

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Report of the **PUBLIC HEARING**
Monday, March 14, 2005 at 6:30 p.m.
Central Saanich Municipal Hall Council Chamber

PRESENT: Mayor Allison Habkirk
Councillors: Haddon, King, Korol, Mason and Thompson
Gary C. Nason, Administrator
Hope V. Burns, Director of Planning & Building Services
Ruby Shea, Recording Secretary

ABSENT: Councillor Graham

1. APPROVAL OF AGENDA

394.05 MOVED BY COUNCILLOR HADDON
 SECONDED BY COUNCILLOR THOMPSON
 *That the Agenda for the Public Hearing held on March 14, 2005 be approved as
 circulated.*
 CARRIED UNANIMOUSLY

2. INTRODUCTORY STATEMENT BY THE MAYOR

Mayor Habkirk noted that the purpose of the Public Hearing was to hear representations in regards to the following Bylaw:

1. ***“Central Saanich Land Use Bylaw Amendment Bylaw No. 1519, 2005”*** [To Increase the Allowable Size of Restaurant in the Comprehensive Development Zone 1 (CD-1) Gateway Park]

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

The Administrator advised that extra copies of the Public Hearing Agenda were available for viewing at this Public Hearing. Mr. Nason noted that the Public Hearing Agenda included copies of the Public Hearing Notice, copies of Bylaw No. 1519 and relevant background Staff Memoranda relating to the proposed Bylaw. He further advised that copies of the Land Use Bylaw, the Official Community Plan and the two Local Area Plans were also available for viewing at this Public Hearing.

3. *“Central Saanich Land Use Bylaw Amendment Bylaw No. 1519, 2005”*

- a) Staff Memorandum dated February 1, 2005 from Hope V. Burns, Director of Planning & Building Services Re: Proposed Rezoning to Accommodate Expansion of the Existing Restaurant and DVP for a Proposed Transit Shelter, 2261 Keating Cross Road (previously received at the February 7, 2005 Regular Council Meeting);
- b) Council Motions to Authorize the Preparation of the Bylaw, to Give the Necessary Readings to Bylaw No. 1519 and to refer the Bylaw to a Public Hearing;
- c) Staff Memorandum dated May 27, 2003 from Hope V. Burns, Director of Planning & Building Services Re: Proposed Rezoning Bylaw No. 1462, New Comprehensive Development Zone 1 (previously received at the June 2, 2003 Regular Council Meeting);
- d) Staff Memorandum dated April 8, 2003 from Hope V. Burns, Director of Planning & Building Services Re: Proposed Site Specific zoning to Accommodate a Restaurant, 2261 Keating Cross Road, Gateway Park (previously received at the April 14, 2003 Planning & Development Committee Meeting)

The Administrator advised that no written items of correspondence had been received pertaining to Bylaw No. 1519.

The Director of Planning and Building Services, Ms. Hope V. Burns, advised that in general terms, the purpose of Bylaw No. 1519 is to amend the Permitted Uses for the existing CD-1 Comprehensive Development Zone 1 as established by Bylaw No. 1462, to

increase the allowable size of the existing restaurant located at 2261 Keating Cross Road (Gateway Park) from 280 m² (3,000 sq. ft.) to 320 m² (3,450 sq. ft.) (maximum 120 seats would remain unchanged). The proposed amendment is to allow an expansion to the existing restaurant of 40 m². Ms. Burns also advised that a Development Variance Permit has also been requested to vary the allowable front yard setback in the CD-1 Comprehensive Development Zone 1 from 7.5 metres to 0 metres for a new transit shelter.

Mayor Habkirk then opened the floor for representations from the public in regards to Bylaw No. 1519.

The applicant, Mr. Brian Scroggs, representing Farmer Management Inc., advised that he had no comments to make with respect to Bylaw No. 1519.

Dr. Fred Peet, 1210 Marin Park Close, advised that he has several concerns with respect to Bylaw No. 1519. Dr. Peet advised that he was in attendance this evening to speak against adoption of Bylaw No. 1519 as two years ago a commitment was given by the applicant that no external advertising would be undertaken in connection with the restaurant establishment, as it was intended that this facility would service the employees of the businesses located in Gateway Park. This commitment to no explicit advertising has in fact been broken by the applicant, as currently there is one sandwich board sign located on Keating Cross Road at the entrance to Gateway Park which advertises the "Radars Roost" Restaurant. Dr. Peet circulated a photograph of the sandwich board sign (copy attached to these Minutes) and further stated that a second sign exists for the restaurant which is located half way down the driveway and which is intended to be directional signage to the location of the restaurant. Dr. Peet stated that what the applicant says and what he does are two entirely different things, and that if there was no external advertising of the restaurant then there likely wouldn't be the requirement for additional space to be created for patrons. Dr. Peet concluded his remarks by stating that "a deal is a deal" and the applicant should do what he says he is going to do.

In response to a question from a member of Council, the Director of Planning and Building Services advised that permanent signage would require a Development Permit, however sandwich boards signs are an outright permitted use under the District's Land Use Bylaw.

Mayor Habkirk called three times for further representations from the public in regards to Bylaw No. 1519. There were no further representations.

Mayor Habkirk declared the Public Hearing for Bylaw No. 1519 closed.

3. ADJOURNMENT:

On motion, the Public Hearing held on Monday, March 14, 2005 adjourned at 6:44 pm.

Recorded by: Ruby Shea
Recording Secretary