



REPORT

District of Highlands
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To: C. D. Coates, Chief Administrative Officer File: DVP-04-15
From: Laura Beckett, Planner
Date: August 18, 2015
**SUBJECT: Development Variance Permit Application DVP-05-15
(1434 White Pine Terrace)**

RECOMMENDATION

THAT Council direct staff to issue notification of Council's consideration for the proposed issuance of Development Variance Permit DVP-05-15

SUMMARY

Location:	1434 White Pine Terrace
Legal:	LOT 13 SECTIONS 35 AND 70 HIGHLAND DISTRICT PLAN VIP76681
Zone:	Rural Residential 4 (RR4)
Zoning Bylaw Section to Vary:	6.4.3 (8) "...no single accessory building shall exceed 100 square metres in floor area..."
Additional Relevant Regulations and/or Development Permit Areas:	<ul style="list-style-type: none">• 2-party conservation covenant on property. Proposal is wholly within residential use zone.• Development Permit Area 6 – Promotion of Energy and Water Conservation and the Reduction of Greenhouse Gases (<i>to be issued by staff if Council approves the variance</i>)
Applicant Requests:	6.4.3 (8) "...no single accessory building shall exceed 188 square metres in floor area..." (for one structure)
Purpose:	To build larger, single accessory building for less impact on property

PROPOSAL

The land owner wishes to build a 188m² (2,023.6 square feet) accessory building. This exceeds the maximum allowed in the Rural Residential 4 (RR4) zone by 88m² (974.2 square feet). There is currently one other accessory building on the property that occupies 15m² (160 square feet) that would be removed as the proposed structure is built. The maximum total floor area for this zone is 275m². If the variance were approved, the total floor area of all accessory buildings would remain under the maximum allowed, even if the existing structure remained (total would be 203m²).

This property has a 2-party conservation covenant held between the land owner and the District. The residential conservation covenants in the Highlands typically have two designated areas on each lot. These areas (also sometimes called "zones") are delineated by survey. One area is the conservation area where no buildings or earth disturbances are permitted (except for limited

trail building and a few other exceptions including benches, septic fields, wells and utility poles). The other area is for residential use, where buildings, structures, and other earth disturbances are permitted. For this application, the proposed structure is wholly within the residential use zone (RUZ). It is sited 0.5m away from the RUZ boundary. While typically staff recommends a larger “buffer” to the boundary, this siting was done in order to preserve three trees on the south side of the proposed building for shading/cooling effects. This action is guided by Development Permit Area 6 – Promotion of Energy and Water Conservation and the Reduction of Greenhouse Gases. Other trees, under 10, are planned to be removed.

COMMENTARY

Requests to have a single, larger accessory building on a property are not uncommon. Rationale for support include a lower footprint on the property that results in less earth disturbance, and a reduced amount of building materials that results in an overall lower energy impact. These rationale are both true in this case. Staff supports the request, and attaches the draft permit.

Staff recommends that Council direct staff to issue notification to surrounding properties advising of Council’s future consideration of the proposed development variance permit.

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-05-15.

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 6.4.3 (8) of the Zoning Bylaw is variance

from: 100 sq m

to: 188 sq m

2. Section _____ of the Zoning Bylaw is variance

from: _____

to: _____

3. Section _____ of the Zoning Bylaw is variance

from: _____

to: _____

4. Section _____ of the Zoning Bylaw is variance

from: _____

to: _____

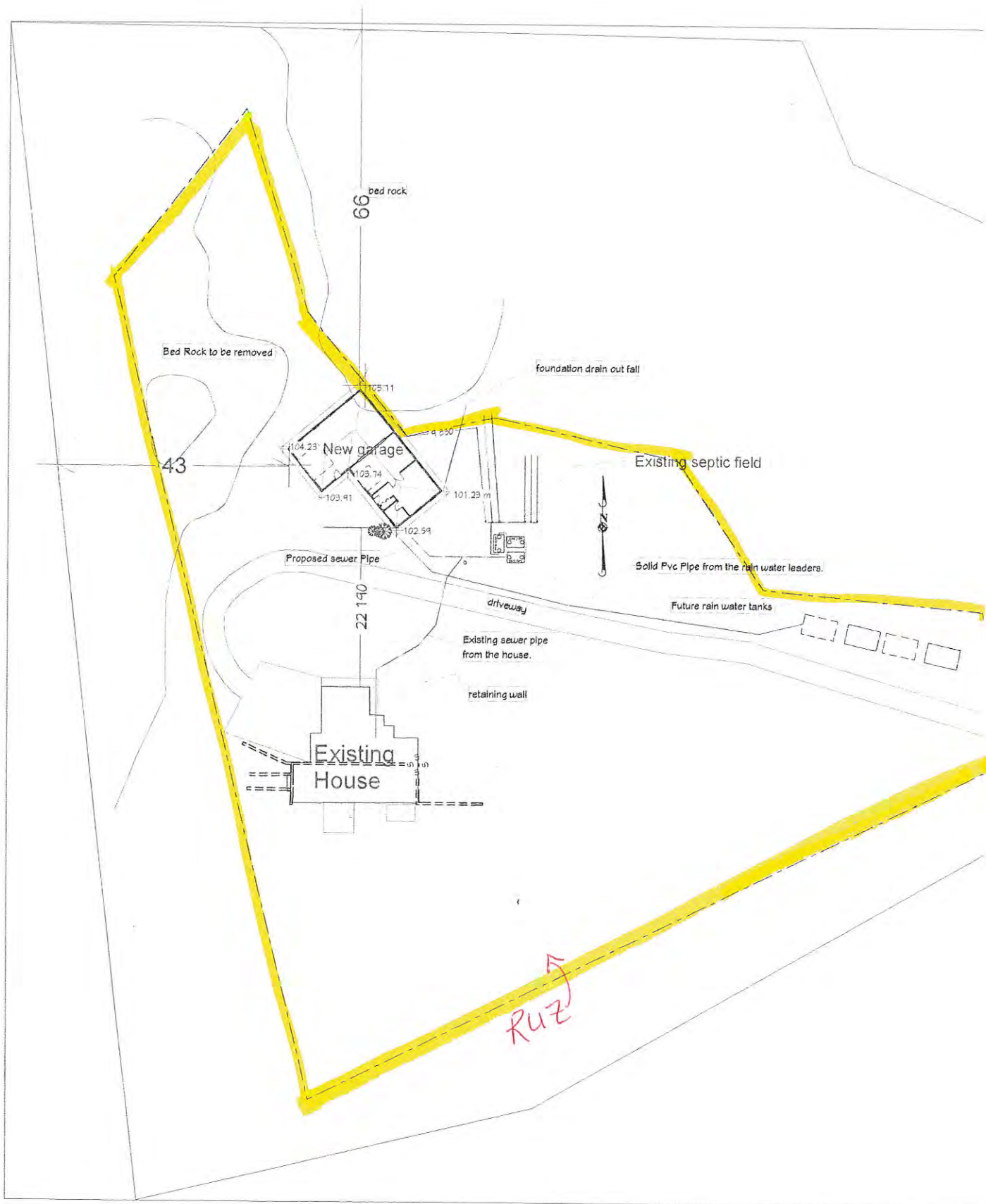
- For each variance sought, please provide a rationale for the request in the space below (i.e. why is the variance being sought and why can't the bylaw standard be addressed?):

The Total floor area increase to have less impact on the property

Please note the building will be used for private use. if I use it

for Business no more than 70²m will be use zoning 3.5

- 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.



DATE:	SCALE:	PROJECT DESCRIPTION:	Owner	D. Rowlandson	DRAWING
2015-07-14	1:750	New garage, lot plan	Address		David R
SHEET: A-1	File name	1434 White pine terrice lot plan	1434 White Pine Terrace		Active E
					1434 W
					Victoria
					(250) 5



DISTRICT OF HIGHLANDS
DEVELOPMENT VARIANCE PERMIT
NO. DVP-05-15

ISSUED TO: David Rowlandson (“Permittee”)

MAILING ADDRESS: 1434 White Pine Terrace
Victoria BC V9B 6J3

1. The “Lands” are:
LOT 13 SECTIONS 35 AND 70 HIGHLAND DISTRICT PLAN VIP76681
PID: 025-889-443 (“1434 WHITE PINE TERRACE”)

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

6.4.3 (8)

FROM: ...no single accessory building shall exceed 100 square metres in floor area...

TO: ...no single accessory building shall exceed 188 square metres in floor area (for one accessory building only)...

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