



The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Lindsay Chase, Director of Planning
Date: October 23, 2024
Subject: Development Variance Permit Application
File: DVP00525 • 1652 McRae Avenue

RECOMMENDATION

That Development Variance Permit DVP00525 be approved.

PURPOSE

The purpose of this Report is to seek direction from Council on variances related to the proposed patio reconfiguration along Shelbourne Street and the retention of the temporary patio put in place during the COVID-19 pandemic. A siting variance and parking variance to bring existing non-conforming site conditions into compliance with the Zoning Bylaw, 2003, is also considered. The applicant is Studio Leaf (Leif Gustavson).

DISCUSSION

Land Use and Neighbourhood Context

The 1,198 m² subject property is located at the northeast corner of Shelbourne Street and McRae Avenue. The site is zoned C-1 (Local Commercial) Zone and is occupied by a restaurant (McRae's Restaurant Ltd.). The surrounding uses consist of single family residential zoned primarily RS-6 (Single Family Dwelling) Zone to the north, west and east. To the south across McRae Avenue are duplex (RD-1 (Two Family Dwelling) Zone) and single family (RS-6 (Single Family Dwelling) Zone) zoning and uses, and a C-16 (Neighbourhood Mixed Use) Zoned site on the south west corner of the intersection, where a new 6 storey apartment building with a café on the ground floor has been approved (see Figure 1).

The site is designated "Primary Corridor" and located 275 m north of the Hillside Major Centre, per the Official Community Plan (OCP). Shelbourne Street is designated as an All Ages and Abilities bike route as part of Saanich's planned Long-Term Bicycle Network and is part of the Frequent Transit Network (currently serviced by several High Frequency BC Transit routes). The site is designated as 4-storey Mixed Use Commercial in the Shelbourne Valley Action Plan.



Figure 1: Neighbourhood Context

Proposed Development

McRae's is a 220 m² restaurant housed in a converted single storey house. It has two outdoor patio areas, a primary covered one on the west fronting Shelbourne Street, and a smaller open aired one on the south fronting McRae Avenue.

The DVP application has three main components.

- Reduce the size of the Shelbourne Street fronting patio (west) to respond to the impacts of the District of Saanich's frontage acquisition completed as part of the Shelbourne Street Improvement Plan (SSIP).
- Retain the McRae Avenue fronting patio space (south) created as part of the Temporary Expanded Service Area (TESA) program implemented by the Province in response to the COVID-19 pandemic. This program will end on December 31, 2024, at which time this patio will no longer be in compliance with the Zoning Bylaw, 2003.
- Bring the existing non-conforming Shelbourne Street setback and parking ratio into compliance with the Zoning Bylaw, 2003 (note: the SSIP frontage acquisition has reduced the non-conforming setback further).

The restaurant use will remain unchanged, and no floor space constituting increased Gross Floor Area is proposed. The proposed patios are screened-in by varying degrees using black metal panels with wood trim and glazing panels above with a maximum height of 3.35 m.

A new staff bike room for four bikes (Class 1 spaces) will be created by converting an existing space inside the restaurant and four Class II bike spaces will remain in front of the restaurant along Shelbourne Street. The parking area has been reorganized and now provides 18 vs. 17 spaces and includes one accessible parking space. Existing landscaping will remain as is and no new or altered landscaping is proposed. Table 1 provides project data while Figures 2-5 depict the Site Plan and patio design.

Table 1: Project Data & Requested Variances

Project Data (Variances noted in bold)			
Lot Area	1,198 m ²		
Density/GFA – existing	220 m ²		
Height - Patios	3.35 m		
West Patio Size and Seating Capacity	32 m ² 25 seats		
South Patio Size and Seating Capacity	76 m ² 43 seats		
Setbacks			
	Main Building * no change	West Patio	South Patio
Abutting a Street/Shelbourne Street	3.7 m (7.5 m required)	0 m (7.5 m required)	7.25 m (7.5 m required)
Abutting a Street/McRae Avenue	5.09 m (7.5 required)	6.25 m (7.5 m required)	0 m (7.5 m required)
Interior Side Yard/North	13.08 m	19.83 m	n/a
Rear Yard/East	9.75 m	n/a	9.75 m
Parking			
Total Parking	18 (22 required)		
Small Car	5 (28%)		
Total Accessible Parking	1		
Bicycle Parking			
Class I	4 spaces in a bike room		
Class II	4 space rack on Shelbourne Street frontage		



Figure 3: 3-D Perspective - from plans by Studio Leaf



Figure 4: West Elevation - from plans by Studio Leaf



Figure 5: South Elevation - from plans by Studio Leaf

Relevant Planning Policies

The following outlines the District of Saanich Planning policies which are most relevant to the subject proposal.

Official Community Plan (2024)

- 4.4 A 15-minute community provides people with walkable access to daily amenities such as jobs, schools, childcare, grocery stores, pharmacies/ health services, parks, natural areas, recreation and cultural facilities, restaurants, and other shops and amenities. These amenities support community cohesion and strengthen resilience at the neighbourhood level.
- 7.2.16 Consider the use of variances to support public realm and/or infrastructure improvements including but not limited to parks/plazas, playgrounds, heritage retention, and frontage improvements beyond what is required.
- 9.6.9 Consider parking variances where one or more of the following apply: a. Transportation Demand Management strategies are implemented; b. Transit and active transportation options exist within the immediate vicinity of the proposed development; and c. The development is in a Primary Growth Area.
- 14.3.3 Continue to support the work of the South Island Prosperity Partnership to retain and enhance existing businesses and attract new environmentally friendly businesses to the region.

Policy Analysis

While the proposal is not progressing the density objectives of the Primary Growth Area designation and SVAP Commercial Mixed-use designation, planning policies recognize the need to ensure existing businesses are supported and remain successful and that they play a role in creating a 15-minute community. The proposal supports and enhances an existing business which has an ongoing role in the community. The design is suitable in terms of scale and materials and enhances the public realm. The parking is improved in both layout and parking ratio, and Class I bike spaces are provided for staff.

Variances

The Variances required to support the proposal are set out in Table 1.

Setbacks

Restaurant patio areas within street fronting setbacks in varying formats, is a typical pattern for allowing outdoor seating and supports street enlivenment. The patios already exist, and the proposal seeks to add accessory structures which will enhance the patios. Upgrading and enclosing the patio areas will serve to enhance the aesthetic of the building facing the public realm and enhance the seating options and patron experience. Both Shelbourne Street and McRae Avenue are busy roadways and a level of buffering for patio areas makes sense. The proposed variances allow for a range of positive benefits and supports an existing business.

Parking

While the parking total remains under the amount that Zoning Bylaw, 2003, requires, it is marginally under and offers an improved layout along with a new accessible parking space. The parking variance is also supported by the overprovision of Class 1 bike spaces and the site's location in an area well served by public transit as well as a major bike route.

OPTIONS

1. That Council approve the recommendations as outlined in the staff Report.
2. That Council reject the recommendations as outlined in the staff Report.
3. That Council provide alternate direction to staff.

FINANCIAL IMPLICATIONS

The proposal has no immediate implications related to the District of Saanich 2024 – 2028 Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The subject proposal works towards achieving some of Council's key Strategic Plan 2023 – 2027 goals, namely, enhancing economic development in Saanich and nurturing existing businesses.

CONCLUSION

The proposed patio upgrades are logical extensions of space to provide well designed outdoor seating for the existing business and provide spaces that enhance dining options and patron experience for an existing business. The patio spaces and enclosures are designed to work well with the existing building form and in a manner suitable to the location fronting on two roadways. The existing parking layout and provision level are improved, and new Class 1 bike spaces are provided. The requested variances are minor and supportable. For the above noted reasons, staff support Development Variance Permit Application DVP00525.

Prepared by: Christine Rickards, Planner

Reviewed by: Amber Walker, Acting Manager of Current Planning

Approved by: Lindsay Chase, Director of Planning

CR/kb

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.

Brent Reems, Chief Administrative Officer