

# COMMITTEE REPORT



**Date:** June 8, 2017  
**RIM No.** 1250-30  
**To:** Agricultural Advisory Committee (AAC)  
**From:** Community Planning Department (MS)  
**Application:** Z16-0086 **Owner:** M.A. Hiebert  
E.A. Hiebert  
**Address:** 540 Jaginder Lane **Applicant:** Urban Options Planning & Permits  
**Subject:** Application to rezone a property from A1-Agriculture 1 to RR3-Rural Residential 3 with Carriage House

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## 1.0 Purpose

To review a rezoning application of the subject property to permit a carriage house in addition to the primary residence, adjacent to a farm operation in the ALR.

## 2.0 Community Planning

Community Planning notes the following regarding the proposed rezoning:

- The use is permitted in the proposed zone;
- The property was connected to sanitary sewer when the sewer and road was upgraded in 2011;
- The property is not in the Agricultural Land Reserve; and
- No variances are required.

Staff notes that while the property is not in the ALR and not a farming property, it is adjacent a farming operation in the ALR. Specifically, staff would like the AAC to provide guidance and comment on how to best address potential adjacency issues should Council support the rezoning of the property to RR3 – Rural Residential with Carriage House.

## 3.0 Proposal

### 3.1 Background

The property was originally part of a larger agriculture parcel. In 1969, this parcel was subdivided from the larger parcel. In 2008, Jaginder Lane was dedicated, and formal access to the property was transferred from Highway 33 to Jaginder Lane.

Given that the property was subdivided from the original farm, and that it's size corresponds with the size of a Rural Residential 3 zone, a rural residential zone is appropriate.

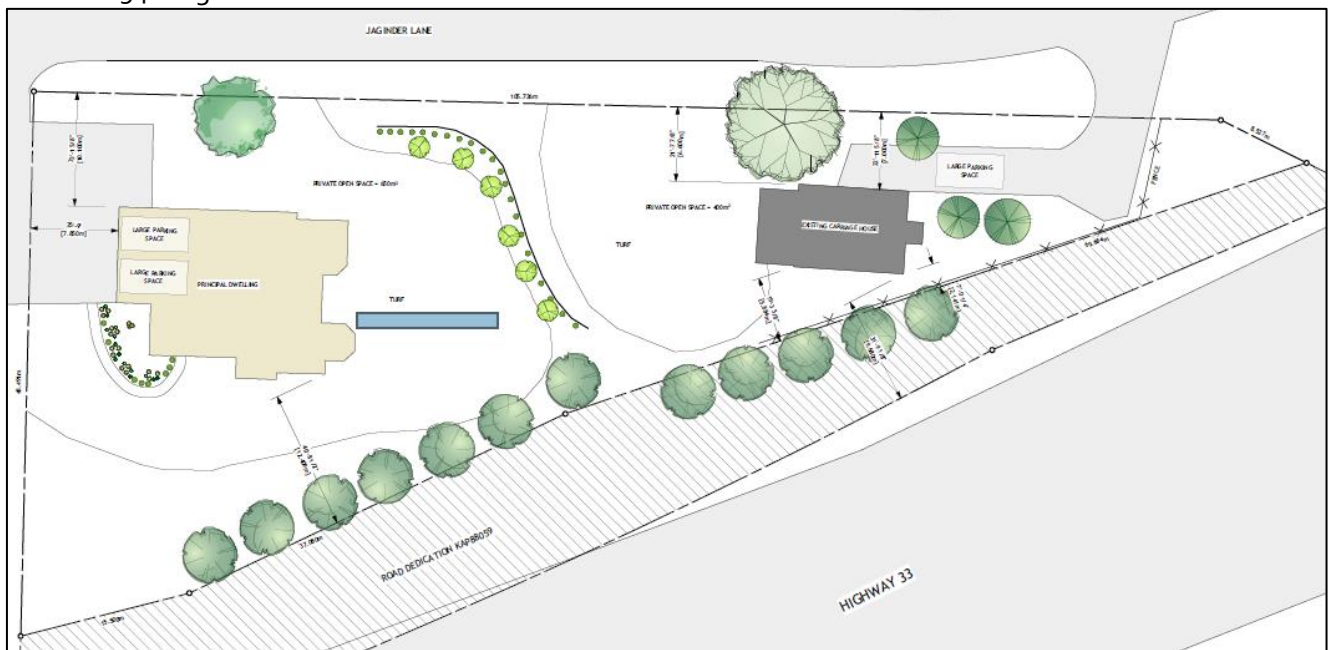
In 1996, the current primary residence was built. At the time, the owner signed a covenant that permitted the original farmhouse to be occupied by a long time farm worker and their family.

Since 1996, the City has permitted carriage houses in the rural residential zones. In addition, when the widening of Highway 33 occurred from 2009 through 2011, sanitary sewer connections were made to both houses on the property.

### 3.2 Project Description

The applicant is requesting that the property be rezoned from A1 – Agriculture 1 to RR3c – Rural Residential 3 with Carriage House, to authorize the existing old farmhouse on the property to be used as a carriage house. Two dwellings are permitted in the Rural Residential 3 with Carriage House zone. The primary residence does not have a suite. The farmhouse conforms to the carriage house regulations.

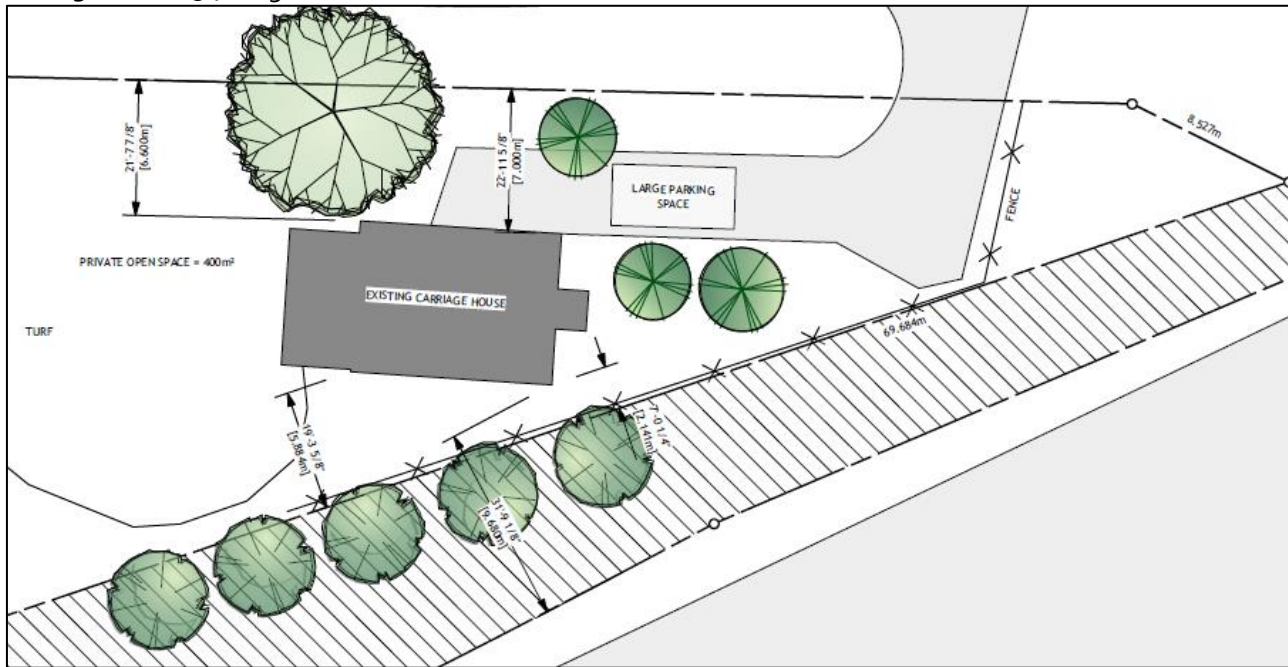
#### Site Plan: 540 Jaginder Lane



Principal Dwelling: 540 Jaginder Lane



**Carriage House: 540 Jaginder Lane**



**3.3 Site Context**

The property lies within the Rutland Sector of the City, according to the Official Community Plan. The property is adjacent Highway 33 E, but is accessed from Jaginder Lane. It is outside the Permanent Growth Boundary, which lies on the other side of Highway 33 from the property.

The property is not within the Agricultural Land Reserve (ALR), but the ALR is adjacent to the east.

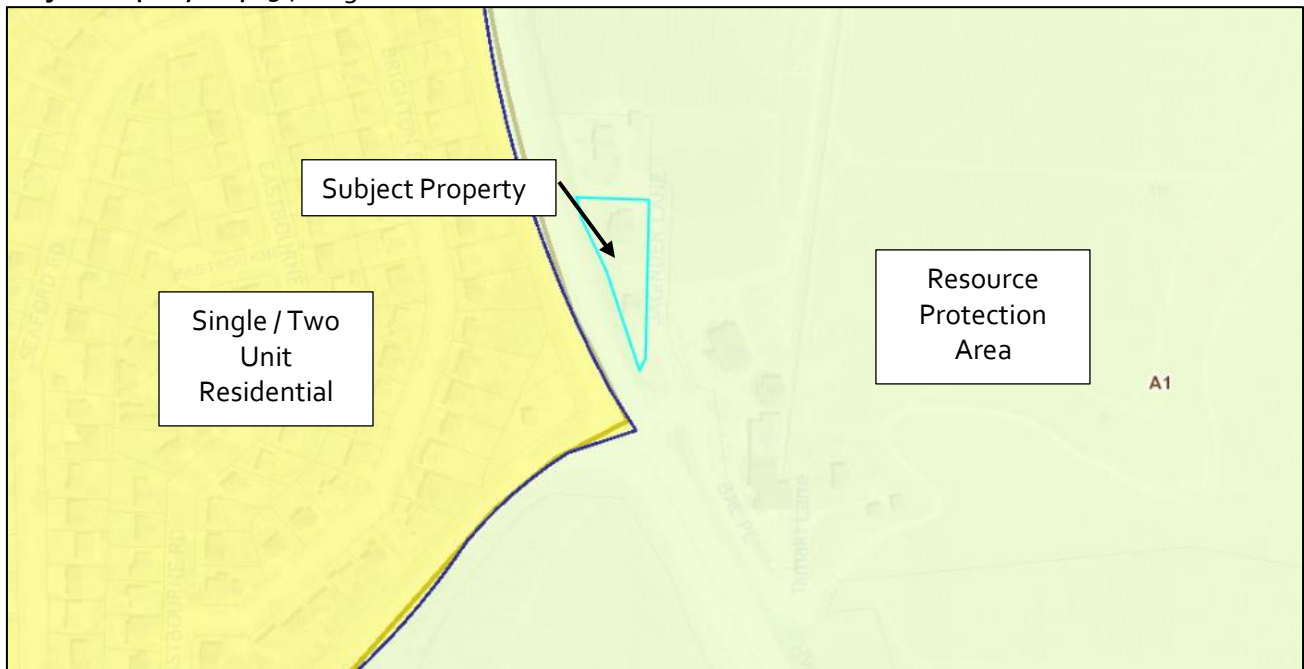
Specifically, adjacent land uses are as follows:

| Orientation | Zoning                      | Land Use          |
|-------------|-----------------------------|-------------------|
| North       | A1 – Agriculture 1          | Rural Residential |
| East        | A1 – Agriculture 1 (ALR)    | Agriculture       |
| South       | A1 – Agriculture 1 (ALR)    | Agriculture       |
| West        | RU1 – Large Lot Residential | Urban Residential |

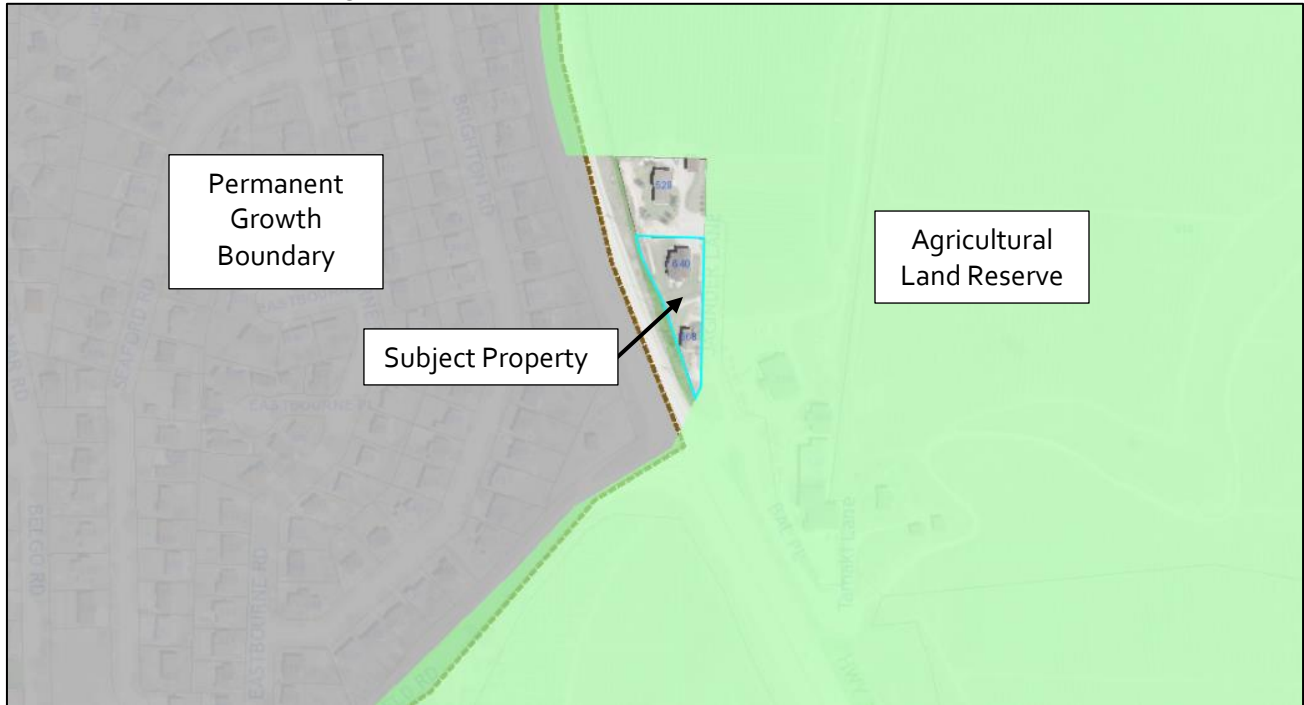
Subject Property Map: 540 Jaginder Lane



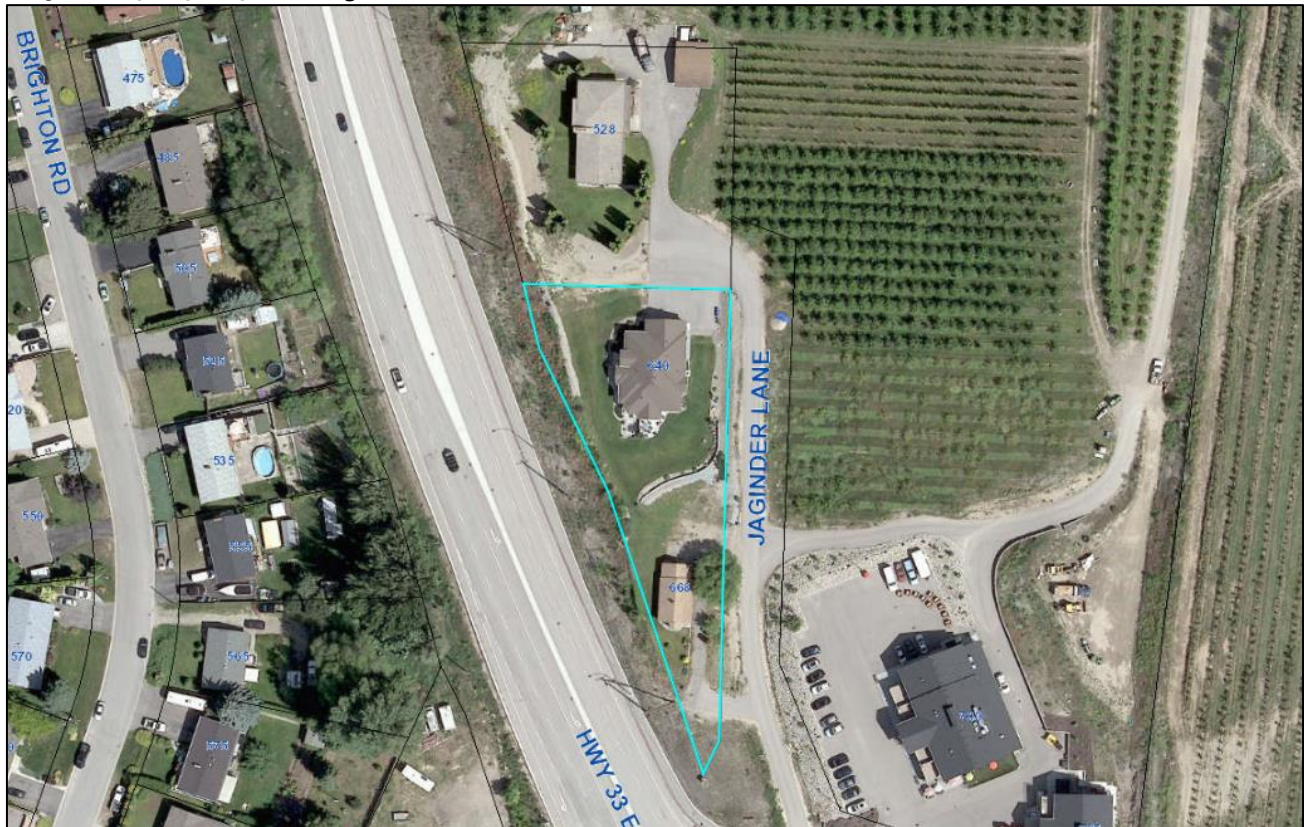
Subject Property Map: 540 Jaginder Lane



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### 3.4 Zoning Analysis Table

Applicable zoning requirements as it relates to the subject property for the Rural Residential 3 with Carriage House zone is outlined below.

| Zoning Analysis Table                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                      |                                                                                       |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| CRITERIA                                                                                                                                                                                                                                                                                                                                                                                                                                                      | RR3c ZONE REQUIREMENTS                                                                               | PROPOSAL                                                                              |
| Existing Lot/Subdivision Regulations                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                      |                                                                                       |
| Lot Area                                                                                                                                                                                                                                                                                                                                                                                                                                                      | 1660 m <sup>2</sup>                                                                                  | 2885 m <sup>2</sup>                                                                   |
| Lot Width                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 18 m                                                                                                 | 70 m (average)                                                                        |
| Lot Depth                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 30 m                                                                                                 | 31.5 m (average)                                                                      |
| Development Regulations – Principal Dwelling                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                      |                                                                                       |
| Height                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 9.5 m                                                                                                | 7 m                                                                                   |
| Front Yard                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 6 m                                                                                                  | 10.1 m                                                                                |
| Side Yard (south)                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2 m                                                                                                  | 76 m                                                                                  |
| Side Yard (north)                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2 m                                                                                                  | 7.85 m                                                                                |
| Rear Yard                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 7.5 m                                                                                                | 26 m (average)                                                                        |
| Development Regulations – Carriage House <sup>1</sup>                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                      |                                                                                       |
| Height                                                                                                                                                                                                                                                                                                                                                                                                                                                        | 4.8 m                                                                                                | 4.8 m                                                                                 |
| Front Yard                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 6 m                                                                                                  | 6.6 m                                                                                 |
| Side Yard (south)                                                                                                                                                                                                                                                                                                                                                                                                                                             | 4.5 m (flanking)                                                                                     | 38.5                                                                                  |
| Side Yard (north)                                                                                                                                                                                                                                                                                                                                                                                                                                             | 2 m                                                                                                  | 64.9 m                                                                                |
| Rear Yard                                                                                                                                                                                                                                                                                                                                                                                                                                                     | 2 m (See note <sup>2</sup> )                                                                         | 2.14 m                                                                                |
| Other Regulations                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                      |                                                                                       |
| Minimum Parking Requirements                                                                                                                                                                                                                                                                                                                                                                                                                                  | 3 stalls                                                                                             | 2 Principal Dwelling / 1 Carriage House                                               |
| Peak Height Comparison                                                                                                                                                                                                                                                                                                                                                                                                                                        | Carriage House not to exceed                                                                         | Principal 7 m / Carriage House                                                        |
| Private Open Space                                                                                                                                                                                                                                                                                                                                                                                                                                            | 30 m <sup>2</sup>                                                                                    | Carriage House: 400m <sup>2</sup><br>Principal Dwelling: 650m <sup>2</sup>            |
| Carriage Floor Area                                                                                                                                                                                                                                                                                                                                                                                                                                           | 75% of the principal dwelling to a maximum of 90m <sup>2</sup>                                       | principal dwelling: 390.9 m <sup>2</sup><br>carriage house: 72m <sup>2</sup><br>18.4% |
| Maximum footprint of all accessory buildings                                                                                                                                                                                                                                                                                                                                                                                                                  | Lesser of 90m <sup>2</sup> or 14% is permitted except when 1 storey in height then 100m <sup>2</sup> | 96.6m <sup>2</sup> or 3.3%                                                            |
| <sup>1</sup> Per Bylaw 8000, Section 9.5b.1(c) on double fronting lots, the carriage house should be sited in accordance with the regulations for a single detached dwelling.<br><sup>2</sup> Per Bylaw 8000, Section 9.5b.15 Rear yard setback for a carriage house is 2.0 metres, and also Section 1.8.1, where a property has been reduced in size due to a city or provincial road taking, the distance of the original property line will be considered. |                                                                                                      |                                                                                       |

### 4.0 Technical Comments

#### 4.1 Development Engineering Department

Refer to Attachment 'A'.

#### 4.2 Fire Department

The Fire Department has no issues with the zoning application. We note that:

- the requirements of Section 9.10.19 Smoke Alarms and Carbon Monoxide alarms of the BCBC 2012 are to be met; and
- all units shall have a posted address on Javinder Lane for emergency services.

4.3 Black Mountain Irrigation District

This re-zoning application will not affect the BMID system as the structures and services are in place. Our record drawings show 3 domestic services to the property and our model has 2 SFU already at this location. Nothing will change in terms of water supply if the re-zoning is approved.

The only concern is that there are no hydrants in this area and current water supply is through a 50 mm diam. main on Springfield Road. This issue was identified when analyzing the system capacity for 700 Hwy 33 East. However, this is an issue with the existing system that is not changing due to the proposed re-zoning.

4.4 Ministry of Transportation and Infrastructure

Preliminary Approval is granted for the rezoning for one year pursuant to Section 52(3)(a) of the Transportation Act.

5.0 Application Chronology

|                                      |                   |
|--------------------------------------|-------------------|
| Date of Application Received:        | December 7, 2016  |
| Date Public Consultation Completed:  | February 22, 2017 |
| Date Circulation Comments Completed: | March 6, 2017     |

**Report prepared by:**

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Melanie Steppuhn, Land Use Planner

**Reviewed by:**

Todd Cashin, Subdivision, Suburban and Rural Planning Manager

**Reviewed by  
Approved for Inclusion:**

Ryan Smith, Community Planning Department Manager

**Attachments:**

Development Engineering Services Memo  
Site Plan