

REPORT TO COUNCIL



Date: November 20, 2017

RIM No. 1250-30

To: City Manager

From: Community Planning Department (EW)

Application: Z17-0042

Owner: Robin Daniel Mercer & Heather Anne Mercer

Address: 1561 Mountain Ave

Applicant: Heather Mercer

Subject: Rezoning Application

Existing OCP Designation: S2RES – Single/Two Unit Residential

Existing Zone: RU1 – Large Lot Housing

Proposed Zone: RU1c – Large Lot Housing with Carriage House

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. 11476;

AND THAT Final Adoption of Rezoning Bylaw No. 11476 be considered by Council.

2.0 Purpose

To waive a condition of adoption of Rezoning Bylaw No. 11476 and to forward the Bylaw for adoption.

3.0 Background

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On October 3, 2017, Council gave second and third readings to Bylaw No. 11476 to rezone the subject property from RU1 – Large Lot Housing to RU1c – Large Lot Housing with Carriage House. The applicant wanted to construct a single storey carriage house by converting the existing single detached garage on the subject property. To convert the existing garage to a carriage house two variances to Zoning Bylaw No. 8000 were required:

Variance 1: *s.9.5b.14 The minimum side yard setback for carriage houses is 2.0 metres except it is 4.5 metres from a flanking street.* The existing side yard setback (east) from the detached garage structure is 1.5m.

Variance 2: *s.13.1.7(c) A carriage house must not be closer than 3.0m to an existing principal building.* The existing setback from the detached garage structure to the principal dwelling is 1.8m.

Since receiving second and third readings on the rezoning, the applicant had begun work on their Building Permit application. In working through the BC Building Code requirements, the applicant has decided to build a new structure rather than converting the existing structure. The applicant would like to use the same plans as proposed during the rezoning but will site the carriage house so that it complies with the carriage house regulations: with a 2.0m side yard setback and a 3.0m setback from the principal building. A revised site plan is attached.

Staff support the request that Council waive the requirement for a Development Variance Permit (DVP) to be considered in conjunction with final adoption of the Bylaw. The applicant has satisfied the other conditions of adoption by meeting the requirements of the Development Engineering Department.

Subject Property Map: 1561 Mountain Ave



Report prepared by:

Emily Williamson, Planner

Reviewed by:

Terry Barton, Urban Planning Manager

Approved for Inclusion:

Ryan Smith, Community Planning Department Manager

Attachments:

Attachment 'A' – Revised Site Plan