



COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 26, 2021

From: Jayden Riley, Planner II

File No: DVP 20-15

Subject: **DVP 20-15; Development Variance Permit; 3372 Gates Road**

RECOMMENDATION

THAT Council support the issuance of a Development Variance Permit (DVP 20-15) for 3372 Gates Road to vary Zoning Bylaw No. 0154 S. 3.7(e) to increase the maximum floor area of an accessory building from 100 sq. m. to 116 sq. m. and S. 10.4.4(f).2 to increase the maximum height of an accessory building from 5.0 m to 6.3 m.

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Priorities 2020-2022)

BACKGROUND

This application is proposing to vary Zoning Bylaw No. 0154 in order to increase the maximum floor area of an accessory building, from 100 sq. m. to 116 sq. m. and the maximum height of an accessory building from, 5.0 m to 6.3 m. The accessory building is proposed to be attached to a proposed carriage house on the same parcel.

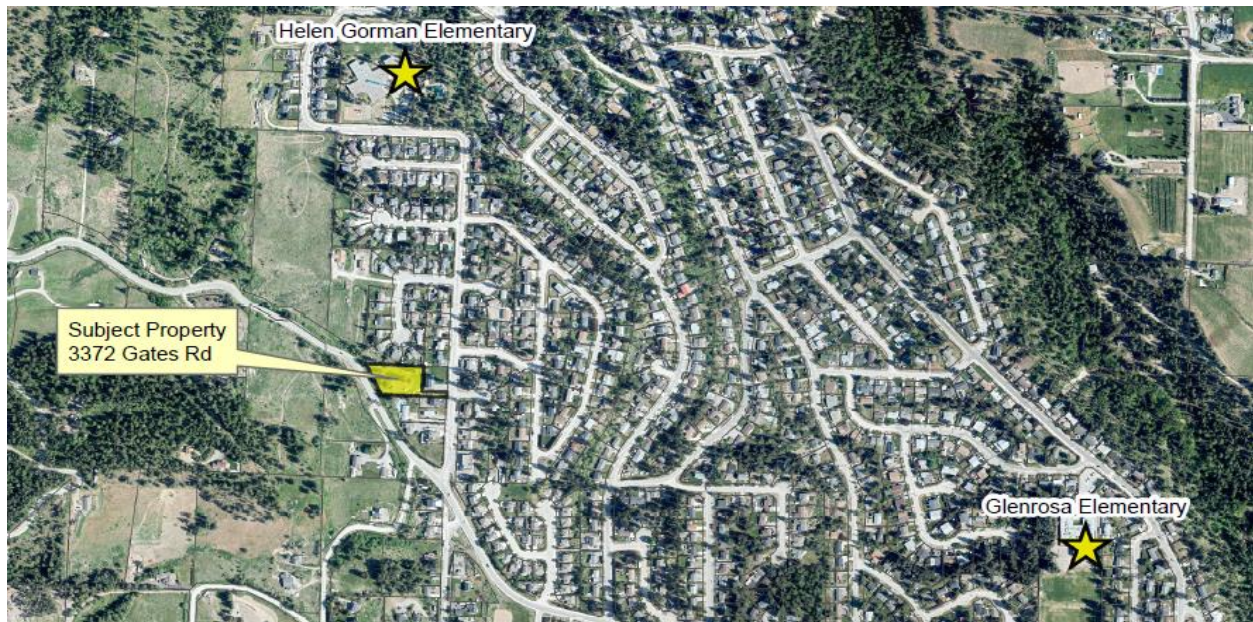
PROPERTY DETAILS			
Address		3372 Gates Road	
PID		031-167-926	
Folio		36414641.705	
Lot Size		4,560 sq. m.	
Owner	Jimmy Tobin, Katherine Blanchard	Agent	Greg Campbell
Current Zoning	Single Detached Residential (R1)	Proposed Zoning	N/A
Current OCP	Single Family Residential	Proposed OCP	N/A
Current Use	Single residence	Proposed Use	Carriage home
Development Permit Areas		Hillside	

Hazards	None
Agricultural Land Reserve	No

ADJACENT ZONING & LAND USES

North	^	Single Detached Residential (R1)
East	>	Single Detached Residential (R1)
West	<	Glenrosa Road / Rural Residential Large Parcel (RU4)
South	v	Single Detached Residential (R1)

NEIGHBOURHOOD MAP



PROPERTY MAP



Legislative Requirements

Section 498 of the *Local Government Act* gives Council the authority to issue a Development Variance Permit that varies, in respect of the land covered in the permit, the provisions of the Zoning Bylaw.

DISCUSSION

Background

The subject property was subdivided in 2020 (File: SUB 19-19), creating a panhandle lot. The topography of the parcel is generally flat, at an equal elevation to Gates Road, but upward sloping at the rear (west) adjacent to Glenrosa Road. A building permit for a single family dwelling for the property has been issued. The carriage house with attached accessory building is proposed further east of the principal residence on the same parcel (Figure 1).

Adjacent land uses include Single Detached Residential (R1) to the north, east and south, with Rural Residential Large Parcel (RU4) and Institutional (P2) opposite Glenrosa Road to the west. The residences surrounding the subject property are generally two-storey with fenced rear yards. The proposed accessory building would not exceed the height of surrounding residences at 6.3 m.

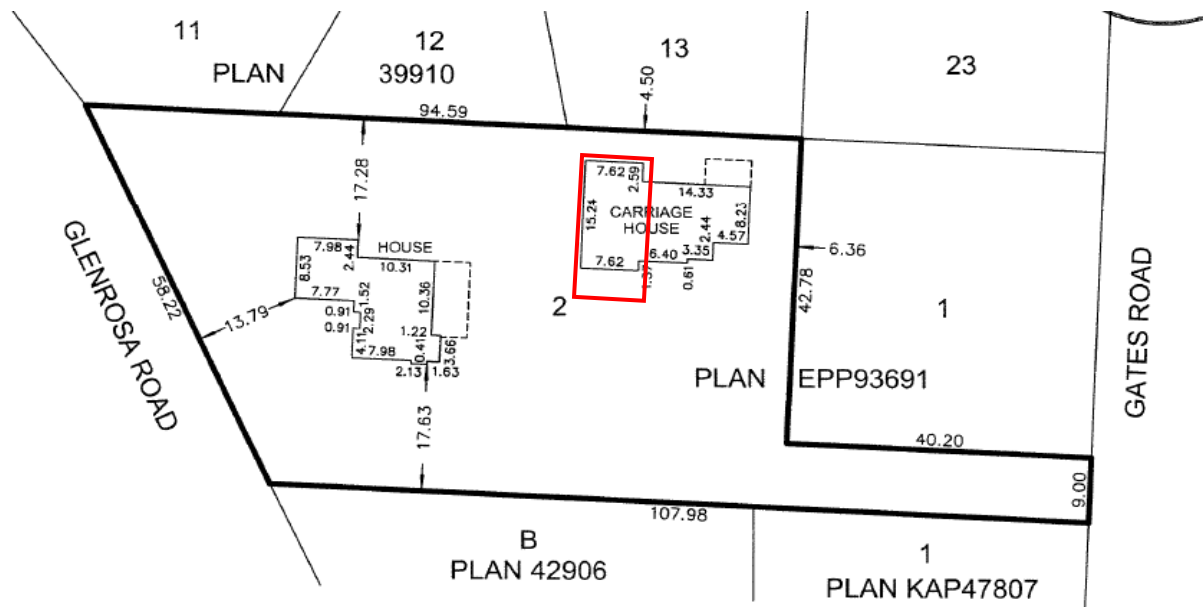


Figure 1: Site Plan with proposed accessory building highlighted (attached to carriage house).

Proposal

The applicant is proposing to construct a carriage house with a two-car garage and an attached accessory building able to accommodate RV parking. A variance to Zoning Bylaw No. 0154 is proposed to increase the maximum floor area of an accessory building, from 100 sq. m. to 116 sq. m. (Figure 2), and the maximum height of an accessory building, from 5.0 m to 6.3 m (Figure 3).

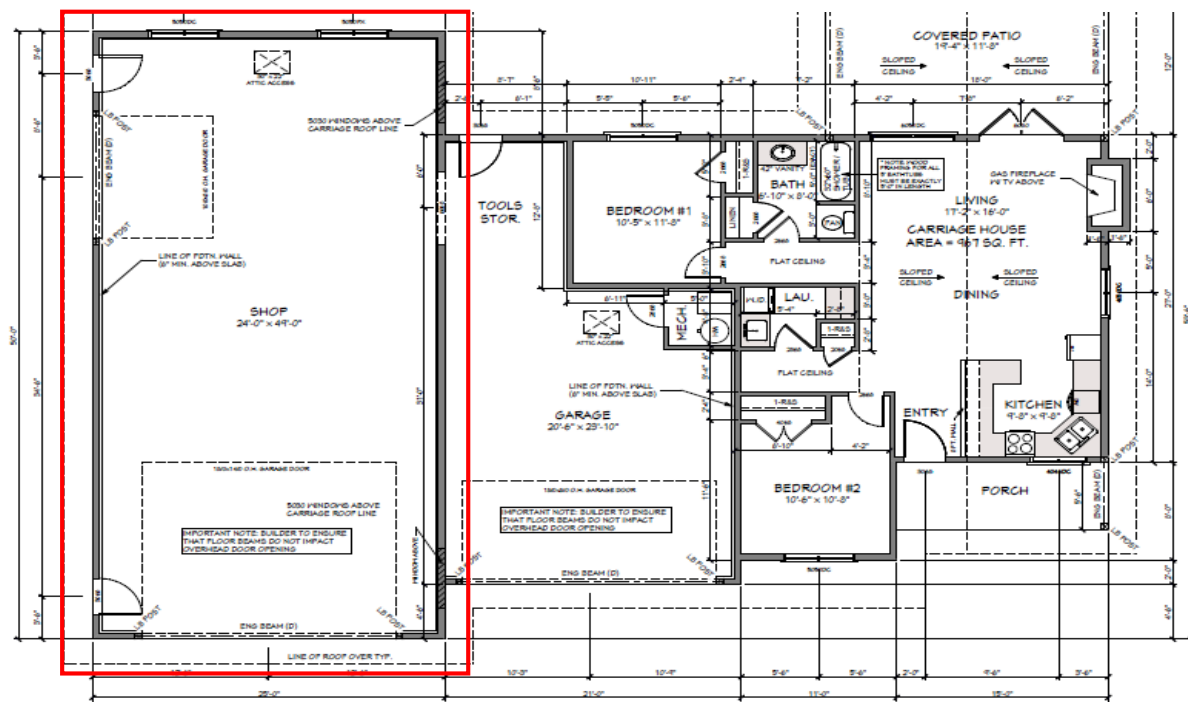


Figure 2: Accessory building floor area (116 sq. m.)

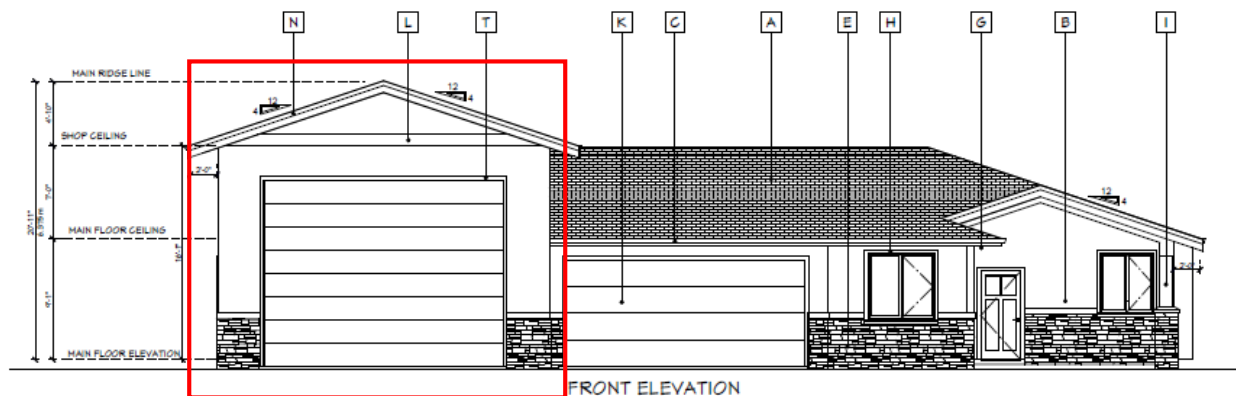


Figure 3: Accessory building height (6.3 m)

Official Community Plan No. 0100

The subject property falls within the City's Single Family Residential Land Use Designation (LUD), which supports single detached and carriage house forms of housing. The LUD intends to provide traditional single family housing opportunities and encourage more land efficient housing forms for families.

Zoning Bylaw No. 0154

The property is zoned Single Detached Residential (R1), which permits single detached dwelling as a principal use and carriage house and accessory building as secondary uses. Accessory buildings within a parcel zoned R1 are limited to a combined total of 100 m² and a maximum height of 5.0 m.

Although the proposed accessory building is attached to the carriage house, it is considered additional accessory space. This is due to carriage house proposing a two-car garage, which is the maximum allowable garage space permitted for a two-bedroom carriage house, according to the carriage house Zoning Bylaw definition.

Considered separately for the purposes of determining floor area and height, the proposed accessory building exceeds the maximum floor area and height of the Zoning Bylaw; therefore, a development variance permit is required.

Public Submissions

In accordance with the *Local Government Act*, 47 notification letters were sent to property owners and their tenants within 100 metres of the subject property (*Attachment 2*). A notice of application sign has also been placed on the subject property in accordance with the Development Application Procedures Bylaw No. 0260. At the time of writing this report, no submissions have been received.

CONCLUSION

Staff recommend Council support the proposed development variance permit based on the following rationale:

- The accessory building is not anticipated to result in any significant impact to privacy or views of surrounding residences;
- The accessory building generally conforms with the form and character of surrounding land uses; and
- No submissions have been received from the public.

Alternate Motion:

1. Deny Application

THAT Council deny the issuance of a Development Variance Permit (DVP 20-15) for 3372 Gates Road to vary the Zoning Bylaw No. 0154, S.3.7(e) to increase the maximum floor area of an accessory building from 100 sq. m. to 116 sq. m. and S. 10.4.4(f).2 to increase the maximum height of an accessory building from 5.0 m to 6.3 m.

Should Council deny the proposed variance, the file will be closed. As per the City's Development Application Procedures Bylaw No. 0260, the applicant may re-apply for a similar proposal six months after initial Council consideration.

REVIEWED BY

Brent Magnan, Planning Manager

Mark Koch, Director of Development Services

Shelley Schnitzler, Legislative Services Manager/Corporate Officer

APPROVED FOR THE AGENDA BY

Paul Gipps, CAO

Powerpoint: Yes ☒ No ☐

Attachments:

1. Site Plan
2. Public Notification Map
3. DVP 20-15