

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JUNE 16, 2014 AT 7:30 PM

Present: **Chair:** Acting Mayor Brice
Council: Councillors Brownoff, Derman, Gerrard, Murdock, Sanders and Wergeland
Staff: Carrie MacPhee, Director of Legislative Services; Mike Lai, Acting Director of Engineering; Jarret Matanowitsch, Manager of Current Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

Minutes **ADOPTION OF MINUTES**

MOVED by Councillor Wergeland and Seconded by Councillor Brownoff:
“That Council adopt the minutes of the June 9, 2014 Council and Committee of the Whole meetings.”

CARRIED

BYLAWS

1110-30
Tree Protection
Bylaw

TREE PROTECTION BYLAW

Final Reading of the “Tree Protection Bylaw, 2014, No. 9272”. To regulate and prohibit the cutting, removal and damage of trees, the setting of fees and issuance of permits, and the requirement for replacement trees and security for their provision and maintenance; and to repeal Tree Preservation Bylaw, No. 7632.

MOVED by Councillor Derman and Seconded by Councillor Gerrard:
“That Bylaw No. 9272 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

1410-20
CRD Updates

CAPITAL REGIONAL DISTRICT ACTIVITIES UPDATE

Council members provided updates on a variety of Capital Regional District initiatives.

Adjournment

On a motion from Councillor Derman, the meeting adjourned at 7:47 pm.

The meeting reconvened at 8:41 pm.

RECOMMENDATIONS

From the Committee of the Whole Meeting held June 16, 2014

2860-40
Maywood Road

1241 AND 1249 MAYWOOD ROAD – DEVELOPMENT VARIANCE PERMIT – LARRY TRUPP

MOVED by Councillor Derman and Seconded by Councillor Murdock: “That Development Variance Permit DVP00320 on Lot A, Section 62, Victoria District, Plan 918 and Lot 13, Section 62, Victoria District, Plan 918 (1241 and 1249 Maywood Road) be rejected.”

CARRIED

Adjournment

On a motion from Councillor Gerrard, the meeting adjourned at 8:42 pm.

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ACTING MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JUNE 16, 2014 AT 7:49 PM

Present:

- Chair:** Councillor Sanders
- Council:** Acting Mayor Brice and Councillors Brownoff, Derman, Gerrard, Murdock and Wergeland
- Staff:** Carrie MacPhee, Director of Legislative Services; Mike Lai, Acting Director of Engineering; Jarret Matanowitsch, Manager of Current Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

2860-40
Maywood Road

1241 AND 1249 MAYWOOD ROAD – DEVELOPMENT VARIANCE PERMIT – LARRY TRUPP

Report of the Director of Planning dated April 2, 2014 recommending Council approve Development Variance Permit DVP00320 to vary lot widths and setbacks for a proposed two lot residential subdivision at 1241 Maywood Road, and to vary setbacks for a proposed new single family dwelling at 1249 Maywood Road; and that ratification be withheld pending provision of a suitable cost estimate and performance surety to ensure the protection and retention of the boulevard trees, and payment of \$1,175.00 in lieu of the planting and maintenance of one Schedule I boulevard tree, and registration of a covenant to require the three new dwellings to be constructed to a BuiltGreen™ Gold (or equivalent) energy efficiency standard.

In response to a question from Council, the Manager of Current Planning stated the applicant has not discussed restricting the size of the proposed dwellings.

On behalf of the applicant, D. Carriere, J.E. Anderson & Associates, presented to Council and highlighted the following:

- Historically, the property consisted of three lots; over the years, the three lots were consolidated into two.
- This application is an attempt to re-establish the original three lots.
- Lot 13 is an existing parcel and can be developed with no variances; building on Lot 13 would require removal of trees for the construction of a driveway and installation of services.
- The size of the proposed dwellings is limited by the lot width and various restrictions.
- The rear 60% of the property falls within the Environmental Development Permit Area (EDPA); the proposed dwellings would be sited at the front of the properties to save trees.
- Six trees would have to be removed to accommodate the proposed building envelopes.
- The neighbours' concerns had been incorporated into the application; the Community Association contacted the applicant today to advise that their position had changed.

In response to questions from Council, D. Carriere stated:

- The proposed dwellings will be built to approximately 1,300 square feet per floor.
- The ivy will be removed from the trees on the property.

- Each proposed dwelling will have a double-car garage and parking for two additional cars.
- A covenant is required for the EDPA area of the property.

PUBLIC INPUT:

J. Schmuck, President of the Quadra Cedar Hill Community Association, stated:

- The Community Association does not support the creation of three narrow lots with three dwellings that could include secondary suites.
- On-street parking for visitors and possible secondary suites is a concern; the unique nature of Maywood Road needs to be preserved.
- The Community Association would support the creation of two equal-sized lots on this property.

E. Higgs, Maywood Road, stated:

- He would support a measured development of the property with two lots of equal width.
- The addition of three dwellings would significantly change the openness and character of the neighbourhood.
- Creation of a pedestrian right-of-way from Maywood Road to Peacock Park should be considered.

L. Bourke, Maywood Road, stated:

- Three dwellings on the property will disfigure the neighbourhood; loss of privacy and the removal of trees are concerns.
- Two equal-sized lots are supportable.

J. Spriggs, Maywood Road, stated:

- Re-establishment of the three lots is not appropriate today; vehicles were not a consideration when the original lots were created.
- To approve three lots would not protect the integrity of the neighbourhood; there is concern that two driveways would be servicing three dwellings, with the possibility of secondary suites.
- On-street parking and traffic congestion is a concern.
- Two lots with an easement to provide access to Peacock Park is supportable.

C. Recinos, Maywood Road, stated:

- Two lots on this property would fit within the character of the neighbourhood.
- The EDPA did not exist when the original three lots were developed and would have allowed for the staggering of dwellings on the lots.
- Three narrow lots in this neighbourhood is not supportable.

S. Cairns, Maywood Road, stated:

- Three narrow lots on this property are not in keeping with the character of the neighbourhood.
- The EDPA ensures that the rear 60% of the property remains in a natural state.
- Removal of the Pacific Dogwood on Lot 13 is a concern.

Motion:

MOVED by Councillor Derman and Seconded by Councillor Gerrard: "That it be recommended that Development Variance Permit DVP00320 on Lot A, Section 62, Victoria District, Plan 918 and Lot 13, Section 62, Victoria District, Plan 918 (1241 and 1249 Maywood Road) be rejected."

Councillor Derman stated:

- Infill should preserve the character of the neighbourhood; re-establishment of the original three lots is not suitable for the present day.
- Two equal-sized lots are supportable.

Councillor Wergeland stated:

- The lots are reasonably sized but narrow; the addition of secondary suites and the vehicles that go with them adds to the parking concerns of the neighbours.
- Neighbours' concerns need to be considered.

Councillor Gerrard stated:

- The addition of three houses in this neighbourhood would not be in context and would damage the streetscape.
- He appreciates the comments of the neighbours.
- The Community Association has concerns with the application.

Councillor Brownoff stated:

- This is a unique neighbourhood and should be maintained; the comments made by the neighbours need to be considered.
- Three dwellings on this property would not be in keeping with the character of the neighbourhood.

Councillor Murdock stated:

- He appreciates the comments of neighbours; the addition of the three dwellings would be a dramatic change to the neighbourhood.
- He appreciates the applicant's efforts towards BuiltGreen™ Gold and the covenant for the EDPA.

Councillor Brice stated:

- This was an earnest effort on behalf of the applicant; it is important to hear from neighbours regarding the impact of development.
- The narrowness of the lots and the closeness of the proposed dwellings to the street would detract from the neighbourhood.

Councillor Sanders stated:

- The EDPA reduces the area on the property for development; she appreciates hearing the comments from neighbours and the Community Association.
- The applicant should consider the comments.

The Motion was then Put and CARRIED

2860-40
West Saanich
Road

5661 WEST SAANICH ROAD – DEVELOPMENT VARIANCE PERMIT – NORM PUGH, ANNE AND ROBERT WARREN

Report of the Director of Planning dated May 13, 2014 recommending Council approve Development Variance Permit DVP00338 to vary lot widths for a proposed two lot residential subdivision; and that prior to ratification a covenant be registered to require that the owners shall not construct, erect or place any building or structure, excluding fences, on or over the forested area at the rear (easterly) portion of the property.

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

- A Natural State Covenant protects the forest and ensures that the property remains in its natural state.
- A “No Build” covenant has been suggested, whereby the applicants would be able to use and manage the forest but not be able to build on the forested area.
- There is a limit of one dwelling on each property.

The applicants, N. Pugh, A. and R. Warren, presented to Council and highlighted the following:

- The application is a result of the owners’ need for estate planning; if the properties are subdivided, in case of unforeseen circumstances, dispersal of the estate could be completed without affecting the remaining owner.
- The property could be subdivided in an east to west configuration without any variances but that would require removal of one existing dwelling and impact a large portion of the forested area.
- If this application is approved, there will be no changes to the property.
- A reciprocal easement will be registered to allow the continued shared use of the existing driveway.

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 DVP00338 on Lot 2, Section 83, Lake District, Plan 2668 (5661 West Saanich Road), and that prior to ratification a covenant be registered to require that the owners shall not construct, erect, or place any building or structure, excluding fences, on or over the forested area at the rear (easterly) portion of the subject property.”

Councillor Brice stated:

- The application is supportable because it allows this property to stay intact; she commends the applicants for their forward-thinking and planning.

Councillor Derman stated:

- This is a logical approach to subdivision; he thanks the applicants for their long-term stewardship of the property.

The Motion was then Put and CARRIED

Adjournment On a motion from Councillor Derman, the meeting adjourned at 8:40 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK