

DISTRICT OF SAANICH
MINUTES OF THE COUNCIL MEETING
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JUNE 12, 2017 AT 7:02 P.M.

Present:

Chair: Mayor Atwell
Council: Councillors Brice, Brownoff, Haynes, Murdock, Plant, Sanders and Wergeland
Staff: Paul Thorkelsson, Chief Administrative Officer; Harley Machielse, Director of Engineering; Jarret Matanowitsch, Acting Director of Planning; Donna Dupas, Legislative Manager; and Lynn Merry, Senior Committee Clerk

PRESENTATION OF AWARDS

1090-20
Environmental
Awards

SAANICH ENVIRONMENTAL AWARDS

Mayor Atwell and Councillor Wergeland, Chair of the Environment and Natural Areas Advisory Committee (ENA) presented the 2017 Environmental Awards on behalf of Council to the following recipients:

Individual Environmental Achievement Award – Winona Pugh

- This individual received the award in honour of her leadership and participation in community environmental stewardship and education initiatives; she has worked to promote sustainability and the protection of natural areas and aquatic ecosystems, including as an active member of the Friends of Tod Creek Watershed.
- She has been tireless and continues to inspire and share with others through leading tours of natural areas, aquatic plant surveys, invasive species removal and community events as well as promoting environmental stewardship through writing and as an artist.

Volunteer Organization Award – Greater Victoria Green Team

- The Team, with over 1,500 members, was honoured for its achievements in coordinating an environmental volunteer program helping to restore local ecosystems; the Team provides opportunities to learn about and experience natural areas and stewardship in the region through planting native species, invasive plant removal, and shoreline clean up.

Business Achievement Award – Mike Geric Construction Ltd.

- With a mission to leave a lasting legacy of responsible development, Mike Geric Construction Ltd. received the award honouring their achievements in developing sustainable multi-family homes in Saanich; their developments include features such as preserving and restoring natural spaces, providing community gardens and walking trails, installation of solar assisted hot water, providing transportation alternatives including electric vehicle charging stations, 100% on-site rainwater treatment and recycling of building materials.
- The Geric Family aims to lead and inspire green building in the region.

Youth Achievement Award – Ocean Han

- Ocean was honoured for his achievements in Garry oak ecosystem restoration and leadership in student research projects; Ocean is also a member of the Mt. Douglas Secondary Environment Club and has provided a leadership role for a major grade 10 science team project which studied the effectiveness of invasive plant treatment methods and native plant growth.

Biodiversity Conservation Award – Beckwith Park Pulling Together Volunteer Team

- The Beckwith Park Pulling Together Volunteer Team was honoured for their achievements in restoring sensitive Garry oak and riparian ecosystems at Beckwith Park; the team has made significant strides in restoring ecosystems by developing restoration plans, supporting ecological research, engaging neighbours, acquiring grants, installing nest boxes, removing a large volume of invasive plants and hosting school and university groups.

Sustainability Award – Nathalie and David Chambers

- Nathalie and David Chambers were honoured for their achievements in promoting local food security, organic food growth, and habitat and soil preservation; they have worked with the Land Conservancy to preserve Madrona Farm in an effort to raise the awareness of sustainably grown food.
- Through their farm practices and community involvement, they continue to advocate for and provide a sustainable example of organic and local food production, hand in hand with ecological stewardship.

Long Term Achievement Award – Vic Derman

- The Long Term Achievement award was provided posthumously in honour of Vic Derman's long-term leadership in environmental stewardship and advocacy for climate change action; as President of the North Quadra Community Association, he fought for the preservation of Christmas Hill and as a Saanich Councillor, his work included efforts to improve Saanich's pedestrian and cycling network.
- His legacy is an inspiration to all Saanich residents.

1090-20
Canadian
Association of
Municipal
Administrators'
Long Service
Recognition
Award

CANADIAN ASSOCIATION OF MUNICIPAL ADMINISTRATORS' LONG SERVICE RECOGNITION AWARD

Mayor Atwell acknowledged Mr. Paul Thorkelsson, Chief Administrative Officer for receiving the Canadian Association of Municipal Administrators' Long Service Recognition Award recognizing ten years of municipal service in a management capacity.

DELEGATION

1410-02
John Howard
Society of
Victoria

JOHN HOWARD SOCIETY OF VICTORIA

Subject: Therapeutic Community Garden Project

D. Stott, John Howard Society of Victoria and Judge E. Quantz, highlighted the therapeutic community garden project, entitled "Feeding Ourselves and Others", which teaches gardening skills and promotes stability and a sense of community for persons suffering with mental health and/or addiction concerns.

Minutes

ADOPTION OF MINUTES

MOVED by Councillor Wergeland and Seconded by Councillor Brice: “That Council adopt the minutes of the May 13, 2017 Special Council meeting, the May 15, 2017 Council and Committee of the Whole meetings and the May 16, 2017 Special Council meeting.”

CARRIED**NOTICE OF MOTION**

1410-04
Report -
Council

Notice of Motion received from Councillor Brice that staff be asked to advise on the best course of action to ensure that all Saanich municipal election campaigns adhere to a regulated period of time when election signs are permitted. This motion will be presented at the June 19, 2017 Council meeting.

BYLAWS FOR FINAL READING AND RATIFICATION OF PERMIT APPROVALS

2870-30
Arrow Road

ZONING BYLAW AMENDMENT – NEW ZONE CD-5AH

Final Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9415”. To create a new CD-5AH (Comprehensive Development Affordable Housing) zone.

MOVED by Councillor Haynes and Seconded by Councillor Brice: “That Bylaw No. 9415 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

2870-30
Arrow Road

1550 ARROW ROAD – REZONING TO CD-5AH

Final Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9416” and approval of Development Permit DPR00614. To rezone from RA-1 (Apartment) zone to new CD-5AH (Comprehensive Development Affordable Housing) zone for the proposed construction of an affordable seniors apartment.

MOVED by Councillor Haynes and Seconded by Councillor Wergeland: “That Bylaw No. 9416 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED**with Councillor Sanders OPPOSED**

MOVED by Councillor Brice and Seconded by Councillor Wergeland: “That Council approve and issue Development Permit DPR00614 on Lot A, Section 56, Victoria District, Plan 23817 Except Part in Plan 27015 (1550 Arrow Road).”

CARRIED**with Councillor Sanders OPPOSED**

1110-30Official
Community
Plan Bylaw**OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT – REVISION TO THE ENVIRONMENTAL DEVELOPMENT PERMIT AREA ATLAS**

Final Reading of “Official Community Plan Bylaw, 2008, Amendment Bylaw, 2017, No. 9421”. To amend Appendix “N” of the Environmental Development Permit Area Atlas as outlined in the amendment bylaw.

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That Bylaw No. 9421 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED**with Councillors Brownoff, Murdock and Sanders OPPOSED**1110-30Official
Community
Plan Bylaw**OFFICIAL COMMUNITY PLAN BYLAW AMENDMENT – TEMPORARY EXTENSION OF SINGLE FAMILY (RS) ZONED PROPERTIES FROM THE ENVIRONMENTAL DEVELOPMENT PERMIT AREA**

Final Reading of “Official Community Plan Bylaw, 2008, Amendment Bylaw, 2017, No. 9422”. To exempt single family (RS) zoned properties from certain provisions of the Environmental Development Permit Area as outlined in the amendment bylaw.

MOVED by Councillor Wergeland and Seconded by Councillor Haynes: “That Bylaw No. 9422 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED**with Councillors Brownoff, Murdock and Sanders OPPOSED**2860-30Shelbourne
Street**3959 SHELBOURNE STREET – DEVELOPMENT PERMIT**

From the Committee of the Whole meeting of April 24, 2017. Approval of Development Permit DPR00647 for a proposed new two-storey commercial building for a bank.

MOVED by Councillor Brownoff and Seconded by Councillor Sanders: “That Council approve and issue Development Permit DPR00647 on Lot A, Section 57, Victoria District, Plan EPP61288 (3959 Shelbourne Street).”

CARRIED

MOVED by Councillor Brownoff and Seconded by Councillor Haynes: “That Council approve cancellation of Development Permit DPR2008-00023 and subsequent amendments, and discharge of covenant CA1339318 and modification CA2045076.”

CARRIED**BYLAWS FOR FIRST READING (SUBJECT TO A PUBLIC HEARING)**2870-30Del Monte
Avenue**5117 DEL MONTE AVENUE – REZONING TO RS-12**

First Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9443”. To rezone from A-1 (Rural) zone to RS-12 (Single Family Dwelling) zone for a proposed subdivision to create three additional lots for a total of four residential lots.

MOVED by Councillor Haynes and Seconded by Councillor Wergeland: “That Bylaw No. 9443 be introduced and read.”

CARRIED

2870-30
Portage Road

OFFICIAL COMMUNITY PLAN AMENDMENT BYLAW – TILLICUM LOCAL AREA PLAN

First Reading of “Official Community Plan Bylaw, 2008, Amendment Bylaw, 2017, No. 9444”. To amend Section 7.2 subsection (a) of Appendix “M” of the Tillicum Local Area Plan as outlined in the amendment bylaw.

MOVED by Councillor Brice and Seconded by Councillor Haynes: “That Bylaw No. 9444 be introduced and read.”

CARRIED

2870-30
Portage Road

955 & 961 PORTAGE ROAD – REZONING TO RS-12

First Reading of “Zoning Bylaw, 2003, Amendment Bylaw, 2017, No. 9445”. To rezone two parcels from A-1 (Rural) zone to RS-12 (Single Family Dwelling) zone for a proposed subdivision to create four additional lots for a total of six bare land strata lots for single family dwelling use.

MOVED by Councillor Wergeland and Seconded by Councillor Haynes: “That Bylaw No. 9445 be introduced and read.”

CARRIED

PUBLIC INPUT ON COUNCIL AGENDA ITEMS

Public Input
on Council
Agenda Items

Nil

RESOLUTIONS FOR ADOPTION

1300-20
AVICC
Membership
Dues

2017 ASSOCIATION OF VANCOUVER ISLAND AND COASTAL COMMUNITIES (AVICC) MEMBERSHIP

Invoice from the AVICC requesting payment of annual membership dues in the amount of \$10,065.28.

MOVED by Councillor Brice and Seconded by Councillor Sanders: “That Council approve payment of the invoice from the Association of Vancouver Island and Coastal Communities (AVICC) for the 2017 annual membership dues in the amount of \$10,065.28.”

CARRIED

1410-04
Report –
Police

DIRECT AWARD FOR SECURITY CONTRACT – PRISONER CUSTODY SUPERVISION

Report of the Chief Constable dated May 25, 2017 recommending that Council approve the final negotiations and direct award for a security contract for prisoner custody supervision to the Commissionaires Victoria, the Islands and Yukon Division (Commissionaires).

xref: 5370-30
Direct Award

MOVED by Councillor Haynes and Seconded by Councillor Wergeland: “That Council approve the final negotiations and direct award for a security contract for prisoner custody supervision to the Commissionaires Victoria, the Islands and Yukon Division (Commissionaires).”

CARRIED

1410-04
Report –
Engineering

AWARD OF TENDER 12/17 FOR 2016 STORM AND SANITARY CIPP LINING, PT. 2

Report of the Director of Engineering dated June 1, 2017 recommending that Council award Tender 12/17 for 2016 storm and sanitary CIPP lining, pt. 2, to Insituform Technologies Limited in the amount of \$1,326,608 (excluding GST).

xref: 5370-30
Tender 12/17

MOVED by Councillor Brice and Seconded by Councillor Sanders: “That Council approve the award of Tender 12/17 for 2016 storm and sanitary CIPP lining pt. 2, and change orders within project budget, to Insituform Technologies Limited, in the amount of \$1,326,608 (excluding GST).”

CARRIED

1410-04
Report –
Finance

MUNICIPAL FINANCE AUTHORITY BORROWING – 2017 FALL ISSUE

Report of the Director of Finance dated June 6, 2017 recommending that Council approve the resolution outlined in the report to authorize long term borrowing under the Municipal Finance Authority (MFA) Fall 2017 debt issue.

xref: 5400-30
Municipal
Finance
Authority
Borrowing

MOVED by Councillor Wergeland and Seconded by Councillor Haynes: “That Council approve the resolution to authorize long term borrowing from the Municipal Finance Authority of British Columbia, as part of their 2017 Fall Issue, a sum of \$3,695,800 as authorized through the following Loan Authorization Bylaws for the projects specified and that the Capital Regional District be requested to consent to our borrowing over a 15-year term and include the borrowing in their security issuing bylaw:

Bylaw Number	Purpose	Amount of Borrowing Authorized	Amount Already Borrowed	Borrowing Authority Remaining	Term of Issue	Amount of Issue
9380	Sewer Capital Program	\$ 1,500,000	\$ -	\$ 1,500,000	15	\$ 1,500,000
9382	Transportation Capital Projects	2,000,000	-	2,000,000	15	2,000,000
9384	Community Facilities Capital Projects	195,800	-	195,800	15	195,800
Total		3,695,800	-	3,695,800		3,695,800.”

CARRIED

1310-40
CRD

CAPITAL REGIONAL DISTRICT (CRD) BYLAW NO. 4127, ARTS AND CULTURE SUPPORT SERVICE ESTABLISHMENT BYLAW NO. 1, 2001, AMENDMENT BYLAW NO. 4, 2017

Request from the Capital Regional District (CRD) that Council consent to the adoption of Bylaw No. 4127, Arts and Culture Support Service Establishment Bylaw No. 1, Amendment Bylaw No. 4, 2017.

MOVED by Councillor Plant and Seconded by Councillor Haynes: “That Council consent to the adoption of the Capital Regional District Bylaw No, 4127, Arts and Culture Support Service Establishment Bylaw No, 1, Amendment Bylaw No. 4, 2017, in accordance with Section 346 of the *Local Government Act*.”

Councillor Plant stated:

- Saanich is a key participant in the Regional Arts and Culture Support Service; there are currently two levels of participation.
- Currently Group 2 municipalities have a minimum \$500 buy-in; the amendment establishes a 10% threshold for Group 2 participants, with increases over two years to 20% and 30% and formalizes Group 2 participation in the service.
- The goal of the amendment is to encourage other municipalities to participate in the service.
- Consent is also being requested to permit the South Gulf Islands to join at a Group 2 level.

Councillor Brownoff stated:

- The bylaw amendment would also change how the service is funded; currently the bylaw calculates the apportionment for Group 1 from a municipal inter-cultural formula; the amendment results in the apportionment being based on assessments.
- It is unclear what the financial commitment for Saanich would be.

In response to questions from Council, the Chief Administrative Officer stated:

- The maximum allowable requisition would change as a result of the bylaw amendment; the maximum amount could only be requisitioned with approval of the CRD Board on which Saanich has representation.

Councillor Plant stated:

- Municipalities have been having difficulty effecting the assessment conversion properly; the formula, as revised, was recommended for clarity.
- The requisition under the current formula allows for \$6.5 million; it is not anticipated that funding would increase.

Councillor Sanders stated:

- The language in the amendment, specifically “dividing the costs into two equal parts” is unclear; there is a need for a clearer formula and more details with respect to the maximum requisition.

In response to questions from Council, the Chief Administrative Officer stated:

- The bylaw establishes a maximum potential requisition; the maximum requisition is essentially a place holder and is fluid depending on assessments.
- The actual requisition for the service is determined through the budget process; the CRD board, on which Saanich has representation, have full control of establishing the budget.

- The establishment of a maximum requisition does not impact the amount of future funding at the municipal level.

Mayor Atwell stated:

- It may be useful to have a table showing how much money would be levied through the funding formulas for 2015-2017.

Councillor Wergeland stated:

- Further clarification is needed.

Councillor Brice stated:

- The CRD board approves the budget; it is important to clarify the financial impact for Saanich.

Councillor Haynes stated:

- More information on the funding formulas for the past years and the voting weighting would be appreciated.

Councillor Plant stated:

- Once a municipality is a participant in the service, it would have an equal vote; the CRD board approves the budget and at that time, voting would be done based on participant weighted.

In response to questions from Council, the Chief Administrative Officer stated:

- The amendment may be beneficial to Saanich in that it may reduce the financial implications for Saanich; Saanich is always going to pay more than other municipalities because of its size.

**MOVED by Councillor Sanders and Seconded by Councillor Wergeland:
“That the item be postponed to allow staff to obtain further information in relation to the proposed amendments to the bylaw.”**

Councillor Plant stated:

- The bylaw amendment has been approved by the CRD Board; clarification on the amendments may be in order.
- A revision to the bylaw amendment would require a longer process.

Councillor Sanders stated:

- There is a need to clarify the funding formula.

Mayor Atwell stated:

- It would be helpful to have a table that shows the funding costs for Saanich under the previous formula compared to the proposed new formula.

The Motion to Postpone was then Put and CARRIED

REGIONAL GROWTH STRATEGY – NON-BINDING DISPUTE RESOLUTION PROCESS

Report of the Director of Planning dated June 5, 2017 recommending that Council support the proposed mediator and process for Regional Growth Strategy non-binding dispute resolution, as per the proposal contained in Attachment “A”; and identify the Mayor, the Chief Administrative Officer, Director of Planning and the Director of Engineering as representatives for the mediation process.

xref: 2160-20
Regional
Growth
Strategy

MOVED by Councillor Haynes and Seconded by Councillor Brice: “That Council:

- 1. Support the proposed mediator and process for Regional Growth Strategy non-binding dispute resolution process; and**
- 2. Identify the Mayor, the Chief Administrative Officer, Director of Planning, and Director of Engineering as representatives for the mediation process.”**

In response to questions from Council, the Chief Administrative Officer stated:

- An authorized designate could attend if the representatives were unavailable.

Councillor Plant stated:

- The motion is supportable.

The Motion was then Put and CARRIED

Adjournment

On a motion from Councillor Brownoff, the meeting adjourned at 8:20 p.m.

The meeting reconvened at 11:21 p.m.

RECOMMENDATIONS

From the Committee of the Whole Meeting held June 12, 2017

2870-30
Penrhyn
Street

2590, 2594 & 2598 PENRHYN STREET – COUNCIL REQUEST FOR CONSIDERATION OF AN ENVIRONMENTAL AND SOCIAL REVIEW

MOVED by Councillor Haynes and Seconded by Councillor Wergeland: “That an Environmental and Social Review not be required for the development application for 2590, 2594 & 2598 Penrhyn Street.”

CARRIED

Adjournment

On a motion from Councillor Sanders, the meeting adjourned at 11:23 p.m.

.....
MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH
 MINUTES OF THE COMMITTEE OF THE WHOLE MEETING
 HELD IN THE COUNCIL CHAMBERS
 SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
MONDAY, JUNE 12, 2017 AT 8:21 P.M.

Present: **Chair:** Councillor Sanders
Council: Mayor Atwell and Councillors Brice, Brownoff, Haynes, Murdock, Plant, and Wergeland
Staff: Paul Thorkelsson, Chief Administrative Officer; Harley Machielse, Director of Engineering; Jarret Matanowitsch, Acting Director of Planning; Donna Dupas, Legislative Manager and Lynn Merry, Senior Committee Clerk

1410-04
 Report –
 Planning

xref: 2870-30
 Penrhyn Street

2590, 2594 & 2598 PENRHYN STREET – COUNCIL REQUEST FOR CONSIDERATION OF AN ENVIRONMENTAL AND SOCIAL REVIEW

Report of the Director of Planning dated April 7, 2017 recommending that Council endorse that an Environmental and Social Review not be required for a proposed 14 unit townhouse development.

In response to questions from Council, the Acting Director of Planning stated:

- This item was postponed from a May Council meeting at the request of the representative of the owner of the property.

PUBLIC INPUT:

M. Johnston, M.H. Johnston and Associates Inc. applicant for the rezoning application on 2590, 2594 & 2598 Penrhyn Street, stated:

- Staff have advised that there is no need for an Environmental and Social Review (ESR); soil stability concerns will be addressed during the rezoning application process by a geotechnical review and a structural engineer.
- Only a portion of the site is within the area that may be affected by sea level rise and storm surge; during a storm surge, flooding may affect the parking area of the property.
- The owner of the property would be willing to sign a covenant to save the municipality harmless in the case of flooding.
- Other properties in the area have been approved for development.

E. Dahli, on behalf of the Cadboro Bay Residents Association, stated:

- Further development on lower Penrhyn is not supportable; underground water courses are located in the area and extensive foundation work is required for any new construction; water would have to be diverted.
- Impervious surfaces would increase to 68%; development would have a negative social impact on the neighbourhood.

J. Donaldson, Sinclair Road, stated:

- An ESR should assess the impact of development on Gyro Park; development will confirm the presence of running underground water and will result in the need to build on footings adding to the height of the dwellings.

T. Jared, Cadboro Bay Road, stated:

- Environmental concerns include the hydrologic effects of urbanization and the invert on the storm drain on Penrhyn Street.
- Recessing the development into the ground will affect the water table on adjacent properties; storm systems should be gravity driven and no pump

station should be allowed in the neighbourhood due to the potential for storms.

- The scale of the proposed development and requested setbacks have a negative social aspect on the neighbours.

P Jackman, Clarndon Road, stated:

- The recommendation that an ESR not be required is supportable; the development application will include a geotechnical and structural report; the environmental impact is low.
- It is not prudent to spend funds to do an ESR.

L. Wray, Cadboro Bay Road, stated:

- An ESR is needed because of the size of the development and the proximity to Gyro Park; changes to the water table could affect landscaping on adjacent properties.
- It is not appropriate to have a large amount of hardscaping on a floodplain so close to a park; in terms of social impact, the proposed development would change the context of the neighbourhood.
- It would be prudent to do an ESR to address the concerns and determine what is feasible for this property.

M. Achtem, San Lorenzo Avenue, stated:

- A full geotechnical assessment will be done as part of the detailed design stage.
- The proposed storm management system will be gravity driven and include the installation of rain gardens.

COUNCIL DELIBERATIONS:

In response to questions from Council, the Acting Director of Planning stated:

- Staff will request that the applicant address the concerns identified by neighbours; climate adaptation strategies for sea level rise are included in the Climate Action Plan.

Motion:

MOVED by Councillor Plant and Seconded by Councillor Wergeland: "That it be recommended that an Environmental and Social Review not be required for the development application for 2590, 2594 & 2598 Penrhyn Street."

Councillor Plant stated:

- A review of the environmental and social aspects would be done through the development application process.

In response to questions from Council, the Acting Director of Planning stated:

- If Council determined that an ESR was required, the applicant would be required to hire a consultant; staff would prepare terms of reference for the ESR, review the report from the consultant and then provide comment to Council in the planning report.
- The last ESR requested by Council was in 2002; it would cost the applicant approximately \$50,000 for the ESR and would take staff approximately one month to review the report.

The Motion was then Put and CARRIED

1410-04
Report –
Planning

xref: 2860-30
Prospect Lake
Road

5009 PROSPECT LAKE ROAD – FLOODPLAIN DEVELOPMENT PERMIT

Report of the Director of Planning dated May 1, 2017 recommending that Development Permit DPR00672 be approved and that ratification of the Development Permit be withheld pending registration of a covenant to secure the items as outlined in the report for the proposed construction of a single family dwelling partially within the floodplain.

Councillor Haynes declared, in accordance with Section 91 of the Council Procedure Bylaw, that he is not entitled to participate in the discussion of the development permit for 5009 Prospect Lake Road as he is an owner of the property. Councillor Haynes left the meeting at 8:58 p.m.

APPLICANT:

D. Strongitharm, CitySpaces Consulting Ltd.; C. Haynes, owner; J. Alexander, Cox Taylor; P. Luchey, Aqua-Tex Scientific Consulting Ltd.; and L. Malmkvist, Swell Environmental Consulting, presented to Council and highlighted:

- The proposed new dwelling would be constructed on the former footprint of a small home; there is no history of flooding on the property.
- The plan respects the 200 year floodplain and meets the requirements of Saanich floodplain-related bylaws.
- Improvements to the property include enhancements to the vegetation, floodplain, riparian zone and sewage treatment.
- The requirements of the development permit guidelines have been met, therefore the application should be approved; some of the concerns of neighbours are outside the guidelines.
- The applicants have committed to BUILT GREEN® Gold (BGG) standard of construction although to achieve BGG, a heat pump would have to be installed and it may not be the ideal property to have a heat pump; the proposed dwelling would be sited well above the highest recorded water mark.
- The proposed dwelling would fit within the character of the neighbourhood and has been designed to blend in with the streetscape.
- Environmental features include installation of LiteZone R17 windows, a living green roof and construction to solar ready; the dwelling would not have a basement.
- Insurance for the property has been confirmed.
- The new sewage treatment meets the Vancouver Island Health Authority (VIHA) requirements for septic.
- Extensive invasive species removal has taken place over the past years; ecological restoration will include removal of invasive plants and planting of native and aquatic edge species; mowing will cease to allow native species to re-establish.
- The applicants are registered in the Green Shores for Homes program which specializes in environmental best practices for waterfront homes.
- Consultation took place with neighbours and the Prospect Lake Community Association; concerns identified have been addressed.

PUBLIC INPUT:

P. Naylor, Stevens Road, stated:

- The application exceeds the criteria outlined in the development permit guidelines; the commitment to maintaining the riparian zone and protecting the environment is appreciated.

R. Gibson, Penworth Drive, stated:

- The proposed development is a good example of how a green home should be built on the shoreline; the application is supportable.

L. Watling, Eastlake Road, stated:

- The applicants have ensured that the development is environmentally friendly; there is more to be done to preserve the lake with respect to upgrading septic systems throughout the Prospect Lake area.

S. Steele, Director, Prospect Lake Preservation Society Board, stated:

- The Prospect Lake Preservation Society (PLPS) Board is in favour of the application; extensive community engagement took place.
- The development is located above the high water mark; no tree or vegetation removal will take place and no additional fill would be added.
- The modest building footprint, the commitment to BUILT GREEN® Gold and the living green roof are appreciated and will have an overall positive net impact; the new plantings will restore the shoreline and create additional fish and wildlife habitat.

G. Boyle, Chair, Prospect Lake District Community Association (PLDCA), stated:

- The application has been reviewed by the Association's Referral/Planning Committee and is supportable.

J. Shaw, Vice President, Prospect Lake District Community Association, stated:

- Letters of support have been received from neighbours; the application has been reviewed by the Referral/Planning Committee and meets the development permit guidelines; the Association has no objections to the application.

C. Corbett, Prospect Lake Road, stated:

- The materials provided have been reviewed by the PLDCA Referral/Planning Committee and there are no objections to the application.

E. Waitzner, Prospect Lake Road, stated:

- The proposed development is supportable; the design of the small home has been thoughtfully considered, has a strong emphasis on green compliance and eliminates any potential environmental impacts.
- The proposed dwelling will complement and enhance the neighbourhood and be a benchmark for future homes around Prospect Lake.

E. Miller, Prospect Lake Road, stated:

- The health of Prospect Lake and the veracity of the information on the sewage system makes the application not supportable; Prospect Lake is a lake at risk; green algae blooms are symptoms of nutrient loading caused by human activity.
- The floodplain must be allowed to slow the rate of storm water and residential discharge to decrease the release of contaminants into the lake.
- Changes to the property have already taken place that have impacted the lake.

J. Connor, Prospect Lake Road, stated:

- The proposed development includes the installation of a high end septic system, restoration of the foreshore and the addition of a living green roof; existing trees will be retained and no variances are being requested.
- The proposed development is sensitive to the environment and neighbourhood.

W. Pugh, Prospect Lake Road, stated:

- There is concern about the impact of the development on the floodplain; other properties in the area have experienced increased erosion due to development and further development will continue to accelerate problems.
- Development forces displaced water onto adjacent properties bordering the stream and puts the health of the floodplain, creeks and the lake at risk.
- The addition of solar power may mean the removal of trees.

W. Large, Stevens Road, stated:

- The proposed development is supportable.

M. Grew, Echo Drive, stated:

- The application is supportable.

A. Frith, Goward Road, stated:

- The proposed development is supportable; the new septic field is appreciated and will assist in protecting the lake.

C. Frith, Goward Road, stated:

- Changes in the neighbourhood have resulted in derelict properties and docks being upgraded.
- A covenant on the property is not required; the applicants have met and exceeded the guidelines of the development permit.

S. Newton, Estelline Road, stated:

- The professionals' recommendations need to be heeded; there is no doubt that the proposed dwelling is going to meet and surpass building standards.

R. Storey, Prospect Avenue, stated:

- This small, energy efficient home is a model for the community; the professionals' opinions should be trusted.

L. Smith, Petworth Drive, stated:

- It is important that the environment is protected and preserved during development; the modest and small dwelling fits within the character of the community.
- The specifications and protections included in the plan exceeds required standards; leaving the site vacant adds to the problem with misuse, illegal dumping and erosion.

J. Gye, Wallace Drive, stated:

- The application has merit; the riparian planting plan will help the floodplain become resistant and resilient to major storm water events.
- Up-land environments of the watershed are as important to the lake health as the shoreline and improvements to that area are also being undertaken.

D. Haynes, Taunton Street, stated:

- It is important to consider the experts' opinions in relation to the application.

C. Haynes, Empress Avenue, stated:

- The development permit guidelines have been followed and exceeded.
- Neighbours and the Community Association are supportive; installation of solar panels would not result in trees being removed.

P. Scrimger, formerly of Prospect Lake Road, stated:

- The fill that had been deposited has a net zero impact on the floodplain; no additional fill has been brought in.

COUNCIL DELIBERATIONS:

In response to questions from Council, the Director of Engineering stated:

- VIHA provides approval for septic systems; the septic design was provided to staff and was designed by a professional engineer.

In response to questions from Council, the Acting Director of Planning stated:

- The siting of the proposed dwelling would have been established by a professional surveyor; staff have no reason to believe the information provided is incorrect.

Motion:

MOVED by Councillor Plant and Seconded by Councillor Wergeland: "That it be recommended that:

- 1. Development Permit DPR00672 be approved; and**
- 2. Ratification of the Development Permit be withheld pending registration of a covenant to secure the following:**
 - Require the dwelling to be constructed to BUILT GREEN® Gold or equivalent standard and to be solar ready; and**
 - Save the District and Province harmless in the case of flooding."**

Councillor Plant stated:

- The application meets the development permit requirements; the majority of neighbours are supportive.

Councillor Wergeland stated:

- This is an attractive and thoughtful design of the house, roof and environment; it fits within the surrounding neighbourhood.

Councillor Brice stated:

- Building in the floodplain is challenging; the application is consistent with the requirements of the Floodplain Guidelines.

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

MOVED by Councillor Plant and Seconded by Councillor Brownoff: "That the meeting continue past 11:00 p.m."

CARRIED

 Councillor Haynes returned to the meeting at 11:00 p.m.

1410-04
 Report –
 Planning

xref: 2870-30
 Feltham Road

1654 FELTHAM ROAD – SUBDIVISION, REZONING AND DEVELOPMENT VARIANCE PERMIT

Report of the Director of Planning dated May 3, 2017 recommending that Council approve the application to rezone from RS-10 (Single Family Dwelling) zone to RS-6 (Single Family Dwelling) zone for a proposed subdivision to create one additional lot; approve Development Variance Permit DVP00376; and that Final Reading of the Zoning Bylaw Amendment and ratification of the Development Variance Permit be withheld pending payment for the planting of one Schedule I Boulevard tree and the registration of a covenant to secure the items as outlined in the report. Variances to the setbacks are requested to retain the existing dwelling.

APPLICANT:

S. Ganong, Whittier Avenue, presented to Council and highlighted:

- The existing dwelling would be retained in its current location and a new dwelling would be constructed in the northern half of the property with frontage onto Cedar Hill Road.
- The property is in close proximity to parks, trails, schools and walkable to major centres; it is an appropriate location for infill and transitions into the lower densities within the neighbourhood.
- Variances are requested for the front, rear and combined front and rear setbacks to retain the existing dwelling.
- The proposed dwelling fits within the character of the neighbourhood; there would be no impact on privacy of adjacent properties.
- Consultation took place with neighbours and the Gordon Head Residents Association and concerns have been addressed.

In response to questions from Council, the applicant stated:

- As a result of subdivision, there would be a requirement for a variance for the existing dwelling.
- It is possible that drivers can turn around in the driveway so they would not have to back out onto Cedar Hill Road.

In response to questions from Council, the Acting Director of Planning stated:

- The setbacks are currently existing; subdivision must comply with zoning criteria therefore the existing setbacks must be recognized in order to proceed with the rezoning and subdivision.
- Through rezoning, the existing property is non-compliant; no variances are requested for the new Lot B.
- The Community Association has advised that they have no objections to the proposal.

PUBLIC INPUT:

Nil

COUNCIL DELIBERATIONS:

Motion: **MOVED by Councillor Wergeland and Seconded by Mayor Atwell: "That a Public Hearing be called to further consider the rezoning application on Lot 1, Section 55, Victoria District, Plan 21245 (1654 Feltham Road)."**

Councillor Plant stated:

- Further consideration should be given to how drivers would access Cedar Hill Road safely.

Councillor Brice stated:

- Concerns have been identified with increased traffic; it is appreciated that the building design would be covenanted.

Councillor Murdock stated:

- This is an appropriate location for infill; the application is worthy of a Public Hearing.

The Motion was then Put and CARRIED

Adjournment On a motion from Councillor Plant, the meeting adjourned at 11:20 p.m.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK