

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **PLANNING AND DEVELOPMENT COMMITTEE** Meeting  
Monday, November 22, 2004 at 7:00 p.m.  
Central Saanich Municipal Council Chamber

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**PRESENT:** Councillor Robert Thompson, Chair  
Mayor Allison Habkirk  
Councillors: Graham and King  
Gary C. Nason, Administrator  
Trish Flanders, Municipal Clerk  
Hope V. Burns, Director of Planning & Building Services  
Nirmal Bhattacharya, Municipal Engineer  
Ruby Shea, Recording Secretary

**ABSENT:** Councillors Haddon, Korol and Mason

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**APPROVAL OF THE AGENDA:**

1377.04      MOVED BY COUNCILLOR GRAHAM  
NO SECONDER  
*That the Agenda for the Planning & Development Committee Meeting held on November 22, 2004 be approved as circulated.*  
CARRIED UNANIMOUSLY

**1. Proposed Rezoning and Development Permit Application – Brentwood Bay Garden Villas, 800 Block Verdier Avenue**

- a) Staff Memorandum dated November 17, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Proposed Rezoning and Development Permit Application – Brentwood Bay Garden Villas, 800 Block Verdier Avenue;
- b) Correspondence previously received by Council in regards to the Brentwood Bay Garden Villas:
  - A and H Porter, 975 Verdier Avenue, September 7, 2004
  - P King, 765 Harding Lane, September 22, 2004
  - J Huska (and neighbours), 860 Verdier Avenue, September 21, 2004
  - B Bouchard, 7254 Kristin Place, September 10, 2004
  - P Morton and J Huska, 860 Verdier Avenue, October 12, 2004
  - E Henthorn, 854 Verdier Avenue, October 12, 2004
  - B and C Donaldson, 7249 Kristin Place, October 12, 2004

The Director of Planning & Building Services provided a comprehensive overview of the Staff Memorandum pertaining to the Proposed Rezoning and Development Permit Application for the proposed Brentwood Bay Garden Villas in the 800 Block of Verdier Avenue.

Mr. Ron Lea, Architect, briefly introduced the property owner, Mr. Dan Behune, and the Landscape Architect, Ms. Michele Cloghesy. He then displayed several elevation and landscape drawings, conceptual site plans and a modified scale model of the proposal, and proceeded to give a comprehensive presentation on the proposed Brentwood Bay Gardens Villas development located in the 800 block of Verdier Avenue, during which time the following points were noted:

- the application is to rezone three properties on the north side of Verdier Avenue to a new site specific zoning category to allow a floor area ratio of .83, an allowable height of 11 metres, and setbacks of 0 metres from the front lot line;
- the proposed development is now comprised of 16 (sixteen) “garden villa” hotel accommodation units (11 one-bedroom units, 4 two-bedroom units and 1 three-bedroom unit) which are to be used for short term stay use (1 week or less);
- a separate retail/café building (approximately 1,000 sq.ft.) is proposed for the frontage along Verdier Avenue, with a public plaza and outdoor seating located adjacent to the retail space;
- a central courtyard area (with water feature) is an attractive amenity for the tourist accommodation units;

- 85 parking stalls are proposed for the development - 21 surface stalls are to be located to the rear of the hotel accommodation building with the remaining incorporated underground;
- the architecture, exterior materials and colours have been designed to match the existing Brentwood Bay Lodge and Spa facility;
- the design guidelines for this particular area indicate that building heights should not exceed two-storeys and that new buildings should be sited to ensure that water views are not obstructed; however, the existing C-3 zoning allows a 30 m height, and therefore the proposal is to develop a two-storey streetscape with the three-storey residential building located towards the rear of the property.

Ms. Michele Cloghesy, Landscape Architect with 1<sup>st</sup> Team Consulting Ltd., provided a comprehensive overview of the proposed landscaping of the site, and noted that the general design and materials for the landscaping will be very similar to the “west coast” atmosphere of the Brentwood Bay Lodge and Spa facility. She described the central courtyard with water features, and advised that in her opinion the proposal adheres to the intent of the site specific guidelines for the Moodyville area.

An extensive question and answer session then took place, at which time concerns were expressed by members of the Committee in regards to the proposed three-storey building height, as it was felt that the waterfront views would be obstructed for several local residents. Members of the Committee expressed additional concerns that further development of the lower Verdier Avenue area could adversely contribute to the existing vehicular and pedestrian traffic safety issues, and a suggestion was made that a Traffic Study should be undertaken to assess any impacts that may result from this proposed development, as well as the traffic impacts from the existing Brentwood Bay Lodge and Spa facility.

Ms. Joyce Huska, 860 Verdier Avenue, voiced several concerns with respect to the proposed height, density and additional traffic in the neighbourhood, and encouraged Council to request that the Developer undertake a comprehensive Traffic Study as part of the approval process. She expressed further concern that the proposed 0 metre setback of the retail/café building from Verdier Avenue will greatly contribute to the congestion that exists in this area.

Mr. Peter Morton, 860 Verdier Avenue, questioned the proposed three-storey building height when the APC and the Site Specific Guidelines for the Moodyville area clearly recommend a maximum two-storey height, and stated that in his opinion the proposed density will create chaos in the neighbourhood and the underground parking will not likely be used by the general public. He advised the Committee that he does not want to see this development proceed at the neighbourhood's expense, and asked Council to revisit the density and design of the proposal.

Ms. Angela Desoto, 836 Verdier Avenue, advised that she wants this proposal to be successful in the Brentwood Bay area; however, she expressed serious concern that she will lose all of her water views if the proposed three-storey building height is allowed to proceed, and advised that she does not want to see this property developed at her expense.

Mr. Brian Donaldson, 7249 Kristin Place, also voiced concern with the proposed three-storey building height and the potential loss of water views, and asked that the Committee reconsider this aspect of the proposal.

Mr. Doug Seeds, 7226 Brentview Drive, advised the Committee that he will definitely lose the water views that he currently enjoys from his residence, and advised that the Architect's comments are “deceitful”. Mr. Seeds stated that the hotel, restaurant, pub, spa and marina that currently exist are difficult for the neighbourhood to accept and cautioned the Committee on allowing additional development in this uniquely small area of Brentwood Bay.

1378.04 MOVED BY COUNCILLOR GRAHAM  
NO SECONDER  
*That It Be Recommended To Council:*

*That the Staff Memorandum dated November 17, 2004 entitled "Proposed Rezoning and Development Permit Application – Brentwood Bay Garden Villas, 800 Block Verdier Avenue" be received, and:*

- a) Staff be authorized to prepare the appropriate Zoning Bylaw Amendment to rezone Lots 6, 8 and 9 (800 Block Verdier Avenue) to a new Commercial zoning category to facilitate the proposed development as presented on plans dated September 16, 2004 and subsequently revised and dated November 15, 2004; and*
- b) The Bylaw be forwarded to a future Council Meeting for consideration of the necessary readings and referral to a Public Hearing.*

CARRIED  
OPPOSED: COUNCILLOR KING

1379.04 MOVED BY MAYOR HABKIRK  
NO SECONDER  
*That It Be Recommended To Council:*

*That subsequent consideration of a Development Permit for the proposed project be subject to the preparation of a Staff Report outlining details and recommended conditions.*

CARRIED  
OPPOSED: COUNCILLOR KING

1380.04 MOVED BY COUNCILLOR KING  
NO SECONDER  
*That It Be Recommended To Council:*

*That as a condition of rezoning, and prior to introduction and referral of the Zoning Bylaw Amendment to a Public Hearing, the Applicant be required to complete and submit to the District an appropriate Traffic Study to assess the impacts of the proposed development, including related traffic impacts associated with the Brentwood Lodge and Spa, on the traffic volumes, traffic patterns, parking, pedestrian safety and vehicular congestion in the neighbourhood, with the Study to include recommended mitigation measures as considered necessary.*

CARRIED UNANIMOUSLY

Councillor King requested that the Traffic Study also include an assessment of the traffic impacts of this development on the adjacent vehicular loading and stacking arrangements for the Brentwood Bay - Mill Bay ferry terminal, and provide commentary on BC Transit and traffic demand management issues as they may relate to the development.

**2. Proposed Rezoning and Development Permit Application for Dock Expansion Adjacent to Brentwood Bay Lodge, 849 Verdier Avenue**

- a) Staff Memorandum dated November 16, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Proposed Rezoning and Development Permit Application for Dock Expansion Adjacent to Brentwood Bay Lodge, 849 Verdier Avenue.

The Director of Planning & Building Services gave a comprehensive overview of the Staff Memorandum pertaining to the Proposed Rezoning and Development Permit Application for the Dock Extension on the Water Lot Lease connected to the adjacent Brentwood Bay Lodge located at 849 Verdier Avenue.

Mr. Peter Parsons, Chair of the Advisory Planning Commission, gave a brief overview of the Commission's recommendations with respect to this Application, and briefly commented on the Commission's concerns with float planes docking at this facility.

Mr. Ron Lea, Architect, and Mr. Dan Behune, Property Owner, provided a brief overview of the proposal and confirmed that the proposed dock extension would accommodate docking of larger boats between 50-100 feet in length.

An extensive question and answer session then took place.

The Committee requested that Staff, at an appropriate future date, provide clarification in regards to the District's regulatory and prohibitory authority as it relates to the operation, landing and docking of float planes within the District. The Committee also requested that Staff provide clarification in regards to whether Council's approval of the plans for the proposed dock extension would constitute the District's approval in perpetuity of the expanded water lot lease area.

Mr. Brian Donaldson, 7249 Kristin Place, asked whether a further expansion of the dock could be accommodated in the future, and stated that he is opposed to encouraging or accommodating any further float plane activity in the Brentwood Bay area.

Mr. Dan Behune advised that the proposal under consideration is the maximum expansion area that could be accommodated, as anything larger would interfere with BC Ferries navigation.

1381.04        MOVED BY COUNCILLOR GRAHAM  
                 NO SECONDER  
                 *That It Be Recommended To Council:*

*That the Staff Memorandum dated November 16, 2004 entitled "Proposed Rezoning and Development Permit Application for Dock Expansion Adjacent to Brentwood Bay Lodge, 849 Verdier Avenue" be received, and the Application be forwarded to the Saanich Inlet Protection Society for review and comment.*

CARRIED UNANIMOUSLY

1382.04        MOVED BY COUNCILLOR GRAHAM  
                 NO SECONDER  
                 *That It Be Recommended To Council:*

*That:*

- 1. Staff be authorized to prepare the appropriate Zoning Bylaw Amendment to rezone the existing dock and proposed dock extension to a new Water (W-2) Zone, and that the proposed permitted uses for the new zone also include "Fish Packing and Processing"; and*
- 2. The Bylaw be forwarded to a future Council Meeting for consideration of the necessary readings and referral to a Public Hearing; and*
- 3. Subsequent consideration of a Development Permit for the proposed dock expansion be subject to the following conditions:*
  - construction of permanent sewage pump-out facilities as part of the dock extension;*
  - separate facilities be provided and maintained for the containment and disposal of oil and solid waste material (eg. garbage containers on the dock);*
  - provision of a dock hydrant to the satisfaction of the Fire Department; and*
  - any other conditions as may be imposed by Council.*

BEFORE THE QUESTION WAS CALLED, Mayor Habkirk requested that the two parts of Section 1 in the foregoing motion be considered seriatim.

THE QUESTION WAS CALLED ON THE FIRST PART OF THE MOTION  
*“That Staff be authorized to prepare the appropriate Zoning Bylaw Amendment to rezone the existing dock and proposed dock extension to a new Water (W-2) Zone.”*

CARRIED

OPPOSED: COUNCILLOR KING

THE QUESTION WAS CALLED ON THE SECOND PART OF THE MOTION  
*“That the proposed permitted uses for the new zone also include “Fish Packing and Processing.”*

CARRIED

OPPOSED: MAYOR HABKIRK AND COUNCILLOR KING

### **3. Development Variance Permit Application – 770 Sea Drive**

- a) Correspondence dated November 16, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Development Variance Permit Application – 770 Sea Drive.

The Director of Planning & Building Services overviewed the Staff Memorandum pertaining to the Development Variance Permit Application for property located at 770 Sea Drive, and responded to several questions from members of the Committee.

Mr. Nigel Banks, Designer, was in attendance at the meeting and advised that he is supportive of the recommendation contained in the Staff Report.

Mr. Ken Bartesko, representing the owners of property located at 784 Sea Drive, requested clarification of the building footprints, and was advised that the house and detached garage is 1789 sq.ft. and 420 sq.ft. respectively, for a total lot coverage of 29.1%.

Mr. Rob Appleton, 786 Sea Drive, advised that the neighbourhood has had extensive dialogue with Mr. Banks and have subsequently provided him with various comments and concerns in regards to the proposed Development Variance Permit Application for the subject property.

1383.04

MOVED BY MAYOR HABKIRK

NO SECONDER

*That It Be Recommended To Council:*

*That the Staff Memorandum dated November 16, 2004 entitled “Development Variance Permit Application – 770 Sea Drive” be received, and in connection with the property located at 770 Sea Drive:*

- 1. Council propose to consider the issuance of a Development Variance Permit to vary:
  - *the maximum allowable building height from 4.5 metres (panhandle lot) to 5.63 metres;*
  - *the maximum allowable front yard setback from 7.5 metres to 3.65 metres;*
  - *the maximum allowable driveway grade from 15% to approximately 25% (existing driveway grade); and*
  - *the lot coverage from 25.0% (panhandle lot) to 29.1%; and**
- 2. Staff be instructed to undertake the statutory notification procedures.*

CARRIED UNANIMOUSLY

**4. Development Variance Permit Application – 1915 Lisnoe Avenue**

- a) Correspondence dated November 16, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Development Variance Permit Application – 1915 Lisnoe Avenue.

The Director of Planning & Building Services briefly overviewed the Staff Memorandum pertaining to the Development Variance Permit Application for property located at 1915 Lisnoe Avenue.

The property owner, Mr. Ed Gerhardt, was in attendance at the meeting and advised that he is supportive of the recommendation contained in the Staff Report.

1384.04        MOVED BY MAYOR HABKIRK  
                  NO SECONDER  
                  *That It Be Recommended To Council:*

*That the Staff Memoranda dated November 16, 2004 entitled "Development Variance Permit Application – 1915 Lisnoe Avenue" be received, and in connection with the proposed subdivision of Lot 2, Section 6, Range 2 East, South Saanich District, Plan 488 (1915 Lisnoe Avenue):*

- a) *Council propose to consider the issuance of a Development Variance Permit to vary:*
- the engineering subdivision standards required by Bylaw with respect to:*
- *the minimum municipal road right-of-way on Lisnoe Avenue from 16 m to 10 m (3m dedication for this development); and*
  - *the road construction on Lisnoe Avenue from a width of 8.5 m to 6 m; and*
2. *Staff be instructed to undertake the statutory notification procedures.*

CARRIED UNANIMOUSLY

**ADJOURNMENT:**

*On motion, the Planning & Development Committee Meeting held on November 22, 2004 adjourned at 8:55 pm.*

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Councillor Robert Thompson, Chair

Recorded By: Trish Flanders  
Municipal Clerk