



## District of North Saanich

## STAFF REPORT

To: Tim Tanton  
Chief Administrative Officer

Date: June 22, 2020

From: Drew Bakken  
Planner

File: DVP 2020-02

Re: **Development Variance Permit (DVP2020-02) - 405 Nootka Road**

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### **RECOMMENDATION:**

That Council authorize the issuance of Development Variance Permit (DVP 2020-02) for 405 Nootka Road that varies section 501.1.4 (b) of the Zoning Bylaw in order to increase the maximum allowable height for an accessory building in an RA-1 zone from 5.6m to 7.67m in accordance with the draft Development Variance Permit in Appendix E.

### **STRATEGIC PLAN IMPLICATIONS:**

This matter relates to the following Council Strategic priorities:

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

### **INTRODUCTION:**

The purpose of this report is to provide Council with information, analysis and recommendations regarding a Development Variance Permit application which seeks to vary section 501.1.4 (b) of the Zoning Bylaw in order to increase the maximum allowable height for an accessory building in an RA-1 zone from 5.6m to 7.67m.

### **BACKGROUND:**

The subject property is located at 405 Nootka Road and is an RA-1 Rural Agricultural 1 zoned lot currently under redevelopment and is designated Agricultural under the District's Official Community Plan. The property is within the Agricultural Land Reserve. The previous residence on the property is currently under demolition, and a Building Permit has been approved for a new residence and a new detached garage.

#### **Proposal:**

The applicant has submitted a new design for a variance to allow extra height for the accessory garage.

The applicant's rationale letter explains that as the project has progressed, the owners have realized that there was a missed opportunity to provide additional storage space in the upper area of the proposed garage. The garage will be directly adjacent to the proposed residence and will

be visually shielded from the North, South and East by existing tree cover, and from a West view it will likely not be visible from behind the residence.

If approved, this will require an amendment to their Building Permit to reflect this change to the design.

Upon reviewing the proposed structures it is noted the design is within the maximum lot coverage for the RA-1 zone.

**Site Particulars:**

Owner	Lloyd Anderson
Applicant	Ryan Hoyt
Civic Address	405 Nootka Road
Existing Lot Size	24,263.68 sq m
Existing Zoning	RA-1 Rural Agricultural 1
OCP Land Use	Agricultural
Surrounding Land Uses	<b>North:</b> Nootka Road, RA-5 Rural Agricultural 5 <b>West:</b> RA-1 Rural Agricultural 1 <b>South:</b> Chalet Road, R-2 Single Family Residential 2 <b>East:</b> R-2 Single Family Residential 2, P-5 Private Common Area/Open Space

**DISCUSSION:**

The applicant for the property in question is requesting a variance to the Zoning Bylaw's maximum height allowance for an accessory building in the RA-1 zone.

Variance	Bylaw Section	Required	Proposed	Difference
Maximum height of an accessory building in the RA-1 zone	Zoning Bylaw 1255, Section 501.1.4(b)	5.6 m	7.67 m	2.07 m

**OPTIONS:**

Council has the following options associated with this application:

1. **(Staff Recommended).** Approve the request for a Development Variance Permit that seeks to vary section 501.1.4 (b) of the Zoning Bylaw in order to increase the maximum allowable height for an accessory building in an RA-1 zone.; or
2. Deny the application
3. Other.

**FINANCIAL IMPLICATIONS:**

None at this time.

**LEGAL IMPLICATIONS:**

None at this time.

**CONSULTATIONS:**

Neighbouring properties within 50 m of the subject property were notified of this application and a development application sign been posted on the subject property in accordance with the notification requirements in the District's Development Applications Procedure Bylaw.

**SUMMARY/CONCLUSION:**

The proposed residence requires a Development Variance Permit to vary section 501.1.4 (b) in order to increase the maximum allowable height for an accessory building in an RA-1 zone in order for the applicant's design to be approved.

In all other regards, the application is in compliance with the requirements of the RA-1 zone and is consistent with the policy directions for an Agricultural land designation under the District's Official Community Plan.

Respectfully submitted,



Drew Bakken  
Planner

Concurrence:



Tim Tanton  
Chief Administrative Officer

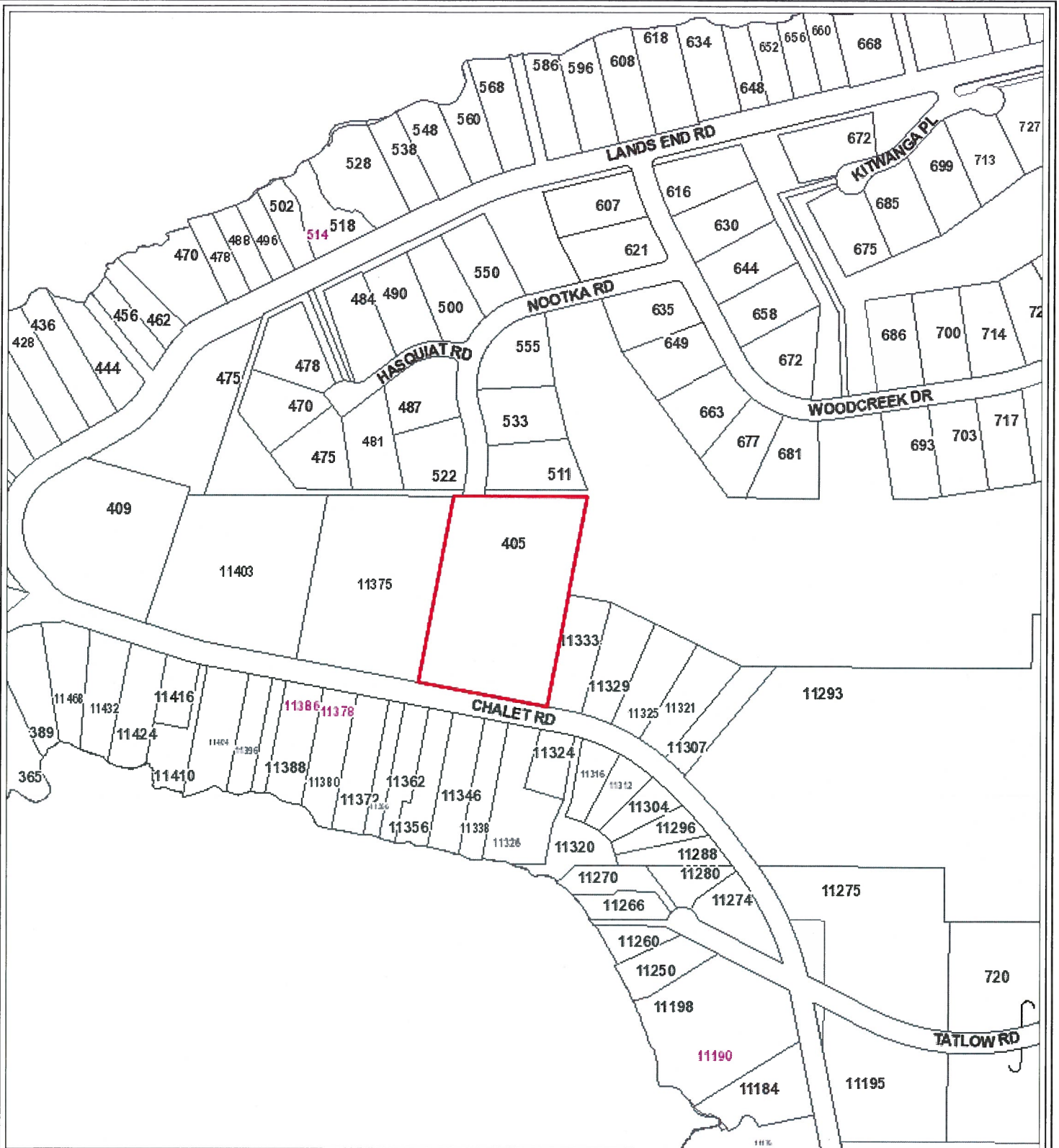
Concurrence:



Brian Green  
Director of Planning and Community Services

**Attachments:**

- Appendix A Location Plan
- Appendix B Orthophoto of Subject Property
- Appendix C Zoning Map
- Appendix D Site Photos
- Appendix E Draft Development Variance Permit 2020-02
- Schedule A Site Plan
- Schedule B Elevation Plan
- Appendix F Applicant's Rationale



## LOCATION MAP

405 Nootka Road

DATE: June 16, 2020



TYPE: Development Variance Permit

FILE #: DVP 2020-02

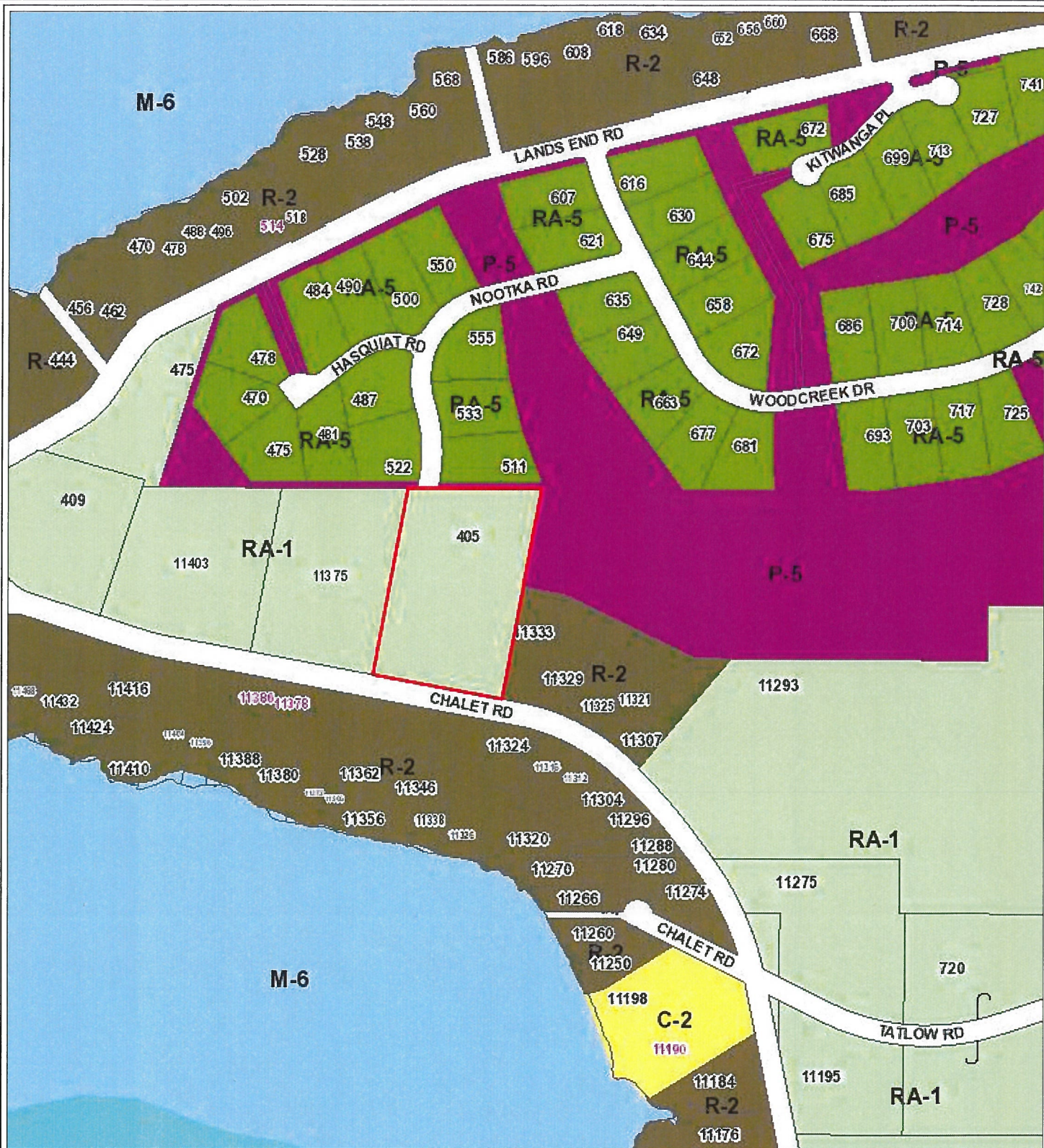
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		<b>ORTHOPHOTO</b>		DATE:	June 16, 2020
		405 Nootka Road		TYPE:	Development Variance Permit
				FILE #:	DVP 2020-02
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## ZONING MAP

405 Nootka Road

DATE: June 16, 2020

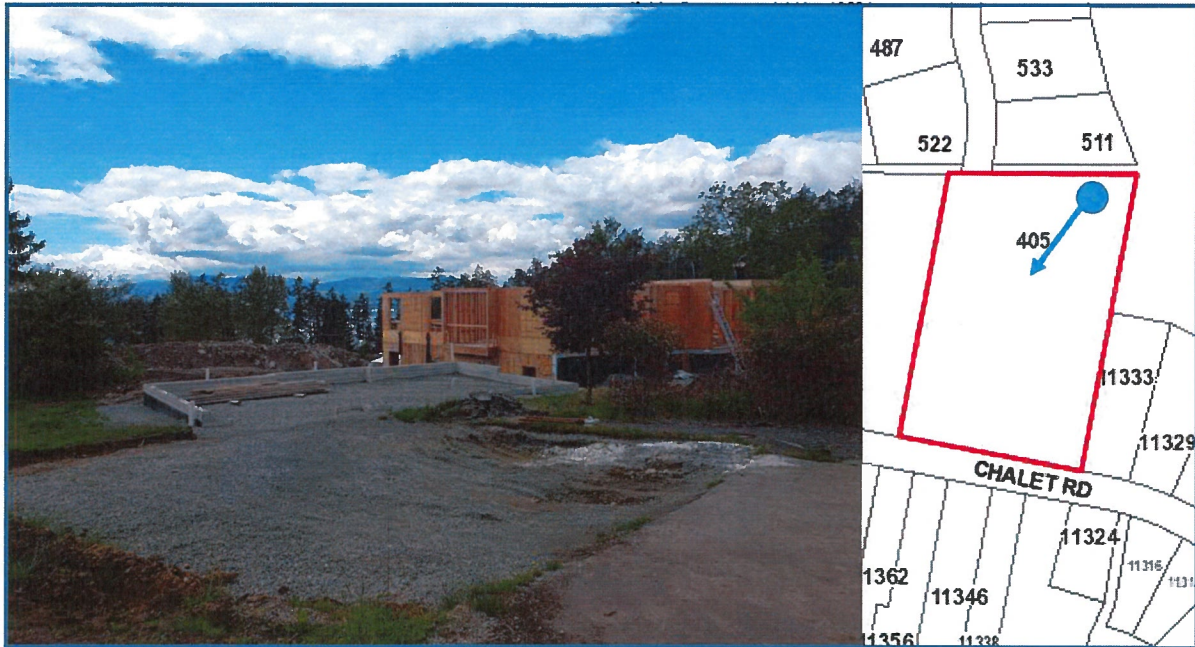
TYPE: Development Variance Permit

FILE #: DVP 2020-02

SCALE: 1:5,000



Site Photo





**DISTRICT OF NORTH SAANICH  
DEVELOPMENT VARIANCE PERMIT DVP 2020-02**

**Name of Applicant:** Ryan Hoyt

**Name of Owner(s):** Lloyd Anderson

**Street Address of Property Subject to Permit:** 405 Nootka Road

**Legal Descriptions of Lands Affected:** Lot C, Section 22, Range 3 West, North Saanich District, Plan 33167

**Parcel Identifier:** 000-080-047

**By-Law to which Variance Permit Pertains:** Section 501.1.4(b) of Zoning Bylaw No. 1255

**Details of Variance:**

All variances shall be in accordance with the plans attached as Schedule A: Site Plan and Schedule B: Elevation Plan, both prepared on June 12, 2020, and the following conditions:

1. That Section 501.1.4(b) of District of North Saanich Zoning Bylaw No. 1255 be varied as it applies to the accessory building as shown on the elevation plan attached to this permit as Schedule B: Elevation Plan, by increasing the maximum height of an accessory building in the RA-1 zone from 5.6 m to 7.67 m.

**Registration:**

Notice of this Permit shall be filed in the Land Titles Office at Victoria, B.C. under s.503 of the Local Government Act, and upon such filing, the terms of this Permit (DVP 2020-02) or any amendments hereto shall be binding upon all persons who acquire an interest in the affected Lands affected by this Permit.

**Other Permits:**

Despite issuances of this Permit, construction may not start without a Building Permit, a Construction Permit, an Access Permit or other necessary permits. It is the owner's responsibility to determine whether such permits are required.

Approved by Council Resolution No. \_\_\_\_

Dated: \_\_\_\_\_



NORTH SAANICH, BC



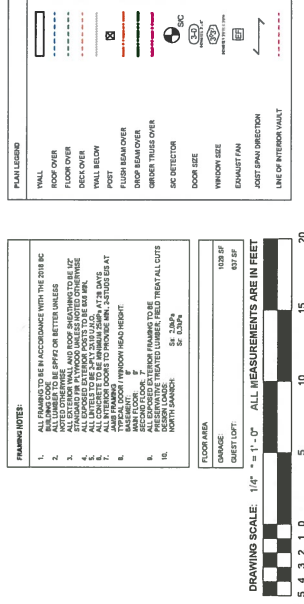
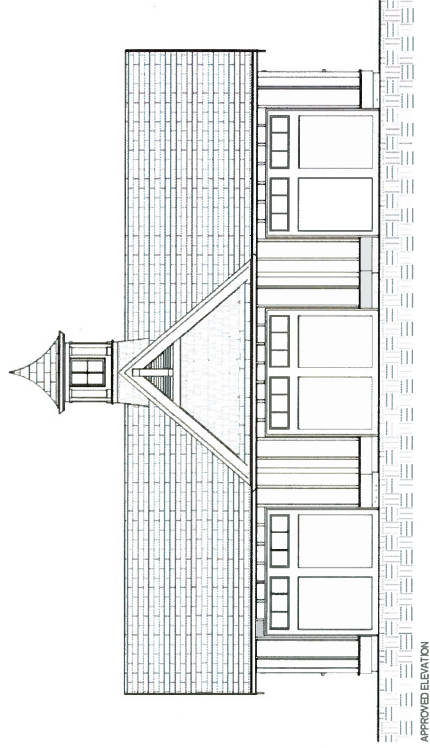
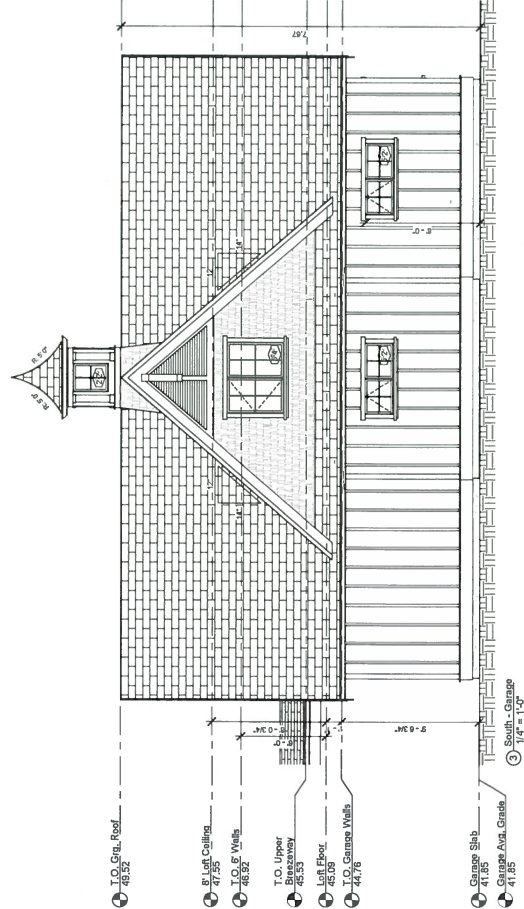
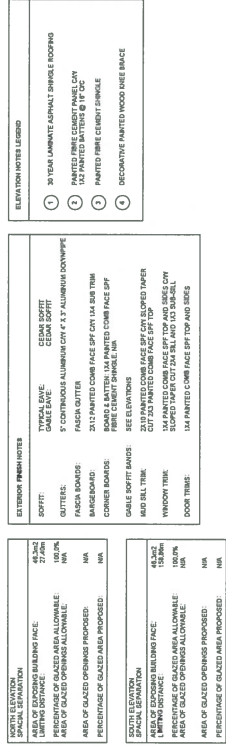
1. *At a company's annual meeting, 90% of the shareholders owned 70% of the company's stock. If the company had 100 shareholders, how many of them owned 10% or more of the company's stock?*  
 Answer: 63. If 90% of the shareholders owned 70% of the company's stock, then 10% of the shareholders owned 30% of the company's stock. If the company had 100 shareholders, then 10% of the shareholders, or 10 shareholders, owned 30% or more of the company's stock. The remaining 90 shareholders owned 10% or more of the company's stock.
2. *194% of a number is 398. What is 50% of the same number?*  
 Answer: 200. If 194% of a number is 398, then 1% of the number is 2. If 1% of the number is 2, then 50% of the number is 100. If 100 is 50% of the number, then 200 is 100% of the number.
3. *At a company's annual meeting, 90% of the shareholders owned 70% of the company's stock. If the company had 100 shareholders, how many of them owned 10% or more of the company's stock?*  
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**rh**  
d  
RYAN HOYT  
DESIGNS

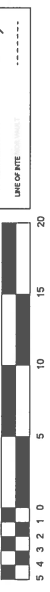
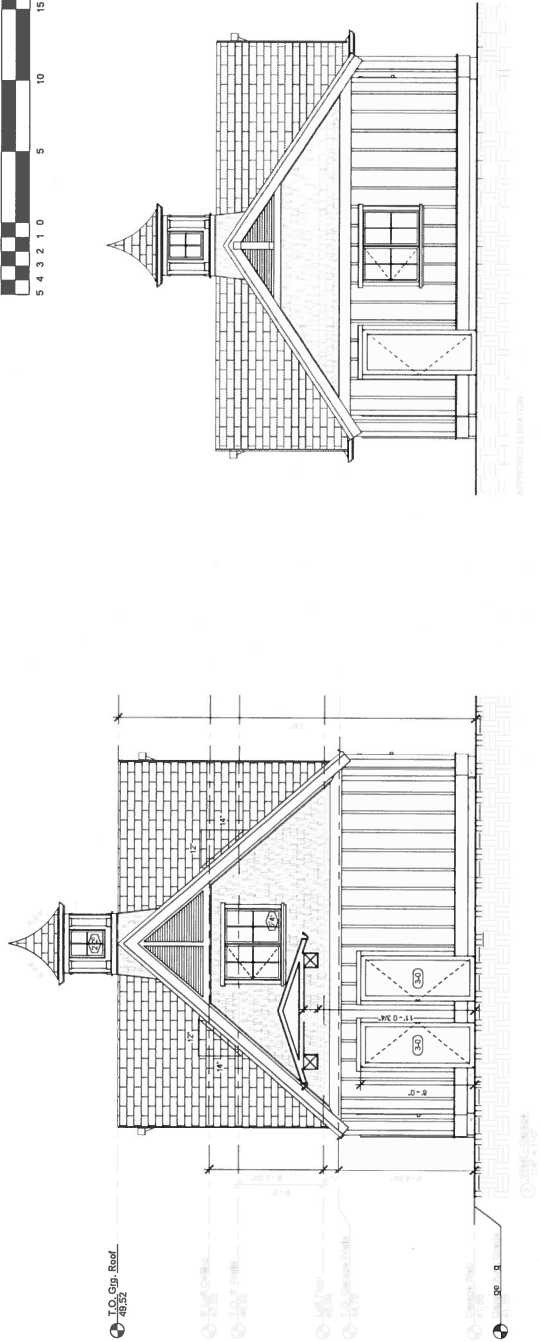
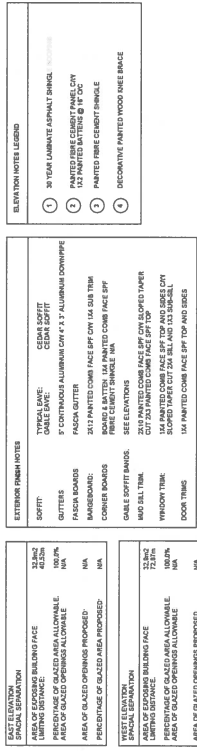
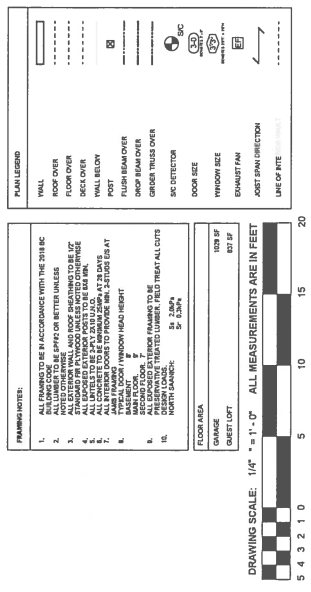
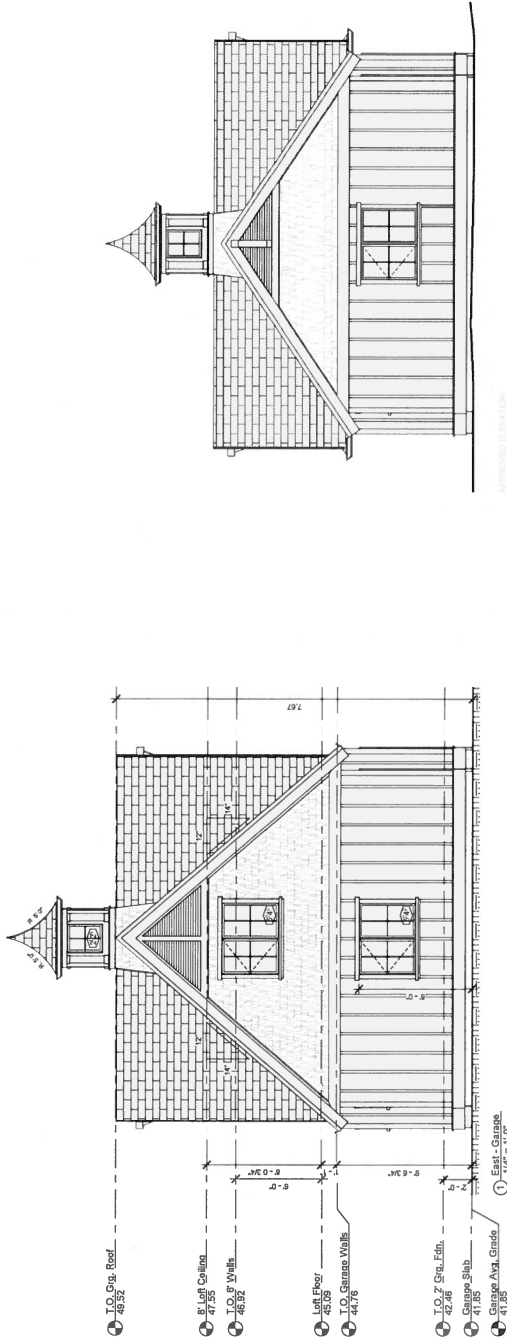
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Project No.: 19065

APPROVED ELEVATION





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June 16, 2020

Mayor & Council  
District of North Saanich  
1620 Mills Road  
North Saanich, BC V8L 5S9

Dear Mayor & Council,

RE: Proposed Development Variance – 405 Nootka Road

On behalf of the Owners of 405 Nootka Road (the Property), Ryan Hoyt Designs Inc. (RHD) presents this application for a development variance permit to relax the height of an accessory building.

#### Background

The subject property is a large farm acreage that has recently been purchased by our Clients to operate as a horse farm. Construction of a new single-family dwelling is now underway in the same location as the existing house. We designed a 3-car detached garage as part of the home. As the project has progressed, the Owners have realized that there is a fair volume of space consumed simply in the roof structure of the garage, and that this was a missed opportunity to provide some additional space.

#### Proposal

We are seeking a relaxation of height for an accessory building from 5.6m to 7.67m to increase the roof height of the detached garage, to facilitate having some functional space above the garage instead of just a large attic space.

#### Rational & Justification:

While the garage is a detached accessory building, it remains in close proximity to the house, which is located fairly centrally on the property, an appreciable distance from any property line. The house itself is 9.84m in height (allowable at 11.50m), so the increase in height we are seeking for the garage still leaves the garage structure at over 2m below the height of the house. We feel that the siting of the detached garage is such that for all intents and purposes it appears as an integral part of the house, and therefore would not stand out as an over height building. We feel that the design of the garage with the increased size is actually an enhancement to the overall design; bringing the garage into a closer and more complementary scale to the house overall. The size of the property is such that impact on the



surrounding neighbors is minimal, and we do not feel as though the small relative increase in height will have any appreciable impact on anyone.

We thank you for your consideration.

Regards,



Ryan Hoyt, ASCT, RBD  
Principal Designer