



**REPORT TO THE JUAN DE FUCA LAND USE COMMITTEE
MEETING OF TUESDAY, FEBRUARY 19, 2013**

SUBJECT **DEVELOPMENT VARIANCE PERMIT FOR LOT B (DD.EP307), SECTION 1,
TOWNSHIP 11, RENFREW DISTRICT, PLAN 24755**

ISSUE

A request has been made for a development variance permit to reduce the required front yard setback from 6.0 m to 5.2 m for the purpose of legalizing the siting of an existing single-family dwelling in order to permit a 2-lot subdivision.

BACKGROUND

The 0.23 ha property is located at 6654 Queesto Drive in Port Renfrew and is zoned Community Residential (CR-1) in the Port Renfrew Comprehensive Community Development Plan, Bylaw No. 3109 (Appendix 1). The property fronts onto Queesto Drive to the southeast, residential properties to the northeast and southwest, and San Juan Harbour to the northwest. The adjacent parcels are also zoned CR-1.

The applicant has submitted a subdivision application to reinstate a lot line that was cancelled in 1999. In order for the subdivision to be approved, there can be no outstanding non-conformities with respect to use or siting. The applicant requires a development variance permit in order to legalize the siting of an existing dwelling located 5.2 m from the front parcel line (Appendix 2).

ALTERNATIVES

1. Approve the development variance permit to vary Port Renfrew Comprehensive Community Development Plan, Bylaw No. 3109, Schedule 'B', Part 4, Section 22.2(g)(i), to reduce the required setback of buildings from a front parcel line from 6.0 m to 5.2 m;
2. Deny the development variance permit and require the structure to comply with zoning requirements.
3. Refer the application back to staff for more information.

LAND USE IMPLICATIONS

The subject property previously existed as Lots 8 and 9 of Plan 24755. In 1999, the interior lot line was cancelled and the two lots amalgamated to create existing Lot B. The applicant now wishes to return the parcel to its original condition of two lots. The existing structure was built before 1996 and prior to the adoption of the Port Renfrew Comprehensive Community Development Plan. Staff believe that the proposed addition of one fee-simple lot will have a minimal impact on the existing character of the neighbourhood since both parcels will be of a similar size to others in the Beach Camp area. Therefore, staff recommend approval of the requested variance, subject to public notification.

LEGISLATIVE IMPLICATIONS

Port Renfrew Comprehensive Community Development Plan, Bylaw No. 3109, specifies that no buildings or structures shall be located within 6.0 m of the front parcel line. Since the principal dwelling is located 5.2 m from the front parcel line and since the owner wishes to subdivide the subject property, a development variance permit is required in order to legalize the non-conforming siting.

PUBLIC CONSULTATION IMPLICATIONS

Pursuant to the *Local Government Act*, Section 922(4), if a local government is proposing to pass a resolution to issue a development variance permit it must give notice to each resident/tenant within a given distance as specified by bylaw. Capital Regional District Bylaw No. 3110, Fees and Procedures Bylaw, states that the Board at any time may refer an application to an agency or organization for their comment. In addition, it states that a notice of intent must be mailed to adjacent property owners within a distance of not more than 500 metres. Any responses received from the public will be presented at the February 19, 2013 Land Use Committee meeting.

CONCLUSION

The property is the subject of a subdivision application to reinstate a lot line that had been cancelled in 1999. In order that the subdivision may be approved, the applicant requires a development variance permit in order to legalize the siting of an existing dwelling located 5.2 m from the front parcel line. The dwelling has been in its present location since before 1996 and prior to the adoption of the Port Renfrew Comprehensive Community Development Plan. The addition of one fee-simple lot should not adversely impact the existing character of the neighbourhood since both parcels will be of a similar size to others in the Beach Camp area. Therefore, staff recommend approval of the requested variance, subject to public notification.

RECOMMENDATION

That the Land Use Committee recommends to the Capital Regional District Board:

1. That Development Variance Permit VAR-05-12 for Lot B (DD.EP307), Section 1, Township 11, Renfrew District, Plan 24755 to vary Port Renfrew Comprehensive Community Development Plan, Bylaw No. 3109, Schedule 'B', Part 4, Section 22.2(g)(i), to reduce the required setback from a front parcel line from 6.0 m to 5.2 m, as shown on the attached site plan, for the purpose of legalizing the siting of an existing single-family dwelling in order to permit a 2-lot subdivision, be approved.

Original Signed
Iain Lawrence
Planner

Original Signed
June Klassen, MCIP
Manager, Local Area Planning
Concurrence

Original Signed
Robert Lapham, MCIP
General Manager Planning & Protective Services
Concurrence

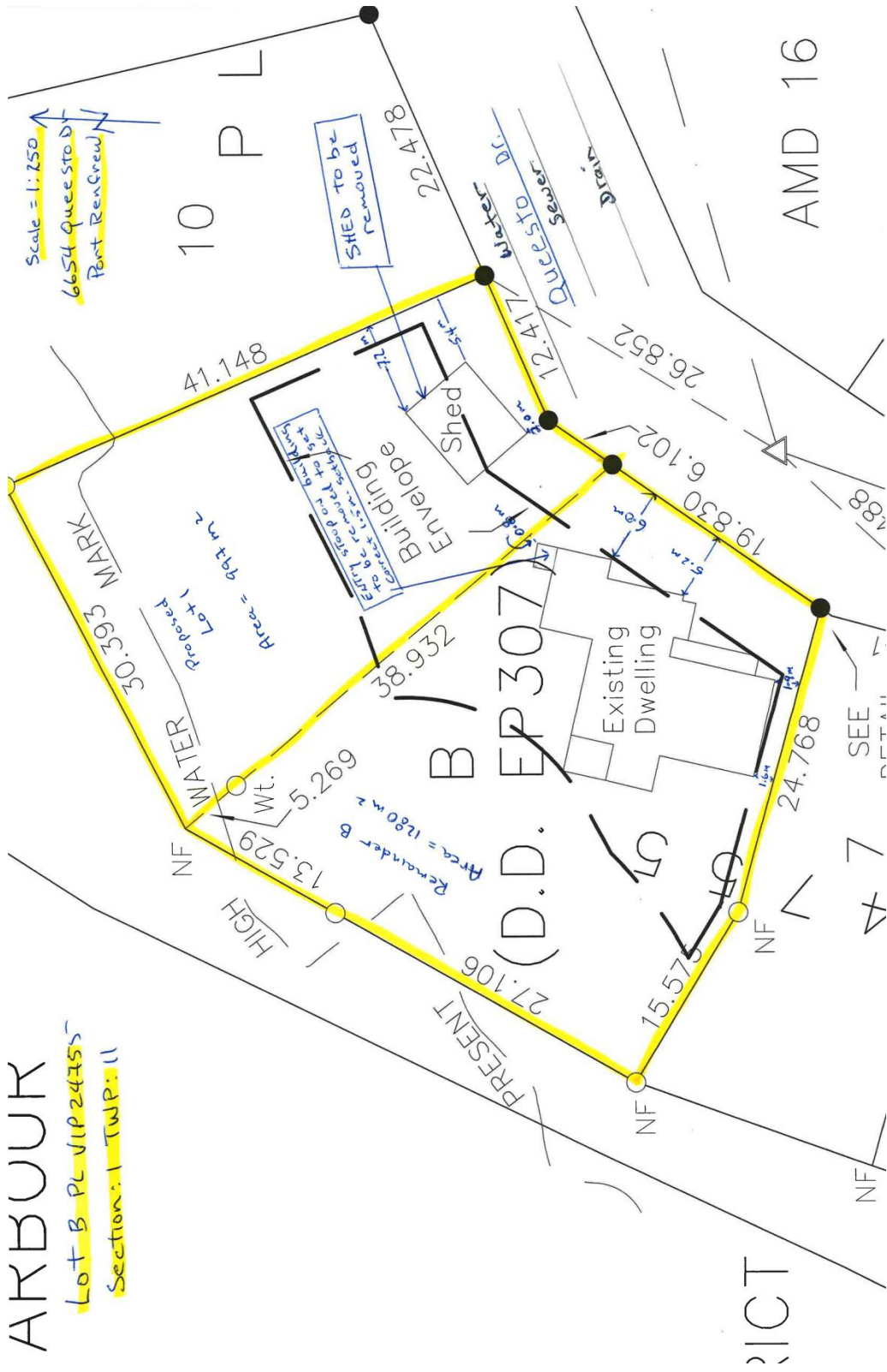
Original Signed
Kelly Daniels
Chief Administrative Officer
Concurrence

Appendix 1: Subject Property Map
Appendix 2: Site Plan

Appendix 1: Subject Property Map



Appendix 2: Site Plan



ARBUUK
Lot B PL VIP 24755
Section: 1 TWP 11