

6. Development Variance Application

a) VA000144 – Lot A, Block 453, Malahat District, Plan EPP72720 (1499 Trail Way)

Iain Lawrence spoke to the staff report outlining the requested variance to reduce the front yard setback for the purpose of siting a greenhouse. Staff displayed a survey and photos of the property and confirmed that the siting of the greenhouse is outside of any development permit areas and covenant areas on the property.

Staff directed attention to the items in the supplementary agenda and outlined the six letters of support and one letter stating objection. Concerns identified in the letter of opposition relate to bylaws being changed to address violations and the proposed use of the greenhouse.

A representative for the applicant was in attendance and presented a letter from the owners. The representative stated that the greenhouse is intended for the growing and propagation of horticultural plants for the owners' landscaping business and for farm-gate sales. One exterior light and one small fan are installed on the greenhouse and no nuisance to adjacent properties is expected. The siting of the structure was selected due to topographical considerations, covenant areas and the adjacent regional trail.

The Chair questioned the 30 metre setback requirement. Staff confirmed that greater setbacks apply as the greenhouse is classified as an agricultural building.

Comments from LUC members included:

- lights in greenhouse could create nuisance to neighbours
- expansion into larger commercial operation is a concern
- home-based businesses are supported
- sympathetic to concerns raised in letter of opposition
- future buildings will require permits.

MOVED by Stan Jensen, **SECONDED** by Dale Risvold that the Land Use Committee recommend to the CRD Board:

- a) That Development Variance Permit VA000144 to reduce the front yard setback for agricultural buildings from 30 m to 10.4 m, as specified by Malahat Land Use Bylaw, 1981, Bylaw No. 980, Section 3.4.04(4), for the purpose of allowing the siting of a greenhouse on Lot A, Block 453, Malahat District, Plan EPP72720, be approved.

CARRIED

7. Adjournment

The meeting adjourned at 7:21 p.m.

Chair