillor Gerrard: "That Council approve and issue Development Permit 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
with Councillor Derman OPPOSED

MOVED by Councillor Wade and Seconded by Councillor Gerrard: "That Development Permit DPR2005-00026 on Lot 10 and Amended Lot 2 (DD152828I), Section 63, Victoria District, Plan 1781 (1016 Inverness Road/3350 Quadra Street respectively) be rescinded."

**CARRIED
with Councillor Derman OPPOSED**

2870-30
Housing
Agreement
Authorization
Bylaw

HOUSING AGREEMENT AUTHORIZATION BYLAW (QUADRA STREET/INVERNESS ROAD)

Final Reading of the "Housing Agreement Authorization Bylaw (Quadra Street), 2013, No. 9206". To enter into a housing agreement for property at 3316, 3334 and 3350 Quadra Street and 1016 Inverness Road.

MOVED by Councillor Sanders and Seconded by Councillor Wade: "That Bylaw No. 9206 be adopted by Council and the Seal of the Corporation be attached thereto."

**CARRIED
with Councillor Derman OPPOSED**

1110-30
Sanitary Sewer
Bylaw

SANITARY SEWER BYLAW AMENDMENT – PROPOSED INCREASE TO 2013 SEWER UTILITY RATES

Final Reading of the "Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2013, No. 9220." To increase the Capital Regional District Sewer Usage Charge.

MOVED by Councillor Wergeland and Seconded by Councillor Sanders: "That Bylaw No. 9220 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

6840-20
Swan Lake Road

SANITARY SEWER BYLAW AMENDMENT – INCLUSION OF 3890 AND 3898 SWAN LAKE ROAD IN THE SEWER SERVICE AREA

Three Readings of the "Sanitary Sewer Bylaw, 2006, Amendment Bylaw, 2013, No. 9221". To include 3890 and 3898 Swan Lake Road in the Sewer Service Area.

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 9221 be introduced and read."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 9221 be read a second time."

CARRIED

MOVED by Councillor Derman and Seconded by Councillor Brice: "That Bylaw No. 9221 be now passed."

CARRIED

Adjournment

On a motion from Councillor Brice, the meeting adjourned at 7:35 pm.

The Meeting reconvened at 8:57 pm.

RECOMMENDATIONS

From the Committee of the Whole Meeting held April 22, 2013

2830-40
Persimmons
Avenue

3916 PERSIMMON AVENUE – REQUEST TO RELEASE COVENANT – TANYA CRAWFORD

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That Council approve the request to release Covenant No. FB367950 from Lot 3, Section 32, Victoria District, Plan EPP15518 (3916 Persimmon Avenue).”

CARRIED

2860-20
Carey Road

3912 CAREY ROAD – DEVELOPMENT PERMIT AMENDMENT – MERRICK ARCHITECTURE LTD.

MOVED by Councillor Wade and Seconded by Councillor Brice: “That Council approve and issue Development Permit Amendment DPA00793 on Lot 1, Section 50, Victoria District, Plan VIP84911 (3912 Carey Road).”

CARRIED

In Camera Motion

MOVED by Councillor Brice and Seconded by Councillor Wergeland: “That pursuant to Section 18(c) of Council Procedures Bylaw, 2007, No. 8840, the following meeting be closed to the public as the subject matter being considered relates to labour relations or other employee relations.”

CARRIED

Adjournment

On a motion from Councillor Wade, the meeting adjourned at 8:59 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

relocating staff from the lowest floor level which suffers from the lack of natural light and views.

- The proposed addition is setback from the front and south property lines in order to minimize the impact on the streetscape and adjacent properties.
- The accessible parking spots will be moved closer to the main entrance and further landscaping will be added to the north property line and the northwest corner of the site; secure parking and sheltered bicycle parking will be provided.
- Variances are requested for the front yard setback, the number of off-street parking spaces and the siting of off-street parking.
- A variance of 2.74 m is requested to accommodate the front yard setback of the existing building.
- The applicant is seeking a variance of 12 off-street parking spaces; staff numbers are not changing therefore patterns of use are not expected to change.
- Proximity to public transportation and the Galloping Goose supports alternative modes of transportation.
- The variance for the siting of the off-street parking would permit parking to be located 0 m from the front lot line; this is an existing situation.

In response to questions from Council, the applicant stated:

- The stairwell is well lit; improvements to the lighting could be a part of the application.
- Improvements to the landscaping at the front of the building adjacent to Douglas Street would be considered.
- The design can be reviewed for further opportunities for green initiatives.
- A pedestrian sidewalk linking the municipal sidewalk to the front entrance and landscaping along the pedestrian sidewalk will be considered.
- The potential of direct access to the Galloping Goose and an easement through the neighbouring property to reduce the access from Douglas Street will be pursued.

PUBLIC INPUT

Ms. S. Belford, 3840 Rowland Avenue on behalf of the Mt. View Colquitz Community Association stated:

- She is pleased that the applicant is considering the traffic flow situation through the parking lot and the need for linkages for pedestrian and cyclists through Barbon Place.

Councillor Derman stated:

- The applicant has stated that a number of Council's comments would be considered.

Motion:

MOVED by Councillor Derman and Seconded by Councillor Brice: "That further consideration of Development Permit Amendment DPA00738 be postponed to allow the applicant the opportunity to further consider incorporating the suggestions raised by Council."

Mayor Leonard stated:

- The applicant has verbally committed to review Council's suggestions.

Councillor Derman stated:

- He has concerns with the nature of the parking and the lack of access for pedestrians and cyclists from Barbon Place.
- A postponement gives the applicant an opportunity to consider improvements to the Development Permit Amendment that will make this development substantially better.

Councillor Brice stated:

- She supports the motion to postpone; the traffic flow onto Douglas Street is a significant concern.

Councillor Wergeland stated:

- The applicant has agreed to consider Council's suggestions; he does not want to delay the application.

Councillor Brownoff stated:

- It is unfortunate that traffic concerns were not addressed in the application; the applicant has done a great job in improving this property.

Mayor Leonard stated:

- Providing access to the rear of the lot is a significant change; patterns of use are not changing.

Councillor Brownoff stated:

- Creating an opening in the fence would allow for pedestrian and bicycle access.

**The Motion was then Put and CARRIED
With Mayor Leonard and Councillor Wergeland OPPOSED**

2860-20
Carey Road

3912 CAREY ROAD – DEVELOPMENT PERMIT AMENDMENT – MERRICK ARCHITECTURE LTD

Report of the Director of Planning dated April 4, 2013 recommending Council approve Development Permit Amendment DPA00793 to permit construction of the permitted seven townhouses prior to renovation and designation of the heritage dwelling.

In response to a question from Council, the Director of Planning stated that heritage designation either prior to the issuance of a building permit or at the end of the process prior to occupancy is procedurally acceptable.

The applicant, Mr. M. Borys on behalf of the developer, Sparton Lodge Holdings Inc., stated:

- Construction has begun on the development.
- During the detailed design stage, it became apparent that a change in the sequence of construction must take place.
- This variance is requesting that the condominiums and townhomes be constructed simultaneously and the heritage structure be renovated and designated after that construction is complete.
- The townhomes will be built on the steepest part of the site and the

- foundations are part of the retaining wall that holds the interior road in place.
- If the townhomes and condominiums are not built simultaneously, occupancy in the condominiums could not occur because the landscaping could not be completed.
 - The applicant has committed to a development Bond as security for the heritage structure renovations.

Mr. S. McIntyre, Merrick Architecture Ltd. presented:

- The heritage dwelling is the key structure in this development; the Saanich Heritage Foundation will be reviewing the heritage building plans to ensure that the planned renovation will meet heritage designation standards.
- The applicant made commitments at the Saanich Heritage Foundation meeting including a commitment to restoration or replication of wood windows and guaranteeing the character and defining qualities of the home.

In response to questions from Council, the applicant stated:

- The applicant has made a commitment to restore or replicate the wood windows; this is required to ensure heritage designation.
- The proposed heritage home will be divided into two units with two front entrances.
- The applicant will provide a Bond and Letter of Credit to ensure performance for the heritage renovation and designation.

In response to a question from Council, the Director of Planning stated:

- If Council wished to secure a heritage designation for the dwelling prior to development, it would delay the applicant; if the applicant was required to make changes to the dwelling after heritage designation, a Heritage Alteration Permit would have to be approved.

PUBLIC INPUT

Ms. S. Belford, 3840 Rowland Avenue on behalf of the Mt. View Colquitz Community Association stated:

- She is concerned about the proposed heritage building while blasting and construction is undergoing.
- Visually the dwelling is changing; she urges Council to secure the bond to ensure that a proper restoration is undertaken.
- She questions what measures the developers will be taking to ensure that further damage to the building does not occur.

In response to a question from Council, the Director of Planning stated:

- The applicant is required to do the work to have the property designated as heritage as per the direction of the Saanich Heritage Foundation.

Councillor Wade stated:

- She supports the application; the applicant has provided assurance that the heritage designation will be completed.
- Professional guidance from the Saanich Heritage Foundation shows that the plans are in keeping with the original intention.

Motion:

MOVED by Councillor Wade and Seconded by Mayor Leonard: "That it be recommended that Council approve and issue Development Permit Amendment DPA00793 on Lot 1, Section 50, Victoria District, Plan VIP84911 (3912 Carey Road)."

Councillor Derman stated:

- He supports the adaptive reuse of this site; the Saanich Heritage Foundation (SHF) is supportive of the application.
- The recommendation of the SHF for wood windows has been adopted by the applicant.

Mayor Leonard stated:

- He supports the motion; the project has previous approval by Development Permit.
- The Bond and Letter of Credit is to ensure the dwelling is brought to the point that it can be heritage designated; that is financial incentive for the applicant to comply.

In response to a question from Council, the Director of Planning stated the amended development permit would vary the zoning regulation that currently requires the renovation and designation of the heritage dwelling to occur prior to the construction of the seven townhouse dwellings. Between what was previously approved and what is now being proposed is a matter of the sequencing of the construction.

Councillor Murdock stated:

- He supports the application; the applicant has secured what will be an eventual heritage designation.

Councillor Brownoff stated:

- The two doors at the front entrance change the look of the dwelling.

In response to a question from Council, the Director of Planning stated that the Development Permit on file is what the applicant needs to adhere to except for minor variations. If Council considers a change to be major, the applicant would be required to amend the Development Permit.

Councillor Sanders stated:

- She is concerned about the heritage designation; heritage designation should be done prior to development.
- The façade of the proposed heritage dwelling is significantly different than the original dwelling.

Councillor Wergeland stated:

- He supports the motion and relies on the recommendations of the Saanich Heritage Foundation.

Councillor Brice stated:

- She supports the motion; she is confident with the advice of the Saanich Heritage Foundation.
- The SHF has ensured that the main elements that will be required in order for this dwelling to be heritage designated remain intact; the applicant has put forward a Bond and Letter of Credit which ensures that the designation will take place.

Councillor Gerrard stated:

- He is comfortable with the financial safeguards to ensure that the renovations are within guidelines; the applicant has made efforts towards heritage designation by committing to wood windows.
- The SHF has made recommendations; he is supportive of the motion.

**The Motion was then Put and CARRIED
With Councillor Sanders OPPOSED**

Adjournment

On a motion from Councillor Murdock, the meeting adjourned at 8:55 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK