

DISTRICT OF NORTH SAANICH
MINUTES OF THE BOARD OF VARIANCE MEETING
NORTH SAANICH HALL – COUNCIL CHAMBERS

21 March, 2019 at 10:00 a.m.

ATTENDING:

Board Members: Denny Warner, Chair
Mary-Ethel Audley
Paige Gibson

Absent:

Staff: Steve Jesso, Commission Secretary

Also Attending: Anne Berry, Director of Planning and Community Services
Drew Bakken, Planning Technician
Carly Rimell, Planning Technician
3 members of public

Chair, D. Warner called the meeting to order at 10:00 a.m.

1. ADOPTION OF THE AGENDA

MOVED BY: P. Gibson
SECONDED: M.E. Audley

19-BOV

To adopt the agenda as amended.

CARRIED

2. APPLICATIONS

2.1 1354 McTavish Road

- a) Location: Lot 1, Section 6/7, Plan VIP8311
- Civic Address: 1354 McTavish Rd
- Applicant/Owner: Darren Barret / Mike Byl
- Variance: **The applicant is requesting variances to the following:**

Section 501.1.7(a) of Zoning Bylaw No. 1255 in order to increase the maximum setback of the farm residential footprint in the Rural Agricultural 1 (RA-1) zone from 60m to 64.7m an increase of 4.7m or (7.83%). Section 501.1.7(b) of Zoning Bylaw No. 1255 in order to increase the maximum setback from a front lot line to the rear of a principal farm residence in the Rural Agricultural 1 (RA-1) zone from 50m to 64.7m an increase of 14.7m (29.4%).

Correspondence: None

Chair, D. Warner – Asked for discussion regarding the variance application.

Michael Byl (1354 McTavish Rd) stated proposed house will be in the exact same location as current house and that moving proposed house further back into wetlands would create environmental hazards. He said that existing land would not be affected and that there is no movement towards or away from any existing structures or boundaries to neighbours.

P. Gibson said she was cognizant of the draining issues, and that in terms of considerations they are required to take into account pursuant to the LGA, that the application probably represents the best use of the property.

M.E. Audley had no additional comments and was happy to support the application.

Chair, D. Warner asked for a motion regarding the application.

MOVED BY: P. Gibson
SECONDED: M.E. Audley

20-BOV

That the request to vary Section 501.1.7(a) of Zoning Bylaw No. 1255 in order to increase the maximum setback of the farm residential footprint in the Rural Agricultural 1 (RA-1) zone from 60m to 64.7m an increase of 4.7m or (7.83%) and the request to vary Section 501.1.7(b) of Zoning Bylaw No. 1255 in order to increase the maximum setback from a front lot line to the rear of a principal farm residence in the Rural Agricultural 1 (RA-1) zone from 50m to 64.7m an increase of 14.7m (29.4%), is approved in accordance with the plans submitted.

CARRIED

2.2 10966 Setchell Road

- a) Location: Lot A, Section 19, Range 3W, Plan EPP86030
- Civic Address: 10966 Setchell Rd
- Applicant/Owner: Daniel Boot
- Variance: **The applicant is requesting a variance to the following:**

Section 502.2.4(d)(i) in order to decrease the minimum permitted front yard setback for an accessory building in the R-2 zone from 7.6m to 6.1m, a decrease of 1.5m or 19.7%, Section 502.2.4(d)(iii)(A) in order to decrease the minimum permitted interior side yard setback for an accessory building in the R-2 zone from 3m to 1.5m, a decrease of 1.5m or 50%.

Correspondence: 7 letters of support:

- Elizabeth Cox (10946 Madrona Dr) dated March 9 2019
- Joyce Pearlstone (10948 Setchell Rd) dated March 5 2019
- Rob & Wendy DeGros (10954 Setchell Rd) dated March 7 2019
- Rick & Phee Hudson (10960 Setchell Rd) dated 13 March 2019
- Maureen & Mike Pearson (10970 Setchell Rd) dated March 13 2019
- Jennifer & Danny Tulip (10974 Setchell Rd) dated March 6 2019
- David & Betty Low Oliver (10973 Setchell Rd) dated March 12 2019

Chair, D. Warner – Asked for discussion regarding the variance application.

Daniel Boot (10973 Madrona Drive) informed the Board that since the last application, the engineer hired by the owners was concerned that the existing ten foot tall retaining wall intended for the turning area for the cars would require a large amount of engineering. It was recommended that the two garage doors abutting the road be moved and the wall be elevated by two more feet to reduce the steep slope as well as enabling the engineer to address the existing poor drainage issues.

Chair, D. Warner asked for additional comments regarding the application.

P. Gibson stated that they previously considered an application for this structure, and noted for the record that the plans submitted are materially different from the plans reviewed previously and is happy to support the variance based upon the hardship of the slope of the lot and the LGA considerations.

MOVED BY: M.E. Audley
 SECONDED: P. Gibson

21-BOV

That the request to vary Section 502.2.4(d)(i) in order to decrease the minimum permitted front yard setback for an accessory building in the R-2 zone from 7.6m to 6.1m, a decrease of 1.5m or 19.7%, as well as a variance of Sec 502.2.4(d)(iii)(A) in order to decrease the minimum permitted interior side yard setback for an accessory building in the R-2 zone from 3m to 1.5m, a decrease of 1.5m or 50% be approved, in accordance with the plans submitted.

CARRIED

3. ADOPTION OF THE MINUTES

MOVED BY: M.E. Audley
SECONDED: D. Warner

22-BOV

To approve the February 2019 Minutes.

CARRIED

4. DATE OF NEXT MEETING

The date of the next Board of Variance meeting will be 18 April, 2019 at 10:00 am.

5. ADJOURNMENT

MOVED BY: D. Warner
SECONDED: P. Gibson

23-BOV

That the Board of Variance meeting be adjourned at 10:12 a.m.

CARRIED

D. Warner
Chair