

**District of North Saanich  
Community Planning Commission**

**Regular meeting**

**Wednesday, August 19, 2020 at 2:00 p.m.  
1620 Mills Road**

*At this time, due to the COVID-19 Pandemic, public access to Municipal Hall is restricted. Public that may have wished to attend will now be able to view the meeting Live using the District's new Live Streaming feature at <https://northsaanich.ca/local-government/council-committee-meetings/>*

AGENDA

PAGE NO.

**1. APPROVAL OF AGENDA**

**2. ADOPTION OF MINUTES**

- |   |       |
|---|-------|
| (a) Minutes of the meeting held June 17, 2020<br><a href="#">2020-06-17 Minutes</a> | 3 - 5 |
|---|-------|

**3. REFERRALS**

- |  |        |
|--|--------|
| (a) Rezoning Application with Variance for 11307 Chalet Road<br>(Referred by: Staff for comments)<br><a href="#">rpt 11307 Chalet Road</a> | 7 - 20 |
|--|--------|

**4. ADJOURNMENT**



**SUBJECT TO APPROVAL**  
**Minutes of the Community Planning Commission**  
**District North Saanich - 1620 Mills Road**  
**Wednesday, June 17, 2020 at 2:00 p.m.**

**PRESENT:**

Chair	J. Kingham
Members	G. Bunyan
	D. Gray
	G. Peterson
	D. Tonken

**ABSENT:**

Members	A. Huerto
	J. Oosterveen

**ATTENDING:**

Council Liaison	J. McClintock
Director of Planning and Community Service	B. Green
Senior Planner	A. Brett (via video conference)
Planner	C. Rimell
Administration	C. Gotto
Planning Assistant	R. Roder
Community Stewardship Commission Liaison	D. Dancik

The Chair called the meeting to order at 1:59 p.m.

**1     APPROVAL OF AGENDA**

MOVED BY: G. Bunyan  
SECONDED BY: G. Peterson

14- CPC    That the agenda be approved as circulated.

CARRIED

**2     ADOPTION OF MINUTES**

a)        Minutes of the meeting held February 18, 2020

MOVED BY: D. Tonken  
SECONDED BY: D. Gray

15- CPC    That the minutes of the meeting held Feb 18, 2020 be approved.

CARRIED

The Commission members introduced themselves and the Chair introduced members joining via teleconference and video conference.

**3     REFERRALS**

a)        ALC Non- Farm Use Application - 10375 Wilson Road  
            (Referred by: Council for comments)

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The Planner gave a presentation on the 10375 Wilson Road application.

The Director of Planning and Community Services and the Planner addressed questions from the Commission.

**L. Leblanc, applicant for 10375 Wilson Road,** joined the meeting via teleconference and addressed questions from the Commission.

MOVED BY: D. Tonken

16- CPC That Council approve two parking spots in order to reduce the noise by 50%, address safety issues, and allow excavating business from that site.

The motion failed for want of a seconder.

MOVED BY: G. Peterson

SECONDED BY: Seconded by unanimous consent

17- CPC That in the absence of the recommendation of one and three of the staff report a Temporary Use Permit not be granted.

The motion was abandoned.

MOVED BY: G. Peterson

SECONDED BY: D. Tonken

18- CPC That at this time the application should not proceed to the ALC.

The motion was abandoned.

MOVED BY: J. Kingham

SECONDED BY: D. Tonken

19- CPC The Commission has concerns with the application because of the non-agricultural use of land in question and the associated noise and traffic safety issues and would not support referring this application to the ALC.

CARRIED

OPPOSED: D. Gray

- b) Official Community Plan and Zoning Bylaw Amendment Application for 8511 Bexley Terrace.  
(Referred by: Staff for comments)

The Senior Planner gave a presentation on the 8511 Bexley Terrace application and addressed questions from the Commission.

D. Dancik left the meeting at 3:50 p.m.

**D. Strongitharm, applicant for 8511 Bexley Terrace,** joined the meeting via video conference and addressed questions from the Commission.

**B. Tolmie, owner of 8511 Bexley Terrace,** spoke to the intention of the application.

MOVED BY: G. Bunyan  
SECONDED BY: G. Peterson

20- CPC    The Commission moves that the application of the subdivision of Lot A as proposed be approved.  
CARRIED

**4    ADJOURNMENT**

MOVED BY: G. Bunyan  
SECONDED BY: D. Tonken

21- CPC    That the meeting be adjourned at 4:07p.m.  
CARRIED

CERTIFIED CORRECT

APPROVED AND CONFIRMED

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Jim Kingham  
Commission Chair

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Curt Kingsley  
Director, Corporate Services





## District of North Saanich

# STAFF REPORT

To: Tim Tanton  
Chief Administrative Officer

Date: September 14, 2020

From: Adrian Brett  
Senior Planner

File: REZ 2020-01

Re: **Rezoning Application with Variance for 11307 Chalet Road**

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### **RECOMMENDATION:**

That Council:

- a) Give first and second reading to Zoning Bylaw Amendment Bylaw No. 1504, 2020, to rezone 11307 Chalet Road from R-2 (Single Family Residential 2) to R-1 (Single Family Residential 1), subject to the following conditions of approval:
  - i) Registration of Section 219 Covenant restricting the height, lot coverage and floor area ratio to those of the R2 Zone;
  - ii) Amenity contribution of \$16,000 in accordance with the District's Amenity Contribution Policy No. 10003.2.
- b) Direct staff to schedule a Public Hearing for the amending bylaw and to send out the required notifications; AND
- c) Give a variance to Section 502.1.6(b) of the District's Zoning Bylaw, Subdivision – Lot Minimum Width, from 26m to 25.91m.

### **STRATEGIC PLAN IMPLICATIONS:**

This matter relates to the following Council strategic priorities:

#### ***Maintain a Strong Sense of Community***

### **PURPOSE:**

The purpose of this staff report is to present Council with information, analysis, and recommendations regarding a rezoning application with variance for a property located at 11307 Chalet Road to allow for a new single-family dwelling on the subject property.

### **BACKGROUND:**

#### **Property Description and Adjacent Land Uses**

The subject property consists of 3,243m<sup>2</sup> (0.80 acres) of land with an existing single-family home and several accessory buildings on the property, including a garage, studio and shed. The property is situated on the north side of Chalet Road and borders the Kildara Farms property on the farm's western boundary, both the farm and this residential property are owned by the Hughes family. All surrounding

residential properties are zoned Single Family Residential 2 (R-2). Attachments 2, 3 and 4 show the site location, zoning and orthophoto of the subject property.

**Proposal:**

The application is to rezone 11307 Chalet Road from R-2 (Single Family Residential 2) to R-1 (Single Family Residential 1) for the purpose of facilitating a two-lot subdivision. The proposed lot layout is attached as Attachment 5. The intent of the application is to allow the current property owner to live in the newly created rear lot and to sell the existing house on the front lot. The owner wishes to use the proceeds from the sale of the front lot to help support their neighboring farm. The property owner hopes that the redevelopment of this lot will help support the continued operation of an important farming operation in North Saanich.

The proposed development would be a two-lot strata subdivision. Proposed strata lot A (the front lot), which contains the existing house, will be 1,417m<sup>2</sup>, and proposed strata lot B (the rear lot), which will contain the new house, will be 1,400m<sup>2</sup> in size. A 6m wide common access road (to be maintained by both properties) would provide access to the rear lot. These proposed lot sizes are in keeping with minimum size requirements for an R-1 Single Family Residential 1 zone. A building permit application will be submitted following the subdivision process should the rezoning be approved.

The application also requires a variance to the R-1 zone minimum lot width requirement for subdivision. The R-1 zone requires a minimum lot width of 26m for subdivision. The proposed lots would have a width of 25.91m, a variance to the current width requirement of 26m would have to be approved by Council for the application to proceed to subdivision.

**Site Particulars:**

Property Information	
Owner	Sarah Hughes
Applicant	Sarah Hughes
Civic Address	11307 Chalet Road
Legal Description	Lot 1, Section 22, Range 3 West, North Saanich District, Plan 10265
Parcel Identifier (PID)	005-187-940
Lot Area	3,243m <sup>2</sup> (0.80 acre)
Land Use Bylaws	
OCP Designation	General Residential
Development Permit Area (DPA)	N/A

Zone	Single Family Residential (R-2)
Surrounding Land Use	North: Private Common Area/Open Space (P-5) East: Kildara Farm, Rural Agricultural 1 (RA-1) South: Single Family Residential (R-2) West: Single Family Residential (R-2)
Other	
ALR	No part of the property is within the ALR

**DISCUSSION:**

**Official Community Plan:**

The Official Community Plan of the District of North Saanich designates 11307 Chalet Road as a General Residential Area in Schedule B. The OCP defines the General Residential areas as *“those lands which are currently developed in the range of 1400 m<sup>2</sup> to 2,000 m<sup>2</sup> and that are intended for future single-family residential development, with secondary suites or second dwelling units in appropriate circumstances.”* The proposed lots, to be sized 1,417 m<sup>2</sup> and 1,400 m<sup>2</sup> respectively, will be in compliance with the OCP guidelines and Policies 6.1 to 6.6

**Zoning Bylaw:**

The current zoning for this property is Single Family Residential 2 (R-2) which has a minimum lot size of 2000 m<sup>2</sup>, as defined by the District's Zoning Bylaw. The zone is described as *“intended solely for the purpose of low-density single-family residential housing on land that is serviced by a community water system and by either a community sewer system or a septic system.”*

The proposed zoning for the subject property is Single Family Residential 1 (R-1) which has a minimum lot size of 1400 m<sup>2</sup>, as defined by the District's Zoning Bylaw. It is described as *“intended solely for the purpose of low-density single-family residential housing on land that is serviced by both community water and community sewer systems.”*

**Table 1.0 Single Family Residential 2 (R-2) vs Single Family Residential 1 (R-1) Comparison**

	R-2	R-1
Maximum Height of Principal Building	9.15 m (30 ft.)	11.5 m (37.7 ft.)
Lot Coverage	20%, 25% for lots less than 20 m (65.6 ft) in lot width and < 2000 m <sup>2</sup> (21,528 ft <sup>2</sup> ) in lot area	25%
Floor Area Ratio	0.25, 0.30 for lots less than 20 m (65.6 ft) in lot width and <	0.30

	2000 m <sup>2</sup> (21,528 ft <sup>2</sup> ) in lot area	
Max House Size	456 m <sup>2</sup> (5003 ft <sup>2</sup> )	456 m <sup>2</sup> (5003 ft <sup>2</sup> )
Front Yard Setback	7.6 m (25 ft)	7.6 m (25 ft)
Interior Side Setback	3 m (9.8 ft)	3 m (9.8 ft)
Rear Yard Setback	7.6 m (25 ft)	7.6 m (25 ft)
Minimum Lot Size	2000 m <sup>2</sup> (21,528 ft <sup>2</sup> )	1400 m <sup>2</sup> (15,069 ft <sup>2</sup> )
Minimum Lot Width	26 m (85.3 ft)	26 m (85.3 ft)

**Sustainability:**

The applicant has completed the sustainability checklist considering the current and proposed lot.

*Growing Smarter*

The proposal retains the rural character of the community and is consistent with the OCP. The subject property is not on a transit line, but it is within walking distance of West Saanich Road where there is BC Transit service.

*Food Security*

The proposal is being made by the owner of neighboring Kildara Farms. The owner is hoping to use the redevelopment of this residential property to support the continuance of their farm operations. Local farms play an important role in North Saanich's economic and environmental sustainability.

*Infrastructure & Energy*

The proposed new home would be constructed according to the requirements of Step 3 of the BC Step Code for energy efficiency. Development on the proposed lots would be serviced by existing road, a common property access road, and septic systems installed on site.

*Economic Vitality*

The owner is willing to make an amenity contribution of \$16,000 in accordance with DNS Amenity Contribution Policy No. 10003.2, however, due to the recent financial hardship placed on the owner by the COVID-19 pandemic and the related economic downturn, the owner would like Council to consider a reduction in the required amount to \$10,000 or less.

**Implications:**

Staff has carefully considered the application including the applicant's rationale as well as policy implications of the proposal to rezone from R-2 to R-1 (Single Family Residential 1), as well as taking into consideration the broader planning policy legislation.

*Applicant's Rationale*

The applicant states that the rezoning application is to subsequently allow the subdivision of the property into two single-family dwelling lots, with a new dwelling to be built on the proposed rear lot. The primary reason for this proposal is to allow the current owner to sell the proposed front lot and use the financial proceeds to help sustain the neighboring farm. The applicant has stated that farm revenues have been particularly hit hard by the COVID-19 pandemic and its economic repercussions. Ultimately, this development will help to sustain an important local farm operation that contributes to North Saanich's local food production and overall economy. The proposal will also add to the variety of lot sizes available for residential development, contribute to alleviating the housing shortage in the area, and provides infill housing in a rural context. The applicant also notes that the proposal is consistent with the surrounding development context of single-family dwellings. There are also several existing R-2 lots located along Chalet Road that are already between 1,400m<sup>2</sup> and 2,000m<sup>2</sup> in size.

*Policy Implications*

The proposal is consistent with the OCP designation for General Residential and Residential Policies.

*Community Support*

At the time of report preparation, no letters of support nor letters of opposition for the proposed development have been received.

Recommended Conditions of Approval:

Staff recommends the following conditions of approval should Council choose to proceed with the application:

1. Restrictive Covenant: A section 219 in favor of the District is recommended on Proposed Lot B to restrict the height, lot coverage and floor area ratio to R-2 zoning regulations. This would be consistent with similar approved rezoning applications from R-2 to R-1 in the past and keep the form and character of the new home consistent with neighboring properties.
2. Amenity Contribution: An amenity contribution of \$16,000 (or a reduced amount if Council will permit) as required per the District Amenity Contribution Policy No. 10003.2. The applicant would like Council to consider a reduced amenity contribution of \$10,000 or less, due to recent financial hardships caused by the COVID-19 pandemic.

Options:

Council has the following options associated with this application:

1. Give first and second readings to Zoning Bylaw Amendment Bylaw No. 1504, and direct staff to schedule a Public Hearing and send out required statutory notifications; AND
2. Give a variance to Section 502.1.6(b) of the District's Zoning Bylaw, Subdivision – Lot Minimum Width, from 26m to 25.91m; OR
3. Council may choose to not support the application

Consultation:

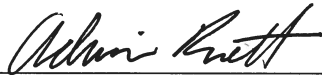
The applicant has indicated that they have visited and spoken to the neighbors immediate to 11307 Chalet Road. The applicant has stated that all neighbors who were queried were supportive of the proposed development.

Should Council choose to give first and second readings to the bylaws, the application will proceed to the Public Hearing stage, at which time the general public will be provided an opportunity to have input on the proposed amendments to the OCP and Zoning Bylaw. Neighbouring properties within 50m of the subject property will be notified of this application and advertisements will be placed in the Peninsula News Review on two separate occasions as per the requirements of the *Local Government Act*.

**SUMMARY/CONCLUSION:**

The proposed rezoning is consistent with the OCP designation for General Residential and Residential Policies and is consistent with the character of the surrounding mix of residential and rural agricultural properties on this part of Chalet Road.

The proposal is also consistent with the District's Strategic Plan priority to **maintain a strong sense of community** by enabling the owner of a local farm to support their agricultural enterprise via the redevelopment of the adjacent residential lot. Farming is an important economic base to the community of North Saanich and supports the District's food security, environmental sustainability, and rural character. In this case, the land use and physical change to the neighbourhood is also in keeping with the existing context. A single-family home will be inserted into an existing single-family home neighborhood with similar sized lots. The type of infill development as proposed is consistent with the form and character of the surrounding area, provides a needed financial benefit to a local farmer and increases the overall housing stock in the community.



Adrian Brett  
Senior Planner

Concurrence:



Tim Tanton  
Chief Administrative Officer

Concurrence:



Brian Green  
Director of Planning and Community Services

**Attachments:**

Attachment 1 – Draft Zoning Amendment Bylaw  
Attachment 2 – Location Plan  
Attachment 3 – Orthophoto  
Attachment 4 – Zoning Map  
Attachment 5 – Site Plan



## DISTRICT OF NORTH SAANICH

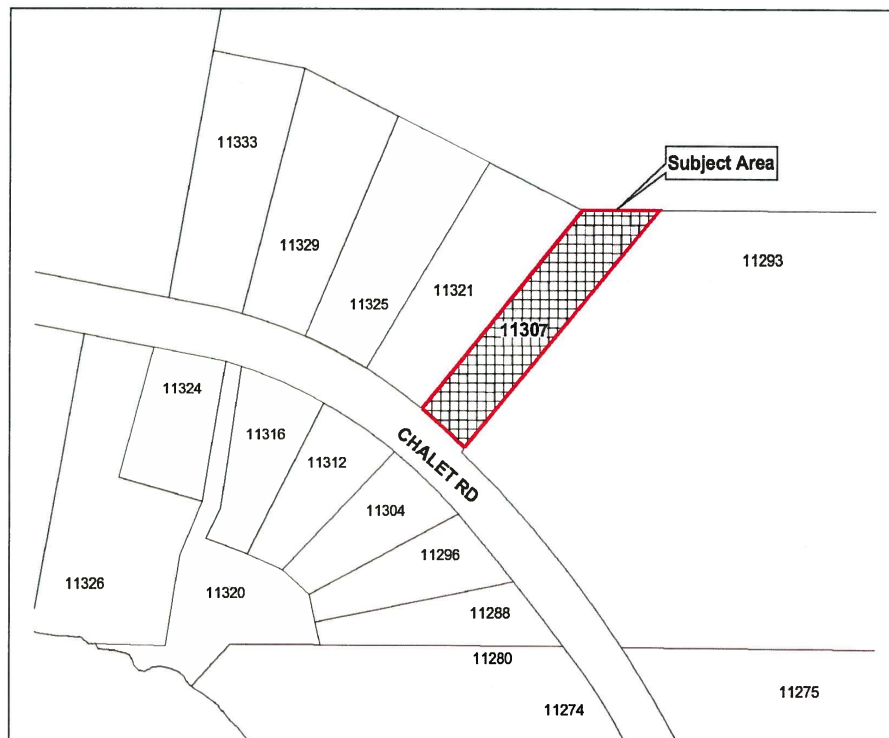
### BYLAW NO. 1504

#### A BYLAW TO AMEND DISTRICT OF NORTH SAANICH ZONING BYLAW NO. 1255 (2011)

The Council of the District of North Saanich, in open meeting assembled, ENACTS AS FOLLOWS:

#### MAP AMENDMENTS

1. The Official Zoning Map of the “District of North Saanich Zoning Bylaw No. 1255, 2011” is hereby amended to rezone the portions of the following lands, representing approximately 0.324 hectares as denoted in hatching on the map below, from R-2 Single Family Residential 2 to R-1 Single Family Residential 1.
  - a. 11307 Chalet Road, Lot 1, Section 22, Range 3 West, North Saanich District, Plan 10265, PID 005-187-940



**CITATION**

2. This Bylaw may be cited for all purposes as “North Saanich Zoning Bylaw No. 1255, Amendment Bylaw No. 1504 (2020)”.

READ A FIRST TIME the day of , 2020

READ A SECOND TIME the day of , 2020

NOTICE OF PUBLIC HEARING published in the and editions of  
the *Peninsula News Review*.

PUBLIC HEARING held at the North Saanich Municipal Hall the day of  
, 2020

READ A THIRD TIME the day of , 2020

FINALLY PASSED AND ADOPTED the day of , 2020

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MAYOR

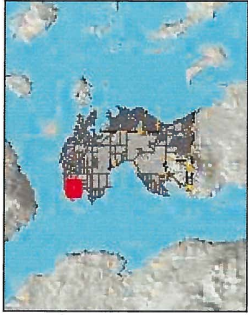
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CORPORATE OFFICER



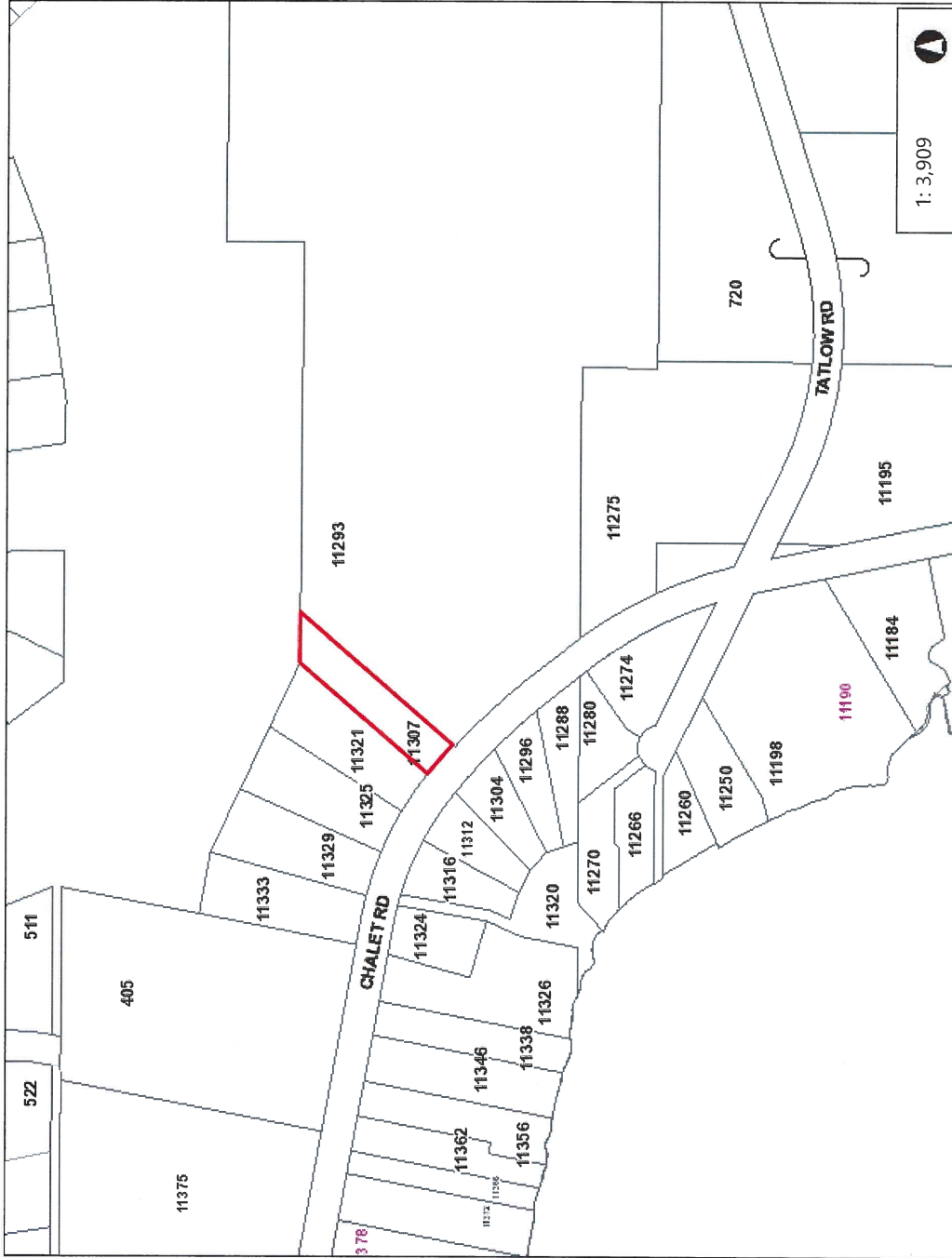
## North Saanich - GIS

Print Date & Time  
August 10, 2020  
5:41 PM



Legend  
GISDATA.DBO.  
InternalGIS\_Transportation\_Rt

Notes



This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.  
THIS MAP IS NOT TO BE USED FOR NAVIGATION



199

0

99

199 Meters

NAD\_1983\_UTM\_Zone\_10N

1: 3,909



Notes

Notes



# ORTHOPHOTO

11307 Chalet Road

DATE: August 10, 2020

TYPE: Bylaw Amendment

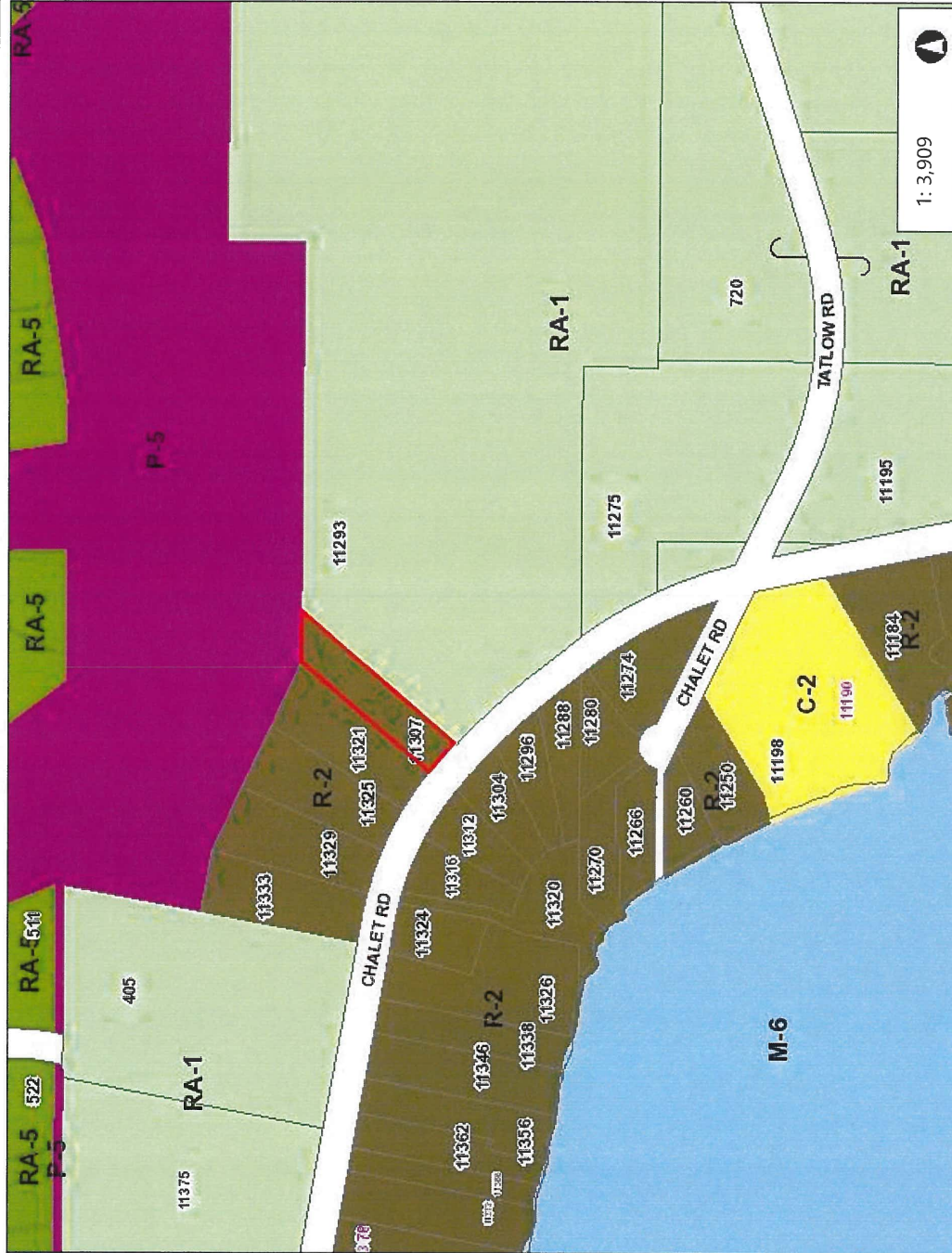
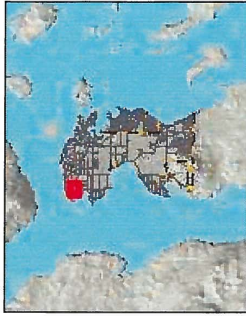
FILE #: File Number

SCALE: 1:700



## North Saanich - GIS

Print Date & Time  
August 10, 2020  
5:42 PM



### Legend Zones

- RA-1 Rural Agricultural 1
- RA-2 Rural Agricultural 2
- RA-3 Rural Agricultural 3
- RA-4 Rural Agricultural 4
- RA-5 Rural Agricultural 5
- RA-6 Rural Agricultural 6
- RA-7 Rural Agricultural 7
- AP-1 Airport Authority
- R-1 Single Family Residential 1
- R-2 Single Family Residential 2
- R-3 Single Family Residential 3
- RM-1 Multiple Family Residential 1
- RM-2 Multiple Family Residential 2
- RM-3 Multiple Family Residential 3
- C-1 Local Commercial
- C-2 Restaurant Commercial
- C-3 Golf Course Commercial
- C-4 Professional Office
- C-5 Sandown Commercial
- C-6 Health Commercial
- CD-1 Comprehensive Developer
- CD-2 Comprehensive Developer
- CD-3 Comprehensive Developer
- CD-4 Comprehensive Developer
- CD-5 Comprehensive Developer

### Notes

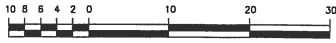
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



199  
0 99 199 Meters  
NAD\_1983\_UTM\_Zone\_10N

**Proposed Subdivision Of:**  
**Lot 1, Section 22, Range 3 West,**  
**North Saanich District, Plan 10265.**  
**P.I.D. 005-187-940**



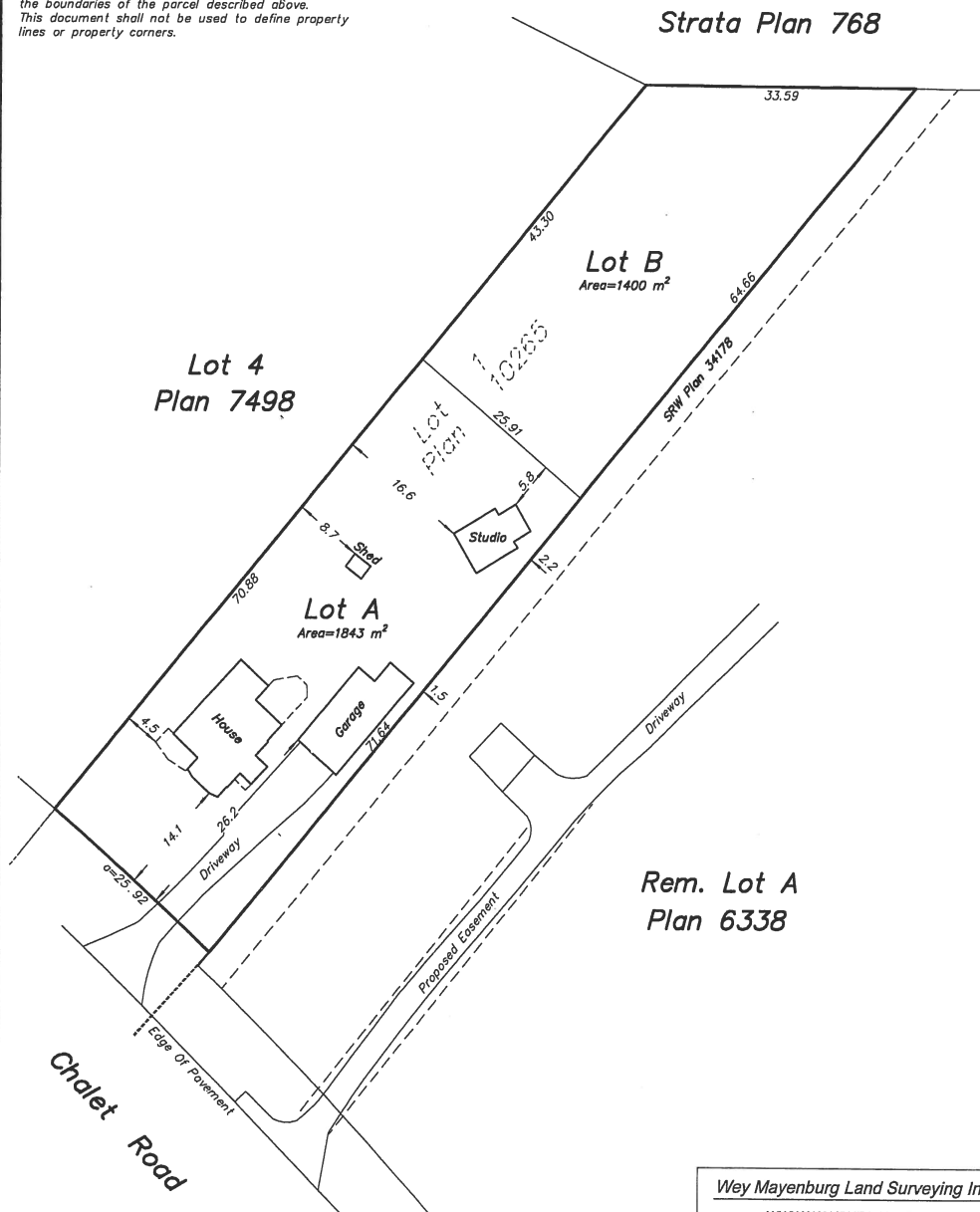
Scale = 1:500

Dated this 5th day of December, 2018.

Distances shown are in metres.

This site plan is for building and design purposes  
and is for the exclusive use of our client.

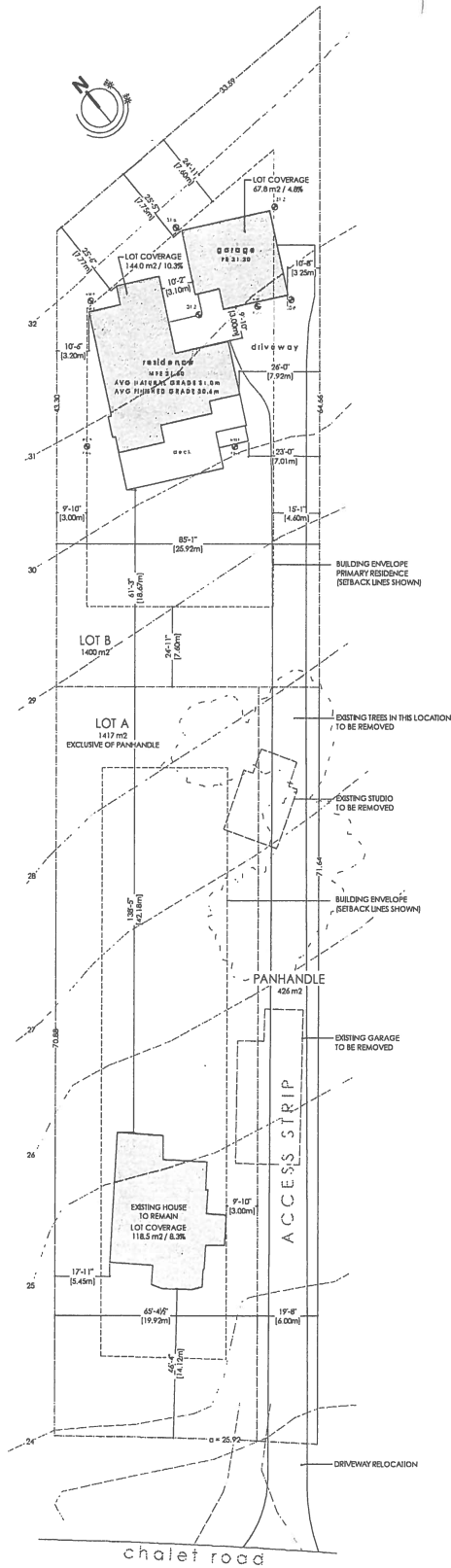
This document shows the relative location of the  
surveyed structures and features with respect to  
the boundaries of the parcel described above.  
This document shall not be used to define property  
lines or property corners.



Wey Mayenburg Land Surveying Inc.

[www.weysurveys.com](http://www.weysurveys.com)

#4-2227 James White Boulevard  
Sidney, BC V8L 1Z5  
Telephone (250) 656-5155  
File: 90042\PRO\GH



11307 Chalet Road  
Feb 6, 2020

Site Overview  
1/32"=1'-0"

