

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Report of the **PUBLIC HEARING**
Monday, February 22, 2010, at 6:30 p.m.
Central Saanich Municipal Council Chamber

PRESENT: Mayor Jack Mar
Councillors Bryson, Garrison, Mason, Olsen, and Siklenka
Gary C. Nason, Administrator
Susan Brown, Municipal Clerk
Bruce Greig, Planner
Nirmal Bhattacharya

ABSENT: Councillor Kubek

A. OPENING STATEMENT BY THE MAYOR

Mayor Mar noted that the purpose of the Public Hearing was to hear representations in regards to "Central Saanich Land Use Bylaw Amendment Bylaw No. 1690, 2010" (7227 Peden Lane) and "Central Saanich Land Use Bylaw Amendment Bylaw No. 1692, 2010" (General Institutional (P-1) Zone).

Mayor Mar then read a prepared statement outlining the procedures for the Public Hearing.

The Administrator, Gary Nason, advised that additional copies of the Public Hearing Agenda were available for viewing at this Public Hearing. Mr. Nason noted that copies of the Land Use Bylaw, the Official Community Plan, and the Community Energy Plan were also available for viewing at this Public Hearing.

B. PUBLIC HEARINGS

1. "Central Saanich Land Use Bylaw Amendment Bylaw No. 1690, 2010"

The Administrator advised that the Public Hearing Agenda included copies of the following documentation (which he itemized):

- a) "Central Saanich Land Use Bylaw Amendment Bylaw No. 1690, 2010"
[A Bylaw to Amend the Land Use Bylaw (7227 Peden Lane)]
- b) Staff Memorandum dated January 5, 2010, from Planner entitled "Zoning Amendment Application for Proposed Two Lot Subdivision; 7227 Peden Lane (Mahoe Properties Inc.)"
- c) Excerpts from the Planning & Development Committee and Council Meeting Minutes Regarding the Land Use Application, Authority to Prepare the Bylaw, the Necessary Readings of Bylaw No. 1690, 2010 and the Referral of the Bylaw to a Public Hearing
- d) Correspondence from Applicant, dated January 14, 2010, Regarding Green / Energy Efficient Initiatives (previously received by Council the Regular Council Meeting held on Jan. 18, 2010.)
- e) Correspondence Previously Received by Council:
 - a) A Habkirk, January 18, 2010 (Regular Council Meeting on Jan. 18, 2010)
- f) Correspondence Received Since the Introduction of Bylaw No. 1690, 2010 and Publication of the Notice of Public Hearing:
 - i) B Bonner, January 27, 2010
 - ii) P Pellow, January 27, 2010
 - iii) J Foster, January 26, 2010
 - iv) B Bonner & P Pellow, January 27, 2010
 - v) W&G Churches, January 30, 2010
 - vi) J Romashenko, February 10, 2010
 - vii) H&T Van der Vlugt, February 10, 2010

- viii) D Johnston, February 2, 2010
- ix) C&S Walters, February 2, 2010
- x) C Shanks, February 2, 2010
- xi) D&L Duffy, February 10, 2010
- xii) A Habkirk, February 12, 2010
- xiii) S&P McLaren, February 16, 2010
- xiv) M Yandel & G Langstaff, February 17, 2010

The Administrator concluded his remarks by advising that the District received the following eleven items of correspondence pertaining to Bylaw No. 1690, 2010 which were included in the Late Items agenda (and which he itemized):

- g) Correspondence received since the preparation of the agenda:
 - i) J Saunders, February 19, 2010
 - ii) W C Lipp, February 19, 2010
 - iii) E Rolinski, February 19, 2010
 - iv) E W Hurwood, February 19, 2010
 - v) L McCuaig, February 19, 2010
 - vi) J Foster, February 22, 2010
 - vii) R Adye, February 21, 2010
 - viii) D McLaren, February 22, 2010
 - ix) R&A Lewis, February 22, 2010
 - x) D Spear, February 22, 2010
 - xi) B Warner, February 22, 2010.

The Mayor requested that the Administrator read the Late Items agenda correspondence into the record. Mr. Nason read out each of the eleven letters.

The Planner, Bruce Grieg, noted the purpose of the proposed Bylaw is to change the land use designation of the subject property from Residential Two Family (R-2) to Small Lot Single Family Residential (R-1S); and to amend the zoning regulations for the subject property with respect to the Small Lot Single Family Residential (R-1S) Zone regulations in relation to setbacks, building height, lot area, lot frontage and floor area ratio. He advised that the intent of the proposed bylaw amendment is to facilitate a two-lot subdivision and the construction of two new single-family dwellings on the subject property. He provided an overview of the Staff Memorandum dated January 5, 2010, from the Planner (included in the agenda package).

Mayor Mar opened the Public Hearing to the gallery, and invited the applicant to speak on the application.

Des Bazett, Vic Davies Architect Ltd., representing the applicant, came forward to address the Public Hearing. Referencing display boards, Mr Davies summarized the history of the application, explained the reasoning behind the design of the two lots and houses, and elaborated on the proposal. He addressed issues raised concerning the driveway/garage configuration, the two-story component, and the unsuccessful initial intention to renovate the existing home. Mr. Davies responded to questions directed through the Mayor.

The Mayor then invited members of the public to speak on this proposed Bylaw, and the following speakers came forward to make representations.

D Leishman, Resident, a resident of Moodyville, advised that he is opposed to the proposal for the following three reasons:

- It is not in keeping with the neighbourhood; and
- It does not resolve the densification issue – will not provide affordable housing; and
- The process followed was flawed because it lacked neighbourhood input, and the owner attempted to influence Council and staff.

Mr. Leishman elaborated on these reasons.

B Vincent, Resident, Central Saanich, spoke in support of the proposal.

G Vink, Resident, Brentwood Bay, advised that he resides behind the proposed development and that he is opposed to it. He referenced a **petition in opposition to the proposed Land Use Amendment Bylaw, with 23 signatures from residents**. Mr. Vink submitted the petition to the Municipal Clerk, and it forms part of the record of the Meeting.

B Warner, Resident, Brentwood Bay, advised that she lives beside the subject property, and that she is opposed to the size, setbacks and height of the two proposed houses. She noted that a different proposal for two houses may be acceptable for the neighbourhood, but that the ones proposed are too large.

E Chambers, Resident, gave the opinion that the rezoning application is premature because the lots proposed are 25% smaller than the current small lots, and that there has been no discussion around this size of small lots in the neighbourhood. She commented further that the full-size houses were too large for the small lots, and raised issues concerning the setbacks and parking.

M Simmons, Resident, spoke in opposition to the proposal. He commented that while he supports small lot subdivision in Moodyville, this specific proposal is inappropriate for this area, and does not fit the criteria for neighbourhood.

M Marley, Non-resident, speaking on behalf of the applicant, Mahoe Properties (2002) Ltd, attested to the history of the application in terms of the need to remove the existing house due to its condition, and gave the opinion that the development of two smaller houses is more suitable for the neighbourhood than the construction of one large house.

S Nelson, Non-resident, advised that he was not supportive of the proposed Bylaw and that the optics of the application is bad in relation to Council.

G Graham, Resident, spoke in opposition to the proposed Bylaw.

Mayor Mar called three times for any other speakers from the public to make representations in regard to Bylaw No. 1690, 2010. There were no further representations.

Mayor Mar declared the Public Hearing for Bylaw No. 1690, 2010 closed at 7:24 p.m.

2. “Central Saanich Land Use Bylaw Amendment Bylaw No. 1692, 2010”

The Administrator advised that the Public Hearing Agenda included copies of the following documentation (which he itemized):

- a) “Central Saanich Land Use Bylaw Amendment Bylaw No. 1692, 2010”
[A Bylaw to Amend the Land Use Bylaw General Institutional (P-1) Zone]
- b) Staff Memorandum dated January 12, 2010, from the Director of Planning & Building Services and the Planner entitled “Clarification of Permitted Uses of School Buildings Under the General Institutional (P-1) Zoning Designation”
- c) Excerpts from the Planning & Development Committee and Council Meeting Minutes Regarding Authority to Prepare the Bylaw, Necessary Readings of Bylaw No. 1692, 2010 and the Referral of the Bylaw to a Public Hearing
- d) Correspondence Previously Received by Council:
 - i) L Beauvais, President of Keating Home and School Association, January 25, 2010

The Administrator noted that no correspondence had been received by the District since the introduction of Bylaw No. 1692, 2010 and publication of the notice of Public Hearing.

The Planner, Bruce Grieg, noted that the purpose of the proposed Land Use Bylaw amendment is to amend District of Central Saanich Land Use Bylaw No. 1309, 1999 by amending the permitted uses in the General Institutional (P-1) Zone by deleting “Education institution” and inserting “Community Institutional

Use". He advised that the intent of the proposed bylaw amendment is to clarify the use of school facilities to serve community recreational and cultural functions in addition to regular school functions. He further noted that the Bylaw would affect all lands in Central Saanich zoned General Institutional (P-1) and gave an overview of the Staff Memorandum dated January 12, 2010, from the Director of Planning & Building Services and the Planner (included in the agenda package).

Mayor Mar opened the Public Hearing to the gallery, and invited members of the public to speak on this proposed Bylaw.

When no speakers came forward the Mayor called three more times for any speakers from the public to make representations in regard to Bylaw No. 1692, 2010. There were no representations.

Mayor Mar declared the Public Hearing for Bylaw No. 1692, 2010 closed at 7:27 p.m.

3. ADJOURNMENT

On motion, the Public Hearing for Bylaw Nos. 1690, 2010; and 1692, 2010 held on Monday, February 22, 2010 adjourned at 7:27 p.m.

Jack Mar
Mayor

Susan Brown
Municipal Clerk

Recorded by: Susan Brown
Municipal Clerk