

SPECIAL COUNCIL MEETING
FOR THE PURPOSES OF A **PUBLIC HEARING**
HELD IN THE COUNCIL CHAMBERS
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE
TUESDAY, SEPTEMBER 14, 2004 AT 7:30 P.M.

Present:

Chair: Mayor Leonard

Council: Councillors Brownoff, Cubberley, Derman, Ngai, Pickup and Wergeland.

Staff: Anne Topp, Manager of Planning Services; Jagtar Bains, Development Coordinator and MaryAnn Greco, Senior Committee Clerk.

No. 335
Bylaw No. 8589
Rambler Road

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8589"

PROPOSED 2 LOT RESIDENTIAL SUBDIVISION ON RAMBLER ROAD/LOCHSIDE DRIVE

To rezone Lot B, Section 31, Lake District, Plan 14597 (**5170 RAMBLER ROAD/LOCHSIDE DRIVE**) from zone RS-18 (single family dwelling - minimum lot size 2 ha) to zone RS-6 (single family dwelling - minimum lot size 560m²) for a proposed two lot residential subdivision. **A DEVELOPMENT VARIANCE PERMIT** applicable to the above lands will be considered to reduce the minimum lot depth requirement for proposed Lot 1 from 27.5 m to 22.2 m. Council will also consider exempting proposed Lot 2 (panhandle lot) from the minimum highway frontage requirement.

The Notice of Public Hearing; report of the Director of Planning dated July 23, 2004 recommending rezoning and development variance permit approval; and supplemental report of the Director of Planning dated August 19, 2004 recommending exemption from the minimum highway frontage requirement; and 2 letters expressing concern regarding driveway access from Lochside Drive; were introduced.

In response to questions from Council, the Manager of Planning Services stated:

- If a driveway access was provided from Rambler Road it would impact a large tree and there would be significant grade changes.
- The applicant contacted the owners of 5155 Lochside Drive regarding the possibility of a shared driveway with proposed Lot 1 and they were not interested; the property at 5155 Lochside Drive is currently for sale.
- The Approving Officer can explore the option of a shared driveway with the new owners of 5155 Lochside Drive.
- The intent is to situate any new driveway as far to the south as possible.
- There is sufficient space to merge two driveways within the boulevard and then separate them within the property lines.

APPLICANT:

Mr. John Holt, 5170 Rambler Road, owner of the subject property, stated:

- Because the boulevard is very wide, it would be easy to merge the driveways and then separate them as they cross the property line.
- A driveway access from Lochside Drive will impact one cedar tree on the boulevard and one cedar tree on proposed Lot 1.
- A restrictive covenant will be registered to restrict the size of the new dwelling to 2800 square feet.
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PUBLIC INPUT:

Ms. S. Bridges, 5168 Lochside Drive, stated:

- She was advised by the realtor for the new owners of 5155 Lochside Drive that they would be amenable to a shared driveway; the two property owners should come together to explore this option.

Ms. E. Roberts, 5170 Lochside Drive stated:

- Perhaps the driveway access is a question of removing two trees on Lochside Drive versus one on Rambler Road.

Mr. R. Stonebanks, President of the Cordova Bay Residents Association, stated:

- At the Committee of the Whole meeting, the applicant agreed to a smaller house size than 2800 square feet.

APPLICANT-S RESPONSE:

Mr. Holt stated:

- Limiting the house size to 2800 square feet is well within the permitted house size under the RS-6 zone.
- The cedar trees to be removed are not protected under the Tree Preservation Bylaw; a replacement tree will be planted for the one removed on the boulevard.

Moved by Councillor Derman and Seconded by Councillor Cubberley: "That public input be reopened."

CARRIED

Mr. R. Stonebanks, President of the Cordova Bay Residents Association, stated:

- At the Committee of the Whole meeting, the applicant stated that he would agree to a restrictive covenant to limit the new dwelling size to 1000-1200 square feet.

Mr. Holt, stated:

- He was referring to the footprint of the new dwelling and not the dwelling size; he is willing to reduce the dwelling size to 2600 square feet including a walk out basement.
- He was not contacted by the realtor for the new owners with respect to a shared driveway with 5155 Lochside Drive.

Councillor Derman:

- The Approving Officer should consider a restrictive covenant to limit the size of the new dwelling to 2600 square feet including a walk out basement.

Moved by Councillor Ngai and Seconded by Councillor Wergeland: AThat the application to rezone to RS-6 be approved.@

Councillor Pickup stated:

- The new owner of 5155 Lochside Drive should be contacted to explore the option of a shared driveway.

Councillor Derman stated:

- In the end, the driveway will function as a shared driveway.

The Motion was then Put and CARRIED

No. 336
Bylaw No. 8589
Rambler Road

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8589"
Second, Third and Final Readings.

Moved by Councillor Pickup and Seconded by Councillor Wergeland: AThat Bylaw No. 8589 be read a second time.@

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Brownoff: AThat Bylaw No. 8589 be now passed.@

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Brownoff: "That Bylaw No. 8589 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

Moved by Councillor Wergeland and Seconded by Councillor Derman: AThat Council approve and issue Development Variance Permit No. DVP2004-00008 on Lot B, Section 31, Lake District, Plan 14597 (5170 Rambler Road).@

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Brownoff: AThat it be recommended that Council exempt the proposed subdivision of Lot B, Section 31, Lake District, Plan 14597 (5170 Rambler Road) from the minimum highway frontage requirement pursuant to Section 944(2) of the *Local Government Act*.@

CARRIED

No. 337
Bylaw No. 8592
Lochside Drive

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8592"

PROPOSED 4 LOT RESIDENTIAL SUBDIVISION ON LOCHSIDE DRIVE

To rezone Lot 10, Section 31, Lake District, Plan 20657 except part in Plan 25611(**5110 LOCHSIDE DRIVE**) from zone RS-18 (single family dwelling - minimum lot size 2 ha) to zone RS-12 (single family dwelling - minimum lot size 930 m²) for a proposed four lot residential subdivision.

The Notice of Public Hearing; reports of the Director of Planning dated November 24, 2003 and July 6, 2004 recommending rezoning approval and that the pathway corridor be protected by a natural state covenant or dedicated as park at the option of the applicant; supplemental report of the Director of Planning dated August 27, 2004 recommending that the dedicated park area be located in the north end of the property adjacent to the trail; report of the Director of Engineering Services dated June 28, 2004 commenting on the report from the geotechnical engineer with respect to the stability of the non structural fill; 5 letters from area residents regarding geotechnical issues and location of the park area and a proposed restrictive covenant provided by the applicant; were introduced.

APPLICANT:

Mr. B. Cunnin, 2576 Hillside Avenue, representing the owners, stated:

- The proposed restrictive covenant is meant to supplement Saanich's bylaws, avoid having large buildings and blank facades along the front, restrict any new dwelling size to 3500 square feet and protect and maintain the plantings on the geo-grid slope.
- The building covenant areas have been reduced and the rear yard setbacks have been increased.
- The natural state covenant is shown as a 9m wide strip parallel to the rear property line and a 6m wide strip parallel to the southern property line.
- The Cordova Bay Residents Association and area residents prefer dedicating less park in the north end of the property and alternatively, increase the park area to the south end; the owner is agreeable to this option.
- The park dedication and the natural state covenant area represents 25% of the lot area.
- If the land to be dedicated as park is located at the south end of the property, more significant trees will be preserved.

PUBLIC INPUT:

Mr. R. Stonebanks, President of the Cordova Bay Association, stated:

- The Association, applicant and owners have had many meetings about this proposed development.
- Various agreements have been made regarding certain issues surrounding this development and have been included in the proposed restrictive covenant.
- The proposed covenant should form part of the rezoning approval process because without it, the Association would not support this rezoning.
- The Association supports locating the 6 metres of land to be dedicated as park at the southend of the property particularly for the beneficial effect on the trees.
- Locating the 6 metre park strip to the north end of the property will ensure the continuation of gathering youths for partying.
- The Association supports the structural geo grid system as opposed to the lock block system.
- It is imperative that the covenant includes wording to conceal the structural geo-grid system and that this be part of the approval process.
- There is plenty of space for wildlife to come through at the north end of the parcel and it does not need any more dedicated land for that purpose.

Ms. S. Leslie, 5094 Lochside Drive, stated:

- Locating the 6 metre park area at the south end of the parcel will preserve more trees; there is already sufficient park space at the north end.
- A greenbelt around the parcel will preserve the ambiance of the Lochside Trail.

Mr. G. Stanley, Director of the Cordova Bay Residents Association stated:

- The Association has discussed this proposal for over one year and are pleased with the final results.
- There is already sufficient park area at the north end of the property; most of the trees that are significant for wildlife are already protected.
- Currently, the park area to the north end is a hangout for teenagers and is full of empty glass bottles and debris; if additional land was added it will only compound the issue.

- Many of the trees that will be visible for the thousands of people that travel on the Lochside trail will be preserved.
- A significant grove of trees will be lost if the 6 metres of land to be dedicated as park is not located at the south end of this parcel.

APPLICANT'S RESPONSE:

Nil.

Moved by Councillor Cubberley and Seconded by Councillor Pickup: AThat,

1. **The application to rezone to RS-12 be approved;**
2. **The covenant proposed by the applicant be referred to the Approving Officer for consideration; and,**
3. **The 6 metre strip of land to be dedicated as park be located at the south end of the property.@**

CARRIED

No. 338
Bylaw No. 8592
Lochside Drive

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8592"
Second, Third and Final Readings.

Moved by Councillor Cubberley and Seconded by Councillor Derman: AThat Bylaw No. 8592 be read a second time.@

CARRIED

Moved by Councillor Cubberley and Seconded by Councillor Derman: AThat Bylaw No. 8592 be now passed.@

CARRIED

Moved by Councillor Cubberley and Seconded by Councillor Derman: AThat Bylaw No. 8592 be adopted by Council and the Seal of the Corporation be attached thereto.@

CARRIED

No. 339
Bylaw No. 8593
PLD55

AOFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2004, NO. 8593A

PROPOSED AMENDMENT TO THE CORDOVA BAY LOCAL AREA PLAN

Currently, the Cordova Bay Local Area Plan designates the site at 741 Haliburton Road for water reservoir use however the entire site is no longer required by the Capital Regional District for the purpose of a reservoir. The intent of this proposed bylaw is to amend Map 12.1 - Public Works of the Cordova Bay Local Area Plan to designate only the southwest portion of Lot 2, Section 47, Lake District, Plan VIP76159 (**741 HALIBURTON ROAD**) as **AGreater Victoria Water District reservoir@.**

Bylaw No. 8594
ADM40

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8594A

NEW RURAL ZONE - DEMONSTRATION FARM

The intent of this proposed Zoning Bylaw amendment is to:

- a. Create a new A-1DF (Rural - Demonstration Farm) zone with agriculture, demonstration farm, single family dwelling, boarding, home occupation, accessory produce sales and accessory buildings and structures as permitted uses. Regulations for density and both primary and accessory buildings and structures are identical to the A-1 (rural) zone.

b. Include a new definition of Demonstration Farm:

Demonstration Farm - means land set aside for producers, government, private industry, or private landowners that allows farmers, researchers, and educators to teach and practice farming.

Bylaw No. 8595
Haliburton Road

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8595A

PROPOSED ORGANIC DEMONSTRATION FARM - HALIBURTON ROAD

To rezone Lot 2, Section 47, Lake District, Plan VIP76159 (**741 HALIBURTON ROAD**) from zone P-2 (Utility) to a new zone A-1DF (Rural - Demonstration Farm) for a proposed organic demonstration farm. A **DEVELOPMENT VARIANCE PERMIT** applicable to the above lands will also be considered to allow deer fencing to be installed to a height of 2.4 m anywhere on the property.

In compliance with sections 24 and 26(3) of the Community Charter, the District of Saanich hereby gives notice of its intention to enter into a five (5) year lease with the Capital Regional District and the Haliburton Organic Farm Society for the use of Lot 2, Section 47, Lake District, Plan VIP76159 (**741 HALIBURTON ROAD**) as an organic demonstration farm. This property is currently held by the District of Saanich under an agreement for sale with the Capital Regional District. In consideration for the grant of the lease, the Haliburton Organic Farm Society will develop and operate the farm as a not-for-profit example of local, sustainable and organic food production, and an education centre for farmers, growers, consumers and students.

The Notice of Public Hearing; reports of the Director of Planning dated July 9, and August 27, 2004 recommending the rezoning and development variance permit be approved, the lease be amended to secure an east-west multi-use trail along the southern boundary; allow the keeping of chickens, muscovy ducks and roosters on the property, limit the combined number of chickens and muscovy ducks to 60 and limit the number of roosters to 5 and that the terms and conditions of the proposed lease between the Corporation of the District of Saanich, the Capital Regional District and the Haliburton Community Organic Farm Society be approved and that the lease receive approval of the electors under an alternative approval process; memorandum from the Lands Commissioner dated August 13, 2004 regarding changes to the draft lease agreement; 2 letters of support; 5 letters in opposition from an area resident; and 1 letter from the Haliburton Community Organic Farm Society; were introduced.

APPLICANT:

The Corporation of the District of Saanich.

PUBLIC INPUT:

Mr. T. Fraser, organic farmer and Board Member of the Haliburton Organic Farm Society, stated:

- The Society has addressed the queries and recommendations made by Council at the August 16, 2004 Committee of the Whole meeting.
- The Society has also addressed concerns from the owner of 4940 Rose Lane, regarding marketing on the farm.

- The objections to the farm being used as a commercial venture have been addressed.
- A special event was recently held and several neighbours attended and were pleased with the proposal.
- A report has been prepared outlining the Society's plans for raising organic chickens and roosters on the farm.
- A traffic demand management plan has also been prepared addressing how parking and traffic control will be managed during special events.
- The Cordova Bay United Church has allowed the use of their parking lot during major events, the lot holds up to 75 vehicles; parking will be limited to 12 vehicles on the Haliburton site.

Ms. L. Campbell, 4945 Rose Lane, stated:

- Although her property borders the subject property she did not receive any notice of the recent special event nor has she received any other information from the farm Society.
- During the recent special event, there were vehicles parked in the back lane which she understands from the CRD is a fire lane and no parking is permitted.
- She has concerns whether parking will be monitored properly during special events.
- She was not advised by the Society that there would be farm animals on the property and understood it would just be farmed for fruits and vegetables.
- She is concerned about the permitted uses under the new A-1DF zone and the impacts of those uses on a residential neighbourhood.

Ms. S. Bridges, Vice-President of the Cordova Bay Association, spoke in support and stated:

- The organic demonstration farm proposal will provide youth with hands on experience through education and demonstration.
- She congratulated Gracie MacDonald and Kevin Weir for their tireless efforts from the conception of this proposal.
- She thanked Council for making this dream become a reality; it will become an asset to the community.

Ms. S. Smith, 4937 Eagleview Lane, spoke in opposition and stated:

- She has experienced a gravel-type sifting noise every day for the past three years and dust throughout her house in the summertime because of the rototilling going on at the farm.
- The spokespersons for the farm are not living directly behind it and dealing with these issues on a daily basis.
- She does not want to be subjected to chicken and manure smells, and crowing roosters.
- Her house is on a narrow, private lane and if cars are parked on the street there will be no access for emergency vehicles.
- She has never been notified of anything that has gone on at the farm and does not believe the Society is being forthright about communication with neighbours.
- In the summer, she had to conduct her child's birthday party amid plumes of dust coming from the farm.

Mr. J. Watts, 779 Westbury Road, neighbour and member of the Haliburton Organic Farm Society Board, stated:

- The gravel-type noise and dust could be coming from a major development going on at the south side of Wesley Court.
- He has lived on the Cordova Bay ridge for 25 years and has seen the agricultural land in the area eroded by residential subdivisions.
- There have been 4 subdivisions created which have a common boundary with the farm and contain a total of 40 properties; approximately 14 share a common boundary with the farm so there are not a lot of properties affected by the activities at the farm.

Mr. R. Chadman, 4940 Rose Lane, spoke in opposition and stated:

- He does not believe the gravel-type sifting and rototilling noises are coming from the development of Wesley Court; it is two blocks away.
- He has not been notified of any activities or special events occurring at the farm.
- He does not believe that the neighbours are opposed to the agricultural activity but to the implications of the rezoning; he understood that he had moved into a residential not rural area.
- There are many properties that do not share a common boundary with the farm but are nevertheless indirectly affected by its activities.
- Other methods should be investigated to manage pest control other than the use of fowl.
- In terms of traffic management, he does not believe that people wishing to attend a special event at the farm will park two and one half blocks away at the Cordova Bay United Church.
- He is not happy with how the Society has proposed to manage parking and does not support allowing the Society to have roosters.
- Organic farming is great for students and the environment but the rezoning raises many concerns for neighbouring properties including the many types of animals that could be raised that are not conducive to this residential area.

Mr. M. Rosen, 6075 West Saanich Road, spoke in support and stated:

- Any effort to increase the amount of farm land will do nothing but benefit the people of Saanich.
- An organic demonstration farm will provide much needed guidance to the young people wishing to become involved in agriculture.
- If there are any minor inconveniences to the homeowners that border this land it weighs little against the hundreds of potential young farmers that may be induced into becoming organic farmers.
- Hopefully the next generation will get their food from local farms rather than international businesses who put unknown chemicals in the food.
- It is far more important to be able to feed people with locally grown organic food which keeps people healthy and provides a choice.

Mr. S. Godfrey, 3905D Cadboro Bay Road, stated:

- In the winter he works as the administrator of the Island's Organic Producers Association and in the summer he farms; he has been growing commercially for four years and has been at the Haliburton farm for the past year.

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- He apologizes for not introducing himself to the neighbours and will work to ensure their concerns are better addressed in the future.
 - Rototilling has been taking place at the farm for about 12 to 15 hours in total and about 4 hours of tractor use for the year; there has been no gravel sifting activating going on at the farm.
 - He wants to thank the Society, Saanich and the CRD for the opportunity to have access to this land that he would not otherwise be able to purchase for farming.
 - In terms of the economic viability for young farmers, it is hard to make a living as a farmer as it is a long term commitment to increase the fertility of the soil.
 - Animals managed properly will not create a nuisance, noise or smell problem but they will return fertility to the soil and provide additional revenue.
 - Saanich will ultimately remain as the landlord and so the Society will have to meet their concerns as well as the neighbours; it is in the Society's best interest to address the neighbours' concerns.

Ms. Brenda Lilibertay, member of the Haliburton Organic Farm Society Board, stated:

- A flyer was sent to area residents approximately one and one half years ago regarding a public open house at the Cordova Bay United Church.
- Perhaps the Society has not been as proactive in contacting neighbours that did not show up at that meeting and this will be addressed in the future.
- Organic farming is not just a system that does not use chemical pesticides, it is a system of growing food that promotes and enhances biological diversity.
- In terms of the roosters crowing, they will investigate ways to control how early a rooster will crow in the morning such as designing a coop that blocks out the sunlight and street lights.
- Roosters are important to fertilize eggs as there are no local hatcheries on the Vancouver Island to replace chicken stocks; roosters also help protect the chickens from predators.
- Goddard Park is close by and could accommodate approximately 25 vehicles; this may be another option to address parking during special events.
- If the Cordova Bay United Church or Claremont Senior Secondary School is used for parking, the Society can shuttle people to and from the farm to reduce impact to neighbours.
- Parking will be provided in the lane way leading into the farm.
- She is grateful to Saanich Council for making this proposal a possibility.

APPLICANT'S RESPONSE:

The Mayor stated:

- The Water Commission was considering using this property as a public works and storage yard approximately 2 or 3 years ago; the Commission had the ability to do so under the existing zoning.
- The neighbours in this area have had a quiet field behind them for quite sometime however they did move next door to a P-2 zoned parcel which could allow such uses as an ambulance hall, fire hall, motor vehicle inspection station, police station, pump station or other public utility.

Moved by Councillor Pickup and Seconded by Councillor Wergeland: “The application to rezone to a new A-1DF zone be approved and the draft lease be amended to:

- 1. Secure an east-west multi-use trail along the southern boundary;**
- 2. Allow the keeping of chickens, muscovy ducks and roosters on the property, limit the combined number of chickens and muscovy ducks to 60; and,**
- 3. Limit the number of roosters to 5.”**

Councillor Pickup stated:

- The A-1DF zone is site specific which has more control than the A-1 zone.

Councillor Derman stated:

- The existing zoning will allow many uses that would be less pleasing than an organic farm without requiring a rezoning application.
- This is a leasehold situation, no other different farm operation can move in without the permission of Saanich Council.
- Council will take the concerns of neighbours into consideration and ensure that the farm is operating as it is intended to.
- Congratulations to those involved with the creation of the farm; this is a great opportunity for Saanich.

Councillor Ngai stated:

- She is pleased that the Society has committed to improving consultation with their neighbours.
- If the Society intends on being at the farm for a long time they need to work at co-existing harmoniously with their neighbours.

Councillor Brownoff stated:

- It will be exciting to see how many young people will be put through the programs at the farm.
- She hopes young farmers will be enticed to take over existing farms as farming is a part of what makes Saanich a great municipality.
- The Society’s communication program needs to improve and the traffic and noise concerns need to be addressed.

Councillor Cubberley stated:

- For a long time, large scale farms have been disappearing because they have not been able to make a living at it; this farm will introduce new methods of farming and encourage young people to become involved.
- The Society needs to address the concerns of their neighbours.

Councillor Wergeland stated:

- He compliments the people involved with this proposal.
- The neighbours’ concerns are valid and the Society needs to address them.
- He encourages the Society to rely on volunteers instead of hired staff.

The Mayor stated:

- He congratulated those people who have worked on this proposal.
- Concerns from immediate neighbours are legitimate; the Society and the neighbours need to work with one another.
- There are other lands in the area zoned for farm activity which are very quiet now but could have all sorts of farm animals, smells and noise in the future.
- The A-1DF zone is severely restricted in terms of its use but it will have farm noise and smell which neighbours should expect and be reasonable about; he hopes the neighbours welcomes the farm and be tolerant of each other.

In response to a question from Councillor Cubberley, the Manager of Planning stated:

- In terms of the trail, the intent is to have a north-south connection as well as an east-west connection; Council will determine the level of trail development at the time of considering a development plan.

The Mayor stated:

- The design of the trail should be brought forward to Council for consideration.

The Motion was then Put and CARRIED.

No. 340
Bylaw No. 8593
PLD55

OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2004, NO. 8593A
Second, Third and Final Readings.

Moved by Councillor Pickup and Seconded by Councillor Ngai: AThat Bylaw No. 8593 be read a second time.@

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Wergeland: AThat Bylaw No. 8593 be now passed.@

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Wergeland: "That Bylaw No. 8593 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 341
Bylaw No. 8594
ADM40

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8594"
Second, Third and Final Readings.

Moved by Councillor Pickup and Seconded by Councillor Brownoff: AThat Bylaw No. 8594 be read a second time.@

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Brownoff: AThat Bylaw No. 8594 be now passed.@

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Brownoff: "That Bylaw No. 8594 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

No. 342
Bylaw No. 8595
Haliburton Road

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8595”
Second, Third and Final Readings.

**Moved by Councillor Derman and Seconded by Councillor Cubberley: AThat
Bylaw No. 8595 be read a second time.@**

CARRIED

**Moved by Councillor Derman and Seconded by Councillor Cubberley: AThat
Bylaw No. 8595 be now passed.@**

CARRIED

**Moved by Councillor Derman and Seconded by Councillor Cubberley: “That
Bylaw No. 8595 be adopted by Council and the Seal of the Corporation be
attached thereto.”**

CARRIED

**Moved by Councillor Cubberley and Seconded by Councillor Pickup: AThat
Council approve and issue Development Variance Permit No. DVP2004-
00020 on Lot 2, Section 47, Lake District, Plan VIP76159 (741 Haliburton
Road).@**

CARRIED

**Moved by Councillor Wergeland and Seconded by Councillor Pickup: “The
terms and conditions of the proposed lease between the Corporation of the
District of Saanich, the Capital Regional District and the Haliburton
Community Organic Farm Society be approved as amended and that the
lease be executed subject to receiving approval of the electors under an
alternative approval process.”**

CARRIED

No. 343
Bylaw No. 8596
Harriet Road

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8596A

**PROPOSED 24 UNIT, FOUR STOREY APARTMENT BUILDING ON HARRIET
ROAD**

To rezone Lots 7 and 8, Block E, Section 11, Victoria District, Plan 1384 **(2934
AND 2940 HARRIET ROAD)** from zone RS-6 (single family dwelling) to zone RA-
3 (apartment) for a proposed four storey, 24 unit apartment building with
underground parking and a rooftop deck. **A DEVELOPMENT PERMIT** applicable
to the above lands will also be considered to require the buildings and lands to be
constructed and developed in accordance with the plans submitted.

The Notice of Public Hearing; report of the Director of Planning dated August 3
recommending rezoning and development permit approval; Advisory Design Panel
report dated February 23, 2004 recommending design approval; and 1 letter of
support from the Gorge Tillicum Community Association; were introduced.

APPLICANT:

Mr. H. Kwan, architect and applicant was available to answer questions.

PUBLIC INPUT:

Nil.

APPLICANT’S RESPONSE:

Nil.

Moved by Councillor Derman and Seconded by Councillor Pickup: “The application to rezone to RA-3 be approved.”

CARRIED

No. 344
Bylaw No. 8596
Harriet Road

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8596”
Second, Third and Final Readings.

Moved by Councillor Derman and Seconded by Councillor Pickup: “That Bylaw No. 8596 be read a second time.”

CARRIED

Moved by Councillor Derman and Seconded by Councillor Pickup: AThat Bylaw No. 8596 be now passed.”

CARRIED

Moved by Councillor Derman and Seconded by Councillor Pickup: “That Bylaw No. 8596 be adopted by Council and the Seal of the Corporation be attached thereto.”

CARRIED

Moved by Councillor Pickup and Seconded by Councillor Wergeland: AThat Council approve and issue Development Permit No. DPR2003-00037 on Lots 7 and 8, Block E, Section 11, Victoria District, Plan 1384 (2934 and 2940 Harriet Road).”

CARRIED

No. 345
Bylaw No. 8597
ADM40

AZONING BYLAW 2003, AMENDMENT BYLAW, 2004 NO. 8597A

NEW TEMPORARY COMMERCIAL OR INDUSTRIAL PERMIT REGULATION

The current procedures for processing Temporary Commercial or Industrial Permit applications include amending the Official Community Plan. This step can be lengthy and defeat the short-term goals of these temporary permits. The intent of this proposed bylaw is to introduce a new regulation 5.30 - Temporary Commercial or Industrial Permits to the Zoning Bylaw to permit Saanich Council to consider Temporary Commercial or Industrial Permit applications anywhere in Saanich except for residential zones without amending the Official Community Plan.

The Notice of Public Hearing and the report of the Director of Planning dated July 16, 2002 recommending approval; were introduced.

APPLICANT:

The Corporation of the District of Saanich.

PUBLIC INPUT:

Ms. T. Moorehouse, representing Mr. N. Salmond, 4085 Quadra Street, stated:

- She supports this new regulation as it will mean that a rezoning application can be considered faster.
- Currently, the owner of 4085 Quadra Street is experiencing difficulty in obtaining new tenants under the current zoning.

APPLICANT'S RESPONSE:

The Mayor stated:

- He does not believe that Ms. Moorehouse has understood the intent of this regulation and should contact the Planning Department for clarification.

Moved by Councillor Derman and Seconded by Councillor Wergeland: "That a new Section 5.30 - Temporary Commercial or Industrial Permits be added to the Zoning Bylaw to permit Saanich Council to consider Temporary Commercial or Industrial Permit applications anywhere in Saanich except for residential zones without amending the Official Community Plan."

CARRIED

No. 346
Bylaw No. 8597
ADM40

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2004, NO. 8597"
Second, Third and Final Readings.

Moved by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8597 be read a second time."

CARRIED

Moved by Councillor Derman and Seconded by Councillor Wergeland: AThat Bylaw No. 8597 be now passed."

CARRIED

Moved by Councillor Derman and Seconded by Councillor Wergeland: "That Bylaw No. 8597 be adopted by Council and the Seal of the Corporation be attached thereto."

CARRIED

Adjournment

On a motion from Councillor Pickup the meeting adjourned at 9:22 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK