

Report

Date January 17, 2024

File: 3080-20 23.04

Subject Development Variance Permit Application No. DVP00096 at 1211 Barnes Road

PURPOSE

To consider an application to vary Section 56 (7) (a) of Zoning Bylaw No. 2950, 1997, to increase the maximum permitted principal building height from 9.0 metres to 10.35 metres for a single-family dwelling.

BACKGROUND

The subject property (PID: 000-006-793 – located at 1211 Barnes Road) is 2 hectares in area, within the Residential Rural (R1) Zone (Attachments 1 & 2), designated 'Rural Residential' under the Official Community Plan, and situated outside of the Urban Containment Boundary (Attachment 3).

The surrounding properties reflect a combination of residential and agricultural uses and all are zoned R1.

Proposal

The property owner is requesting Council's authorization to construct a single-family dwelling that exceeds the permitted maximum principal building height for R1 Zoning to achieve a desired ceiling height on the second floor and to meet aesthetic preferences.

The site plan identifying the location of the proposed single-family home is provided in Attachment 4, building elevations are provided in Attachment 5, and the applicant's Letter of Rationale is available in Attachment 6.

DISCUSSION

The proposed single-family dwelling is designed as a two-storey structure on the south elevation with a three-storey structure (walk-out basement) on the north elevation (Attachment 5). The site plan and elevation drawings confirm compliance with principal building setbacks, maximum allowable floor area ratio, and the lot coverage requirements of the R1 Zone.

Land Use Impacts

The variance requested to permit an increase to the principal building height by 1.35 metres (from 9 metres to 10.35 metres) at the proposed location on the subject property does not present a significant land use impact for the adjacent neighbours. As the proposal is for a house significantly larger than average, OCP policy 3.2.19 (d) is notable as it recommends future zoning changes to impose an upper limit on the size of housing. However, in the absence of such zoning change or policy surrounding DVP applications and given the location of this proposal and the potentially impacted neighbours, this OCP policy alone does not necessarily lead to a recommendation for refusal.



Photo of the future location of the proposed single-family dwelling.

The draft permit can be found in in Attachment 7.

Pursuant to section 499 of the *Local Government Act*, notice has been issued to neighbouring property owners (Attachment 8).

OPTIONS

1. **(Recommended Option)** THAT Council authorizes the issuance of Development Variance Permit DVP00096 and grants the variance to section 56 (7) (a) of Zoning Bylaw No. 2950, 1997, to increase the maximum permitted principal building height from 9 metres to 10.35 metres at 1211 Barnes Road.
2. THAT Council denies Development Variance Permit Application DVP00096 to increase the maximum permitted principal building height from 9 metres to 10.35 metres at 1211 Barnes Road.

IMPLICATIONS

Should the application be denied by Council, the proposed principal dwelling would be required to comply with the maximum principal building height of 9 metres of the Residential Rural (R1) Zone as well as all other applicable provisions of Zoning Bylaw No. 2950, 1997.

RECOMMENDATION

THAT Council authorizes the issuance of Development Variance Permit DVP00096 and grants the variance to section 56 (7) (a) of Zoning Bylaw No. 2950, 1997, to increase the maximum permitted principal building height from 9 metres to 10.35 metres at 1211 Barnes Road.

Report prepared by:

Sarah Foulkes-Watson

Sarah Foulkes-Watson
Development Planner

Report reviewed by:



Chris Osborne
Acting Director, Planning and Building

Approved to be forwarded to Council:



Ted Swabey
Chief Administrative Officer

Attachments:

- (1) Location Map
- (2) Orthophoto
- (3) Zoning Map
- (4) Site Plan
- (5) Elevations
- (6) Letter of Rationale
- (7) Draft Development Variance Permit
- (8) Notice