



# Staff Report to the Planning, Zoning and Affordable Housing Committee

**DATE:** Monday, August 29, 2022

**DEPARTMENT:** Planning

**APPLICATION NO.:** DVP22-0006

**SUBJECT:** Application for a Development Variance Permit to reduce the rear lot line setback at 960 Latoria Road.

## PURPOSE:

Jayson Wight and Charlotte Milne have applied for a Development Variance Permit to reduce the rear lot line setback from the 15m required for accessory buildings and structures for agricultural use to 4.57m to facilitate the construction of a Quonset shed on the subject property.

## BACKGROUND:

ALR15-0002 – The subject property formed part of the “Block ALR Exclusion” application which was coordinated by the City on behalf of 43 property owners. While some properties were either conditionally or unconditionally approved for exclusion as part of this application, the subject property was not approved for exclusion, and remains in the ALR.

ALR17-0001 – Together with 940 Latoria, application for the exclusion of the property from Agricultural Land Reserve (ALR) was submitted to allow for the redevelopment of the properties for a new elementary school. This application for exclusion was not approved by the ALC.

ALR17-0002 – A revised application for the exclusion of a lesser portion of the properties from the ALR for a new elementary school was submitted. This application was not approved by the ALC.

**Table 1: Site Data**

<i>Applicant</i>	Jayson Wight and Charlotte Milne
<i>Owner</i>	Jayson Wight and Charlotte Milne
<i>Civic Address</i>	960 Latoria Road
<i>Legal Description</i>	LOT 4, SECTIONS 78 AND 83, METCHOSIN DISTRICT, PLAN 3895, EXCEPT THAT PART OF SAID LOT LYING TO THE WEST OF A BOUNDARY PARALLEL TO THE

	WESTERLY BOUNDARY OF SAID LOT AND EXTENDING FROM A POINT OF THE SOUTHERLY BOUNDARY THEREOF DISTANT 180' FROM THE SOUTH WESTERLY CORNER OF SAID LOT, PID 004-085-621
<i>Size of Property</i>	14,532 m <sup>2</sup>
<i>DP Areas</i>	Potential Habitat and Biodiversity
<i>Zoning Designation</i>	Agriculture 1 (AG1)
<i>OCP Designation</i>	Agricultural

#### **SITE AND SURROUNDING AREA:**

The subject property is located north of Latoria Road and approximately 50m east of Happy Valley Road. The property contains a single-family dwelling and related accessory buildings located in the eastern part of the lot. The site is fairly flat and open, with few existing mature trees along the perimeter of the property.

Subject property is designated as Agricultural in accordance with Official Community Plan Bylaw No. 1200 and is a part of Agricultural Land Reserve. The surrounding area consists mainly of large rural lots within Agricultural Land Reserve.

**Figure 1: Aerial View of the Subject Property with Existing Buildings and Structures**



**Table 2: Surrounding Land Uses**

	<b>Zoning</b>	<b>Use</b>
<i>North</i>	AG1 (Agriculture 1)	Farmland
<i>East</i>	AG1 (Agriculture 1)	Single-family dwelling
<i>South</i>	C1 (Neighbourhood Commercial) AG1 (Agriculture 1)	Future commercial centre Single-family dwellings, duplex
<i>West</i>	AG1 (Agriculture 1)	Single-family dwelling, duplex

**COMMENTARY:**

As stated above, the applicant is seeking a rear lot line setback variance to reduce setback from the 15m (49.2ft) required by the Zoning Bylaw 300 for accessory buildings and structures for agricultural use to 4.57m (15ft).

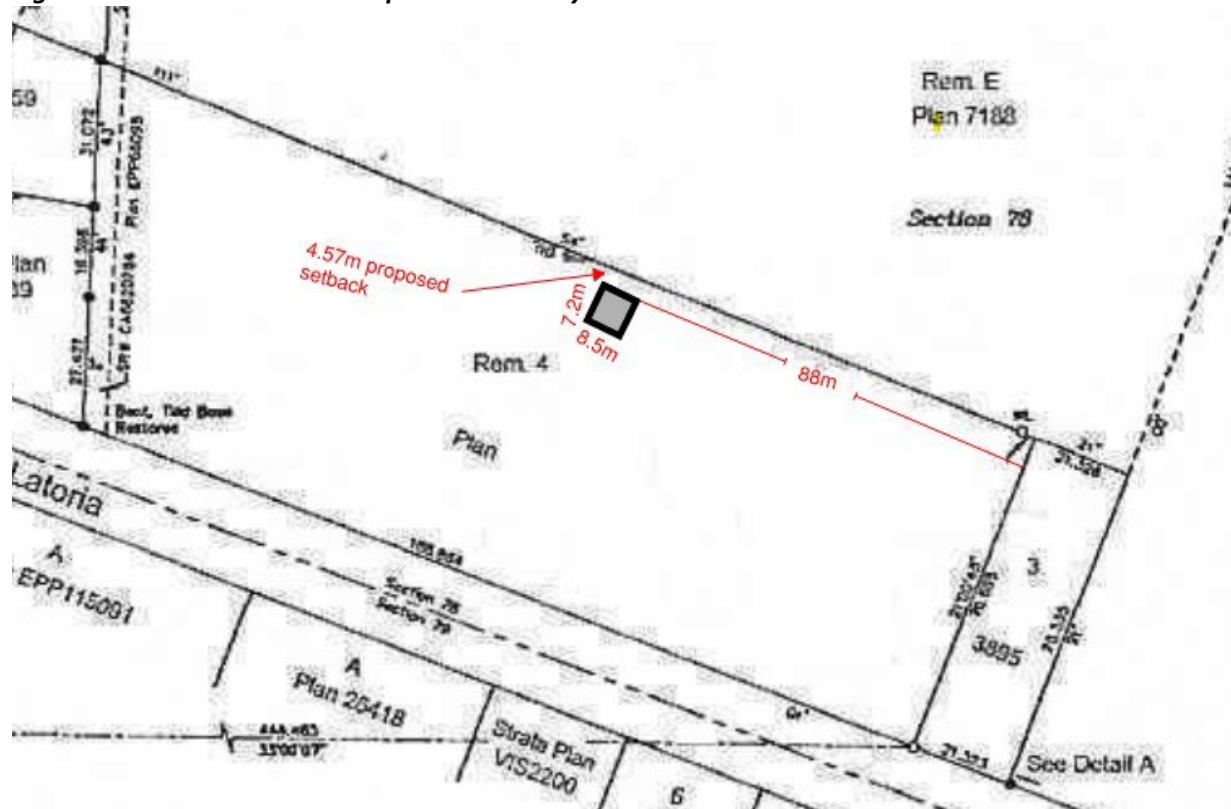
As the subject property is accessed from Latoria Road, which results in a shallow lot with a wide frontage of approximately 200m, while the distance between the front and rear lot lines is approximately 70m. The shape of the lot makes it challenging to find a suitable location for the accessory structure as compliance with the 15m setback of Zoning Bylaw 300 would result in an accessory structure being placed closer to the centre of the lot, taking away from the usable agricultural land.

The proposed shed is 7.6m (25 ft) by 8.5m (27.9 ft). The applicant conveyed that they are planning to construct a nursery at the project site and the proposed Quonset shed will be used for storage of tools and equipment associated with the agricultural use of the lot. The applicant indicated that variance will allow them to place the shed in a more sensible location and allow them to better utilize the open space on the property.

**Table 3: Proposal Data**

	<b><i>Permitted by Section 3.05 of Zoning Bylaw 300</i></b>	<b><i>Proposed by DVP Application</i></b>
<i>Rear Lot Line Setback for accessory building or structure for agriculture use</i>	15m (49.2ft)	4.57m (15ft)

**Figure 2: Site Plan with the Proposed Accessory Structure**



**OPTIONS:**

### Option 1

THAT the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Direct staff to provide notice that Council will consider issuing a Development Variance Permit for the property at 960 Latoria Road with the following variance:
  - a) That Section 3.05.02(1) of Zoning Bylaw No. 300 be varied to reduce the rear lot line setback from 15m (49.2 ft) to 4.57m (15ft) for the proposed accessory structure.

Subject to the following terms and conditions:

- i) That the site is developed in accordance with the plan attached to this report as Appendix A.
- ii) That an environmental Development Permit or an exemption from a Development Permit is obtained prior to construction of an accessory structure.
- iii) That a Building Permit is obtained prior to construction of an accessory structure.

**OR Option 2**

THAT the Planning, Zoning and Affordable Housing Committee recommend that Council:

1. Reject this application for Development Variance Permit.

**SUBMITTED BY:** Anastasiya Mysak, Planning and Land Development Technician

**Concurrence:** Leah Stohmann, MCIP, RPP, Deputy Director of Planning and Subdivision

**Concurrence:** Matthew Baldwin, MCIP, RPP, Director of Planning and Subdivision

**Concurrence:** Donna Petrie, Senior Manager of Business Development and Events

**Concurrence:** Will Ying-udomrat, Manager of Legislative Services

**Concurrence:** Michelle Mahovlich, P.Eng, P.Geo, Director of Engineering and Public Works

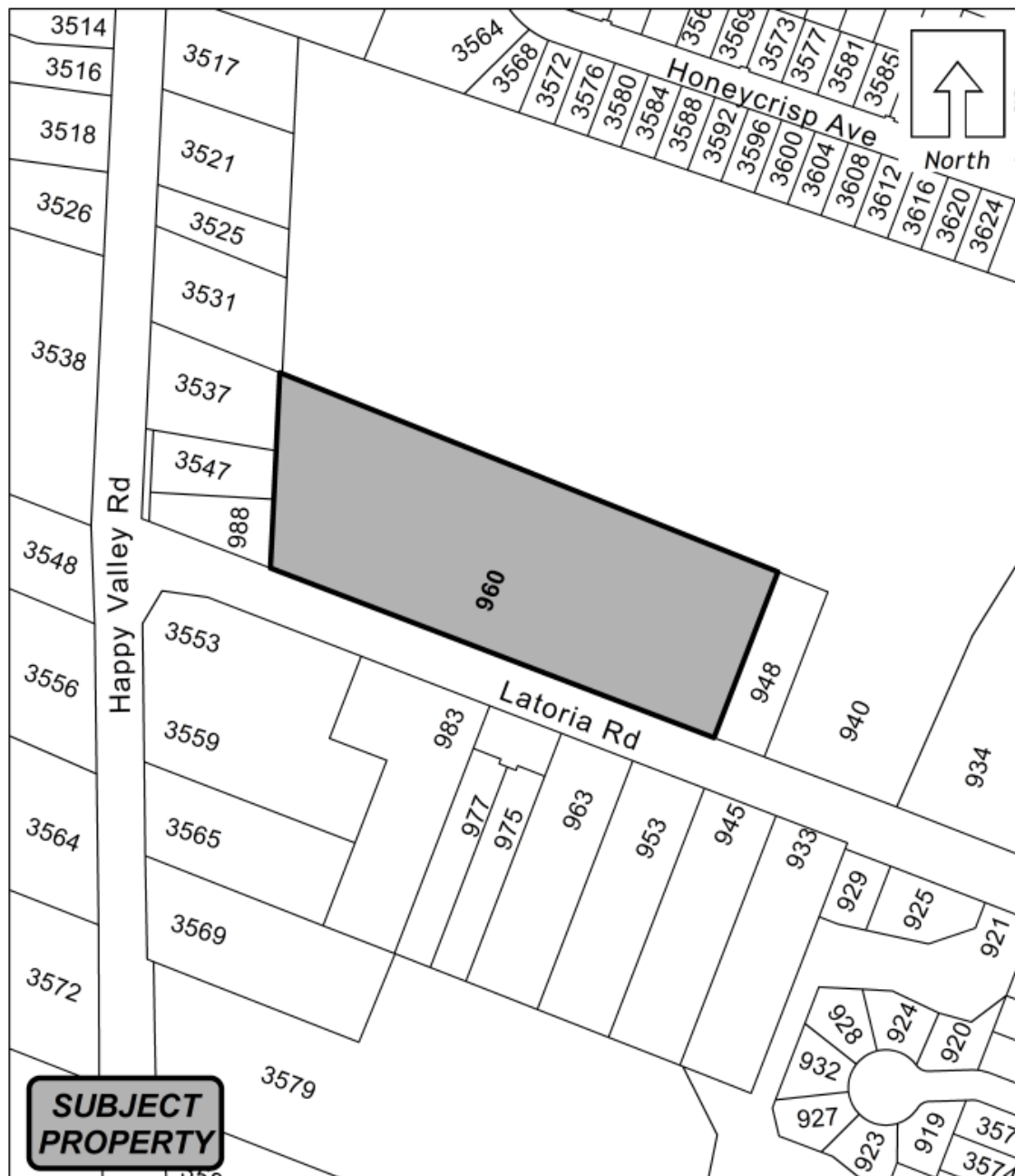
**Concurrence:** Michael Dillabaugh, CPA, CA, Director of Finance

**Concurrence:** Marie Watmough, Acting Director of Corporate Services

**Concurrence:** Darren Kiedyk, Chief Administrative Officer

Appendix A – Site Map

**DEVELOPMENT VARIANCE PERMIT**  
**( DVP22-0006 )**  
**960 Latoria Rd**





Appendix B- Location Map

**DEVELOPMENT VARIANCE PERMIT**  
**( DVP22-0006 )**  
**960 Latoria Rd**

