

**Special Meeting of the Municipal Council
of the
District of North Saanich
Thursday, August 14, 2008 at 4:00 p.m.**

AGENDA

PAGE NO.

1. APPROVAL OF AGENDA

2. UNFINISHED BUSINESS

(a) **Temporary Commercial Use Permit for Farmers'
Market at 10940 West Saanich Road**

Report dated August 12, 2008 from the Director of Development and Community Services.

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Staff recommendation: That the report dated August 12, 2008 from the Director of Development and Community Services regarding "Temporary Commercial Use Permit for Farmers' Market at 10940 West Saanich Road" be received, and that Council authorize the issuance of a temporary use permit for a farmers market at 10940 West Saanich Road subject to the terms and conditions of the draft temporary use permit attached to the report.

3. ADJOURNMENT



To: Bruce Williams
Chief Administrative Officer

Date: August 12, 2008

From: Tracy Olsen, Director
Development & Community Services

File Number: 6.3.1

Re: Temporary Commercial Use Permit for Farmers' Market at 10940 West Saanich Road

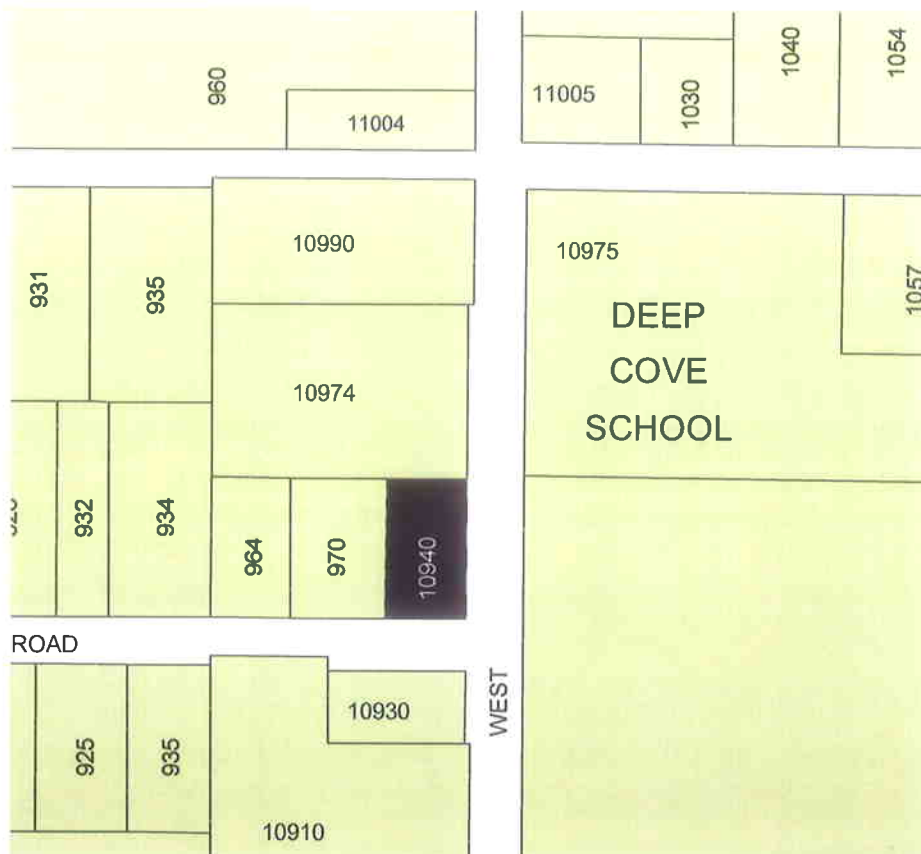
RECOMMENDATION:

That Council issue a temporary use permit for a farmers market at 10940 West Saanich Road subject to the terms and conditions of the attached draft temporary use permit.

PURPOSE:

Rosemary Scott, owner of Deep Cove Market, has requested permission to allow a farmers' market to operate every Saturday at 10940 West Saanich Road.

LOCATION MAP:



BACKGROUND:

At its August 11th, 2008 meeting, Council adopted a bylaw which now allows applications to be made for temporary use permits. Council's approval by way of resolution is required in order for the permit to be issued.

DISCUSSION:

As required by the Zoning Bylaw, the subject property is already zoned for commercial use.

In accordance with the Zoning Bylaw, the following terms and conditions should be included in the temporary use permit:

- Permanent signage advertising the farmers' markets is prohibited.
- The parking lot can not be used for the farmers' market, i.e. the stalls must be sited on the subject property but not on the parking lot.
- Health Authority approval is required.
- All sellers must currently have and display at the market all appropriate permits and comply with all applicable regulations.

The owner of the property is only donating the use of her land for the farmers market. She is not one of the operators of the market. Regardless, as the property owner, she will still be responsible for ensuring that the operators comply with the terms and conditions of the Temporary Use Permit.

The plans are for the Farmers Market to operate on Saturdays during the summer from 10:00 a.m. to 1 p.m. No specific details were provided on when the market would shut down for the winter and re-open in the spring, probably because the growing season is variable. A seasonal closure of the market has not been specified the terms and conditions of the temporary use permit. If Council wishes to establish some sort of seasonal shut-down, it is suggested that they consider adding a condition that the market not operate from November to March.

There are no plans for any permanent structures to be constructed on the property for the Farmers Market. Temporary stalls with an area of less than 10 m² (104 ft²) do not require a building permit. Any larger structures will require a permit.

The only concern about the farmers market is the parking. Farmers markets can become quite popular and require a fair amount of parking. At present, there are 15 parking stalls on the site with opportunities for parking along West Saanich Road. It may be possible to use the Deep Cove School parking lot as well. If the event becomes very popular then an alternative site with more off-street parking should be considered or some sort of system for managing parking and traffic would need to be implemented.

ALTERNATIVES:

1. That Council issue the temporary use permit subject to the terms and conditions of the attached permit;
2. That Council issue a temporary use permit with some or none of the terms and conditions of the attached permits providing it is for a period of two years or less; or
3. Council not issue the temporary use permit.

FINANCIAL IMPLICATIONS: n/a

LEGAL IMPLICATIONS: n/a

CITIZEN/PUBLIC RELATIONS IMPLICATIONS:

The traffic and parking associated with the farmers market should be monitored. If there are problems with congestion, etc. a different location may be required.

INTERDEPARTMENTAL INVOLVEMENT/IMPLICATIONS: n/a

SUMMARY:

A temporary use permit is being requested to run a farmers market at 10940 West Saanich Road on Saturdays from 10 a.m. to 1 p.m. The permit would be issued for a two year period.

RECOMMENDATION:

That Council issue a temporary use permit for a farmers market at 10940 West Saanich Road subject to the terms and conditions of the attached draft temporary use permit.

Respectfully submitted,

Concurrence:



Tracy Olsen
Director, Development & Community Services



Bruce Williams
Chief Administrative Officer



DRAFT

DISTRICT OF NORTH SAANICH

TEMPORARY USE PERMIT TUP-2008-01

This Temporary Use Permit is hereby issued by the Council for the District of North Saanich to **Rosemary Scott on behalf of 0717553 BC Ltd** to operate a farmers' market on a portion of **Lot B, Section 19, Range 2 West, North Saanich District, Plan 19841, Parcel Identifier 001-987-437**, subject to the following terms and conditions:

1. Conditions:

As provided for under sub-section 921 (1) (c) of the *Local Government Act*, the following conditions must be adhered to:

- a) The hours of operation are from 10:00 a.m. to 1 p.m. on Saturdays;
- b) Permanent signage advertising the farmers' markets is prohibited;
- c) The parking lot must be used for parking only;
- d) Health Authority approval is required; and
- e) All sellers must currently have and display at the market all appropriate permits and comply with all applicable regulations.

2. Term of Permit:

The term of the permit is from August 16, 2008 to August 15, 2010.

Approved by Council Resolution No. _____

Date: _____