COUNCIL REPORT

To: Paul Gipps, CAO   Date: August 24, 2021

From: Meg Jacks, Planner I   File No: DVP 21-19

Subject: **DVP 21-19, Development Variance Permit, 2927 Thacker Drive**

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RECOMMENDATION

THAT Council authorize the issuance of a Development Variance Permit (DVP 21-19) for 2927 Thacker Drive to vary S.10.4.5(g).1 of Zoning Bylaw No. 0154 to reduce the minimum setback to the front parcel boundary from 4.5 m to 3.5 m to construct an addition to the principal dwelling, in accordance with the attached permit *(Attachment 1).*

STRATEGIC AREA(S) OF FOCUS

Economic Growth and Prosperity – (Council's 2021 – 2022 Strategic Priorities).
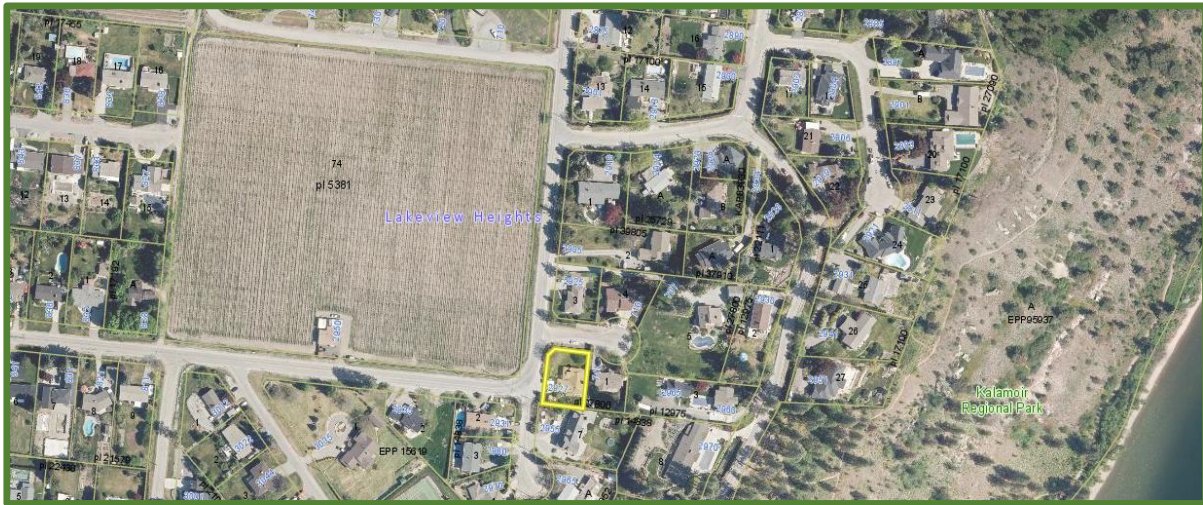
BACKGROUND

The applicant is seeking a Development Variance Permit (Attachment 1) to reduce the minimum setback to the front parcel boundary from 4.5 m to 3.5 m to construct an addition to the principal dwelling. The property is developed with a single detached dwelling and is surround by R1 Single Detached Residential properties.

PROPERTY DETAILS			
Address	2927 Thacker Dr		
PID	004-760-875		
Folio	36414807.088		
Lot Size	966.5 m^2		
Owner	Connie & Donald Dunford	**Agent**	N/A
Current Zoning	R1 – Single Detached Residential	**Proposed Zoning**	N/A
Current OCP	SFR – Single Family Residential	**Proposed OCP**	N/A
Current Use	Residential	**Proposed Use**	N/A
Development Permit Areas	N/A		
Hazards	N/A		
Agricultural Land Reserve	NA		

ADJACENT ZONING & LAND USES

North	^	R1 – Single Detached Residential
East	>	R1 – Single Detached Residential
West	<	A1 – Agricultural
South	v	R1 – Single Detached Residential

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 provision of the Zoning Bylaw.

Proposal

This application is seeking to reduce the minimum setback to the front parcel boundary from 4.5 m to 3.5 m *(Figure 1, Attachment 2).* The proposed variance is required to construct a 128 m^2 addition *(Figure 2).* The addition will be two storeys and is proposed to accommodate an addition to the main dwelling as well as a secondary suite. *(Figure 3, Figure 4).*

Figure 1: Site Plan

West – Exterior parcel boundary (Thacker Dr access)

North – Front parcel boundary (Brookfield Crt access)
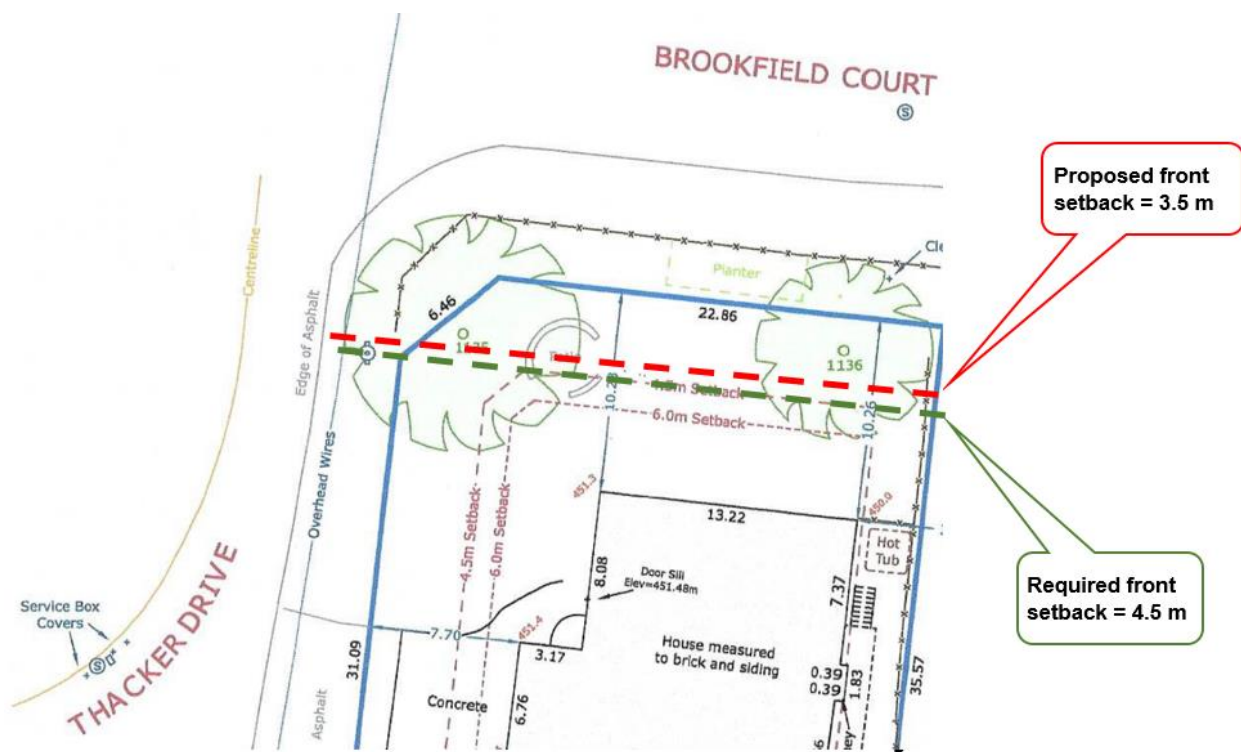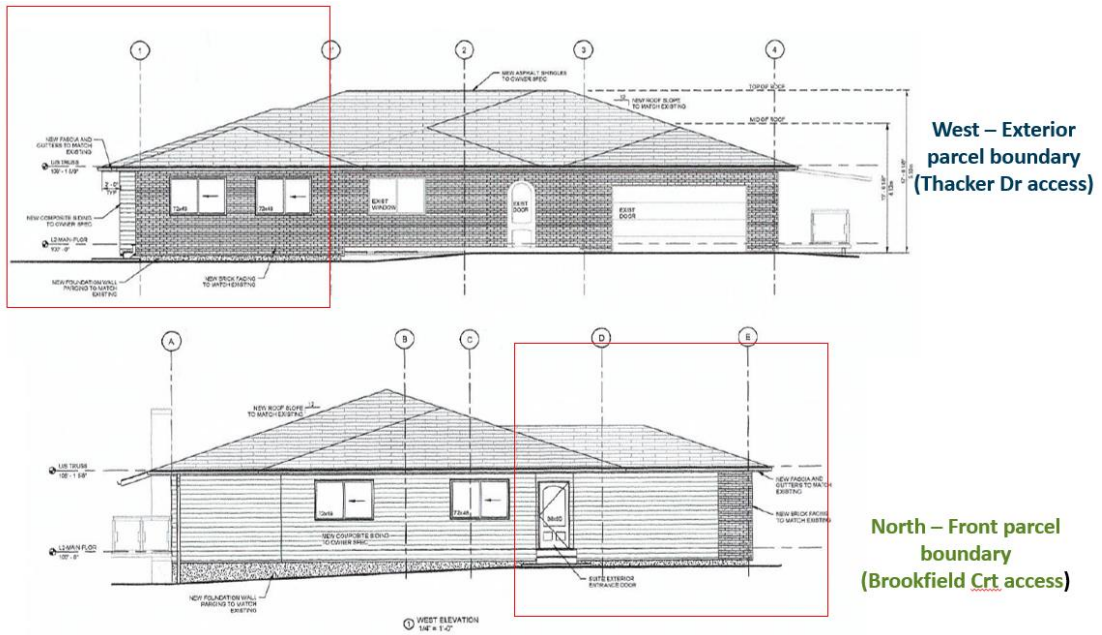
Figure 2: Proposed Addition to Existing Dwelling

Principal Dwelling Addition

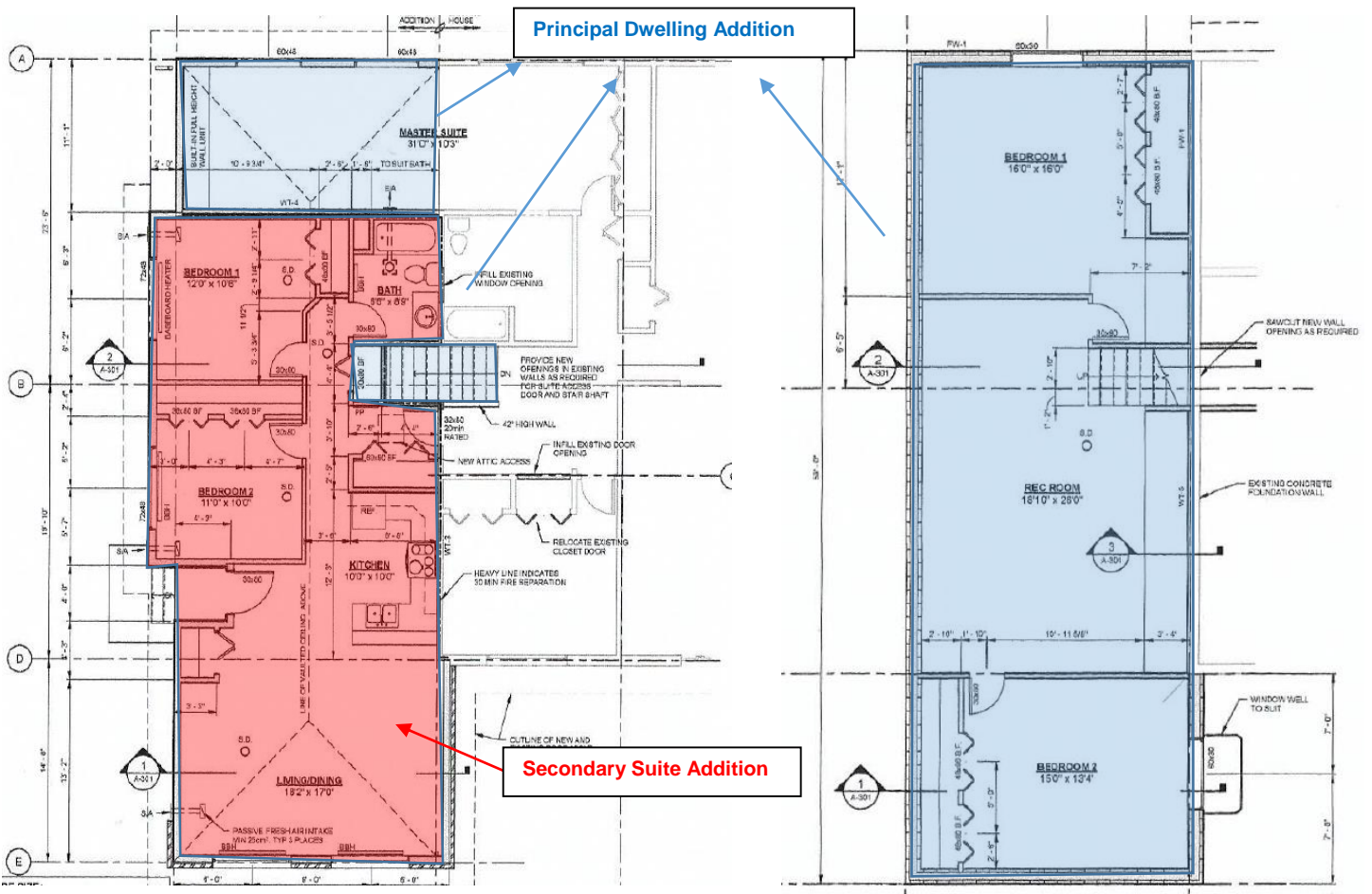**Secondary Suite Addition**

Figure 3: Main Floor Addition

Figure 4: Basement Addition

<u>Applicant's Rationale</u>

The applicant has provided a proposal summary, which outlines their rationale for the proposed variance *(Attachment 3)*. The owners are requiring a secondary suite to assist in providing transitional independent living for a family member.

Policy and Bylaw Review

<u>Official Community Plan Bylaw No. 0100</u>

The City's OCP includes various objectives and policies for residential lands, which encourage sensitive infill development, in various forms including secondary suites[1]. Secondary suites are supported as an affordable form of infill housing in the City[2].

<u>Zoning Bylaw No. 0154</u>

The property is situated on a corner parcel lot. Section 2 of the Zoning Bylaw defines the front parcel boundary as the shortest parcel boundary which abuts a highway other than a lane, bridge or walkway. The exterior parcel boundary is defined as a parcel boundary other than the front parcel boundary which abuts a highway other than a lane. Therefore, Brookfield Court would be considered the front parcel boundary and Thacker Drive would be considered the exterior parcel boundary. Section 10.4.5.(g).1 regulates the minimum front parcel boundary as 4.5 m.

The City's R1 Single Detached Residential zone, S.10.4.3 of the Zoning Bylaw, permits the use of secondary suites. The size of the secondary suite proposed, 88 m^2, complies with the Zoning Bylaw. S.3.16 also regulates a separate exterior entrance which is proposed along Brookfield Court.

S. 4.4.1(a) of the Zoning Bylaw requires two parking spaces per single detached dwelling unit and two parking spaces per two bedroom secondary suite. The applicant has identified that on-site parking is available for the single detached dwelling within the two-car garage and two parking spaces are provided on the driveway in front of the garage as well as an additional parking space beside the garage.

Table 1 provides a summary of the Zoning Bylaw requirements in relation to this proposal. The height, area and use of the proposed structure all comply with the regulations of the R1 zone.

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[1] Official Community Plan, 3.3. Residential, Objectives 2. % 3.
[2] Official Community Plan, 3.8.3 Affordable Housing, Policy 2.

Table 1 – Zoning Bylaw Review

	Zoning Bylaw 0154	Existing / Proposal
R1 Zone Front Parcel Setback		
	4.5 m	3.5 m
R1 Zone Permitted Uses		
	Single Detached House	Single Detached House
	Secondary Suite	Secondary Suite
R1 Maximum Parcel Coverage		
	40% maximum	33.6%
Secondary Suite Maximum Floor Area		
	90 m^2	88 m^2
	40% of principal dwelling	21%
Required Parking		
Single Detached House	2 per dwelling	2 spaces in garage
Secondary Suite	2 per 2 bedroom dwelling	2 spaces in driveway

Public Notification

In accordance with the *Local Government Act,* 28 notification letters were sent to all property owners and their tenants within 100 meters of the subject property *(Attachment 4).* Notice of application signage has also been placed on the subject property, in accordance with the City's Development Applications Procedures Bylaw No. 0260. At the time of writing this report, no submissions from the public have been received

DISCUSSION

The applicant's variance request proposes a reduction to the front parcel boundary setback. The proposed entrance to the secondary suite would encroach into the front parcel boundary setback and would be sited 3.5 m from the property line. The addition proposed is along Brookfield Court. There is a significant distance from the edge of

Brookfield Court to the property boundary with approximately 6 m between the edge of the pavement and the property line. The existing properties within Brookfield Court are in a similar position to 2927 Thacker Drive with similar distances between the pavement and property line *(Figure 5).* Therefore, the requested variance is not anticipated to affect adjacent properties or the public negatively.

Figure 5: Aerial of Brookfield Court

Staff referred the application to various internal departments. The comments received were technical in nature relating to the applicant's future building permit requirements and these have been provided to the applicant. Comments were also provided on the existing water and sanitary services which will require consideration when constructing the addition. The applicant has been advised that their existing yard fence appears to be encroaching on the Brookfield Court City Right of Way which is restricting Public Works access to the water and sewer services. Per Bylaw 0274 Item 4.2, this infrastructure needs to be accessible to the City.

CONCLUSION

It is recommended that Council approve the proposed variance application DVP 21-19 to reduce the minimum setback to the front parcel boundary to permit the construction of an addition to the existing principal dwelling to accommodate a secondary suite and basement.

- The proposed variance is not anticipated to result in significant negative impacts to the adjacent properties.
- There's currently no submissions in opposition of the proposal.
- The application provides sufficient parking as per the Bylaw.

Alternate Motion:

1. **THAT** Council deny the issuance of a Development Variance Permit (DVP 21-19) for 2927 Thacker Drive.

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 21-19
2. Site Plan
3. Letter of Rationale
4. Public Notification Map