

SUBJECT TO ADOPTION

DISTRICT OF NORTH SAANICH
Minutes of the Meeting of the
BOARD OF VARIANCE

May 17, 2018 at 10:00 a.m.

ATTENDING:

Board Members: Gordon Safarik, Chair
 Denny Warner
 Paige Gibson

Absent:

Staff: Deanna Law, Recording Secretary

Also Attending: **Derek Paul, 958 Downey Road**
 Roy Spanier, 10225 Wilson Road

Chair G. Safarik called the meeting to order at 10:00 a.m.

1. ADOPTION OF THE AGENDA

MOVED BY: P. Gibson
SECONDED: D. Warner

13-BOV To accept the Board of Variance agenda as circulated

CARRIED

2. ADOPTION OF THE MINUTES

MOVED BY: D. Warner
SECONDED: P. Gibson

14-BOV That the minutes of the April 18, 2018 Board of Variance Meeting be approved as circulated.

CARRIED

SUBJECT TO ADOPTION

3. APPLICATIONS

3.1 958 Downey Road – to allow for a decrease of the minimum side yard setbacks applicable to two accessory structures, a storage building and a greenhouse in an RA-1 zone.

Location: Lot 9, Section 18, Range 2 West, NS District, Plan 6710
Civic Address: 958 Downey Road
Applicant/Owner: Derek Paul
Variance: **To vary Section 501.1.4(c)(iii) of Zoning Bylaw No. 1255 within a Rural Agricultural 1 (RA-1) zone in order to decrease the minimum interior side setback on the east side for an accessory building from 7.6m to 1.23m, a decrease of 6.37m, or 84% and to decrease the minimum interior side setback on the west side for an accessory building from 7.6m to 2.7m, a decrease of 4.9 m or 64%.**

Chair, G. Safarik asked for any comments from the gallery.

Derek Paul of 958 Downey Road asked for the acceptance of an application put forward regarding his property. He stated that the way the property is designed makes it difficult to place structures on the property. He would like to relocate 2 of the existing structures and remove 1 and replace with a new building where the 3 structures were. He also mentioned he would like to keep all structures together in one location and with the property being long and narrow it makes it difficult to put any structure in the location that is left for that building site. He stated the hardship was the shape of his property. He also mentioned that he doesn't plan on doing any more builds.

D. Warner stated she could see putting the structure where requested as it would maintain high use of the agriculture use of the property.

P. Gibson stated the hardship was the lot is very difficult to build on.

MOVED BY: D. Warner

SECONDED: P. Gibson

15-BOV *That the application for Lot 9, Section 18, Range 2 West, NS District, Plan 6710, 958 Downey Road to vary Section 501.1.4(c)(iii) of Zoning Bylaw No. 1255 within a Rural Agricultural 1 (RA-1) zone in order to decrease the minimum interior side setback on the east side for an accessory building from 7.6m to 1.23m, a decrease of 6.37m, or 84% and to decrease the minimum interior side setback on the west side for an accessory building from 7.6m to 2.7m, a decrease of 4.9 m or 64%.*

CARRIED

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3.2 10225 Wilson Road – to allow for a decrease of the minimum side yard setback applicable to accessory buildings in an RA-1 zone

Location: Lot 3, Block 12, Sections 13 & 14, Range 1 East, NS District, Plan 2276

Civic Address: 10225 Wilson Road

Applicant/Owner: Lisette De Rooy

Variance: **To vary Section 501.1.4(c)(iii) of Zoning Bylaw No. 1255 within a Rural Agricultural 1 (RA-1) zone in order to decrease the minimum interior side setbacks for four accessory buildings. The setback variances are as follows, 7.6m to 1.27m, a decrease of 6.33m or 83%, 7.6m to 1.3m, a decrease of 6.3m or 83%, 7.6m to 1.57m, a decrease of 6.03m or 79%, and 7.6m to 1.68m, a decrease of 5.91m or 78%.**

Correspondence:

In Support:

In support: Name	Address	Type of correspondence & date
Cynthia L’Hirondelle	1550 Mills Road	Letter – February 8, 2018
Sylvia L’Hirondelle	1550 Mills Road	Letter – February 8, 2018
Keith Taylor	10245 Wilson Road	Email – May 10, 2018

Chair, G. Safarik asked for any comments from the gallery.

Roy Spanier of 10225 Wilson Road advised he submitted application for horse shelters (metal, temporary, not made of wood, easily moved). He stated the hardship was that the lot has a lot of water in the back of the property and wouldn’t allow them to have shelters anywhere else on the property. There is an indoor ring, 2 barns, riding ring, round pen and beyond that is all swamp and can’t put anything there. It’s full of water in the summer and the property has always been flooded and they haven’t been able to use a system under water. Also where the shelter would be placed is in good sight line from the house to see the horses on the property.

P. Gibson asked the owner if he had spoken to the owners at the south side of the property and Mr. Spanier confirmed he had spoken to owners of property to the south at 1550 Mills Road and that she was in attendance at the meeting.

D. Warner said she always finds it a challenge when variances come to them after the fact. She also stated she had a similar question as P. Gibson and happy to see the owners of the neighbouring property present at the meeting as she didn’t want to approve the variance and the neighbours not be happy. She also asked the owner if they were planning to sell and Mr. Spanier advised there were not.

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P. Gibson asked the owners of 1550 Mills if they had any objection and they confirmed they did not. She also stated it is difficult asking forgiveness and not permission.

MOVED BY: P. Gibson
SECONDED: D. Warner

16-BOV *That the application for Lot 3, Block 12, Sections 13 & 14, ,Range 1 East, NS District, Plan 2276, 10225 Wilson Road to vary Section 501.1.4(c)(iii) of Zoning Bylaw No. 1255 within a Rural Agricultural 1 (RA-1) zone in order to decrease the minimum interior side setbacks for four accessory buildings. The setback variances are as follows, 7.6m to 1.27 m, a decrease of 6.33m or 83%, 7.6m to 1.3m, a decrease of 6.3m or 83%, 7.6m to 1.57m, a decrease of 6.03m or 79%, and 7.6m to 1.68m, a decrease of 5.91m or 78%.*

CARRIED

3.3 1450 McTavish Road – to allow for a decrease of the minimum interior side yard setback applicable to accessory buildings in an RA-1 zone.

Location: West 1/2 of Block G, Section 6, Range 1 East, NS District, Plan 1041
Civic Address: 1450 McTavish Road
Applicant/Owner: Sue McTaggart
Variance: **To vary Section 501.1.4(c)(iii) of Zoning Bylaw No. 1255 within a Rural Agricultural 1 (RA-1) zone in order to decrease the minimum interior side setback for an accessory building from 7.6m to 7.1m, a decrease of 0.5m or 7%.**

Correspondence:

In Support:

In support: Name	Address	Type of correspondence & date
Jon Stanners	1465 McTavish Road	Letter – April 15, 2018
Kallayanee Glover	1455 McTavish Road	Letter – April 15, 2018
Irene Copus	1444 McTavish Road	Letter – April 15, 2018
Jeff Millar	1470 McTavish Road	Letter – April 15, 2018
Terry Towns	9210 Cresswell Road	Letter – April 15, 2018

The Chair, G. Safarik advised that the applicant would not be attending and stated the application was very reasonable and in favour.

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MOVED BY: D. Warner
SECONDED: P. Gibson

17-BOV *That the application for the west ½ of Block G, Section 6, Range 1 East, NS District, Plan 1041, 1450 McTavish Road to vary 501.1.4(c)(iii) of Zoning Bylaw No. 1255 within a Rural Agricultural 1 (RA-1) zone in order to decrease the minimum interior side setback for an accessory building from 7.6m to 7.1m, a decrease of 0.5m or 7%.*

CARRIED

DATE OF NEXT MEETING

The date of the next Board of Variance meeting will be June 21, 2018 at 10:00 am.

ADJOURNMENT

MOVED BY: P. Gibson
SECONDED: D. Warner

18-BOV That the Board of Variance meeting be adjourned at 10:10 am.

CARRIED

G. Safarik
Chair

Email: L. Coburn