



# STAFF REPORT

**TO:** Committee of the Whole

**MEETING DATE:** March 2, 2021

**FROM:** Katie Thomas  
Planner 1

**FILE NO:** 3220-Aldersprings-417

**SUBJECT:** Development Variance Permit – 417 Aldersprings Road

---

## RECOMMENDATIONS

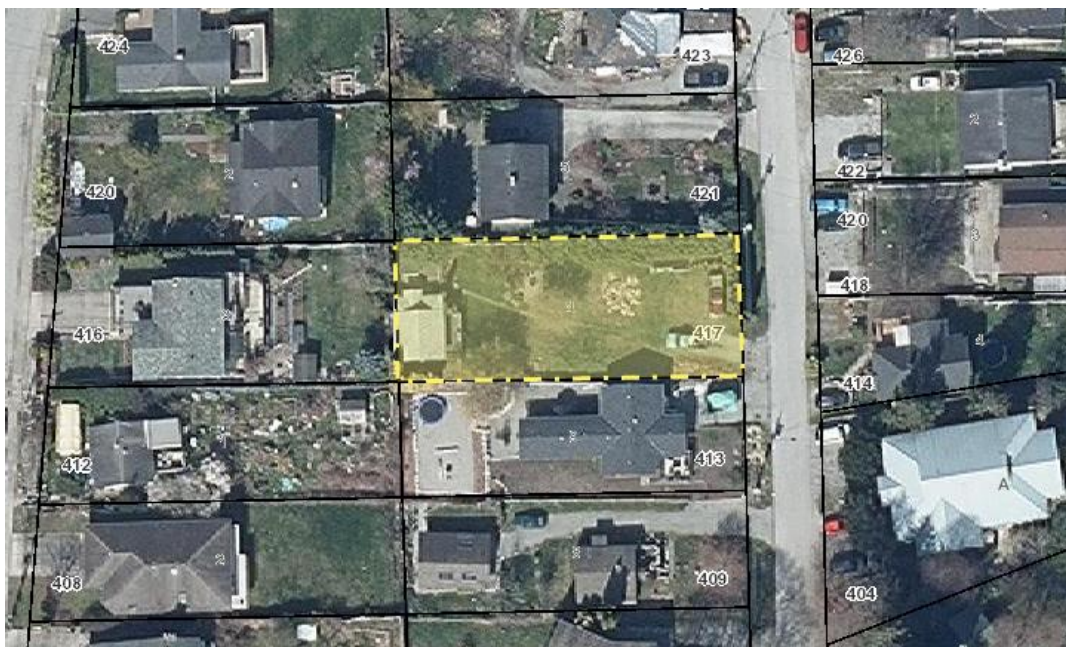
**THAT** the report titled Development Variance Permit – 417 Aldersprings Road be received;

**AND THAT** the neighbours be notified of the requested variances at 417 Aldersprings Road (DVP-2021-02).

---

## BACKGROUND / PURPOSE

The Town of Gibsons has received a Development Variance Permit (DVP) application to reduce the rear setback at 417 Aldersprings Road to allow the construction of a breezeway. Figure 1 shows the location of the subject lot. The purpose of this report is to provide Council with the application background and obtain direction on next steps.



*Figure 1: Location of subject property*

## SUMMARY

- The existing dwelling is 550 ft<sup>2</sup> and located entirely within the rear setback
- The existing dwelling would be required to be demolished in order to building a new single-family dwelling on the property.
- The intention is to link the existing dwelling with the proposed new dwelling to create change the existing dwelling to a secondary suite – thus retaining the structure
- The variance is required for the breezeway addition which links the two dwellings.

## DISCUSSION

The subject property is zoned Single-Family Residential 2 (R-2). The existing 550 ft<sup>2</sup> single-family dwelling, as seen in figure 2, is situated entirely within the 7.5m rear yard setback and sits almost on the rear lot line, as seen in figure 1.

The property owner would like to construct a new single-family home on the property, conforming to all regulations in the Zoning Bylaw, including setbacks, height and lot coverage, however the property owner would like to retain rental income as per her mortgage instructions. The property owner has requested a variance to allow for a breezeway to be constructed between the existing cottage and the proposed new home to create a “secondary suite”, the breezeway has been highlighted in orange in Figure 3. The proposed site plans are enclosed as attachment A.

For this application, a breezeway should be considered as an enclosed heated space, linking one living space to another and connecting the two buildings.

The variance is to be specific to the breezeway, allowing the breezeway to be located 1.5m from the rear lot line, the proposed new house would have to conform to the 7.5m rear setback as per the R-2 zoning regulations.



*Figure 2: Existing cottage located at the rear of the lot*



- (3) *The variance will not result in significant negative impacts on neighbouring properties;*

The home is existing, the request is to allow a breezeway to link a proposed new home to the existing non-conforming cottage to create a Secondary Suite. The proposed new home would be built to conform with the bylaw, the one storey breezeway would link the two dwellings. Staff suggests that there will not be any negative impacts to the surrounding properties, as the location and grade will not impact views.

- (4) *There is a demonstrated need for the variance in order to permit reasonable use of the property*

The variance request is to retain the existing cottage for rental purposes. By attaching the existing dwelling to the proposed new dwelling, it would be interpreted as a secondary suite (being 40% the size of the main dwelling).

The property owner has explained that she requires rental income to qualify for a mortgage on the property.

- (5) *The overall intent of the original bylaw requirement or standard is not compromised.*

The variance is specific to the breezeway. Without connecting the dwellings, the non-conforming cottage would be required to be demolished in order for a Building Permit to be issued for a new home on the lot. A variance would be required if the property owner wished to extend the non-conforming cottage.

This variance request enables the non-conforming dwelling to remain on site and continue to be a rental within the Town.

- (6) *The variance does not appear to establish a precedent for other properties, but responds to a site-specific situation or difficulty;*

Staff considers that the siting of the existing non-conforming house and the proposed breezeway is a site-specific consideration.

- (7) *As per the (Municipal Act) Local Government Act provisions, does not result in a change in land use or an increase in permitted density;*

The requested variance will not change the land use or increase the permitted density of the property. The R-2 zoning permits a single family dwelling, with a secondary suite.

- (8) *The variance results in suitable development that is an asset and compatible in the context of surrounding uses;*

Staff consider that the results of the variance would retain an existing home, while allowing for a new home to be built, retaining a rental property in the Town.

- (9) *In the case of variance of specific development standards for off-site servicing, that any additional costs that may be incurred by the municipality or future land owners are considered.*

This is not applicable to this variance request.

### **Garden Suite Area Review**

Staff are reviewing the Garden Suites zoning requirements with a consideration on where to expand the use. Currently Garden Suites are not permitted on the subject property, and in order to retain the existing cottage, it must be connected to the main dwelling as a secondary suite (and therefore cannot be more than 40% of the main dwelling size).

Without a breezeway attaching the two units, this property would be required to rezone to allow a Garden Suite. Introducing a Garden Suite use to this property would require rezoning application (\$1600.00), a Form and Character Development Permit (\$600), and \$6,299.38 fees in Development Cost Charges. Therefore, attaching the dwelling units reduces the fees and timeline for construction, however, will require a variance (\$1000.00) for the breezeway addition within the building setback.

### **COMMUNICATION**

The *Local Government Act* requires neighbours to be notified of the application and the date Council will decide on it. The Town's *Development Application Procedures Bylaw No. 1166, 2014* requires letters to be delivered to neighbours within 50m of the property.

Staff recommends that Council directs staff to begin notifications for the Development Variance Permit application at 417 Aldersprings Road (DVP-2021-02).

### **NEXT STEPS**

With Council's authorization, staff will notify neighbours of the variance request and date of Council decision on the application. Staff will then report back with neighbor submissions and referral comments received for Council's consideration prior to deciding on the DVP request.

Upon the issuance of a Development Variance Permit, the Building Department would be able to issue a Building Permit for the proposed single-family dwelling and breezeway.

### **RECOMMENDATIONS / ALTERNATIVES**

Recommendations are listed on page 1 of this report. Alternatively, Council could deny the variance request and request a rezoning application for a site specific amendment to allow a Garden Suite.

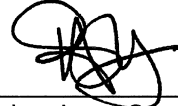
**Attachments**

- Attachment A – Proposed Site Plan

Respectfully Submitted,



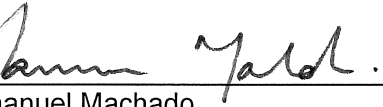
Katie Thomas  
Planner I



Lesley-Anne Staats, MCIP, RPP  
Director of Planning

**CHIEF ADMINISTRATIVE OFFICER'S COMMENTS:**

I have reviewed the report and support the recommendation(s).

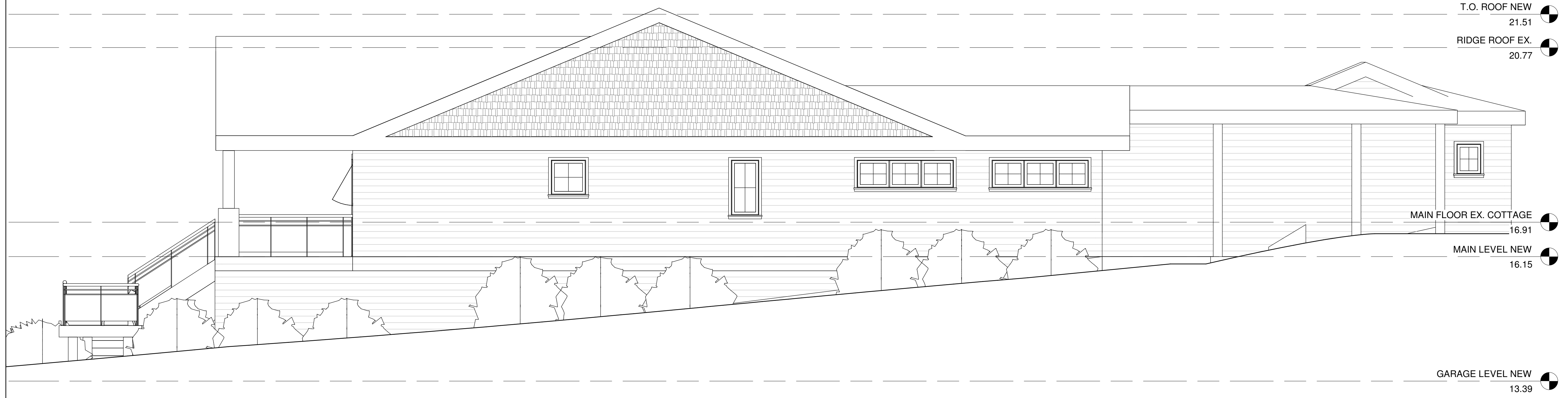


Emanuel Machado  
Chief Administrative Officer





1 SOUTH  
1 : 48



2 NORTH  
1 : 48



HUGHES

ELEVATIONS

PROJECT NAME	ALDERSPRINGS
ADDRESS	417 ALDERSPRINGS
DRAWN BY	Author

A104

Scale 1 : 48