



# AGENDA

For the Council Meeting to be Held  
At the Saanich Municipal Hall,  
770 Vernon Avenue  
**MONDAY, NOVEMBER 14, 2016.**

I 6:00 P.M., COMMITTEE ROOM NO. 2

Motion to close the meeting to the public in accordance with Section 90 (1) (a) of the *Community Charter*.

II 7:00 P.M., COUNCIL CHAMBERS

A. ADOPTION OF MINUTES

1. Council meeting held October 24, 2016
2. Committee of the Whole meeting held October 24, 2016

B. RATIFICATION OF PERMIT APPROVAL

- P. 3** 1. **4396 WEST SAANICH ROAD – DEVELOPMENT PERMIT AMENDMENT**  
From the Committee of the Whole meeting held June 13, 2016, approval of Development Permit Amendment DPA00852 for a proposed six-storey, 60-unit apartment building with underground parking.

C. PUBLIC INPUT (ON BUSINESS ITEM D)

D. RECOMMENDATIONS FROM COMMITTEES

- P. 4** 1. **GOVERNANCE REVIEW CITIZENS ADVISORY COMMITTEE (GRCAC) – RESPONSE TO CALL FOR SUBMISSIONS**  
Recommendation from the October 12, 2016 Governance Review Citizens Advisory Committee meeting that the GRCAC report to Council on the offer of the consulting contract to Sirius Strategic Solutions Ltd.

- P. 5** 2. **ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE – CELEBRATING CANADA'S 150 SESQUICENTENNIAL – COMMUNITY LEADERS**  
Recommendation from the October 27, 2016 Arts, Culture and Heritage Advisory Committee meeting that Council nominate the individuals identified in the report as Saanich's Federation of Canadian Municipalities Canada 150 Community Leaders.

- P. 9** 3. **ARTS, CULTURE AND HERITAGE ADVISORY COMMITTEE – ARTS CENTRE SIGN AT CEDAR HILL RECREATION CENTRE**  
Recommendation from the October 27, 2016 Arts, Culture and Heritage Advisory Committee meeting that Council consider signage that reflects the activities at the Cedar Hill Community Recreation Centre, and that the name of the facility be changed to the Saanich Arts and Recreation Centre.

\* \* \* Adjournment \* \* \*

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## AGENDA

For the Committee of the Whole Meeting  
\*\* IMMEDIATELY FOLLOWING\*\*  
The Council Meeting in the Council Chambers

1. **986 & 990 DOUMAC AVENUE – DEVELOPMENT PERMIT AND REZONING**  
**P. 12** Report of the Director of Planning dated October 11, 2016 recommending that Council amend the Zoning Bylaw to add a new RA-VC (Apartment-Village Centre) Zone, rezone the property from Zone RS-18 (Single Family Dwelling) to the new Zone RA-VC, approve Development Permit DPR00640 for a proposed four-storey, 25-unit strata titled apartment project with underground parking, and that final reading of the Zoning Amendment Bylaw be withheld pending registration of a covenant to secure the items as outlined in the report. A Form and Character Development Permit is also required.
  
2. **2893 SEA VIEW ROAD – REQUEST FOR REMOVAL FROM THE ENVIRONMENTAL DEVELOPMENT PERMIT AREA (EDPA)**  
**P. 99** Report of the Director of Planning dated October 27, 2016 recommending that Council not support the request to remove the property from the EDPA for the reasons outlined in the report.
  
3. **4573 PROSPECT LAKE ROAD – COVENANT AMENDMENT**  
**P. 122** Report of the Director of Planning dated October 28, 2016 recommending that Council discharge Restrictive Covenant K75432, and that the discharge of the Restrictive Covenant be withheld pending the registration of a new covenant to protect a key area of environmental significance as outlined in the report.

\* \* \* Adjournment \* \* \*

“IN CAMERA” COUNCIL MEETING IMMEDIATELY FOLLOWS



LEGISLATIVE SERVICES

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# Memo

**To:** Mayor and Councillors File: 2860-20 West Saanich

**From:** Donna Dupas, Legislative Manager

**Date:** November 8, 2016

**Subject:** **4396 West Saanich Road – Ratification of Development Permit Amendment**

At a Committee of the Whole meeting held June 13, 2016, Council considered Development Permit Amendment DPA00852 at the above noted property. Ratification of the Development Permit Amendment was withheld pending registration of a covenant to secure construction to a BUILT GREEN ® Gold or equivalent energy efficient standard; registration of a statutory right-of-way for the pedestrian/cycling pathway along the northern portion of the property; and registration of a housing agreement to prohibit a Strata Bylaw or Strata Council from restricting rental of an apartment dwelling unit for residential purposes.

Please note that all outstanding items have been addressed and Council is requested to approve Development Permit Amendment DPA00852. This item is scheduled for the Council meeting on November 14, 2016.

If you have any questions please contact me at extension 3500.

Donna Dupas,  
Legislative Manager

dh

cc: Paul Thorkelsson, CAO  
Carrie MacPhee, Director of Legislative Services  
Sharon Hvozdzanski, Director of Planning  
Harley Machielse, Director of Engineering

**CM**  
**B.1**

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Legislative Services  
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cnc) Nov 14/16



LEGISLATIVE SERVICES

File: 1790-20 GRCAC

## Memo

Mayor  
Councillors  
Administrator

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Media

To: Donna Dupas, Legislative Manager

From: Tania Douglas, Senior Committee Clerk

Date: October 13, 2016

Subject: **Governance Review Citizen Advisory Committee –  
Response to Call for Submissions – Sirius Strategic Solutions Ltd.**

At the October 12, 2016 Governance Review Citizen Advisory Committee (GRCAC) meeting, a presentation was received from Jennifer Kroeker-Hall of Sirius Strategic Solutions Ltd., outlining how their firm could assist the GRCAC in its review of the governance structure and policies within Saanich and its partnerships within the region.

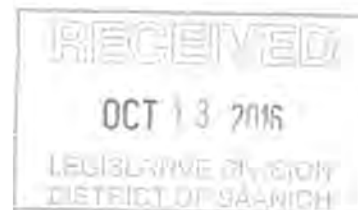
The Committee considered the proposal and resolved as follows:

**“That the Governance Review Citizen Advisory Committee report to Council on the offer of the consulting contract to Sirius Strategic Solutions Ltd., as negotiated per the discussion with Jennifer Kroeker-Hall, regarding their proposal dated September 26, 2016.”**

A handwritten signature in blue ink that reads "T Douglas".

Tania Douglas  
Senior Committee Clerk

cc: J. Schmuck, Chair, GRCAC







LEGISLATIVE SERVICES

# Memo

Mayor  
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Administrator

Council  
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**To:** Donna Dupas, Legislative Manager

**From:** Tania Douglas, Senior Committee Clerk  
Arts Culture and Heritage Advisory Committee

**Date:** November 3, 2016

**Subject:** Celebrating Canada's 150<sup>th</sup> Sesquicentennial – Community Leaders

At the October 27, 2016 meeting, the Chair submitted a report from the Arts, Culture and Heritage Advisory Committee Canada 150 Working Group which recommends the nomination of community leaders from the committee as per the Federation of Canadian Municipalities request for nominations of individuals to help coordinate activities associated with the 150<sup>th</sup> celebrations.

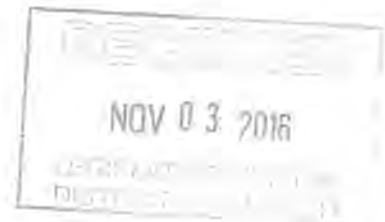
Committee members moved as follows:

**“That the Arts, Culture and Heritage Advisory Committee nominate Vicki Sanders, Lyris Agarat, Michelle Sealey and Bill Williamson as Saanich’s Federation of Canadian Municipalities (FCM) Canada 150 Community Leaders.”**

A copy of the report from the Arts, Culture and Heritage Advisory Committee Canada 150 Working Group is attached for information.

Tania Douglas

copy: Kelli-Ann Armstrong, Senior Manager, Recreation Services  
Councillor Sanders, Chair



**Report from the Arts, Culture and Heritage Advisory Committee  
Canada 150 working group**

From: Vicki Sanders, ACH Chair

Date: October 27, 2016

The Federation of Canadian Municipalities (FCM) has requested nominations of individuals to help coordinate activities that recognize and commemorate Canada's 150<sup>th</sup> anniversary of Confederation in 2017. The FCM is creating a network of Canada 150 Community Leaders. They are looking for several community leaders from each municipality to help coordinate events. Canada 150 Community Leaders will serve as the local representatives at Canada 150 events in their communities and as a contact to share Canada 150 information.

**RECOMMENDATION:**

**The Arts, Culture and Heritage Advisory Committee nominate Vicki Sanders, Lyris Agarat, Michelle Sealey and Bill Williamson as Saanich's Federation of Canadian Municipalities (FCM) Canada 150 Community Leaders.**

[Skip to main content](#)



## Canada 150 Community Leaders

### Bringing the voice of municipalities to Canada 150

On Canada's 150<sup>th</sup> anniversary of Confederation let's celebrate cities and communities — the places we call home — which make our country great.

From September to December 2016, municipal councils will identify a representative in their city or community to form part of an official network of Canada 150 Community Leaders. This network of Community Leaders will ensure the voices of municipalities across Canada are showcased as part of Canada150.

Community Leaders will be the community voice of Canada 150 at local events, and when possible, they will share images and stories about their communities to create an insightful mosaic of our nation. These leaders will be a touch point to share information about Canada150.

### Nominate your Community Leader today

FCM President [invites](#) all municipalities to name a representative to the Canada 150 Community Leaders Network.



Use our [Recruitment Toolkit](#) to help you identify your Community Leader and announce your participation in this nation-wide network.

Submit your [nomination online](#).  
(or download a [printable form](#))

Be part of the celebration by identifying a leader in your community before the December 2016 deadline.

**Together, the networking of Community Leaders will amplify the celebrations taking place from coast to coast to coast!**

Page Updated: 28/09/2016  
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cncl Nov 14/16



LEGISLATIVE SERVICES

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# Memo

**To:** Donna Dupas, Legislative Manager

**From:** Tania Douglas, Senior Committee Clerk  
Arts Culture and Heritage Advisory Committee

**Date:** November 4, 2016

**Subject:** Arts Centre Sign at Cedar Hill Recreation Centre

At the October 27, 2016 Arts, Culture and Heritage Advisory Committee meeting, the Chair submitted a report for discussion regarding the signage at Cedar Hill Recreation Centre. Committee members rescinded a previous recommendation to staff that the signage wording be changed and the following motion was approved:

- “That the Arts, Culture and Heritage Advisory Committee recommends that:**
- **Council consider signage that reflects the activities at the Cedar Hill Community Recreation Centre; and,**
  - **The name of the facility be changed to the ‘Saanich Arts and Recreation Centre.’”**

A copy of the report from Councillor Sanders that facilitated committee’s discussion, along with photographs of the facility, is attached for information.

Tania Douglas

copy: Kelli-Ann Armstrong, Senior Manager, Recreation Services  
Councillor Sanders, Chair



CM  
D.3



### Saanich's Best Kept Secret "The Arts Centre at Cedar Hill".

Saanich has the only municipally owned and operated arts centre in the capital region. It is truly a regional facility attracting participation from throughout the region. Not only is it a facility offering programming in a variety of arts choices it also offers exhibition space for visual art works both in two and three dimensional format in the Cafe area.

It is a purpose built 1280 m2 addition to the 1973 Cedar Hill recreation facility. Following extensive community consultation it was completed in 2010 at a cost of \$4m.

"The arts wing of Cedar Hill's recreation centre buzzes with the energy and activity of regulars aged 2 to 92. Dancers flit through the hallways, pottery wheels spin, daycare students hold court in their playground, and local artists display their work in the community art gallery".

HCMA architecture + design

Recommend that the "Cedar Hill Recreation Centre" sign on the south side (North Dairy Road) be changed to the "Cedar Hill Arts and Recreation Centre".



North view from chip trail



Main Entrance



East side (Cedar Hill Road)

**The Arts Centre**

Existing sign on south side of Cedar Hill Arts and Recreation Centre (North Dairy Road)



2/05 Nov 14, 2016  
1410-04 planning  
x: 2590-30 Doumac



The Corporation of the District of Saanich

Mayor  
Councillors  
Administrator

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Media

# Report

**To:** Mayor and Council  
**From:** Sharon Hvozdanski, Director of Planning  
**Date:** October 11, 2016  
**Subject:** Development Permit and Rezoning Application  
File: DPR00640; REZ00569 • 986 & 990 Doumac Avenue



## PROJECT DETAILS

**Project Proposal:** The applicant proposes to rezone two lots from the RS-18 (Single Family Dwelling) Zone to a new RA-VC (Apartment-Village Centre) Zone in order to construct a 4-storey, 25 unit strata-titled apartment project with underground parking. A Form and Character Development Permit is also required.

**Address:** 986 & 990 Doumac Avenue

**Legal Description:** Amended Lot 5 (DD 248221-1), Block 1, Section 31, Lake District, Plan 1444  
Lot 4, Block 1, Section 31, Lake District, Plan 1444

**Owner:** James C. Hemeon & Lorraine A. Hemeon

**Applicant:** Praxis Architects Inc.

**Parcel Size:** 1671.87 m<sup>2</sup>

**Existing Use of Parcel:** Single Family Dwellings

**Existing Use of Adjacent Parcels:** North: RT-3 (Attached Housing) Zone  
South: C-3 (Shopping Centre) Zone  
East: C-1 (Local Commercial) Zone and C-9 (Local Service Station) Zone (Unused)  
West: RS-18 (Single Family Dwelling) Zone

**Current Zoning:** RS-18 (Single Family Dwelling) Zone

**Minimum Lot Size:** N/A

**Proposed Zoning:** RA-VC (Apartment-Village Centre) Zone

**Proposed Minimum****Lot Size:** N/A**Local Area Plan:** Cordova Bay**LAP Designation:** General Residential**Community Assn Referral:** Cordova Bay Association for Community Affairs • Letter of support received April 15, 2016.

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**PROPOSAL**

The applicant proposes to rezone two lots from the RS-18 (Single Family Dwelling) Zone to a new RA-VC (Apartment-Village Centre) Zone in order to construct a 4-storey, 25 unit strata-titled apartment with underground parking. A Form and Character Development Permit is also required.

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**PLANNING POLICY****Official Community Plan (2008)**

- 4.2.2.1. "Support and implement the eight strategic initiatives of the Regional Growth Strategy, namely: Keep urban settlement compact; Protect the integrity of rural communities; Protect regional green and blue space; Manage natural resources and the environment sustainably; Build complete communities; Improve housing affordability; Increase transportation choice; and Strengthen the regional economy."
- 4.2.2.14. "Encourage the use of "green technologies" in the design of all new buildings."
- 4.2.2.18. "Encourage new development to achieve higher energy and environmental performance through programmes such as "Built Green", LEED or similar accreditation systems."
- 4.2.2.20. "Require building and site design that reduce the amount of impervious surfaces and incorporate features that will encourage ground water recharge such as green roofs, vegetated swales and pervious paving material."
- 4.2.3.2. "Support developments in "Centres" and "Villages" that:
- encourage diversity of lifestyle, housing, economic, and cultural opportunities;
  - concentrate the greatest densities of residential and employment activity near the centre or focal area of each Centre/Village and locate lower densities and building heights near the periphery;
  - provide publicly accessible open space that complements the public realm, and create identifiable focal points within each Centre/Village;
  - sets aside land for public open space in the form of natural areas, parks, playgrounds, open air plazas and other assembly and activity spaces;
  - protect and encourage traditional "mainstreet" streetscapes;



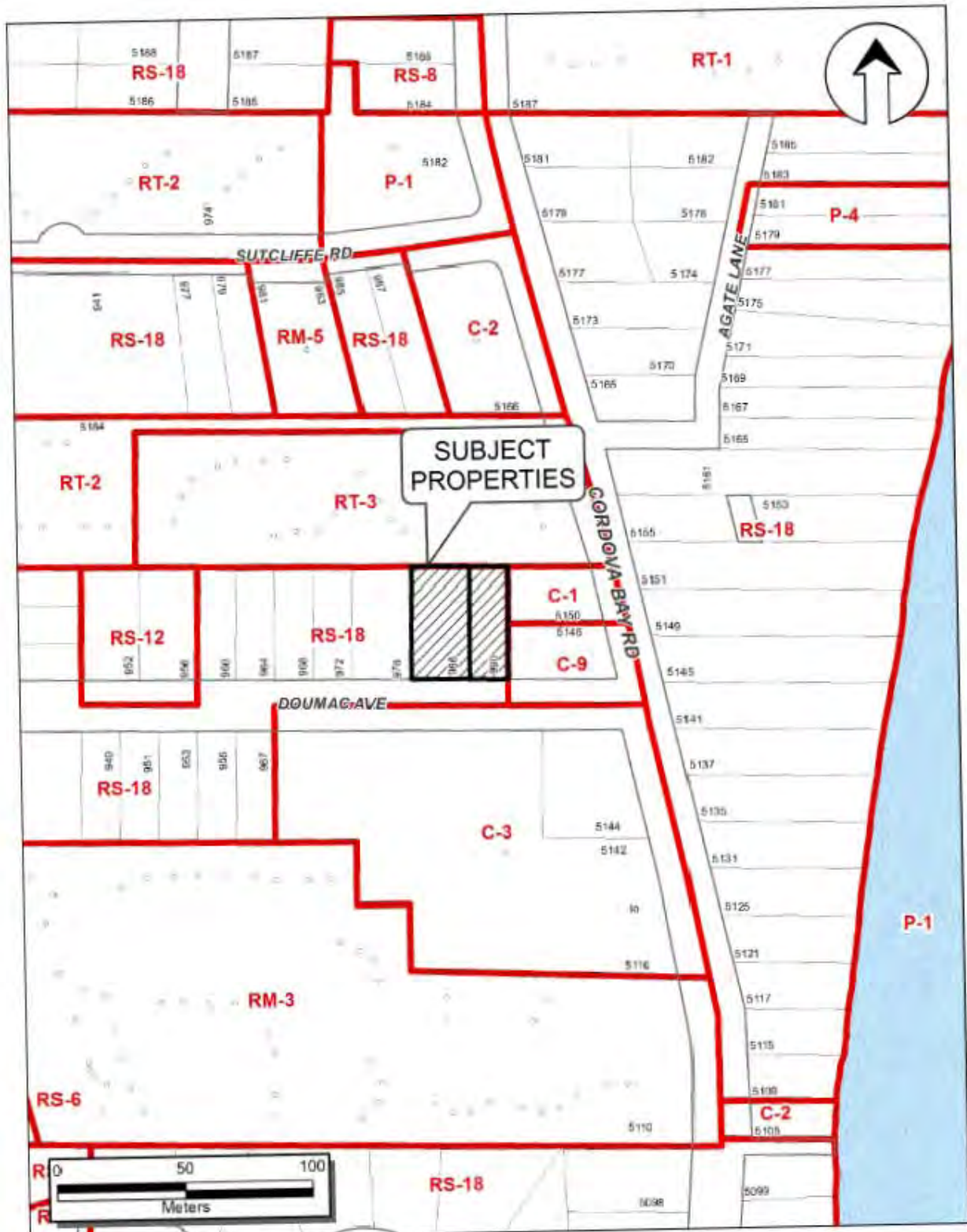


Figure 1: Context Map



- encourage the integration of residential, commercial, and public land uses both within buildings and between adjacent sites;
- complement and integrate new development with adjacent existing development;
- provide for a range of housing options by location, type, price and tenure;
- support the integration of institutional uses as community focal points to maximize opportunities for accessing essential amenities and services;
- integrate and support the use of alternative transportation; and
- account for and mitigate through traffic on major streets and collectors roads.
- result in reduced energy use, net energy generation and reduced Greenhouse Gas emissions.
- create or enhance the node's unique "sense of place".

4.2.3.9. "Support the following building types and uses in "Villages":

- Small lot single family houses (up to 2 storeys)
- Carriage/coach houses (up to 2 storeys)
- Town houses (up to 3 storeys)
- Low-rise residential (3-4 storeys)
- Mixed-use (commercial/residential) (3-4 storeys)
- Civic and institutional (generally up to 3 storeys)."

5.1.2. 1. "Focus new multi-family development in "Centres" and "Villages"."

5.1.2.2 "Evaluate applications for multiple family developments on the basis of neighbourhood context, site size, scale, density, parking capacity and availability, underground service capacity, school capacity, adequacy of parkland, contributions to housing affordability, and visual and traffic/pedestrian impact."

### **Cordova Bay Local Area Plan (1998)**

7.6 "Support in principle rezoning applications for attached housing within the village core as indicated on Map 7.2."

7.7 "Consider the impact of new development on established views through the rezoning, development permit and subdivision process."

### **Cordova Bay Village Development Permit Area Guidelines**

Key guidelines include massing and scale that is compatible with adjacent development; village-like character; strong pedestrian focus; vehicle access to Sutcliffe Road, Doumac Avenue, or Cordova Bay Road; and retention of existing trees wherever possible.

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## **DISCUSSION**

### **Neighbourhood Context**

The 1671.87 m<sup>2</sup> site is located in Cordova Bay "Village" on the north side of Doumac Avenue. It comprises two lots, each containing single family dwellings. Surrounding land use is attached

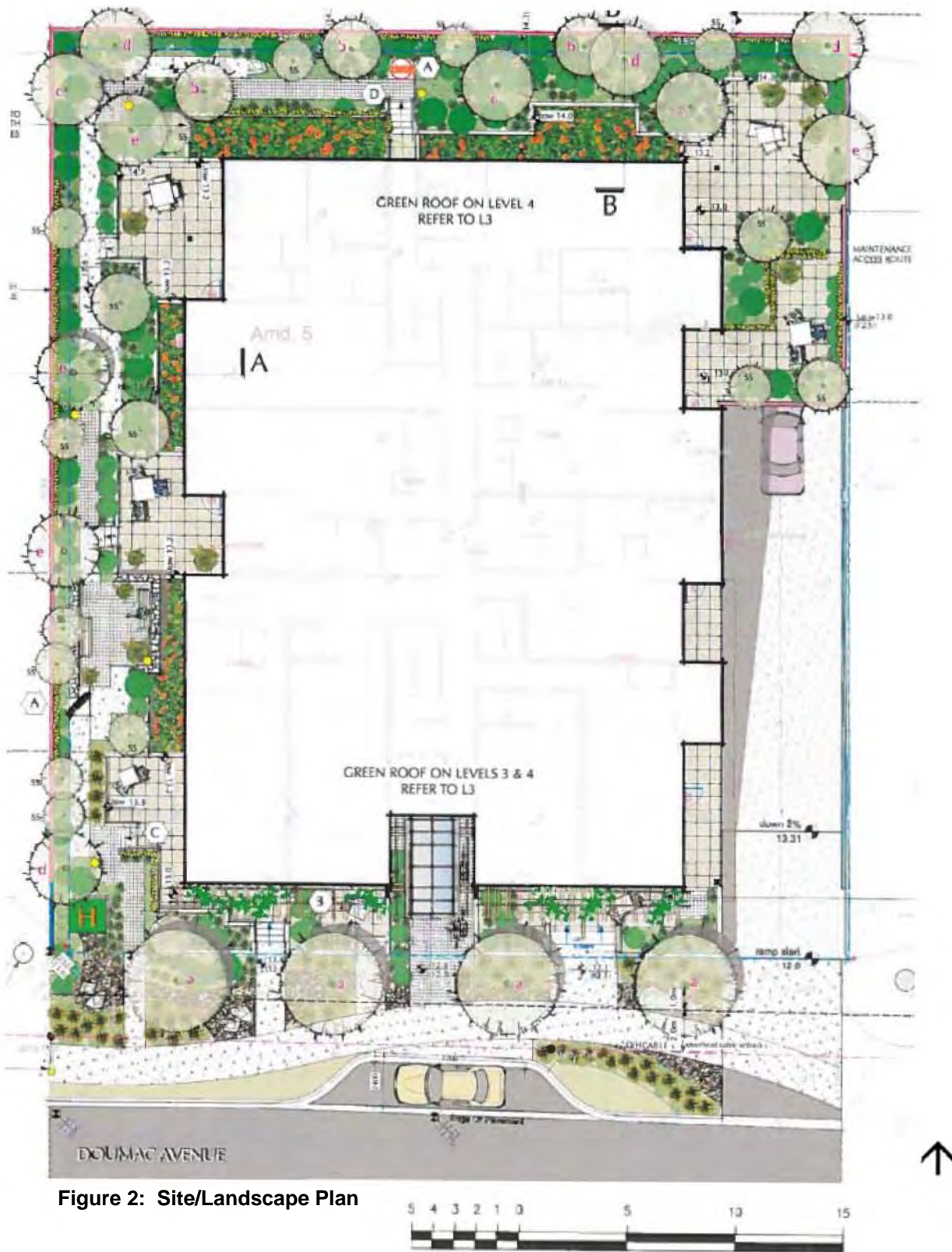


Figure 2: Site/Landscape Plan





Figure 3: Cordova Bay Village 2015 Air Photo (Source: Saanich GIS Maps)



Figure 4: Cordova Bay Village Streetscape (Source: Google Maps)

housing to the north, commercial and a vacant parcel to the east, single family dwellings to the west, and Cordova Bay Plaza Shopping Center to the south. The site is located close to “Village” services, Cordova Bay Elementary School, Cordova Bay Senior’s Centre, Cordova Bay beach, and Doumac Park. Doumac Avenue is a local pedestrian connector to Lochside Regional Trail.

### **Land Use**

The site and surrounding area is designated in the Official Community Plan (OCP) as a “Village” Centre. “Villages” are small local nodes, with a historical basis, that meet local residents’ basic commercial and service needs. They also provide a limited amount of multiple family housing, and they are typically serviced by a single bus route. The OCP supports low-rise residential (3 to 4 storeys) in “Villages”.

The “Village” area, historically, has provided a range of services to Cordova Bay residents and seasonal visitors since the first grocery store opened in the “Village” in 1911. In the late 1920s and early 1930s, a tea room, dance pavilion, auto court and summer cabins were also added. McMorran’s Seaview Shopping Plaza (now Cordova Bay Plaza) was constructed in 1960.

During the 1980s, several sites in the “Village” were developed for multi-family housing including the Cordova Bay Beach Estates development south of the plaza which includes a mixture of apartments and attached housing, and attached housing developments north of the plaza on Cordova Bay Road and on Sutcliffe Road.

In 1999, Council approved a Development Permit Application to construct a new 3800 m<sup>2</sup> shopping centre to replace Cordova Bay Plaza. The proposal included a grocery store, a 3-storey mixed-use building with retail on the ground floor and 16 apartment units above, a bank, and a small retail building fronting on Cordova Bay Road. Issuance of the Development Permit was withheld pending site consolidation and resolution of site contamination issues. As a result of the significant delay to resolve the contamination issues, that development has not been constructed. In 2012, the Province issued a Certificate of Compliance for the shopping centre site.

The lack of a full range of services in the “Village” to serve a growing population in Cordova Bay has contributed to the evolution of Mattick’s Farm, located ±800 m to the north, into a type of “Village” that provides a broad range of services to area residents as well as visitors to the area.

The proposal would be the first multi-family housing development along Doumac Avenue which, with the exception of the shopping centre, comprises mostly single family dwellings. It is anticipated that over time the shopping centre will redevelop and land use along Doumac Avenue will transition to various forms of infill housing. In the interim, the impact of new development on the remaining housing can be mitigated through careful design including such features as underground parking, stepped building design, articulated façades and high quality landscaping.

The proposed 25 unit apartment would comply with OCP policies that support multi-family housing, up to 4-storeys in height, in “Villages”. It would provide a housing alternative for area residents wishing to downsize from a single family dwelling but remain in the neighbourhood close to a range of services and Cordova Bay beach. For these reasons, the proposed land use can be supported.

### Site and Building Design

The proposed 4-storey apartment would be constructed over underground parking. Access to the building would be from Doumac Avenue. The ramp to the underground parkade would be along the east property boundary. The building would contain a mixture of one and two-bedroom units, some of them with dens. Four 2-storey, townhouse-like units would be provided along the Doumac Avenue frontage. These two-bedroom units would be accessible from hallways within the building or directly from private patios adjacent to the street.

To create a strong pedestrian focus and presence on the street the building would be sited 2.6 m from the property line abutting Doumac Avenue. Other proposed setbacks are 6.18 m from the rear lot line, 5.4 m from the easterly side lot line and 6.5 m from the westerly side lot line. Decks for the townhouses would be provided at the second floor level. The building would be stepped back at the upper levels. Green roofs would be provided at the front of the building on levels 3 and 4 and at the rear of the building on level 4. Exterior cladding would include grey stucco; natural wood, brick, and fibre-reinforced cement board siding; pre-finished black metal flashing; aluminum windows and doors; and metal and glass balcony railings. Two levels of glazing would help to accentuate the front entrance to the building.



Figure 5: Proposed Green Roof





Figure 6: Streetscape View (Looking north from Doumac Avenue)



Figure 7: South (Front) Elevation



Figure 8: North (Rear) Elevation

The townhouse-style units at the front of the building, the stepping of the upper floors, articulation of the façade and the variety of building materials would help to create visual interest. The high quality landscape design and generous balcony and patio spaces would contribute to liveability for the future owners.

Respecting the green roofs, some HPO warranty providers will not warranty residential buildings with green roofs due to the potential for building envelope failure. The applicant has confirmed with his warranty provider that there is no issue with providing green roofs on this building subject to the use of best management practices and installation by a qualified roofing contractor.

### **Environment**

The site rises in elevation about 2.0 m from southeast to northwest. An Arborist's Report was prepared for the site by Talbot Mackenzie & Associates Consulting Arborists. The report states that there are 27 trees located within the properties boundaries. The tree resource on the site consists of a mixture of native and non-native species. Many of the trees have developed poor structures as a result of the lack of maintenance.

Construction of the underground parking would require excavation to the property line on all sides and would require removal of all of the 27 trees on the site. In addition, it is anticipated that two trees on the neighbouring property at 5150 Cordova Bay Road and six trees located on the municipal frontage would also require removal. Two Douglas-fir trees, a multiple stemmed Western Red cedar hedge row, a Japanese maple located on the neighbouring property at 5156 Cordova Bay Road and a Douglas-fir located on the neighbouring property at 964 Doumac Road may be impacted by excavation for the proposed underground parking and their retention would depend on the extent of required excavation and roots encountered during excavation.

Excavation within the critical root zones of these trees must be performed under arborist supervision and would likely involve shoring or similar methods to eliminate the need for any cut slope beyond the property line. Approval from the property owner and a Tree Permit issued by Saanich would be required to remove trees on neighbouring properties. Permission has been granted by the owner to remove two trees at 5150 Cordova Bay Road.

The proposed landscape plan indicates 12 trees to be planted on-site and 4 trees to be planted on the boulevard. Many of these trees would be planted over the parking slab. The plans indicate that adequate soil depth and volume would be provided. Saanich's Urban Forest Strategy requires 1:1 replacement for any trees removed. If all of the replacement trees cannot be accommodated on site, Saanich Parks requires payment of \$300 per tree that cannot be accommodated to be used to plant trees elsewhere in the Cordova Bay area. In this case, the applicant has agreed to pay a total of \$5,700 to Saanich's Tree Replacement Fund for the 19 replacement trees that cannot be accommodated on the site.

Stormwater management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of the Subdivision Bylaw. The site is within a Type II watershed

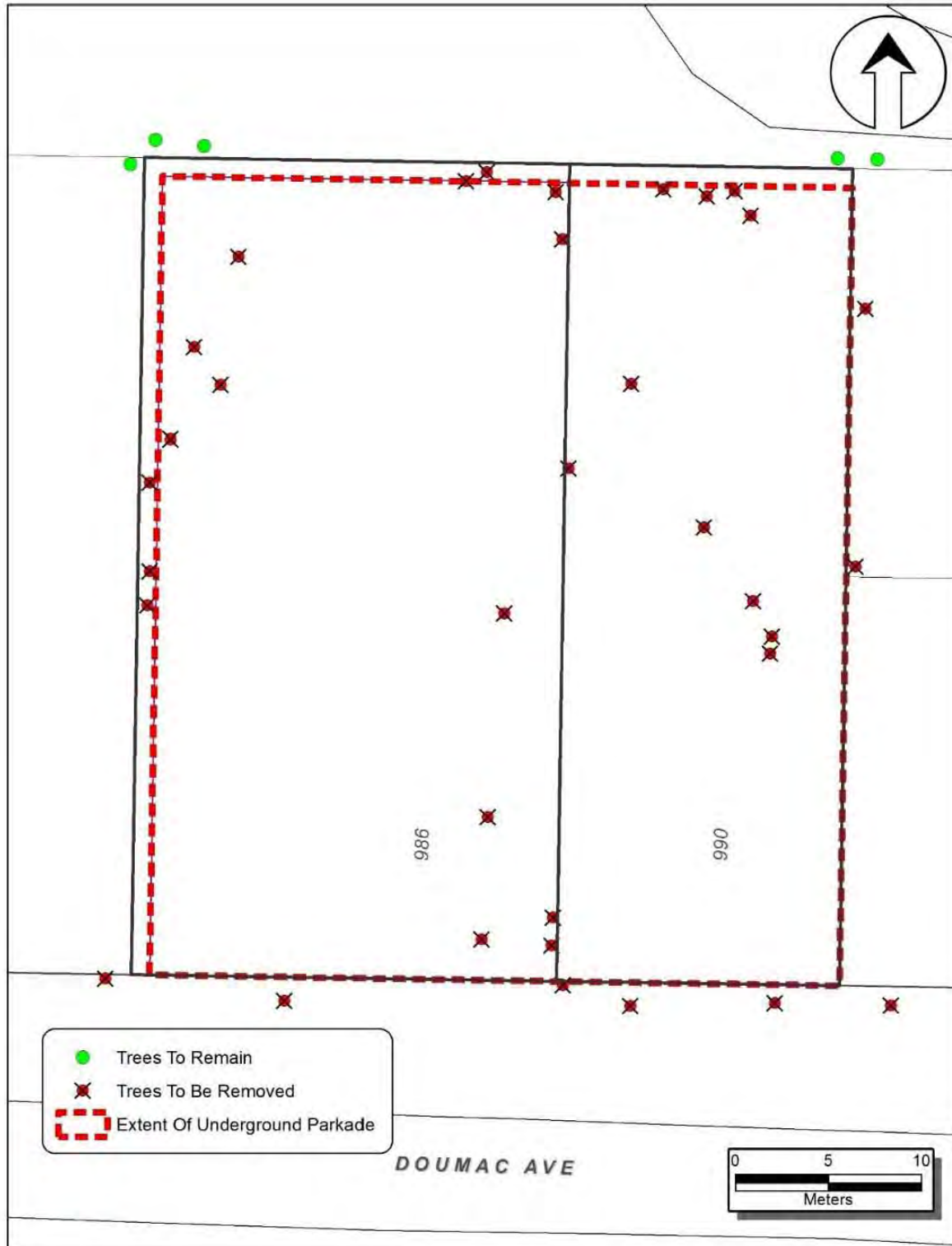


Figure 9: Tree Plan

area which requires stormwater storage, oil/grit separator or grass swale and sediment basin. The applicant has stated that there would be 70% impervious surface on the site compared with 32% under the existing condition. Stormwater management would include a rain garden or underground infiltration/detention system in accordance with the Saanich requirements. The structure would be certified Built Green® Gold or equivalent environment and sustainability standard.

The property at 990 Doumac Avenue is adjacent to Shell Canada's former Payless Gas station. On behalf of Shell Canada, SNC-Lavalin Inc. tested the site at 990 Doumac Avenue for potential Shell-caused contamination. Analytical results were all less than the allowable residential standards.

### **Mobility**

The site has frontage on Doumac Avenue which is a "residential street" and a local pedestrian connector to Lochside Regional Trail. Cordova Bay Road to the east is designated in the Cordova Bay Local Area Plan as a "major road of special design" which provides for municipal-wide through traffic. The Local Area Plan policies provide that it should be limited to two travel lanes in order to retain the general character as a scenic marine drive.

The Development Servicing Requirements for the project require that Doumac Avenue, fronting this proposal, must be reconstructed to a minimum 7.0 m width complete with concrete curb, gutter and separated 2.0 m wide concrete sidewalk. Saanich Engineering has requested the applicant to consider providing a 2.0 m wide asphalt pathway on the north side of Doumac Avenue between the site and Cordova Bay Road as part of his community contribution to provide continuity until such time as the adjacent property redevelops and a more permanent concrete sidewalk is constructed. The applicant has agreed to construct the pathway. A contribution in the amount of \$9,000 (6% of the total cost of \$150,000) is also required for the construction of a future northbound left turn on Cordova Bay Road at Doumac Avenue. The balance of the left-turn lane cost would be required from other property owners along Doumac Avenue when redevelopment occurs.

Parking for the proposed development would exceed the Zoning Bylaw requirement of 1.5 spaces per unit (38 spaces required, 39 spaces are proposed). In addition, Class I (secure) bicycle parking for residents would be provided in the underground parking structure in accordance with the Zoning Bylaw requirement. A six space bike rack for visitors would be provided at the apartment entrance.

Based on feedback received from neighbours, a pull-out is proposed in front of the building to accommodate pick-up and drop-off and short-term parking for delivery and moving vehicles.

### **New Zone**

The proposal has a density of 1.78 Floor Space Ratio (FSR), 53% site coverage, 15.55 m building height, and building setbacks of 2.6 m (3.0 m to the face of the building) from the property line abutting Doumac Avenue, 6.18 m from the rear lot line, 5.4 m from the easterly side lot line and 6.5 m from the westerly side lot line. The applicant has requested rezoning to a new site-specific zone with density, siting and height requirements appropriate to the development and its "Village" location.

The proposed RA-VC (Apartment-Village Centre) Zone would permit a maximum 55% site coverage, 1.80 FSR and 16.0 m height. Required setbacks would be 2.5 m from a lot line

abutting a street, 5.0 m from an interior side lot line and 6.0 m from a rear lot line which does not abut a street.

The following table provides a comparison of the proposal with the requirements of the RA-3 (Apartment) Zone which is the most common apartment zone in the urban area of Saanich and the C-1CBV (Commercial Cadboro Bay Village) Zone which was established to accommodate the recently completed 3-storey apartment/commercial building, with surface parking, at 2580 Penrhyn Street in Cadboro Bay Village.

<b>TABLE 1 – ZONE COMPARISON</b>				
	<b>Proposed Development</b>	<b>Proposed RA-VC Zone</b>	<b>RA-3 Zone</b>	<b>C-1CBV Zone</b>
FLOOR SPACE RATIO	1.78	1.80	1.2	1.6
SITE COVERAGE	53%	55%	35%	-
HEIGHT	15.55 m	16.0 m	11.5 m	11.0 m
SETBACKS:				
Abutting a street	2.6 m	2.5 m	7.5 m	2.1 m
Rear not abutting a street	6.18 m	6.0 m	12.0 m	4.4 m
Interior side	6.5 m & 5.4 m	5.0 m	7.5 m	2.0 m

The proposed new RA-VC zone is designed to be transferable for use on other “Village” centre apartment sites, if appropriate. The requirements of the proposed zone are consistent with the anticipated design and density of new multi-family housing developments in “Village” centre locations.

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## **CLIMATE CHANGE AND SUSTAINABILITY**

### **Policy Context**

The Official Community Plan (OCP) adopted in 2008 highlights the importance of climate change and sustainability. The OCP is broadly broken down into the pillars of sustainability including environmental integrity, social well-being and economic vibrancy. Climate change is addressed under the environmental integrity section of the OCP and through Saanich’s Climate Action Plan.

Climate change is generally addressed through mitigation strategies and adaptation strategies. Climate change mitigation strategies involve actions designed to reduce the emissions of greenhouse gases, primarily carbon dioxide from combustion, while climate change adaptation involves making adjustments and preparing for observed or expected climate change, to moderate harm and to take advantage of new opportunities.

The following is a summary of the Climate Change and Sustainability features and issues related to the proposed development.

### **Climate Change**

This section includes the specific features of a proposal related to mitigation and adaptation strategies. Considerations include: 1) Project location and site resilience; 2) Energy and the built environment; 3) Sustainable transportation; 4) Food security; and 5) Waste diversion.

The proposed development includes the following features related to mitigation and adaptation:

- The proposal is located within Cordova Bay “Village” Centre.



- The proposal is an in-fill development that is able to use existing roads and infrastructure to service the development.
- The site is conveniently located adjacent to Cordova Bay Plaza which includes a grocery store, bank and a variety of other retail and service outlets. It is within 500 m of Cordova Bay Elementary School and Senior's Centre, 200 m of the Beach House restaurant and Cordova Bay beach access, and 900 m to a variety of services at Mattick's Farm.
- Public transit service is available along Cordova Bay Road at an average weekday frequency of 57 minutes. The nearest bus stop is located within 100 m walking distance near the intersection of Doumac Avenue and Cordova Bay Road.
- Sustainable development practices would be followed and the project would be BUILT GREEN® Gold or an equivalent energy efficient standard. This commitment would be secured by covenant.
- The applicant has agreed to construct the development with the necessary conduit and piping in order for the building to be solar ready for future installation of solar photovoltaic or hot water heating systems, which would also be secured by covenant.
- A pull-out is proposed in front of the building to accommodate pick-up and drop-off and short-term parking for delivery and moving vehicles.
- While the proposal would result in the loss of about 35 trees, 16 replacement trees would be planted on the site and boulevard. In addition, a \$5,700 contribution would be made to Saanich's Tree Replacement Fund for the replacement tree that cannot be accommodated on the site. Saanich would use the funds to plant trees elsewhere in the Cordova Bay area.
- Green roofs would be provided at the front of the building on levels 3 and 4 and at the rear of the building on level 4.
- Construction waste would be diverted from the landfill through an on-site waste management plan to reduce waste generation.
- Bicycle parking would be provided in accordance with the Zoning Bylaw requirement. A bike wash station would also be provided.
- An extra parking space would be provided beyond the Zoning Bylaw requirement. This space would include rough in for an electric car charging station.
- Large decks and patios would provide an opportunity for residents to plant container gardens.

## **Sustainability**

### ***Environmental Integrity***

This section includes the specific features of a proposal and how it impacts the natural environment. Considerations include: 1) Land disturbance; 2) Nature conservation; and 3) Protecting water resources.

The proposed development includes the following features related to the natural environment:

- The proposal is a compact, infill development in an already urbanized area without putting pressures onto environmentally sensitive areas or undisturbed lands.
- The proposal includes sustainable stormwater management practices by using a rain garden or underground infiltration/detention system and partial green roof.
- The development would result in 70% impervious surface on the site compared with 32% under the existing condition.
- The proposed landscaping includes a mixture of native species and adaptive species suitable for the proposed location and potential climate change impacts.

### ***Social Well-being***

This section includes the specific features of a proposal and how it impacts the social well-being of our community. Considerations include: 1) Housing diversity; 2) Human-scale pedestrian oriented developments; and 3) Community features.

The proposed development includes the following features related to social well-being:

- The multi-family proposal includes a range of dwelling types by including a mix of two-bedroom townhouse-type units as well as one and two-bedroom apartments including some with dens. These units are expected to be attractive to downsizing households from within the Cordova Bay area.
- The residential design incorporates outdoor areas for each dwelling unit through either balconies or ground level patios that are suitable for active use and seating.
- The proposal would provide new residential units in the area, which would augment safety in the neighbourhood by enhancing passive surveillance and active use of public spaces.

### ***Economic Vibrancy***

This section includes the specific features of a proposal and how it impacts the economic vibrancy of our community. Considerations include: 1) Employment; 2) Building local economy; and 3) Long-term resiliency.

The proposed development includes the following features related to economic vibrancy:

- The development is expected to create short-term jobs during the construction period and include the services of local companies during and after construction.
- The development would site additional residential units within the commercial catchment/employment area for the businesses and services located within Cordova Bay "Village" and at Mattick's Farm.

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## **COMMUNITY CONTRIBUTION**

Through discussions with staff and the community, the applicant proposes to contribute \$10,000 to the Saanich Affordable Housing Fund and \$10,000 to the Saanich Transportation Fund. In addition, a temporary path would be constructed along Doumac Avenue from the development to Cordova Bay Road in response to an Engineering Department request. These items would be secured by covenant prior to Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit.

The applicant has stated that the proposed green roof on parts of the building would benefit the community at large in its ability to provide reductions in stormwater management requirements along with beautification of the streetscape when viewed from the properties above. On this basis, he has attributed \$13,000 (24%) of the total estimated cost of \$54,390 for the green roof as part of his community contribution. The green roof would be secured through the Development Permit. These items are in addition to the basic building, servicing and sustainability requirements that are standard for most new apartments.

	<b>Proposed Community Contribution</b>	<b>Estimated Value</b>
1.	Contribution to the Saanich Affordable Housing Fund	\$10,000
2.	Contribution to the Saanich Transportation Fund	\$10,000
3.	Construction of a temporary path along Doumac Avenue from the development to Cordova Bay Road.	\$4,500
4.	24% of the total cost of \$54,390 for installation of a green roofs.	\$13,000
	<b>Total Community Contribution (\$1,500 per unit)</b>	<b>\$37,500</b>

The proposed community contributions are consistent with the range of items listed in OCP policy 7.1.4 and the estimated total value of the contributions (\$1,500 per unit) is within the range provided for other similar developments in Saanich.

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## **CONSULTATION**

### **Advisory Design Panel**

The Advisory Design Panel considered the application at its meeting held March 16, 2016. The Panel resolved as follows:

“That it be recommended that the 4-storey, 25-unit condo project with underground parking at 986 & 990 Doumac Avenue be approved as presented and that the comments from the Panel be considered.”

Comments from Panel members included the following:

- There are concerns about effective stormwater management due to the amount of concrete being utilized and because the proposed building takes up so much of the site.
- Negative impacts to existing neighbouring properties should be avoided and creating a friendly face to the street should be a priority.
- The density and height of this proposal is as intended for this area and it would form part of the future village.
- An accessible parking space should be included in both the designated and visitor parking areas and should be located close to the elevator or access points.
- A door from the south side of the building with direct access to the elevator should be added. Glass walls should be considered for the elevator lobby for Crime Prevention through Environmental Design (CPTED) considerations.
- Curved pathways result in extra hard surfaces, direct paths may be a better approach.
- The shape of the proposed building and the line of the upper roof are nice; however, the townhouses could be better emphasized and the roof line could be reduced to better shape the building.

In response to ADP, staff and neighbour comments, the applicant has revised the building plans to slightly reduce the building height, enhance the north elevation, accommodate garbage and recycling areas, provide a partial green roof, pull back the trellis structure away from the street to help emphasize the townhouse units, and provide a door and windows in the parkade lobby to improve security. In addition the site plan was revised to provide a parking bay in front of the building and enhance the entry walkways to the townhouse units.

### **Community Association**

The applicant has stated that neighbourhood meetings were held on December 5, 2015 and April 2, 2016. In addition, meetings with the Cordova Bay Association for Community Affairs Executive were held on March 9, 2016 and April 2, 2016. A letter of support from the Community Association was received April 15, 2016.

Letters received to-date from area residents indicate that some residents do not support the proposal. Key concerns stated relate to building height, number of units, potential traffic impacts, village character and precedent for other similar projects in the village area.

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**SUMMARY**

The proposed 25 unit apartment would comply with OCP policies that support multi-family housing, up to 4-storeys in height, in “Villages”. It would provide a housing alternative for area residents wishing to downsize from a single family dwelling but remain in the neighbourhood close to a range of services and Cordova Bay beach.

The proposed building and site design is appropriate for the “Village” location. The townhouse-style units at the front of the building, the stepping of the upper floors, articulation of the façade and the variety of building materials would help to create visual interest. The high quality landscape design and generous balcony and patio spaces would contribute to liveability for the future owners.

Construction of the underground parking would require excavation to the property line on all sides and would require removal of all of the 27 trees on the site. The proposed landscape plan indicates that 12 trees would be planted on-site and 4 trees would be planted on the boulevard. In addition, the applicant would contribute \$5,700 (\$300 per tree) to Saanich’s Tree Replacement Fund for the replacement trees that cannot be accommodated on the site. The structure would be certified Built Green® Gold or equivalent environment and sustainability standard.

The Development Servicing Requirements for the project require that Doumac Avenue, fronting this proposal, must be reconstructed to a minimum 7.0 m width complete with concrete curb, gutter and separated 2.0 m wide concrete sidewalk. A contribution in the amount of \$9,000 is also required for the construction of a future northbound left turn on Cordova Bay Road at Doumac Avenue.

Parking for the proposed development would exceed the Zoning Bylaw requirement (38 spaces required, 39 spaces are proposed). Bicycle parking would be provided in accordance with the Zoning Bylaw requirement. In addition, a pull-out is proposed in front of the building to accommodate pick-up and drop-off and short-term parking for delivery and moving vehicles.

A new site-specific zone of RA-VC (Apartment-Village Centre) Zone is proposed with density, siting and height requirements appropriate to the development and its “Village” location. The proposed new zone is designed to be transferable for use on other “Village” centre apartment sites, if appropriate.

The application is supported by the Cordova Bay Association for Community Affairs and by the Advisory Design Panel.

**RECOMMENDATION**

1. That Zoning Bylaw 8200 be amended to include a new RA-VC (Apartment-Village Centre) Zone as per the attached Zone Schedule.
2. That the application to rezone from RS-18 to RA-VC be approved.
3. That Development Permit DPR00640 be approved.
4. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending registration of a covenant to secure the following:
  - \$10,000 contribution to the Saanich Affordable Housing Fund;
  - \$10,000 contribution to the Saanich Transportation Fund;
  - \$5,700 contribution to the Saanich Tree Replacement Fund;
  - Built Green® Gold or equivalent environment and sustainability standard;
  - Construction of the development with the necessary conduit and piping in order for the building to be solar ready for future installation of solar photovoltaic or hot water heating systems;
  - Rough in for an electric car charging station; and
  - \$4,500 for construction of a temporary footpath on the north side of Doumac Avenue from the development to Cordova Bay Road.

Report prepared by:   
 Neil Findlow, Senior Planner

Report prepared and reviewed by:   
 Jarret Matanowitsch, Manager of Current Planning

Report reviewed by:   
 Sharon Hvozdzanski, Director of Planning

NDF/sl  
 H:\TEMPEST\PROSPERO\ATTACHMENTS\DPR\DPR00640\REPORT.DOCX

Attachment

cc: Paul Thorkleson, CAO  
 Graham Barbour, Manager of Inspection Services

**CAO'S COMMENTS:**

I endorse the recommendation of the Director of Planning.

  
 Paul Thorkleson, CAO



**1450.1 Use Permitted**

Use Permitted:

- (a) Apartment
- (b) Congregate Housing
- (c) Home Occupation Office and Daycare for preschool children
- (d) Accessory Buildings and Structures

**1450.2 Lot Coverage**

Lot Coverage:

The maximum coverage of all buildings and structures together shall be 55% of the lot area.

**1450.3 Density**

Density:

Buildings and structures for an apartment use or congregate housing use shall not exceed a Floor Space Ratio of 1.80.

**1450.4 Buildings and Structures for Apartment or Congregate Housing**

Buildings and Structures for Apartment or Congregate Housing:

- (a) Shall be sited not less than:
  - (i) 2.5 m (8.2 ft) from any lot line which abuts a street.
  - (ii) 5.0 m (16.4 ft) from an interior side lot line.
  - (iii) 6.0 m (19.7 ft) from a rear lot line which does not abut a street.
- (b) Shall not exceed a height of 16.0 m (52.5 ft).
- (c) Shall have not more than five levels of usable space of which not more than four may be designed for human habitation. If a level of usable space designed for other than human habitation comprises one of five levels of usable space, the ceiling of such level of usable space shall not be above the average elevation of the natural grade of the lot or lots on which the building is to be constructed.
- (d) Shall not exceed a horizontal width of 55.0 m (180.4 ft).

**1450.5 Accessory Buildings and Structures**

Accessory Buildings and Structures:

- (a) Shall be sited not less than:
  - (i) 2.5 m (8.2 ft) from any lot line which abuts a street.
  - (ii) 1.5 m (4.9 ft) from an interior side lot line and a rear lot line which does not abut a street.
- (b) Shall not exceed a height of 3.75 m (12.3 ft).
- (c) Together shall not exceed a lot coverage of 10%.

**1450.6 Accessory Off-Street Parking**

Accessory Off-Street Parking:

- (a) The parking area shall occupy not more than 30% of the surface of the lot area.
- (b) No portion of any parking area or driveway surface shall be located within 3.0 m (9.8 ft) of any window provided in a habitable room.
- (c) Any lighting used to illuminate a parking area or parking garage shall be so arranged that all direct rays of light are reflected upon the parking area or parking garage and not on any adjoining premises.
- (d) The parking area for an apartment use or a congregate housing use shall not be permitted within 7.5 m (24.6 ft) of a front lot line or a rear lot line which abuts a street, or within 3.0 m (9.8 ft) of an exterior side lot line.

**1450.7 General**

General:

The relevant provisions of Sections 5, 6, 7, and Schedule B and F of this bylaw shall apply.

COPY



COPY

**DISTRICT OF SAANICH**

**NO. DPR00640**

**DEVELOPMENT PERMIT**

**TO: Lorraine Anne Hemeon  
James Christopher Hemeon  
5792 Old West Saanich Road  
Victoria BC V8X 3X3**

*(herein called "the Owner")*

1. This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied by this Permit.
2. This Development Permit applies to the lands known and described as:

**Amended Lot 5 (DD 248221-I), Block 1, Section 31, Lake District, Plan 1444**

**Lot 4, Block 1, Section 31, Lake District, Plan 1444**

**986 and 990 Doumac Avenue**

*(herein called "the lands")*

3. This Development Permit further regulates the development of the lands as follows:
  - (a) By requiring the buildings and lands to be constructed and developed in accordance with the plans prepared by Praxis Architects Inc. and Small & Rossell Landscape Architects, received on June 13, 2016 and August 4, 2016, copies of which are attached to and form part of this permit.
4. The Owner shall substantially start the development within 24 months from the date of issuance of the Permit, in default of which the Municipality may at its option upon 10 days prior written notice to the Owner terminate this Permit and the Permit shall be null and void and of no further force or effect.
5. Notwithstanding Clause 4, construction of driveways and parking areas, and delineation of parking spaces shall be completed prior to the issuance of an Occupancy Permit.
6.
  - (a) Prior to issuance of a Building Permit, the Owner shall provide to the Municipality security by cash, certified cheque, or an irrevocable letter of credit in the amount of \$125,955.00 to guarantee the performance of the requirements of this Permit respecting landscaping.
  - (b) A Landscape Architect registered with the British Columbia Society of Landscape Architects must be retained for the duration of the project until the landscaping security has been released. Written letters of assurance must be provided at appropriate intervals declaring the registered Landscape Architect, assuring that the landscape work is done in accordance with the approved landscape plan, and indicating a final site inspection confirming substantial compliance with the approved landscape plan (BCSLA Schedules L-1, L-2 and L-3).

- (c) All landscaping must be served by an automatic underground irrigation system.
  - (d) The owner must obtain from the contractor a minimum one-year warranty on landscaping works, and the warranty must be transferable to subsequent owners of the property within the warranty period. The warranty must include provision for a further one-year warranty on materials planted to replace failed plant materials.
  - (e) Any protective fencing of trees or covenant areas must be constructed, installed and signed according to the specifications in Appendix X.
  - (f) No site activity shall take place prior to the installation of any required tree of covenant fencing and the posting of "WARNING – Habitat Protection Area" signs. The applicant must submit to the Planning Department a photograph(s) showing the installed fencing and signs. Damage to, or moving of, any protective fencing will result in an immediate stop work order and constitute a \$1,000 penalty.
  - (g) The landscaping requirements of this Permit shall be completed within four months of the date of issuance of the Certificate of Occupancy for the development, in default of which the Municipality may enter upon the lands, through its employees or agents, and complete, correct or repair the landscaping works at the cost of the Owner and may apply the security, interest at the rate payable by the Municipality for prepaid taxes.
  - (h) In the event that any tree identified for retention is destroyed, removed or fatally injured, a replacement tree shall be planted in the same location by the Owner in accordance with the replacement guidelines as specified within the Saanich Tree and Vegetation Retention, Relocation and Replacement Guidelines. The replacement tree shall be planted within 30 days of notice from the Municipality in default of which the Municipality may enter upon the lands and carry out the works and may apply the security provided herein in payment of the cost of the works. For the purpose of this section, existing trees identified for retention and new trees planted in accordance with the landscape plan attached to and forming part of this permit shall be deemed to be "trees to be retained".
7. The lands shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and shall comply with all Municipal bylaws except for those provisions specifically varied herein. Minor variations which do not affect the overall building and landscape design and appearance may be permitted by the Director of Planning or in her absence, the Manager of Current Planning.
8. Notwithstanding the provisions of Section 7 of this Permit the following changes will be permitted and not require an amendment to this Permit:
- (a) When the height or siting of a building or structure is varied 20 cm or less provided, however, that this variance will not exceed the maximum height or siting requirements of the Zoning Bylaw.
  - (b) Changes to the relative location and size of doors and windows on any façade which do not alter the general character of the design or impact the privacy of neighbouring properties following consultation with the Director of Planning, or Manager of Current Planning in her absence.



- (c) Where items noted under Section 8(b) are required to comply with the Building Code and/or the Fire Code and those changes are not perceptible from a road or adjacent property.
  - (d) Changes to soft landscaping provided the changes meet or exceed the standards contained on the landscape plans forming part of this Permit.
9. The terms and conditions contained in this Permit shall enure to the benefit of and be binding upon the Owner, their executors, heirs and administrators, successors and assigns as the case may be or their successors in title to the land.
10. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL ON THE

\_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

ISSUED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_

Municipal Clerk

APPENDIX X

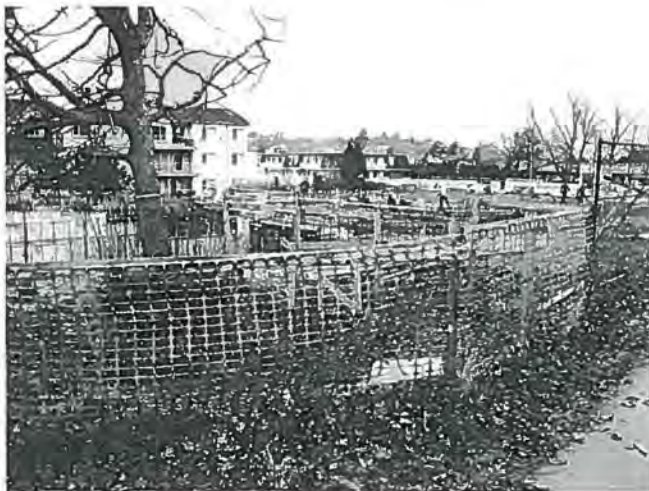
PROTECTIVE FENCING FOR TREES AND COVENANT AREAS

Protective fencing around trees and covenant areas is an important requirement in eliminating or minimizing damage to habitat in a development site.

Prior to any activities taking place on a development site, the applicant must submit a photo showing installed fencing and "WARNING – Habitat Protection Area" signs to the Planning Department.

**Specifications:**

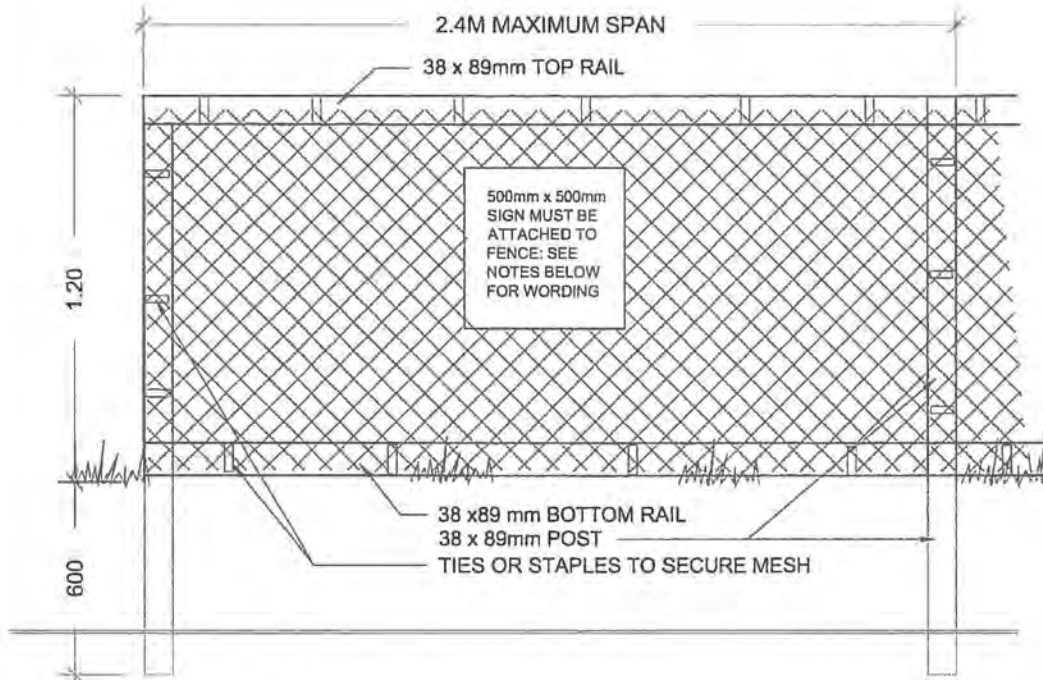
- Must be constructed using 2" by 4" wood framing and supports, or modular metal fencing
- Robust and solidly staked in the ground
- Snow fencing to be affixed to the frame using zip-ties or galvanized staples
- Must have a "WARNING – HABITAT PROTECTION AREA" sign affixed on every fence face or at least every 10 linear metres



Note: Damage to, or moving of, protective fencing will result in a stop work order and a \$1,000 penalty.







**TREE PROTECTION FENCING**

**NOTES:**

1. FENCE WILL BE CONSTRUCTED USING 38 X 89 mm (2"X4") WOOD FRAME: TOP, BOTTOM AND POSTS. \*  
USE ORANGE SNOW-FENCING MESH AND SECURE TO THE WOOD FRAME WITH "ZIP" TIES OR GALVANIZED STAPLES.
  2. ATTACH A 500mm x 500mm SIGN WITH THE FOLLOWING WORDING:  
**WARNING-HABITAT PROTECTION AREA.** THIS SIGN MUST BE AFFIXED ON EVERY FENCE FACE OR AT LEAST EVERY 10 LINEAR METRES.
- \* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED



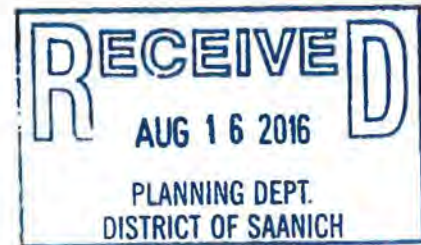
DETAIL NAME: **TREE PROTECTION FENCING**

DATE: March/08  
 DRAWN: DM  
 APP'D: RR  
 SCALE: N.T.S.

H:\shared\parks\Tree Protection Fencing.pdf

# Memo

**To:** Planning Department  
**From:** Jagtar Bains – Development Coordinator  
**Date:** August 16, 2016  
**Subject:** Servicing Requirements for the Proposed Development- REVISED



**PROJECT: TO REZONE FROM RS-18 SINGLE FAMILY DWELLING ZONE TO A NEW SITE SPECIFIC ZONE TO CONSTRUCT A 4 STOREY, 25 UNIT**

**SITE ADDRESS: 986 DOUMAC AVE**

**PID: 007-409-575**

**LEGAL: LOT AM5 BLOCK 1 SECTION 31 LAKE DISTRICT PLAN**

**DEV. SERVICING FILE: SVS01992**

**PROJECT NO: PRJ2016-00067**

The above noted application for rezoning & Development Permit has been circulated to the Engineering Department for comment. A list of servicing requirements has been attached on the following page(s). To allow Council to deal effectively with this application, we would appreciate confirmation, prior to the Public Hearing, that the applicant agrees to complete the servicing requirements. Should there be any disagreement with any of these requirements, it should be discussed with the undersigned prior to the Public Hearing.



**Jagtar Bains**  
**DEVELOPMENT COORDINATOR**

cc: Harley Machielse, Director of Engineering  
Catherine Mohoruk, Manager of Transportation & Development

**General Information on Development Servicing**

Servicing requirements are stated at this time for the applicant's information. The requirements must be met prior to building permit issuance, including consolidation or subdivision, payments and/or deposits.

Services which must be installed by a developer must be designed by a Professional Engineer hired by the developer and installed under the Engineer's supervision. The design must be approved prior to building permit issuance. The approval process may take up to 30 working days of staff time to complete circulations and request revisions of the Engineer. Certain circumstances can lengthen the approval process.

A Financial sheet is issued with the design drawing which will state:

- 1) The estimated cost of developer installed servicing plus 20% which must be deposited.
- 2) The estimated cost of Municipal installed servicing which must be paid.
- 3) The Development Cost Charges payable.
- 4) Any special conditions which must be met.

This information is not intended to be a complete guide to development procedures. A more complete listing may be found in Section 2 of the Engineering Specifications, Schedule H to Bylaw 7452 (Subdivision Bylaw).

**ENTERED  
IN CASE**



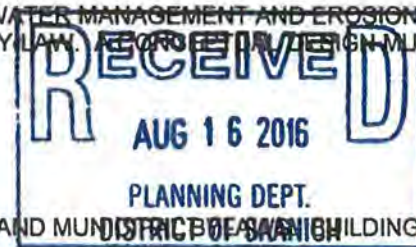
# Development Servicing Requirements

Development File: SVS01992  
Civic Address: 986 DOUMAC AVE  
Page: 1

Date: Aug 16, 2016

## Drain

1. A SUITABLY DESIGNED STORM DRAIN SYSTEM MUST BE INSTALLED TO SERVICE THE PROPOSED DEVELOPMENT AND THE TRIBUTARY AREA FROM THE EXISTING SYSTEM LOCATED AT THE SOUTHWEST CORNER OF CORDOVA BAY ROAD AND DOUMAC AVENUE OR ALTERNATIVELY A STORM DRAIN CONNECTION FROM THE EXISTING MAIN ON DOUMAC AVE. PROVIDED THE DEPTH IS SUITABLE.
2. GREASE/OIL INTERCEPTORS MUST BE INSTALLED ON SITE.
3. ALL PROPOSED BUILDING AND PARKING AREAS MUST BE DRAINED IN ACCORDANCE WITH THE B.C. BUILDING CODE REQUIREMENTS.
4. STORM WATER MANAGEMENT MUST BE PROVIDED IN ACCORDANCE WITH THE REQUIREMENTS OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW. THIS SUBDIVISION/DEVELOPMENT IS WITHIN TYPE II WATERSHED AREA WHICH REQUIRES STORM WATER STORAGE, OIL/GRIT SEPARATOR OR GRASS SWALE AND SEDIMENT BASIN. FOR FURTHER DETAILS, REFER TO SECTION 3.5.16, STORM WATER MANAGEMENT AND EROSION CONTROL OF SCHEDULE H "ENGINEERING SPECIFICATIONS" OF SUBDIVISION BY-LAW. **PRELIMINARY DESIGN MUST BE SUBMITTED FOR REVIEW BEFORE THIS APPLICATION MOVES FURTHER.**



## Gen

1. THE BUILDING IS REQUIRED TO COMPLY WITH THE 2012 BC BUILDING CODE AND MUNICIPAL BUILDING AND PLUMBING PERMITS WILL BE REQUIRED FOR ALL WORKS.
2. BI-DIRECTIONAL AMPLIFICATION SYSTEM IN SUPPORT OF THE CREST RADIO NETWORK, MUST BE INSTALLED TO FUNCTION IN ALL AREAS OF THE PROPOSED BUILDING TO THE SATISFACTION OF THE SAANICH FIRE DEPARTMENT. CONTACT TODD CAVE, SAANICH PREVENTION DIVISION AT 250-475-5508 FOR FURTHER DETAILS.
3. THIS PROPOSAL IS SUBJECT TO THE PREVAILING MUNICIPAL DEVELOPMENT COST CHARGES.
4. TWO COPIES OF CONSTRUCTION FIRE SAFETY PLAN, PREPARED IN ACCORDANCE WITH THE REQUIREMENTS OF THE BC BUILDING CODE ARE TO BE SUBMITTED FOR REVIEW/COMMENT TO THE SAANICH FIRE DEPARTMENT ALONG WITH A FEE OF \$100.00 PRIOR TO ISSUANCE OF THE BUILDING PERMIT.
5. ALL RELEVANT PRECAUTIONS IN PART 8 OF THE BC BUILDING CODE "SAFETY MEASURES AT CONSTRUCTION AND DEMOLITION SITES" MUST BE PROVIDED BY THE CONTRACTOR PRIOR TO ISSUANCE OF THE BUILDING PERMIT.

## Hydro/tel

1. UNDERGROUND WIRING SERVICE CONNECTION IS REQUIRED TO SERVE THIS DEVELOPMENT.

## Road

1. STREET LIGHTING IS REQUIRED ON THE EXISTING POLE FRONTING THIS DEVELOPMENT.
2. DOUMAC AVENUE, FRONTING THIS PROPOSAL, MUST BE RECONSTRUCTED TO MINIMUM 7.0 M WIDTH OF 11.0 M MUNICIPAL RESIDENTIAL STANDARDS COMPLETE WITH CONCRETE CURB, GUTTER AND SEPARATED 2.0 M WIDE CONCRETE SIDEWALK. FINAL CURB AND SIDEWALK ALIGNMENTS ARE TO BE FINALIZED PRIOR TO ISSUANCE OF BUILDING PERMIT.
3. IT IS RECOMMENDED THAT A 2.0 M WIDE ASPHALT PATHWAY BE CONSTRUCTED ON THE NORTH SIDE OF DOUMAC AVENUE BETWEEN THIS DEVELOPMENT AND CORDOVA BAY ROAD.
4. A CONTRIBUTION IN THE AMOUNT OF \$ 9,000.00 IS REQUIRED FOR THE CONSTRUCTION OF FUTURE NORTHBOUND LEFT TURN ON CORDOVA BAY ROAD AT DOUMAC AVENUE.

# Development Servicing Requirements

Development File: SVS01992  
Civic Address: 986 DOUMAC AVE  
Page: 2

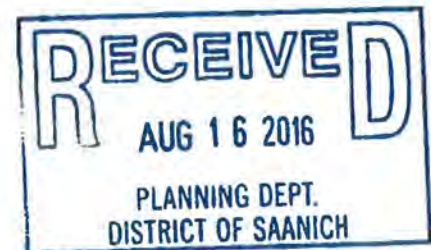
Date: Aug 16, 2016

## Sewer

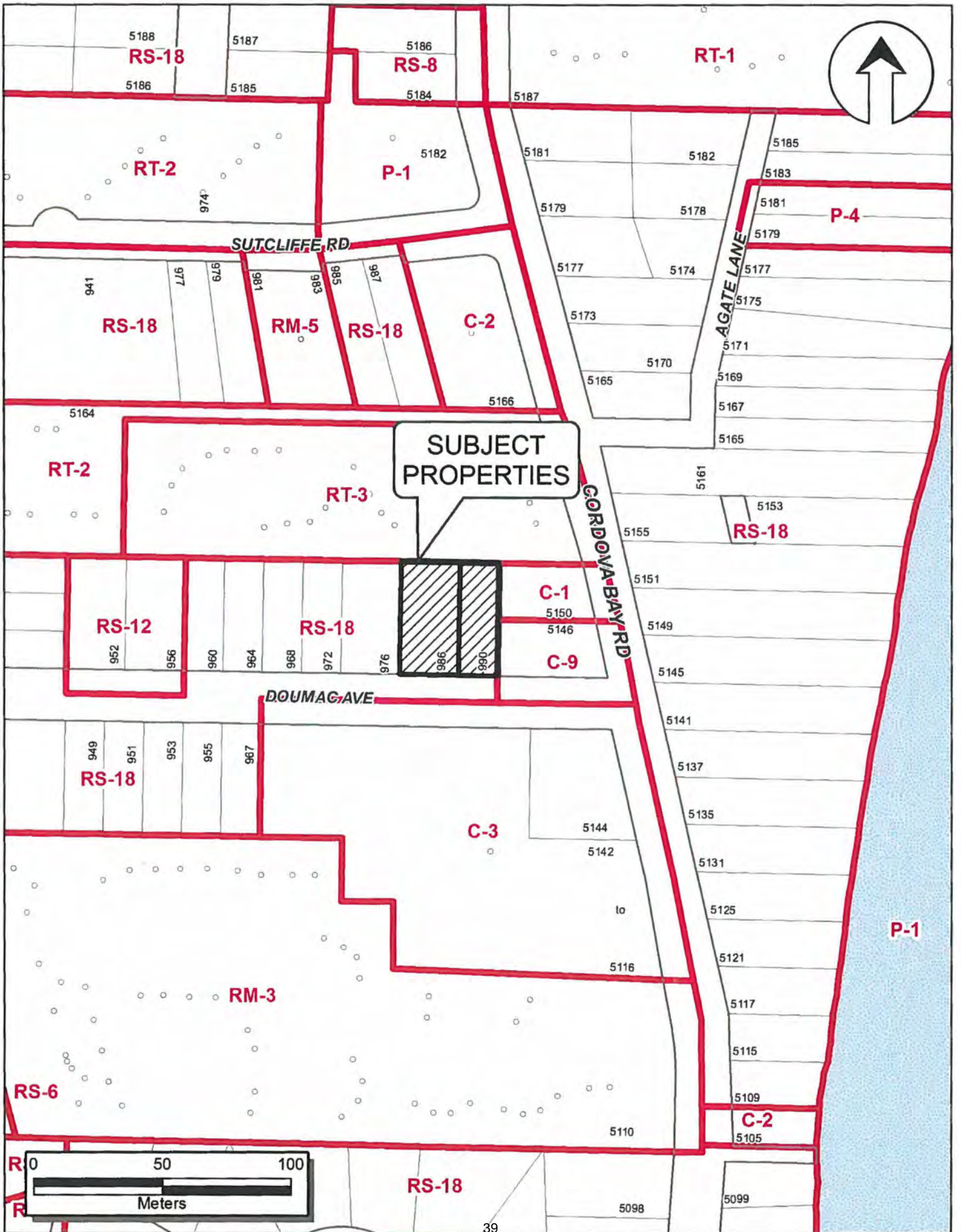
1. AN APPROPRIATELY SIZED SEWER CONNECTION IS REQUIRED FROM THE EXISTING MAIN ON DOUMAC AVENUE TO SERVE THIS DEVELOPMENT.
2. SANITARY SEWER LOADING CALCULATIONS ARE REQUIRED FOR THIS PROJECT FROM A CONSULTING ENGINEER, BASED ON THE CURRENT B.C. BUILDING CODE REQUIREMENTS, TO DETERMINE WHETHER THE EXISTING SYSTEM CAN PROVIDE THE REQUIRED FLOW OR UPGRADING IS REQUIRED.

## Water

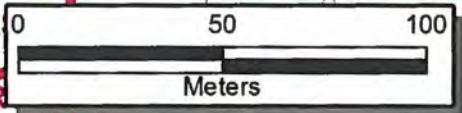
1. FIRE FLOW REQUIREMENT CALCULATIONS FOR THIS PROJECT MUST BE SUBMITTED BY THE CONSULTING ENGINEER BASED ON FIRE UNDERWRITERS SURVEY TO ALLOW THE MUNICIPALITY TO DETERMINE WHETHER THE EXISTING WATER SYSTEM CAN PROVIDE THE REQUIRED FLOW OR UPGRADING IS REQUIRED.
2. A PUMPER CONNECTION FOR THE FIRE SPRINKLER SYSTEM MUST BE PROVIDED AT A LOCATION ACCEPTABLE TO THE FIRE DEPARTMENT AND WITHIN 45 M OF A FIRE HYDRANT. THIS PUMPER CONNECTION IS TO BE FREE-STANDING AND OUTSIDE OF COLLAPSE ZONE OF THE BUILDING.
3. A SUITABLY SIZED WATER SERVICE MUST BE INSTALLED TO SERVE THE PROPOSED DEVELOPMENT AS PER AWWA MANUAL M22. A FIRE LINE WILL BE REQUIRED.
4. THE EXISTING WATER SERVICES MUST BE REMOVED.







SUBJECT PROPERTIES



## SUSTAINABILITY STATEMENT

**Parcel Address:** 986 & 990 Doumac Ave  
**Proposed Development:** Mult-Family Residential Building  
**Applicant:** Citta Construction Ltd  
101-1763 Sean Heights  
Victoria BC V8M 0A5  
**Contact Person:** Mike Dalton  
Citta Construction Ltd  
Tel: 250-883-7816  
E-mail: mike@cittagroup.com

### ENVIROMENTAL INDICATORS

#### Green Design and Construction

Citta Construction is a certified Built Green builder that has committed to building 100% of its owned projects to Built Green standards. The structure is proposed to be certified Built Green Gold, incorporating similar features to the following:

#### Water Efficiency

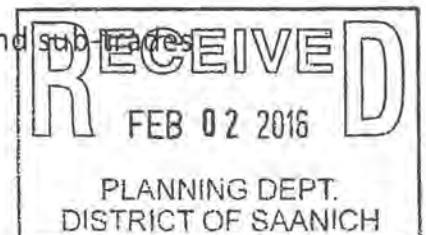
Reducing water usage decrease the impact on the water supply systems and sewage disposal infrastructure. Strategies being considered include:

- Permeable landscaping that water efficient through xeriscaping strategies
- Installation of efficient irrigation technology
- Low flow plumbing fixtures and appliances
- Efficient toilets with average flow rates below 4.8L/flush

#### Materials and Resources

Careful selection of materials and construction waste management, resource use and pressure on landfills can be decreased significantly. Strategies being considered include:

- Salvage of re-useable materials from existing building
- Recycling of construction waste by general contractor and sub-trades
- Specifying materials of high recycled content



- Structural components use FSC certified wood products and manufactured wood products instead of dimensional lumber
- Use of durable materials to prolong lifespan
- Exterior trim materials made from alternatives to solid lumber

### Indoor Environmental Quality

The number and content of emitting or “off-gassing” materials have been increasingly linked to the rapid increase in respiratory diseases. Improving ventilation and specifying low-emitting materials can improve indoor air quality significantly. Strategies currently being considered include:

- Low VOC paints, adhesives and sealants
- Formaldehyde free products for millwork, trim and flooring
- Water based finishes for all site finished materials
- Factory finished products to reduce off-gassing
- IAQ labelled carpets and underlay

### Energy

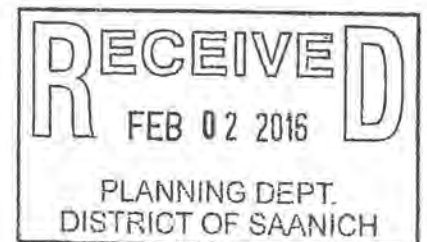
Energy efficiency is an increasing priority as utilities costs increase. Strategies currently being considered include:

- All ventilation fans meet or exceed the Energy Star requirement
- Energy Star tankless hot water systems for DHW and heating
- Energy Star appliances used throughout
- Motion sensor light switches for auto off feature
- Programmable thermostats with setback features

### **SOCIAL INDICATORS**

#### **Community Character and Livability**

In providing a multi-unit building on this site, the project is providing attractive and efficient housing which results in an efficient use of land while preserving livability. The site is well situated to take advantage of existing retail and community services as well as public transportation. Sidewalks proposed for the project frontage improve the pedestrian/greenway connection to Lochside trail

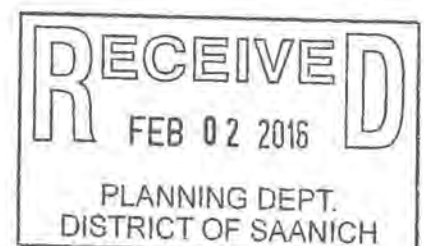


and is a benefit to the entire village and improve access to walking, hiking and beach access trails.

A mix of four street entrance townhouses as well as one and two bedroom condos in ranging sizes allow for age and income diversity. Units are to be handicap inclusive combined with amenities in the immediate vicinity allow for long term aging in place.

### **Alternative Transportation**

Proximity to the village amenities as well as local schools allows for reduced dependency on car ownership. Secure storage, wash station and lockers to be provided for commuter cyclists. Frontage sidewalks contribute to “complete streets” strategy for safer pedestrian areas.







## DEVELOPMENT PERMIT APPLICATION STORMWATER MANAGEMENT STATEMENT

Parcel Address: 986 and 990 Doumac Avenue  
Applicant: Citta Group  
Date: January 7th, 2016  
Contact Person: Mike Dalton  
Telephone: 250-883-7816

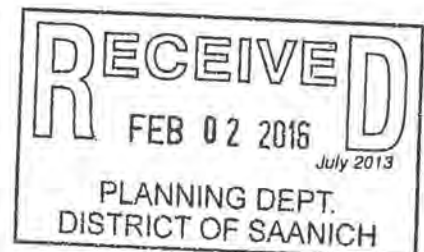
Storm water management is reviewed as part of the Development Permit Review process. Applications are required to meet:

1. The Engineering Specifications detailed in Section 3.5.16 of Schedule "H" of the Subdivision Bylaw, 7452; and
2. The intent of the Development Permit guidelines:
  - a) Development Permit Areas #1, 2, 3, 6, through 15, 17, 18, 20, 21, 22, 23
    - The total impervious cover of the site should minimize impact on the receiving aquatic environment. Consideration should be given to reducing impervious cover through reduction in building footprint and paved areas.
    - Storm water runoff controls should replicate the natural runoff regime. The controls could include on-site infiltration, storage in ponds or constructed wetlands, sand filtration and creative road/curb configurations.

b) Development Permit Area #27

Maintain pre-development hydrological characteristics should by the following means:

- minimize impervious surfaces.
- return the storm water runoff from impervious surfaces of the development to natural hydrologic pathways in the ground to the extent reasonably permitted by site conditions, and treat, store and slowly release the remainder per the specifications of Schedule H to the Subdivision Bylaw.
- minimize alteration of the contours of the land outside the areas approved for buildings, structures and site accesses by minimizing the deposit of fill and removal of soil, and
- minimize the removal of native trees outside the areas approved for buildings, structures and site accesses.



Keeping in mind the requirements of Schedule "H", describe how your storm water management concept will meet the intent of the relevant development permit guidelines. Provide details on types of treatment systems that will be used, considering the following questions:

- a) Will there be an increase or decrease in impervious area compared to existing conditions?
- b) What percentage of the site will be impervious cover compared to existing conditions?
- c) How will impervious surface area be minimized (e.g. minimizing paved area and building footprints, pervious paving, green roofing, absorbent landscaping)?
- d) How will the proposed system detain and regulate flows and improve storm water quality (e.g. infiltration systems, engineered wetlands, bioswales)?
- e) If the intent of the guideline cannot be met, explain why.

Use additional pages if necessary. Attach plans if available; detailed engineering plans will be required as part of the Building Permit process.

**NOTE: Meeting the Development Permit guidelines and issuance of a Development Permit does not relieve the requirements of Schedule "H" of the Subdivision Bylaw.**

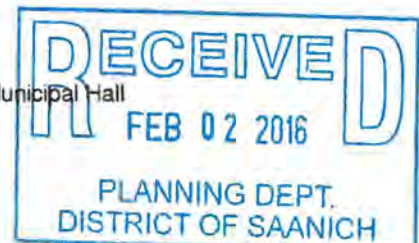
a) There will be an increase in impervious area compared to the existing site conditions.

b) Based on the proposed site plan 70% of the development site will be impervious compared to the pre development conditions were 32% of the site is impervious.

c) The landscaped areas around the proposed building will be absorbent allowing the rain water to infiltrate into the existing ground. The proposed building will also have underground parking to limit the amount of paved surfaces.

d) The proposed storm water management plan will meet Schedule H requirements. The proposed development is within a type 2 watershed and therefore reduced storm water detention is required. The storm water management plan will include 100m<sup>3</sup>/ha of impervious area, within a rain garden or underground infiltration/detention system. Onsite storm water treatment infrastructure will be designed to meet the District requirements. The storm water will be discharged into the existing drain main along the west property line and will be limited to 10L/s/ha.

If you require clarification, please contact:  
The District of Saanich • Planning Department • 3<sup>rd</sup> Floor • Municipal Hall  
770 Vernon Avenue • Victoria • BC • V8X 2W7  
Tel: 250-475-5471 Fax: 250-475-5430

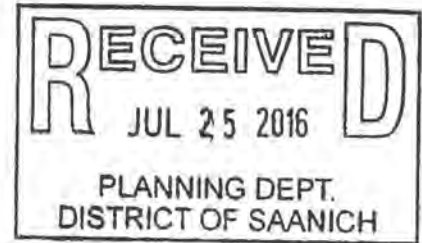




## Talbot Mackenzie & Associates

Consulting Arborists

ENTERED  
IN CASE



July 12, 2016

Citta Construction  
101-1763 Sean Heights  
Saanichton BC V8M 0A5

Attention: Mike Dalton

**Re: 990 and 986 Doumac Avenue**

At your request, we visited the above mentioned sites in order to examine two trenches that had been hand excavated near the property lines where there is a proposal to construct underground parking (as mentioned in our May 4, 2016 report regarding the project). The purpose of the examination was to get a better understanding of how the proposed underground parking and associated excavation and construction activity may impact trees located on the neighbouring properties.

Our site visit was on May 19, 2016 and the trenches examined were located in the northeast corner of the 990 Doumac Avenue property, and in the northwest corner of the 986 Doumac Avenue property. The trenches examined were several metres off of the property lines and had a number of smaller roots measuring less than 2 cm in diameter, but no significant structural roots from any of the trees were located on the neighbouring properties.

Based on the excavations completed, we feel that the proposed excavation could be completed to these limits without having a significant impact on the neighbours' trees. However, the proposed excavation will be required to encroach to the existing property lines, and as mentioned in our previous report the full extent of the impacts will have to be determined at the time of excavation.

The following recommendations regarding the underground parking for this project are from our May 4, 2016 report and are still applicable:

**Underground Parking Footprint:**

- According to the plans provided, the footprint of the proposed underground parking will require excavation up to the north, south, east and west property lines, and require removal of all trees located within the boundaries of the 960 and 968 properties.
- Douglas-fir (No tag 2) and Holly (No tag 3) located on the neighbouring property at 5150 Cordova Bay Road will be heavily impacted by excavation for the proposed underground parking footprint and will require removal.

.../2

Box 48153 RPO Uptown  
Victoria, BC V8Z 7H6  
Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
Email: treehelp@telus.net



- The following trees located on neighbouring properties at 5156 Cordova Bay Road and 964 Doumac Avenue may be impacted by excavation for the proposed underground parking and their retention will depend upon the extent of cut slope requirements and roots encountered during excavation:

**Douglas-fir No tag 4, and Douglas-fir No tag 5** - approximately 2 metres from the property line, backfilled historically. The grade of the subject property is approximately 1 metre lower than the grade of the neighbouring property. A loose rock retaining wall may be partially obstructing root growth toward the subject property. It may be possible to retain depending on extent of required excavation and root encountered during excavation. Recommend no excavation beyond property line if these trees are to be retained.

**Western Red cedar Hedge No tag 6** - Multiple stems (15 stems between 4-12 cm in diameter), previously topped hedge near property line. May require root pruning depending on extent of excavation required. Recommend no excavation beyond property line if this hedge row is to be retained.

**Japanese maple No tag 7** - approximately 1.5 metres from the property line. May require some root pruning depending on extent of excavation. Recommend no excavation beyond property line if this hedge row is to be retained.

**Douglas-fir No tag 8** - approximately 2.5 metres from the property line. May require some root pruning depending on the extent of excavation. Recommend no excavation beyond property line if this hedge row is to be retained.

- All excavation within the critical root zones of these trees must be performed under arborist supervision. If significant roots are encountered during excavation, we may recommend that additional trees be removed.
- The following trees located on the municipal frontage that will be heavily impacted by excavation for the footprint of the proposed underground parking and will require removal: Western Red cedar #0111, Mountain Ash #0112, Big Leaf maple #0113, arbutus #0128, Weeping willow No Tag 1, and Monterrey cypress No Tag 9.

Please do not hesitate to call us at 250-479-8733 should you have any questions.

Thank you,

Talbot Mackenzie & Associates



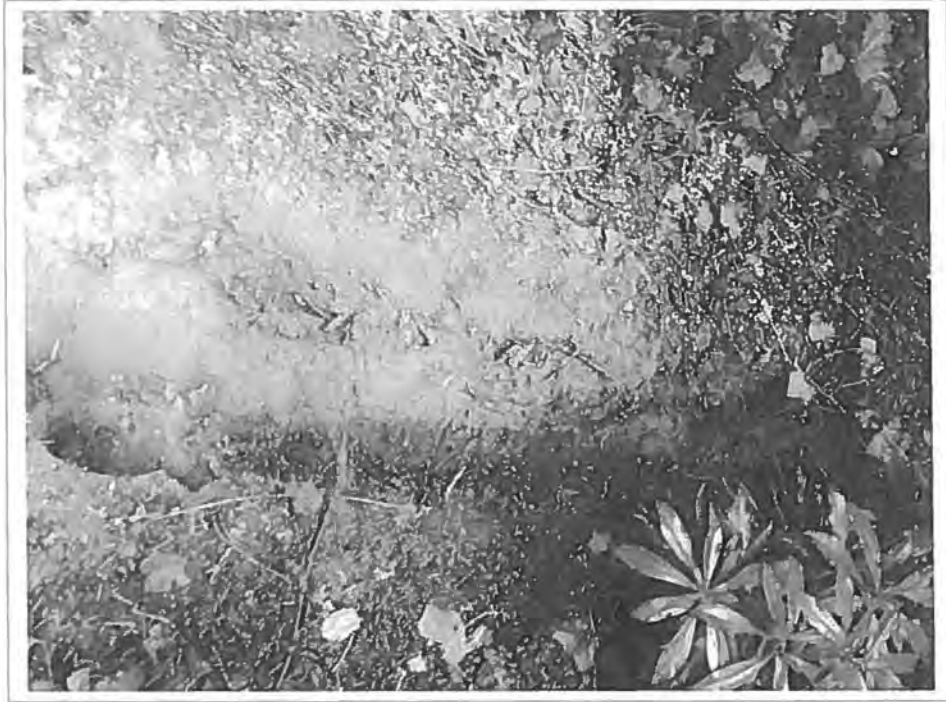
Tom Talbot & Graham Mackenzie  
ISA Certified, & Consulting Arborists

#### Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks. Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk. Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

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## Talbot Mackenzie & Associates

Consulting Arborists

May 4, 2016

Citta Construction  
101-1763 Sean Heights  
Saanichton BC V8M 0A5

Attn: Mike Dalton

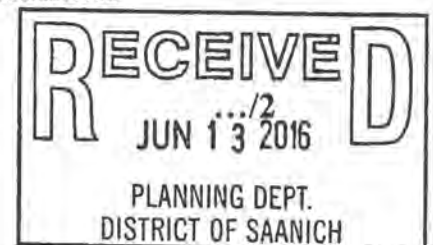
**960 and 968 Doumac Avenue**

**Assignment:** Review the plans provided and prepare a tree retention report to be used during the proposal to demolish the existing residences on the 960 and 968 Doumac Avenue properties and construction of a 25 unit apartment building.

**Methodology:** Each tree located on the subject properties were identified using a numeric metal tag attached to its lower trunk. Trees located on the neighbouring properties within 3 meters of the property lines were not tagged, but are identified numerically on the attached site plan. Information such as tree species, size(dbh), critical root zone(crz), crown spread, health and structural condition, relative tolerance to construction impacts and general remarks and recommendations was recorded in the attached tree resource spreadsheet.

**Proposal:** According to the plans provided, the proposal is to remove the existing dwellings on the 960 and 968 Doumac Avenue properties and construct a 25 unit apartment building with underground parking. The footprint of the proposed underground parking will require excavation to the North, South, East and West property lines and will require removal of all trees located within the property boundaries

**Observations:** The tree resource on the subject property consists of a mixture of Native and non-native species. Many of the trees have developed poor structures, as a result of the lack of maintenance. As the properties are located in the Codova Bay development permit area, all of the trees are considered protected under the Saanich tree protection bylaw. A total of twenty seven trees located within the boundaries of the 960 and 968 Doumac Avenue properties are protected under the Saanich tree protection bylaw. Six individual trees and a multiple stemmed hedge row located on the neighbouring properties surrounding the proposal were also documented, as they could potentially be impacted by the proposal. Six trees are located on the municipal frontages of the subject properties and Neighbouring frontages, which could potentially be impacted. Information such as tree species, size(dbh), critical root zone(crz), crown spread, health and structural condition, relative tolerance to construction impacts and general remarks and recommendations was recorded in the attached tree resource spreadsheet.



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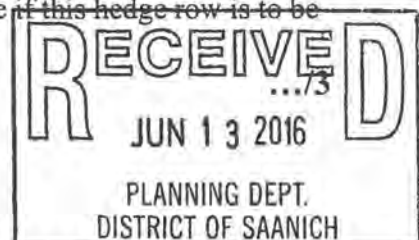
## Mitigation of impacts:

**Barrier fencing:** According to the plans provided, there is no potential to retain any trees located on the subject property or municipal frontage; therefore, all tree preservation efforts will be concentrated on trees on the neighbouring properties that have some potential to be retained (No Tag 4, No Tag 5, No Tag 6, No Tag 7 and No Tag 8). We recommend that the existing property line fence be retained or new protective fencing be erected along the property lines to protect the trunks and a portion of the critical root zones of these trees during excavation.

The areas, surrounding the trees to be retained, should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing to be erected must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing (see attached diagram). The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

## Underground Parking Footprint:

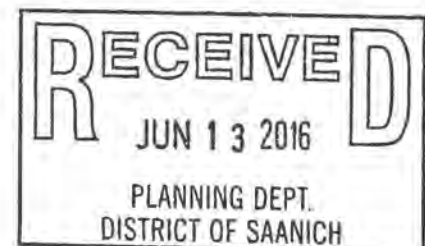
- According to the plans provided, the footprint of the proposed underground parking will require excavation up to the North, South, East and West property lines, and require removal of all trees located within the boundaries of the 960 and 968 properties.
- Douglas-fir (No Tag 2) and Holly (No Tag 3) located on the neighbouring property at 5150 Cordova Bay Road will be heavily impacted by excavation for the proposed underground parking footprint and will require removal.
- The following trees located on neighbouring properties at 5156 Cordova Bay Road and 964 Doumac Avenue may be impacted by excavation for the proposed underground parking and their retention will be depending on the extent of cut slope requirements and roots encountered during excavation:
  - o Douglas-fir (No Tag 4), Douglas-fir (No Tag 5) - approximately 2 meters from the property line, backfilled historically - the grade of the subject property is approximately 1 meter lower than the grade of the neighbouring property. Loose rock retaining wall may be partially obstructing root growth toward subject property. May be possible to retain depending on extent of required excavation and root encountered during excavation. Recommend no excavation beyond property line if these trees are to be retained.
  - o Western Red cedar Hedge (No tag 6) - Multiple stems (15 stems between 4-12cm in diameter), previously topped hedge near property line. May require root pruning depending on extent of excavation required. Recommend no excavation beyond property line if this hedge row is to be retained.



- Japanese maple (No Tag 7) - approximately 1.5 meters from property line. May require some root pruning depending on extent of excavation. Recommend no excavation beyond property line if this hedge row is to be retained.
  - Douglas-fir (No tag 8) - approximately 2.5 meters from property line. May require some root pruning depending on extent of excavation. Recommend no excavation beyond property line if this hedge row is to be retained.
- All excavation within the critical root zones of these trees must be performed under arborist supervision. If significant roots are encountered during excavation, we may recommend that additional trees be removed.
  - The following trees located on the municipal frontage that will be heavily impacted by excavation for the footprint of the proposed underground parking and will require removal: 111, 112, 113, 128, No Tag 1, No Tag 9.

**Underground Servicing:** The plans provided do not show locations of proposed underground service corridors. If excavation is required within the critical root zones of municipal trees to be retained, excavation must be performed under arborist supervision.

**Summary:** According to the plans provided, excavation for the proposed underground parking will require that twenty seven trees within boundaries of the 960 and 968 Doumac Avenue properties be removed. It should be noted that many of the trees on the subject properties are ornamental species, which have developed poor structures, as a result of the lack of maintenance. We anticipate that two trees (No tag 2 and No tag 3) located on the neighbouring property at 5150 Cordova Bay Road and Six trees located on the municipal frontages will also require removal, due to impacts from excavation for the proposed underground parking. It is our understanding that a landscape plan has been established to replace the function of the trees that will require removal for the proposal. Two Douglas-fir trees (No tag 4 and No tag 5), a multiple stemmed Western Red cedar hedge row (No Tag 6), a Japanese maple (No tag 7) located on the neighbouring property at 5156 Cordova Bay Road and a Douglas-fir (No tag 8) located on the neighbouring property at 964 Doumac Road may be impacted by excavation for the proposed underground parking and their retention will depend on the extent of required excavation and roots encountered during excavation. Excavation within the critical root zones of these trees must be performed under arborist supervision and will likely involve shoring or similar methods to eliminate the need for any cut slope beyond the property line. If a more accurate determination of the impacts to these trees is required prior to the excavation for the proposed building, we recommend that exploratory excavations be completed.



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 Email: treehelp@telus.net



Please do not hesitate to call us at 250-479-8733 should you have any further questions. Thank you.

Yours truly,  
Talbot Mackenzie & Associates

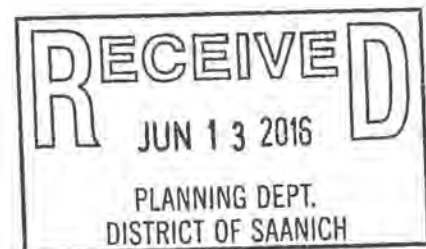
Graham Mackenzie & Tom Talbot  
ISA Certified, & Consulting Arborists  
Enclosures – 4 page Tree Resource Spreadsheet, Barrier Fencing Specifications, 1 page site survey/tree locations, 1 page underground parking plan

**Disclosure Statement**

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

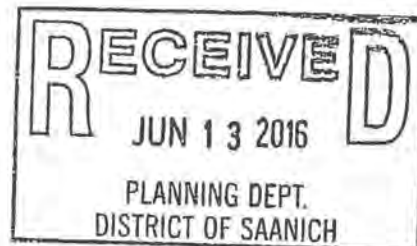


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**TREE RESOURCE**  
for  
960/968 Doumac Avenue

Tree #	d.b.h. (cm)	CRZ	Species	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
NT1	42, 52	7.0	Weeping willow	13.0	Fair	Fair/poor	Poor	Municipal tree. Basal decay, heavily pruned for utilities, ivy covered. Will be heavily impacted by excavation for proposed underground parking. Removal.
0111	60, 61, 64	12.0	Western Red cedar	11.0	Good	Fair	Moderate	Municipal tree. Tri-dominant, included bark. Will be heavily impacted by excavation for proposed underground parking. Removal.
0112	7, 10, 13, 13, 23	4.0	Mountain ash	6.0	Poor	Poor	Poor	Municipal tree. Decay in old pruning wounds, included bark. Will be heavily impacted by excavation for proposed underground parking. Removal.
0113	72	8.5	Big Leaf maple	14.0	Fair	Fair	Moderate	Municipal tree. Surface rooted, side pruned for utilities. Will be heavily impacted by excavation for proposed underground parking. Removal.
0114	13	1.5	Holly	3.0	Fair	Fair	Good	Multiple tops. Located within footprint of proposed underground parking. Removal.
0115	17	2.0	Plum	3.0	Fair	Fair/poor	Moderate	Leaning, recent low limb pruning. Located within footprint of proposed underground parking. Removal.
0116	6, 9, 10	3.0	Chamaecyparis	3.0	Fair	Fair	Moderate	3 stems. Located within footprint of proposed underground parking. Removal.
0117	7, 7, 10, 10	3.0	Laburnum	3.0	Fair	Fair	Poor	Heavy lean. Located within footprint of proposed underground parking. Removal.
0118	28	3.0	Laburnum	6.0	Fair/poor	Poor	Poor	Basal and stem decay. Located within footprint of proposed underground parking. Removal.
NT2	100	15.0	Douglas-fir	10.0	Fair	Fair	Poor	Located on neighbouring property. Surface rooted, hanger, ivy covered trunk. Will be heavily impacted by excavation for proposed underground parking. Removal.
0119	11, 12, 19	3.0	apple	5.0	Fair	Poor	Moderate	Heavily decayed. Located within footprint of proposed underground parking. Removal.

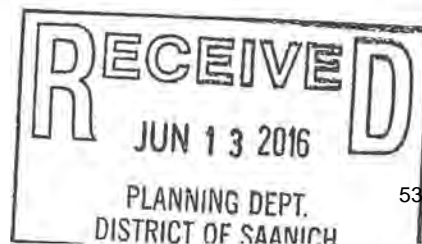
Prepared by:  
**Talbot Mackenzie & Associates**  
 ISA Certified, and Consulting Arborists  
 Phone: (250) 479-8733  
 Fax: (250) 479-7050  
 email: Treehelp@telus.net



**TREE RESOURCE**  
for  
960/968 Doumac Avenue

Tree #	d.b.h. (cm)	CRZ	Species	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
NT3	12	2.0	Holly	7.0	Good	Fair	Good	Located on neighbouring property. Canopy extends over property line. Will be heavily impacted by excavation for proposed underground parking and required clearance pruning. Removal.
NT4	40	6.0	Douglas-fir	6.0	Fair	Fair	Poor	Located on neighbouring property - approximately 2 meters from the property line, backfilled historically - the grade of the subject property is approximately 1 meter lower than the grade of the neighbouring property. Loose rock retaining wall may be partially obstructing root growth toward subject property. May be possible to retain depending on extent of required excavation within critical root zone.
NT5	60	9.0	Douglas-fir	10.0	Fair	Fair	Poor	Located on neighbouring property - approximately 2 meters from the property line, backfilled historically - the grade of the subject property is approximately 1 meter lower than the grade of the neighbouring property. Loose rock retaining wall may be partially obstructing root growth toward subject property. May be possible to retain depending on extent of required excavation within critical root zone.
0120	38	4.6	Chamaecyparis	6.0	Good	Fair	Moderate	Located within footprint of proposed underground parking. Removal.
0121	13, 19	3.0	Cherry	5.0	Fair	Fair	Moderate	Suppressed, ivy covered. Located within footprint of proposed underground parking. Removal.
0122	25	3.0	Walnut	6.0	Fair	Fair	Poor/Moderate	Ivy covered. Located within footprint of proposed underground parking. Removal.
0123	12, 15	3.0	hawthorne	4.0	Fair	Fair	Good	Ivy covered. Located within footprint of proposed underground parking. Removal.
0124	100	15.0	Douglas-fir	14.0	Fair	Fair	Poor	Backfilled with organic matter, trunk covered with dense ivy. Located within footprint of proposed underground parking. Removal.

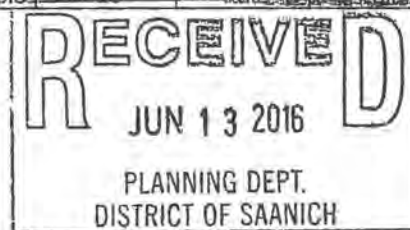
Prepared by:  
**Talbot Mackenzie & Associates**  
 ISA Certified, and Consulting Arborists  
 Phone: (250) 479-8733  
 Fax: (250) 479-7050  
 email: Treehelp@telus.net



**TREE RESOURCE**  
for  
960/968 Doumac Avenue

Tree #	d.b.h. (cm)	CRZ	Species	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
0125	12	2.0	Laburnum	10.0	Fair	Poor	poor	Prostrate form. Located within footprint of proposed underground parking. Removal.
0126	65	7.0	Douglas-fir	10.0	Fair	Fair	Poor	End-weighted. Located within footprint of proposed underground parking. Removal.
0127	68	7.0	Douglas-fir	8.0	Fair	Fair/poor	Poor	May have been topped historically, co-dominant tops. Located within footprint of proposed underground parking. Removal.
0128	64	7.0	arbutus	8.0	Poor	Poor	Poor	Municipal tree. Heavily cankered. Will be heavily impacted by excavation for proposed underground parking. Removal.
0129	25, 35	5.0	Chamaecyparis	10.0	Fair	Fair	Moderate	Backfilled. Located within footprint of proposed underground parking. Removal.
0130	23, 35, 48	8.0	Chamaecyparis	12.0	Fair	Fair	Moderate	Some included bark. Located within footprint of proposed underground parking. Removal.
0131	89	13.5	Douglas-fir	12.0	Good	Good	Poor	Some end-weight. Located within footprint of proposed underground parking. Removal.
0132	23	3.0	leylandii	6.0	Good	Fair	Moderate	Located within footprint of proposed underground parking. Removal.
0133	33	3.5	leylandii	6.0	Good	Fair	Moderate	Located within footprint of proposed underground parking. Removal.
0134	67	7.0	Douglas-fir	12.0	Fair	Fair	Poor	Some end-weight. Located within footprint of proposed underground parking. Removal.
NT6	Multiple	3.0	Western Red cedar	3.0	Fair	Fair	Moderate	Multiple stems(15 stems between 4-12cm in diameter), previously topped hedge near property line. May require root pruning depending on extent of excavation required.
NT7	15, 15	3.0	Japanese maple	4.0	Fair	Fair	Moderate	Located on neighbouring property - approximately 1.5 meters from property line. May require some root pruning depending on extent of excavation.

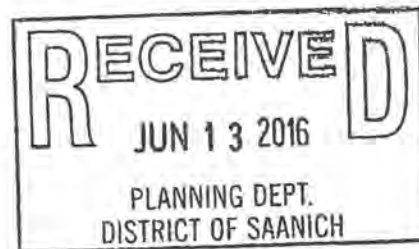
Prepared by:  
**Talbot Mackenzie & Associates**  
 ISA Certified, and Consulting Arborists  
 Phone: (250) 479-8733  
 Fax: (250) 479-7050  
 email: Treehelp@telus.net





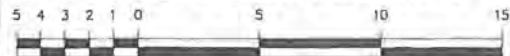
**TREE RESOURCE  
for  
960/968 Doumac Avenue**

<i>Tree #</i>	<i>d.b.h. (cm)</i>	<i>CRZ</i>	<i>Species</i>	<i>Crown Spread(m)</i>	<i>Condition Health</i>	<i>Condition Structure</i>	<i>Relative Tolerance</i>	<i>Remarks / Recommendations</i>
NT8	30	4.0	Douglas-fir	5.0	Good	Fair	Poor	Located on neighbouring property - approximately 2.5 meters from property line. May require some root pruning depending on extent of excavation.
0135	85	10.0	Douglas-fir	12.0	Fair	Poor	Poor	Co-dominant, included bark. Located within footprint of proposed underground parking. Removal.
0136	35	4.0	cryptomeria	10.0	Fair	Fair	Moderate	Located within footprint of proposed underground parking. Removal.
0137	49	6.0	beech	14.0	Good	Fair	Moderate	Included bark. Located within footprint of proposed underground parking. Removal.
0138	50	6.0	silver maple	14.0	Fair	Fair	Moderate	Leaning. Located within footprint of proposed underground parking. Removal.
0139	23	2.5	locust	6.0	Fair	Fair	Good	Leaning, located beside existing residence. Located within footprint of proposed underground parking. Removal.
0140	53	6.0	Grand fir	10.0	Fair	Poor	Poor	Weak co-dominant tops. Located within footprint of proposed underground parking. Removal.
NT9	69	8.0	Monterey cypress	10.0	Fair	Fair	Moderate	Located on municipal frontage - part of trunk on neighbouring property. Underground utilities near base of tree. Will be heavily impacted by excavation for proposed underground parking and underground servicing. Removal.
0141	14	1.5	Holly	6.0	Good	Fair	Good	Located within footprint of proposed underground parking. Removal.



Prepared by:  
**Talbot Mackenzie & Associates**  
 ISA Certified, and Consulting Arborists  
 Phone: (250) 479-8733  
 Fax: (250) 479-7050  
 email: Treehelp@telus.net

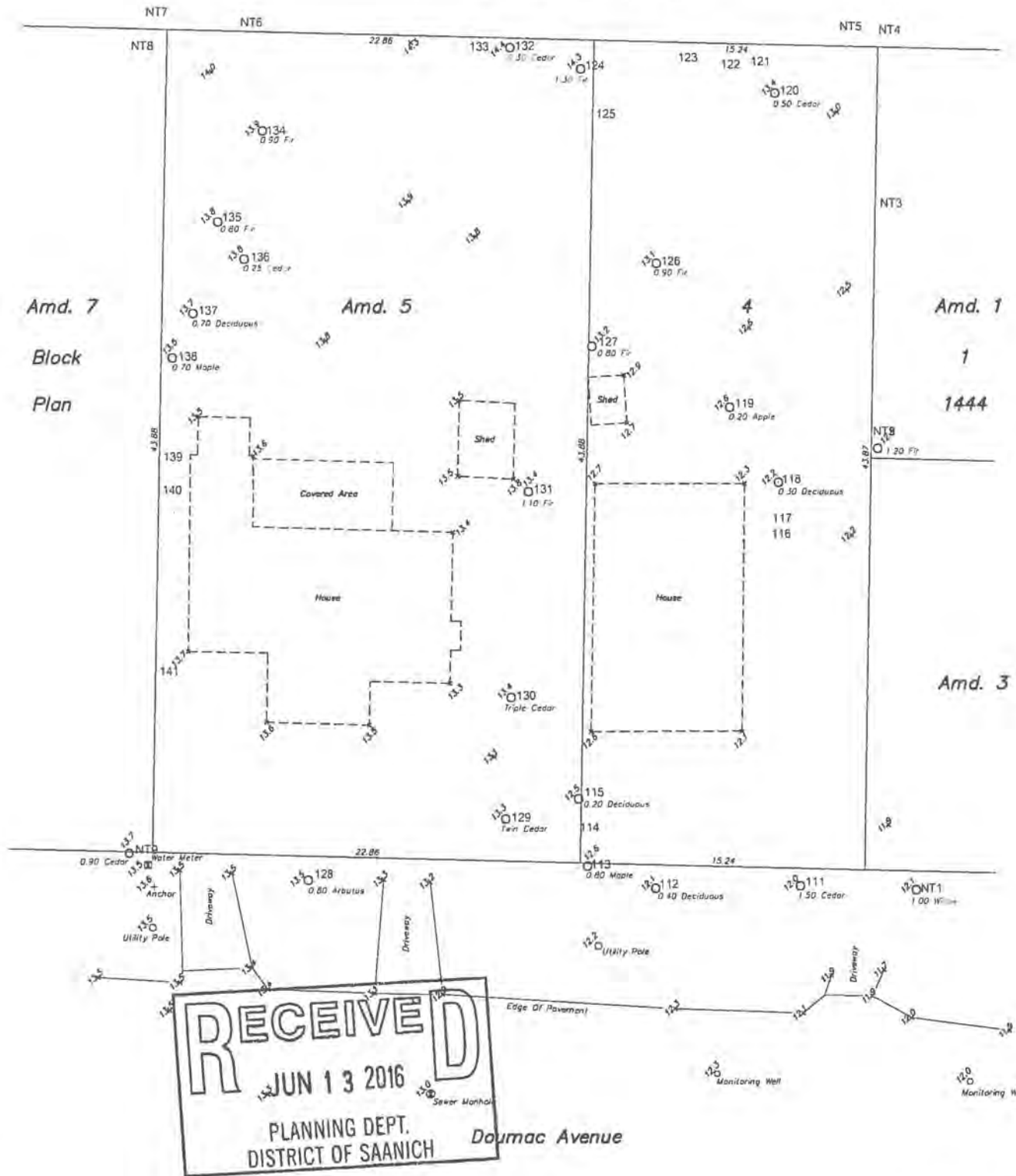
**Site Plan Of:**  
**Lot 4 & Amended Lot 5 (DD 248221-i), Block 1,**  
**Section 31, Lake District, Plan 1444.**



Scale = 1:150  
 Dated this 29th day of July, 2015.  
 Distances and elevations shown are in metres.  
 Elevations are referenced to geodetic datum.



**Strata Plan VS1545**

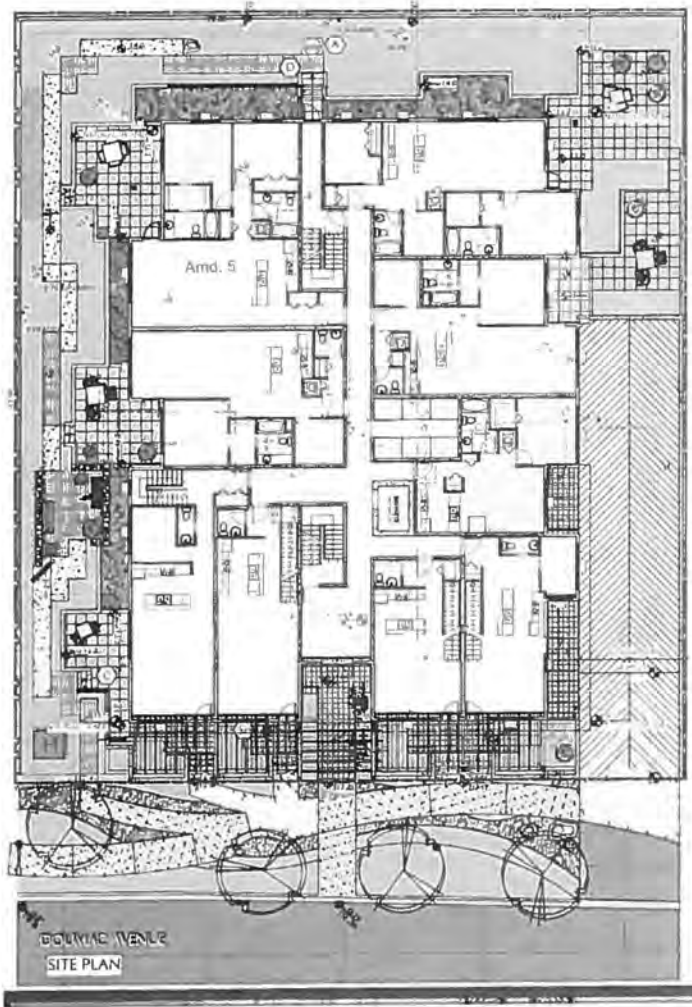


**RECEIVED**  
 JUN 13 2016  
 PLANNING DEPT.  
 DISTRICT OF SAANICH

**Doumac Avenue**

Way Mayenburg Land Surveying Inc.  
 www.wayssurveying.com  
 94-2227 James White Boulevard  
 Surrey, BC V8L 1Z5  
 Telephone (250) 856-5155  
 Fax: 130224/SL/MS

Amd. 7  
Block  
Plan

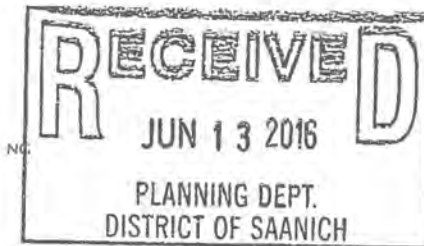
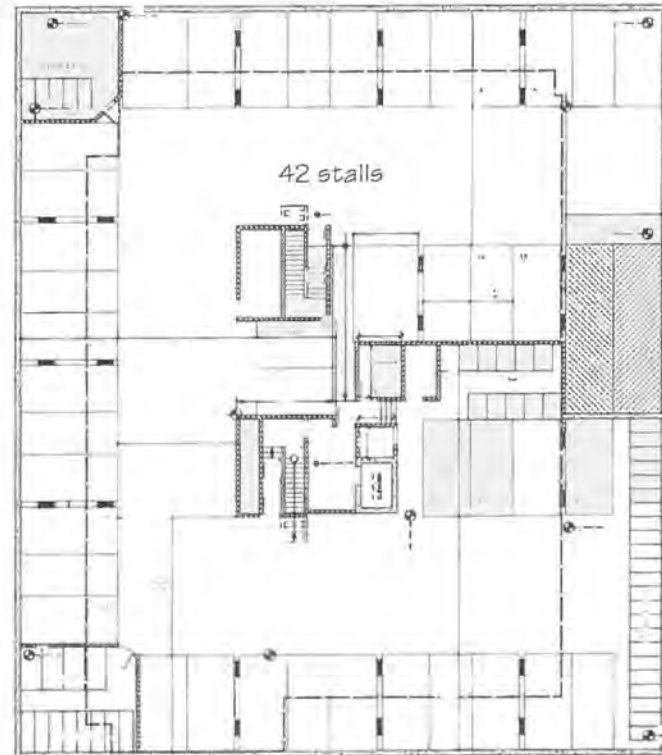


Amd. 1

1

1444

Amd. 3



SITE PLAN WITH  
UNDERGROUND PARKING



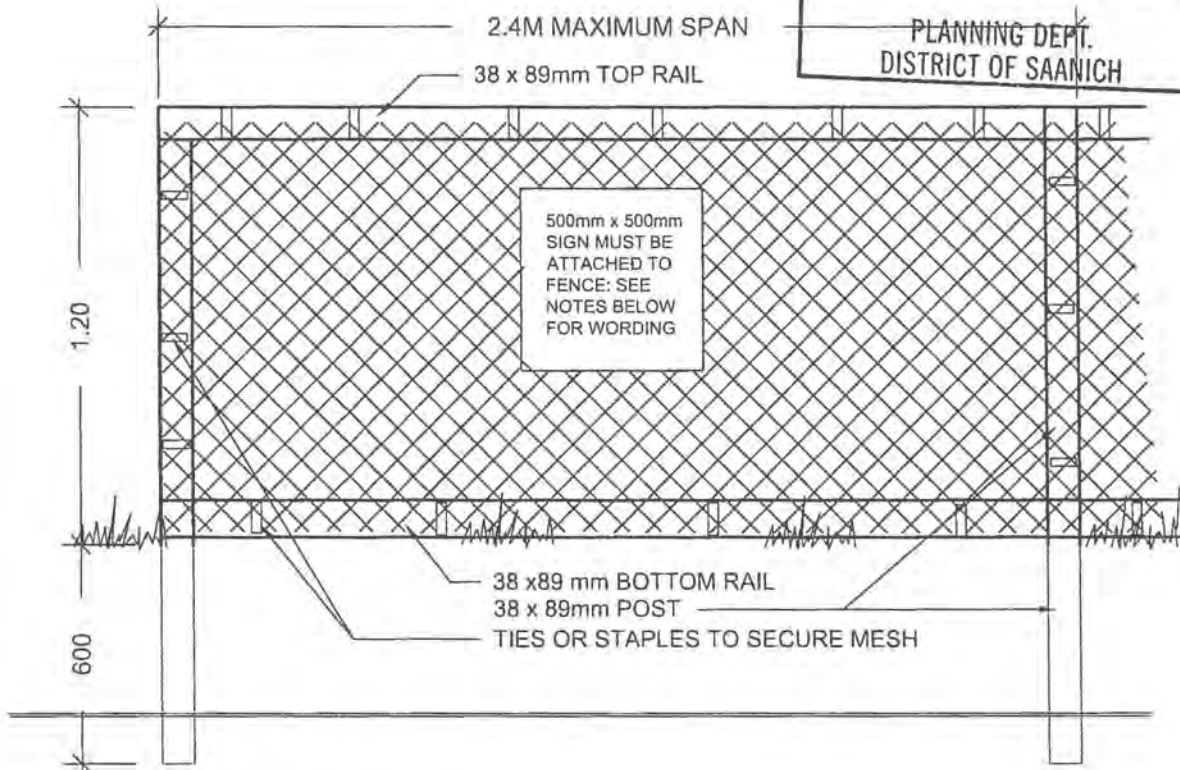
A-1



PRAXIS  
architects inc.

32 UNITS APARTMENT BUILDING  
DOUMAC AVENUE VICTORIA, BC

**RECEIVED**  
 JUN 13 2016  
 PLANNING DEPT.  
 DISTRICT OF SAANICH



**TREE PROTECTION FENCING**

**NOTES:**

1. FENCE WILL BE CONTRUCTED USING 38 X 89 mm (2"X4") WOOD FRAME: TOP, BOTTOM AND POSTS. \*  
 USE ORANGE SNOW-FENCING MESH AND SECURE TO THE WOOD FRAME WITH "ZIP" TIES OR GALVANZIED STAPLES.
2. ATTACH A 500mm x 500mm SIGN WITH THE FOLLOWING WORDING:  
**WARNING-HABITAT PROTECTION AREA.** THIS SIGN MUST BE AFFIXED ON EVERY FENCE FACE OR AT LEAST EVERY 10 LINEAR METRES.

\* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED



DETAIL NAME: **TREE PROTECTION FENCING**

DATE: March/08  
 DRAWN: DM  
 APP'D: RR  
 SCALE: N.T.S.



## THE CORPORATION OF THE DISTRICT OF SAANICH

**TO: MAYOR AND MEMBERS OF COUNCIL**  
**DATE: MARCH 29, 2016**  
**FROM: ADVISORY DESIGN PANEL**  
**SUBJECT: APPLICATION BY PRAXIS ARCHITECTS INC. TO REZONE FROM RS-18 (SINGLE FAMILY DWELLING) TO A NEW SITE-SPECIFIC ZONE IN ORDER TO CONSTRUCT A 4-STOREY, 25-UNIT CONDO PROJECT WITH UNDERGROUND PARKING AT 986 & 990 DOUMAC AVENUE**  
**PLANNING FILES: DPR00640 / REZ00569**  
**CASE #2016/003**

---

### **BACKGROUND AND PRESENTATION**

The above referenced application was considered by the Advisory Design Panel at its meeting of March 16, 2016.

Mr. Robert Rocheleau, Architect and Ms. Kristin Schulberg, Senior Designer, Praxis Architects Inc.; Mr. Bill Patterson, President and Mr. Mike Dalton, Vice President, Citta Group; Mr. Tom Swift, Tom Swift Construction; and Ms. Carole Rossell, Small & Rossell Landscape Architects Inc. attended to present design plans and answer questions from the Panel.

Mr. Findlow briefly outlined the proposal:

- While the proposal complies with the Official Community Plan (OCP) and the vision for the Cordova Bay Village Centre, height and siting variances are required.
- The proposal would have a Floor Space Ratio (FSR) of 1.7. The Planning Department has determined that it would comply with the density requirements of the RA-8 zone, which permits 1.4 FSR, with density bonus up to 1.7 FSR if at least 80% of the required parking is concealed.
- The Planning Department has assessed the overall design and are in general support of the form and character; however, the proposal may be too dense and there is concern about the trellis which extends off of the front of the building to a zero lot line measurement. It could be pulled back to assist in creating effective facing to the street.
- More information will be required from the applicant identifying how storm water management and garbage and recycling will be addressed.

The applicants highlighted:

- The original plans proposed a 5-storey project; however, it was reduced to four storeys to respond to density and height concerns. The proposed building will consist of four two-storey, ground-orientated townhouses as well as one and two-bedroom units.
- The townhouses will have a Street presence with 3m setbacks and will include private front yards and small patios. Decks are proposed to reduce massing impacts. The third and fourth floors step further back to ensure there are no visible four-storey walls.
- Shadow studies indicate the existing trees will create more shadow impact than the proposed building.
- Materials include brick, two colours of stucco, black trim and cedar siding on top of panels.
- The natural grade on Doumac Avenue is uneven and results in a differential measurement of 0.6m between the east and west sides of the property. Townhouse entrance stairs accommodate the grade difference and the parkade is at street grade.


- Due to the grade fluctuation, the height of the proposed building will not overwhelm the single family dwelling located next door.
- The Landscape Plan includes four columnar Red Maple trees to ensure viewscales through the property are maintained. Trees that can be salvaged will be saved.
- A concrete, wave-form sidewalk is proposed at the south-facing frontage and to the garden pathways. Plantings and river rock surfacing is intended to strengthen the wave-form. Plants will encourage a coastal character by incorporating ornamental grasses, herbs and lavender.
- A garden seating space and amenity garden is proposed on the west walkway and would be flanked by stone walls. Remainder of site would be bounded by a 6'.0" solid panel cedar fence.
- Patios will be generous and will be constructed of permeable concrete slabs, patios on the west side would be set into the ground with steps to the pathway.
- Internal landscape spaces would include native and ornamental species and some edible plants, including blueberries and trellis grape vines.
- Due to soil depth challenges Flowering Dogwood, Fine Maple or Serbian Spruce trees can be considered; however, there is a small distance between the edge of the slab and the property line and roots will migrate toward the deeper soil. Full depth soil does exist around the perimeter of the property.
- Phase II is a future possibility for the neighbouring property; however, there are no defined plans or proposals at this point.

Comments from Panel members:

- There are concerns about effective storm water management due to the amount of concrete being utilized and because the proposed building takes up so much of the site.
- Negative impacts to existing neighbouring properties should be avoided and creating a friendly face to the street should be a priority.
- The density and height of this proposal is as intended for this area and it would form part of the future village.
- An accessible parking space should be included in both the designated and visitor parking areas and should be located close to the elevator or access points.
- A door from the south side of the building with direct access to the elevator should be added. Glass walls should be considered for the elevator lobby for Crime Prevention through Environmental Design (CPTED) considerations.
- Curved pathways result in extra hard surfaces, direct paths may be a better approach.
- The shape of the proposed building and the line of the upper roof are nice; however, the townhouses could be better emphasized and the roof line could be reduced to better shape the building.

**RECOMMENDATION:**

**That it be recommended that the 4-storey, 25-unit condo project with underground parking at 986 & 990 Doumac Avenue be approved as presented and that the comments from the Panel be considered.**



Penny Masse, Secretary  
Advisory Design Panel

ec: *Director of Planning / Manager of Inspections / Mr. Tony James, KPL James Architecture Inc.*

0144 Cordova Bay  
Checksheet

**Clerksec - Re: Cordova Bay Plaza**

TO	POSTED
COPY TO	
INFORMATION	<input type="checkbox"/>
REPLY TO WINTER	<input type="checkbox"/>
COPY RESPONSE TO LEGISLATIVE DIVISION	<input type="checkbox"/>
REPORT FOR	
ACKNOWLEDGED:	

**From:** Colin Millard [REDACTED]  
**To:** Neil Findlow <Neil.Findlow@saanich.ca>  
**Date:** 11/8/2016 2:49 PM  
**Subject:** Re: Cordova Bay Plaza  
**CC:** ClerkSec <ClerkSec@saanich.ca>, <Planning.Mun\_Hall.Saanich@saanich.ca>, ...

Dear Neil, have you now received the new plans etc. from Alan Lowe. Is there an opportunity for me to come and take a quick look?

Many thanks

Colin Millard



On Oct 23, 2016, at 01:03 PM, Colin Millard [REDACTED] wrote:

Dear Neil,

Thank you for your speedy response. I presume the scheme for the earlier DP is also available for one to view? However, I have to say I'm sure I have never heard of a DP from 18 years ago still being active? Seriously, this is a generation ago. So many things, people, circumstances, community attitudes, Council's expectations. Codes of all types, seismic knowledge, building types, needs and uses, the list goes on. Even the gorgeous tree is a completely different animal now, 18 years ago it was likely an unnoticeable sapling, I don't remember.

Anyway I make these points, as I said in my previous note, to put a serious brake on this, or any remotely similar arrangement. Between us we must stop a disaster happening on our watch. Please discuss this with your colleagues.

Might I know who it is on the Council will have the greatest interest and involvement. Thank you.

I'm unclear as to the need for Provincial input to the development: I presume you refer to the environmental problem from the old gas station.

Since you have met with the current owner and his Architect, perhaps they explained in the past or recently why they insist on placing the highest densities parts right up to the most sensitive areas. It seems logical for the rear of the property to be used to solve issues.

What parking needs would be required?

However, it seems this whole thing is not really under anyone's real control apart from the developer and his agents. They have an unacceptable scheme, but if they are just uncooperative what can you, Council, Cordova Bay Association, or I do? In my head, form and character can be challenged. Also Policy 8.3 should really give



us a chance for a village character, history and such to be used. So far there is absolutely no village feel, no historical reference, no place for these lands to continue as a place for our present village functions and events.

You give some hope with regard to the Cordova Bay Village Development Permit Area requirements.

Thank you again for your time and comprehensive response. I'm sure I will be in touch!

Sincerely

Colin Millard  
46 Sunnymead Way

On Oct 21, 2016, at 9:11 PM, Neil Findlow <[Neil.Findlow@saanich.ca](mailto:Neil.Findlow@saanich.ca)> wrote:

Dear Mr. Millard:

Thank you for your email commenting on the proposed redevelopment of Cordova Bay Plaza.

Recently, Planning staff met with Alan Lowe, Architect and his client about a proposed redevelopment of the Cordova Bay Plaza site. A formal Development Permit Amendment Application has not been received.

The site is zoned C-3 (Shopping Centre Zone). In 1999, Council approved Development Permit DPR98-0017 to permit construction of a new 3800 m<sup>2</sup> shopping centre to replace Cordova Bay Plaza. The proposal included a grocery store, a 3 storey mixed-use building with retail on the ground floor and 16 apartment units above, a bank, and a small retail building fronting on Cordova Bay Road. Issuance of the Development Permit was withheld pending site consolidation and resolution of site contamination issues. As a result of the significant delay to resolve the contamination issues, that development was not constructed although the approved Development Permit remains active. In 2012, the Province issued a Certificate of Compliance for the shopping centre site.

Mr. Lowe intends to submit a Development Permit Amendment Application to allow changes to the approved plans. According to Mr. Lowe, the general form and character would not change substantially from the approved Development Permit. While the updated proposal would include additional residential units above the proposed grocery store and bank building it would comply with the land use, density, siting, height and parking requirements for the current C-3 (Shopping Centre) Zone. No Zoning Bylaw variances would be requested. A Traffic Impact Assessment would form part of his submission.

The site and surrounding area is designated in the Official Community Plan (OCP) as a "Village" Centre. "Villages" are small local nodes, with a historical basis, that meet local residents' basic commercial and service needs. They also provide a limited amount of multiple family housing, and they are typically serviced by a single



bus route. The OCP supports mixed-use commercial/residential (3 to 4 storeys) in "Villages". Cordova Bay Local Area Plan (1998) designates the site for commercial shopping centre use. Policy 8.3 states "Use development permits to ensure that commercial redevelopment in the village respects the village-like character."

In this case, the C-3 zone permits the proposed use and if no Zoning Bylaw variances are requested, Council's review of the development would be limited to the "form and character" based on the relevant guidelines for the Cordova Bay Village Development Permit Area. Key guidelines include massing and scale that is compatible with adjacent development; village-like character; strong pedestrian focus; vehicle access to Sutcliffe Road, Doumac Avenue, or Cordova Bay Road; and retention of existing trees wherever possible.

Mr. Lowe has indicated that he has met with the Cordova Bay Association for Community Affairs and Open Houses have been held to inform residents and other stakeholders about the proposal. A Development Permit Amendment Application for changes to approved Development Permit DPR98-0017 is expected to be submitted by the end of October. Processing of the application by staff is expected to take 4 to 6 months. Following the staff review, a report will be prepared for consideration at a Committee of the Whole meeting. A Public Hearing would not be required.

If you have additional questions, please do not hesitate to contact the Planning Department.

Yours truly,

Neil Findlow,  
Senior Planner

Neil Findlow, MCIP RPP

Senior Planner  
Planning Department  
District of Saanich

770 Vernon Avenue  
Victoria BC V8X 2W7  
t. 250-475-5494 ext. 3405  
f. 250-475-5430  
[neil.findlow@saanich.ca](mailto:neil.findlow@saanich.ca)  
[www.saanich.ca](http://www.saanich.ca)

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Please consider the environment before printing this e-mail.

>>> ClerkSec 10/20/2016 6:23 PM >>>

Mr. Millard:

I have forwarded your follow-up email to the Planning Department.  
Thank you.

Regards,  
Sharon

Legislative Department  
District of Saanich  
770 Vernon Ave.  
Victoria BC V8X 2W7

t. [250-475-1775](tel:250-475-1775)  
f. [250-475-5440](tel:250-475-5440)  
[clerksec@saanich.ca](mailto:clerksec@saanich.ca)  
[www.saanich.ca](http://www.saanich.ca)

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>>> Colin Millard [REDACTED] 10/20/2016 11:42 AM >>>  
Dear Sharon,

Thank you.

On thing that I should know is regarding precedents for down-zoning a piece of property. I have no idea, in this case if the owner could be encouraged to do this.

Obviously he/she made the purchase knowing the existing 70's zoning, and so far I think it is the highest use with that zoning we are seeing.

However, when a zoning is so obviously out of place ..... on the other hand a complete redraw may work with the zoning, but get the high density in a totally different location.

Colin

On Oct 20, 2016, at 12:22 AM, ClerkSec <[ClerkSec@saanich.ca](mailto:ClerkSec@saanich.ca)> wrote:

Mr. Millard:

My apologies for the delay with acknowledging receipt of your correspondence to Council. Please be assured it was forwarded to Council and a copy provided to the Planning Department.

Regards,  
Sharon

Legislative Department  
District of Saanich  
770 Vernon Ave.  
Victoria BC V8X 2W7

t. [250-475-1775](tel:250-475-1775)  
f. [250-475-5440](tel:250-475-5440)  
[clerksec@saanich.ca](mailto:clerksec@saanich.ca)  
[www.saanich.ca](http://www.saanich.ca)

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>>> Colin Millard [REDACTED] 10/10/2016 3:59 AM >>>

As a very unacceptable development has shown up for this property, but one apparently in accord with a 1970's zoning, how can the community or anyone bring a zoning that makes sense for these lands?

Yes costs for the developer who has bought the property on a certain understanding: I understand all of that. Payment to the design team for starting again.

However, did Planning know what was going on? Now we have the disastrous plans in front of us, which are completely unacceptable to all of you as Mayor and Council. They are out of scale, proportion, land use, and relations to any and all neighbouring lands and uses.

The Cordova Bay Community Association are at a loss. And they see their thoughts and potential input to be quite limited.

Can they have power to get the current zoning overturned. Please take a look at what is proposed before Cordova Bay is destroyed. Let's not have this happen on our/your watch.

Thank you again for your help and diligence.

Colin Millard  
46 [redacted] Sunnymead Way



<Neil Findlow.vcf>



**Council - Fwd: Proposed Rezoning and Amalgamation of 986 and 990 Doumac Ave and the proposed Cordova Bay Plaza**

OCT 31 2016  
LEGISLATIVE DIVISION

**From:** Sharlene Shore [redacted]  
**To:** "mayor@saanich.ca" <mayor@saanich.ca>, "council@saanich.ca" <council@saa...  
**Date:** 10/29/2016 4:44 PM  
**Subject:** Fwd: Proposed Rezoning and Amalgamation of 986 and 990 Doumac Ave and the proposed Cordova Bay Plaza  
**CC:** [redacted]

Dear Mayor and Council,

The letter below was sent to you May 18th, 2016. I am resending it because I feel exactly the same way about the proposed Cordova Bay Plaza upgrade. I would add that the density proposed of 85 units is outrageous! I live next door in Cordova Bay Beach Estates. We have 79 units on twice the amount of land! It was very thoughtfully laid out paying special attention to the beautiful small village feel.

This new proposal is as bad if not worse than the Doumac proposal. They both seem like a "money grab" by the developers. We know the price of the Plaza property is very high to purchase, so this is how he would make money by cramming it full of condos. This should not be the focus of our long awaited upgrade to the Plaza!

We need developers like the Jawl family to upgrade our Plaza. The Ridge, Saward Hill, the Golf Course condos, none of which are in your face, stretched to all the property lines, as proposed by this developer. They have all been well designed keeping with the character of our special area.

Lastly, the amount of traffic on Cordova Bay Road and the speed at which the vehicles travel are a serious issue now!

Please consider mine and other neighbours thoughts on this present application for development of the Plaza and Doumac before our gorgeous area looks like the downtown West End of Vancouver!

Sincerely,

Sharlene Shore  
Cordova Bay Beach Estates [redacted]

Begin forwarded message:

POST TO	Gen	POSTED
COPY TO	SH	
INFORMATION	<input checked="" type="checkbox"/>	
REPLY TO WRITER	<input type="checkbox"/>	
COPY RESPONSE TO LEGISLATIVE DIVISION	<input type="checkbox"/>	
REPORT FOR		
ACKNOWLEDGED:	BIMuel	

On May 18, 2016, at 8:51 AM, Sharlene Shore [redacted] wrote:

Dear council,

I have lived in Cordova Bay, Broadmead area for many, many years and always considered our little village comparable to a little village in the south of France, Cassis. The only

difference is we have beautiful homes on the ridge behind not a castle...

Low lying townhouses and family homes comply with our magnificent landscape and keep the feeling of this unique place and our owners happy and proud.

Apartment buildings four stories high will overpower that corner on the tiny, little street. More importantly those cars in the big eyesores will cause traffic to be more unsafe than it is now! They will also block neighbours gorgeous views of the ocean, mountains and forest. This is just not the place for apartment buildings.

I am not in favour of this proposed building on any of the lots on this corner and down the street of Doumac.

Continuing the lay of the land with townhouses max of two stories high will beautify this area, not overpower it!

Sharlene Shore  
Cordova Bay Beach Estates

RECEIVED

APR 12 2016

## Doumac Avenue Amalgamation Application Comment Card

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a five story apartment building (see attached drawing). The building will have 25 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

Name(s): M. OCKWEN Contact Info (phone or [REDACTED]  
Address: [REDACTED] 51 [REDACTED] CARROSA BAY RD [REDACTED]

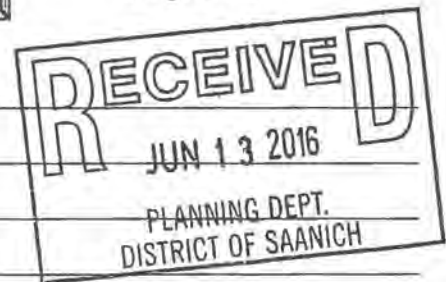
Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support

In Opposition

Impartial

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10

**Correction Notice:**

- The comment card sent previously had accidentally referenced the original five storey proposal and should have read "four storey".
- Neil Findlow is the senior planner at The District of Saanich and asks that questions regarding this proposal are directed to him.

Please see corrected comment card below:

**Doumac Avenue  
Amalgamation Application Comment Card**

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a four storey apartment building. The building will have 25 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

We welcome your input and comments at the meeting, as well as any questions you may have.

Name(s): Nancy Southcott Contact Info (phone or email): [REDACTED]  
 Address: [REDACTED] 57 Cordova Bay Rd Victoria

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support     
  In Opposition     
  Impartial

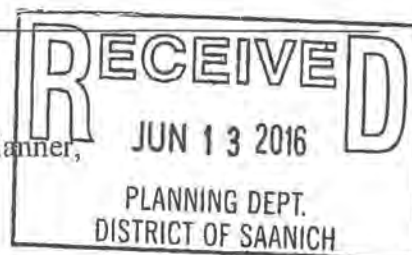
Comments: As a long term neighbour to rental housing on Doumac, I will welcome the quiet and the updated look of the new development.

If you have further questions, you may contact:

The Corporation of the District of Saanich, Neil Findlow, Senior Planner,  
250-475-5494 ext 3405

OR

Our Citta Group Office, Mike Dalton, General Manager, 250-544-1837 EXT. 10





RECEIVED

MAR 22 2016

### Doumac Avenue Amalgamation Application Comment Card

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a five story apartment building (see attached drawing). The building will have 25 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

Name(s): Jeannie Kam - Super Duper Store Contact Info (phone or email): [REDACTED]  
Address: 51 [REDACTED] Cordova Bay Road, Victoria.

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support       In Opposition       Impartial

Comments: The injection of more residents and more households will definitely help support the local businesses in Cordova Bay.

If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10

RECEIVED  
JUN 13 2016  
PLANNING DEPT.  
DISTRICT OF SAANICH

## Doumac Avenue Amalgamation Application Comment Card

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a five story apartment building (see attached drawing). The building will have 25 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

---

Name(s): Celina Ho Contact Info (phone or email): [REDACTED]  
Address: 9 [REDACTED] Doumac Ave Victoria, BC V8Y 1M4

Please indicate with a "Check" what your preference is, and make any comments you wish below.

**In Support**

**In Opposition**

**Impartial**

Comments: The only concern I have is parking.

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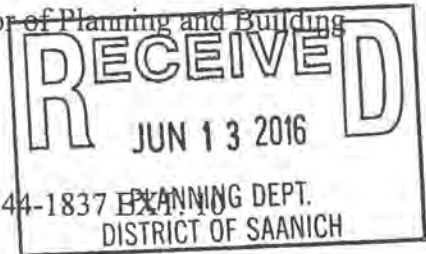
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If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837



ENTERED MAR 29 2016

**Mike Dalton**

---

**From:** [REDACTED]  
**Sent:** Saturday, April 2, 2016 6:09 PM  
**To:** Customer Care; Mike Dalton  
**Subject:** Service Request Submission from Cittagroup.com

**Name**

Peter Baillie

**Address**

[REDACTED]

**Daytime Number**

[REDACTED]

**Evening Number**

[REDACTED]

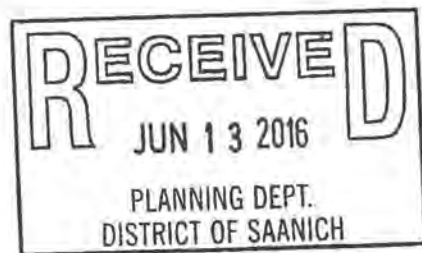
**Email**

[REDACTED]

**Message**

We attended the open house today, Sat. April 2nd, at the neighbourhood association faculty and support the Douac development without condition.

Regards,  
Peter and Shannon Baillie  
7 Cordova Bay Road  
[REDACTED]



Name(s): M. TARRANT Contact Info (phone) email: [REDACTED]

Address: 51 CORDOVA BAY RD. VICTORIA, B.C.

Please indicate with a "Check" what your preference is, and make any comments you wish below.



In Support



In Opposition



Impartial

Comments: TOO LARGE FOR THIS HEIGHTS ZONING HOOD.

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If you have further questions, you may contact:

The Corporation of the District of Saanich, **Neil Findlow**, Senior Planner,  
250-475-5494 ext 3405

**OR**

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10

RECEIVED  
APR 08 2016



RECEIVED

APR 01 2016

### Doumac Avenue Amalgamation Application Comment Card

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a five story apartment building (see attached drawing). The building will have 25 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

Name(s): DANE & HALINA MITTON Contact Info (phone or email):   
Address: 5155 CORDOVA BAY RD

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support

In Opposition

Impartial

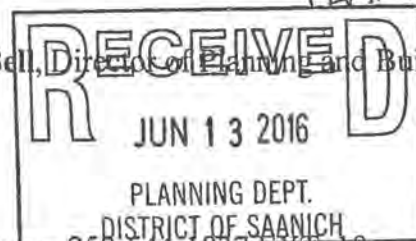
Comments: THE FIVE STORY INITIAL INFO SHEET, SINCE REVISED TO FOUR STORIES, NEITHER IS IN KEEPING WITH THE NEIGHBOURHOOD; MUCH MORE INFO NEEDED CONCERNING IMPACT ON CORDOVA BAY ROADS, TRAFFIC PATTERNS; I AM ESTIMATING APPROX 24 UNITS IN THE FOUR STORY REVISION, SO APPROX 40-60 NEW RESIDENTS, WHICH MUST BE

If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1857 EXT. 10



PLANNED FOR  
↓

THREE STORIES HIGH IS THE MAX WE WOULD APPROVE OF.



## Doumac Avenue Amalgamation Application Comment Card

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a five story apartment building (see attached drawing). The building will have 25 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

---

Name(s): MRS. JOAN PICKLES Contact Info (phone or email): [REDACTED]  
Address: [REDACTED] 51 [REDACTED] CORDOVA BAY Rd. VICTORIA B.C. [REDACTED]

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support

In Opposition

Impartial

Comments: TOO CLOSE - TOO HIGH

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If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR



Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10

ENTERED MAR 29 2016

## Doumac Avenue Amalgamation Application Comment Card

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a five story apartment building (see attached drawing). The building will have 25 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

Name(s): KATHRYN INGLE Contact Info (phone or email): [REDACTED]  
Address: 51 [REDACTED] CORDOVA BAY RD.

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support

In Opposition

Impartial

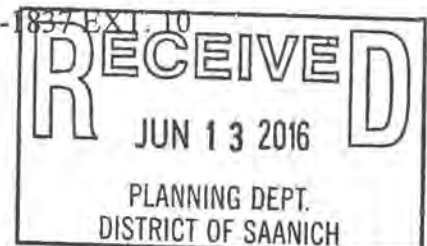
Comments: Will the apartment building be rental units or condo units? I think the proximity to shopping is good for seniors especially & may bring more business to the area. I did not receive "attached drawing"

If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10



*Doumac*

**From:** Diane Bradley [redacted]  
**To:** "mayor@saanich.ca" <mayor@saanich.ca>, "council@saanich.ca" <council@saanich.ca>, "susan.brice@saanich.ca" <susan.brice@saanich.ca>, "judy.brownoff@saanich.ca" <judy.brownoff@saanich.ca>, "vic.derman@saanich.ca" <vic.derman@saanich.ca>, "fred.haynes@saanich.ca" <fred.haynes@saanich.ca>, "dean.murdock@saanich.ca" <dean.murdock@saanich.ca>, "colin.plant@saanich.ca" <colin.plant@saanich.ca>, "vicki.sanders@saanich.ca" <vicki.sanders@saanich.ca>, "leif.wergeland@saanich.ca" <leif.wergeland@saanich.ca>, "Sharon.hvozdanski@saanich.ca" <Sharon.hvozdanski@saanich.ca>, "chuck.bell@saanich.ca" <chuck.bell@saanich.ca>  
**Date:** 6/1/2016 3:23 PM  
**Subject:** Proposed Rezoning of 986 and 990 Doumac Ave.

Dear Mayor, Councillors and Members of Saanich Planning Department:

I wish to express my opposition to the proposed rezoning and development of the above addresses in Cordova Bay.

A chief concern regarding the proposed four-story condominium would be the resulting increase in traffic along the already heavily-used, but narrow and winding, Cordova Bay Road. Pedestrian and bicycle safety, I'm sure you will agree, is of prime importance. In addition, it does not seem that more high-density housing, especially a multi-story building, in that location would fit well into the Cordova Bay Village atmosphere.

I hope Council will take these points into consideration.

Thank you very much.

Diane Bradley  
[redacted]-51 Cordova Bay Rd.  
Victoria, BC [redacted]

POST TO	<i>Gen</i>	OPENED 3 2016
COPY TO	<i>ST (Gen)</i>	
INFORMATION	<input type="checkbox"/>	
REPLY TO WRITER	<input type="checkbox"/>	
COPY RESPONSE TO LEGISLATIVE DIVISION	<input type="checkbox"/>	
REPORT	<input type="checkbox"/>	
FOR		
ACKNOWLEDGED	<i>blm</i>	

RECEIVED  
 JUN 02 2016  
 LEGISLATIVE DIVISION  
 DISTRICT OF SAANICH



**Council - Proposed Rezoning and Amalgamation of 986 and 990 Doumac Ave**

**From:** Sharlene Shore [redacted]

**To:** "mayor@saanich.ca" <mayor@saanich.ca>, "council@saanich.ca" <council@saanich.ca>, "susan.brice@saanich.ca" <susan.brice@saanich.ca>, "judy.brownoff@saanich.ca" <judy.brownoff@saanich.ca>, "vic.derman@saanich.ca" <vic.derman@saanich.ca>, "fred.haynes@saanich.ca" <fred.haynes@saanich.ca>, "dean.murdock@saanich.ca" <dean.murdock@saanich.ca>, "colin.plant@saanich.ca" <colin.plant@saanich.ca>, "vicki.sanders@saanich.ca" <vicki.sanders@saanich.ca>, "leif.wergeland@saanich.ca" <leif.wergeland@saanich.ca>, "Sharon.hvozdanski@saanich.ca" <Sharon.hvozdanski@saanich.ca>, "chuck.bell@saanich.ca" <chuck.bell@saanich.ca>, "Cc: 'cba.president@cbsn.com'" <cba.president@cbsn.com>, mary lynn reimer [redacted], Davic [redacted] Paul Wood [redacted]

**Date:** 5/18/2016 8:52 AM

**Subject:** Proposed Rezoning and Amalgamation of 986 and 990 Doumac Ave

POST TO	Gen	POSTED	2016.05.19
COPY TO	SH (rec'd)		
INFORMATION	<input checked="" type="checkbox"/>		
REPLY TO WRITER	<input type="checkbox"/>		
REPORT	<input type="checkbox"/>	COPY RESPONSE TO LEGISLATIVE DIVISION	
FOR	blm		
ACKNOWLEDGED:	blm		

Dear council,

I have lived in Cordova Bay, Broadmead area for many, many years and always considered our little village comparable to a little village in the south of France, Cassis. The only difference is we have beautiful homes on the ridge behind not a castle...

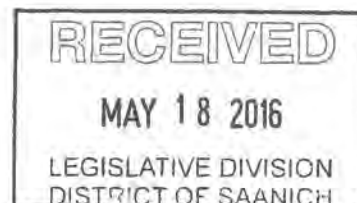
Low lying townhouses and family homes comply with our magnificent landscape and keep the feeling of this unique place and our owners happy and proud.

Apartment buildings four stories high will over power that corner on the tiny, little street. More importantly those cars in the big eyesores will cause traffic to be more unsafe than it is now! They will also block neighbours gorgeous views of the ocean, mountains and forest. This is just not the place for apartment buildings.

I am not in favour of this proposed building on any of the lots on this corner and down the street of Doumac.

Continuing the lay of the land with townhouses max of two stories high will beautify this area, not overpower it!

Sharlene Shore  
Cordova Bay Beach Estates





Planning - Rezoning and Development of 986 and 999 Duomac Road

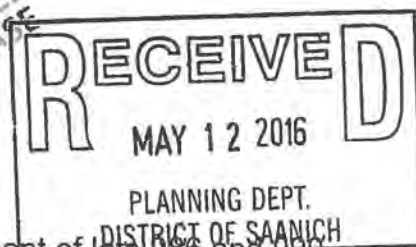
MAY 16 2016

POST TO	CRA	POSTED	SP
COPY TO			
INFORMATION	<input checked="" type="checkbox"/>		
APPLY TO WRITER	<input type="checkbox"/>		
COPY RESPONSE TO LEGISLATIVE DIVISION	<input type="checkbox"/>		
REPORT			
FOR			
ACKNOWLEDGED			

**From:** Diane Mellott [REDACTED]  
**To:** <mayor@saanich.ca>, <council@saanich.ca>, <susan.price@saanich.ca>  
**Date:** 5/12/2016 11:24 AM  
**Subject:** Rezoning and Development of 986 and 999 Duomac Road  
**Attachments:** Doumac.docx

	ACKNOWLEDGED
✓	CLERKS
	REPLIED

ENTERED IN CASE



April 12, 2016

Dear Mayor Atwell and Council,

We, the undersigned, are opposed to the rezoning and redevelopment of lots 986 and 999 Duomac Road due to the implications of additional high density housing along Cordova Bay Road in the event of a catastrophic emergency. This narrow, winding road is without shoulders and the width of the road allows for only a single lane of traffic in each direction. Widening the road is not an option as most of the road is bound on both sides with homes, many of which are close to it's edge. The new development slated for Duomac Road will be situated along a stretch of Cordova Bay Road defined as Cordova Bay Village with the only egress and access to Pat Bay Highway along this two kilometer stretch being Claremont Avenue and Cordova Bay Road/Fuller Road.

The proposed four story 25 unit condominium in Cordova Bay Village is the first phase of a two phase plan which will see subsequent construction of a similar development of commercial and condo units at 5146 and 5150 Cordova Bay Road. The long term implications of Sannich approving these two multi level housing/ commercial condo buildings is that it will set a precedent for similar high density development of the remainder of the Cordova Bay Plaza.

The stretch of Cordova Bay Road between Claremont Road and Cordova Bay Road North contains the area designated as Cordova Bay Village and is the area of highest density in Cordova Bay. It is also the main and only street for Cordovians living in lower Cordova Bay to access their homes. There are numerous lanes and streets of single family residential homes emptying onto this 'main' artery along several strata complexes comprised of both apartment style multi level condo's and town homes; Cordova Bay Beach Estates, Cordova Village, Seabury Lane, Sutcliffe Gardens, Sutcliffe Court, Fable Beach Estates, and Mattick's Wood Estates. This section of Cordova Bay Road is also the only access to an elementary school, a church with playschool and dance school, the badminton club, Mattick's Farm Shopping Plaza, True Value Grocery, three popular restaurants, two golf courses and three busy public beaches. All are accessible only via Cordova Bay Road.

In a catastrophic emergency requiring mass evacuation there is no egress for evacuating citizens and no access for emergency vehicles along this two kilometer stretch. On the south end traffic can access high ground and the Pat Bay Highway by Claremont Avenue and on the north end of Cordova Bay Road local traffic can funnel onto Cordova Bay Road North to access Pat Bay Highway and high ground. The same is true for access to Cordova Bay Road

for emergency vehicles.

In addition the evacuation of this section of Cordova Bay would further be impeded by residents fleeing high density housing on Sayward Hill, Hill Rise Terrace and the future development of the Trio site who will all have to evacuate onto the north west portion of Cordova Bay Road or Fowler Road for access to the Pat Bay Highway. Development of high density housing on Duomac/Cordova Bay Roads with residents evacuating south to Claremont or will essentially block residents between these two sites, who will have no means of escape.

While the community has often expressed dismay as the area transformed from semi country-side to a suburb resulting in the steady increase of traffic over the years along Cordova Bay Road, of even greater concern is the importance of emergency preparedness and access in the event of a catastrophic emergency.

According to the Institute for Catastrophic Loss Reduction, Cordova Bay is situated in an area of high to very high risk due to seismic activity. *"In addition to earthquakes near the surface, we are overdue for a major subduction earthquake, like the event that occurred in 1700, west of Vancouver Island. These powerful earthquakes centered west of Vancouver Island will cause shaking damage to the buildings where Canadians live, work and study, and will also trigger tsunamis that will flood coastal areas."* Recently, Greater Victorians have been alerted by seismologists that in addition to the Cascadia Subduction Zone the Devil's Mountain Fault lying 6 kilometers off shore of Victoria is far more volatile than previously understood.

The earthquake and tsunami of March, 2011 in Japan, and the recent minor earthquake off Sidney Island on December 29<sup>th</sup>, 2015 has brought home the importance of individuals taking responsibility for their own safety. Government agencies advise residents Shake Out and The Municipality of Saanich advises residents to Prepare Yourself and plan for such an eventuality. These past few weeks the entire nation watched the unfolding of events in Fort MacMurray as entire communities were caught on feeder roads barely able to escape to the highway, and we were all made brutally aware of the extreme danger to residents when communities can only be evacuated via one main route in a catastrophic emergency.

The Municipality of Saanich would be extremely shortsighted and remiss to have developed emergency preparedness municipal guidelines, a Municipal Emergency Plan, to have legislated an Emergency Plan Bylaw and to have advised residents to Prepare Yourself and then fail in safeguarding those same residents by approving significant high density residential housing along this difficult to access stretch of Cordova Bay Road. It would be imprudent, to say the least, to approve this excessive development especially with the documented and very real knowledge that this area is highly vulnerable in the event of an earthquake and/or tsunami.

Sincerely,

Diane Mellott

Darrell Mellott

■, ☎ ■ Sutcliffe Road

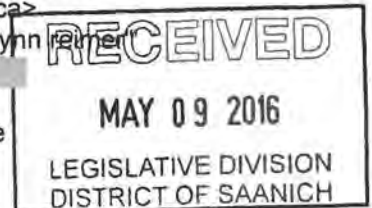


Doumac

POST TO	Gen	POSTED	2016.05.09
COPY TO	SH (read)		09
INFORMATION			So
REPLY TO WRITER	<input checked="" type="checkbox"/>		
REPORT	<input type="checkbox"/>		
FOR			
ACKNOWLEDGED	b.m		

**From:** Paul Wood  
**To:** "mayor@saanich.ca" <mayor@saanich.ca>, "council@saanich.ca" <council@saanich.ca>, "susan.brice@saanich.ca" <susan.brice@saanich.ca>, "judy.brownoff@saanich.ca" <judy.brownoff@saanich.ca>, "vic.deraman@saanich.ca" <vic.deraman@saanich.ca>, "fred.haynes@saanich.ca" <fred.haynes@saanich.ca>, "dean.murdock@saanich.ca" <dean.murdock@saanich.ca>, "colin.plant@saanich.ca" <colin.plant@saanich.ca>, "vicki.sanders@saanich.ca" <vicki.sanders@saanich.ca>, "leif.wergeland@saanich.ca" <leif.wergeland@saanich.ca>, "Sharon.hvozdanski@saanich.ca" <Sharon.hvozdanski@saanich.ca>, "chuck.bell@saanich.ca" <chuck.bell@saanich.ca>  
**CC:** "cba.president@cbsn.com" <cba.president@cbsn.com>, "mary lynn reimer" <mary.lynn.reimer@cbsn.com>, "David" <David@cbsn.com>, Paul Wood

**Date:** 5/6/2016 11:24 AM  
**Subject:** Proposed Rezoning and Amalgamation of 986 and 990 Doumac Ave  
**Attachments:** DoumacLetter.pdf



Dear Mayor, Councillors, Members of the Saanich Planning Department and others,

We the undersigned reside at 5165 Cordova Bay Road. We strongly oppose the application to rezone and amalgamate the properties at 986 and 990 Doumac Ave. This application raises serious questions about the future character of our neighbourhood. At the public information meeting held on Saturday, 2 April 2016, the developer stated that the proposed construction of a four-storey 25-unit condominium building on the Doumac site is the first phase of a two-phase plan that will also see the subsequent development of the pair of properties at 5146 and 5150 Cordova Bay Road. The developer stated this building will combine commercial units with more condominium units. Moreover, the decision regarding the rezoning of 986 and 990 Doumac Ave. will undoubtedly have implications for the redevelopment of the plaza at 5144 Cordova Bay Road (which is currently on hold). If the rezoning of 986 and 990 Doumac Ave. is permitted, this will likely open the door to a much expanded plan for the plaza. Taken together, these three developments will inevitably transform the character of our neighbourhood, as well as add to the already significant traffic problems in the area.

We oppose the application to rezone the Doumac properties from their current RS-18 status to a site-specific zoning for the following reasons.

1) In Map 7.2 of the Cordova Bay Local Area Plan (1998/2008), Doumac Ave. is located within the Cordova Bay Village Development Permit Area. According to the Saanich Official Community Plan (2008), this area has been designated a 'village'. Villages are defined in the Plan as: 'small local nodes, with a historical basis, that meet local residents' basic commercial and service needs. They also provide a limited amount of multiple family housing ...' (4-17). The Official Community Plan of 2008 states that in designated villages such as Cordova Bay a range of building types are considered appropriate, including single family houses, town houses up to three storeys, low-rise residential buildings of three to four storeys and mixed-use structures of three to four storeys. The developer's initial plan was for a five-storey condominium building, which contravened the Planning Department's guidelines for village developments. The developer's second plan is for a condominium building of the maximum height permissible in a village. Like the first plan, the second shows no sensitivity to the character of the neighbourhood. The Cordova Bay Local Area Plan speaks of 'the suburban, village-like character of Cordova Bay' and states that 'the thrust of the [planning] policies is to maintain Cordova Bay as a partly rural and partly suburban community' (Preface). The proposed condominium building is inconsistent with these statements. While we acknowledge that the proposed development on Doumac lies within the Cordova Bay Village Development Permit Area, we maintain that it would be more in keeping with the character of our neighbourhood to build a one or two-storey town house development like those at 5156 Cordova Bay Road (Cordova Village), 5164 Cordova Bay Road (Seabury Lane), 5187 Cordova Bay Road (Fable Beach), 974 Sutcliffe Ave., and 981 Sutcliffe Ave. (Sutcliffe Court). At the two information meetings held in December 2015 and April 2016 the developer stated that densification is inevitable. But there are clearly different levels of densification within a village envisaged in the Saanich Official Community Plan. The real question to be asked is: what level of densification is appropriate for the Doumac properties, given the predominantly residential and suburban character of the neighbourhood adjoining the Permit Area? Understandably, the developer continues to push for the most profitable form of densification. The proposed condominium development would, however, come at a considerable cost to the local residents.



We will specify these costs in what follows.

2) The height of the proposed condominium development on Doumac Ave. will make the building stand out from, rather than blend in with, the area surrounding the Cordova Bay village. No other building on Cordova Bay Road in the vicinity of the village is four storeys. The new house that has recently been constructed at 5020 Cordova Bay Road is three storeys. The considerable visual impact of this house is, however, mitigated somewhat by its location nestled against higher ground. The condominium buildings that are part of the Cordova Bay Beach Estates at 5010 Cordova Bay Road are set back at a considerable distance from the road and have little or no visual impact on the village neighbourhood. There are four-storey condominium buildings in the Matticks Farm development but, again, they are set well back from Cordova Bay Road. The proposed condominium building on Doumac Ave. is neither carefully sited like the comparable condominiums at Matticks Farm nor is its disproportionate size masked by its setting. Moreover, the height of the proposed building dwarfs the neighbouring patio home development at 5156 Cordova Bay Road (Cordova Village). The residents of Cordova Village will lose their privacy and a significant amount of their winter sunlight. The value of their patio homes will also most likely decrease because of the intrusive character of the planned building. We have walked along Sutcliffe Ave. in order to get a sense of the scale of the development viewed from the north. It is clear that the height of the proposed condominium will have an impact on the residents of Sutcliffe, as well as those who live in the Seabury Lane development at 5164 Cordova Bay Road. The new house currently under construction at 968 Doumac Ave. will also lose its view. We will almost certainly lose winter sunlight due to the development. Given that the projected condominium building will adversely affect both the property values of the homes of local residents and their quality of life, the application for rezoning 986 and 990 Doumac Ave. should be rejected.

3) At the public information meeting held on 2 April 2016 comparison was made between the villages of Cadboro Bay and Cordova Bay, particularly with reference to the new condominium buildings that have recently been constructed on Penrhyn Street. It is important to point out that the condominiums in Cadboro Bay are three-storey buildings. The scale of these buildings contrasts with that of the four-storey block envisaged by the developer of the Doumac properties. Notwithstanding our other reservations, we would urge that, at most, the developer of 986 and 990 Doumac Ave. be permitted to build a three-storey condominium like those in Cadboro Bay. A three-storey building would not be ideal from our point of view for the reasons we outline in this e-mail. It would, however, be more in keeping with the character of the local neighbourhood than the proposed four-storey structure.

4) We have very serious concerns about traffic safety. At the information meeting held on 2 April 2016 a local resident pointed out that the current site plan for the proposed development does not include a drop off bay on Doumac Ave. This point raises the question of short-term parking on Doumac, and indicates that there are safety issues with the current plan. Secondly, given the volume of traffic that will be generated by a 25-unit condominium, the intersection of Doumac Ave. and Cordova Bay Road will become even more dangerous than it currently is. For those travelling south on Cordova Bay Road, visibility is limited because there is a rise in the road just before Doumac. For those turning either left or right out of Doumac Ave., visibility in the near side lane is reduced because of this rise. This intersection will likely become another black spot along Cordova Bay Road. Large scale condominium developments in the village will also increase the volume of vehicular and pedestrian traffic along Agate Lane because the lane is an access route for Agate Beach. Safety is already compromised on Agate Lane because of the narrowness of the lane and the blind left-turn down to the beach. Increased levels of vehicular and pedestrian traffic will exacerbate the problems that residents and visitors face at the moment. This a consideration of some moment since Agate Lane is the access point for emergency services to the beach, as well as various Saanich services. (Our comments about Agate Lane reflect our experience of having lived on the corner of Agate Lane and Cordova Bay Road since 2008). We are also deeply concerned about increased vehicular traffic on Cordova Bay Road. It is already dangerous for elderly people to cross Cordova Bay Road in the stretch of the road between the plaza and Sutcliffe Ave because of the high volume of traffic throughout the day. Dog walkers and other residents will find access to Agate Beach exceedingly difficult due to the higher volume of traffic generated by the proposed condominium development. Because we both work at the University of Victoria, we regularly shop in Cadboro Bay. Of late, we have found the village in Cadboro Bay more and more congested and there is a serious lack of parking. We would not like to see this situation replicated in Cordova Bay as a consequence of multiple condominium developments in the village.

5) We have concerns regarding infrastructure, and especially about the local sewage system having the

capacity to handle the sewage generated by the proposed development. We are also concerned about the presence of underground streams in the area which may affect the stability of the building.

6) As we have indicated above, we are deeply concerned about the issue of the relationship between the proposed Doumac Ave. development, the second phase of development on Cordova Bay Road and the redevelopment of the plaza. We think that the plaza should be the focus of the development of the Cordova Bay village, and we would welcome a building that combined commercial with multi-family and affordable housing, provided that the scale of building was appropriate to the surrounding neighbourhood. It seems to us that the approval of the rezoning application will set an unwelcome precedent in terms of the number of storeys that might be included in future developments in the Cordova Bay village. We would prefer to see the properties on Doumac Ave. and Cordova Bay Road developed using other building types such as town houses that would complement the redevelopment of the plaza.

It is our worry that the 'village' emerging out of these three projects will more closely resemble Tuscany Village at Shelbourne and MacKenzie than what most of us would understand by a village. Turning the village core of Cordova Bay into something like Tuscany Village would transform the character of the neighbourhood in ways which we maintain are inconsistent with both the Cordova Bay Local Area Plan and the Saanich Official Community Plan. In section 4.2.2, the Saanich Official Community Plan identifies what it calls 'key aspects of urban design'. Under the heading 'Enrich the Existing' the plan states: 'Places should enrich the qualities of existing urban places. Whatever the scale, new developments should respond to and complement their settings' (4-14). For the reasons indicated above, the proposed condominium development on Doumac Ave. neither responds to nor complements its setting. The scale of the building bears no relationship to those around it on Doumac, on the adjoining properties to the north or on Cordova Bay Road. Furthermore, in the related sub-section listing the policies related to the design principles enunciated in section 4.2.2, the Plan supports 'quality architectural and urban design that ... works with the topography and protects the natural environment; reflects our west coast setting; enhances a "Sense of Place"; respects local history and heritage structures and landscapes; [and] creates pedestrian friendly and safe streets and neighbourhoods ...' (4-15; see also 4-17). The proposed condominium building on Doumac Ave. satisfies none of these criteria. The development bears no relation to the local topography and will involve the destruction of large established trees. The design is generic and does not speak our west coast setting; the proposed building is indistinguishable from condominiums elsewhere in Canada. The building does nothing to enhance or foster a sense of place since there is nothing distinctive about the formulaic design that speaks specifically to the character of Cordova Bay. A four-storey condominium development has absolutely no respect for the rural history of the area or for its landscape. And, as we have indicated above, the building will not promote safety within the neighbourhood.

7) We also believe that the consultation process has been deeply flawed. As noted above, the initial proposal presented at the public information meeting in December 2015 was for a five-storey building. At the information meeting of 2 April 2016 the revised proposal for a four-storey condominium building was presented to the community as a plan that accommodated the objections of local residents at the previous information meeting held in December. Presenting the revised proposal in this manner was clearly misleading. The initial plan did not conform to Saanich planning guidelines and we understand that the developer was told this by the Planning Department. In our view, the developer has abused the consultation process and has not been transparent with local residents. He may be playing the standard developer's game, but he nevertheless created the impression at the information meeting in April 2016 that he was listening to the concerns of local residents. This is manifestly not the case. Some members of the community are now more sympathetic to the proposal than they might otherwise have been because they believe that they were properly consulted. Sadly, they are mistaken.

For the reasons indicated we urge you to reject the application to rezone the properties at 986 and 990 Doumac Ave. from RS-18 to a site-specific zoning.

Yours sincerely,  
Paul Wood  
Judy Wood

*Doumac*

*986 Doumac*

**From:** mary lynn reimer [redacted]  
**To:** <planning@saanich.ca>  
**CC:** LARRY GONTOVNICK <cba.president@cbasn.com>  
**Date:** 4/14/2016 4:21 PM  
**Subject:** 986, 990 Doumac

Sirs/Mesdames:

At its March 9th meeting, the Cordova Bay Association invited the developer of this property to present the updated plans for it, and requested that he present them to the community, which was done on April 2nd, at a quite positive meeting.

Our Board yesterday agreed that we would support this project as revised, since it complies with the local area plan, and the variances are minor, and not in conflict with the intent of the plan.

The one question we have is whether the decorative sidewalk will be perceived as a public facility - something the City will no doubt decide on.

Mary Lynn Reimer  
Planning Co-chair

POST TO <i>elen</i>	POSTED <i>2016-04-19 50</i>	<b>RECEIVED</b> APR 18 2016 LEGISLATIVE DIVISION DISTRICT OF SAANICH
COPY TO _____ INFORMATION <input checked="" type="checkbox"/> REPLY TO WRITER <input type="checkbox"/> COPY RESPONSE TO LEGISLATIVE DIVISION <input type="checkbox"/> REPORT <input type="checkbox"/> FOR _____ ACKNOWLEDGED <i>blm</i>		
		<b>RECEIVED</b> APR 15 2016 PLANNING DEPT. DISTRICT OF SAANICH

ENTERED  
IN CASE

	ACKNOWLEDGED
<i>1</i>	CLERKS
	REPLIED

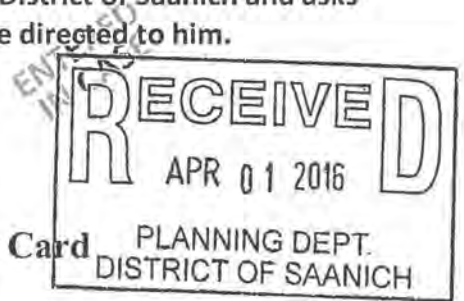


**Correction Notice:**

- The comment card sent previously had accidentally referenced the original five storey proposal and should have read "four storey".
- Neil Findlow is the senior planner at The District of Saanich and asks that questions regarding this proposal are directed to him.

Please see corrected comment card below:

**Doumac Avenue  
Amalgamation Application Comment Card**



On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a four storey apartment building. The building will have 25 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

We welcome your input and comments at the meeting, as well as any questions you may have.

Name(s): G WOLOSZYN Contact Info (phone or email): [REDACTED]

Address: 517 CORDOVA BAY RD

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support

In Opposition

Impartial

Comments: THERE CURRENTLY NO 4 STORY BUILDINGS  
ALONG CORDOVA BAY ROAD CORRIDOR AROUND THE  
VILLAGR EXCEPT UP THE HILL AT MATTERS  
GOLF COURSE.  
KEEP THEM OUT OF THE VILLAGR AREA.

If you have further questions, you may contact:

The Corporation of the District of Saanich, **Neil Findlow**, Senior Planner,  
250-475-5494 ext 3405

**OR**

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10



CHECKSHEETS

Council - 986/990 Doumac avenue

10	General	POSTED	206
COPY TO SH ✓		03/08	
INFORMATION	<input checked="" type="checkbox"/>		
REPLY TO WRITER	<input type="checkbox"/>		
COPY RESPONSE TO LEGISLATIVE DIVISION			
REPORT	<input type="checkbox"/>		
FOR			
FILED		BIM ✓	

**From:** s\_and\_a mcrose [REDACTED]  
**To:** "council@saanich.ca" <council@saanich.ca>, "planning@saanich.ca" <planni...  
**Date:** 3/4/2016 4:05 PM  
**Subject:** 986/990 Doumac avenue

Dear Sir/Madam

I should like to express my concern about the proposed development on this site. Two single family dwellings are to be replaced by a four storey 25 unit condo complex.

**This sets a disturbing precedent for development in the Cordova Bay area. In effect, any applicant could ask of council to tear down two adjacent homes and erect a condo building citing this proposal as an example.**

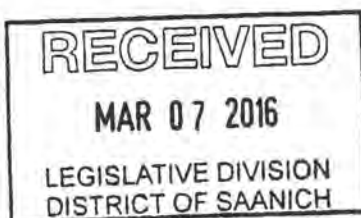
There is no question that the two adjacent lots on Cordova Bay, possibly now owned by the Century Group, will be the next to apply for permission with a similar proposal.

Clearly, Saanich benefits from this type of development, 25 properties raise far more taxes than 2 buildings, but council needs to exercise due diligence and respect the nature of and maintain the single family character here and elsewhere in the area.

As such, therefore, I oppose the proposed redevelopment. There will be adequate room for condos when the eyesore of a shopping mall is finally sold and developed.

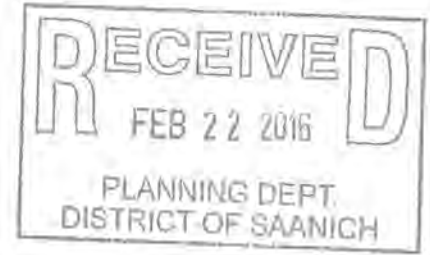
Yours sincerely

Anthony Rose



February 18, 2016

Saanich Planning Department  
District of Saanich  
770 Vernon Avenue  
Victoria, BC V8X2W7



Re: File: DPR00640 REZ00569

To The Mayor and Council,

I am writing to you in opposition of the current active planning application that has been submitted by Praxis Architecture for the rezoning and development of 986 and 990 Doumac Avenue. I currently live at 9 [redacted] Doumac Avenue, directly to the west of this proposed development.

I would like to say that I am normally in favor of developments like these, as I think they can do a lot to enhance the communities that we live in and was interested to hear what was planned for this site. Our community could use some updates to the village area and was hopeful that we would see something proposed that would keep the single family feel of the community. My initial thought was that anything would be better then was we have been subjected to living next door to over the years. However, sadly this is not the case. We did attend the community open house with the architect/developer/owner and were not pleased with the way it was handled. The meeting was held more as a formality rather than an opportunity to gain feedback from the residents. It was clear to most residents that the main intent with this project is to gain profit with little interest in making it about community and improving the neighborhood.

After reviewing the Cordova Bay Village Development Permit Justification and Guidelines on the Saanich website, I feel the following issues need to be addressed.

- According to the current plans, major vital trees are going to be removed. This is a concern as they are old growth trees that are integral to the habitat around us.
- Proposing a structure that is almost three times the height of the guideline listed, is a blatant disregard for the guideline, surrounding homes and feel of the neighborhood. Removing any significant views from the single family homes, reducing the privacy and blocking light that is vital for home gardens.
- Parking has been planned at the rate of 1.5 spaces per DU, which is within the Saanich 8200 Bylaw, however this does not address the lack of street parking available for guests or tenants that have more than one vehicle. This will lead to overflow parking on the street. Parking either needs to be increased or the plans need to include adding a sidewalk up to the Lochside access (not the current proposed just to end of building) at the end of the road. Doumac is already a

narrow street with lots of foot traffic. With increased street traffic we need a safe path for residents and children to walk up the street.

- According to the current plans there is a contemplative garden planned for the Westside of the building, which borders my home. I have great concern that this will become a common area for residents to smoke. I am requesting that this be deemed a nonsmoking area. I have small children and do not want them to be subjected to second hand smoke when playing in our yard.

In closing there is a great need to review this plan in detail and request some revisions on behalf of the community and neighbors. It has been clear from the initial proposal that the owner only cares about profit and he stands to profit substantially on this project. There is room to revise plan to come up with a compromise that suits all parties involved.

Sincerely,

Lauren Beasley

9 Doumac Avenue, Victoria BC

CC. Director of Planning, Neil Findlow, Cordova Bay Residents Association

### Doumac Avenue Amalgamation Application Comment Card

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a five story apartment building (see attached drawing). The building will have 32 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

Name(s): Marta Arsenault-Cyr Contact Info (phone or email): [REDACTED]

Address: [REDACTED] - 51 [REDACTED] Cordova Bay Rd, Victoria, BC, [REDACTED]

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support

In Opposition

Impartial

Comments: Great design ... but too high! Please  
could consider 4 floors.

Thank you

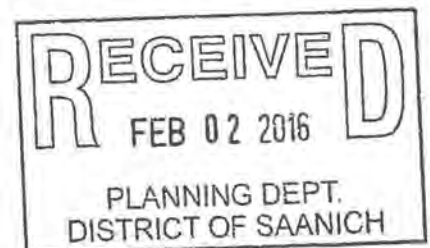
Marta

If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10





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Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

Name(s): LANNE RICE Contact Info (phone or email): [REDACTED]  
Address: 51 CERNOIA BAY ROAD

Please indicate with a "Check" what your preference is, and make any comments you wish below.



In Support



In Opposition



Impartial

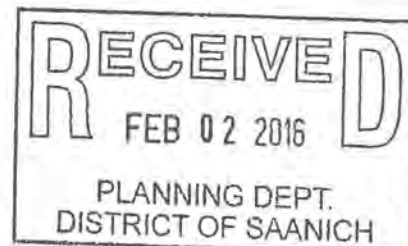
Comments: I FEEL THE PROJECT IS TOO LARGE I WOULD LIKE TO SEE A 2-3 STORY STRUCTURE WITH LESS UNITS. OUR VILLAGE IS GROWING & CHANGING BUT KEEPING ITS INTEGRITY WOULD BE BENEFICIAL.

If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10



RECEIVED  
DEC 07 2015

## Doumac Avenue Amalgamation Application Comment Card

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a five story apartment building (see attached drawing). The building will have 32 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

---

Name(s): Ellen Wheeler Contact Info (phone or email): \_\_\_\_\_  
Address: 9 [redacted] Doumac Ave

Please indicate with a "Check" what your preference is, and make any comments you wish below.



In Support



In Opposition



Impartial

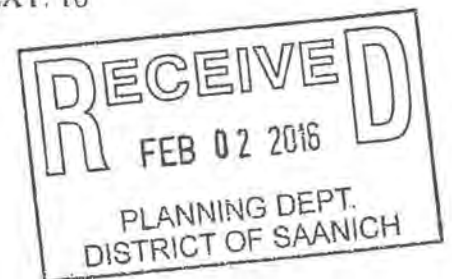
Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10



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Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

Name(s): ~~DAK~~ TRU VALVE FESS Contact Info (phone or email): [REDACTED]

Address: 51 [REDACTED] CORDOVA BAY RD

Please indicate with a "Check" what your preference is, and make any comments you wish below.



In Support



In Opposition



Impartial

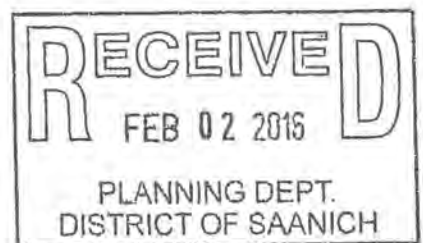
Comments: LET US KNOW IF WE CAN  
HELP!

If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10



DEC. 1, 2015

RECEIVED

DEC 03 2015

### Doumac Avenue Amalgamation Application Comment Card

On behalf of the owners, Citta Group is proposing to amalgamate lots 986 and 990 on Doumac Avenue for the purpose of developing a five story apartment building (see attached drawing). The building will have 32 units with a mixture of one and two bedroom units with and without dens. Additionally, there will be underground parking and bike storage.

Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

Name(s): DAVE & HALINA MITTON Contact Info (phone or email) [REDACTED]  
Address: 5 [REDACTED] CORDOVA BAY RD.

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support       In Opposition       Impartial

Comments: Density and height.  
Far too many units for the site; cut back to 3 stories,  
with fewer units than 32, perhaps 20,  
What is happening with sites 5146 and 5144?  
Concept is good; just too ambitious for neighborhood

If you have further questions, you may contact:

The Corporation of the District of Saanich, Chuck Bell, Director of Planning and Building Services, 250-652-4444

OR

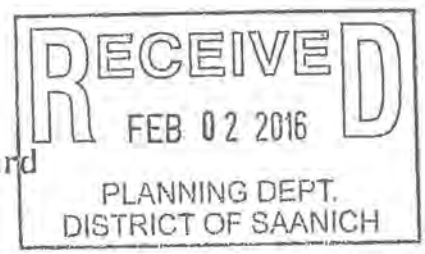
Our Citta Group Office, Mike Dalton, General Manager, 250-544-1837 EXT. 10

RECEIVED  
FEB 02 2016  
PLANNING DEPT.  
DISTRICT OF SAANICH





### Doumac Avenue Amalgamation Application Comment Card



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Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

Name(s): TEEM VAHAMAKI Contact Info (phone or email): [REDACTED]  
Address: 90 DOUMAC AV.

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support       In Opposition       Impartial

Comments: This apartment proposal does NOT meet any of Saanich's Official Community Plan in regard's to:  
1/ Density  
2/ Neighbourhood context  
3/ site size - If a park/space was included which other residents could use as well - it would benefit the neighbourhood, as it stands proposed, it is hindering the current park/green space in the region.

If you have further questions, you may contact: Chuck Bell, Director of Planning and Building Services, 250-652-4444  
OR  
Our Citta Group Office, Mike Dalton, General Manager, 250-544-1837 EXT. 10

HEIGHT IS ALSO an issue - 5 stories just too high. 5 stories would fit to the existing wise community plan.  
\* Please reevaluate with a large public park/green space attached to make up for the huge density change - I am not opposed to development -> just over-development for a given area/lot area. Thank You!

**Doumac Avenue**  
**Amalgamation Application Comment Card**

RECEIVED  
DEC 04 2015

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Please take a moment to review the information attached. We welcome your input and comments, as well as any questions you may have.

---

Name(s): KATE INSLEY Contact Info (phone or email): [REDACTED]  
Address: 51 [REDACTED] CORDOVA BAY RD [REDACTED]

Please indicate with a "Check" what your preference is, and make any comments you wish below.

In Support

In Opposition

Impartial

Comments: I am unable to attend on Saturday  
(very short notice re public information meeting).  
Most of the information I received by mail is too  
small of print to read!

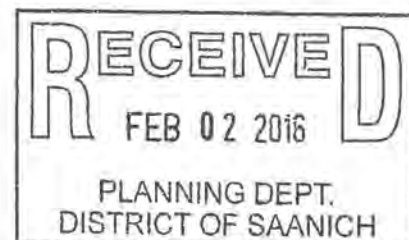
Question: Will these apartments be for rent or to own?

If you have further questions, you may contact:

The Corporation of the District of Saanich, **Chuck Bell**, Director of Planning and Building Services,  
250-652-4444

OR

Our Citta Group Office, **Mike Dalton**, General Manager, 250-544-1837 EXT. 10

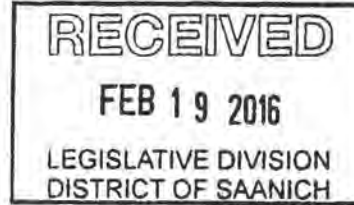


Doumac

✓ rez

February 18, 2016

Saanich Planning Department  
District of Saanich  
770 Vernon Avenue  
Victoria, BC V8X2W7



Re: File: DPR00640 REZ00569

To The Mayor and Council,

I am writing to you in opposition of the current active planning application that has been submitted by Praxis Architecture for the rezoning and development of 986 and 990 Doumac Avenue. I currently live at 9 [redacted] Doumac Avenue, directly to the west of this proposed development.

I would like to say that I am normally in favor of developments like these, as I think they can do a lot to enhance the communities that we live in and was interested to hear what was planned for this site. Our community could use some updates to the village area and was hopeful that we would see something proposed that would keep the single family feel of the community. My initial thought was that anything would be better then was we have been subjected to living next door to over the years. However, sadly this is not the case. We did attend the community open house with the architect/developer/owner and were not pleased with the way it was handled. The meeting was held more as a formality rather than an opportunity to gain feedback from the residents. It was clear to most residents that the main intent with this project is to gain profit with little interest in making it about community and improving the neighborhood.

After reviewing the Cordova Bay Village Development Permit Justification and Guidelines on the Saanich website, I feel the following issues need to be addressed.

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- Proposing a structure that is almost three times the height of the guideline listed, is a blatant disregard for the guideline, surrounding homes and feel of the neighborhood. Removing any significant views from the single family homes, reducing the privacy and blocking light that is vital for home gardens.
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narrow street with lots of foot traffic. With increased street traffic we need a safe path for residents and children to walk up the street.

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Sincerely,

Lauren Beasley

9 Doumac Avenue, Victoria BC

CC. Director of Planning, Neil Findlow, Cordova Bay Residents Association



2860-25  
Sea View



## The Corporation of the District of Saanich

Mayor  
Councillors  
Administrator

Council  
Administrator  
Media

# Report

**To:** Mayor and Council  
**From:** Sharon Hvozanski, Director of Planning  
**Date:** October 27, 2016  
**Subject:** Request for Removal from the Environmental Development Permit Area (EDPA)  
File: 2860-25 • 2893 Sea View Road

### PROJECT DETAILS

**Project Proposal:** The applicant requests that the subject property be partially removed from one Environmentally Significant Area of the Environmental Development Permit Area (EDPA). The property was originally included in the EDPA to provide enhanced protection to the Marine Backshore.

The request is based on the owner's desire to not have to obtain approval for maintenance and the owner notes that the property does not contain any Garry Oak trees.

A subsequent biologist report was received stating that only a small portion of the Marine Backshore should remain.

If Council supports this request, the EDPA Atlas would need to be amended.

**Address:** 2893 Sea View Road

**Legal Description:** Lot 2, Section 44, Victoria District, Plan 6197

**Owner:** Guy and Sandra Screech

**Applicant:** Guy and Sandra Screech

**Application Received:** July 6, 2016

**Parcel Size:** 1971 m<sup>2</sup>

**Existing Use of Parcel:** Single Family Dwelling

**Existing Use of Adjacent Parcels:** North: (RS-16) Single Family Dwelling Zone  
South: Ocean



	East: (RS-16) Single Family Dwelling Zone West: (RS-16) Single Family Dwelling Zone
<b>Current Zoning:</b>	(RS-16) Single Family Dwelling Zone
<b>Minimum Lot Size:</b>	N/A
<b>Proposed Zoning:</b>	No change proposed
<b>Proposed Minimum Lot Size:</b>	N/A
<b>Local Area Plan:</b>	Cadboro Bay
<b>LAP Designation:</b>	Residential

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## PROPOSAL

The applicant requests that the subject property be partially removed from one Environmentally Significant Area of the Environmental Development Permit Area (EDPA). The property was originally included in the EDPA to provide enhanced protection to the Marine Backshore.

The request is based on: the owner's perception that routine activities such as lawn mowing, gardening, or moving lawn furniture cannot be carried out without approvals; there are no Garry Oaks on the property; and the large area of the property covered by the EDPA. A biologist report was not provided as part of the original submission.

A letter report from Ted Lea, RPBio was received after the application was made. The letter report states that since there are no known rare plant species and no native vegetative cover, that there is no Marine Backshore Environmentally Sensitive Area on the property. A subsequent letter report by Mr. Lea was received which states that a small area should be retained in the EDPA and that no buffer should be applied.

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## PLANNING POLICY

### Official Community Plan (2008)

4.1.2.1 "Continue to use and update the "Saanich Environmentally Significant Areas Atlas" and other relevant documents to inform land use decisions."

4.1.2.18 "Encourage the retention or planting of native vegetation in the coastal riparian zone."

### Cadboro Bay Local Area Plan (2008)

6.2 "Continue to support the strategies of the Saanich Shore Protection Analysis, 1978 when dealing with development applications affecting the shorelines of Cadboro Bay and Haro Strait."

6.4 "Seek opportunities to preserve and restore ecosystems, which include indigenous trees, shrubs, plants and rock outcrops within open space, parks, boulevards, unconstructed road rights-of-way, and other public lands, as well as on private land."

### General Development Permit Area Guidelines (1995)

1. "Major or significant wooded areas and native vegetation should be retained wherever possible."

### Environmental Development Permit Area Guidelines (2012)

1. b.i) and iv) "Development within the ESA shall not proceed except for the following: Proposals that protect the environmental values of the ESA including:
  - the marine backshore."
2. "In order to minimize negative impacts on the ESA, development within the buffer of the ESA shall be designed to:
  - Avoid the removal/modification of *native vegetation*;
  - Avoid the introduction of *non-native invasive vegetation*;
  - Avoid impacts to the *protected root zones of trees* within the *ESA*;
  - Avoid disturbance to wildlife and habitat;
  - Minimize the use of *fill*;
  - Minimize soil disturbance;
  - Minimize blasting;
  - Minimize changes in hydrology; and
  - Avoid run-off of sediments and construction-related contaminants."
3. "No alteration of the *ESA* will be permitted unless demonstrated through professional environmental studies that it would not adversely affect the natural environment. Prior to the issuance of a development permit, the following information may be required:
  - A sediment and erosion control plan;
  - An arborist report according to the "Requirements For Plan Submission and Review Of Development or Building Related Permits" (Saanich Parks);
  - A biologist report;
  - A surveyed plan; and/or
  - A bond."
4. "The following measures may be required to prevent and mitigate any damage to the *ESA*:
  - Temporary or permanent fencing;
  - Environmental monitoring during construction;
  - Demarcation of wildlife corridors, *wildlife trees*, and significant trees;
  - Restricting *development* activities during sensitive life-cycle times; and
  - Registration of a natural state covenant."
5. "Revegetation and restoration may be required as mitigation or compensation regardless of when the damage or degradation occurred."

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## BACKGROUND

### Environmental Development Permit Area

The Environmental Development Permit Area (EDPA) was adopted by Council in 2012. Part of the EDPA Bylaw is the EDPA Atlas which illustrates the location of five Environmentally Significant Area inventories and associated buffers on properties in Saanich. As with the Streamside Development Permit Area (SDPA), it is acknowledged that the EDPA Atlas will need to be maintained and updated over time.



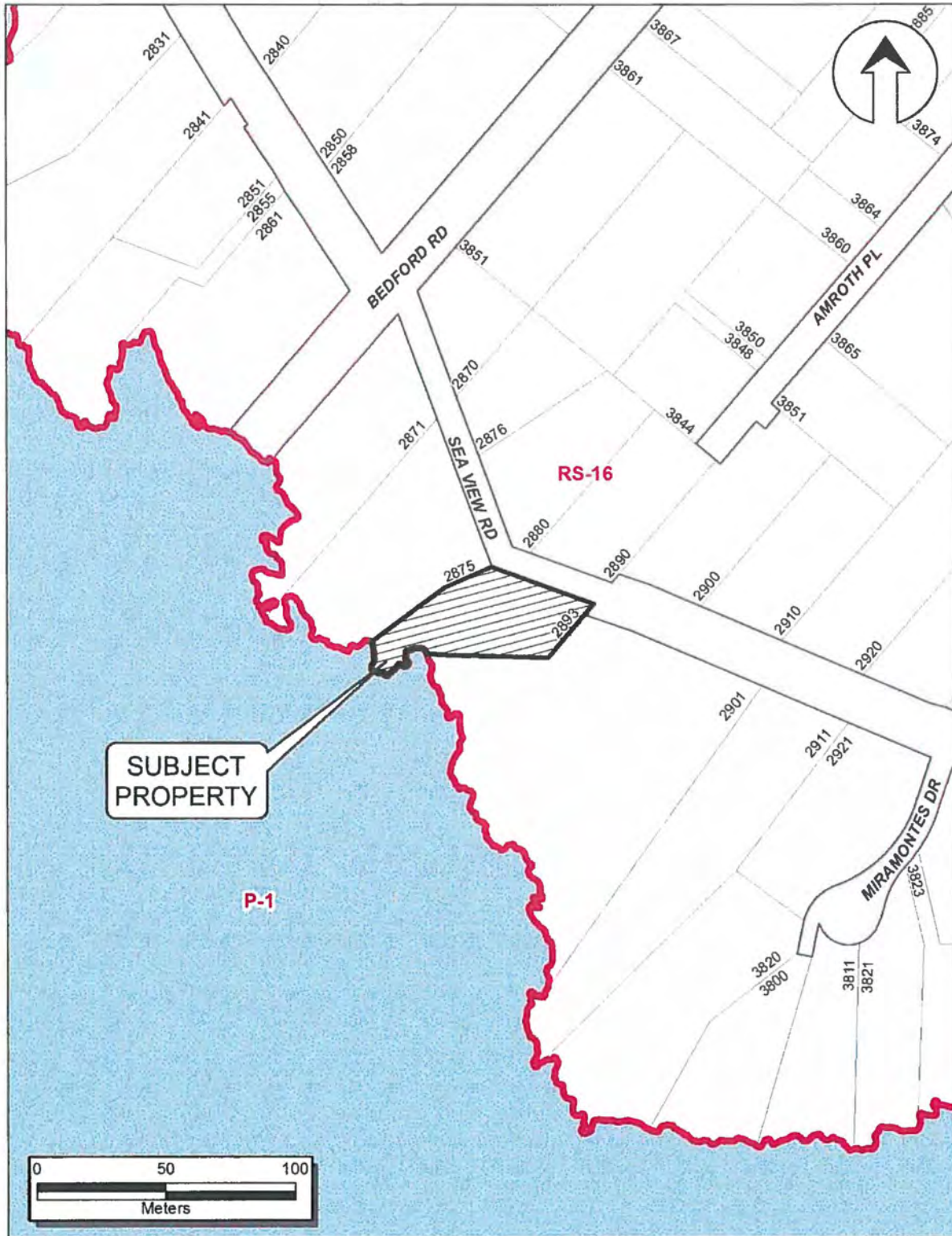


Figure 1: Context Map



There are four ways mapping inaccuracies can be approached according to the EDPA Guidelines:

1. Exemption #14 allows for a professional to refine boundaries of an Environmentally Significant Area (ESA) and potentially proceed without an Environmental Development Permit (EDP) if a development proposal is shown to be outside of the ESA. This exemption was designed to avoid undue process or delays for applicants where mapping could be improved.
2. Exemption #15 allows for intrusions into the EDPA where covenants are used to secure comparable natural features which were not previously mapped.
3. As with the SDPA, staff collate proposed EDPA mapping changes as property owners note inaccuracies (which are documented by staff) or biologists hired during the development application process do a more detailed assessment. These changes are brought forward in batches to Council as recommended amendments.
4. Where a proposed mapping amendment is outside of the scope of these provisions, Council approval is required.

In the case of 2893 Sea View Road, the property owners are seeking Council approval (option 4, above). Staff are of the opinion that the request goes beyond delegated authority in that the Marine Backshore is not an ecosystem boundary that can be refined and there is no development proposal. As such, this report has been prepared for Council's review and consideration. If Council believes the removal request has merit, a Public Hearing on the matter would need to be called.

It should be noted that partial removal of this property from the EDPA would, in theory, allow for the successful removal requests of any property along the Gorge, Portage Inlet, and outer coast of Saanich from the EDPA.

Council adopted a motion on May 9, 2016 to endorse Terms of Reference for the hiring of a consultant to develop potential solutions in relation to the application of the/an EDPA in Saanich. The Terms of Reference include a public consultation component as part of the development of potential solutions. It is possible that the outcome of the review may impact the EDPA on this property.

The Environment and Natural Areas Committee has not considered this request.

### **Existing EDPA Mapping**

The EDPA on the subject property is in reference to one Environmentally Significant Area (ESA): the Marine Backshore (see Figure 2).

The Marine Backshore is based on a measurement, not an ecosystem boundary. The Marine Backshore is the area as measured 15 m from the natural boundary of the ocean. This approach is similar to the Riparian Areas Regulation which identifies standardized setbacks based on the space needed for an existing or potential healthy riparian area, rather than only protecting areas that are currently dominated by native vegetation. The principle is to reserve the space needed for the future rather than allowing new permanent structures, surfacing, etc.

The EDPA adds a 15 m buffer to the Marine Backshore for a total of 30 m. Property owners can apply for a permit to develop within the buffer area. Fifteen metres is the most common width designated by local governments to protect the marine backshore. Saanich has produced several studies and inventories to verify 15 m as an appropriate marine setback for an EDPA. The Marine Backshore was produced from a comprehensive environmental inventory, contrary to statements in the report submitted by Ted Lea.

The applicant granted staff access to the property. A staff biologist found that the area was lawn and garden with mature Douglas-fir, Cedar, and Maple trees. The slope to the water is dominated by invasive species.

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## REMOVAL REQUEST

The owners have requested the Marine Backshore and associated buffer be removed from their property based on three reasons:

- The owners have tended the property for 30 years and while they support the EDPA in principal, they do not feel it should be necessary to obtain permission to cut the grass, move garden furniture, etc.;
- There are no Garry Oaks on the property; and
- The extensive coverage of the EDPA on the property.

In a letter report (attached) submitted at a later date by Ted Lea, the Marine Backshore is described as completely unnatural with lawn, garden, structures, an area dominated by invasive species, and three large Douglas-fir trees. The rationale provided for removal is:

- No known rare plant species; and
- No native vegetative cover that promotes stable and biologically diverse areas.

In a subsequent report by Mr Lea (attached), a small area was identified as meeting the ecological criteria provided in the EDPA Bylaw and that there is no need for a buffer. Staff note that the area identified by Mr Lea does not meet the EDPA definition of Marine Backshore in that it is almost entirely below the natural boundary of the ocean as determined by a registered survey plan. In effect, the proposed partial removal is a complete removal of the Marine Backshore because it lies below the natural boundary.

Figure 3 illustrates the EDPA mapping should Council partially remove the Marine Backshore and buffer from the property.



Figure 2: Existing EDPA Mapping



Figure 3: Proposed EDPA Mapping

Further to the reports submitted by Ted Lea, a commentary was submitted by Jonathan Sectar. Mr. Sectar states that Saanich's use of the term "marine backshore" is erroneous because it should be defined as the area between the high-water line and the area effected only during storms based on references that can be found on Wikipedia and Dictionary.com (including US Army references).

At the time the EDPA was adopted, there was widespread discussion about terminology in BC about the upland area that follows the marine coastline. Marine "riparian" was gaining favour and is sometimes used interchangeably with marine backshore. The CRD, Department of Fisheries and Oceans, Victoria and Esquimalt Harbours Environmental Action Program, Green Shores, Shore Keepers, and Saanich use the term "marine backshore".

Regardless of the terminology, it is clear from the EDPA that the Marine Backshore is defined and identified as the area immediately above the natural boundary of the ocean. This is the area where the municipality has clear jurisdiction and senior governments have very limited regulatory control.

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## **OPTIONS**

1. Do not support the request to partially remove the property from the Environmental Development Permit Area.
2. Support the request to partially remove the Environmental Development Permit Area on the property from the EDPA Atlas.
3. Postpone a decision on this application pending the outcome of the final phase of the EDPA "check-in" which would be undertaken by the independent consultant.

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## **SUMMARY**

The owners of 2893 Sea View Road have requested partial removal of the EDPA from their property. The owners are not planning on building any structures on-site in the near future and wish to continue landscaping and gardening etc. on their property. These activities are exempted from permit requirements under the EDPA bylaw. A supporting biologist report states the property should be partially removed from the Marine Backshore designation. Staff biologists believe that the existing designation is appropriate and in-keeping with the intent of the EDPA.



**RECOMMENDATION**

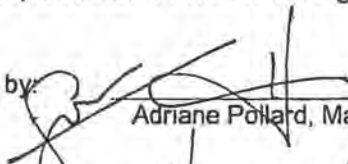
That the request to remove the Environmental Development Permit Area from the subject property not be supported (Option 1) for the following reasons:

- Saanich Official Community Plan policies support the protection and restoration of the Marine Backshore in this area;
- There is no issue of mapping accuracy;
- The proposed mapping by the applicant's biologist does not meet the EDPA definition of the Marine Backshore;
- The owners are able to continue to maintain and use their property as they are accustomed (eg. Lawn mowing, gardening, moving lawn furniture);
- Any property on the Gorge, Portage Inlet, or Saanich's outer coast could similarly seek removal; and
- Improvements as a result of the EDPA consultant review may help to address some of the concerns of the owner.

**Note:** If Council wishes to support the removal request at this time, the motion would be as follows:

That staff be requested to prepare an amendment to Plate 13 of Schedule 3 to Appendix N of the Official Community Plan Bylaw, 2008, No. 8940 for the removal of the Marine Backshore Unit at 2893 Sea View Road from the Environmental Development Permit Area Atlas, and that a Public Hearing be called to consider the amendment.

Report prepared by:



Adriane Pollard, Manager Environmental Services

Report reviewed by:



Sharon Hvozdzanski, Director of Planning

AP/ads  
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Attachment

cc: Paul Thorkelsson, CAO

**CAO'S COMMENTS:**

I endorse the recommendation of the Director of Planning.

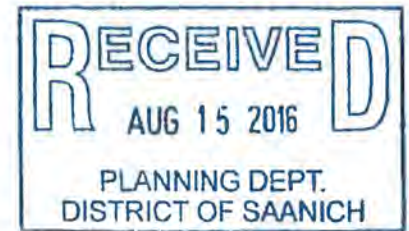


Paul Thorkelsson, CAO



To Adriane Pollard  
Manager of Environmental Services  
District of Saanich

August 10, 2016



**Re: Report – Field Assessment of a Marine Backshore ESA – 2893 Seaview Road – Property of Guy and Vicki Screech**

Please accept this as a letter report for the above noted property. Field forms and sketch maps were not necessary as there is no native ecosystem and field notes are all covered by the information below, where necessary. I have visited the above property in early August, 2016 and walked the whole property.

A Backshore Marine Environmentally Significant Areas (ESA) is mapped on the property. All of the property within this ESA is completely unnatural. No native vegetation community remains. The property within the mapped ESA consists of mowed lawn, ornamental gardens, paved or rock pathways, a boat ramp, a stairway and a rock wall next to the ocean. Three large Douglas-fir trees occur within the ESA. A steeper area just above the rock wall and the ocean occurs along the whole waterfront. It is dominated by a dense cover of English ivy, or dense cover of periwinkle and other non-native species. The ivy and periwinkle appears to be important in preventing soil erosion on this steeper slope.

The Marine Backshore ESA is defined in the EDPA Bylaw, in the definition section, which states that the "**Marine Backshore means the upland area of 15 m measured from the natural boundary of the marine environment**". However, the EDPA Bylaw on page 116 states that: "**The marine backshore (the Gorge, Portage Inlet, and the outermarine coast) is a critical environment that supports many rare species that rely on the specialized habitats found on the coast. Native vegetative cover promotes stable and biologically diverse areas that extend ecological support into the marine environment.**" No known rare species and no native vegetative cover occurs on the property at 2893 Seaview Road. Almost all vegetation is non-native, mostly in the form of lawn and gardens and much of the rest of the property rock work or paved. Table 1 of the EDPA Bylaw, on page 115 indicates in the 'Guidelines that Apply' column that Guidelines 1-5 apply to the Marine Backshore. Guideline # 3 indicates that **No alteration of the ESA will be permitted unless demonstrated through professional environmental studies that it would not adversely affect the natural environment.**

As well, Clause # 14 of the EDPA Bylaw states that "**Where field verification by a Registered Professional Biologist, ... , reveals the boundaries can be refined and the proposed development is shown to be outside the ESA.**" Clause #14 does not exempt the Marine Backshore, and the Bylaw specifically indicates that Guideline # 3 applies to the Marine Backshore. The District of Saanich Environmentally Significant Area (ESA) Atlas indicates that: "**to be included in the ESA atlas, data must be from a comprehensive environmental inventory using technically acceptable standards.**" The

Marine Backshore ESA does not come from a 'comprehensive environmental inventory' and there are no 'technically acceptable standards'.

Since there are no known rare plant species and no native vegetative cover that *promotes stable and biologically diverse areas*, this property should be removed from the Marine Backshore ESA. **There is no Marine Backshore ESA on this property that meets the ecological criteria provided in the EDPA Bylaw.**

In following the EDPA bylaw, clause # 14 and Guideline # 3 of the EDPA Bylaw, there should be no EDPA required on this property. The ESA should be removed from the mapping. There should be no need for an EDPA buffer from any adjacent property. The District of Saanich should remove the EDPA requirements.

Ted Lea, R.P.Bio.

cc Guy and Vicki Screech



To Adriane Pollard  
Manager of Environmental Services  
District of Saanich

Revised September 24, 2016



**Re: Revised Report – Field Assessment of a Marine Backshore ESA – 2893  
Seaview Road – Property of Guy and Vicki Screech**

Please accept this as a letter report for the above noted property. Field forms and sketch maps were not necessary as there is no native ecosystem on the upland portion of this property and field notes are all covered by the information below, where necessary. I have visited the above property in early August, 2016 and walked the whole property.

A Backshore Marine Environmentally Significant Areas (ESA) is mapped on the property. Most of the property within this ESA is completely unnatural. There is a small area that would meet the definition from the EDPA Bylaw as being a Marine Backshore ESA. The property has been divided into two areas (see accompanying maps).

**Area A** (see attached map)

This is the area that would meet the EDPA Bylaw definition of a Marine Backshore, that is, "***Native vegetative cover promotes stable and biologically diverse areas that extend ecological support into the marine environment.***" This is mostly rocky areas within the splash zone of the ocean, and either is rock outcrop or beach deposits. Vegetation consists of native moss and lichen species on rocky outcroppings. This is the type of area that the Marine Backshore ESA is trying to conserve, for its ecological function that impacts the marine environment. This area could be left in the EDPA.

**The rest of the area of Marine Backshore ESA mapped on this property should be removed from the ESA and EDPA, as it does not meet the description of Marine Backshore provided in the EDPA Bylaw.**

All of the property within this portion of the mapped ESA is completely unnatural. No native vegetation community remains. The property within this portion of mapped ESA consists of mowed lawn, ornamental gardens, paved or rock pathways, a boat ramp, a stairway and a rock wall next to the ocean. Three large Douglas-fir trees occur within the ESA. A steeper area just above the rock wall and the ocean occurs along the whole waterfront. It is dominated by a dense cover of English ivy, or dense cover of periwinkle and other non-native species. The ivy and periwinkle appear to be important in preventing soil erosion on this steeper slope.

The Marine Backshore ESA is defined in the EDPA Bylaw, in the definition section, which states that the "***Marine Backshore means the upland area of 15***

*m measured from the natural boundary of the marine environment”.*

However, the EDPA Bylaw on page 116 states that: **“The marine backshore (the Gorge, Portage Inlet, and the outermarine coast) is a critical environment that supports many rare species that rely on the specialized habitats found on the coast. Native vegetative cover promotes stable and biologically diverse areas that extend ecological support into the marine environment.”** No known rare species and no native vegetative cover occur on the property at 2893 Seaview Road. Almost all vegetation is non-native, mostly in the form of lawn and gardens and much of the rest of the property is rock work or paved. Table 1 of the EDPA Bylaw, on page 115 indicates in the 'Guidelines that Apply' column that Guidelines 1-5 apply to the Marine Backshore. Guideline # 3 indicates that **“No alteration of the ESA will be permitted unless demonstrated through professional environmental studies that it would not adversely affect the natural environment”.**

As well, Clause # 14 of the EDPA Bylaw states that **“Where field verification by a Registered Professional Biologist, ... , reveals the boundaries can be refined and the proposed development is shown to be outside the ESA.”**

Clause #14 does not exempt the Marine Backshore ESA, and the Bylaw specifically indicates that Guideline # 3 applies to the Marine Backshore. The District of Saanich Environmentally Significant Area (ESA) Atlas indicates that: **“to be included in the ESA atlas, data must be from a comprehensive environmental inventory using technically acceptable standards.”** The Marine Backshore ESA does not come from a 'comprehensive environmental inventory using technically acceptable standards'. No standards have been provided.

Area A can remain in the Marine Backshore ESA. However, the rest of the Marine Backshore area should be removed. Since there are no known rare plant species and no native vegetative cover that promotes stable and biologically diverse areas, these areas of the property should be removed from the Marine Backshore ESA.

**Except for Area 'A', there is no Marine Backshore ESA on this property that meets the ecological criteria provided in the EDPA Bylaw.**

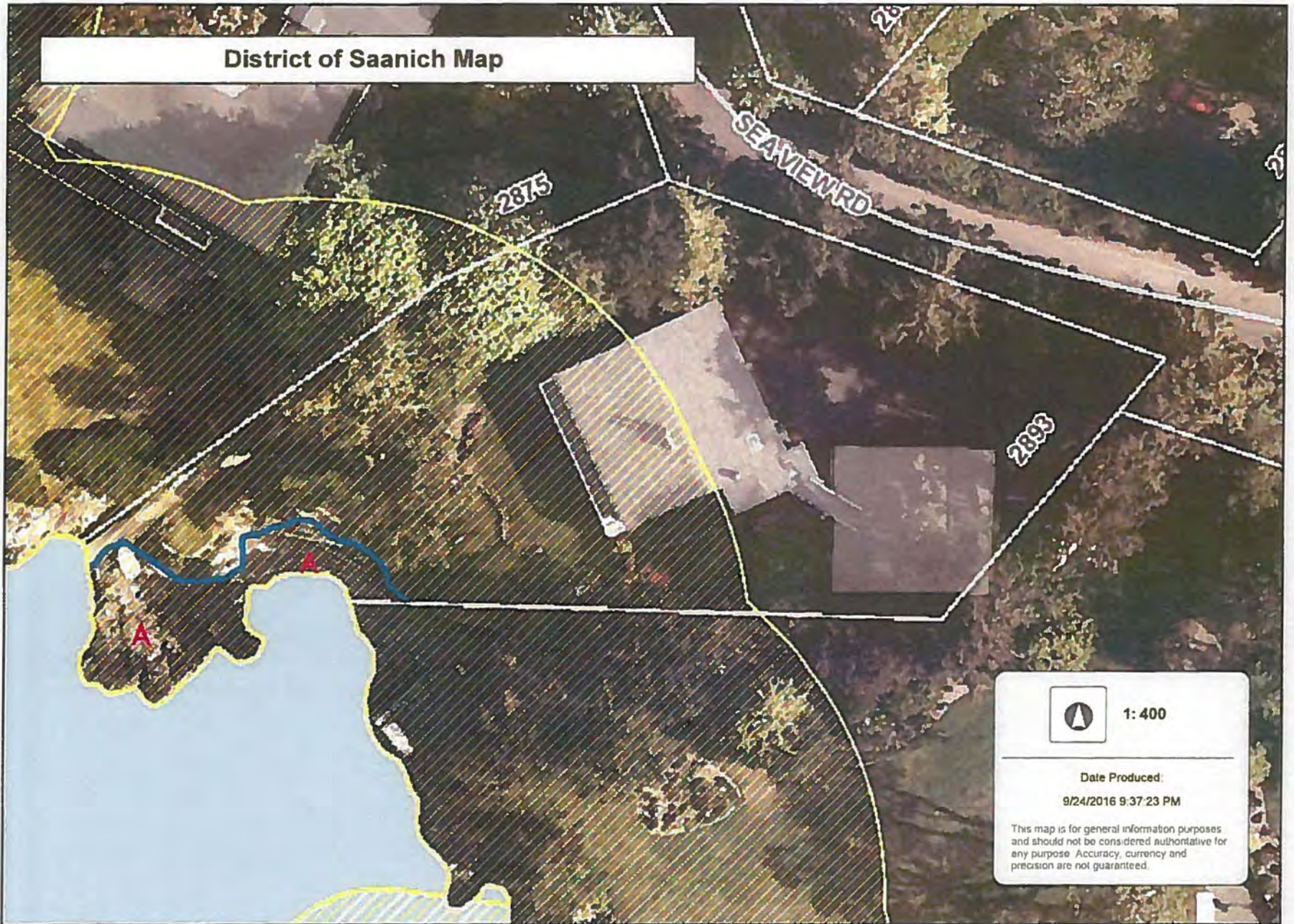
In following the EDPA bylaw, clause # 14 and Guideline # 3 of the EDPA Bylaw: there should be no EDPA required for the rest of the property. This portion of the ESA should be removed from the mapping. There should be no need for an EDPA buffer on this property. The District of Saanich should remove the EDPA requirements, except for Area 'A' as delineated in the two maps provided.

Ted Lea, R.P.Bio.

cc Guy and Vicki Screech

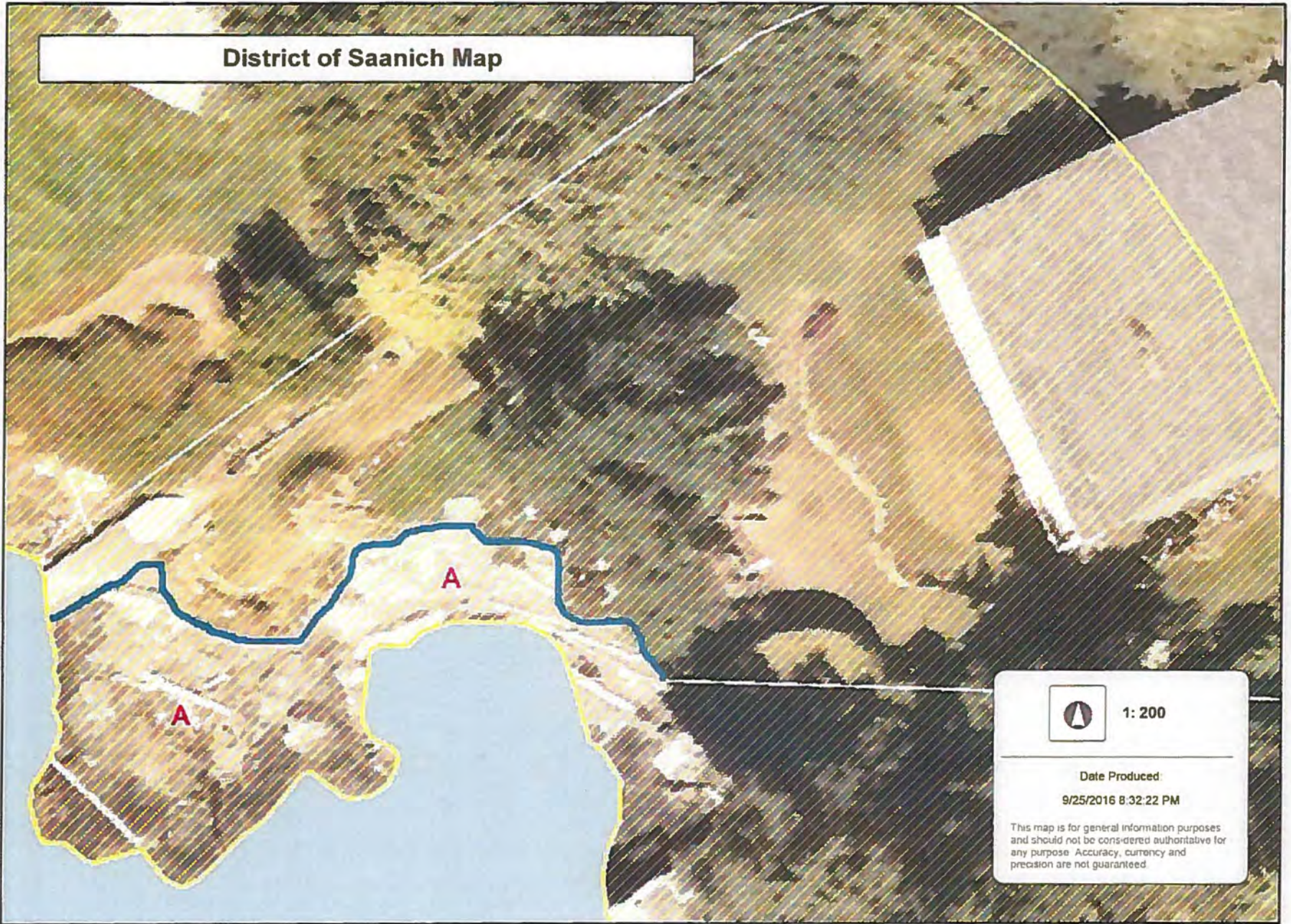


District of Saanich Map





District of Saanich Map



1: 200

Date Produced:

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This map is for general information purposes and should not be considered authoritative for any purpose. Accuracy, currency and precision are not guaranteed.



**Clerksec - For the Further Consideration of Saanich Council re 2893 Seaview Road**

**From:** Jonathan Sectar [REDACTED]  
**To:** <mayor@saanich.ca>, <Susan.Brice@saanich.ca>, <Dean.Murdock@saanich.ca>, ...  
**Date:** 11/6/2016 2:28 PM  
**Subject:** For the Further Consideration of Saanich Council re 2893 Seaview Road  
**CC:** Chief Administrative Officer <paul.thorkelsson@saanich.ca>, Director of ...  
**Attachments:** Commentary re Revised Staff Report 2893 Seaview Road -6 Nov2016.pdf

COPY TO:	
INFORMATION	<input checked="" type="checkbox"/>
READY TO MOVE	<input type="checkbox"/>
REPONSE TO LEGISLATIVE DIVISION	<input type="checkbox"/>
FOR	<input type="checkbox"/>
ACKNOWLEDGED: _____	

Mayor & Councillors:

The attached commentary on the October 27, 2016 revised Report of the Saanich Director of Planning to Saanich Mayor and Council on the subject of Request for Removal from the Environmental Development Permit Area (EDPA)- File 2860-25 2893 Seaview Road is herewith submitted for your consideration in relation to your forthcoming discussion of this issue on November 14th .

Respectfully,  
Jonathan Sectar, R.P. Bio.



**RECEIVED**  
NOV 09 2016  
LEGISLATIVE DIVISION  
DISTRICT OF SAANICH

**COMMENTARY ON**  
**The October 27, 2016 revised report of**  
**the Saanich Director of Planning to Saanich Mayor and Council**  
**on the subject of**  
**Request for Removal from the Environmental Development Permit Area (EDPA)**  
**File 2860-25 2893 Seaview Road.**

**November 6, 2016**

This submission, and my initial commentary of September 25, 2016 on this topic are offered in my capacity as a long term Saanich resident of both Cadboro Bay Village and Gordon Head, with a lengthy career involvement in the fields of applied ecology and coastal zone management (17 years in the public service of Canada and of British Columbia; 28 years as an independent consultant based in Saanich). I have no connection with the owners of the subject property.

**A. Corrections to and Commentary on New and Continued Assertions**

**Page 1 The Proposal** states, "*A subsequent biologist report states that only a small portion of the Marine backshore should remain*". That assertion by staff is incorrect. In fact, my earlier commentary on this issue clearly states that "only a small portion of the subject property can correctly be considered to constitute Marine Backshore, and that there is no technical justification for retaining any more than that portion of the property within the EDPA".

**Page 6 Paragraph 2** The subject report continues to assert that that "Saanich has produced several studies and inventories to verify 15 m as an appropriate marine setback for an EDPA". The list of titles explicitly provided by Saanich in support of that statement is as follows here:

- District of Saanich Marine Shore Resource Analysis, 1976 (if you wish to view this document, please make an appointment)
- Shore Protection Analysis, 1978
- Saanich Marine Shoreline Survey, 1999 and 2000 (2 Reports attached. If you wish to view the field sheets and photographs, please make an appointment)
- Review of Saanich Marine Shoreline Resources and Options for Protection, 2004
- Regulation Review for Shoreline Protection and Development, 2006 (attached)

**Response:** Commentary on the 5 immediately available items based on examination and review of the contents thereof are as follows:

**Shore Protection Analysis, 1978**

No mention or discussion of protective setback and/or buffer widths – either of a blanket or site specific nature - were found anywhere in this document.

**Saanich Marine Shoreline Survey, November 29th – December 10th, 1999**

Nothing was found in this document which referred to setbacks or buffers either in general or of any specific width.



#### Saanich Marine Shoreline Survey, April 3 – April 28, 2000

Nothing was found in this document which referred to setbacks or buffers either in general or of any specific width.

#### Review of Saanich Marine Shoreline Resources and Options for Protection, 2004

- A mis-titled Table 2 *Range of Habitat Values for Various Widths of Vegetative Buffers* is presented on page 3 of this document attributed Desbonnet et al 1994 as cited in Desbonnet et al 1995, (Development of Vegetated Buffer Programs Coastal Management 23: 91-109). This table in fact presents a 'range of buffer widths for various habitat types and features meriting protection'. However, nowhere in the text of the base document are any criteria for the array of buffer widths presented in this table either offered or discussed.
- On Page 51 under **Recommendations**, this document notes that " The width of the DAP or specific by-law review zones for other municipalities has ranged from 15 - 30 meters" , with no discussion as to the derivation of those widths. However ,it goes on to appropriately assert that "The width of the DPA should be based on a scientifically-defensible figure, that may differ from freshwater streams, and may vary according to the environmental sensitivity of the site". The subject paragraph expressly acknowledges that as applying also to the establishment of setback widths from marine shores.
- No specified protective buffer and setback widths or criteria in support thereof were found elsewhere in the text of this document.

#### Regulation Review for Shoreline Protection and Development, 2006

- Saanich Zoning Bylaw 8200 that regulates setbacks from the natural boundary of the ocean to any structure is presented on Page 5 of this document. No criteria for any of the setback widths prescribed in this by-law are provided or discussed.
- Clause 5 of the Saanich Tree Cutting Bylaw presented on Page 6 states ' 5 streams: no trees to be cut down within 15m of the natural boundary of a watercourse (defined in App.B of Bylaw 7501 Natural Watercourse bylaw)'. No criteria for that setback width are provided or discussed .
- No specified protective buffer and setback widths or criteria in support thereof were found elsewhere in the text of this document.

**CONCLUSION:** The above findings based upon examination of 5 of the 6 listed documents, clearly show that no such verification is either provided in or possible from any of the referenced documents reviewed.

The sole apparent rationale for selection of protective setback widths of 15-30 meter setback by the Saanich EDPA appears to be that these are used by other municipalities and senior government jurisdictions operative in BC . No objective technical criteria in support of these fixed setback widths on the part of Saanich or any other user recently referenced has been offered.

It is a fact that in a great many situations the area adjacent to a stream or marine shore that links aquatic to terrestrial ecosystems and that contains vegetation that exerts an influence on the stream or shore is often far less in width than the 15 or 30 meters arbitrarily prescribed by other jurisdictions, and borrowed by the Saanich EDPA by-law. It is of course acknowledged that in some locations that area may well be much greater than that of 15 or 30 meters in width.

Such an expanse is appropriately determined by the configuration of the adjacent terrain, the physical and ecological character of the stream bank or shoreline, and by the extent of true riparian vegetation present in the case of streams, and the extent of the functional bio-physical backshore and prevailing local sea-states in the case of marine shores. It is areas defined by these factors which merit diligent protection, and similarly those areas which have a potential for realistic enhancement.

**Page 7 Paragraph 1 states that** " A commentary submitted.....states that Saanich's use of the term *marine backshore* is erroneous because it should be defined as ..... based on references found on line in Wikipedia and dictionary.com".

**Correction:** My comment in this regard correctly noted that the use and application by Saanich of the term 'backshore' has no relationship to the widely accepted geographically and ecologically based definitions of that term. The listed definitions of 'backshore' which I provided at that time are found in the full array of general and scientific dictionaries and throughout the technical coastal management literature.

**Page 7 Paragraph 2 refers to the use of the term** "*marine riparian*"....."*with reference to widespread discussion about the terminology in BC about the upland that follows the marine coast*" as "*gaining favour and sometimes being used interchangeably with marine backshore*"

**Response:** Within the full array of general and scientific dictionaries and throughout the technical ecological, and geographic and legal literature, the term '**riparian**' is defined as " relating to wetlands adjacent to rivers and streams". A **riparian zone** or riparian area is the interface between land and a river or stream. Riparian vegetation are those habitats and plant communities along river & stream margins characterized by hydrophilic plants.

The counterpart technical term applicable to shores in coastal environments is the "**litoral zone**", which refers to the full expanse of the shore system from the upper bounds of the functional backshore outward to beyond the inter-tidal foreshore. And within all that the "**marine backshore**" component is "that zone of the shore or beach above the high-water line, acted upon only by severe storms or exceptionally high tides. It is that area of shore lying between the average high-tide mark and the vegetation, affected by waves only during severe storms.

**Page 7 Paragraph 2(more)** This paragraph goes on to state that "*The CRD, Department of Fisheries and Oceans, Victoria & Esquimalt Harbours Environmental Action Program, GreenShores, Shorekeepers and Saanich use the term marine backshore*".

**Response:** The question here is "to mean what?!?".

**Page 7 Paragraph 3** emphatically notes that "*it is clear that from the EDPA the marine backshore is defined as the area immediately above the natural boundary of the ocean*"

**Response:** While seemingly OK semantically, this definition is clearly directionally inadequate. The obvious remaining questions here are a) what is meant by "the natural boundary of the ocean?" and b) what is meant by "immediately above?", and c) what defensible scientific criteria are used to support this? In the absence of clarity on these points, the definition provided

is meaningless as it provides no guidance or defensible criteria for the expanse of a "marine backshore" or for a warranted protective setback therefrom.

**The unwarranted persistent mis-use of standard technical terminology is in no way intellectually responsible.**

**Moreover, the declaration via administrative fiat or via policy edict that something is to be defined and regarded as that which it is not is neither operationally supportable nor administratively defensible. Nor should it be considered to be socially or politically acceptable.**

## **B. On the Recommendations of the Subject Report**

**Page 8 RECOMMENDATIONS** The subject staff report recommends "that the request to remove the Environmental Development Permit Area from the subject property not be supported" for 6 reasons, each of which is uniformly specious:

~Bullet 1 states "Saanich Official Community Plan policies support the protection and restoration of Marine Backshore."

**Response:** Acknowledged. But in this regard, it is again noted that most of the subject property in no way constitutes 'marine backshore'.

~Bullet 2 states "There is no issue of mapping accuracy".

**Response:** There in fact is a very real issue of mapping accuracy here. The entire property, most of which in no way physiographically or ecologically constitutes 'marine backshore', is erroneously mapped as 'marine backshore';

~Bullet 3 states "The proposed mapping by the applicant's biologist does not meet the EDPA definition of marine backshore"

**Response:** Of course it doesn't, nor should it be expected to do so! The Saanich EDPA definition of 'marine backshore' is wholly inadequate and has been erroneously applied to the totality of the subject property.

~ Bullet 4 states "The owners are able to continue to use their lawn as they are accustomed (lawn mowing, gardening, moving lawn furniture)"

**Response:** This statement raises the question, 'Why then were the lawn and garden areas of this property placed in the EDPA at all?'

~ Bullet 5 states "Any property on the Gorge, Portage Inlet and on Saanich's outer coast could similarly seek removal".

**Response:** Of course they could, just as they can now, and as would be their right, based on site specific physiographic and ecological realities.

~ Bullet 6 states " *Improvements as result of the EDPA consultant review may help to reduce some of the concerns of the owner*"

**Response:** This assertion is wholly conjectural. As well, the implementation of any pertinent improvements derived and adopted therefrom will likely not be in place to correct the present situation for at least another year from now.

**There is no way that the facts associated with subject application warrant a recommendation that *'removal of the EDPA area from the subject property not be supported'***

Jonathan Secter, R.P. Bio.  
Saanich, B.C.



Seaview ✓

**From:** Jonathan Sectar [REDACTED]  
**To:** <mayor@saanich.ca>, <Susan.Brice@saanich.ca>, <Dean.Murdock@saanich.ca>, ...  
**CC:** Chief Administrative Officer <paul.thorkelsson@saanich.ca>, Director of ...  
**Date:** 9/28/2016 8:15 AM  
**Subject:** For the Consideration of Saanich Council  
**Attachments:** 2893 Seaview-Backshore Commentary.docx



Mayor & Councillors:

As a long term resident of Cadboro Bay village, the following report was recently brought to my attention:

//Report of the Saanich Director of Planning to Saanich Mayor and Council //  
 //on the subject of////  
 ////Request for Removal from the Environmental Development Permit Area  
 (EDPA)- File 2860-25 2893 Seaview Road.//  
 //September 13,2016

/  
 Accordingly, the attached commentary is herewith submitted for your consideration in relation to your forthcoming hearing on this issue.

Respectfully,  
 Jonathan Sectar, R.P. Bio.

POST TO	Gen	POSTED
COPY TO	SH Jm AP ✓	
INFORMATION	<input type="checkbox"/>	
REPLY TO WRITER	<input type="checkbox"/>	
COPY RESPONSE TO LEGISLATIVE DIVISION	<input type="checkbox"/>	
REPORT	<input type="checkbox"/>	
FOR		
ACKNOWLEDGED	B. Mad ✓	



## COMMENTARY ON

### Request for Removal from the Environmental Development Permit Area (EDPA)

#### File 2860-25 2893 Seaview Road.

Reference is made to the September 13, 2016 report of the Saanich Director of Planning to Saanich Mayor and Council on the subject of Request for Removal from the Environmental Development Permit Area (EDPA)- File 2860-25 2893 Seaview Road.

Page 6 of the subject report notes explicitly that:

*The Marine Backshore – as a specified Saanich EDPA Environmentally Significant Area (ESA) – is based on a measurement, not an ecosystem boundary. The Marine Backshore (per Saanich) is the area as measured 15 meters from the (undefined) natural boundary of the Ocean.*

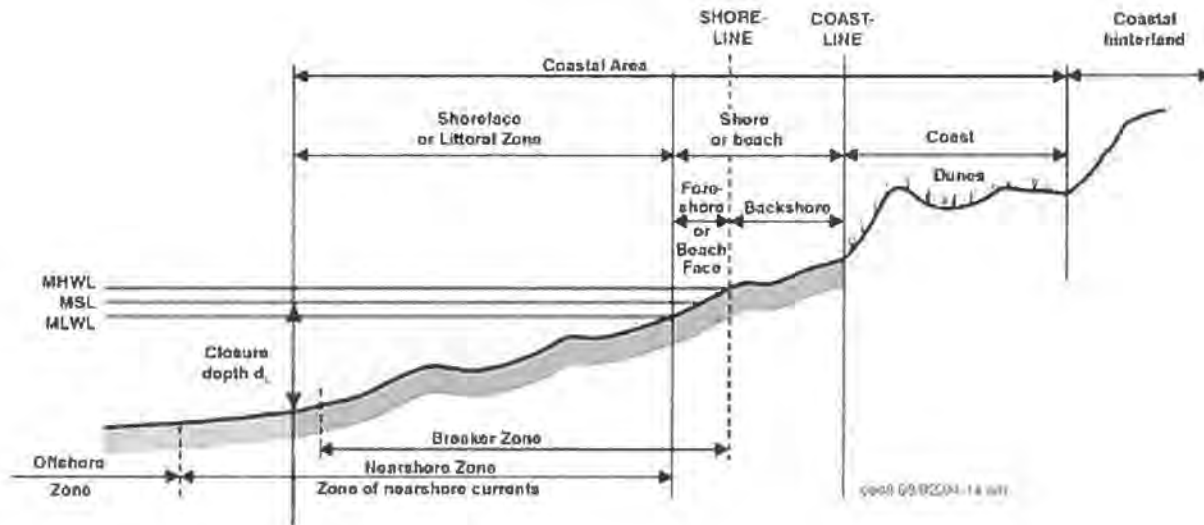
This in fact is a completely arbitrary and erroneous view of the term, which has led to clearly non – scientific and indefensible restrictions of the use of areas inappropriately designated as such.

**(Marine) Backshore** is a widely acknowledged well defined geological, physiographic and ecological term referring to:

- That area of a beach extending from the limit of high water foam lines to dunes or extreme inland limit of the beach. It is only affected by waves during exceptional high tides or severe storms. Sediments in this area are well-sorted and well rounded. Its grain sizes are mainly coarse sand and medium sand, which are larger than that in littoral barrier dune. The sedimentary structures include parallel bedding and low-angle cross-bedding.
- The zone of the shore or beach above the high-water line, acted upon only by severe storms or exceptionally high tides. It is that area of shore lying between the average high-tide mark and the vegetation, affected by waves only during severe storms.
- The part of the seashore between the foreshore and the coastline covered by water only during storms of exceptional severity
- The area of a shore that lies between the average high tide mark and the vegetation. The backshore is affected by waves only during severe storms.
- The backshore as an upper shore zone above high-tide, is that part of the beach lying between the foreshore and coastline. The backshore is dry under normal conditions. It is often

characterised by berms and is often without vegetation. The backshore is only exposed to waves under extreme events with high tide and storm surge.

In lay terms, the backshore is 'the usually dry portion of the Beach'.



**Diagrammatic definition of coastal terms.**

Coastal Engineering Research Center, Department of the Army, Waterways Experiment Station, 1984. "Shore protection manual".

Accordingly, there is no defensible basis for the adoption and use of the erroneous arbitrary present official Saanich definition of the term "Marine Backshore" as a designated Environmentally Significant Area (ESA) within the EDPA.

With respect to the subject property, its present shore configuration and characterization is such to render the *de facto* backshore portion of the property to an area almost no wider than several meters shoreward of the sea-side property boundary, with its physical and ecological shore process functions long ago severely diminished, if not eliminated by the presence of protective rock placements and the incursion of invasive species.

Landward of that remnant backshore area, there is no scientific or technical justification for considering any of the balance of the subject property to be "Marine Backshore". Furthermore, in that the balance of said property is acknowledged to be characterized by lawn, garden, 3 Douglas firs and an area of invasive species, with no Garry Oaks, rare plant species, or native plant cover present, there clearly is no logical or justifiable basis for retaining any but a small shore-front strip of this property within the EDPA.

Jonathan Sexter, R.P. Bio.  
September 25, 2016



The Corporation of the District of Saanich

Report

Mayor  
Councillors  
Administrator

Council  
Administrator  
Media

Report To: Mayor and Council  
From: Sharon Hvozanski, Director of Planning  
Date: October 28, 2016  
Subject: Covenant Amendment  
4573 Prospect Lake Road

PROJECT DETAILS

Project Proposal: The applicant is requesting that the existing Covenant, dating from 1981 and specifying the location of a potential second dwelling on the subject property, be removed from the Title. The applicant has agreed to place a new covenant on the property to protect a key area of environmental significance.

Address: 4573 Prospect Lake Road

Legal Description: Lot A, Sections 93 & 120, Lake District, Plan 19173, Except that part thereof included within the boundaries of Plan 33416.

Owner: Arthur Richardson Trust

Applicant: John Richardson (Trustee)

Parcel Size: 79,522 m<sup>2</sup> (7.95 ha)

Existing Use of Parcel: Single Family Residential

Existing Use of Adjacent Parcels: North: P-4 (Recreation and Open Space) Zone  
South: A-4 (4.0 ha Lot) Rural Zone  
East: A-4 (4.0 ha Lot) Rural Zone  
West: A-4 (4.0 ha Lot) Rural Zone

Current Zoning: A-2 (Two Dwelling) Rural Zone

Minimum Lot Size: 4 ha

Proposed Zoning: Rural Zone-Two Dwelling (A-2)

Proposed Minimum Lot Size: 4 ha





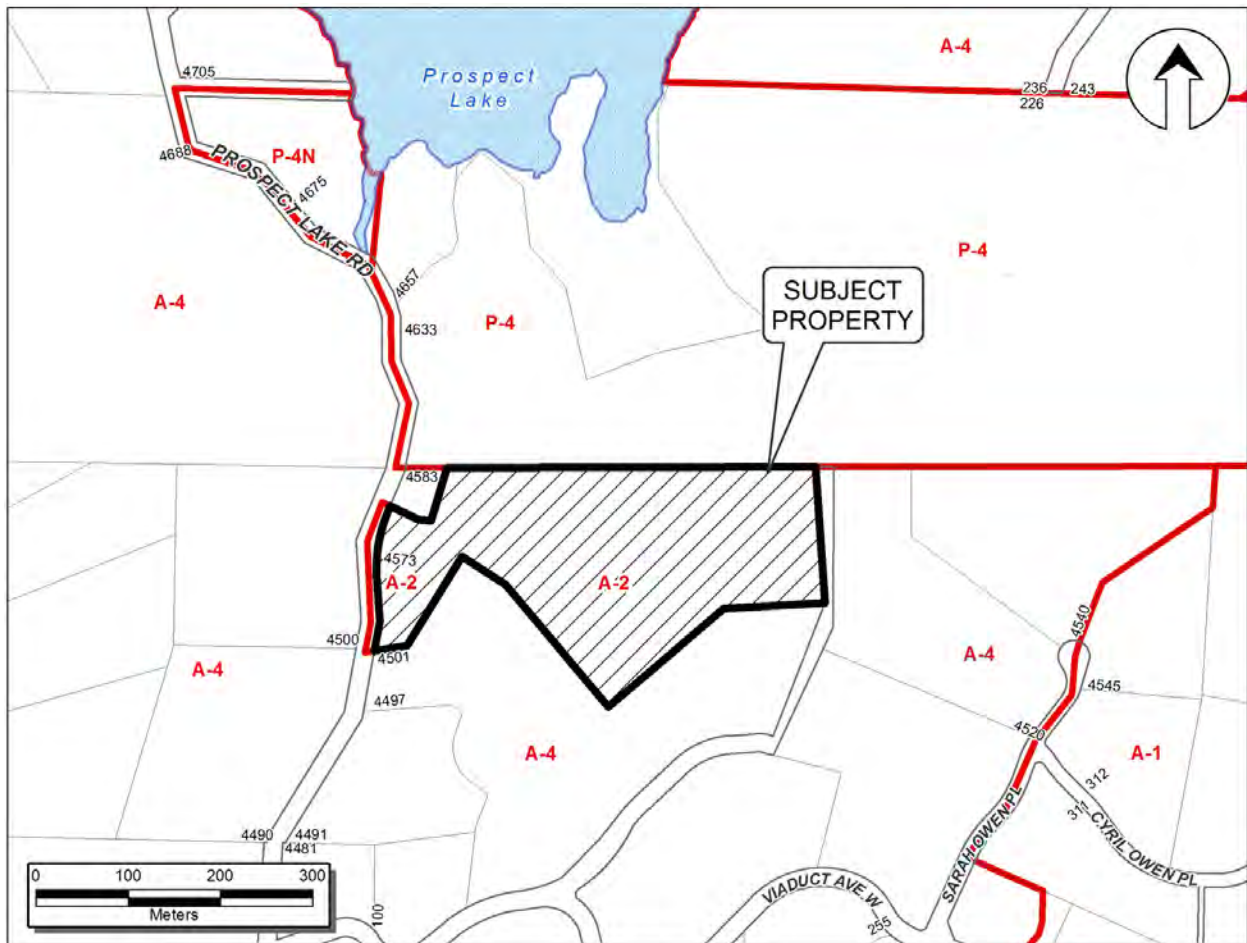
**Local Area Plan:** Rural Saanich

**LAP Designation:** Rural Residential/Agriculture

**Community Assn Referral:** Prospect Lake Community Association • Referral sent 13 July 2016. Response received August 18, 2016 indicating no objection.

**PROPOSAL**

The applicant is requesting that the existing Covenant, dating from 1981 and specifying the location of a potential second dwelling on the subject property, be removed from the Title. The applicant has agreed to place a new covenant on the property to protect a key area of environmental significance.



**Figure 1: Context Plan**

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## **PLANNING POLICY**

### **Official Community Plan (2008)**

- 4.1.2.3 "Continue to protect and restore habitats that support native species of plants, animals and address threats to biodiversity such as invasive species."
- 4.1.2.4 "Protect and restore rare and endangered species habitat and ecosystems, particularly those associated with Garry Oak ecosystems."
- 4.1.2.5 "Preserve "micro-ecosystems" as part of proposed development applications, where possible."
- 4.2.5.1 "Support the retention of rural and farm lands through adherence to the Urban Containment Boundary policy and preservation of the Agricultural Land Reserve (Map 19)."
- 4.2.5.2 "Maintain farming, food production, and large lot residential as the predominant land use on rural lands."
- 4.2.5.3 "Maintain a minimum parcel area of 2.0 ha for the A-1 (Rural) zone and 4.0 ha for the A-4 (Rural) zone."

### **Rural Saanich Local Area Plan (2008)**

- 13.1 "Maintain a minimum parcel area of 2.0 ha for the A-1 (Rural) zone and 4.0 ha for the A-4 (Rural) Zone."
- 13.2 a) "Do not support a rezoning application to provide for new lots having an area less than 4.0 ha in the Prospect Lake Watershed as identified on Map 13.1."
- 13.6 "Do not consider an application to subdivide a parcel that is zoned to permit two dwellings on one parcel unless the parcel is first rezoned to an appropriate rural zone that permits only one dwelling on a parcel or a covenant is registered prior to final reading to permit only one dwelling on a parcel."

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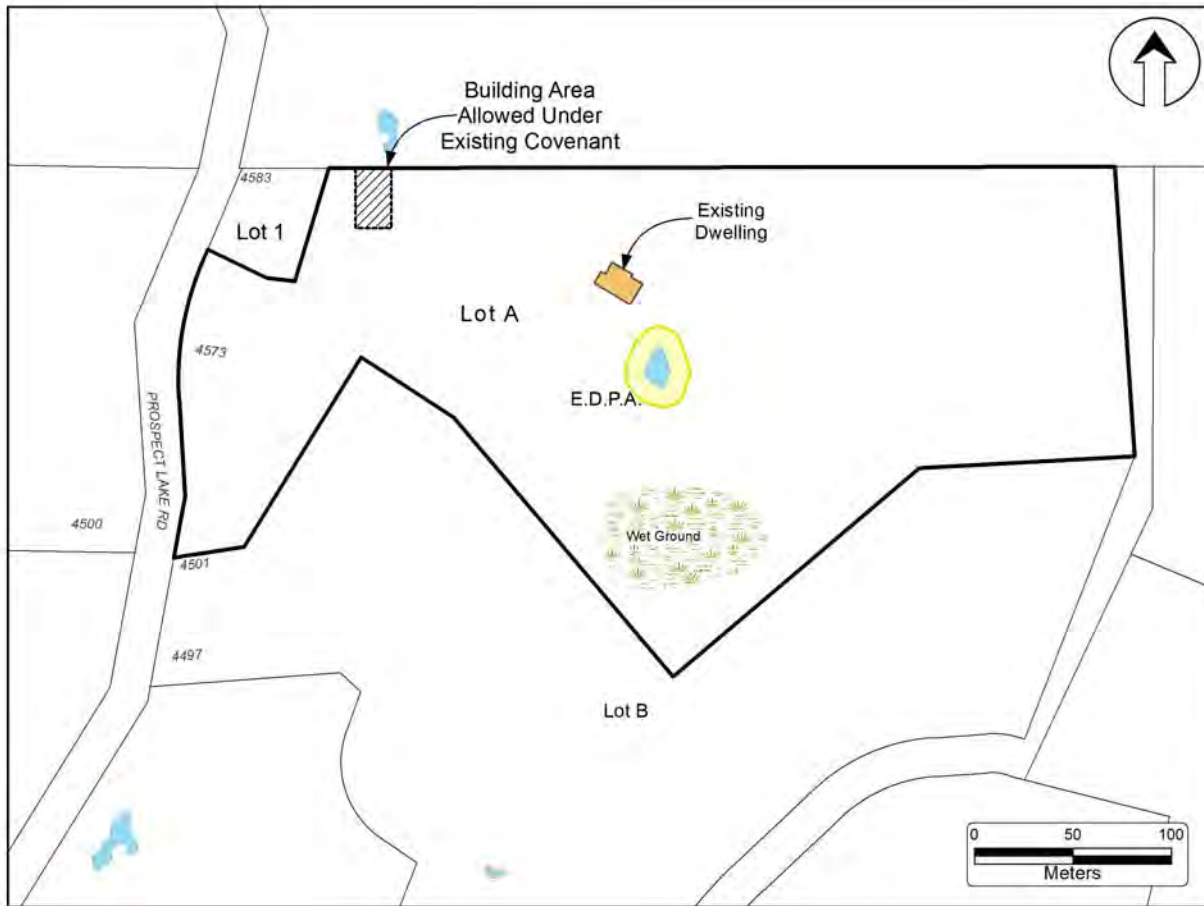
## **BACKGROUND**

The subject property was rezoned from A-1 Rural Zone to A-2 (Two Dwelling) Rural Zone in 1981 to allow for a second dwelling to be constructed on the property. The intent of the original rezoning was to allow for a family member of the then owners (Mr. and Mrs. Arthur Richardson) to reside in a separate house on the property.

At that time, the subject restrictive covenant was registered on the property Title as a requirement of Saanich Council "to ensure that the placement of the new house on the property would not preclude subdivision in the future". A house location was selected and secured though the covenant, as shown in Figure 2. At the time of the rezoning, policy was such that future subdivision was possible.

The second dwelling was never constructed as such only one house currently exists on the property. The current owner of the property is the Arthur Richardson Trust, the sole trustee of which is Mr. John Richardson, the son of the owners who originally rezoned the property and had the covenant put in place. Mr. John Richardson is now looking to sell the property, and it is through a potential sale that the presence of this covenant was discovered.

Prospective purchasers have indicated that the covenant is unnecessarily restrictive, and the current owner is requesting that the covenant be removed.



**Figure 2: Site Plan**

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**DISCUSSION**

The wording of the covenant to specify the area for a second dwelling states that the Covenantors "...will not construct erect, place or maintain any structure or building on any part of the said lands except as defined in the Covenant".

The building area described is a rectangular area measuring 18.29 m wide by 30.48 m deep (60' x 100'), and having an area of 557 m<sup>2</sup> (6000 ft<sup>2</sup>); roughly equivalent to a standard RS-6 (Single Family Dwelling) Zone lot commonly found in urban areas of Saanich.

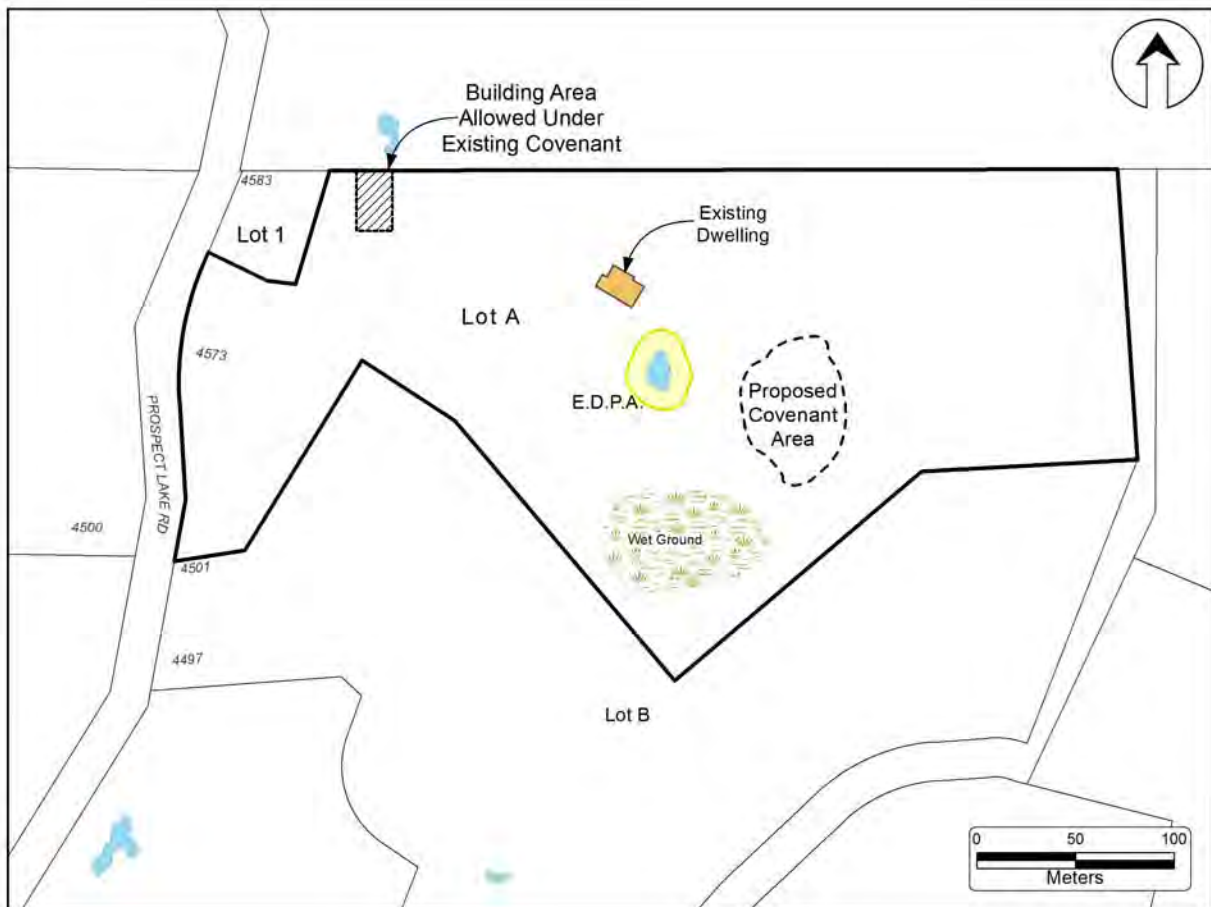
The site for the second house was selected by staff and ultimately approved by Council so as not to preclude future subdivision potential. As previously noted, at the time of the rezoning, policy was such that future subdivision was possible.

From a present day policy perspective, the argument for locating a second dwelling so as not to preclude future subdivision is no longer valid. The parcel is 7.95 ha in size and therefore lacks the area to be subdivided under the existing A-2 zoning (which requires a minimum 4 ha per lot). In addition, the parcel is located in the Prospect Lake Watershed as identified in Map 13.1 of the Rural Saanich Local Area Plan, and LAP Policy 13.2 a) discourages rezoning to allow for lots having an area of less than 4.0 ha.

If Council agrees to remove the subject covenant the standard A-2 zoning restrictions would apply in relation to building siting. The applicant does not have house plans or notions as to where the second house would be sited, as their intention is to sell the land in its current state.

**Environment**

Environmental Services staff attended the property and identified a key area of the site that has environmental significance and where construction should be avoided (see Figure 3).



**Figure 3: Site Plan showing proposed Covenant Area**



The applicant has worked with staff and is willing to secure the sensitive ecosystem identified during the site visit. It is recommended that if the existing covenant is discharged that a new covenant be registered to prohibit the siting of a dwelling on the area shown in Figure 3.

The site has significant changes in grade and is well treed as noted in Figure 4 below. Tree loss related to the construction of a second house and any associated access driveway would be comparatively small given the size of the property and its current tree inventory. Staff do want to ensure Council is aware that removing the current restrictive covenant will mean that tree removal is regulated solely through Saanich's "Tree Protection Bylaw".



**Figure 4: Air Photo with Contours**

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## **CONSULTATION**

### **Community Association**

The Planning Department referred the application to the Prospect Lake Community Association (PLCA) on July 13, 2016. The PLCA responded on August 18, 2016, indicating no objection to the request to replace the restrictive covenant on the property.

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## **SUMMARY**

The applicant requests that an existing Covenant, dating from 1981 and specifying the location of a potential second dwelling on the subject property, be removed.

The subject property was rezoned from the A-1 Rural Zone to A-2 (Two Dwelling) Rural Zone in 1981 to accommodate a second dwelling on the property. At the time, a Restrictive Covenant was put in place on the property "to ensure that the placement of the new house would ensure that it could be subdivided on its own lot in the future".

With a change in policy resulting in subdivision no longer being supported or possible without rezoning, the original reason for restricting the location of a second dwelling on the property is no longer valid. If the covenant is discharged from the Title, the standard A-2 zoning would determine the siting of any future second home on the property. Any future tree removal would be regulated through Saanich's "Tree Protection Bylaw".


Staff from the Environmental Services section attended the property and identified a key area of environmental significance where construction should be avoided. The applicant has worked with staff and is willing to secure the sensitive ecosystem identified during the site visit. It is recommended that if the existing covenant is discharged that a new covenant be registered to prohibit the siting of a dwelling on the area shown in Figure 3.

**RECOMMENDATION**

1. That Restrictive Covenant No. K75432 be discharged; and
2. That the discharge of Restrictive Covenant No. K75432 be withheld pending registration of a new covenant to allow:
  - The siting of a dwelling anywhere on the property (subject to required setbacks under the A-2 Zone), except for the area as shown in Figure 3 (delineated in a reference plan to be provided by the applicant's surveyor) be registered on Title.

Report prepared by:   
 \_\_\_\_\_  
 Chuck Bell, Planner

Report prepared and reviewed by:   
 \_\_\_\_\_  
 Jarret Matanowitsch, Manager of Current Planning

Report reviewed by:   
 \_\_\_\_\_  
 Sharon Hvozdzanski, Director of Planning

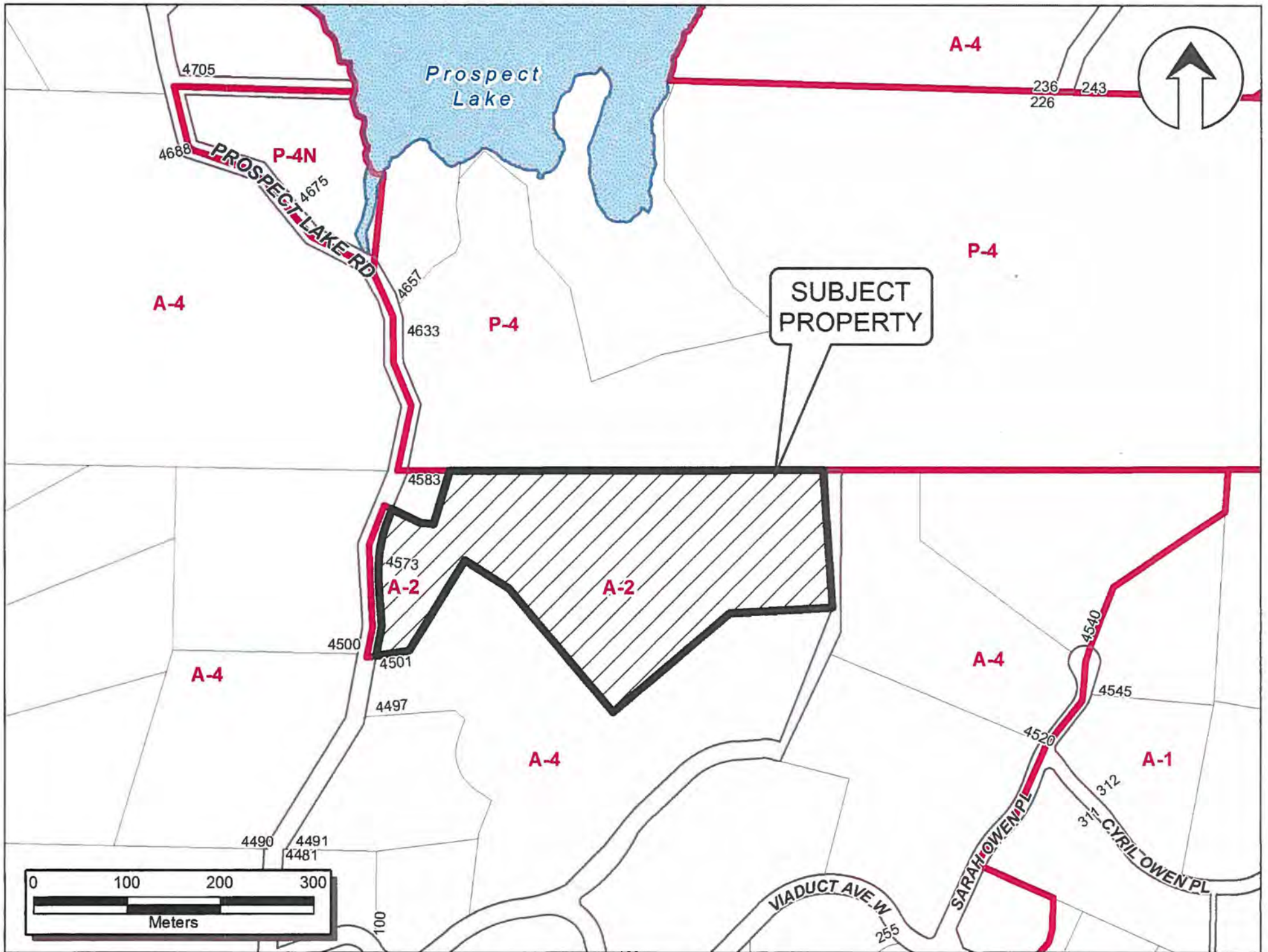
cc: Paul Thorkelsson, CAO  
 Graham Barbour, Manager of Inspection Services

**CAO'S COMMENTS:**

I endorse the recommendation of the Director of Planning.

  
 Paul Thorkelsson, Administrator





**TERMS OF INSTRUMENT - PART 2**

**PROTECTED AREA COVENANT**

**BETWEEN:**

(hereinafter called the "Covenantor")

OF THE FIRST PART

**AND:**

**THE CORPORATION OF THE DISTRICT OF SAANICH**  
770 Vernon Avenue,  
Victoria, British Columbia  
V8X 2W7

(hereinafter called the "Covenantee")

OF THE SECOND PART

(collectively the "Parties")

**WHEREAS:**

- A.** Section 219 of The *Land Title Act* provides that a covenant in respect to the use of land or of a building or that land is, or is not to be built on or that land or a specified amenity in relation to it be protected, preserved, conserved or kept in its natural state in favour of a municipality may be registered as a charge against the title to that land;
- B.** The Covenantor is the registered owner of the lands;
- C.** The Covenantee is a Municipality.

**NOW THEREFORE** in consideration of the payment of the sum of ONE DOLLAR by the Covenantee to the Covenantor, the receipt and sufficiency of which is hereby acknowledged by the Covenantor, and in consideration of the promises below, the Covenantor **COVENANTS AND AGREES** as follows:



## 1.0 DEFINITIONS

In this Agreement:

- (a) "Amenity" includes any natural, scientific, environmental, wildlife, plant life or cultural value relating to the Lands or Protected Area;
- (b) "Cut down" shall mean to cut down, kill or remove by any means and in relation to a tree, shrub or bush includes the topping or removal of any branch, trunk or stem of the tree, shrub or bush;
- (c) "Lands" shall mean the parcel of land legally described as:
- (d) "soil" shall mean soil, fill, sand, gravel, rock or other material of which land is composed.
- (e) "Restricted area" shall mean:
- (f) " Protected Area" shall mean:
- (g) "Tree" means any living, erect, woody plant.
- (h) "Plant" includes all vascular and non-vascular plants, including, without limiting the generality of the foregoing:
  - (i) moss,
  - (ii) lichen,
  - (iii) tree seedlings,
  - (iv) grass, and
  - (v) shrubs.

2.0 Unless specifically defined in this covenant, words and phrases herein shall have the same meaning as provided in the Zoning Bylaw, 2003 of the Covenantee.

## 3.0 INTENTION

3.1 The intent of this agreement is:

- (a) to protect, preserve, conserve or maintain the Protected Area in its natural state as of the reference date of this Agreement; and
- (b) to prevent any occupation or use of the Protected Area that will impair or interfere with the natural state of the Protected Area.

And the parties agree that this Agreement is to be interpreted, performed and applied accordingly.

3.2 This Agreement shall be perpetual to reflect the public interest in the protection, preservation, conservation, maintenance and enhancement of the Protected Area and Amenities for ecological and environmental reasons.

The Covenantor shall preserve, conserve and keep the restricted area in a natural state, provided that the Covenantor shall not be restricted from constructing all such works and doing all such things on the restricted area as are necessary to ensure that it is safe and does not constitute a hazard.

#### **4.0 RESTRICTIONS ON USE OF THE PROTECTED AREA**

4.1 Except as expressly permitted in this Agreement, the Covenantor must not do anything, omit to do anything, allow anything to be done, or allow the omission of anything, that does or could reasonably be expected to destroy, impair, diminish, negatively affect, or alter the Protected Area.

4.2 Without restricting the generality of section 4.1, the Covenantor must not, except with the written approval of the Covenantee as represented by the Director of Planning:

(a) use or permit the use of the Protected Area for an activity or use which:

- (i) causes or allows silts, leachates, fills or other deleterious substances to be released into any watercourse, pond or wetland in the Protected Area;
- (ii) causes erosion to occur, or facilitates the loss, compaction or removal of soil, from within the Protected Area;
- (iii) alters or interferes with the hydrology of the Protected Area, including by the diversion of natural drainage or flow of water in, on, or through the Protected Area in a manner which may impact the Protected Area
- (iv) causes or allows fill or rubbish, ashes, garbage, waste or other material foreign to the Protected Area to be deposited in or on the Protected Area;
- (v) causes or allows any component of the Protected Area, including soil, gravel or rock, to be disturbed, explored for, moved, removed from or deposited in or on the Protected Area;
- (vi) causes or allows pesticides, including but not limited to, herbicides, insecticides or fungicides, to be applied to or introduced onto the Protected Area;
- (vii) causes or allows any indigenous trees or plants in the Protected Area to be cut down, pruned, harvested, moved, removed, defoliated or damaged in any way;
- (viii) cause non-indigenous weeds and plants to invade the Protected Area;

(b) cut down, prune, remove any indigenous tree, shrub, bush or plant growing in the Protected Area.

- (c) use or permit the use of heavy equipment in the protected area, nor place, store or stockpile soil or building materials in the protected area.
- (d) use or permit the use of the Protected Area for hunting, fishing, gathering or grazing of domestic animals;
- (e) lay out or construct any new roads in the Protected Area;
- (f) construct, build, affix or place on the Protected Area any buildings, structures, fixtures or improvements of any kind;
- (g) plant trees, shrubs, flowers, crops or other types of vegetation on the protected area except species which are native to the specific ecosystem of the Protected Area.
- (h) lease or licence the Protected Area or any part thereof unless the lease or license is expressly made subject to the provisions of this Agreement and expressly entitles the Covenantor to terminate the lease or licence if the tenant or licensee breaches any of the provisions of this Agreement;
- (i) subdivide the Protected Area by any means.

## **5.0 PROTECTION DURING CONSTRUCTION**

5.1 The Covenantor shall put in place plastic fencing material to designate the boundary separating the Protected Area from the remainder of the Land prior to commencing any construction, development or excavation on the Land and shall keep the fencing in place until the completion of the development except that where the Covenantor has obtained permission to carry out activities within the Protected Area under section 4, part of the fencing may be temporarily removed to permit access to the Protected Area for that purpose.

5.2 The Covenantor shall post a sign on the fencing, of all weather material, stating "Protected Area - No Entry" and shall keep the sign on the fencing until the completion of the development.

## **6.0 INVASIVE SPECIES**

6.1 Notwithstanding section 4 of this Agreement, the Covenantor may remove non-native species of vegetation, other than trees, which are known to be invasive.

## **7.0 COVENANTOR'S RESERVED RIGHTS**

7.1 Subject to section 4, the Covenantor reserves all of its rights as owner of the Land, including the right, to use, occupy and maintain the Land in any way that is not expressly restricted or prohibited by this Agreement, so long as the use, occupation or maintenance are consistent with the intent of this Agreement.

7.2 Nothing in this Agreement restricts or affects the rights of the Covenantor or any other party to do anything reasonably necessary to:

- (a) prevent potential injury or death to any individual; or
- (b) prevent, abate or mitigate any damage or loss to any real or personal property.

## **8.0 ACCESS FOR OBSERVATION**

8.1 The Covenantor gives permission to the Covenantee and its agents to enter the Land, upon 7 days advance notice, for the purposes of monitoring the terms and conditions of this covenant.

## **9.0 ENFORCEMENT**

9.1 In the event the Covenantor breaches any provision of this covenant, the Covenantee may at its option, in addition to any other remedies it may have, do one or more of the following:

- (a) give notice in writing to the Covenantor to
  - (i) cease and desist breaching the covenant, or
  - (ii) perform any positive obligations of the covenant either immediately or within a time period specified in the notice.
- (b) give notice in writing directing the Covenantor to restore or remedy the breach in accordance with the terms and directions set out in the notice and to carry out any restoration measures specified in the notice either immediately or within a time period specified in the notice.
- (c) if the Covenantor fails to comply with the direction contained in a notice under subparagraph (a) or (b) of this paragraph the Covenantee may without further notice enter upon the lands and carry out the required work at the expense of the Covenantor. The Covenantor shall pay on demand all costs incurred by the Covenantee for labour, materials, administration and overhead in carrying out work under this provision.



9.2 It shall be the responsibility of the Covenantor to ensure that any person entering onto the lands with the permission or the knowledge of the Covenantor does not contravene any provision of this covenant and a breach of the covenant by any such person shall be considered for all purposes as a breach of the covenant by the Covenantor.

9.3 In the event trees, or plants are cut down or damaged contrary to the provisions of this covenant, the Covenantor shall:

(a) forthwith plant replacement trees or plants of the same species in the same location as formerly. Any replacement trees shall have a trunk diameter at breast height equal to that of the tree that was cut down or equal to the largest diameter for the replacement trees of the species available through nurseries in British Columbia, whichever is smaller, and;

(b) during the three year period following planting of the replacement trees or plants, water, fertilize and maintain the trees or plants in accordance with sound arboricultural practices.

10.0 No term, condition, covenant or other provision of this covenant will be considered to have been waived by the Covenantor unless such waiver is expressed in writing by the Covenantor and the waiver by the Covenantor of any such term, condition, covenant or other provision will not be construed as or constitute a waiver of any further or other breach of that or any other term, condition, covenant or other provision of this covenant.

11.0 This covenant extends to, is binding upon and enures to the benefit of the Covenantor and its successors and assigns and the Covenantors and their heirs, executors, administrators and successors, but only during their respective periods of ownership of a fee simple estate in the lands.

12.0 If any section of this covenant, or any part of a section, is found to be illegal or unenforceable, that part or section, as the case may be, will not be affected and will be enforceable to the fullest extent permitted by law.

13.0 The Director of Planning Services of the Covenantor may, upon application in writing from the Covenantor, approve a variation to any restriction contained in this agreement, not affecting the overall intent of the covenant.

14.0 This Contract may be executed in counterpart with the same effect as if both parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Contract.

#### **NOTWITHSTANDING CLAUSE**

Notwithstanding the other provisions of this Covenant, the Covenantor may lay out a footpath to the top of the Protected Area and may construct a small accessory building less than 10 m<sup>2</sup> in building area provided that prior to such construction approval is given by the

Manager of Environmental Services, such approval not to be unreasonably withheld and the location to have a minimum negative impact on existing native vegetation within the Protected Area.

**THIS AGREEMENT** and everything herein contained shall be binding upon the Covenantor and its successors and assigns and shall enure to the benefit of the Covenantee.

**IN WITNESS HEREOF**, the Parties hereto acknowledge that this agreement has been duly executed and delivered by the parties executing Form C (pages 1 and 2) attached hereto.

**END OF DOCUMENT**

DRAFT

LAND TITLE ACT

Form 17  
Section 152

**K 75432**

APPLICATION

CR  
J23974R  
PIC

DATE: 23/7/81

TRUE VALUE: \$ NOMINAL

NATURE OF INTEREST:

Covenant

APPLICANT:

THE CORPORATION OF THE DISTRICT OF SAANICH  
770 Vernon Avenue,  
Victoria, B.C. V8K 2W7  
386-2241, Local 246.

HEREWITH FOR OF:

\$ 10.00

Authorized Agent

THIS AGREEMENT is made this 23<sup>rd</sup> day of July, 1981

BETWEEN: ARTHUR RICHARDSON, and  
FRANCES MARY RICHARDSON,  
4573 Prospect Lake Road,  
RR# 7,  
Victoria, B.C.

10-21131 326712 -B3

WB  
10.00

13 JUL 24 1981

FORM 1  
(Section 36)  
ALL MENTIONED IN THIS INSTRUMENT  
OR REFERRED TO IN THIS INSTRUMENT  
ON THE DAY AND IN THE PLACE  
OF THE SIGNATURE OF THE APPLICANT

(hereinafter called the "Covenantors")

OF THE FIRST PART

AND:

THE CORPORATION OF THE DISTRICT OF SAANICH,  
770 Vernon Avenue,  
Victoria, B.C.,  
V8K 2W7

(hereinafter called the "Covenantor")

OF THE SECOND PART

WHEREAS:

- A. The Covenantors are the registered owners of lot "A", Sections 93 and 120, Lake District, Plan 19173, EXCEPT that part thereof shown included within the boundaries of Plan 13416, (hereinafter called "the said lands").
- B. Section 215 of the Land Title Act provides that a covenant in respect of the use of land or of a building on that land is, or is not to be built on in favour of a municipality may be registered as a charge against the title to that land;

NOW THEREFORE in consideration of the sum of \$1.00 the receipt and sufficiency of which is hereby acknowledged, the Covenantors COVENANT AND AGREE as follows:

- 2 - *V*

That they will not construct, erect, place or maintain any structure or building on any part of the said lands except the following:

All that part of lot "A" of Sections 93 and 120, Lake District, Plan 19173, contained within the following described boundaries: Commencing at a point on the Northerly boundary of said lot "A" distant 13.716 metres Easterly from the east Easterly corner of lot 1 of Plan 33416; thence Southerly and at right angles to the said Northerly boundary of lot "A" for a distance of 30.480 metres; thence Easterly and at right angles for a distance of 18.288 metres; thence Northerly and at right angles to an intersection with the said Northerly boundary of lot "A" thence Westerly along the said Northerly boundary of lot "A" to the point of commencement.

THIS AGREEMENT and everything herein contained shall be binding upon the Covenantors and their successors and assigns and shall endure to the benefit of the Covenantee.

IN WITNESS WHEREOF the parties hereto have caused these presents to be executed this day and year first above written.

Signed in the presence of  
Witness  
Address  
Occupation

*Charles M. Richardson*  
FRANCIS MARY RICHARDSON  
*Frances Mary Richardson*  
FRANCIS MARY RICHARDSON

(5)



**Planning - Shaw, Jeff - Prospect Lake Road 4573, Referral**

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**From:** "Jeff Shaw" [REDACTED]  
**To:** <planning@saanich.ca>  
**Date:** 8/18/2016 2:51 PM  
**Subject:** Shaw, Jeff - Prospect Lake Road 4573, Referral  
**CC:** "Gillian Brownlee" [REDACTED]  
**Attachments:** prospect-lake-road-4573-saanich-planning-referral-august-18-2016.pdf

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Good afternoon Chuck,

Attached is the Prospect Lake District Community Association letter stating we have no objection to the request to replace the restrictive covenant on the property.

In our conversation, my understanding is that Saanich will replace the current restrictive covenant for a new better written one. The new covenant will allow the existing dwelling plus an additional dwelling to be built on the property as per current allowed use of the property. The current covenant makes the current house illegal and would only allow the new house to be built in a very specific building location. Our understanding is the new covenant would restrict building on the steep slope area of the property. It will make the current dwelling legal and will allow the property owner to build a second dwelling on the property in a suitable location of their choice and Saanich's approval.

We, the planning committee have meet and discussed this request. We have presented and had the PLDCA executive approve of this support of the request.

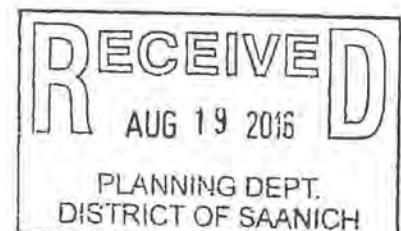
If you require anything further from us will you please just ask.

Kindest regards,  
Jeff Shaw

Vice-President  
PLDCA



ENTERED  
IN CASE



District of Saanich  
Current Planning  
770 Vernon Ave.  
Victoria BC V8X 2W7

t. 250-475-5471  
f. 250-475-5430  
saanich.ca



July 13, 2016

Dear Prospect Lake Community Association:

**Re: Covenant:**

**Site Address:** 4573 Prospect Lake Road  
**Legal:** Lot A Lake District Plan 19173 Section 93 & 120, Except Plan 33416.  
**Description:** Request for Removal of Covenant

The District of Saanich has received a request to remove a covenant for a site within your Community Association area. The Planning Department is referring the letter of request and the relevant covenant to your Community Association for review and comment.

In a written letter or email to [planning@saanich.ca](mailto:planning@saanich.ca), please provide your comments to the Planning Department indicating if the Prospect Lake Community Association:

- Has no objection to the request
- Generally has no objection with suggested changes or concerns
- Does not support the request (please provide reason)

We would appreciate receiving your comments by August 10, 2016 so that they can be included in the package that is forwarded to Council. If you cannot meet this time frame, please email or call our office to indicate if and when you might be able to respond to the referral.

If you require further information please contact Chuck Bell Local Area Planner at 250-475-5494 local 3467 or by email to [chuck.bell@saanich.ca](mailto:chuck.bell@saanich.ca).

Sincerely,

Chuck Bell  
Area Planner

cc: Clerks Department