

DISTRICT OF SAANICH  
MINUTES OF THE SPECIAL COUNCIL MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**TUESDAY, JUNE 25, 2013 AT 7:30 P.M.**

Present:           **Chair:**       Acting Mayor Brice  
                     **Council:**     Councillors Brownoff, Derman, Gerrard, Murdock, Sanders, Wade and Wergeland.  
                     **Staff:**         J. Matanowitsch, Manager of Community Planning; D. Dupas, Legislative Manager.

**PUBLIC HEARING**

2860-02  
Streamside  
Development Permit  
Area and Atlas

“OFFICIAL COMMUNITY PLAN BYLAW, 2008, AMENDMENT BYLAW, 2013, NO. 9222”

**PROPOSED AMENDMENTS TO STREAMSIDE DEVELOPMENT PERMIT AREA AND ATLAS**

To amend Appendix “N” – Development Permit Areas Justification and Guidelines of the Official Community Plan so that the definition of “stream” also includes streams connected by pipes and culverts, and, to amend Schedule 2 of Appendix “N” – Streamside Development Permit Area Atlas – in order to improve the accuracy of the Atlas.

The Clerk introduced the following:

- Notice of Public Hearing.
- Report from the Director of Planning dated May 10, 2013 recommending approval of amendments to Appendix “N” and to Schedule 2 to Appendix “N” of the Official Community Plan Bylaw, 2008.
- Letters from seven residents.

**APPLICANT:**

The District of Saanich

The Manager of Environmental Services, on behalf of The District of Saanich, stated:

- The housekeeping amendments to the Streamside Development Permit Area are proposed to increase accuracy in the location of streams and the assigning of setbacks and to ensure that watercourses meet the definition of the stream in accordance with the enabling provincial legislation, the Riparian Areas regulation.
- The proposed addition to the definition of stream will reflect current practice and the intention of the regulation; it will clarify that the presence of a culvert or pipe does not negate fish habitat.
- It would be appropriate for Council to delete Map 21 pertaining to the Bowker Creek watershed from the proposed amendments to the Streamside Dev Permit Area Atlas tonight; although Saanich maintains this tributary to Bowker Creek and the buffer is in Saanich, the streambed in question is situated in the District of Oak Bay.

**PUBLIC INPUT:**

Mr. H. Charania, on behalf of the North Quadra Land Use Protection Association, stated:

- The proposed amendments to the Streamside Development Permit Area Guidelines and Atlas demonstrate Saanich's commitment to remain current and progressive and are supported by the Community Association.
- He understands that Gabo Creek in the North Quadra area will be recognized at some point in the future.

Mr. B. Merritt, 4917 Cordova Bay Road, stated:

- The proposed amendment to the definition of stream which will include pipes and culverts linking downstream and upstream waterways, should not be applied uniformly across Saanich.
- Each section should be considered individually as it may constitute an infringement on individual property rights, while providing no public benefit.

In response to public input, the Manager of Environmental Services stated:

- Saanich Environmental Services staff proactively review the content of the Atlas every year to ensure its accuracy; individual property owners may also bring forward their specific concerns.
- It is also possible for residents to engage a biologist in order to prepare mapping input on a specific area which would be considered for potential revisions to the Atlas.
- The Saanich approach is to have the mapping prepared for everyone to use rather than following the regulation which gives municipalities the option of telling applicants as they come forward with proposals to hire a biologist and prepare mapping and recommendations.

**COUNCIL DELIBERATIONS:**

**Motion:**

**MOVED by Councillor Derman and Seconded by Councillor Sanders:**  
**"That:**

- (1) that the Streamside Development Permit Area Guidelines contained in Appendix "N" to the Official Community Plan Bylaw, 2008, be amended to clarify the definition of "stream" in accordance with the report of the Director of Planning dated May 10, 2013; and**
- (2) Schedule 2 to Appendix "N" of the Official Community Plan Bylaw, 2008 – Streamside Development Permit Area Atlas, be amended as outlined in the report of the Director of Planning dated May 10, 2013, with the exception of Map 21."**

Councillor Derman stated:

- We want to improve how we deal with stormwater issues.
- It is an important step forward to clarify the definition and to map all the important stream areas and, if there are errors, there is a willingness to address the concerns of residents and consider exemptions that may be necessary.

Councillor Sanders:

- It is important to go forward with the amendments at this time on the understanding that corrections may be made in future.

**The Motion was then Put and CARRIED**

2860-02  
Streamside  
Development Permit  
Area and Atlas

“OFFICIAL COMMUNITY PLAN BYLAW, 2008, AMENDMENT BYLAW, 2013, NO. 9222”  
Second and Third Readings

**MOVED by Councillor Derman and Seconded by Councillor Brownoff:**  
“ That Bylaw No. 9222 be read a second time.”

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:** “That Bylaw No. 9222 be amended by deleting Map 21 from the proposed revisions to the Atlas and renumbering the proposed schedules to the Bylaw accordingly.”

**CARRIED**

**MOVED by Councillor Derman and Seconded by Councillor Sanders:**  
“That Bylaw No. 9222, as amended, be now passed.”

**CARRIED**

Adjournment

On a motion from Councillor Gerrard, the meeting adjourned at 7:54 pm.

The meeting reconvened at 8:33 pm.

**RECOMMENDATIONS**

From the Special Committee of the Whole meeting held June 25, 2013.

1300-50  
Liquor Control &  
Licensing Branch

**450 CREED ROAD - AMENDMENT TO LIQUOR LICENCE FOR  
HIGHLAND PACIFIC GOLF COURSE**

**MOVED by Councillor Derman and Seconded by Councillor Wergeland:**

“That Council recommend approval of the requests to the Liquor Control and Licensing Branch for a Structural Change and Change of Hours to Liquor Primary License 303522 for the Highland Pacific Golf Course at 450 Creed Road in order to bring the existing liquor licenses into conformity with new licensing standards as outlined in the report of the Director of Planning dated June 5, 2013.”

**CARRIED**

Adjournment On a motion from Councillor Brownoff, the meeting adjourned at 8:35 pm.

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ACTING MAYOR

I hereby certify these Minutes are accurate.

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MUNICIPAL CLERK

DISTRICT OF SAANICH  
MINUTES OF THE COMMITTEE OF THE WHOLE MEETING  
HELD IN THE COUNCIL CHAMBERS  
SAANICH MUNICIPAL HALL, 770 VERNON AVENUE  
**TUESDAY, JUNE 25, 2013 AT 7:55 PM**

Present: **Chair:** Councillor Brice  
**Council:** Councillors Brownoff, Derman, Gerrard, Murdock, Sanders, Wade and Wergeland  
**Staff:** J. Matanowitsch, Manager of Community Planning; and Donna Dupas, Legislative Manager.

1300-50  
Liquor Control and  
Licensing Branch

**450 CREED ROAD - AMENDMENT TO LIQUOR LICENCE FOR HIGHLAND PACIFIC GOLF COURSE**

Report of the Director of Planning dated June 5, 2013 recommending that Council support the request to the Liquor Control and Licensing Branch for a structural change to Liquor Primary License 303522 and for a change of hours to Liquor Primary License 303522 at Highland Pacific Golf Course.

Mr. B. Hick of Rising Tide Consultants attended, along with the applicant, the owners of Highland Pacific Golf Course, and stated that he had nothing further to add to the comments in the Planning report and was available to answer questions.

**PUBLIC INPUT**

Nil.

**Motion:** **MOVED by Councillor Derman and Seconded by Councillor Wade:** "That it be recommended that Council recommend approval of the requests to the Liquor Control and Licensing Branch for a Structural Change and Change of Hours to Liquor Primary License 303522 for the Highland Pacific Golf Course at 450 Creed Road in order to bring the existing liquor licenses into conformity with new licensing standards as outlined in the report of the Director of Planning dated June 5, 2013."

**CARRIED**

1110-30  
Zoning Bylaw, 2003

**AMENDMENT TO ZONING BYLAW TO EXPAND DEFINITION OF FARM MARKET**

Report of the Director of Planning dated June 7, 2013 recommending that the Zoning Bylaw, 2003 be amended to include a new definition of Farm Market.

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

- This amendment would affect five properties in Saanich that are Zoned A-3.
- At this time, one business in particular has expressed support for this change.
- The addition of red meat and other non-dairy products did not appear to be a substantial change to the definition and would be of benefit to businesses.
- The classification of farm market and grocery store are the same with respect to assessments.

**PUBLIC INPUT**

Ms. Daisy Orser, an owner of the Root Cellar, 1286 McKenzie Avenue, stated:

- The Root Cellar is a greengrocer, or farm market, in an urban setting and have operated for five years at this location.
- Their business model is consistent with the policies of the Saanich Official Community Plan (OCP) and is based on the idea of farm market; they support over 100 small scale local producers and would like to expand to include Island raised meats.
- The existing definition of farm market contained in the Zoning Bylaw, 2003, does not allow them to provide the community with the local meat products they want.
- They therefore support the farm market definition proposed by the Director of Planning which will make it consistent with all other farm market operations in the region.

In response to questions from Council, Mr. A. Orser of the Root Cellar, stated:

- The Root Cellar consulted with the Planning Department on this issue and decided not to pursue a site specific rezoning for their property.
- In addition to the wide variety of local produce they offer, they wish to provide local and Island-grown meats and the new farm market definition will accomplish that.

Mr. Nathan Lampard, Jawl and Bundon, solicitors for the Root Cellar, stated:

- The current language in the Zoning Bylaw, 2003, does not allow for the sale of honey, for example, which, in addition to meat products, is inconsistent with other farm markets in the region.
- It is preferable that all farm markets compete on an equal footing.

Mr. D. Musgrove, architect for the Root Cellar, stated;

- His clients explored the rezoning idea; however, the Root Cellar is not a grocery store and further, the property is situated in a floodplain

which would preclude rezoning unless they are willing to lose a good part of the property to be built upon.

Mr. Ray Galey, Galey Farms, stated:

- He supports the Root Cellar owners, who support local farmers.
- He would like to see everyone treated equally; other businesses in the A-3 zone may wish to change their operations to do what others are doing in order to stay competitive.

Mr. Rob Galey, Galey Farms, stated:

- Most farm markets are already doing this; the sale of local meats is part of farming now.
- Getting the definition correct is an important immediate step; other zoning issues may be looked at later.
- The sale of honey should be covered in the expanded definition.

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

- Honey would be covered by “locally prepared and ready-to-eat foods” in the definition and therefore could be sold at a farm market.

**Motion:**

**MOVED by Councillor Wade and Seconded by Councillor Derman: “That a Public Hearing be called to further consider the proposed zoning bylaw amendment which would expand the definition of farm market.”**

Councillor Wade stated:

- It is important to take away any artificial barriers to increasing the production and availability of local foods.
- We are on the right path and a public hearing is appropriate.

Councillor Derman stated:

- He supports the public hearing but is not convinced the new definition will accomplish the goal of supporting local farmers.
- The expanded definition will apply to other properties in Saanich and its impact is unclear.
- He would like staff to indicate how this change will ensure support for local farmers in the long term, its implications for other A-3 properties in Saanich, and on the issue of the size of facilities allowed.

Councillor Murdock stated:

- The previous definition of farm market was unnecessarily restrictive and the proposed new definition appears to be better aligned with our OCP and policies that support local food production.

Councillor Gerrard stated:

- This is about supporting local farmers.
- There may be other discussions necessary on this topic including how we might encourage young farmers to get into the business.

Councillor Sanders stated:

- The expanded definition allows for the additional products one would expect at a farm market.
- We do not want to put road blocks in the way of a business that is providing local food into a neighbourhood.
- Zoning issues have been raised but that is a discussion for another time.

Councillor Brownoff stated:

- The connection of businesses like the Root Cellar to the farming community is powerful.
- The expanded definition opens up opportunities and is a positive initiative.

Councillor Wergeland stated:

- He supports the expanded definition going to a public hearing.
- It would not be appropriate to limit farm markets to exclusively local products but a percentage could be considered.

Councillor Brice stated:

- We are fortunate that Saanich has such a vibrant farming community; these issues are at the core of what we are trying to do in terms of working relationships with farmers.

**The Motion was then Put and CARRIED**

Adjournment                      On a motion from Councillor Brownoff, the meeting adjourned at 8:32 pm.

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CHAIR

I hereby certify these Minutes are accurate

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MUNICIPAL CLERK