



Staff Report to the Planning, Zoning and Affordable Housing Committee

DATE: Monday, January 31, 2022

DEPARTMENT: Planning

APPLICATION NO.: DVP21-0020

SUBJECT: Application for Development Variance Permit to allow for a setback and height variance at 2936 and 2940 Irwin Road

PURPOSE

Nick Warrington of Van-Isle Projects Ltd. has applied on behalf of Bishop of Victoria for a development variance permit to reduce the front lot line setback from the required 7.5 m to 0 m and to increase the maximum height of a building or structure from the required 12 m to 27.5 m (90 ft).

BACKGROUND

PREVIOUS APPLICATIONS

Z08-0024 – In 2009, the subject properties were rezoned from Greenbelt 1 (GB1) to Neighbourhood Institutional (P1A) to allow for the development of a church and rector, private school and playfield, and assisted living apartment buildings.

Table 1: Site Data

<i>Applicant</i>	Nick Warrington, Van-Isle Projects Ltd.
<i>Owner</i>	Bishop of Victoria
<i>Civic Address</i>	2936 and 2940 Irwin Road
<i>Legal Description</i>	2936 Irwin Road: Lot A, Section 26, Goldstream District, Plan 38777 2940 Irwin Road: Lot B, Section 26, Goldstream District, Plan 38777
<i>Size of Property</i>	2936 Irwin Road: 5,475 m ² (1.35 acres) 2940 Irwin Road: 21,842 m ² (5.39 acres)
<i>DP Areas</i>	Riparian, Extreme/High Fire interface Hazard, and Potential Habitat and Biodiversity
<i>Zoning Designation</i>	Neighbourhood Institutional (P1A)
<i>OCP Designation</i>	Hillside or Shoreline

SITE AND SURROUNDING AREA

The subject properties are a combined 2.7 ha (6.7 ac) site located on the south side of Irwin Road, west of Creekside Trail and Jordie Lunn Bike Park and east of the intersection of Irwin Road with Humpback Road. The surrounding area consists of rural residential lands, future and built phases of Westhills, regional parks, and large one- and two-family residential lots.

Table 2: Surrounding Land Uses

	Zoning	Use
<i>North</i>	CD3 (Westhills)	Residential
<i>East</i>	CD3 (Westhills)	Vacant and Park
<i>South</i>	CH3 (Cluster Housing Residential)	Single and two-family residential Mount Wells Regional Park
<i>West</i>	RR4 and P4	Sooke Hills Wilderness Regional Park Reserve and Rural Residential

Figure 1: Location Map



The subject properties are bisected by a watercourse – Wagh Creek. The area between the watercourse and Irwin Road is fairly flat, while the area from the watercourse to Creekside Trail at the rear of the property gains elevation at an approximate 20-25% grade. The site and location map have been included in the Appendices for Council's information.

The subject properties contain a substantial established tree cover in addition to the watercourse. The Streamside Protection and Enhancement Area (SPEA) associated with the watercourse will be protected in accordance with the Development Permit Area Guidelines in order to ensure the long term health of this environmentally sensitive area. Further to this, the protection of the SPEA will also help to maintain much of the established urban forest on the subject property, as many of the existing trees are located within the SPEA.

The subject properties currently contain a single family dwelling, mobile home, two accessory buildings, and substantial number of existing trees, as shown on Figure 1.

COMMENTS

DEVELOPMENT PROPOSAL

The applicant is proposing to construct a church with offices, dining hall, kitchen and outdoor garden space. As previously noted, a watercourse runs through the middle of the subject properties, leaving a limited building envelope that can be developed outside of the SPEA and property line setbacks. Due to this, the applicant has applied to vary the front lot line setback from the required 7.5 m to 0 m to allow for an extension of the roof canopy and keep the building offset from the SPEA. In addition, the applicant wishes to vary the maximum height of a building or structure from 12 m (39.4 ft) to 27.5 m (90 ft) to allow for a steeple. It should be noted that the roof canopy extends 6 m into the City of Langford's Irwin Road right of way and as such an encroachment agreement will be required. This will be addressed through a separate report to Council at a later date.

The Official Community Plan designates three development permit areas on the subject properties: extreme/high interface fire hazard, riparian and potential habitat and biodiversity. As such, the applicant will have to apply and obtain a development permit prior to the commencement of any works to demonstrate how the development proposal will address the guidelines associated with these designations.

OPTIONS:

Option 1

THAT the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Direct staff to provide notice that Council will consider issuing a Development Variance Permit for

2936 and 2940 Irwin Road with the following variances:

- a. That Section 6.80A.07 of Zoning Bylaw No. 300 be varied to increase the maximum height of a building or structure from 12 m (39.4 ft) to 27.5 m (90 ft); and
- b. That Section 6.80A.08(1) of Zoning Bylaw No. 300 be varied to reduce the front lot line setback from the required 7.5 m to 0 m;

OR Option 2

THAT the Planning, Zoning and Affordable Housing Committee recommend that Council:

2. Reject this application for development variance permit.

SUBMITTED BY: Matt Notley, Planner I

Concurrence: Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

Concurrence: Donna Petrie, Manager of Business Development and Events

Concurrence: Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

Concurrence: Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

Concurrence: Michael Dillabaugh, CPA, CA, Director of Finance

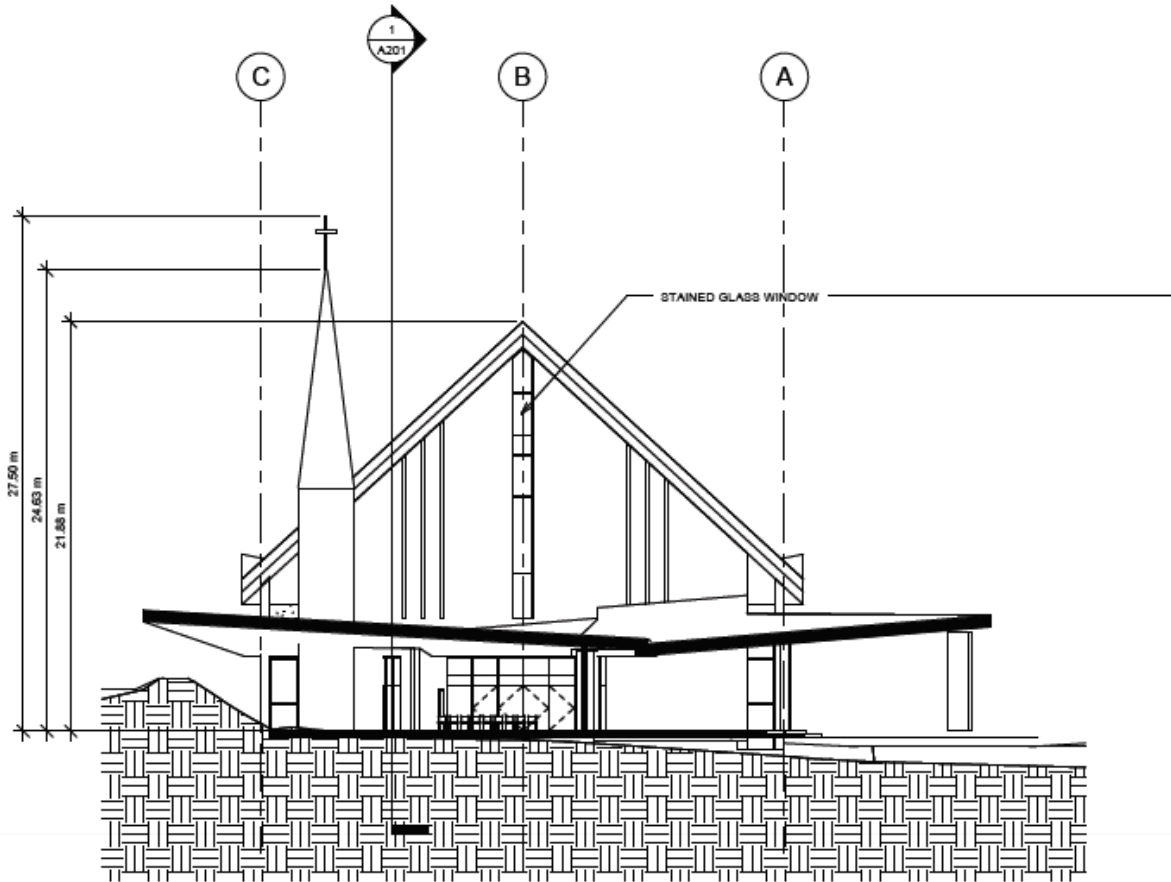
Concurrence: Marie Watmough, Acting Director of Corporate Services

Concurrence: Darren Kiedyk, Chief Administrative Officer

Appendix A – Site Plan



Appendix B – Steeple Height Cross Section



② Building Section - Narthex
1 : 200

Appendix C – Site Map

**DEVELOPMENT VARIANCE PERMIT
(DVP21-0020)
2936 Irwin Rd & 2940 Irwin Rd**



Appendix D – Location Map

**DEVELOPMENT VARIANCE PERMIT
(DVP21-0020)
2936 Irwin Rd & 2940 Irwin Rd**

