

AGENDA ITEM NO: 11.4.5

MEETING DATE: August 6, 2024

STAFF REPORT – COVER SHEET

SUBJECT: Jesse Rayner
Development Variance Permit / 9298
Broadway DATE: July 22, 2024


DEPARTMENT: Planning
DVP01421 PREPARED BY: Sean Roufousse / mb

1. SUMMARY OF ISSUE:

The applicant is seeking to reduce the rear lot line (RLL) setback in the R1-A (Urban Residential) Zone from 7.5m to 6m to facilitate the construction of an addition to the existing single detached dwelling on the subject property.

2. RECOMMENDATION:

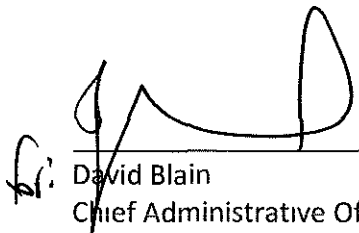
Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01421 with respect to property located at 9298 Broadway, subject to the recommendations as stipulated within the draft Development Variance Permit. (Presentation)



Gillian Villeneuve
Director of Planning

3. CHIEF ADMINISTRATIVE OFFICER'S RECOMMENDATION/COMMENTS:

Supports recommendation.



David Blain
Chief Administrative Officer

STAFF REPORT ON DEVELOPMENT VARIANCE PERMIT DVP01421

PREPARED BY: Sean Roufousse DATE: July 22, 2024

POSITION: Planner I DEPARTMENT: Planning Department

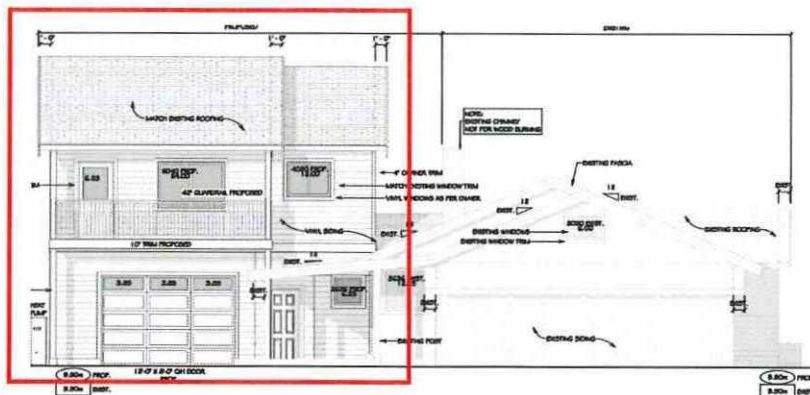
1. PROPOSAL:

The applicant is requesting a reduction to the rear lot line (RLL) setback by 1.5m to facilitate the construction of a 2-storey, 83m² addition to the existing single detached dwelling as shown below. The addition will include a shop, connected to the primary dwelling on the first storey, with an Accessory Dwelling Unit (ADU) in the form of a secondary suite on the second storey. As the addition includes a suite, the applicant has committed to providing paving in the form of a driveway to meet the minimum parking requirement for the suite and this has been included as a condition of the draft permit.

Further, the property owner requested that highway access be granted from Cedar Avenue. The Engineering Department supports this request, provided conditions with respect to the letdown design, connection to the storm system, and addressing drainage are met.

The application for a Highway Access Permit prior to the issuance of a Building Permit has been included as a condition in the draft permit.

Proposed Addition (East Elevation)



As part of the review process, the applicant removed the existing carport area, which was constructed without the benefit of a Building Permit.

The applicant's rationale for the proposed variance is that a reasonable buffer will remain between the varied rear lot line setback of the subject property and the neighbouring property's interior side lot line (ISLL). Since the proposed 1.5m reduction will result in a 6m setback from the RLL, sufficient space will be retained on site for an amenity area for the residents, while also respecting the privacy of the adjoining property. As such, the proposed variance is considered minor in nature with a limited potential impact on the surrounding area. (Site Plan – Appendix 1)

In addition to the above, a metal storage container is currently sited on the subject property and used for personal storage. As metal storage containers are not permitted on residential properties, except in association with an active building permit, the applicant has agreed to remove the container upon completion of the addition and relocation of the goods in storage. As such, a condition requiring the removal of the container within 60 days of occupancy being granted for the addition has been included in the draft permit.

2. FACTORS:

2.1 2040 Official Community Plan (OCP) / Land Use:

OCP: “Residential 3 – Low Rise Apartment and Attached Housing” as designated in the Chilliwack Proper and Fairfield Island Neighbourhoods Plan.

Land Use: Single detached dwelling and metal storage container (to be removed).

Community Engagement: The applicant sent letters to all properties within a 30m radius of the subject property on May 22, 2024. The applicant also held an open house to engage with neighbours about the proposed variance. No responses pertaining to the variance have been received to date. If an engagement summary is received, it will be recorded and form part of the official record.

2.2 Neighbourhood Character

The subject property is located within the Mountainview (East) neighbourhood. The surrounding neighbourhood contains a variety of parcel sizes and zones including the R1-A (Urban Residential), R1-C (Urban Infill), and R4 (Low Density Multi-Unit Residential) Zones. The primary built forms within the area include single detached dwellings and townhouses.

2.3 Technical Issues

Floodplain: The subject property is located within the protected floodplain and is subject to the Floodplain Regulation Bylaw.

Watercourses: There are no known watercourses within or in the immediate vicinity of the subject property.

Geotechnical: The property is not subject to any known geotechnical hazards or earthquake-related risks.

2.4 Conditions of Issuance

Staff support the requested variance as proposed by the applicant and recommend approval of the draft Development Variance Permit subject to the following conditions being met:

- a) That the development be in accordance with the plans found in Schedule “A”;
- b) That a Highway Access Permit be applied for prior to the issuance of a Building Permit;
- c) That construction of the proposed driveway not commence prior to the issuance of a Highway Access Permit that includes the following:
 - A letdown is constructed by the owner as per DR-16 standard;
 - A rock pit with overflow to the City storm system is installed and sized to capture all new non-pervious surfaces including the new addition and driveway, and related signed/sealed drawings, Schedule B and Schedule C-B;
 - A connection to the City storm system at the corresponding bylaw rate is made.
- d) That the applicant adds a non-porous surface, at least 2.6m x 6m in size, prior to the issuance of an Occupancy Permit for the addition; and,
- e) That the metal storage container currently on the property be removed within 60 days of the issuance of an Occupancy Permit for the addition.

3. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01421 with respect to property located at 9298 Broadway, subject to the recommendations as stipulated within the draft Development Variance Permit.

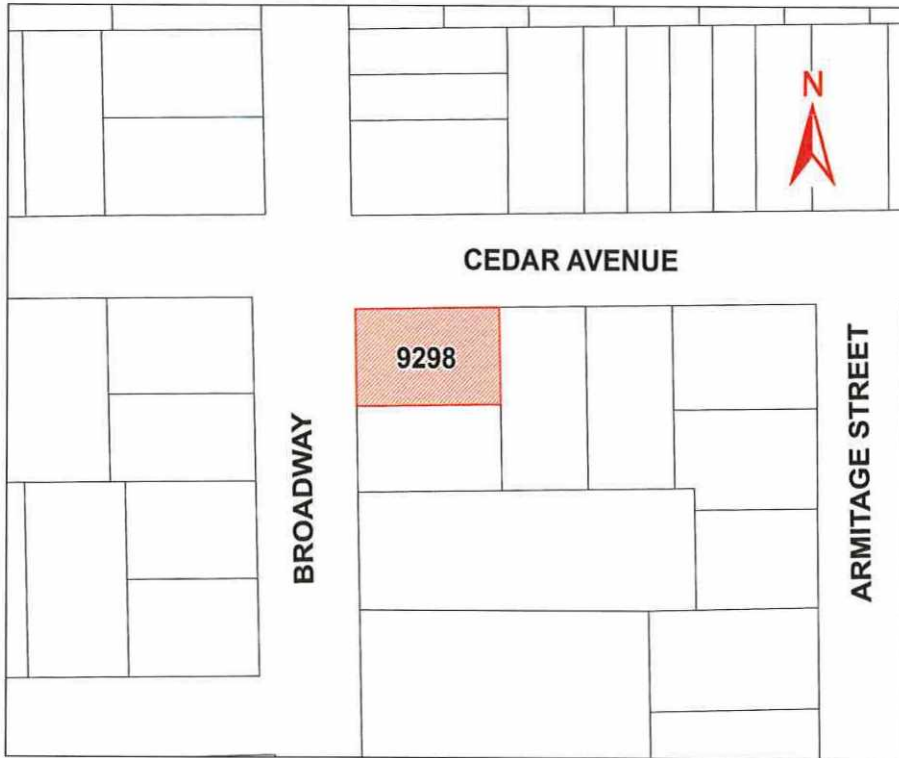
Substantiation:

If approved, the requested variance to reduce the rear lot line setback by 1.5m will facilitate the construction of a secondary suite and a new shop. Given the lot orientation as well as the minor nature of the variance, the potential impact of the proposed reduction to the RLL setback on neighbouring properties is expected to be minimal. As such, the requested variance is considered supportable in this instance.

4. SOURCES OF INFORMATION:

- Development Variance Permit Application (DVP01421) – April 5, 2024

Location Map



Ortho Photo



Photos

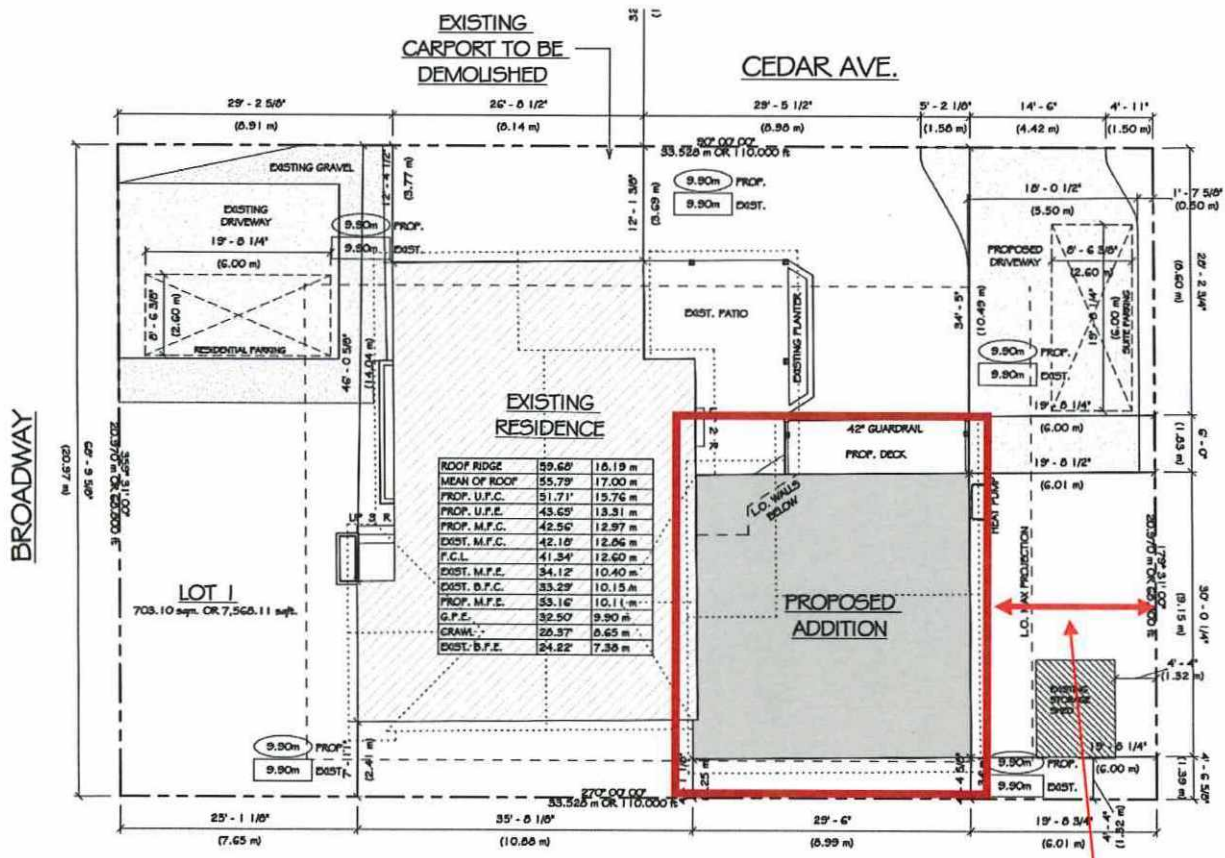


Figure 1: Location of Proposed Addition



Figure 2: Existing Carport (since removed)

Appendix 1 – Site Plan



Reduced RLL setback to



**City of Chilliwack
Notice of Public Information Meeting
Council Chambers
8550 Young Road, Chilliwack BC V2P 8A4**

When: Tuesday, August 6, 2024 at 4:00 PM

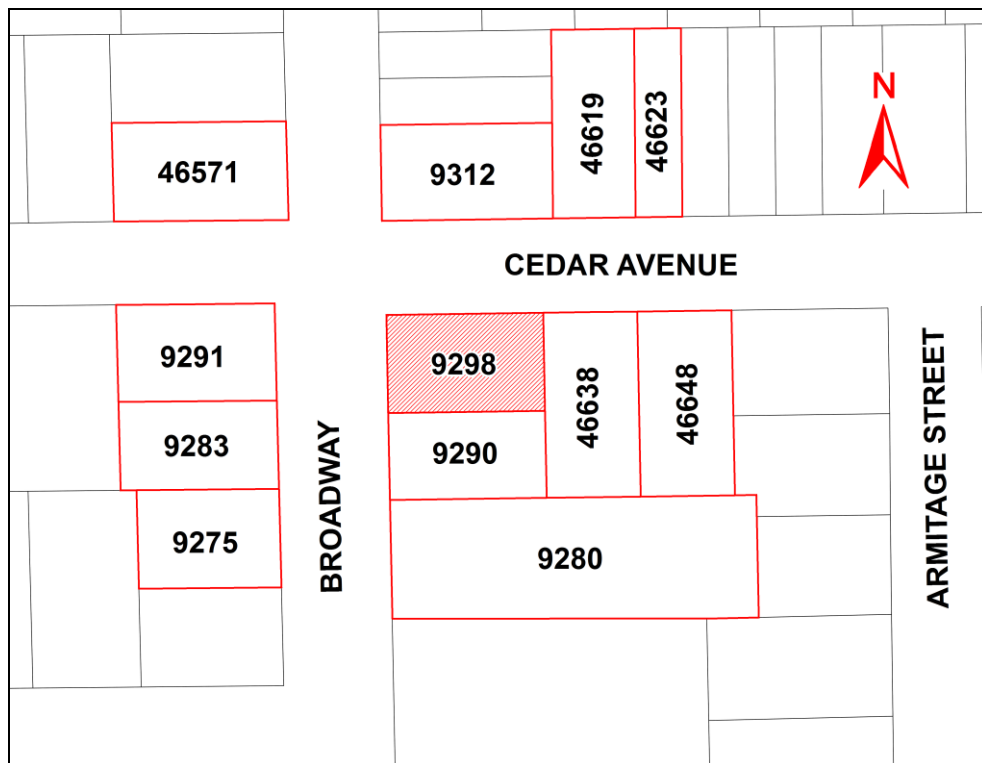
Watch: The live council meeting broadcast at Chilliwack.com/live

Development Variance Permit Application (DVP01421)

Location: 9298 Broadway

Applicant: Jesse Rayner (JCR Design Ltd.)

Purpose: To reduce the rear lot line setback, to facilitate the construction of an addition, on the subject property, as shown on the included map.



How to share your feedback:



Attend the Public Information Meeting in person (8550 Young Road)



Mail or email our Legislative Services Department:

Mail: 8550 Young Road, Chilliwack BC V2P 8A4

Email: clerks@chilliwack.com

- Submissions will be accepted until 4:00 PM on August 5, 2024. Any submissions received after this time will not be considered by Council.
- Please include your name and address.
- **All mail and emails, including your name and address, will be recorded and form part of the official record.**

Contact our Planning Department between Wednesday, July 24, 2024 and Tuesday, August 6, 2024 for a copy of the proposed permit at planning@chilliwack.com or 604-793-2906.

Jacqueline Morgan, CMC
Corporate Officer



SCHEDULE "A"

CITY OF CHILLIWACK

DEVELOPMENT VARIANCE PERMIT NO. DVP01421

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the City of Chilliwack applicable thereto, except as specifically varied or supplemented by this Permit.
2. This Development Variance Permit applies only to those lands within the City of Chilliwack described below, to facilitate an addition to the single detached dwelling and, does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. **010-167-595**
Legal Description: **LOT 1 DISTRICT LOT 333 GROUP 2 NEW**
WESTMINSTER DISTRICT PLAN 16373
Address: **9298 Broadway**

3. In accordance with the provisions of Section 498 of the *Local Government Act* the following section(s) of "Zoning Bylaw 2020, No. 5000" are varied as stated:

Section 8.01(7)(c) within the R1-A (Urban Residential) Zone is varied by reducing the rear lot line (RLL) setback from 7.5m to 6m.

4. The land described herein shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and the plans and information contained within the application. The following conditions apply:
 - a) That the development be in accordance with the plans found in Schedule "A";
 - b) That a Highway Access Permit be applied for prior to the issuance of a Building Permit;
 - c) That construction of the proposed driveway not commence prior to the issuance of a Highway Access Permit that includes the following:
 - A letdown is constructed by the owner as per DR-16 standard;
 - A rock pit with overflow to the City storm system is installed and sized to capture all new non-pervious surfaces including the new addition and driveway, and related signed/sealed drawings, Schedule B and Schedule C-B; and,
 - A connection to the City storm system at the corresponding bylaw rate is made.

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- d) That the applicant adds a non-porous surface, at least 2.6m x 6m in size, prior to the issuance of an Occupancy Permit for the addition; and,
 - e) That the metal storage container currently on the property be removed within 60 days of the issuance of an Occupancy Permit for the addition.
5. Pursuant to Section 504 of the *Local Government Act*, if the permittee does not substantially start any construction permitted by this Permit within two years of the date of this Permit, this Permit shall lapse.
6. This Permit is not a Building Permit.

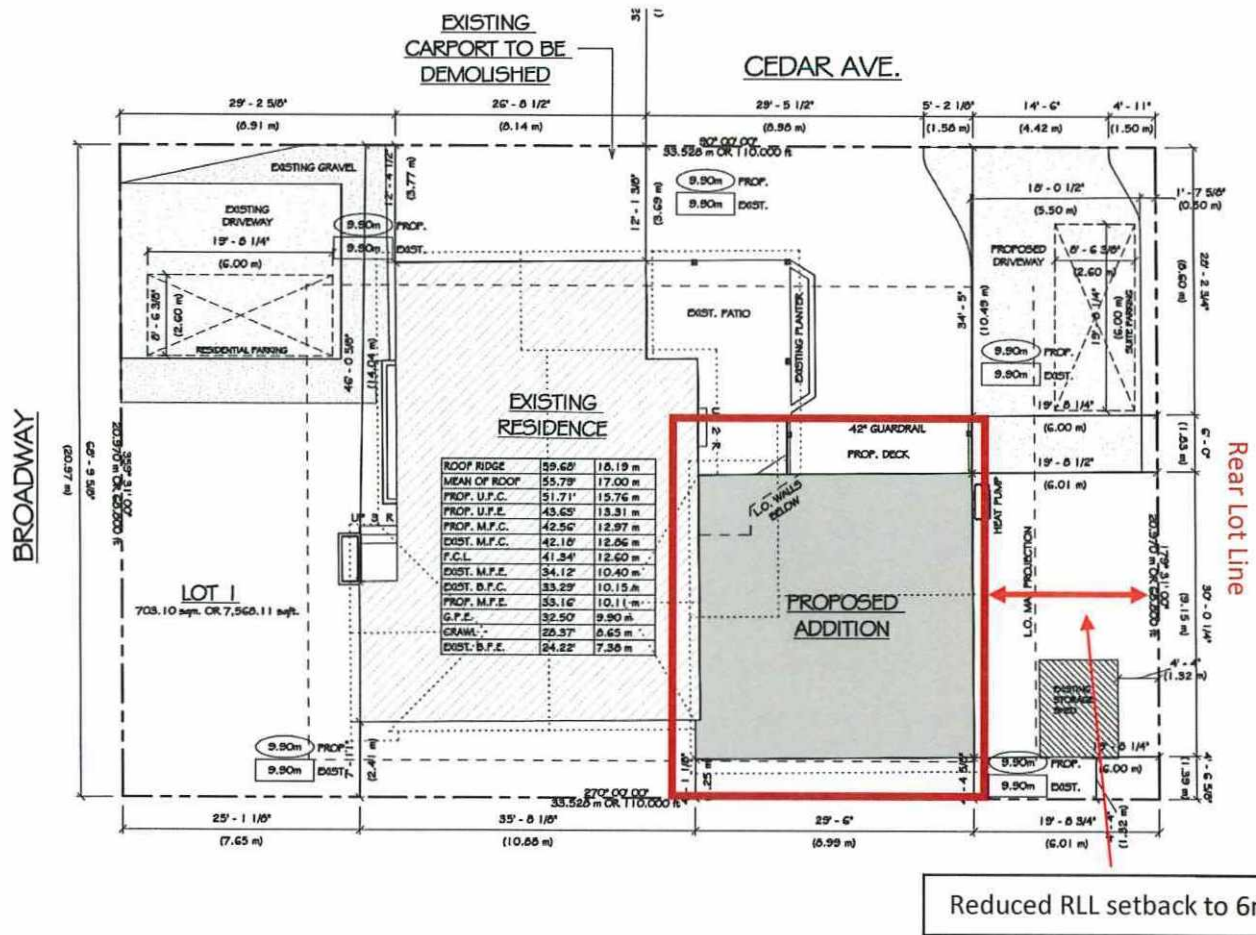
APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2024.

ISSUED THIS ___ DAY OF ___, 2024

CORPORATE OFFICER

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Proposed Site Plan (as provided by the applicant)



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