



REPORT

District of Highlands
1980 Millstream Road
Victoria, BC V9B 6H1
Tel: 474-1773 / Fax: 474-3677
L.Beckett@highlands.ca

To: C. D. Coates, Chief Administrative Officer *File: DVP-03-15*
From: Laura Beckett, Planner
Date: August 18, 2015
SUBJECT: Development Variance Permit Application DVP-03-15
(1589 Millstream Road – Caleb Pike Heritage Park)

RECOMMENDATION

THAT Council direct staff to issue notification of Council's consideration for the proposed issuance of Development Variance Permit DVP-03-15

SUMMARY

Location:	1589 Millstream Road
Legal:	LOT A, SECTIONS 30 AND 35, HIGHLAND DISTRICT PLAN 46113
Zone:	Public 3 (P3)
Zoning Bylaw Section to Vary:	1. 9.3.3 (4): Side lot line setback – 6 metres 2. 9.3.3 (7): Total floor area of all buildings not to exceed 500m ²
Additional Relevant Regulations:	
Applicant Requests:	1. 0.6 metres (2 feet) setback to side lot line 2. 522m ² (5,619 square feet) total floor area of all buildings
Purpose:	<ul style="list-style-type: none">• To build fire wood storage shed attached to existing workshop/storage shed – <i>Variance for both side lot line and size for proposed and existing portions of building</i>• To bring existing excess floor area into compliance with zone (Currently all structures exceed zoning bylaw by 12m² or 129.2 square feet)

NB – Discrepancies in numbers in report and attachments are due to calculation from actual drawings and from rounding.

BACKGROUND

The Caleb Pike Heritage Park is owned by the District of Highlands and managed by the Highlands Heritage Park Society (HHSP). The Heritage Park grounds are “recognized” on the District’s Heritage Register. There are several buildings on the grounds; four of which are also on the District’s Heritage Register – three of those have heritage “designation”. None of the proposed changes affects any of the heritage buildings.

PROPOSAL

Please find attached the application package, which includes rationale for the request, plans for an addition to the existing Caretaker Shed, and a site plan of all buildings on the site. Below is a picture of Caretaker Shed as it is currently. Noted by the yellow arrow is a covered but unenclosed area storing miscellaneous building materials. This is where the HHPS proposes to replace the existing unenclosed structure by an enclosed (open on side) wood shed. The new addition would be approximately half as long as the current unenclosed area. This portion of the structure is also noted as the “lean-to” in the attached, “Site Plan of 1589 Millstream Road,” that shows the surveyed encroachment into the side lot line setback.

A variance is required for two reasons:

1. The existing portion of the building is only about 0.6m away from the side yard lot line. The required setback in accordance with the P3 zone is 6.0m. Thus, a variance is required for the addition as well as the existing structure.
2. The total floor area for all buildings on the lot currently exceeds that permitted by zoning by 12m². The total floor area permitted by the P3 zone is 500m². The amount of the proposed addition is approximately 10m², thus, the full amount requested for the variance is 522m².



Noted by the red arrow is the nearest neighbouring structure, which is a home. This neighbour has provided a letter expressing that they are not opposed to the requested variance.

Staff supports the request and attaches the draft permit. Staff recommends that Council consider issuing notification of Council's future consideration of the proposed development variance permit. Council may or may not wish a site visit of the property to assist consideration of the application, and should advise staff accordingly.

OPTIONS

1. Council may wish to deny the application.
2. Council may wish to request more information from the applicant. Council should specify what information they are looking for.
3. *(Recommended.)* Council may wish to direct staff to issue notification for Council's consideration of Development Variance Permit Application DVP-03-15.

Respectfully submitted



Laura Beckett, MCIP, RPP

CAO Concurrence



C. D. Coates, CAO

FORM B - NATURE OF VARIANCE(S) REQUESTED

COMPLETE THE FOLLOWING SECTIONS

- Is one or more variance being sought to the Zoning Bylaw?
- Is one or more variance being sought to the Subdivision and Development Bylaw?
- For what sections of the Bylaws is a variance requested, and by how much? Please attach a separate sheet of paper if necessary, showing each variance in the format below.

1. Section 9.3.3 (4) of the Zoning Bylaw is variance
from: 6 m

to: 0.61 m

2. Section 9.3.3 (7) of the Zoning Bylaw is variance
from: 500 m²

to: 522 m²

3. Section _____ of the Zoning Bylaw is variance
from: _____

to: _____

4. Section _____ of the Zoning Bylaw is variance
from: _____

to: _____

- For each variance sought, please provide a rationale for the request in the space below (i.e. why is the variance being sought and why can't the bylaw standard be addressed?):

- A written description of the proposal, outlining the impact the proposed variance (if granted) would have on adjacent properties, and what would be done by the Applicant to reduce the impact.

SIDE LOT-LINE VARIANCE FOR CARETAKER OUTBUILDING

The Highland Heritage Park Society (HHPS) wish to make a permanent storage building and firewood storage shed for the Caretakers of the park. An outbuilding is needed for storage because the Caretaker House is small (1000 sqft).

The most convenient and inconspicuous location for this outbuilding is the site of the 10 x 16 ft temporary shed. The desire is to make the temporary shed permanent in its existing position. Its current location is 2 ft (0.61 m) from the east lot line of the park.

The HHPS proposes to make the temporary shed adjacent to the east lot line a permanent storage (or possible workshop) building by adding electrical wiring fed from the Caretaker House, insulating and moving the entrance door. The addition of a semi-enclosed 10 x 10 ft firewood storage structure extending from the storage building is also being proposed.

The Utility Building, where the Pike House firewood is stored, is distant from and, therefore, inconvenient to the Caretaker House. Additionally, there is insufficient storage capacity in the Utility Building to store firewood for both the Pike House and Caretaker House and the grounds maintenance equipment. The Utility Building, which is a log structure, cannot readily be enlarged either aesthetically or economically.

The proposed addition to the Caretaker House outbuilding does not increase the number or add significantly to the size of buildings in the Heritage Park. The location is inconspicuous from the neighbouring property because of the steep bank next to the property line. Tree and shrub cover also obscure the existing temporary shed from the neighbouring house. The adjacent neighbour has provided a letter indicating no objection. The site is level and cleared, with no tree removal required. Any other location not requiring a lot line variance would either be intrusive in the Park or at an inconvenient distance from the Caretaker House.

A reduction of the lot line set-back to 0.61 m (2 ft) is requested.

BUILDING FOOTPRINT VARIANCE FOR CALEB PIKE PARK

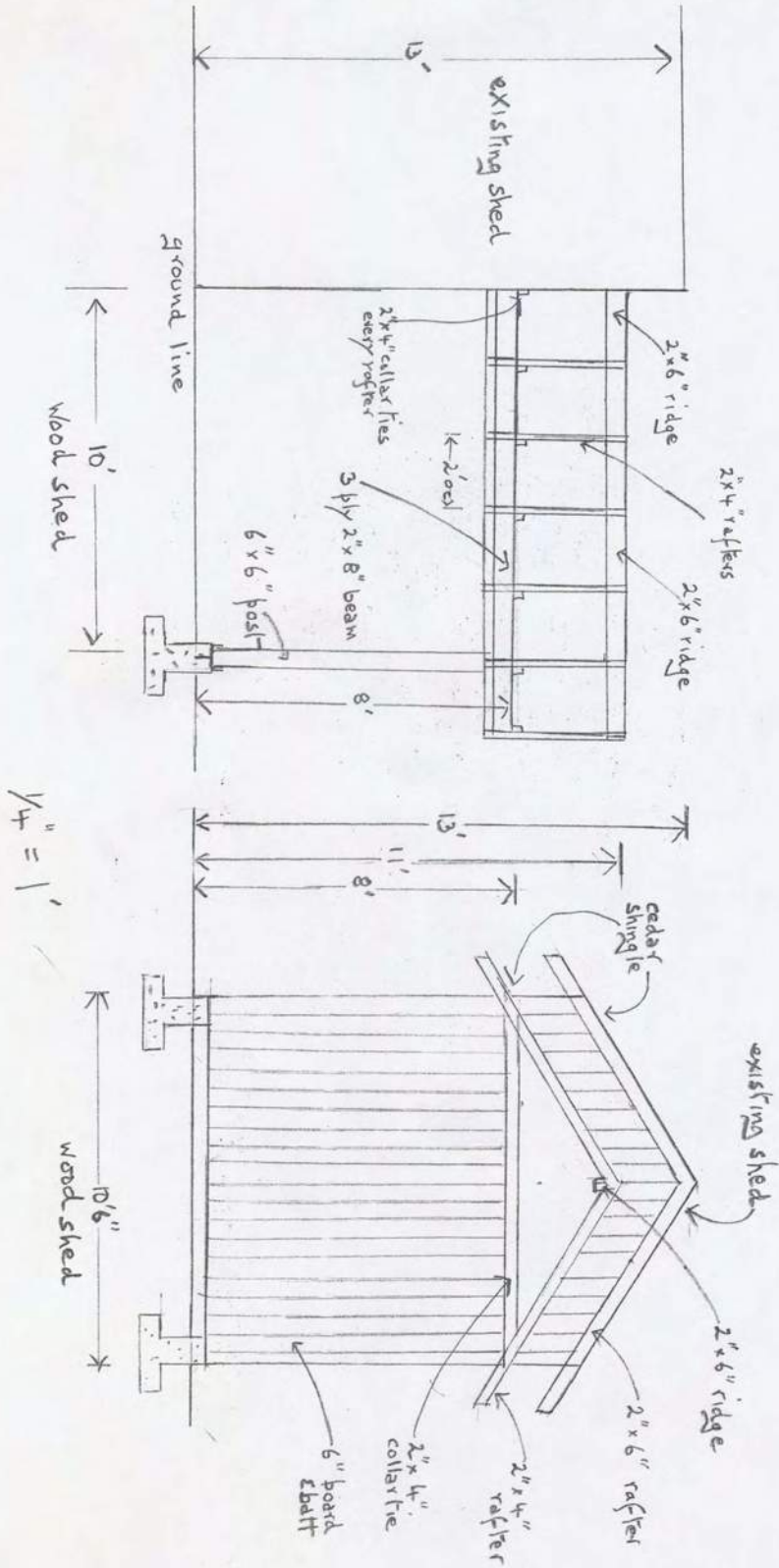
The existing buildings on the Caleb Pike Heritage Park total 5,500 sqft*, including the temporary shed adjacent to the Caretaker House. The proposed semi-enclosed extension for firewood storage would add an additional 100 sqft for a total of 5,600 sqft.

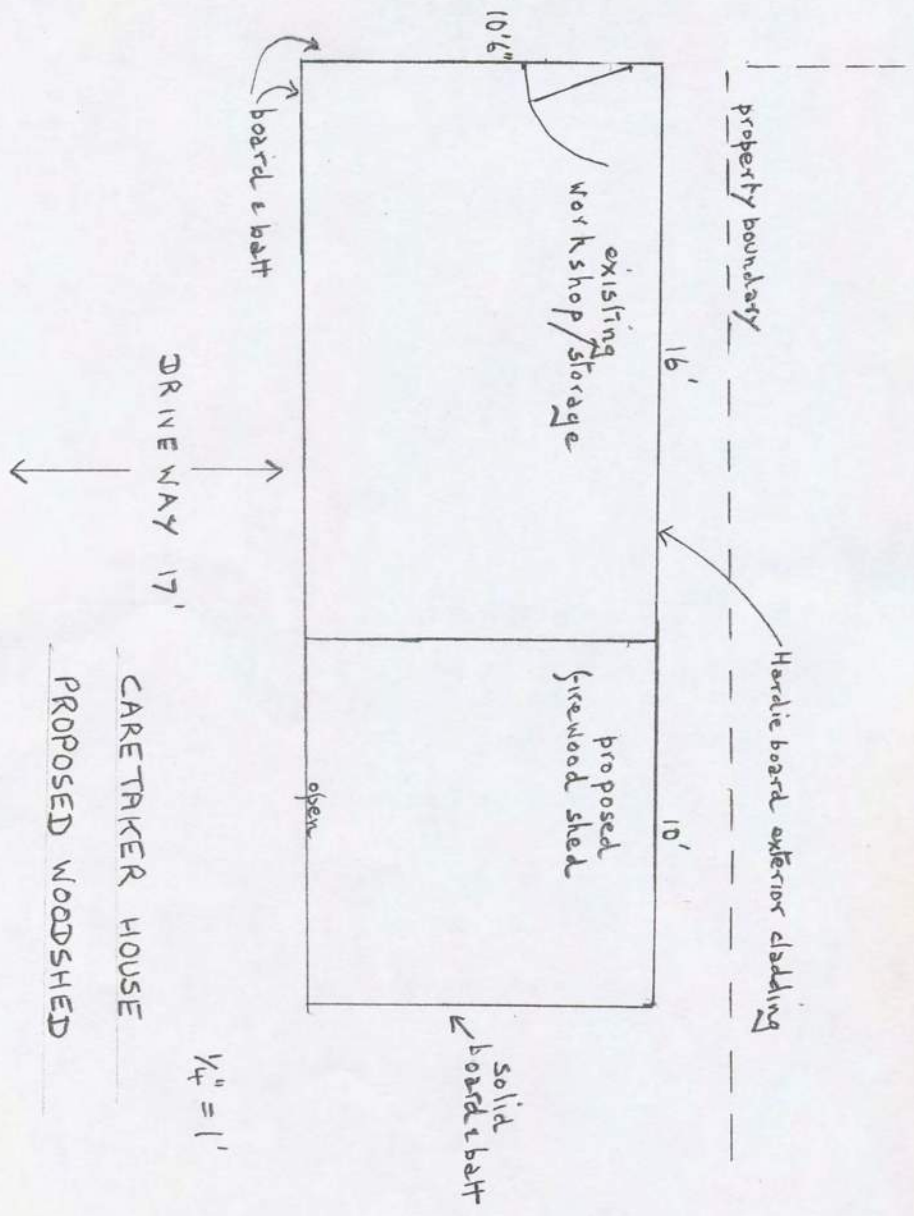
The variance requested is 20 sqm (218 sqft) more than the 500 sqm (5,382 sqft) allowed by the P3 Zone.

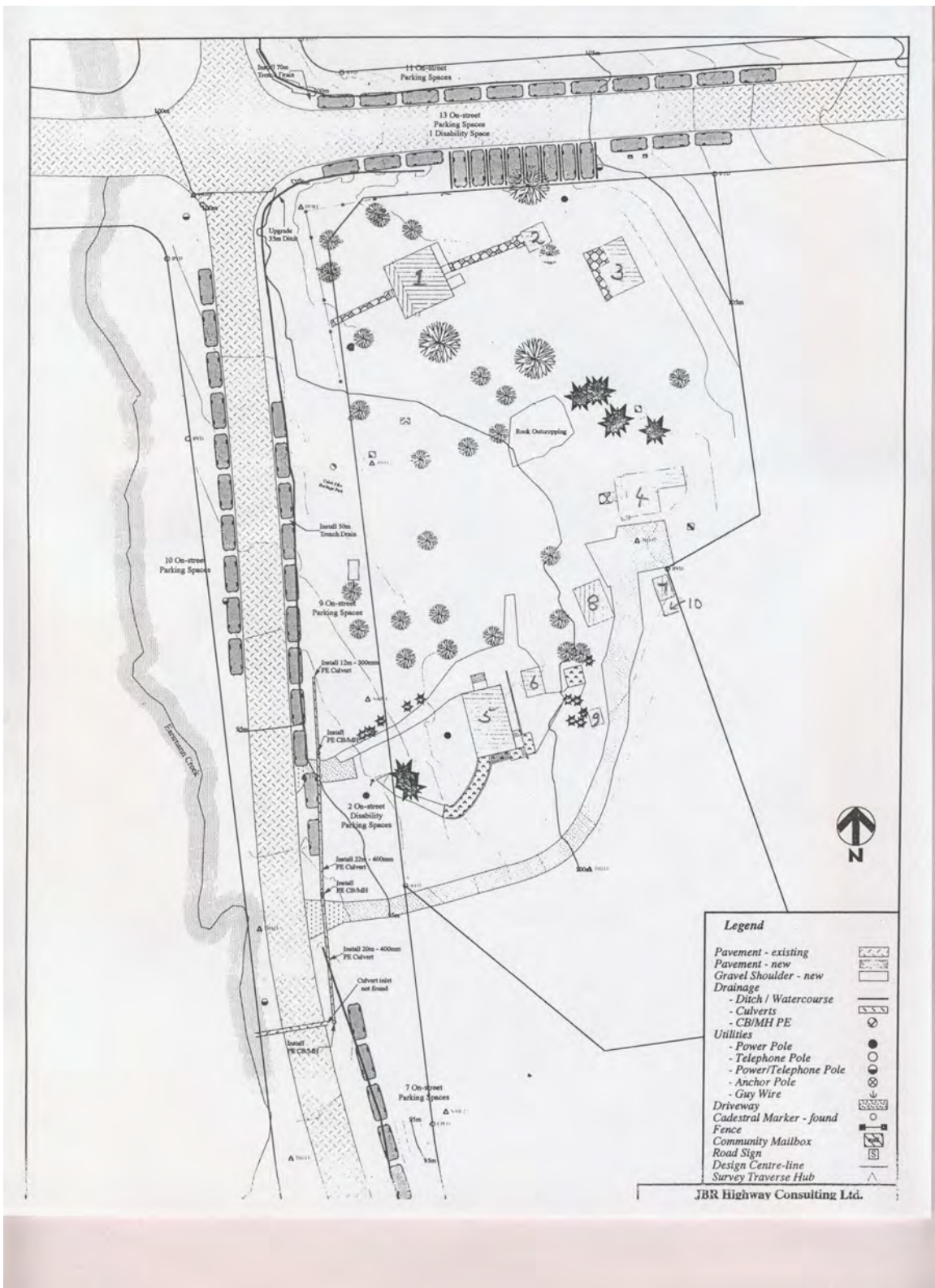
* Footprint of existing buildings in the Caleb Pike Heritage Park

1. Pike House (incl. porch and second floor)	1,350 sqft
2. Dairy	140
3. Utility Building	400
4. Caretaker House (incl. porch and second floor)	1,000
5. School House (incl. basement)	1,400
6. Teacherage (washrooms)	150
7. Temporary Caretaker shed	160
8. Museum (incl. porch)	850
9. Museum storage shed	<u>50</u>
	5,500 sqft

CARETAKER HOUSE
PROPOSED WOODSHED







Legend

Pavement - existing	
Pavement - new	
Gravel Shoulder - new	
Drainage	
- Ditch / Watercourse	
- Culverts	
- CB/MH PE	
Utilities	
- Power Pole	
- Telephone Pole	
- Power/Telephone Pole	
- Anchor Pole	
- Guy Wire	
Driveway	
Cadastral Marker - found	
Fence	
Community Mailbox	
Road Sign	
Design Centre-line	
Survey Traverse Hub	

JBR Highway Consulting Ltd.

693 Caleb Pike Road
Victoria, B.C.
V9B 6G8

Mayor and Council
District of Highlands
1980 Millstream Road
Victoria, B.C.
V9B 6H1

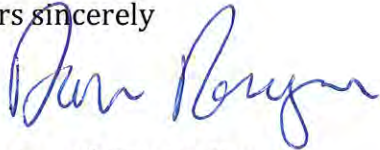
28 June 2015

Dear Mayor and Council

Re: Side lot-line variance Caleb Pike Park

We are not opposed to the reduction in the side lot-line setback requested for the construction of a woodshed for the caretaker house on the Caleb Pike Park.

Yours sincerely



Dannie and Connie Dougan

Site Plan of 1589 Millstream Road

Legal: Lot A, Sections 30 & 55, Highland District, Plan 46113

Caleb Pike Road



Millstream Road

(note - not all buildings have been surveyed)

A
Plan 46113

B

● denotes survey post found
August 24, 2015

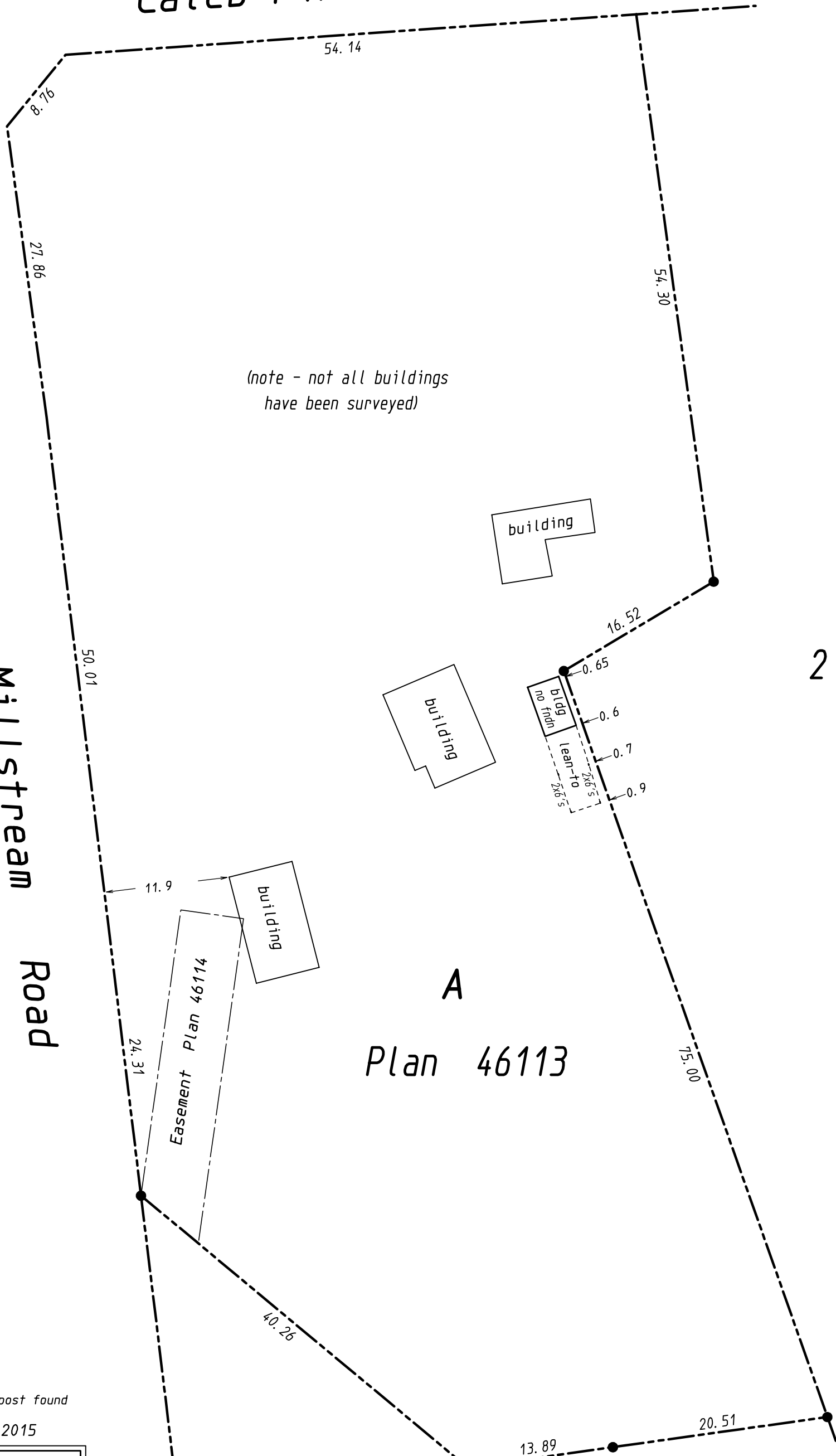
File : 7922-111W
POWELL & ASSOCIATES
BC Land Surveyors
250-2950 Douglas Street
Victoria, BC V8T 4N4
phone (250) 382-8855

Scale - 1 : 400



All distances are shown in metres.
The intended print size is 11" by 17".

2





DISTRICT OF HIGHLANDS
DEVELOPMENT VARIANCE PERMIT
NO. DVP-03-15

ISSUED TO: Highland Heritage Park Society (“Permittee”)

MAILING ADDRESS: 499 Millstream Lake Road
Victoria BC V9B 6H5

1. The “Lands” are:

LOT A, SECTIONS 30 & 35, HIGHLAND DISTRICT, PLAN 46113
PID: 009-480-111
(“1589 MILLSTREAM ROAD – CALEB PIKE HERITAGE PARK”)

2. Highlands Zoning Bylaw No. 100, 1998 is varied as follows:

9.3.3 (4)

FROM:

No building or structure shall be sited within **6 metres** of a side lot line.

TO:

No building or structure shall be sited within **0.6 metre** of a side lot line.

AND

9.3.3 (7)

FROM:

The total floor area of all buildings on a lot shall not exceed **500 square metres...**

TO:

The total floor area of all buildings on a lot shall not exceed **522 square metres...**

3. The Lands described herein shall be developed strictly in accordance with the terms, conditions, and provisions of this permit, and any plans and specifications attached to this Permit which shall form a part hereof.
4. This Permit is issued subject to compliance with all the Bylaws of the District applicable thereto, except as specifically supplemented by this Permit.
5. If the Permittee does not substantially commence the development permitted by this Permit within 24 months of the date of this Permit the Permit will lapse. The owner may request in writing for an extension.

RESOLUTION PASSED BY THE COUNCIL OF THE DISTRICT OF HIGHLANDS
THE XX DAY OF XXX, 2015.

AUTHORIZED THIS XX DAY OF XXX, 2015

Christopher D. Coates
Chief Administrative Officer