## **ADMINISTRATIVE REPORT**

**TO:** Board of Directors

**FROM:** B. Newell, Chief Administrative Officer

**DATE:** November 18, 2021

**RE:** Development Variance Permit Application — Electoral Area "D" (D2021.034-DVP)

#### **Administrative Recommendation:**

THAT Development Variance Permit No. D2021.034-DVP to permit the development of a single detached dwelling at 136 Chadwell Place be approved.

<u>Folio</u>: D-06799.888 <u>Legal</u>: Lot 18, Plan EPP61041, District Lot 2710, SDYD

OCP: Low Density Residential (LR) Zone: Low Density Residential Two (RS2)

<u>Variance Request</u>: to reduce the minimum front parcel line setback from 7.5 metres to 3.9 metres.

# **Proposed Development:**

This application is seeking a variance to reduce the minimum front parcel line setback from 7.5 metres to 3.9 metres to the outermost projection of the front parcel line to undertake the development of a single detached dwelling and attached garage.

In support of this request, the applicant has stated that "we have a no build covenant line at the rear of the lot, without the variance we would have a usable rear yard depth of only 7' at the south corner at the great wall room."

#### **Site Context:**

The subject property is approximately 1,404 m<sup>2</sup> in area and is situated on the west side of Chadwell Place. The property is currently vacant while the surrounding pattern of development is characterised by similar vacant residential lots.

#### **Background:**

The current boundaries of the subject property were created by a Plan of Subdivision on May 16, 2016, while available Regional District records indicate that building permits have not previously been issued for this property. The subject property is designated Low Density Residential (LR).

The property is zoned Low Density Residential Two (RS2) which allows for single detached dwellings, accessory structures, and establishes setbacks from property lines.

BC Assessment has classified the property as "Residential" (Class 01).

## **Public Process:**

Adjacent property owners will have received notification of this application with written comments regarding the proposal being accepted, in accordance with Section 2.10 of Schedule '4' of the

Regional District's Development Procedures Bylaw No. 2500, 2011, until 4:30 p.m. on September 16, 2021. All comments received are included as a separate item on the Board's Agenda.

At its meeting of October 12, 2021, the Electoral Area "D" Advisory Planning Commission (APC) recommended that the subject application be approved.

# **Analysis:**

The Zoning Bylaw's use of setback regulations is generally to provide physical separation between neighbouring properties in order to protect privacy and prevent the appearance of overcrowding. When a parcel is also adjacent a roadway, setbacks are further employed to maintain adequate sightlines for vehicle traffic movements.

Minimum setbacks from parcel lines are used to maintain a minimum space between houses in a residential neighbourhood to allow access to sunlight, to provide separation for fire safety or to mitigate nuisances (like noise) that might come from an adjacent building.

The subject parcel is subject to steep slopes in the rear portion as well as restrictive covenants that limit the area that is available for construction. Even with the reduced setback, the property is able to accommodate parking spaces in the front of the lot. Hence, the variance is not expected to impact vehicle movement from the property or the traffic on Chadwell Place.

The design of the proposed dwelling could be altered in order to limit the footprint of the structure and adhere to the front setback, but the property is bound by physical constraints that limit the area suitable for construction.

## Alternatives:

1. That Development Variance Permit No. D2021.034-DVP be denied.

Respectfully submitted

Nikita Kheterpal

Nikita Kheterpal, Planner I

**Endorsed by:** 

C. Garrish, Planning Manager

Attachments: No. 1 – Site Photo (September 2021)

No. 2 - Aerial Photo

Attachment No. 1 – Site Photo (September 2021)



Attachment No. 2 – Aerial Photo

