



# Planning, Building & Community Services

## Quarterly Status Report

(Applications/Building Permits/Activities)

Fourth Quarter 2005

October - December

### **DEPARTMENT HIGHLIGHTS**

This quarter saw the pace of development applications ease off slightly. Public inquiries remain high, especially questions regarding secondary suites and the status of the draft bylaw.

The Department has two new staff members. We welcome Andrew Law, who has been hired as a Building/Plumbing Inspector and Bruce Greig, who has started work as the new Planner.

Finalization of the draft bylaw to allow secondary suites in some Rural Estate and Single-Family Zones, subject to conditions, is outlined further in this report.

### **NEW DEVELOPMENT APPLICATIONS**

#### **Pride Signs Ltd., 2046 Keating Cross Road**

On December 1, 2005, Pride Signs Limited (on behalf of Butler Bros. Supplies Ltd.) submitted applications for Development and Development Variance Permits for new signs to replace the free standing and fascia signs on the Home Hardware building centre. The application is for one free standing sign and seven fascia signs. A staff report was prepared and considered by the Advisory Planning Commission on December 21st. The Development and Development Variance Permit applications will be considered by the Planning and Development Committee early in the new year.

#### **H. & F. White, 8326/8334 West Saanich Rd.**

On October 24, 2005, Heather and Frank White submitted a Development Variance Permit application for subdivision requirements. This application follows from an application to the Approving Officer on July 20, 2005 to re-subdivide two existing parcels. Following consideration by the Planning and Development Committee on December 12<sup>th</sup>, Council directed staff to undertake the required notification to adjacent property owners and residents, advising of Council's intention to consider issuance of a Development Variance Permit at the Council meeting on January 16<sup>th</sup>, 2006. The Development Variance Permit is proposed to vary minimum lot size and engineering requirements, notably for road construction.

#### **Gwen Page, 7954 Larkvale Place**

A Development Variance Permit application was submitted on December 9<sup>th</sup>, 2005, by Gwen Page to request variances to the Land Use Bylaw for site improvements that have been partially constructed without the necessary approvals in place. The property is zoned A-1. The request is for paving of an existing driveway within the setbacks of a watercourse, installing utilities, footings and light standards within the watercourse setback, and to vary the height of a proposed entry gate. The application is currently under review by staff.

## **ON-GOING APPLICATIONS**

### **Fairwest Construction, 7250 West Saanich**

At the September 6<sup>th</sup> meeting of Council, staff were directed to forward concerns of the residents and Council to the Ministry of Transportation, requesting the Ministry to reconsider its position in regards to access to the "Holly Park" 15-unit multifamily housing development from West Saanich Road. On November 30<sup>th</sup> the Ministry wrote that they had reviewed the detailed traffic analysis submitted by the applicant and approved full access onto West Saanich Road with emergency access from Holly Park Road. Following their consideration of the revised application on November 23<sup>rd</sup>, the Advisory Planning Commission recommended their general support to Council. On December 19<sup>th</sup>, Council authorized the issuance of a Development Permit, subject to conditions of approval.

### **M.F.G. Properties, 7410 Veyaness Road**

The rezoning proposal for a residential project (7410 Veyaness Road) was the subject of a public information meeting held in July, 2005. A revised application was submitted November 4<sup>th</sup>. The new proposal is for three single-family units along Veyaness and four single-family units with accessory suites. On November 23<sup>rd</sup>, the Advisory Planning Commission considered the revised proposal and recommended support for the reduced density, layout and proposed changes to the Veyaness / East Saanich Roads' intersection. Council considered this proposal and resolved on December 19<sup>th</sup> to postpone further consideration of the rezoning application, and directed staff to prepare a report on the history of OCP changes and development proposals for this property, to be brought back at a future Planning and Development Committee meeting. Staff are preparing this report, and anticipate it being brought to a Committee Meeting early in the new year.

At the December 19<sup>th</sup> meeting, Council also directed staff and an appropriate Council representative to meet with neighbours to discuss possible solutions to excessive speeding and pedestrian / cyclist safety on Veyaness Road.

### **Ron Kubek, 7173 West Saanich Road**

On July 20, 2005 Ron Kubek, Keller Williams Realty, submitted applications for Development and Development Variance Permits for a redevelopment of the commercial complex located at 7173 West Saanich Road. The proposal is to renovate and expand the existing commercial space and create six stratified apartments. A staff report was prepared and considered by both the Advisory Planning Commission and the Planning and Development Committee. On September 19<sup>th</sup>, Council directed staff to notify adjacent residents of its intention to consider issuance of the Permits at the October 17<sup>th</sup> meeting. At this meeting, Council authorized issuance of the permits.

### **Church & State Wines, Benvenuto Avenue**

A Development Variance Permit application was submitted on July 15, 2005 by Church and State Wines Inc. (formerly Victoria Estate Winery) for an entrance gateway, fencing and signs; additional signage on West Saanich Road; and four seasonal agricultural produce banners. The proposal spans two properties located at 1445 and 1425 Benvenuto Avenue. Following consideration by the Planning and Development Committee on September 19<sup>th</sup>, Council directed staff to undertake the required notification to adjacent property owners and residents, advising of Council's intention to consider issuance of a Development Variance Permit at the October 17<sup>th</sup> meeting. At this meeting, Council received correspondence from neighbours, and authorized issuance of the permit.

### **Veda Michell, 7473 East Saanich Road**

On August 11<sup>th</sup>, an ALC application for non-farm use was submitted by Veda Michell, 7473 East Saanich Road, for the existing commercial business operating from this location. This first step is to resolve the issue of land use compliance prior to applying to the ALC for non-farm use to subdivide the property. A staff report was prepared December 22<sup>nd</sup> for consideration by Council at an upcoming meeting in January.

## **ON-GOING APPLICATIONS (Cont'd)**

### **Mark Verhagen, 1300 Benvenuto Avenue**

On September 12<sup>th</sup>, Council authorized the issuance of a Development Variance Permit, to relax the engineering standards for the Macklin Road right-of-way as well as Greig Avenue with respect to road construction requirements for the proposed subdivision. As directed by Council, staff submitted an application to the Agricultural Land Commission for pathway development of the Macklin Road right-of-way adjacent to this property. The ALC approved the application on November 25<sup>th</sup>. The applicant is proceeding with the subdivision process.

### **S. and R. Tuffin, 8129 West Saanich Road**

An application for Development Variance Permit was submitted on August 14, 2005, to request variances to the Land Use Bylaw for an accessory building recently constructed on the property without the necessary building permit and approvals in place. On November 21<sup>st</sup> Council authorized the issuance of a DVP to increase the allowable height and reduce the required sideyard setback for the accessory building subject to registration of a restrictive covenant prohibiting future residential accommodation in the accessory building.

### **Tru Value Foods, 7108 West Saanich Road**

Staff are still waiting for the applicant to provide more detailed plans before a report can be prepared to Council for the Development Permit application submitted by Tru Value Foods to upgrade the exterior design of the building, including new signage.

### **Church and State Wines (formerly Victoria Estate Winery), 1445 Benvenuto**

Additional information is still required with respect to the Winery's licenced areas and seating capacities before further consideration can be given to the application for rezoning to accommodate restaurant use.

### **Angler's Anchorage Marina – Docks**

This application for Development and Development Variance Permits is to facilitate the proposed redevelopment (upgrading) of the Angler's Anchorage Marina docks at 905 Grilse Lane. The variance is with respect to screening requirements. At the September 12<sup>th</sup> meeting, Council received correspondence from neighbours, and authorized the issuance of the Permits subject to several conditions. Prior to issuing the permits, the applicant must register a restrictive covenant assuring removal of the existing house.

### **Dezign Zone, 7088 West Saanich Road**

Staff undertook the necessary notifications for a Public Hearing held August 15<sup>th</sup>, for the rezoning bylaw for the proposed 26-unit multi-family condominium development with commercial space at 7088 West Saanich Road. Preparation of a Housing Agreement was also completed. On September 6<sup>th</sup>, Council gave third reading to the rezoning bylaw, as well as first three readings to a Housing Agreement for the subject property. Prior to consideration of fourth and final reading, and issuance of the Development Permit, the applicant is required to meet several conditions, including environmental remediation of the site.

### **Derek and Deborah Scott, Oldfield Orchard, 6286 Oldfield Road**

In early September, correspondence was received from the Agricultural Land Commission, advising that the application submitted by Derek and Deborah Scott, to place six additional dwelling units (campers, trailers and cottages) on their property for seasonal farm help, has been approved. The approval is conditional on all permanent dwellings on the farm being occupied permanently by persons employed on the farm; the temporary dwelling units being restricted to an identified area; and, removal of temporary dwellings that have not been used for a year or more. At the September 19<sup>th</sup> Council meeting, Council requested staff to seek clarification from the ALC in this regard. Staff have requested clarification and are awaiting response from the ALC.

### **Secondary Suite Bylaw**

Following the Town hall Meeting held September 21<sup>st</sup> regarding secondary suites, Council directed staff to prepare a draft bylaw amendment for secondary suites, including:

- *That secondary suites not be permitted in accessory buildings and structures.*
- *That in the proposed regulations for secondary suites there be no potential for the maximum suite size to be relaxed.*
- *That one additional on-site parking space be provided in connection with a proposed secondary suite.*
- *That the principal dwelling unit or suite must be owner-occupied in all instances.*
- *That a minimum lot size be established as a pre-condition for approval of a secondary suite.*
- *That 780 m<sup>2</sup> (8400 sq.ft.) be established as the minimum lot size for permitting a secondary suite.*
- *That for existing construction, one additional accessible on-site parking space be required as a further precondition for the permitting of a secondary suite, and for new construction, the one additional on-site parking space be located behind the front building area line.*
- *That secondary suites be permitted in the A-1 and A-2 zones, with the proviso that the regulations apply to properties that are not under the jurisdiction of the Agricultural Land Reserve.*
- *That secondary suites be permitted in the RE-1, RE-2, RE-3 and RE-4 zones.*
- *That secondary suites be permitted in the R1, R-1M and R-1S zones.*
- *That secondary suites be permitted in the R-2 zone, with the proviso that it not be permissible to have both a duplex and a secondary suite.*
- *That a separate register not be maintained for legalized secondary suites, however upon adoption of the required Land Use Bylaw Amendment Bylaw Staff endeavour to maintain statistics on the number of conversions from formally illegal to legalized secondary suites, as well as the number of newly built legal secondary suites.*

Council received the draft "Central Saanich Land Use Bylaw Amendment Bylaw No. 1534, 2006" for information, and requested that staff place Bylaw No. 1534 on the agenda of a Council meeting in the new year for consideration of first and second readings and referral to a public hearing.

### **Secondary Dwellings on Land in the ALR**

A staff report was prepared addressing the issues of additional dwellings on land in the ALR. Council referred the item to the Advisory Planning Commission and Peninsula Agricultural Commission.

### **Agri-Tourism Task Force**

Staff continue to work with the Municipal Solicitor regarding the implementation of the Agri-Tourism Task Force recommendations, as amended by Council.

### **Brentwood Revitalization Implementation Committee (BRIC)**

The Director of Planning continues work on SRW acquisitions and public enquiries and finalization of working drawings. It is anticipated that the tender for road construction for the Brentwood Improvement Project will be finalized by the end of 2005, with construction anticipated to commence in the Spring of 2006.

### **PLANNING ADMINISTRATION**

- ✓ Preparation of advertising, interviews and hiring of new Planner.
- ✓ Director and Planner attended ½ day Riparian Areas Regulation information workshop hosted by the CRD.
- ✓ Assistance to Building & Bylaw Divisions on revising Secondary Suite/Secondary Dwellings' Enforcement policies and presentation to Council.
- ✓ Assistance to Community Services on the preliminary park development plans for Woodward and Tanner neighbourhood tot lots and attending neighbourhood public meetings to gather input.
- ✓ Presentation by Director to the Affordable Housing Conference in Vancouver of the Residential Evaluation Guidelines.
- ✓ Preparation of orientation materials for new Council.

PLANNING & DEVELOPMENT APPLICATIONS							
Type of Application	2005			Previous Years Comparisons			
	NEW (this Quarter)	YEAR TO DATE	ACTIVE *	2001	2002	2003	2004
OCP Amendment	-	-	-	1	-	3	1
Zoning Amendment or Rezoning	-	2	3	5	4	10	6
Development Permit	1	9	8	9	9	11	13
Development Variance Permit	3	15	10	2	4	12	17
Agricultural Land Reserve	1	5	4	4	9	4	7
Temporary Industrial/Commercial Use Permit	-	1	-	1	-	1	1
<b>Quarterly Total</b>	<b>5</b>						
<b>ANNUAL TOTAL</b>		<b>32</b>	<b>*25</b>	<b>22</b>	<b>26</b>	<b>41</b>	<b>45</b>

\* Includes active applications received prior to 2005.

### BUILDING INSPECTIONS

The 2005 building permit figures show an increase in construction values of approximately 20% over 2004 with an approximate increase in revenue of 17%. The increased number of building permits and inspections is consistent with the figures for the year.

The enforcement of secondary suites, second dwellings on properties, and commercial areas having work completed without the benefit of permits, remains a problem for the Building and Bylaw divisions. The second dwellings on properties remain an issue that needs to be resolved. These issues have been raised for three years and continue to generate enforcement concerns.

Major projects receiving building permits for the year include the Legion Manor Seniors' residence, some larger single family residences, the Cidery on Mt. St. Michael, and townhouses on East Saanich Road.

Andrew Law has joined the Building Department with the resignation of Brian Duncan earlier in the Fall.

The Building Section remains extremely busy during the construction boom occurring in the Capital area.

### BOARD OF VARIANCE

There were two Board of Variance applications during this term with approval of one application and denial of the other:

- 8275 Lochside Drive, variance to gated fence height at front of property, from 1.3 metres to 1.83 metres (variance of .53 metres), was **approved**.
- 1900 Doney Road, variance to rear yard setback for addition of garage to the single family dwelling, from 7.5 metres to 1.5 metres (variance of 6.0 metres), was **denied**.

## **BYLAW ENFORCEMENT**

### **Files Currently in litigation**

- 7000 Block of Keally Place – Secondary Suites.

### **Referrals to Municipal Solicitor**

The following matters were referred to the Municipal Solicitor for further consultation:

- 7000 Block of Central Saanich Road – Noise/ Nuisance
- 8000 Block of Lochside Drive – Non permitted use.
- 700 Block of Sea Drive – Non permitted use.
- 6000 Block of Veyaness Road – Noise.

### **Referrals to Other Government Agencies**

The following matters were referred as appropriate to the Ministry of Water, Land and Air Protection, Coast Guard, Agricultural Land Commission, BC Hydro, Vancouver Island Health Authority or the Department of Fisheries and Oceans for follow-up:

- 7000 Block of Central Saanich Road – Nuisance.
- 7900 Block of Larkvale – Work near watercourse.

### **Notice on Title (Section 57)**

The following properties had a Notice on Title registered:

- 900 Block of Sluggett Road – Build without permit.
- 6900 Block of East Saanich Road – Remedial action – Build without permit.

### **Referrals to Council**

The following bylaw enforcement issues have been referred to Council:

- 7000 Block of Central Saanich Road – Nuisance.
- 8000 Block of Alec Road – Soil Deposit.
- 1400 Block of Benvenuto Avenue – Signs .
- 900 Block of Sluggett Road – Build without permits.
- 8300 Block of Lochside Drive – Illegal dwelling.
- 6900 Block of Veyaness Road – Farm dwelling.
- 1500 Block of Hovey Road – Dog attack.

### **Issues that have been resolved**

- Over 22 issues resolved (i.e. building permits, noise, business licences, second dwellings, outdoor storage, unsightly properties, non-permitted uses, tree cutting, vehicle parking, signs, etc.

### **Other Enforcement Issues**

The following issues are being addressed by staff and are at various stages of investigation/enforcement:

- Several second dwelling and secondary suite complaints.
- Over 62 active files dealing with various bylaw infractions including: additional dwelling units, secondary suites, tree cutting, non-permitted uses, parking, no business licence, fences, outdoor storage, excessive noise, unsightly properties, soil deposit, etc.

### **Bylaw Inspections**

- Undertook approximately 42 site inspections during October through December.

## **COMMUNITY SERVICES**

### **Park Reservations**

- Processing of seven park use requests this Quarter, for a year-to-date total of 155, compared to 141 park reservations in 2004.

### **Newman Farm Restoration Project**

- The Newman Farm Working Group volunteers prepared a report outlining activities and accomplishments over the past year;
- The original "Nestor Nyman" steamer trunk was received by donation;
- Western Forest Products donated cedar logs for use in repair/reconstruction of perimeter fencing on the Newman Farm;
- News article featuring the Newman Farm appeared in the Peninsula News Review;
- Volunteers continue to make progress with genealogical research and conservation of paper artifacts.

### **Saanichton Green Improvement Project**

- Continuation of Phase II improvements, including installation of a park bench, drainage/landscaping, completion of the youth court and planting around the Saanich Pioneers' Museum.

### **"Tanner" and "Woodward" Totlot Design & Public Consultation**

- Preparation of preliminary design drawings for each park;
- Conducted two public open houses in October;
- Feedback from these meetings was used to develop revised conceptual designs.

### **Facility Improvements**

- Cultural Centre roof replacement (partial) was completed;
- Replacement flooring in Activity Room B of the Cultural Centre;
- Replacement of two workstations (Engineering Technicians);
- Installed additional file storage within the Engineering/Planning/Building vault.

### **West Saanich School Restoration Project**

- Architect, Jonathan Yardley, was retained to assist with on-going restoration works;
- Communication with the Heritage Legacy Fund of BC to finalize a project promotional banner.

### **Butterfield Gardens Restoration Project**

- Construction of new compost bins;
- Purchase of two park benches.

### **Miscellaneous**

- Manager served as Co-Chair of the Municipal Hall OH&S Committee this past year;
- Specification and order of the "Year of the Veteran" plaque;
- Seasonal decoration of the Municipal Hall;
- Ongoing support to the Heritage Commission, Newman Farm Working Group and the Butterfield Garden Restoration Group to achieve annual goals for special projects.

<b><i>SUBDIVISION APPLICATIONS (showing number of additional lots proposed)</i></b>			
<b><i>Date Rec'd</i></b>	<b><i>File</i></b>	<b><i>Location</i></b>	<b><i>Description</i></b>
Nov. 14, 2002	1078-02	Wallace Drive 617R & 642R	A-1, Boundary Adjustment (ALC Approval/ 2 <sup>nd</sup> Dev.Variance application) <i>PLA Issued</i>
Oct. 14, 2003	1089-03 see also #1076-02	7789 West Saanich Road Lot 1, Plan 42861	A-1, 1 lot, ALC approval granted <i>Plan Signed – March 10, 2005</i>
Feb. 10, 2004	1090-04	1915 Lisnoe Avenue Lot 2, Plan 488	R-1Z – 1 lot <i>PLA issued April 7, 2004; renewed</i>
March, 2004	1093-04	6456 Rey Road Lot 1, Plan 48663	R-1 – 13 lots <i>Plan signed – February, 2005</i>
June 4, 2004	1095-04	Newton Place – Lot B, Plan 52947	R-2, R1A, R-1 – 8 lots <i>Plan signed – March 3, 2005</i>
June 16, 2004	1096-04	6900 Wallace Drive	R-1 – 6 lots, <i>PLA issued for 6 lots November, 2004 (renewed to date)</i>
July 12, 2004	1097-04	2531 Meadowland Drive	R-1 – 1 lot, <i>PLA issued Sept. 22, 2004, renewed</i>
Oct. 26, 2004	1098-04	7473 East Saanich Road	A-1 – 1 lot <i>Denied April, 2005</i>
Nov. 5, 2004	1099-04	1300 Benvenuto Avenue	A-2 and RE-4 - 1 lot <i>PLA issued January 10, 2005; renewed</i>
Nov. 8, 2004	1100-04	1265 Greig Avenue	A-2 and RE-4 – 1 lot <i>PLA issued January 10, 2005, renewed</i>
March 3, 2005	1101-05	Lots 13 and 14, Bl. 4, Plan 1607 Meadowbank Road	A-2 (boundary adjustment) <i>PLA issued June 30, 2005, renewed</i>
March 2, 2005	1102-05	Lots 7 and 8, Plan VIS 4946 7011 & 7013 Beach View Court	RE-5 – (lot re-alignment) <i>Plan Signed July 8, 2005</i>
March 14, 2005	1103-05	Lot A, Plan 36987 1123 Verdier Avenue	R-2 – 1 lot <i>PLA issued August 26, 2005</i>
April 5, 2005	1104-05	Lot B, Plan 28789; Lot 1, Plan 29729 1043 & 1051 Verdier Avenue	R-2 – 2 lots <i>Under Review</i>
July 20, 2005	1105-05	Lots 1 and 2, Plan 32263 8326 & 8334 West Saanich Road	RE-3 (lot re-alignment) <i>PLA issued November 10, 2005; DVP application under review</i>
Dec. 22, 2005	1106-05	Lot 3, Plan 7415 1890 Haldon Road	A-1 – 1 lot <i>Under Review</i>
Dec. 22, 2005	1107-05	Pcl. A, Plan 488 1860 Cultra Avenue	R-1M – 3 lots <i>Under Review</i>

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 Hope V. Burns, mcip  
 Director of Planning and Building Services  
 Approving Officer

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 Date