



COUNCIL REPORT

To: Paul Gipps, CAO

Date: June 22, 2021

From: Hailey Rilkoff, Planner II

File No: DVP 21-11

Subject: **DVP 21-11; Development Variance Permit; 710 Stuart Rd**

RECOMMENDATION

THAT Council authorize the issuance of a Development Variance Permit (DVP 21-11) for Lot 12 DL 2689 ODYD Plan 22622 (710 Stuart Rd) to construct a carriage house addition to an existing accessory building, in general accordance with the attached Permit, by varying Zoning Bylaw No. 0154 as follows:

- S.3.26.1 to reduce the required minimum parcel area from 1,100 m² to 1,092.65 m²; and
- S.3.26.5 to permit the height of the carriage house to be 1.3 m higher than the peak of the roof of the principal detached dwelling.

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity – Promote efforts to develop a diverse range of housing options throughout the community (Council’s 2021 – 2022 Strategic Priorities).

BACKGROUND

The applicant has applied for a Development Variance Permit (*Attachment 1*) to facilitate the conversion of an existing accessory building to a carriage house. The property is within the Lakeview Heights neighborhood and is developed with a single detached dwelling and an accessory building (garage). Two variances have been requested in order for the existing structure to meet the carriage house regulations in the Zoning Bylaw.

PROPERTY DETAILS			
Address	710 Stuart Rd		
PID	006-793-410		
Folio	36414409.163		
Lot Size	0.27 acres (1,092.65 m ²)		
Owner	Jeffrey James and Anatasia Marie Fuller	Agent	Jeffery James Fuller

Proposal

The owners are proposing to convert the existing accessory building (garage) into a carriage house. An addition is proposed on top of the existing structure. However, the proposed structure does not meet two of the City’s regulations for carriage houses in Zoning Bylaw No. 0154.



Figure 1 – Carriage House Rendering

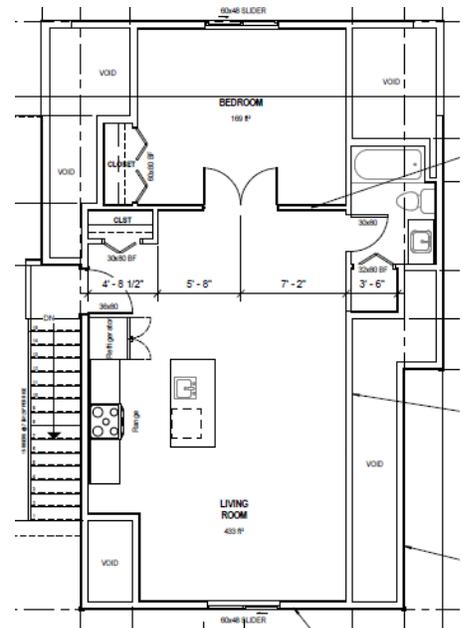


Figure 2 –Carriage House Floor Plan

Variiances

Two variances are required to permit the development of the proposed carriage house on the property. The first variance is required to reduce the required minimum parcel area for a property to be developed with a carriage house. The existing parcel area of 1,092.65 m² is approximately 7m² smaller in area than the minimum parcel area.

In addition, a variance is required to permit the height of the carriage house to be 1.3 m higher than the peak of the principal detached dwelling (Figure 4).

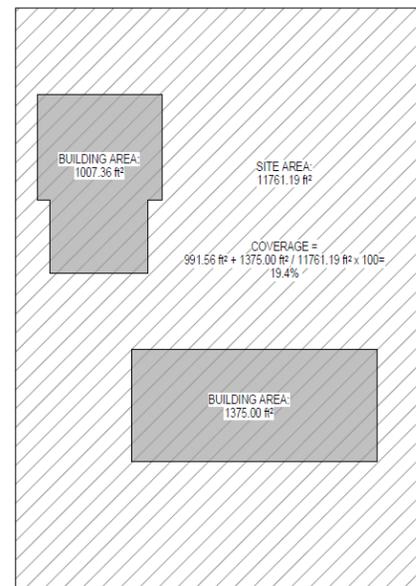


Figure 3 - Parcel Coverage

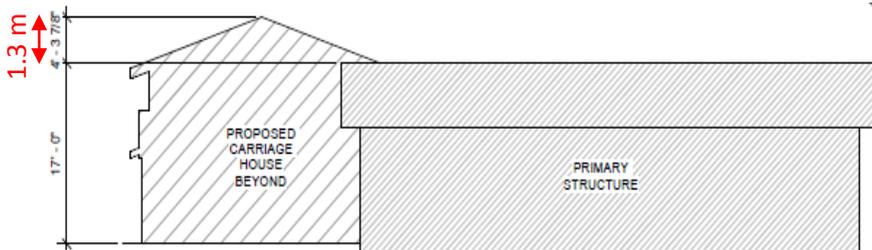


Figure 4 - Proposed Carriage House Height

Applicant's Rationale

The owners have provided a proposal summary which outlines their rationale for the proposed variances. The owners have considered the option of a secondary suite through an addition to the principal residence, however, they believe that the surrounding property would be impacted less with the proposed accessory building conversion to a carriage house instead.

Policy and Bylaw Review

Official Community Plan Bylaw No. 0100

The City's OCP includes various objectives and policies for residential lands, which encourage infill development, in various forms including carriage houses, which complement the form and scale of adjacent buildings. Carriage homes may be considered within developed neighbourhoods with a Single Family Residential Land Use Designation.

Zoning Bylaw No. 0154

The City's R1 Single Detached Residential zone permits carriage houses, however the carriage house regulations in Section 3.26 of the Zoning Bylaw must be met. In this case, the proposed addition of the carriage house within the existing accessory building does not meet two of the City's carriage house regulations.

Table 1 - Zoning Bylaw Regulation Review

	Zoning Bylaw 0154	Existing/Proposal
Carriage House Regulations		
Maximum Floor Area	75% of main floor	63.4 m ² (682.21 ft ²)
Minimum Parcel Area	1,100 m ²	1,092.65 m ² (variance required)
Height to Principal Dwelling	No portion of the carriage house roof shall be higher than the peak of the principal dwelling	The proposed carriage house will be 1.3 m higher than the principal dwelling (variance required)
R1 Zone Development and Siting Regulations		
Height	6.5 m or 1.5 storeys	6.4 m and 1.5 storeys
Max Density	1 single detached dwelling 1 secondary suite or carriage house	1 single detached dwelling 1 carriage house
Required Parking		
Single Detached House	2 per dwelling	Existing 2 spaces in garage
Carriage House	1 per 1 bedroom dwelling	1 space in driveway

As required by the Zoning Bylaw regulation S.3.26.5, no portion of the roof of a carriage house shall be higher than the peak of the roof of the principal detached dwelling on the same parcel. In this case, the existing principal dwelling is a bi-level (split-level) house that is ~ 5.2 m in height. The proposed carriage house would be higher than the primary residence by 1.3 m, with a total height of ~6.4 m. The existing structure is situated behind the existing single detached dwelling.

As per the Zoning Bylaw regulation S.3.26.1, the minimum parcel area required to accommodate a carriage house on a parcel with a single detached dwelling in the Single Detached Residential (R1) Zone, is 1,100 m². The existing parcel area is 1,092.65 m². The difference between the parcel areas is 7.35 m².

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.

Public Notification

In accordance with the *Local Government Act*, 36 notification letters were sent to all property owners and their tenants within 100 metres of the subject property (*Attachment 3*) and a notice of application sign has been placed on the subject property in accordance with the Development Applications Procedures Bylaw No. 0260. At the time of writing this report, no submissions from the public have been received.

CONCLUSION

It is recommended that Council approve the proposed variance application DVP 21-11 to permit the construction of an addition to an existing accessory building to accommodate a carriage house. The proposed variances are not anticipated to cause significant negative impacts on the subject property. No outstanding issues were identified in regards to the proposed variances in order to convert the existing accessory building into a carriage house.

Alternate Motion:

THAT Council deny the issuances of a Development Variance Permit (DVP 21-11) for Lot 12 DL 2689 ODYD Plan 22622 (710 Stuart Rd).

Should Council deny the requested variance, the file will be closed. As per the City's Development Applications Procedures Bylaw No. 0260, the applicant could re-apply for a similar proposal 6 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. DRAFT DVP 21-11
 - a. Schedule A – Development Drawings
2. Applicant's Rationale Letter
3. DVP 21-11 GIS Notification Map