

AGENDA ITEM NO: 11.4.5

MEETING DATE: March 11, 2025

STAFF REPORT – COVER SHEET

SUBJECT: Trina Finley
Development Variance Permit / 9545
Carleton Street DATE: February 27, 2025

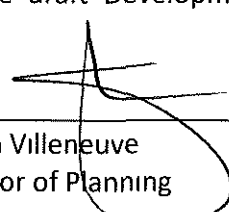
DEPARTMENT: Planning
DVP01481 PREPARED BY: Shamim Bahri / mb

1. SUMMARY OF ISSUE:

The applicant is seeking to increase the maximum building height for an urban ancillary use from 6.5m (as per DVP01010) to 7m within the R1-A (Urban Residential) Zone to legitimize a building, currently under construction, on the subject property.

2. RECOMMENDATION:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01481 with respect to property located at 9545 Carleton Street, 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 DVP01481

PREPARED BY: Shamim Bahri DATE: February 27, 2025

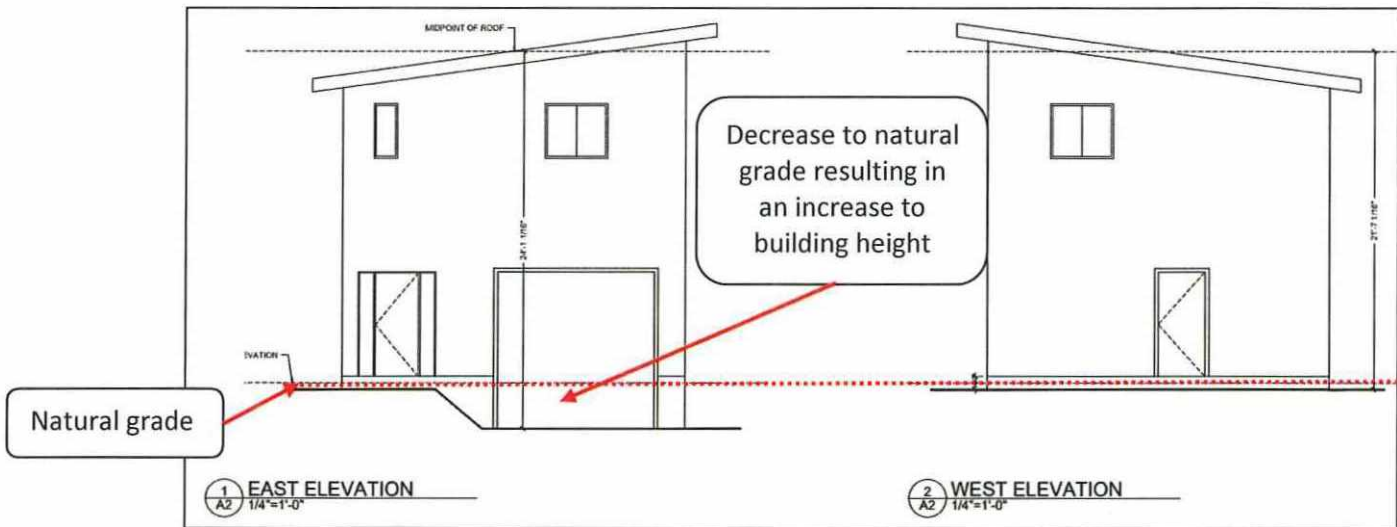
POSITION: Planner I DEPARTMENT: Planning Department

1. BACKGROUND:

In December 2018, Council approved a Development Variance Permit application (DVP01010) to increase the maximum building height from 4m to 6.5m and increase the maximum lot coverage from 60m² to 100m² for a detached garage. Subsequently, a Building Permit was issued in August, 2020 in accordance with the approved DVP. Upon inspection of the structure during construction, it was noted that the roofline of the detached garage had been changed from peaked to sloped and the building was excavated below the line of natural grade, which increased the overall height of the building to 7m. In order to bring the building into compliance with Zoning Bylaw requirements, the subject Development Variance Permit was submitted for review.

2. PROPOSAL:

The applicant requests to increase the overall building height for an ancillary building from 6.5m to 7m to legitimize a detached garage which is currently under construction. As shown on the elevations below, during construction excavations occurred on the north and east elevations which resulted in portions of the building having a higher overall height than anticipated. As the Zoning Bylaw calculates height based on average grade to the midpoint of the slope of the roof, the modified grade has resulted in an increase in overall height. Although the applicant also altered the roofline design from a pitched roof to a sloped roof, this change did not affect the overall height of the building.



It should be noted that the applicant has confirmed the garage is for personal use only and will not be used for residential purposes (i.e. coach house) or associated with any commercial business operation. The applicant was made aware that should a future change in use be proposed, an additional DVP, Temporary Use Permit (TUP) and/or Development Permit (DP) may be required.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP: “Residential 1 – One and Two Family Housing” as designated within the Chilliwack Proper and Fairfield Island Neighbourhoods Plan.

Land Use: Single detached dwelling, ancillary building (currently under construction) and metal storage container (which is permitted on site during construction – a condition has been included in the draft permit that requires it to be removed once construction of ancillary building is complete).

3.2 Neighbourhood Character

The subject property is located within a residential neighbourhood of Chilliwack Proper. The property is situated mid-block along Carleton Street and is surrounded on all sides by lots similarly zoned R1-A, occupied by single detached dwellings.

3.3 Technical Issues

Floodplain: The subject property is located within the protected floodplain, and as such, 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.

Statutory ROW: An existing sanitary sewer line is located along the rear lot line. A 3m Statutory Right-of-Way (ROW) is registered on title.

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 development be in accordance with the plans found within Schedule “A”; and,
- b) that the metal storage container be removed from the subject property upon issuance of occupancy for the ancillary building.

5. RECOMMENDATION & SUBSTANTIATION:**Recommendation:**

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01481 with respect to property located at 9545 Carleton Street, subject to the recommendations as stipulated within the draft Development Variance Permit. (Presentation)

Substantiation:

The requested variance is supportable as the overall impact of increased height of the ancillary structure and the change of the roofline is minimal in terms of the potential overshadowing of adjacent lots and disruption of the overall form and character of the neighborhood. Furthermore, to date, no complaints or public concerns have been received regarding the structure which is current under construction on the subject property.

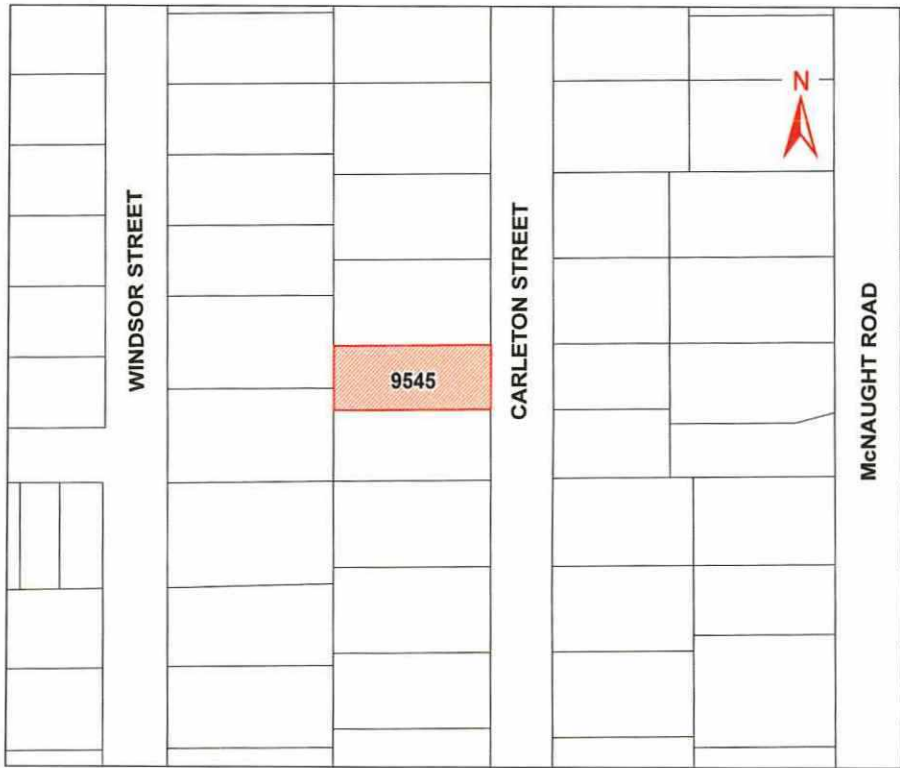
6. SOURCES OF INFORMATION:

- Development Variance Permit Application (DVP01481) – December 23, 2024
- Development Variance Permit Application (DVP01010) – September 17, 2018
- Building Permit Application (BP031592) – November 8, 2019

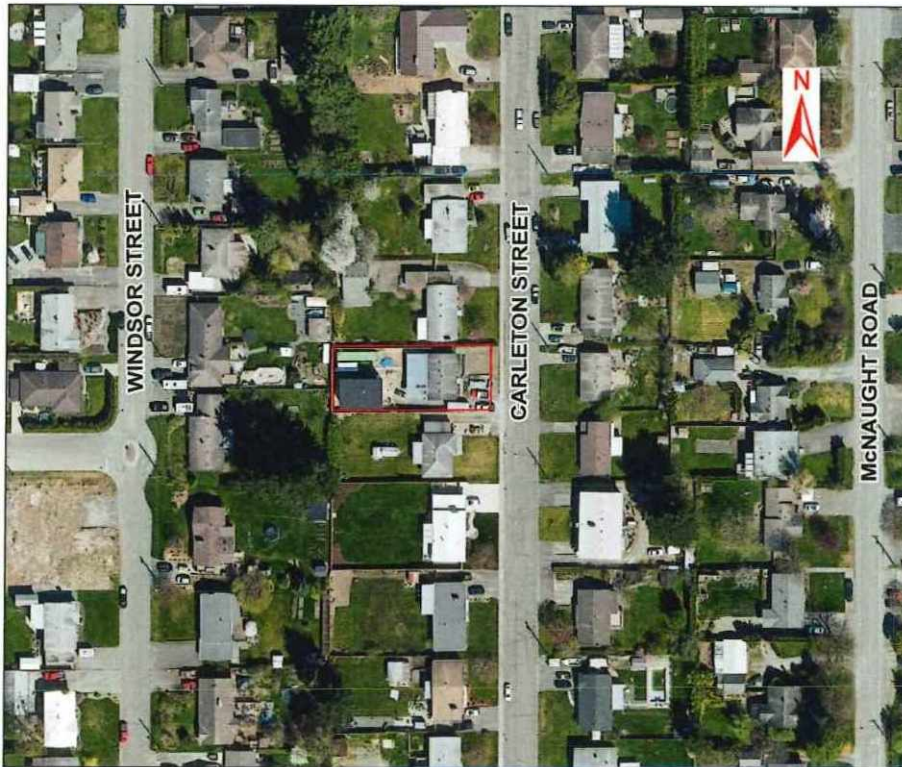
Site Photo



Location Map



Ortho Photo





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

When: Tuesday, March 11, 2025 at 4:00 PM

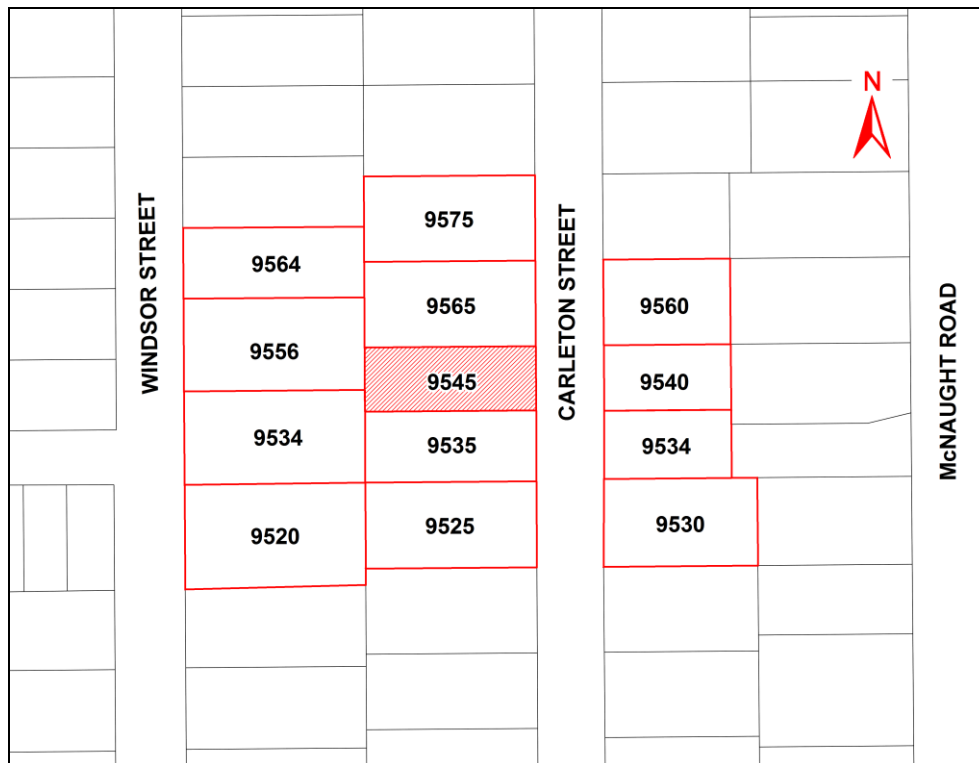
Watch: The live council meeting broadcast at chilliwack.com/live

Development Variance Permit (DVP01481)

Location: 9545 Carleton Street

Applicant: Trina Finley

Purpose: To increase the maximum building height within the R1-A (Urban Residential) Zone, to legitimize an ancillary building currently under construction 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 March 10, 2025. 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, February 26, 2025 and Tuesday, March 11, 2025 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. DVP01481

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 construct an ancillary building and does not apply to any additions or subsequent replacement of any and all buildings and structures and other development thereon:

Parcel Identifier No. 010-064-311
Legal Description: LOT "A" DISTRICT LOT 334 GROUP 2 NEW WESTMINSTER
DISTRICT PLAN 20931
Address: 9545 Carleton Street

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(9)(c) within the R1-A (Urban Residential) Zone is varied by increasing the maximum height from 6.5m (as permitted within the previously approved Development Variance Permit DVP01010) to 7m for an ancillary building.

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 condition applies:
 - a) that the development be in accordance with the plans found in Schedule "A"; and,
 - b) that the metal storage container be removed from the subject property upon issuance of occupancy for the ancillary building.
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.

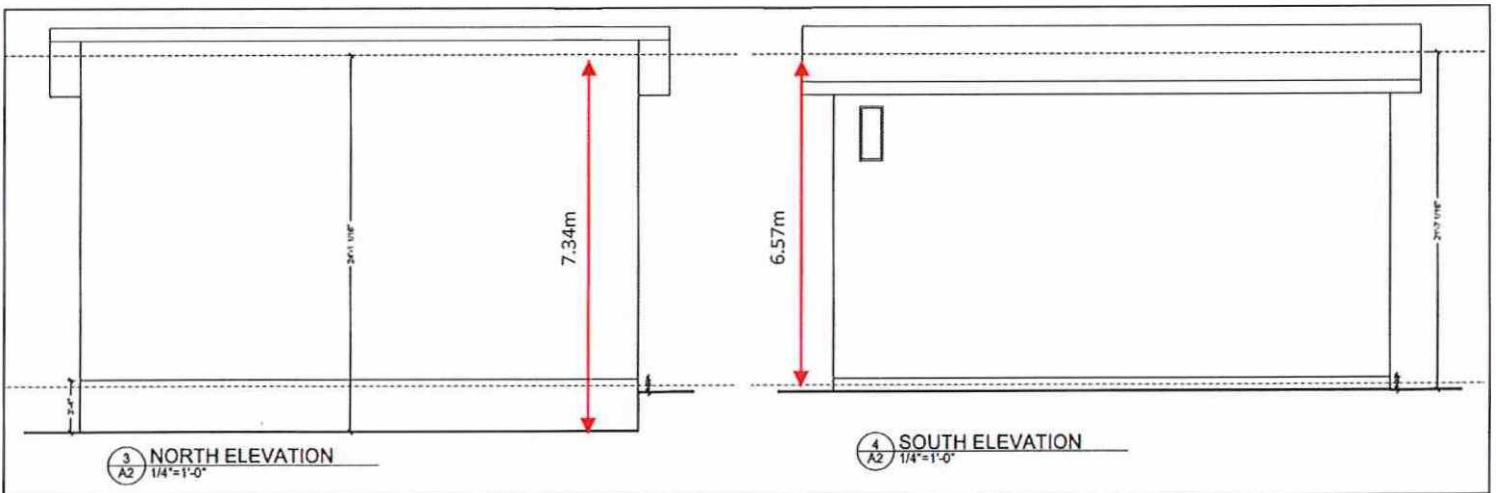
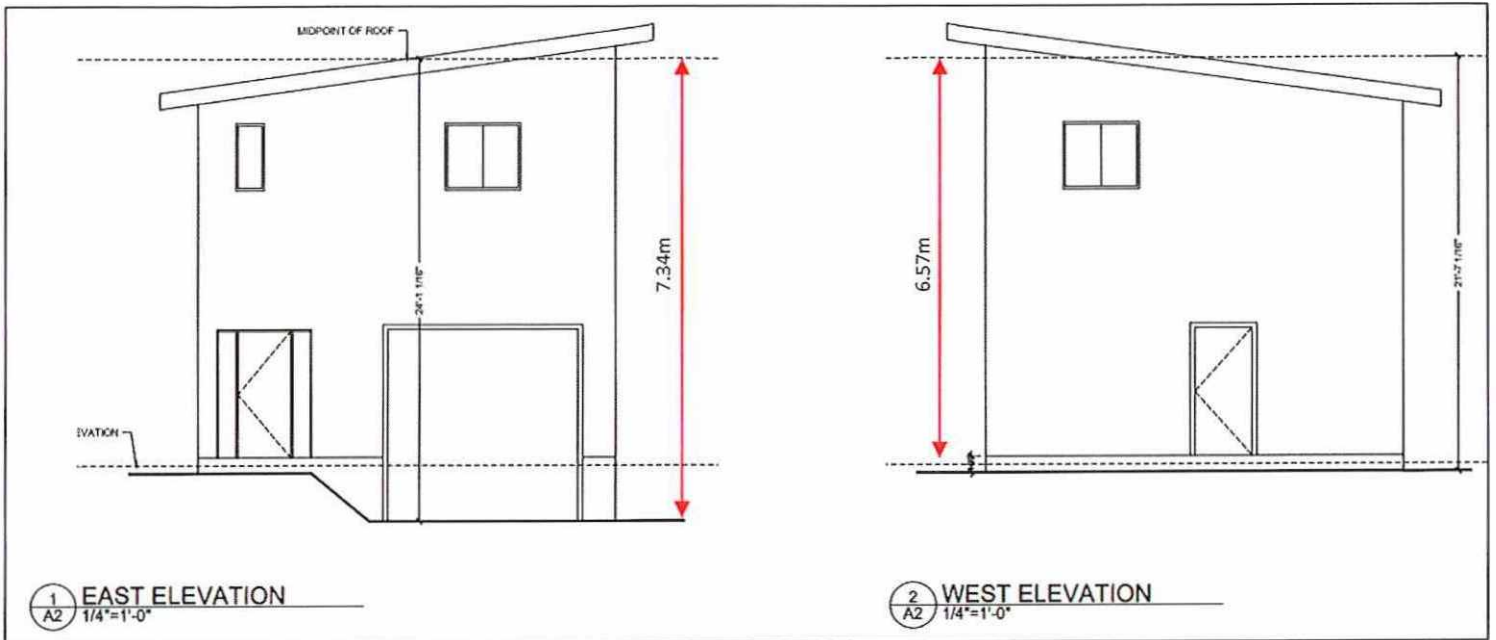
APPROVED BY COUNCIL ON THE ___ DAY OF ___, 2025.

ISSUED THIS ___ DAY OF ___, 2025.

DRAFT

CORPORATE OFFICER

Elevation (as provided by the applicant)



DRAFT

Site Photo



DRAFT