

# REPORT TO COUNCIL



**Date:** July 24, 2017

**RIM No.** 1250-30

**To:** City Manager

**From:** Community Planning Department (TB)

**Application:** Z16-0029 / DP16-0131      **Owner:** Richard Mercier &  
Tracey Gronick

**Address:** 403 Viewcrest Road      **Applicant:** Richard Mercier

**Subject:** Rezoning Application, Development Permit

Existing OCP Designation: S2RES – Single / Two Unit Residential

Existing Zone: RR2 – Rural Residential 2 zone

Proposed Zone: RR2c – Rural Residential 2 with Carriage House zone

## 1.0 Recommendation

THAT Council waives the requirement for a Development Variance Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11359;

AND THAT Final Adoption of Rezoning Bylaw No. 11359 be considered by Council.

## 2.0 Purpose

To waive a condition of adoption of Rezoning Bylaw No. 11359, and to forward the Bylaw for Final Adoption.

## 3.0 Community Planning

Community Planning supports the recommendation to waive the requirement for a Development Variance Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11359. In the initial Report to Council dated February 20, 2017, two variances to Zoning Bylaw No. 8000 were identified. Upon further examination and with confirmation from the applicant, the need for the variances were eliminated.

## 4.0 Proposal

### 4.1 Background

The subject property has an existing garage that was constructed in 1996. The applicants applied to rezone to RR2c – Rural Residential 2 with Carriage House to facilitate the conversion of the accessory building to a carriage house. Council initially considered the application on February 20, 2017, and a Public Hearing was held on March 7, 2017 where the application received 2<sup>nd</sup> and 3<sup>rd</sup> readings. The applicants have now satisfied

all conditions of fourth and final reading, except for Council consideration of a Development Variance Permit.

4.2 Project Description

Two variances were originally identified and presented in the Report to Council:

- Carriage house in a front yard: The existing accessory building is located between the front property line and the principle dwelling. In Zoning Bylaw No. 8000 Section 9.5b.1.c, it specifies that a carriage house must not be located in a front yard, *except for double fronting lots*. Upon further examination of the subject property it is a double fronting lot between Viewcrest Road and Viewcrest Lane and therefore the location of the carriage house is not a variance.
- Front yard setback: The minimum front yard setback in Section 12.2.6.c Rural Residential 2 Regulations is 6.0m. In the initial application the setback was measured using the orthographic photograph of the subject property. However, inaccuracies in the photograph can be caused by topographic changes or steep slopes, such as the conditions on the subject property. The applicants have provided a dimensioned site plan that indicates the setback meets the minimum 6.0m as required when the accessory building was constructed.

Community Planning recommends removing the requirement for a Development Variance Permit to be considered in conjunction with Final Adoption of Rezoning Bylaw No. 11359 based on the above information which proves that the variances are not required.

**Report prepared by:** Trisa Brandt, Planner

**Reviewed by:** Terry Barton, Urban Planning Manager

**Approved for Inclusion:** Ryan Smith, Community Planning Department Manager