



COUNCIL REPORT

To: Paul Gipps, CAO

Date: January 26, 2021

From: Jayden Riley, Planner II

File No: DVP 20-16

Subject: **DVP 20-16; Development Variance Permit; 979 Pinewood Place**

RECOMMENDATION

THAT Council support the issuance of a Development Variance Permit (DVP 20-16) for 979 Pinewood Place to vary Zoning Bylaw No. 0154, S. 3.26.2 to increase the maximum floor area of a carriage house from 90 sq. m. to 95 sq. m. and S. 3.26.11 to allow a carriage house to include an above ground patio in accordance with the attached permit (*Attachment 5*).

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity (Strategic Priorities 2020-2022)

BACKGROUND

This application is proposing to convert an existing accessory building into a carriage house with an increased floor area, from 90 m² to 95 m², and an above ground patio. The variance would allow the conversion without modification of the exterior walls to reduce floor area in accordance with the zoning regulations.

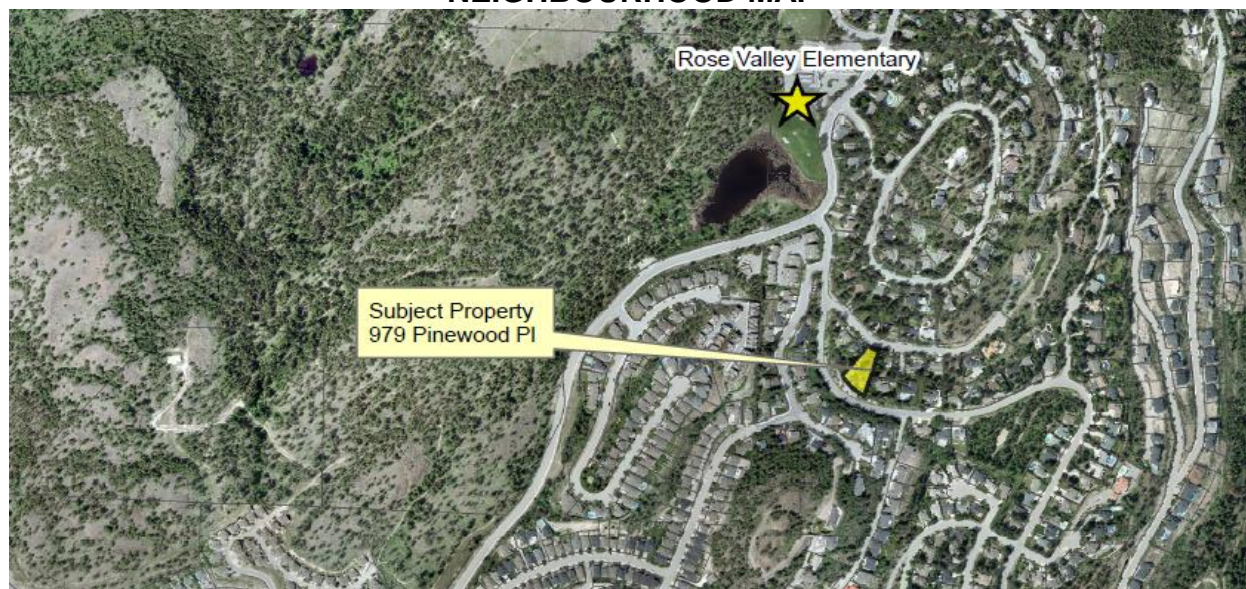
PROPERTY DETAILS			
Address	979 Pinewood Place		
PID	003-401-588		
Folio	3641536.224		
Lot Size	2,347 sq. m.		
Owner	Colin, Katherine Olson	Agent	Lawrence Nagy
Current Zoning	Single Detached Residential (R1)	Proposed Zoning	N/A
Current OCP		Proposed OCP	N/A
Current Use	Single Family Dwelling, Accessory building	Proposed Use	Single Family Dwelling, Carriage house

Development Permit Areas	No
Hazards	No
Agricultural Land Reserve	No

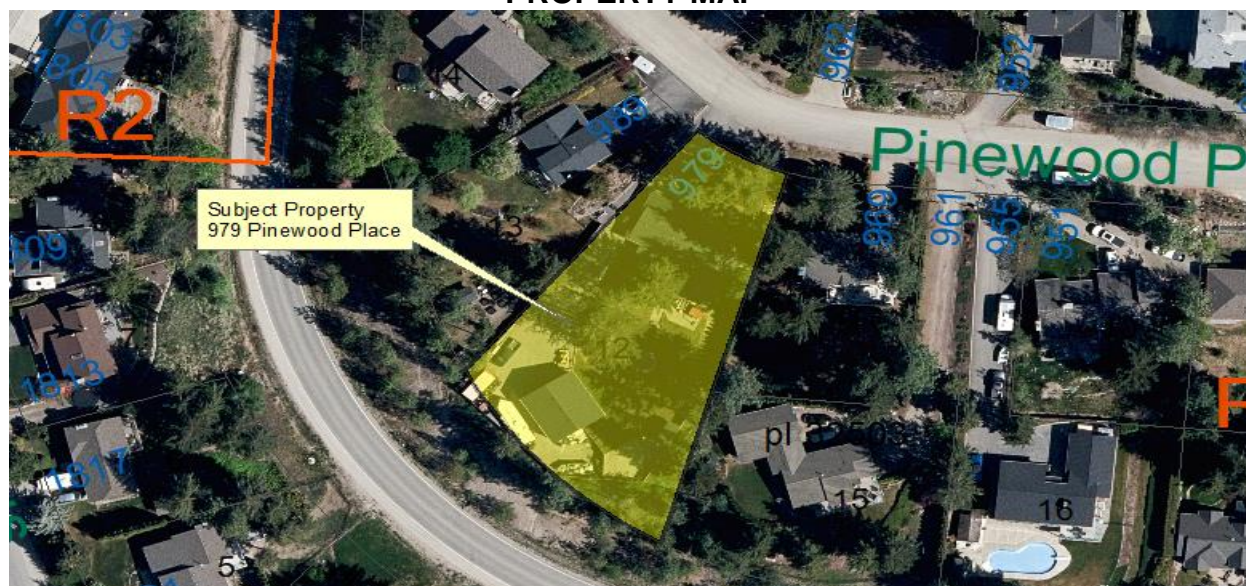
ADJACENT ZONING & LAND USES

North	^	Single Detached Residential (R1)
East	>	Single Detached Residential (R1)
West	<	Single Detached Residential (R1)
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

Proposal

The applicant is proposing to convert an existing accessory building into a carriage house. The accessory building is located at the south east corner of the property, approximately 5 m lower in elevation than Pinewood Place (*Figure 1*) and contains a 95 m² floor area. The applicant is requesting to maintain the same floor area at time of conversion, which exceeds the maximum 90 m² floor area for a carriage house.

The applicant is also proposing to construct an above ground porch at a height of three (3) feet, which exceeds the maximum height for an above ground porch for a carriage house by one (1) foot.



Figure 1: Site plan showing proposed carriage house location (existing accessory building)

Rationale

The applicant has provided a letter of rationale (Attachment 4), which explains that the property was purchased in May 2020 with the accessory building connected to electricity and plumbing. Since time of purchase, it has been the owner's intention to convert the accessory building into a carriage house for their parents to reside in. The additional 5 m² is to support a second bedroom and be able to maintain the existing building envelope. The applicant also states that the three (3) foot porch would allow for a level walkout from the house, due to a three (3) foot crawl space, and that the deck would not impose on the neighbor's privacy due to the downward sloping nature of the lot and existing fencing.

Policy and Bylaw Review

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 as a secondary use.

The maximum permitted floor area for a carriage house on a parcel in the R1 Zone is 90 m². The applicant is proposing to convert an existing accessory building into a carriage house and maintain its floor area of 95 m² (*Figure 2, Attachment 1*). A variance is being requested to avoid having to modify the exterior walls to reduce the floor area by 5 m² to meet the zoning regulation.

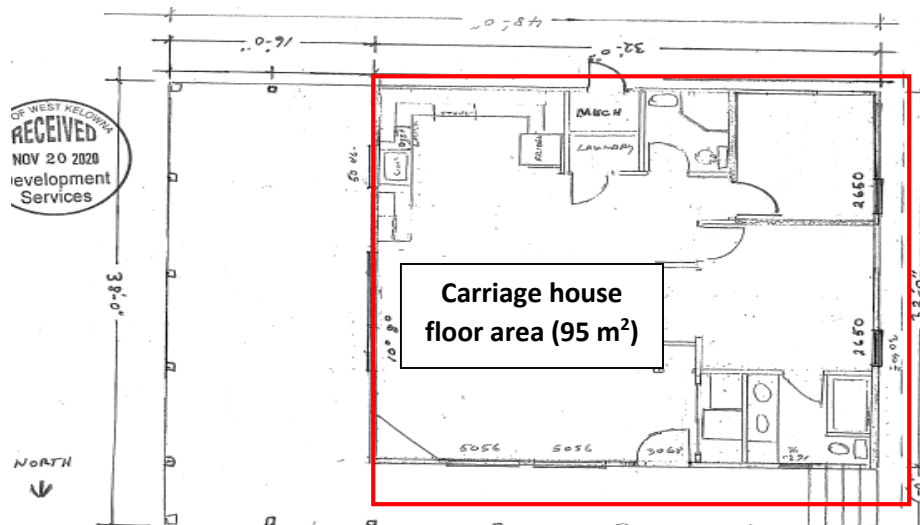


Figure 2: Floor plan of carriage house and above ground patio.

S. 3.26.11 of the Zoning Bylaw also prohibits carriage houses to include above ground patios, greater than 2 feet above ground, or rooftop decks (*Figure 3*). The rationale for prohibiting these features is to limit potential noise and privacy issues that may affect adjacent properties.

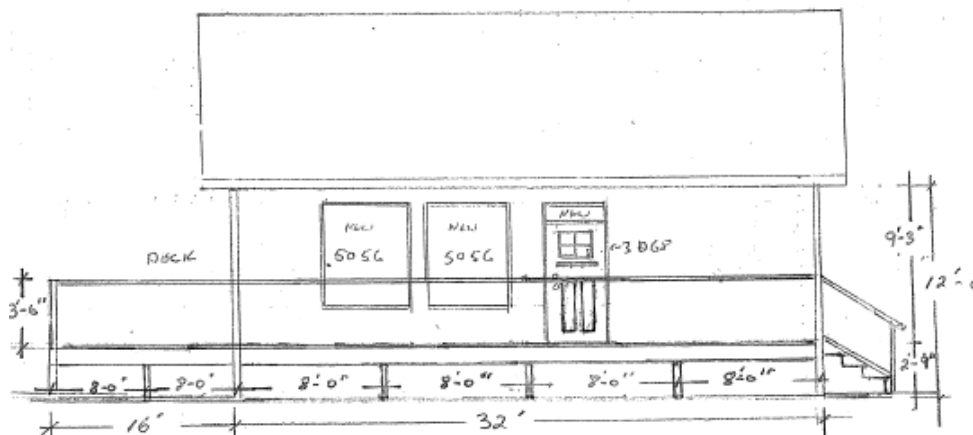


Figure 3: Elevation of carriage house with above ground (3') patio

Public Submissions

In accordance with the *Local Government Act*, 46 notification letters were sent to property owners and their tenants within 100 metres of the subject property (*Attachment 3*). 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

The proposed variances to increase the maximum floor area of a carriage house and to include an above ground patio are minor increases to what would otherwise be permitted by the Zoning Bylaw. As a result, these variances are anticipated to be negligible in their impacts to adjacent properties in the form of noise or privacy, given the siting of the carriage house, site topography, and the existing fencing and landscaping contained on the property.

Staff recommend Council support the proposed Development Variance Permit based on the following rationale:

- There are no significant impacts anticipated to adjacent properties as a result of the above ground patio construction;
- The carriage house is a conversion of an existing accessory building that has existed on the property previous to this application; 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 20-16) for 979 Pinewood Place to vary Zoning Bylaw No. 0154, S. 3.26.2 to increase the maximum floor area of a carriage house from 90 sq. m. to 95 sq. m. and S. 3.26.11 to allow a carriage house to include an above ground patio.

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. Building Plans
2. Site Plan
3. Public Notification Map
4. Applicant Letter of Rationale
5. DVP 20-16