

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, MAY 5, 2014 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; Colin Doyle, Director of Engineering; Sharon Hvozdanski, Director of Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Brice and Seconded by Councillor Gerrard: "That Council adopt the minutes of the April 28, 2014 Council and Committee of the Whole meetings."

CARRIED

BYLAWS

1110-30
Financial Plan
Bylaw

FINANCIAL PLAN BYLAW (2014-2018)
Final Reading of the "Financial Plan Bylaw, 2014, No. 9269". To establish the five-year financial plan for 2014 – 2018.

MOVED by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 9269 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

1110-30
Tax Bylaw

TAX BYLAW
Final Reading of the "Tax Bylaw, 2014, No. 9270". To establish the tax rates for 2014.

MOVED by Councillor Brownoff and Seconded by Councillor Brice: "That Bylaw No. 9270 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

1110-30
CRD Onsite
Sewage Systems
Service Parcel
Tax Bylaw

CRD ONSITE SEWAGE SYSTEMS SERVICE PARCEL TAX BYLAW AMENDMENT
Final Reading of the "CRD Onsite Sewage Systems Service Parcel Tax Bylaw, 2008, Amendment Bylaw, 2014, No. 9271". To establish the parcel tax rate for 2014.

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff: "That Bylaw No. 9271 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

2870-30
Temple Avenue

1124 TEMPLE AVENUE – REZONING TO RS-8 AND RS-10

First Reading of the “Zoning Bylaw, 2003, Amendment Bylaw, 2014, No. 9267”. Rezoning from RS-18 to RS-8 and RS-10 for proposed two lot residential subdivision.

MOVED by Councillor Gerrard and Seconded by Councillor Wade: “That Bylaw No. 9267 be introduced and read.”

CARRIED

RECOMMENDATIONS FROM COMMITTEES

1420-03
Peninsula
Agricultural
Commission

PENINSULA AGRICULTURAL COMMISSION – REVISED TERMS OF REFERENCE

Letter from the Peninsula Agricultural Commission (PAC) dated March 3, 2014 requesting Council reaffirm that the PAC continue to provide advice and information proactively and responsively on region-wide agricultural issues and, in support of this role, consider asking the other municipal entities south of the Malahat if they would be interested in either receiving minutes from PAC meetings and/or participating as a supporting municipality of PAC; and consider adding, as required, two additional voting members from the agricultural community to provide specific expertise within PAC.

MOVED by Councillor Derman and Seconded by Councillor Gerrard: “That Council:

- 1. Reaffirm that the Peninsula Agricultural Commission (PAC) continue to provide advice and information proactively and responsively on region-wide agricultural issues and, in support of this role, consider asking the other municipal entities south of the Malahat if they would be interested in either receiving minutes from PAC meetings and/or participating as a supporting municipality of PAC; and**
- 2. As required, consider adding two additional voting members from the agricultural community to provide specific expertise within PAC.”**

Councillor Derman stated:

- The role of the PAC is in providing information and advice to Council and in advocating for agricultural issues; it is appropriate and understood that, unless requested to do so by the Council, the Commission does not deviate into matters that would be important policy decisions for Council.

CARRIED

Adjournment

On a motion from Councillor Gerrard, the meeting adjourned at 7:34 pm.

The meeting reconvened at 9:01 pm.

RECOMMENDATIONS

From the Committee of the Whole Meeting held May 5, 2014

2860-40
Gordon Head
Road

4351 GORDON HEAD ROAD – DEVELOPMENT VARIANCE PERMIT – CHRIS AND CHARMAINE PHILLIPS

MOVED by Councillor Sanders and Seconded by Councillor Gerrard: “That Council approve and issue Development Variance Permit DVP00331 on Lot 1, Section 45, Victoria District, Plan 16045 (4351 Gordon Head Road).”

CARRIED

2860-40
Finnerty Road

3800 FINNERTY ROAD – DEVELOPMENT VARIANCE PERMIT – UNIVERSITY OF VICTORIA

MOVED by Councillor Gerrard and Seconded by Councillor Wergeland: “That Council approve and issue Development Variance Permit DVP00351 on Lot 1, Section 31, 44, 45, 71 & 72, Victoria District, VIP57957 (3800 Finnerty Road).”

CARRIED

2860-40
Finnerty Road

3800 FINNERTY ROAD – DEVELOPMENT VARIANCE PERMIT – UNIVERSITY OF VICTORIA

MOVED by Councillor Brownoff and Seconded by Councillor Brice: “That Council approve and issue Development Variance Permit DVP00352 on Lot 1, Section 31, 44, 45, 71 & 72, Victoria District, VIP57957 (3800 Finnerty Road).”

CARRIED

Adjournment

On a motion from Councillor Brice, the meeting adjourned at 9:02 pm.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, MAY 5, 2014 AT 7:36 PM

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

2870-30
 Gorge Road
 West/Earl Grey
 Street

114 AND 120 GORGE ROAD WEST/2921 EARL GREY STREET – REZONING APPLICATION – ERIC BARKER ARCHITECT INC.

Report of the Director of Planning dated November 29, 2013 recommending Council amend the Tillicum Local Area Plan to include 2921 Earl Grey Street on Map 7.2 and include it in the Obed South Development Permit Area, and approve the rezoning from RS-6 to RA-3 and Development Permit DPR00506 for a proposed four-storey, 24 unit apartment building with underground parking; and that final reading and ratification of the Development Permit be withheld pending registration of a consolidated plan for the three lots and registration of a covenant to secure construction of the development to a minimum EnerGuide 80 or equivalent energy efficiency standard, and \$36,000 to the Saanich Affordable Housing Fund. Report of the Advisory Design Panel dated August 29, 2012 recommending approval of the design subject to the applicant addressing the items noted.

The applicant, Mr. E. Barker, Eric Barker Architect Inc. presented to Council and highlighted the following:

- The lot on Earl Grey Street is currently zoned RS-6; the application is to rezone this property to RA-3 and consolidate the three lots for multi-family housing.
- Underground parking and the addition of three extra parking stalls should alleviate the neighbours' concerns of overflow parking on the street.
- A 6 meter corner cut will improve visibility at the corner of Earl Grey Street and Gorge Road; construction of a separated sidewalk on Gorge Road will enhance the pedestrian environment.
- Sustainability features include a green roof, construction to an EnerGuide 80 energy efficiency standard, the addition of electric car charging stations, and storm water management through rain gardens and a dry stream bed.
- The Garry oak in the northeast corner of the site will be retained; the Garry oak, as well as additional planting, will mitigate privacy impacts on the neighbours to the north.
- The applicant will donate vinyl-wrapped garbage cans depicting historic scenes for use in Gorge Park.

In response to questions from Council, the applicant stated:

- The green roof will retain some water with the excess roof water directed into the rain gardens.
- Conduits will be considered for future solar-ready features.
- Consideration will be given to decoupling parking from purchase of suites.
- The existing dwelling on the site will be deconstructed.
- Care will be exercised to protect the Garry oak tree and the critical root zone.
- A plaque will be designed to inform residents of the significance of the Garry oak tree on site.
- The applicant is committed to assisting the neighbour by repairing the foundation of their dwelling following construction of this project.

- The wording of the Community Contribution to the Saanich Affordable Housing Fund could be changed to state \$36,000 or \$1,500 per unit, whichever is greater.
- Accessibility of the rooftop garden will be addressed.

PUBLIC INPUT:

M. Bray, Earl Grey Street stated:

- He questions whether the number of suites will increase.

Councillor Wade stated:

- Changing the wording to a “per unit” basis would allow for the maximum contribution to the Saanich Affordable Housing Fund should additional suites be constructed; however, the addition of suites in this proposed development is unlikely.

In response to a question from a member of the public, the Director of Planning stated that it is not possible to increase the number of suites in this proposed development.

R. Wickson, President, Gorge Tillicum Community Association, stated:

- The applicant has consulted with neighbours and concerns have been addressed.
- This proposed development is a benefit to the community.

Motion:

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That a Public Hearing be called to further consider the rezoning application on Lot 15, Block R, Sections 11 and 12, Victoria District, Plan 860 (2921 Earl Grey Street).”

Councillor Derman stated:

- Neighbours’ concerns have been addressed; he is pleased with the applicant’s commitment to sustainability features.
- A stair lift could be considered for disabled access to the rooftop garden; decoupling parking from the purchase of suites could make them more affordable.

Councillor Wade stated:

- Disabled access to the rooftop gardens needs to be addressed at the Public Hearing.
- Neighbours were concerned about overflow parking on the street; decoupling may increase on-street parking.

Councillor Brice stated:

- She is pleased with the generous rear yard setback and the preservation of the Garry oak tree; this may not be the project for decoupling.
- The applicant should be congratulated for addressing neighbours’ concerns.

Councillor Gerrard stated:

- This is an attractive design and suitable land use; the proposed development is close to schools, services and public transit.

- Underground parking should alleviate the concern of overflow parking; privacy concerns by the neighbour have been mitigated by the change in the design.
- The trend for 9 foot ceilings may lead to more height variance requests.
- The lack of access to the rooftop garden needs to be addressed; he is pleased with the commitment to the neighbours regarding repair of the foundation.

Councillor Murdock stated:

- This is a thoughtful design that fits within the character of the neighbourhood; it is close to amenities, services and on public transit routes.
- The rooftop garden should be available to all owners; the separated sidewalk and landscaping complements the streetscape.
- Decoupling should be considered for major centres, but in this case, it may increase on-street parking.

Councillor Sanders stated:

- The concept of acknowledging the heritage and history of the community with the vinyl-wrapped garbage cans is admirable.
- Confirmation of deconstruction of the existing dwelling, a plaque for the Garry oak tree, and commitment to the repair of the neighbours' foundation should be addressed at the Public Hearing.

Councillor Wergeland stated:

- The consultation with the community is appreciated.

Councillor Brownoff stated:

- Accessibility of the rooftop garden needs to be addressed.
- The sidewalk improvements on Gorge Road are appreciated.

The Motion was then Put and CARRIED

2860-40
Gordon Head
Road

4351 GORDON HEAD ROAD – DEVELOPMENT VARIANCE PERMIT – CHRIS AND CHARMAINE PHILLIPS

Report of the Director of Planning dated March 27, 2014 recommending Council approve Development Variance Permit DVP00331 to vary the front yard setback, building height and single-face building height for proposed two-storey single family dwelling.

The applicants, C. and C. Phillips, Gordon Head Road, stated:

- The excessive slope and the site location in an Environmental Development Permit Area (EDPA) makes this property difficult to build on.
- The proposed dwelling will be situated within the footprint of the existing dwelling and driveway.
- The proposed design has the least impact on the environment and respects neighbours' views.
- Consultation with neighbours took place and no concerns were identified.

In response to questions from Council, the applicant stated:

- An elevator will not be included in this design.
- The existing dwelling will be deconstructed.
- The neighbour at 4343 Gordon Head Road is hoping to move the hydro pole from their lot onto this lot; trenching will be done for the move of the hydro pole and care will be taken to preserve the critical root zones of the Garry oak trees

on the site.

PUBLIC INPUT:

Nil

Motion:

MOVED by Councillor Derman and Seconded by Councillor Wergeland: “That it be recommended that Council approve and issue Development Variance Permit DVP00331 on Lot 1, Section 45, Victoria District, Plan 16045 (4351 Gordon Head Road).”

Councillor Derman stated:

- This proposed development is appropriate; the protection of natural features is appreciated.

Councillor Gerrard stated:

- This is a challenging site to develop; the Gordon Head Residents’ Association supports the application.
- The plan to build on the existing footprint to accommodate the onsite sewage treatment is appreciated.

The Motion was then Put and CARRIED

2860-40
Finnerty Road

3800 FINNERTY ROAD – DEVELOPMENT VARIANCE PERMIT – UNIVERSITY OF VICTORIA

Report of the Director of Planning dated March 26, 2014 recommending Council approve Development Variance Permit DVP00351 to vary the parking and building height for a proposed addition to the Continuing Studies Building. Report of the Advisory Design Panel dated February 11, 2014 recommending approval of the design.

Mayor Leonard declared, pursuant to Section 85 of the Council Procedure Bylaw, that he is a part-time instructor at the University of Victoria and therefore he will not take part in the discussion nor vote on a motion in respect of the Development Variance Permits at 3800 Finnerty Road (University of Victoria).

Councillor Murdock declared, pursuant to Section 85 of the Council Procedure Bylaw, that his spouse is employed by the University of Victoria and therefore he will not take part in the discussion nor vote on a motion in respect of the Development Variance Permits at 3800 Finnerty Road (University of Victoria).

Mayor Leonard and Councillor Murdock left the meeting at 8:27 p.m.

The applicant, N. Connelly, Director, Campus Planning and Sustainability along with D. Johnson, Hughes Condon Marler, Architects, presented to Council and highlighted the following:

- The proposed addition is to the existing Continuing Studies Building to provide additional space for the English Language Centre which operates the

- Pathways Program for international students.
- The University's Community Engagement Framework was used for the community consultation process.
- The primary design intention is to transform the low functioning courtyard area into a central atrium space with natural lighting.
- Introduction of vertical sunshades will provide maximum shading for the upper floors of the proposed building; planting of trees will provide shading for the lower level classrooms.
- Sustainability strategies within the project include a high performance building envelope, daylight and occupancy sensors for lighting, high performance LED lighting, a heat pump driven heating system, use of high efficiency motors, high efficiency plumbing fixtures and dual piping for a future grey water strategy.
- University of Victoria (UVic) promotes bicycling, walking and use of public transit.
- Most students in the Pathways Program are international students who generally do not have vehicles.

In response to questions from Council, the applicant stated:

- No concerns were received from the community.
- There will be designated male and female washrooms in this building to accommodate the cultural customs of international students; unisex washrooms will be available for disabled students.

PUBLIC INPUT:

Nil

Motion:

MOVED by Councillor Wade and Seconded by Councillor Brice: "That it be recommended that Council approve and issue Development Variance Permit DVP00351 on Lot 1, Section 31, 44, 45, 71 & 72, Victoria District, VIP57957 (3800 Finnerty Road)."

Councillor Wade stated:

- Most students attending class in this building are in the Homestay program and walk to school.
- The Transportation Demand Management (TDM) program needs to be monitored to ensure there is no increase in on-street parking.

Councillor Gerrard stated:

- This is an attractive design; the parking variance is supportable because UVic encourages using public transit, cycling, walking and ride-sharing.
- He appreciates that the Community Engagement Framework was utilized; the Gordon Head Residents' Association supports the application.

Councillor Derman stated:

- The TDM has reduced congestion in the community; few concerns were raised by neighbours.

Councillor Brownoff stated:

- The design elements and sustainability features of the proposed project are appreciated.
- Overflow parking on residential streets needs to be monitored.

The Motion was then Put and CARRIED

2860-40
Finnerty Road

3800 FINNERTY ROAD – DEVELOPMENT VARIANCE PERMIT – UNIVERSITY OF VICTORIA

Report of the Director of Planning dated April 17, 2014 recommending Council approve Development Variance Permit DVP00352 to vary off-street parking for proposed expansion of a transit exchange at the University of Victoria.

The applicant, N. Connelly, Director, Campus Planning and Sustainability along with J. Wadsworth, Senior Transit Planner, BC Transit, presented to Council and highlighted the following:

- This is a joint project between BC Transit and the University of Victoria (UVic).
- The project displaces 20 existing parking spaces; disabled parking spaces will be relocated to the Ring Road area south of the Student Union Building.
- The project will provide ten new bus bays.
- The project will require the removal of 21 trees; 63 replacement trees will be planted.
- Two rain gardens will be constructed to improve management of storm water.
- The Community Engagement Framework was utilized for information and consultation purposes.
- The modal split for public transit is approximately 30%; the new exchange and added service may encourage more students to use public transit.
- Campus parking at peak times during the year is at approximately 85% capacity.

In response to questions from Council, the applicant stated:

- The public has identified the need for increased transit service to UVic.

PUBLIC INPUT:

Nil

Motion:

MOVED by Councillor Brice and Seconded by Councillor Derman: “That it be recommended that Council approve and issue Development Variance Permit DVP00352 on Lot 1, Section 31, 44, 45, 71 & 72, Victoria District, VIP57957 (3800 Finnerty Road).”

Councillor Brice stated:

- It is reasonable to displace parking spaces for a public transit exchange; public transit reduces the use of vehicles.

Councillor Derman stated:

- Displacing parking spots for transit is practical.

Councillor Gerrard stated:

- Some students are frustrated with the transit service to UVic; transit discussions should be ongoing to ensure service is continually improved.
- The 3:1 ratio for tree replacement and the use of the Community Engagement Framework is appreciated.

Councillor Wade stated:

- The Gordon Head Residents’ Association notes it is important that designated disabled parking spaces are not reduced; information should be posted to show the location of alternative short-term parking.

Councillor Sanders stated:

- UVic has been successful in reducing parking spaces and encouraging alternative modes of transportation.

In response to a question from Council, the Director of Engineering stated that the number of complaints regarding parking has decreased. Several of the roads surrounding UVic have been designated "Residential Parking Only".

Councillor Wergeland stated:

- It would be interesting in the future to receive feedback from the student population in regard to transit service.

Councillor Brownoff stated:

- She is concerned that only 30% of the UVic population uses public transit.
- 3:1 tree replacement is appreciated.

The Motion was then Put and CARRIED

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

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK