

SPECIAL COUNCIL MEETING  
FOR THE PURPOSES OF A **PUBLIC HEARING**  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**TUESDAY, MAY 3, 2005, AT 7:30 P.M.**

Present: **Chair:** Mayor Leonard  
**Council:** Councillors Brownoff, Gillespie, Derman, Ngai and Pickup.  
**Staff:** Anne Topp, Manager of Community Planning; Jagtar Bains, Development Coordinator and, MaryAnn Greco, Senior Committee Clerk.

No. 171  
Bylaw No. 8652  
Helen Road

AZONING BYLAW, 2003, AMENDMENT BYLAW, 2005, NO. 8652"

**PROPOSED 3 LOT RESIDENTIAL SUBDIVISION ON HELEN ROAD**

To rezone portions of Lot 6, Section 5, Lake District, Plan VIP62815 and Lot B, Section 16, Victoria District, Plan 30640 (**3964 AND 3981 HELEN ROAD/CARMICHAEL TERRACE**) from zones RS-8 (single family dwelling – minimum lot size 665 m<sup>2</sup>) and A-1 (rural – minimum lot size 2 ha) respectively to zone RS-6 (single family dwelling – minimum lot size 560 m<sup>2</sup>) for a proposed 3 lot residential subdivision. **A DEVELOPMENT VARIANCE PERMIT** applicable to the above lands will also be considered to reduce the minimum combined interior side yard setbacks required for proposed Lot A of the subdivision from 4.5 m to 3.0 m.

Council will also consider the closure of approximately 635.8 m<sup>2</sup> portion of Helen Road to traffic as it is not required to provide legal access to adjacent lands and no longer conforms to Municipal Planning for this area. It is intended that the closed portion of Helen Road be exchanged for property to align Helen Road with Carmichael Terrace on the condition that the closed road be consolidated with Lot 6, Section 5, Lake District, Plan VIP62815 (**3964 HELEN ROAD**).

The Notice of Public Hearing; report from the Director of Planning dated February 19, 2005 recommending rezoning and development variance permit approval; and memorandum from the Director of Engineering Services dated February 28, 2005 outlining transportation related improvements proposed for this development and others in the area; were introduced.

**APPLICANT:**

Mr. P. Bruin, Island Land Surveying, #1 - 15 Cadillac Avenue, representing the owners, stated:

- The proposed closure and realignment of Helen Road will improve the traffic situation in the area.
- The neighbourhood has been canvassed and no objections have been received to the proposed rezoning and realignment of Helen Road.

**PUBLIC INPUT:**

Mr. K. Whitcroft, 1044 Inverness Avenue, stated:

- Alternative methods should be used to treat storm water from this subdivision other than the standard use of concrete curbs and gutters.
- He believes it is a federal offense to allow water coming off the road to go into the stormwater detention ponds behind the Peers Creek subdivision; these storage ponds are potential breeding areas for fish.

**APPLICANT'S RESPONSE:**

Nil.

**MOTION**

**Moved by Councillor Ngai and Seconded by Councillor Gillespie: "That the application to rezone to RS-6 be approved."**

- In response to a question from Council, the Development Coordinator stated:
- All the new roads in this area have been constructed with concrete curb and gutter including the recent Peers Creek subdivision.
  - The Municipality has experimented with the use of swales and found that they eventually become filled or enclosed by the homeowner later on or used as a parking space.

- Councillor Derman stated:
- Perhaps a swale system could be considered that has a non continuous curb for water to flow through; this could be an alternative for future curb and gutter applications.

**The Motion was then Put and CARRIED**

No. 172  
Bylaw No. 8652  
Helen Road

"ZONING BYLAW, 2003, AMENDMENT BYLAW, 2005, NO. 8652"  
Second and Third Readings.

**Moved by Councillor Ngai and Seconded by Councillor Gillespie: "That Bylaw No. 8652 be read a second time."**

**CARRIED**

**Moved by Councillor Ngai and Seconded by Councillor Gillespie: "That Bylaw No. 8652 be now passed."**

**CARRIED**

**Moved by Councillor Gillespie and Seconded by Councillor Pickup: "That it be recommended that Council approve and issue Development Variance Permit No. DVP2004-00001 on Lot 6, Section 5, Lake District, Plan VIP62815 (3964 Helen Road)."**

**CARRIED**

No. 173  
Bylaw No. 8654  
ADM40

AROAD CLOSING AND HIGHWAY DEDICATION REMOVAL BYLAW, 2005, (HELEN ROAD), NO. 8654" First, Second and Third Readings.

**Moved by Councillor Derman and Seconded by Councillor Pickup: AThat Bylaw No. 8654 be introduced.@**

**CARRIED**

**Moved by Councillor Derman and Seconded by Councillor Pickup: AThat Bylaw No. 8654 be read a second time.@**

**CARRIED**

**Moved by Councillor Derman and Seconded by Councillor Pickup: AThat Bylaw No. 8654 be now passed.@**

**CARRIED**

No. 174  
Bylaw No. 8672  
PLD 60

“OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2005, NO. 8672”

**PROPOSED NEW DEVELOPMENT PERMIT GUIDELINES FOR COMMERCIAL AND MIXED USE DEVELOPMENTS**

The intent of this proposed bylaw is to amend the Development Permit Areas, Justifications and Guidelines to include six new guidelines in the Saanich General, West Saanich Road, Broadmead, Quadra/McKenzie, Shelbourne/McKenzie, Tillicum Road and Saanich Core Development Permit Areas. The new guidelines will address the relationship of buildings, pedestrian networks, public spaces, parking circulation and architecture. Together with the existing guidelines, the new guidelines are intended to provide a more comprehensive framework for Council to use when considering development proposals for commercial and mixed use developments.

The Notice of Public Hearing; the reports from the Director of Planning dated March 8, 2005 and January 11, 2005 recommending approval; memorandum from the Planning and Transportation Advisory Committee dated April 27, 2005 recommending the second sentence in Guideline No. 5 outlined in the report of the Director of Planning be amended to read: 'Innovative use of durable and high quality materials is expected'; memorandums from the Development Process Review Committee dated March 17 and February 14, 2005 recommending approval in principle and one letter from Haji Charania, 757 Genevieve Road, in support of the interim guidelines and suggesting further amendments to the Quadra McKenzie Development Permit Area; were introduced.

**APPLICANT:**

The Corporation of the District of Saanich.

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

- The proposed new guidelines are intended to be interim until a thorough review is undertaken of all the development permit guidelines for commercial areas.
- The Quadra McKenzie Design Charette was received for Council's information and the Quadra McKenzie Action Plan has not yet been adopted by Council; although many elements of these two documents have merit for inclusion within the Quadra/McKenzie Development Permit Area, it is not appropriate to consider them outside of the overall review.
- The Regional Context Statement for the Development Permit Areas will be finished by August.
- The detailed review of all the commercial development permit guidelines and the Urban Village Information Package will be reviewed in the fall; a public consultation process will follow in early 2006.

**PUBLIC INPUT:**

Mr. R. Warden, President of the North Quadra Land Use Protection Association, 936 Lucas Avenue, spoke in support and stated:

- It appears that all the development permit areas are being treated the same which does not address the unique features of each area.

- The Association strongly encourages that the proposed amendments recommended in the letter by Haji Charania be included in the Quadra/McKenzie Development Permit Area.

Ms. V. Sanders, 3326 Richmond Road, President of the Quadra Cedar Hill Community Association, stated:

- She is pleased that the new guidelines are being included in the Quadra McKenzie Development Permit Area.
- The Association agrees with the comments made by the previous speaker that each development permit area should be addressed separately.
- The proposed amendments outlined by Haji Charania should be included in the Quadra McKenzie Development Permit Area.
- Specific criteria should be developed to address the transition between the commercial and residential areas in terms of how to soften the impact.
- The Association is looking forward to the detailed review of all the development permit areas.

Mr. Jeff Nagel, representing Moorguard Investments Ltd and the owners of the Town and Country Shopping Centre, stated:

- He appreciates the work that staff and Council have done on these proposed new guidelines to date and looks forward to bringing forward a redevelopment application for the Town and Country Shopping Centre.
- The changes appear to be reasonable and achievable in terms of pedestrian, bicycle and vehicle circulation, and the creation of public space.
- In terms of the Saanich Core Development Permit Area; he would like clarification on whether the Municipality intends to become involved with design criteria or on establishing themes for specific areas.
- In terms of Guideline No. 24 in the Saanich Core Development Permit Area; he is concerned that the intent is to open air any existing creeks within a major centre.
- The guidelines appear fair and reasonable however if they block progress and future development, it will not be in the best interest of anyone.

Mr. K. Whitcroft, 1044 Inverness Street, stated:

- In terms of the next level of review; he believes that Saanich's village concept should be smaller urban cores and not just the Saanich Core.
- The word 'urban' refers more to a city than a municipality and Saanich is not a city; this distinction should be reflected when undertaking the next review of all the development permit guidelines.

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

- The amendment that is being suggested by the Planning and Transportation Advisory Committee is to replace the second sentence in Guideline No. 5 outlined in the report of the Director of Planning and replace it with: 'Innovative use of durable and high quality materials is expected'.
- The intent of Guideline No. 24 in the Saanich Core Development Permit Area is to ensure that any site designs or improvements surrounding riparian zones, watercourses and urban forests are done in such a way that respects and enhances these features.

- In terms of Guideline No. 23, architecture that is contemporary and authentic will be determined on a case-by-case basis and within the context of the area.
- There is no intention to ‘theme’ an area in Saanich at this time.

**APPLICANT’S RESPONSE:**

Nil.

**MOTION**

**Moved by Councillor Derman and Seconded by Councillor Gillespie: “That, the Official Community Plan be amended to include six new guidelines in the Saanich General, West Saanich Road, Broadmead, Quadra/McKenzie, Shelbourne/McKenzie, Tillicum Road and Saanich Core Development Permit Areas.**

Councillor Derman stated:

- These interim guidelines are desperately needed as the current ones are out of date.

Councillor Brownoff stated:

- The suggested amendments outlined in the letter by Haji Charania are supportable however they should be addressed during the full review of all the commercial development permit guidelines.
- In terms of the transition between commercial and residential areas, this will be considered during the development of the urban village concept.

Councillor Pickup stated:

- In terms of urban forests, they should be restored as well as enhanced.

No. 175  
Bylaw No. 8672  
PLD 60

“OFFICIAL COMMUNITY PLAN BYLAW, 1993, AMENDMENT BYLAW, 2005, NO. 8672”

Second, Third and Final Readings.

**Moved by Councillor Derman and Seconded by Councillor Gillespie: “That Bylaw No. 8672 be read a second time.”**

**CARRIED**

**Moved by Councillor Derman and Seconded by Councillor Gillespie: “That Bylaw No. 8672 be amended to delete the statement: ‘The use of “real” exterior finishing materials is encouraged, but in all cases, high quality, durable materials are expected.’ and replace it with: ‘Innovative use of durable and high quality materials is expected.’ in all development permit areas.”**

**CARRIED**

**Moved by Councillor Derman and Seconded by Councillor Gillespie: “That Bylaw No. 8672 as amended be now passed.”**

**CARRIED**

**Moved by Councillor Derman and Seconded by Councillor Gillespie: “That Bylaw No. 8672 be adopted by Council and the Seal of the Corporation be attached thereto.”**

**CARRIED**

No. 176  
Temporary  
Commercial Use  
Permit  
Quadra Street

**TEMPORARY COMMERCIAL USE PERMIT APPLICATION- 4085 QUADRA ST**  
Application for a two-year Temporary Commercial Use Permit to allow a wider range of commercial uses on Lot A (DD336035I), Section 64, Victoria District, Plan 4683 (**4085 QUADRA STREET**) including retail sales of goods and services, wholesaling accessory to retail sales, medical services, rental and repair of household items, tools and appliances and, fast food restaurant business excluding drive in window or drive through.

The Notice of Public Hearing; the report from the director of Planning dated April 1, 2005, recommending approval; and one letter in support from the North Quadra Land Use Protection Association; were introduced.

The Manager of Community Planning stated:

- The Temporary Commercial Use Permit should be amended to limit the fast food restaurant business to a maximum floor space of 92.9 m<sup>2</sup>.

**APPLICANT:**

Mr. N. and Mrs. M. Salmond, 4091 Tuxedo Drive and owners of 4085 Quadra Street, spoke in support and stated:

- They have had difficulties leasing the property due to the limitations of the existing zoning and would like a temporary commercial use permit to allow a wider ranges of uses.
- A deli or pizza operation with a take out or delivery service is currently proposed if the temporary commercial use permit is approved.

**PUBLIC INPUT:**

Mr. D. Petch, 944 Nicholson Street, on behalf of himself and his neighbour, Ms. A. Kwan, 946 Nicholson Street, spoke in opposition and stated:

- He believes that a fast food restaurant operation will disturb this quiet neighbourhood and disrupt his quality of life.
- A fast foot restaurant business will increase the amount of traffic coming into the neighbourhood.
- He is concerned about the potential noise from cooling fans, the hours of operation and parking.

Mr. R. Warden, President of the North Quadra Land Use Protection Association, 936 Lucas Avenue, spoke in support and stated:

- The Association had discussions with the owners regarding the possibility of a a coffee shop or a bakery but it did not fit in with the existing zoning.
- The Association would like to see how the uses will work on this site.

**APPLICANT'S RESPONSE:**

Mr. Salmond stated:

- They have had difficulty renting the space for quite a while, the only time it was rented was during the last two provincial elections.
- He does not believe that a deli or pizza business will be as disturbing as the adjacent gas station and car wash operation.

**Moved by Councillor Ngai and Seconded by Councillor Pickup “That,**

- 1. The Temporary Commercial Use Permit be amended to limit the fast food restaurant use to a maximum floor space of 92.9 m<sup>2</sup>; and,**
- 2. Council approve and issue Temporary Commercial Use Permit No. TCP2004-00002 on Lot A (DD336035I), Section 64, Victoria District, Plan 4683 (4085 Quadra Street) as amended.”**

Councillor Derman stated:

- Because this is a temporary commercial use permit, it is in the best interest of the applicant to ensure that any new business fits in well with the neighbourhood.
- If the proposed uses create a problem, then the temporary commercial use permit may not be renewed.

Councillor Gillespie stated:

- The applicant has not been able to rent the space given the narrow range of permitted uses under the existing zoning; the temporary commercial use permit would allow the assessment of a wider range of uses.

**CARRIED**

On a motion from Councillor Gillespie the meeting adjourned at 8:05 p.m.

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MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK