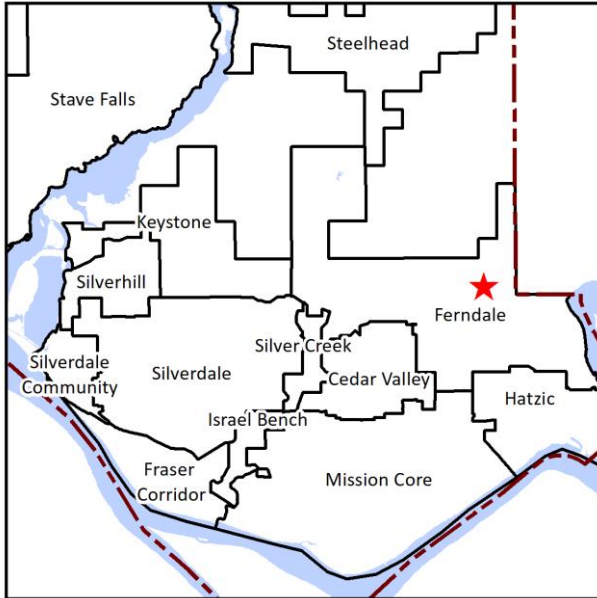


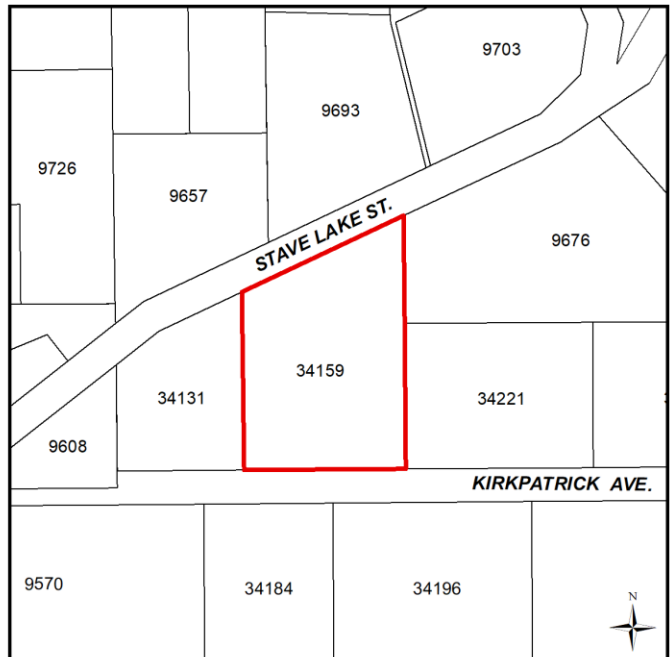
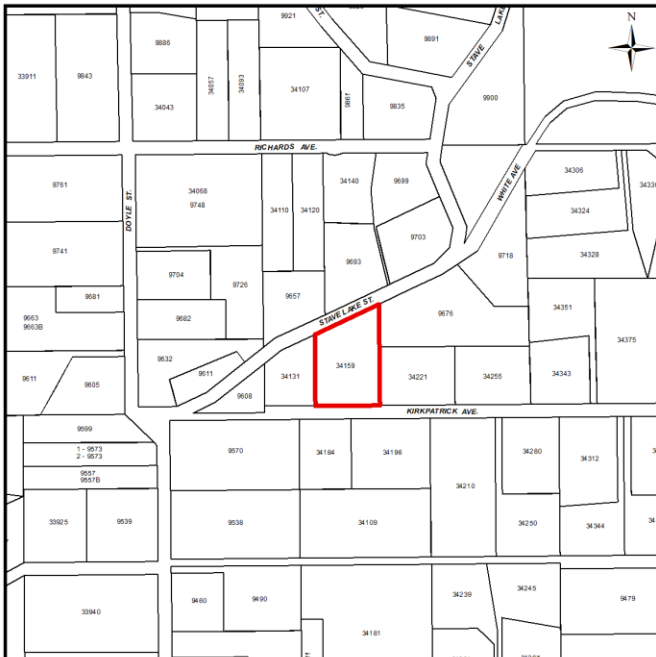
Project: P2021-091
Application Numbers: DV21-022

Subject: Development Application - 34159 Kirkpatrick Avenue



DATE: July 4, 2022
BYLAW / PERMIT #: DV21-022
PROPERTY ADDRESS: 34159 Kirkpatrick Avenue
LOCATION: Ferndale Neighbourhood
CURRENT ZONING: Rural Residential 7 Zone (RR7)
PROPOSED ZONING: No change
CURRENT OCP: Rural Residential
PROPOSED OCP: No change

PROPOSAL:
To vary the setback to the front lot line (Ferndale Avenue) to allow for the construction of an accessory building.



Recommendation(s)

That Development Variance Permit DV21-022 for 34159 Kirkpatrick Avenue to vary:

- a. Section 1101 D. 1. Setback to the front lot line from 7.5 m to 0.2 m to allow for an existing accessory building

of Zoning Bylaw 5949-2020 be approved.

Rationale of Recommendation(s)

As shown on **Attachment A**, the accessory building is located 0.2 m (0.65 ft) from Kirkpatrick Avenue. Construction of the building was commenced without a building permit.

Although the accessory building is located very close to Kirkpatrick Avenue, the building is behind several large trees and is screened from view when looking from Kirkpatrick Avenue. The building photos are shown on **Attachment B**.

The applicant has submitted a list with signatures of neighbours, indicating that they do not object to the requested variance.

Staff support the requested variance as the impact to the surrounding neighbours will be minimal.

Purpose

To accommodate the construction of an accessory building that was constructed without the benefit of a Building Permit.

Site Characteristics and Context

Applicant

- Lance Dinahan

Property Size

- 1.3 ha (3.23 ac)

Neighbourhood Character

- The properties to the north, south, east, and west are zoned Rural Residential and designated Rural Residential in the OCP.

Environmental Protection

- There are no watercourses identified on the City's mapping system, in close proximity to the accessory building.
- If an environmental assessment is required, it will be completed as part of the building permit application.

Referrals

Building Division:

The Building Division has no concerns with the requested variance. A building permit and fire interface permit will be required.

Engineering Department: The Engineering Department has no concerns with the requested variance.

Development Considerations

Draft Development Variance Permit DV21-022 is shown on **Attachment C**. The request to reduce the setback for an accessory building from 7.5 m to 0.2 m is supportable by staff. As the photos on **Attachment B** show the accessory building is not substantially visible from Kirkpatrick Avenue and its impact on the neighbours will be minimal.

Financial Implications

There are no financial implications associated with this report.

Communication

Communication action, as listed below, is in accordance with Policy LAN.03 Development Notification Signs, Land Use Application Procedures and Fees Bylaw 3612-2003, and the *Local Government Act*.

- A Notice of Development Variance Permit was sent to all owners and occupiers of properties within a radius of 10 m (30 ft), which amounts to 7 mailouts. As of the date of this report there have been no comments received as a result of the mailout.

Attachments

Attachment A: Site Plan - from BC Land Surveyor
Attachment B: Accessory Structure - Photos
Attachment C: Draft Development Variance Permit DV21-022

Sign-Offs



Rob Publow, Manager of Planning

MB / sh

Approved for Inclusion: Mike Younie, Chief Administrative Officer