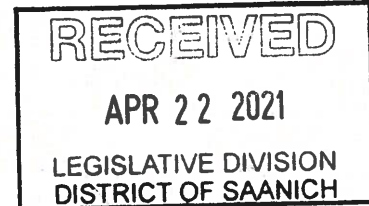




The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: April 21, 2021
Subject: Development Variance Permit and Subdivision Application
File: DVP00462; SUB00882 • 425 Sparton Road



RECOMMENDATION

That Development Variance Permit DVP00462 be approved.

Note: If Council supports the subject Development Variance Permit a covenant to prohibit construction of any additional buildings on the proposed common property and to prohibit vehicular access to the strata lots from Wray Avenue, would be addressed by the Approving Officer through the subdivision process.

PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The application is for a Development Variance Permit to waive the development servicing requirement to construct Wray Avenue, fronting the subject property, to Saanich Rural Road Standards. The applicant is Dallas Miles.

This Development Variance Permit Application is associated with an application to subdivide the parcel at 425 Sparton Road to create one additional lot for a total of two lots for rural residential use plus shared common property under the Bareland Strata Regulations and the existing A-1 Zoning. The Approving Officer will oversee the subdivision application. A Streamside Development Permit is also requested. The Manager of Environmental Services will oversee the issuance of the Streamside Development Permit.

DISCUSSION

Neighbourhood Context

The 5.48 ha site is located outside the Urban Containment Boundary, in the Prospect Lake neighbourhood of the Rural Saanich Local Area, between Sparton Road on the north and Wray Avenue on the south. The site contains a single family dwelling, garage, barn, other agricultural outbuildings, and a wetland. Surrounding land use is single family dwellings on A-1 (Rural) zoned parcels and the undeveloped Tuscan Park on the south (see Figure 1). The neighbourhood is predominantly A-1 zoned, rural residential properties. The site is located within 1.0 km travel distance of Prospect Lake Rural Village "Centre", where a range of commercial services are provided, and within 1.1 km of Prospect Lake Elementary School.

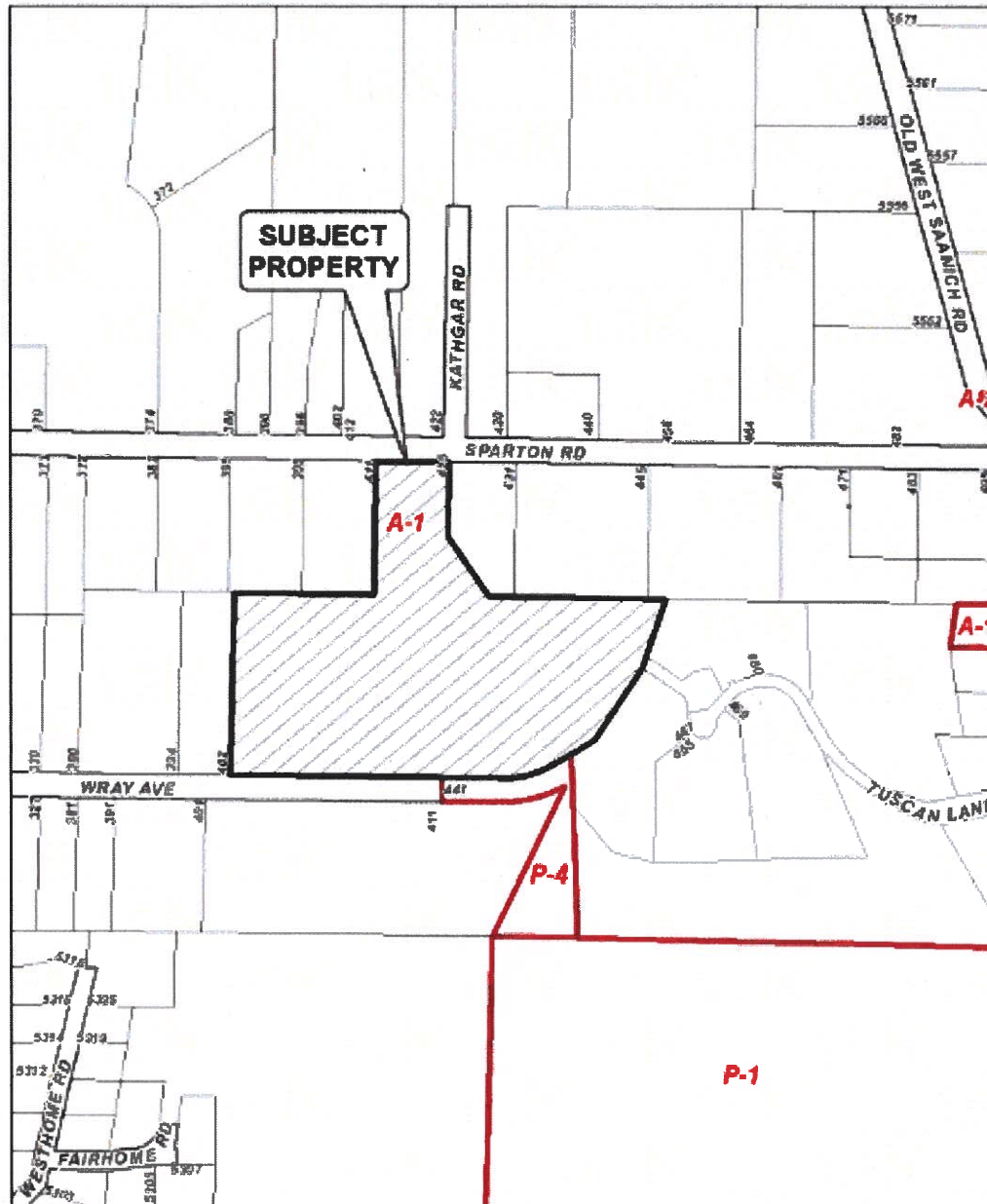


Figure 1: Context Map

Proposed Land Use

The proposal is to create one additional lot for a total of two lots for rural residential plus shared common property (see Figure 2) under the Bareland Strata Regulations and the existing A-1 zoning. Proposed Strata Lots A and B would have lot areas of 1.54 ha. The common property would be 2.33 ha and would accommodate the wetland and an existing garage. The strata road serving both lots would have an area of 0.17 ha. The existing dwelling located on proposed Strata Lot A would be retained and renovated, or a new dwelling would be constructed. An existing barn would be removed and some agricultural outbuildings would be removed or relocated on proposed Strata Lot B and a new home would be constructed in the area of the existing barn. Access to both lots would be from Sparton Road via the existing driveway. A Subdivision Bylaw variance is requested to waive the development servicing requirement to

construct Wray Avenue, fronting this subdivision, to Saanich Rural Road Standards.

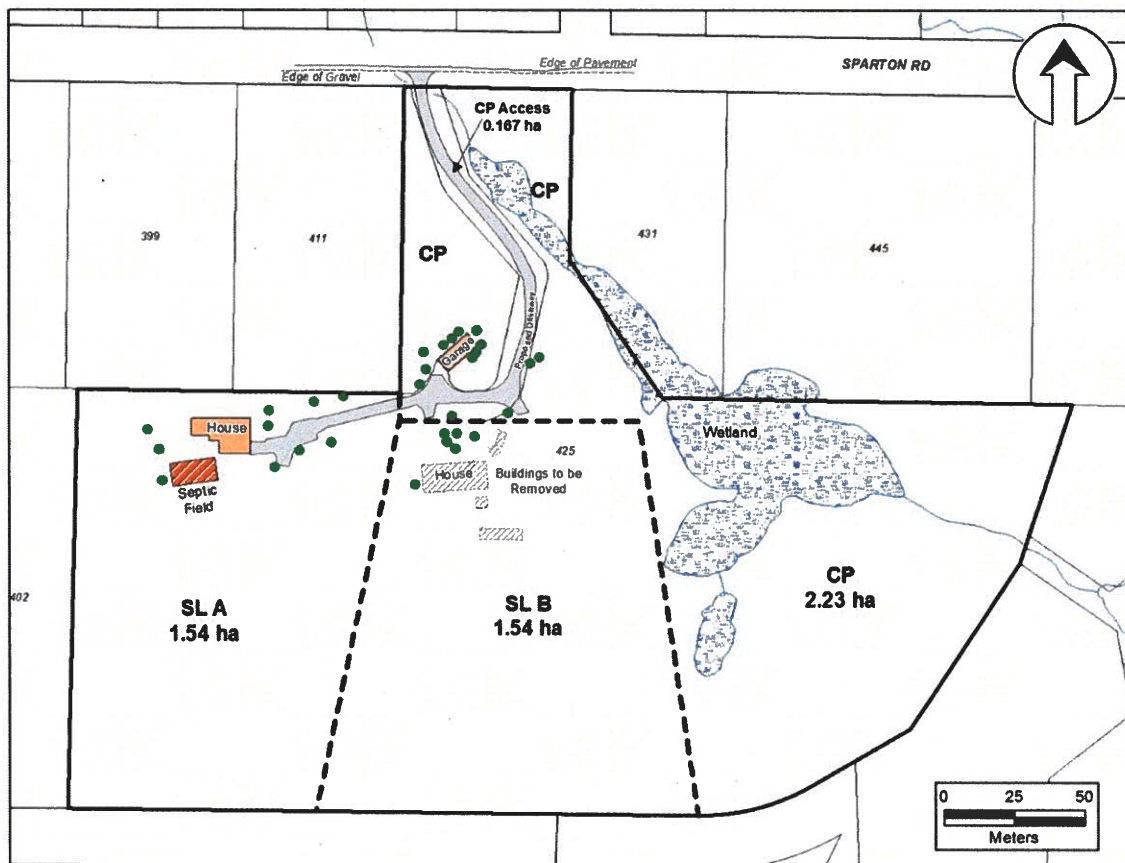


Figure 2: Proposed Subdivision (from plans by McElhanney Ltd.)

Site and Building Design

The existing dwelling on proposed Strata Lot A would be retained and renovated or it would be removed and a new three-bedroom dwelling would be constructed in the same area. A new three-bedroom dwelling is proposed to be constructed on Strata Lot B.

Consultation

A referral was sent from the Planning Department to the Prospect Lake and District Community Association (PLDCA). A response has been received indicating no objections. In addition, a neighborhood notification letter was sent to residents within 90 m of the site.

A letter of objection was received from an adjacent resident on Wray Avenue stating concerns about possible construction of a house on the common property and about overland flow of surface water and the potential impact to neighbouring water wells. Neither of these concerns relate to the variance request under consideration. That said, if the application proceeds forward a covenant would be placed on the property to ensure there was no building constructed on the "common property" (see note in recommendation section of report). As for the concern about overland flow of water, municipal bylaws require that, if soil conditions allow, stormwater must be directed to an onsite stormwater disposal system. If soil conditions do not allow for on-site stormwater disposal, the lot must connect to a municipal watercourse or ditch. On-site

stormwater management shall include storage, treatment, and a release rate as defined by Saanich Engineering Specifications (Schedule H to the Subdivision Bylaw). This would be evaluated after the Approving Officer issued Conditional Approval. Engineering would require drawings from the applicant's engineer and the stormwater system would need to be constructed or bonded for prior to Final Approval of the Subdivision.

ALTERNATIVES

1. That Council approve the recommendation as outlined in the staff report.
2. That Council reject the recommendations as outlined in the staff report.
3. That Council provide alternate direction to Staff.

FINANCIAL IMPLICATIONS

The proposal has no immediate implications related to the District of Saanich Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The proposal has no implications related to the District of Saanich 2019 - 2023 Strategic Plan.

PLANNING IMPLICATIONS

Policy

The following Saanich Planning Policies are most applicable to the subject proposal:

Official Community Plan (2008)

- 4.1.2.10 "Retain and plant trees along boulevards and municipal properties, in parks and on private lands, to expand the urban forest and act as a mitigative measure in regard to climate change."
- 4.2.2.3 "Consider the use of variances to development control bylaws where they would achieve a more appropriate development in terms of streetscape, pedestrian environment, view protection, overall site design, and compatibility with neighbourhood character and adjoining properties."

Rural Saanich Local Area Plan (2007)

- 12.5 a) "Retain unused road rights-of-way, identified on Map 12.1, as informal open spaces and trail linkages as part of an overall greenway system."

Policy Analysis

The subject application is for a Development Variance Permit to waive the development servicing requirement to construct Wray Avenue, fronting this subdivision, to Saanich Rural Road Standards. The constructed portion of Wray Avenue currently terminates at the western edge of the subject property. No access to the site is proposed from Wray Avenue.

Waiving the requirement to construct Wray Avenue fronting the development would be consistent with Rural Saanich Local Area Plan Policy 12.5 (a) which encourages the retention of unused rights-of-way as informal open spaces and trail linkages as part of an overall greenway system. Saanich Parks supports the waiver request as tree loss due to construction of the road

would be significant. The tree retention is also consistent with the OCP policy regarding the urban canopy (4.1.2.10), and policy 4.2.2.3 indicating variances are supportable where they would achieve a more appropriate development in terms of streetscape, in this case the maintenance of the rural treed character.

If the Development Variance Permit is granted, a covenant would be registered on both strata lots to prohibit vehicular access from Wray Avenue (see note in recommendation section).

Servicing


Access to proposed Strata Lots A and B is proposed via a strata road using the existing driveway. The Development Servicing Requirements for the subdivision require that the proposed common road must be constructed to a minimum 4.0 m width with 6.0 m horizontal clearance and 5.0 m vertical clearance complete with a fire truck turning area at the end.


Wray Avenue, fronting this subdivision, must be constructed to Saanich Rural Road Standards unless the owners obtain a Development Variance Permit from Council to waive this requirement. As noted above, if Development Variance Permit is granted, the Subdivision Approving Officer will handle the registration of a restrictive covenant on both proposed lots to prohibit vehicular access from Wray Avenue.


A minimum 1.0 m wide gravel shoulder, fronting this subdivision, must be provided along the edge of the existing pavement on Sparton Road. The existing 300 mm culvert on Sparton Road must be extended complete with headwalls to accommodate the proposed common access road.

CONCLUSION

Waiving the requirement to construct Wray Avenue fronting the development would be consistent with Rural Saanich Local Area Plan Policy 12.5 (a) which encourages the retention of unused rights-of-way as informal open spaces and trail linkages as part of an overall greenway system. Saanich Parks supports the waiver request as tree loss due to construction of the road would be significant. The tree retention is also consistent with the Official Community Plan policy regarding the urban canopy (4.1.2.10), and policy 4.2.2.3 indicating variances are supportable where they would achieve a more appropriate development in terms of streetscape, in this case the maintenance of the rural treed character. For these reasons, the Development Variance Permit application can be supported.

Prepared by: 
Neil Findlow
Planner

Reviewed by: 
Shari Holmes-Saltzman
Manager of Current Planning

Approved by: 
Sharon Hvozdzanski
Director of Planning

NDF/jsp

Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.


For Paul Thorkelsson, Chief Administrative Officer