

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **PLANNING AND DEVELOPMENT COMMITTEE** Meeting
Monday, December 12, 2005 at 7:00 pm
Central Saanich Municipal Council Chamber

PRESENT: Councillor Robert Thompson, Chair
Mayor Jack Mar
Councillors: Bryson, Garrison, Graham, King and Mason
Gary C. Nason, Administrator
Ruby Shea, Recording Secretary
Hope V. Burns, Director of Planning & Building Services
Nirmal Bhattacharya, Municipal Engineer
Ron French, Fire Chief

APPROVAL OF THE AGENDA:

The Administrator, Mr. Gary C. Nason, distributed the following items for recommended consideration under Item No. 3 – Staff Memorandum entitled “Addendum Report – Proposed Rezoning, 7410 Veyaness Road”:

- Email correspondence dated December 11, 2005 from Mr. Jim Leard, 1993 White Road Re: Proposed Rezoning, 7410 Veyaness Road;
- Report of the Public Hearing held on Wednesday, May 11, 2005, pertaining to “Central Saanich Land Use Bylaw Amendment Bylaw No. 1521, 2005” [To Revise the RM-1 Zone to Allow for the Development of Residential Units with Secondary Suites, and to Rezone Property Located at 7410 Veyaness Road from RE-2 Zone to RM-1 Zone]

08.06 MOVED BY COUNCILLOR GRAHAM
 NO SECONDER
 That the Agenda for the Planning & Development Committee Meeting held on December 12, 2005 be approved as amended.
 CARRIED UNANIMOUSLY

CHAIR'S OPENING REMARKS:

Councillor Robert Thompson, Chair of the Planning & Development Committee, made some brief introductory comments on the recommended process to be followed at this evening's Committee Meeting, as well as opportunities for receiving input from the public.

1. Development Variance Permit Application, 8300 Block West Saanich Road (H & F White)

- a) Staff Memorandum dated November 25, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Development Variance Permit Application for Subdivision of Lots 1 and 2, Section 2, Range 3 West, South Saanich District, Plan 32263 (8300 Block West Saanich Road – Heather and Frank White).

The Director of Planning & Building Services, Ms. Hope V. Burns, gave a comprehensive overview of the Staff Memorandum pertaining to the Development Variance Permit Application for property located in the 8300 Block of West Saanich Road submitted by Heather and Frank White, and responded to questions from members of the Committee.

Mr. Frank White, 1933 White Road, made some brief comments in regards to the details of his application and stated that access to his property has been a problem both for himself and for his neighbours. Mr. White stated that an easement currently encroaches onto his neighbour's house and that to access his property he must travel over portions of his neighbour's adjacent lot. The property in question has steep grades. Mr. White stated that it is his desire to have his own driveway and to save as many trees as possible through this subdivision process. Driving over each other's properties is not an acceptable situation for both himself and his neighbours, and Mr. White requested that the Development Variance Permit and subdivision processes be moved along as quickly as possible as all his neighbours are supportive of the application.

Ms. Burns and Mr. White responded to further questions from members of the Committee in regards to the application.

09.06 MOVED BY COUNCILLOR GRAHAM
 NO SECONDER
 That It Be Recommended To Council:

That the Staff Memorandum dated November 25, 2005 from the Director of Planning & Building Services entitled "Development Variance Permit Application, 8300 Block West Saanich Road (H & F White)" be received, and:

1. *Council propose to consider the issuance of a Development Variance Permit in connection with the proposed boundary adjustment of Lots 1 and 2, Section 2, Range 3 West, South Saanich District, Plan 32263 (as shown on the proposed plan of subdivision prepared by Richard J. Wey and Associates, BCLS – Appendix "B") to vary:*
 - a) *The minimum RE-3 Rural Estate Water Zone lot size from 2 ha (5 acres) to 0.47 ha (1.16 acres);*
 - b) *The required engineering services for construction of the adjacent unopened road allowance;*
 - c) *The required cash-in-lieu fees for engineering services requiring the paving of the unopened road allowance; and*
2. *Staff be instructed to undertake the required statutory notification procedures for the Development Variance Permit Application.*

The Committee requested that the foregoing motion be considered seriatim.

THE QUESTION WAS CALLED ON SUB-SECTION 1(a) OF THE FOREGOING MOTION
THE MOTION CARRIED UNANIMOUSLY

THE QUESTION WAS CALLED ON SUB-SECTIONS 1(b) AND 1(c) OF THE FOREGOING MOTION
THE MOTION CARRIED

THE QUESTION WAS CALLED ON SECTION 2 OF THE FOREGOING MOTION
THE MOTION CARRIED UNANIMOUSLY

2. Proposed Multi-Family Residential Development, 7250 West Saanich Road, Development Permit Application, "Holly Farm"

- a) Staff Memorandum dated December 5, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Proposed Multi-Family Residential Development, 7250 West Saanich Road, Development Permit Application, "Holly Farm".

The Director of Planning & Building Services, Ms. Hope V. Burns, clarified for the information of the public that the Ministry of Transportation has now approved full access for the development onto West Saanich Road with secondary emergency access from Holly Park Road. Ms. Burns then proceeded to give a comprehensive overview of her Memorandum and responded to several questions from members of the Committee.

The Chair of the Advisory Planning Commission, Mr. Peter Parsons, briefly overviewed the recommendation of the Advisory Planning Commission pertaining to this application and acknowledged that the Applicants have made some commendable changes to their application in response to input and recommendations from the Commission.

The Applicants were then invited to provide comments in regards to their application, and Mr. Bas Smith, Architect, 612 Yates Street, proceeded to make some brief overview remarks in regards to the application. Mr. Smith stated that the Applicants retained a traffic engineer who undertook various analysis in regards to turning

movements, safety factors and projected traffic impacts out to twenty years, and based on this information the Ministry of Transportation has now approved full access onto West Saanich Road with secondary emergency access from Holly Park Road. Mr. Smith stated that he is satisfied that the Ministry is not likely to require a right-in/right-out traffic movement in the future.

Mr. Peter Parsons, Chair of the Advisory Planning Commission, stated that the Commission is supportive of the Applicant's proposals to deal with ground water recharge and rain water drainage issues, and responded to several questions from the Committee in regards to the Commissions' perspective on the application.

Mr. Smith then introduced Mr. Adrian Small, Landscape Consultant, 3012 Manzer Road, Sooke, who proceeded to give a comprehensive overview of the various landscaping details with respect to the application.

Mr. Small stated that it is the intention of the Applicant to preserve at least 25 percent of the Holly trees as well as retain other vegetation. In his remarks Mr. Small focused on the perimeters of the development and reviewed details with respect to decorative stone walls, formal hedging, mixed planting and hedging, fencing treatments, adult recreational play areas (small putting green) and smaller play areas. Mr. Small then overviewed the details of the water feature, a proposed pond, as well as details on the proposed lighting treatment for the development. Mr. Small stated that although currently no native plantings exist on the property it is the Applicant's intention to incorporate at least 10 percent native plantings. Mr. Small concluded his remarks by stating that the Applicant will be installing a bicycle rack on the property.

The Applicants then proceeded to answer further questions from members of the Committee.

The Chair then opened the floor for comments from the public in attendance at the meeting.

Ms. Wendy Vanderbelt, 1131 Holly Park Road, stated that she is pleased with the Ministry of Transportation's decision regarding access from West Saanich Road, however stated that she has some concerns in regards to the proposed water/pond treatments, and questioned whether the water would be moving water or would be still water, which could therefore attract West Nile Virus. Ms. Vanderbelt also stated that she has some concerns in regards to the proposed pedestrian access through the site from Holly Park Road to West Saanich Road, as this could encourage vandalism and theft. Finally, Ms. Vanderbelt questioned whether the secondary emergency access from Holly Park Road would be secured by a locked gate or some other mechanism.

The Municipal Engineer, Mr. Nirmal Bhattacharya, advised the Committee and the public gallery of the details with respect to the various drainage issues and the technical aspects of the proposed retention pond, and Ms. Burns overviewed the policies in the District's Community Plan pertaining to pedestrian, corridor and access trails. Fire Chief, Mr. Ron French, then advised of the details with respect to the proposed emergency fire access to the site from Holly Park Road and the proposed possible implementation of bollards.

Mr. John Creviston, 866 Verdier Avenue, questioned what will happen to the trees that are proposed to be removed and whether it was possible to relocate the trees to another site or on to municipal property.

The Director of Planning & Building Services advised that in most cases the relocation and replanting of trees of this nature and size is not a feasible option.

Mr. Brett Jones, 1136 Holly Park Road, expressed concerns in regards to access of fire trucks up Holly Park Road and the fact that on many occasions due to parked vehicles in the roadway it may be very difficult for large fire trucks to access the site in an emergency.

Ms. Eli Chambers, 901 Verdier Avenue, requested that the Applicant clarify which of the holly trees are to be retained and which are to be removed.

Mr. Small then proceeded to overview the details of the proposed tree removal scheme and identified those trees which it is proposed will be retained on the site. Mr. Small stated that of 80 holly trees in total it is proposed that approximately 20 be retained.

Ms. Chambers also questioned the proposed "Holly Park" name of the development and whether the past significant history of the site has been taken into consideration.

Mr. Gordon English, 805 Rogers Way, Saanich, provided an explanation in regards to the name "Holly Park" and issues that were taken into consideration in the naming process.

Mr. Jerod Huggan, 1058 Holly Park Road, questioned the Applicant on the details of the proposed public pedestrian access.

Mr. Kerry Wilson, 1106 Holly Park Road, questioned whether during the active construction phase there will be access to the site via Holly Park Road.

Mr. English stated that it is the Applicant's intention to utilize the existing driveway off of West Saanich Road for construction access to the site.

10.06 MOVED BY COUNCILLOR GRAHAM
 NO SECONDER
 That It Be Recommended To Council:

That the Staff Memorandum dated December 5, 2005 from the Director of Planning & Building Services entitled "Proposed Multi-Family Residential Development, 7250 West Saanich Road, Development Permit Application, 'Holly Farm'" be received, and Council authorize the issuance of a Development Permit for 15 residential units for the property located at 7250 West Saanich Road subject to the conditions listed in Development Permit 3060-20-8/05 as follows:

1. *A restrictive covenant is to be registered on the property restricting the development to that as shown on the approved Development Permit to ensure that:
 - a) *Construction will be in strict compliance with the approved development permit;*
 - b) *Sealed engineering confirmation to indicate that post-development storm water run-off will not exceed pre-development conditions and that the system will be maintained in the future.**
2. *Landscape deposit to be provided in the amount of 125% of the estimated costs of installation of all soft and hard landscape works, as provided by the Landscape Architect;*
3. *Prior to issuance of the building permit, the following details are to be submitted for review and approval of the Director of Planning & Building Services:
 - a) *Final detailed landscape working drawings with plant materials including irrigation, tree retention and protection measures as prepared by a registered landscape architect, and amenity details;*
 - b) *Full signage details for all identification and informational signs on the site;*
 - c) *Details of the garbage enclosures and screenings;*
 - d) *Exterior lighting details, including all site lighting, at grade parking lighting and exterior building lighting; and*
 - e) *Building materials and colours;**

4. Oil and grit interceptors are to be installed for all parking areas and permeable options are to be incorporated into the Landscape Plan;
5. Prior to issuance of the building permit, the following details are to be submitted for review and approval of the Municipal Engineer:
 - a) Plans and deposit to upgrade West Saanich Road and Stelly's Cross Road with concrete curb and gutter, concrete sidewalk, pavement widening and roadway drainage to include sufficient width to accommodate a bicycle lane and upgrades to Holly Park Road;
 - b) Provision of a fire hydrant and water service connection and meter to be specified by the developer's engineer as determined by the Fire Chief if required;
 - c) Connection to the sewer main;
 - d) Engineered plans to ensure that the storm drainage system is designed with a no net increase in run-off from the site compared to pre-development conditions and connection to the storm drain main on West Saanich Road;
 - e) Installation of streetlights with underground wiring as required; and
 - f) Detailed landscaping plans and engineering permit for the municipal boulevard to ensure there is no conflict with underground utilities or sight lines, also requiring approval of the Ministry of Transportation;
6. Prior to issuance of any occupancy permit, a legal easement, acceptable to the Municipal Solicitor, is to be registered on title to ensure public pedestrian access through the site from Holly Park Road to West Saanich Road.

BEFORE THE QUESTION WAS CALLED, it was

AMENDMENT

11.06 MOVED BY COUNCILLOR BRYSON
NO SECONDER
That It Be Recommended To Council:

That the foregoing motion be amended to add a further condition for approval and issuance of the Development Permit to state that for the surface parking area, where shown as unit pavers, shall be permeable materials.

THE QUESTION WAS CALLED ON THE AMENDING MOTION
THE AMENDING MOTION CARRIED UNANIMOUSLY

THE QUESTION WAS CALLED ON THE MAIN MOTION, AS AMENDED
THE MAIN MOTION AS AMENDED CARRIED UNANIMOUSLY

12.06 MOVED BY COUNCILLOR KING
NO SECONDER
That It Be Recommended To Council:

That Staff pursue with the Applicant discussions on other "greener" transportation options as referenced in the December 5, 2005 Staff Memorandum, with further information to be provided to Council in this regard.

CARRIED
OPPOSED: COUNCILLORS GARRISON AND GRAHAM

3. Addendum Report – Proposed Rezoning, 7410 Veyaness Road

- a) Staff Memorandum dated December 6, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Addendum Report – Proposed Rezoning, 7410 Veyaness;

- a) Email correspondence dated December 11, 2005 from Mr. Jim Leard, 1993 White Road Re: Proposed Rezoning, 7410 Veyaness Road; and
- b) Report of the Public Hearing held on Wednesday, May 11, 2005, pertaining to "Central Saanich Land Use Bylaw Amendment Bylaw No. 1521, 2005" [To Revise the RM-1 Zone to Allow for the Development of Residential Units with Secondary Suites, and to Rezone Property Located at 7410 Veyaness Road from RE-2 Zone to RM-1 Zone]

The Director of Planning & Building Services, Ms. Hope V. Burns, introduced to the Committee the new Assistant Planner, Mr. Bruce Greig.

Ms. Burns then also proceeded to distribute to members of the Committee a copy of the Traffic Impact Study prepared by Bunt and Associates which was undertaken in conjunction with the previous rezoning application for the 7410 Veyaness Road property. Ms. Burns also distributed diagrams from the Official Community Plans from 1979, 1985 and 1999 showing the land use designations of the subject property.

Ms. Burns then proceeded to give a comprehensive overview of her Memorandum and responded to questions from members of the Committee.

The Applicant, Mr. Matt Gruber, 7410 Veyaness Road, briefly summarized the major changes to his application from that which was previously considered by Council during the last rezoning process undertaken in May of 2005. Mr. Gruber confirmed that his revised proposal incorporates four (4) houses (with the provision for secondary suites) to be located at the rear of the property, and three (3) houses (without secondary suites) to front onto Veyaness Road. Mr. Gruber concluded his remarks by stating that the applicant's proposal is to reconfigure the intersection of Veyaness and East Saanich Roads in lieu of the requirement to build a sidewalk to full Municipal standards along the road frontage of the subject property.

An extensive question and answer period ensued during which time Mr. Gruber and Staff responded to various questions from members of the Committee.

Mayor Mar temporarily assumed the Chair.

Councillor Thompson expressed his position in regards to the application and expressed concerns in regards to the position of several members of Council that the development should incorporate higher densities.

Councillor Thompson resumed as Chair.

The Chair then invited comments from the public in attendance at the meeting in regards to the application.

Ms. Eli Chambers, 901 Verdier Avenue, expressed concerns in regards to the "meandering sidewalk" and questioned whether it would be possible to require the Applicant to construct a sidewalk to and along East Saanich Road as a connection into Saanichton as a condition of approval of this particular development proposal.

Mr. Gruber clarified the recommendations of the previous Traffic Impact Study conducted by Bunt and Associates and the proposed reconfiguration of the intersection at Veyaness and East Saanich Roads.

Dr. Fred Peet, 1210 Marin Park Drive, stated his concerns in regards to the Committee's deliberations as they pertain to the proposed incorporation of secondary suites into four of the seven houses proposed for the site. Dr. Peet concluded his remarks by stating that Council's ad hoc decision making and process in regards to the issue of allowing secondary suites will ultimately result in a poor outcome.

**** DEFEATED ****

13.06 MOVED BY COUNCILLOR GRAHAM
 NO SECONDER
 That It Be Recommended To Council:

That the Staff Memorandum dated December 6, 2005 from the Director of Planning & Building Services entitled "Addendum Report – Proposed Rezoning,

That Matt Gruber, 7410 Veyaness Road" be received, and the Land Use designation of this particular property be referred to the next Official Community Plan update/review process for further consideration.

MOTION DEFEATED

OPPOSED: MAYOR MAR, COUNCILLORS BRYSON, GARRISON, MASON AND THOMPSON

- 14.06 **** MOTION WITHDRAWN ****
MOVED BY COUNCILLOR MASON
NO SECONDER
That It Be Recommended To Council:

That Staff be requested to proceed with preparation of the necessary Land Use Bylaw Amendment Bylaw for the proposed rezoning of the property located at 7410 Veyaness Road, on the basis of the revised concept as currently presented and as detailed in the Staff Memorandum dated December 6, 2005, and the Bylaw proceed with the necessary readings and referral to a Public Hearing.

Further discussion ensued and the motion was subsequently withdrawn by Councillor Mason.

- 15.06 **** DEFEATED ****
MOVED BY COUNCILLOR GARRISON
NO SECONDER
That It Be Recommended To Council:

That Staff be requested to proceed with preparation of the necessary Land Use Bylaw Amendment Bylaw for the proposed rezoning of the property located at 7410 Veyaness Road, on the basis of the revised concept as currently presented and as detailed in the Staff Memorandum dated December 6, 2005, the Bylaw to proceed with the necessary readings and referral to a Public Hearing.

MOTION DEFEATED

OPPOSED: COUCILLORS BRYSON, GRAHAM, KING AND MASON

- 16.06 MOVED BY COUNCILLOR KING
NO SECONDER
That It Be Recommended To Council:

That Staff be requested to proceed with preparation of the necessary Land Use Bylaw Amendment Bylaw for the proposed rezoning of the property located at 7410 Veyaness Road, on the basis of the revised concept as currently presented and as detailed in the Staff Memorandum dated December 6, 2005, however with all seven proposed single family residential dwellings to include the provision for lawful secondary suites.

BEFORE THE QUESTION WAS CALLED, it was

- 17.06 MOVED BY COUNCILLOR GRAHAM
NO SECONDER
That It Be Recommended To Council:

That consideration of the foregoing motion (No. 16.06) be deferred to the Regular Council Meeting to be held on December 19, 2005

CARRIED UNANIMOUSLY

4. Secondary Suites Draft Bylaw

- a) Staff Memorandum dated December 6, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Secondary Suites Draft Bylaw.

The Director of Planning & Building Services, Ms. Hope V. Burns, distributed as background information to the Committee a copy of the Secondary Suite Analysis Report which was previously completed by Staff earlier in the year during the previous Council's consideration of this particular matter.

Ms. Burns then proceeded to give an overview of her Memorandum and responded to questions from members of the Committee.

The Chair then opened the floor to the gallery for comments.

Dr. Fred Peet, 1210 Marin Park Drive, stated that he has considerable concerns in regards to the process that was undertaken for the secondary suite review and stated that the Official Community Plan states that a comprehensive study is to be carried out prior to any legalization of secondary suites. Dr. Peet referred to a motion of the previous Council in March of 2005 which instructed Staff to prepare the necessary bylaw to legalize secondary suites, and stated that not all issues have been thoroughly examined in connection with this matter. In particular, Dr. Peet stated that issues related to taxation, Municipal service charges and licensing have not been sufficiently investigated and considered in an objective and analytic fashion. Dr. Peet urged the Committee to take a step back and to reconsider the process and direction on this matter, as additional costs to the municipality will be incurred as a result of allowing secondary suites.

18.06 MOVED BY COUNCILLOR KING
 NO SECONDER

That It Be Recommended To Council:

That the Staff Memorandum dated December 6, 2005 from the Director of Planning & Building Services entitled "Secondary Suites Draft Bylaw" together with attached draft "Central Saanich Land Use Bylaw Amendment Bylaw No. 1534, 2006" be received for information, and Staff be requested to place Bylaw No. 1534 on the agenda of an appropriate future Council Meeting in the new year for consideration of first and second readings and referral to a Public Hearing.

CARRIED UNANIMOUSLY

ADJOURNMENT:

On motion, the Planning & Development Committee Meeting held on December 12, 2005 adjourned at 9:45 pm.

Recorded By: Gary Nason
 Administrator