

THE CORPORATION OF THE DISTRICT OF CENTRAL SAANICH

Minutes of the **PLANNING AND DEVELOPMENT COMMITTEE** Meeting
Monday, September 13, 2004 at 8:00 p.m.
Central Saanich Municipal Council Chamber

PRESENT: Councillor Robert Thompson, Chair
Mayor Allison Habkirk
Councillors: Graham, Haddon, King and Korol
Gary C. Nason, Administrator
Trish Flanders, Municipal Clerk
Hope V. Burns, Director of Planning & Building Services
Nirmal Bhattacharya, Municipal Engineer

ABSENT: Councillor Mason

APPROVAL OF THE AGENDA:

The Administrator, Mr. Gary C. Nason noted the addition to the Agenda of the following late items:

- Correspondence dated September 13, 2004 from Michael Bocking, Landscape Architect Re: Request to Defer Item 5 - Application for Non-Farm Use for John and Rosemary Garcia, 2933 McIntyre Road – to a future Committee Meeting;

1043.04 MOVED BY COUNCILLOR GRAHAM
 NO SECONDER

That the Agenda for the Planning & Development Committee Meeting held on September 13, 2004 be approved as amended.
CARRIED UNANIMOUSLY

1. Development Variance Permit Application, 7245 Puckle Road

- a) Staff Memorandum dated August 31, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Development Variance Permit Application, 7245 Puckle Road;
- b) Correspondence received pertaining to this application:
 - Dr. Alastair Bryson, 1239 Mount Newton Cross Road, August 16, 2004;
 - Alison Warren, 334 Walton Place, August 18, 2004;
 - Lannie Yee, 2660 Island View Road, August 18, 2004;
 - Adelle Clements, 6516 Island View Road, August 11, 2004;
 - Mike Magnusson, Seattle WA, August 18, 2004;
 - Virginia Mosvold, 7101 Puckle Road, August 23, 2004;
 - Gordon Rickard, 1760 McTavish Road, with attached petition, August 24, 2004.

The Administrator briefly referred to the various items of correspondence that have been received to date with respect to this Development Variance Permit Application.

The Director of Planning & Building Services, Ms. Hope V. Burns, gave an overview of the Staff Memorandum pertaining to the Development Variance Permit Application for property located at 7245 Puckle Road, and responded to questions from members of the Committee.

Ms. Adelle Clements, 6516 Island View Road, addressed the issue on behalf of the property owner, and explained that the need to increase the fence height for the front yard is for site security reasons. She advised that the fencing materials were purchased prior to the owner becoming aware of the need to vary the maximum allowable 1.3 metre fence height for the front yard setback. In this regard, Ms. Clements asked for Council's favourable consideration of this application.

Dr. Alastair Bryson, 1239 Mt. Newton Cross Road, referred to the concerns of the Planning Department with respect to the construction of solid wood or rock fences and the creation of a "walled in" effect, as noted in the Staff Memorandum. He clarified that the property owner intends to install a chain link fence and stated that, in his opinion, property owners of agriculturally-zoned land should not be required to seek Council approval to vary fence heights if there is a genuine need to protect the agricultural activities on the land.

It was noted that Ms. Alison Warren, Mr. Lannie Yee, Mr. Mike Magnusson, and Ms. Virginia Mosvold were not in attendance at the meeting to address their correspondence.

Mr. Gordon Rickard advised that the owner does not intend to restrict deer from entering onto the property and that hay is the only product that is currently being cultivated on the land.

Mr. Barry Lee, 7082 East Saanich Road, advised the Committee that he is fully supportive of the applicant's request to vary the maximum allowable fence height for the front yard.

During a brief discussion around the table, the following points were noted:

- Questions were raised with respect to the purpose of increasing the allowable front yard fence height, given the previous comments that hay is the only product that is being cultivated and that the owner is not concerned with deer entering the property;
- Members of the farming community are not necessarily in unanimous agreement on this issue;
- Will there be any measures to release deer or other animals that are incapable of passing over a 2.5 metre chain link fence, resulting in confinement on the property.

1044.04 MOVED BY COUNCILLOR KOROL
NO SECONDER
That It Be Recommended To Council:

That the Staff Memorandum dated August 31, 2004 entitled "Development Variance Permit Application, 7245 Puckle Road" be received, and:

- a) *Council propose to consider the issuance of a Development Variance Permit to vary:*
 - *the maximum allowable fence height for this A-1 (Agriculture Zone) property from 1.3 metres to 2.5 metres for a chain link fence; and*
- b) *Staff be instructed to undertake the statutory notification procedures.*

CARRIED UNANIMOUSLY

2. Proposed Rezoning for 7410 Veyaness Road – Fourteen Residential Unit Proposal

- a) Staff Memorandum dated September 3, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Proposed Rezoning for 7410 Veyaness Road – Fourteen Residential Unit Proposal.

The Director of Planning & Building Services gave a detailed overview of the Staff Memorandum regarding the proposed rezoning and development of property located at 7410 Veyaness Road.

Mr. Herb Kwan, Architect, gave a brief overview of the history of the previous application that was considered by Council in September, 2003. He noted that subsequent to the information gathered at the Public Information Neighbourhood Meetings, a new proposal has been developed. Mr. Kwan proceeded to give a comprehensive presentation on the proposed rezoning of property located at 7410 Veyaness Road and development of fourteen residential units (six single-family units with secondary suites, and a duplex). Mr. Kwan displayed several drawings depicting the proposed site layout and landscaping, and advised that the clustering of the housing units has allowed for the retention of additional trees on the site and has created a larger amenity than what was originally proposed. He advised that a total of 45 parking spaces will be accommodated on the site (5 spaces for each single-family unit, 4 spaces for each unit in the duplex and 7 spaces in the cul-de-sac area for visitors). In regards to the proposed secondary suites, Mr. Kwan advised that each unit is proposed to be approximately 800 square feet in size and would have a ground-level entry separate from the main dwelling.

He then proceeded to give a summary of the differences between the original and new proposals, as follows:

	<u>Original Proposal</u>	<u>New Proposal</u>	<u>Variance</u>
# of Buildings	9	7	-22%
# of Units	18	14	-22%
Site Coverage	20.8%	18%	-13.5%
Floor Area Ratio	.35 to 1	.28 to 1	-20%
Parking	2.65/unit	3.2/unit	-20%
Setbacks: Veyaness	15'	24'6"	+63%
West	30'	41'	+36.6%

Mr. Kwan advised that purchasers will enter into an information covenant to ensure an awareness and agreement of the agricultural activities on adjacent lands. He further advised that this new proposal conforms to the District's Official Community Plan, addresses infill and affordable housing requirements, and provides for the preservation of trees on the site.

During a brief question and answer session, the following points were noted:

- some questions were raised as to whether this proposal actually meets the District's affordable housing objectives given the size of the proposed secondary suites;
- transportation initiatives such as those offered by the Victoria Car Share Co-op would be suitable for this proposal, and the Architect was encouraged to explore this possibility;
- the Residential Attached (RM-1) zone would best suit this development proposal;
- the Applicant should work with Staff on the exterior design and floor plans showing the proposed secondary suites, for further consideration by Council in future;
- the provision of an appropriate amenity area should be included in the detailed design plans;
- a suggestion was made that the Applicant be requested to provide an appropriate covenant or legal undertaking to ensure that either the main dwelling unit or the secondary suite is owner-occupied.

1045.04 MOVED BY MAYOR HABKIRK
NO SECONDER
That It Be Recommended To Council:

That the Staff Memorandum dated September 3, 2004 entitled "Proposed Rezoning for 7410 Veyaness Road – Fourteen Residential Unit Proposal" be received, and Staff be requested to proceed with the preparation of the necessary Land Use Bylaw Amendment Bylaw for consideration of the necessary readings at a future Regular Council Meeting and referral to a Public Hearing.

CARRIED UNANIMOUSLY

1046.04 MOVED BY MAYOR HABKIRK
NO SECONDER
That It Be Recommended To Council:

That Staff be requested to prepare the proposed Land Use Bylaw Amendment Bylaw to accommodate this proposed development on the basis of the Residential Attached (RM-1) zoning category.

CARRIED UNANIMOUSLY

1047.04 MOVED BY MAYOR HABKIRK
NO SECONDER
That It Be Recommended To Council:

That the Applicant be requested to work with Staff on the provision of more detailed design plans, in particular exterior design and floor plans showing the proposed secondary suites, for receipt and further consideration by Council prior to the necessary readings being given to the Land Use Bylaw Amendment Bylaw and referral of the application to a Public Hearing.

CARRIED UNANIMOUSLY

- 1048.04 MOVED BY MAYOR HABKIRK
NO SECONDER
That It Be Recommended To Council:

That the Applicant, in consultation with Staff, be requested to include the provision of an appropriate play area in the detailed design plans for the proposed development.

CARRIED UNANIMOUSLY

- 1049.04 MOVED BY MAYOR HABKIRK
NO SECONDER
That It Be Recommended To Council:

That the Applicant, in consultation with Staff, be requested to provide appropriate sidewalk and road frontage amenities which are generally consistent with those that are located along other portions of Veyaness Road in the general vicinity of the proposed development.

CARRIED UNANIMOUSLY

- 1050.04 MOVED BY MAYOR HABKIRK
NO SECONDER
That It Be Recommended To Council:

That in addition to the recommended registration of restrictive covenants guaranteeing tree protection and providing new owners with an awareness of agricultural operations on adjacent lands, the Applicant be requested to provide an appropriate restrictive covenant or legal undertaking ensuring that either the main dwelling unit or the secondary suite must be owner-occupied in each case.

CARRIED UNANIMOUSLY

3. Development Permit Exception, 6764 Oldfield Road – Co-op Gas Canopy Signage

- a) Staff Memorandum dated September 3, 2004 Re: Development Permit Exception, 6764 Oldfield Road – Co-op Gas Canopy Signage.

The Director of Planning & Building Services briefly addressed the Staff Memorandum pertaining to the proposed Development Permit exception for the canopy signage for the Co-op Gas Bar located at 6764 Oldfield Road.

- 1051.04 MOVED BY MAYOR HABKIRK
NO SECONDER
That It Be Recommended To Council:

That the Staff Memorandum dated September 3, 2004 entitled "Development Permit Exception, 6764 Oldfield Road – Co-op Gas Canopy Signage" be received, and Council confirm that a Development Permit for sign alterations at 6764 Oldfield Road is not required under the provisions of Section 13.3(b) of the Official Community Plan.

CARRIED UNANIMOUSLY

4. Agricultural Land Commission Application for a Second Dwelling, 7082 East Saanich Road

- a) Staff Memorandum dated September 1, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Agricultural Land Commission Application for a Second Dwelling, 7082 East Saanich Road.

The Director of Planning & Building Services gave an overview of the Staff Memorandum in regards to the ALC Application for a Second Dwelling for property located at 7082 East Saanich Road, and responded to several questions from members of the Committee. She requested that Mr. Lee confirm that if approval is

received from the ALC, that he will then apply for the necessary building permits with the required professional review.

Mr. Barry Lee, 7082 East Saanich Road, was in attendance at the meeting and addressed his application to the Agricultural Land Commission for a second dwelling for farm help purposes. Mr. Lee referred to the site plan attached to the Staff Memorandum, noting that both the mobile home and the bus are no longer on the site as indicated on the site plan, and asked if these errors could be corrected prior to the application being forwarded to the ALC. Mr. Lee confirmed that at present only one unit is occupied, and that he will hire a professional to assess the structural components of all of the buildings requiring permits, if the ALC approves his application.

A brief question and answer session took place.

- 1052.04 MOVED BY COUNCILLOR HADDON
 NO SECONDER
 That It Be Recommended To Council:

That the Staff Memorandum dated September 1, 2004 entitled "Agricultural Land Commission Application for a Second Dwelling, 7082 East Saanich Road" be received, and the application for a second dwelling located in a barn at 7082 East Saanich Road be forwarded to the Agricultural Land Commission with all background information including the Staff Memorandum, and with the inclusion in the application materials of an updated site plan to be prepared by the Applicant and confirmed by Staff prior to submission of the application.

CARRIED UNANIMOUSLY

- 1053.04 ** **DEFEATED** **
 MOVED BY COUNCILLOR GRAHAM
 NO SECONDER
 That It Be Recommended To Council:

That Council review its policies and practices in regards to receipt and consideration by the Planning & Development Committee of applications to the Agricultural Land Commission for second dwellings for farm help.

MOTION DEFEATED

OPPOSED: MAYOR HABKIRK, COUNCILLORS HADDON & THOMPSON

5. Agricultural Land Commission Application for Non-Farm Use, 2933 McIntyre Road

- a) Staff Memorandum dated August 30, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Agricultural Land Commission Application for Non-Farm Use, 2933 McIntyre Road.

This matter was deferred to a future Committee Meeting.

6. Development Application Procedures Bylaw and Development Application Fees Bylaw

- a) Staff Memorandum dated August 20, 2004 from Hope V. Burns, Director of Planning & Building Services Re: Development Application Procedures Bylaw and Development Application Fees Bylaw.

The Director of Planning & Building Services briefly addressed the contents of the Staff Memorandum pertaining to the proposed Bylaws to establish Development Application Procedures and Fees.

- 1054.04 MOVED BY MAYOR HABKIRK
 NO SECONDER
 That It Be Recommended To Council:

That the Staff Memorandum dated August 20, 2004 entitled "Development Application Procedures Bylaw and Development Application Fees Bylaw" be received, and:

1. *"Central Saanich Development Application Procedures Bylaw No. 1504, 2004" and "Central Saanich Development Application Fees Bylaw No. 1505, 2004" be forwarded to the agenda of the next Regular Council Meeting for introduction and the necessary readings; and*
2. *Staff be requested to confirm whether it may be advisable to amend Section 7 of Bylaw No. 1504 to clarify that Council may, in its legislative discretion, refuse an application after receipt and consideration of the application by Council but prior to the receipt of a report from the Director of Planning & Building Services on the application.*

CARRIED UNANIMOUSLY

ADJOURNMENT:

On motion, the Planning & Development Committee Meeting held on September 13, 2004 adjourned at 9:40 pm.

Councillor Robert Thompson, Chair

Recorded By: Trish Flanders
Municipal Clerk