

AGENDA ITEM NO: 11.4.2

MEETING DATE: February 21, 2023

STAFF REPORT – COVER SHEET

SUBJECT: Iram Qazilbash
Development Variance Permit / 5885
Hopedale Road DATE: February 8, 2023

DEPARTMENT: Planning Department
DVP01303 PREPARED BY: Stella Xiao/ tr

1. SUMMARY OF ISSUE:

The applicant is seeking to reduce the Front Lot Line setback within the AL (Agricultural Lowland) Zone from 7.5m to 3.5m to bring the siting of a rural ancillary building, currently under construction within the subject property, into compliance.

2. RECOMMENDATION:

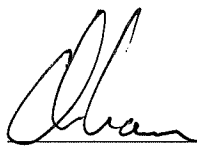
Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01303 with respect to property located at 5885 Hopedale Road, subject to the recommendations as stipulated within the draft Development Variance Permit.



Gillian Villeneuve
Director of Planning

**3. CHIEF ADMINISTRATIVE OFFICER'S
RECOMMENDATION/COMMENTS:**

Supports recommendation.



Chris Crosman
Chief Administrative Officer

STAFF REPORT ON DEVELOPMENT VARIANCE PERMIT DVP01303

PREPARED BY: Stella Xiao DATE: February 8, 2023

POSITION: Planner I DEPARTMENT: Planning Department

1. DEFINITION OF ISSUE:

The applicant is seeking to reduce the Front Lot Line setback within the AL (Agricultural Lowland) Zone from 7.5m to 3.5m to bring the siting of a rural ancillary building, currently under construction within the subject property, into compliance.

2. BACKGROUND/PROPOSAL:

In November 2021, a Building Permit (BP033459) was issued to construct a new rural ancillary building, to be used as a workshop and storage building, with a Front Lot Line (FLL) setback of 7.5m. At that time, the applicant confirmed that the building would not contain a residential unit, which was again confirmed as part of this application. A site survey submitted as part of the Building Permit inspection process showed the building was sited 3.5m from the FLL in error; 4m closer to the property line than originally approved. As such, the builders were requested to cease all construction work. In order to rectify this issue, the applicant has requested a variance to resolve the siting error.

3. FACTORS:

3.1 2040 Official Community Plan (OCP) / Land Use

OCP: The property is designated as "Agriculture" in the 2040 Official Community Plan.

Land Use: Three agricultural buildings and one single-detached dwelling.

3.2 Neighbourhood Character

The subject property is outside the City's Urban Growth Boundary and within the Agricultural Land Reserve (ALR). The property adjoins large, actively farmed parcels that are also within the AL Zone and ALR. Due to the large lot sizes of all surrounding properties, the ancillary building is sited a significant distance from all residential and agricultural buildings on neighbouring properties. In addition, the scale of the workshop is consistent with the agricultural character of the area and the requested variance is not anticipated to impact neighbouring properties.

3.3 Technical Issues

- Floodplain: The subject property is located within the protected floodplain and subject to the Floodplain Regulation Bylaw.
- Watercourses: Dixon Ditch, a “Class A” watercourse, runs adjacent to the south and east sides of the subject property. A concurrent Development Permit (DP) 3 application is being processed to address the proposed setback to the watercourse. A condition has been added to the draft Development Variance Permit to ensure that the DP 3 application is completed and approved prior to resuming construction of the ancillary building.
- Geotechnical: The property is not subject to any known geotechnical hazards or earthquake related risks.

3.4 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”; and,
- b) that the concurrent Development Permit 3 application is completed and approved prior to resuming construction as approved under the issued Building Permit (BP033459).

4. RECOMMENDATION & SUBSTANTIATION:

Recommendation:

Recommendation that, subject to public representation, Council approve the issuance of Development Variance Permit DVP01303 with respect to property located at 5885 Hopedale Road, subject to the recommendations as stipulated within the draft Development Variance Permit.

Substantiation:

The requested Front Lot Line setback reduction is considered supportable as the variance is not anticipated to have an impact on neighbouring properties due to the large sizes of all surrounding lots and the separation distance between the structure and the residences/buildings on the adjoining lots.

5. SOURCES OF INFORMATION:

- Development Variance Permit Application (DVP01303) – September 28, 2022
- Building Permit application (BP033459) – October 8, 2021

Site Photos

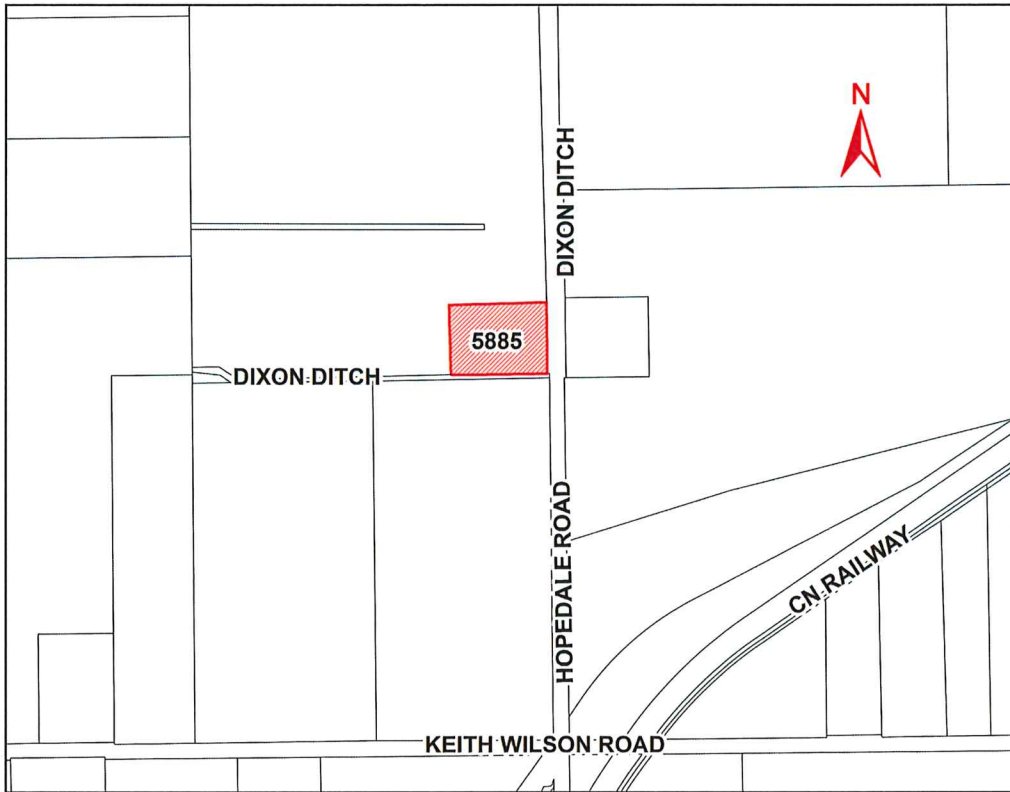


Requested FLL
reduction from
7.5m to 3.5m

Dixon Ditch



Location Map



Orthophoto

