



TOWN OF SIDNEY

5bii

Report to Council

TO: Mayor and Council
FROM: Kevin Webber, Planning Technician
DATE: January 21, 2020 Folder: 2498 Beaufort Rd. (Land)
SUBJECT: Development Variance Permit Application No. DV100291
 2498 Beaufort Road

PURPOSE:

The purpose of this report is to address **Development Variance Permit Application No. DV100291** for the property located at 2498 Beaufort Rd. (*see aerial photo of subject property in Appendix A*).

BACKGROUND

The applicant has applied to subdivide the subject property into two fee simple lots. The subject Development Variance Permit application applies to the southernmost proposed lot, Lot 1.

OVERVIEW OF DEVELOPMENT PROPOSAL:

The applicant is proposing to construct a 1-storey, 191.35 m² single-family dwelling on Lot 1 of the subject property (*see Drawing Set V1 in Appendix C*). This lot would be located at the north-east corner of the intersection of Summerset Place and Beaufort Road.

An arborist report obtained by the applicant indicates that a 1.0 m diameter at breast height (DBH) Douglas fir tree is located in the rear yard of the proposed Lot 1. The arborist report recommends that a 6.0 m radius buffer zone be preserved around the tree to protect its health during the redevelopment of the property and construction of the new dwelling on this lot. To accommodate the 6.0 m buffer, the applicant is proposing to shift the location of the new single-family dwelling closer to the front lot line (Summerset Place frontage) at a 3.54 m setback from the front lot line to leave the necessary space in the rear yard for the tree.

As the proposed 3.54 m front setback is less than the minimum 7.5 m front setback required by Zoning Bylaw No. 2015, a Development Variance Permit is required.

The required variance is as follows:

Zoning Bylaw No. 2015 Section 5.2.2	Required	Proposed
Minimum Front Setback in the R1.1 zone	7.5 m	3.54 m

OFFICIAL COMMUNITY PLAN BYLAW 1920:

The subject property is designated as Neighbourhood Residential (RES-1) in the Town of Sidney Official Community Plan (OCP). Staff are of the opinion that the proposed development generally conforms to the objectives and policies in the OCP.

ZONING BYLAW 2015:

The subject property is zoned Single-Family Residential (R1.1), the intent of which is to provide for low density single-family housing with the potential for a secondary suite.

Staff have reviewed the proposal and determined that it is in full conformance with the Zoning Bylaw, with exception of the requested variance.

Table 2: Zoning Comparison

Regulations	Permitted in the R3 Zone	Proposed Development (Both lots)	Conformity
Permitted Uses	Single-family dwelling	Single-family dwelling	Conforms
Lot Area	Min: 500 m ²	510 m ²	Conforms
Lot Coverage	1-storey dwelling: 40%	39.99%	Conforms Conforms
Height	Max. 9 m with roof pitch greater than 3:12	5.75 m	Conforms
Storeys	Max. 2.5	1.0	Conforms
Setbacks:			
Front (west, Somerset Pl)	Min. 7.5 m	3.54 m	Variance Required
Rear (east)	Min. 5.5 m	9.51 m	Conforms
Side Interior	Min. 1.5 m	1.51 m	Conforms
Side Exterior (south, Beaufort Rd)	Min. 3.0 m	3.04 m	Conforms

OFF-STREET PARKING AND LOADING BYLAW NO. 2140

The development meets the requirements of Off-Street Parking and Loading Bylaw No. 2140 by providing the required 1 on-site standard space within the garage of the dwelling. There would also be room for an additional small space in the driveway located in the side exterior yard.

DISCUSSION:

Staff have provided a recommendation to advance this application to the public notification stage for the following reasons:

- The Town’s recently completed Urban Forest Strategy identifies a need to protect Sidney’s mature trees due to the many social, economic, cultural and environmental benefits we receive therefrom. Tree #321 is protected by the Tree Preservation Bylaw not only as it is a Protected Species but also due to its significant size (1.0 m DBH), making it an especially desirable tree to retain. Staff are of the opinion that the benefits of retaining tree #321 are substantial enough to permit the proposed relaxation of the front setback requirement.
- The applicant is not requesting a variance greater than what is required to situate the house the required distance from tree #321. If the dwelling was to be situated further back on the lot to meet the required front setback, it would still conform to all zoning regulations.
- The single-family dwelling at 2494 Beaufort Road, directly across Somerset Place to the west of the subject property additionally has a reduced, approximately 2.75 m front yard setback, meaning the proposed residence wouldn’t be entirely out of character with the current built form of the neighbourhood.

Given the above noted factors, staff are of the opinion that the front setback requirement in the Zoning Bylaw could be relaxed to permit the applicant to construct the single-family dwelling as proposed in order to better protect the Douglas fir tree in the rear yard.

STAFF RECOMMENDATION:

That owners and tenants in occupation of property within 75 metres (246 feet) of 2498 Beaufort Road be notified regarding Development Variance Application No. DV100291 (to vary the required minimum front setback) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.

Respectfully submitted,



Kevin Webber
Planning Technician

I concur,



Alison Verhagen, MCIP RPP
Senior Manager, Current Planning

I concur,



Randy Humble, MCIP RPP
Chief Administrative Officer

Attachments:

Appendix A: Aerial photo of subject property

Appendix B: Letter of Rationale

Appendix C: Drawing Set V1

Presenters: Kelly Tomer, Applicant

Appendix A: 2017 aerial photo of the subject property (2498 Beaufort Rd.), showing the OCP (red) and zoning (white) designations. The subject property is outlined in blue.





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December 30, 2019

Town of Sidney
BOARD OF VARIANCE
Development Services Department
2440 Sidney Ave
Sidney, BC
V8L 1Y7

Subject: Lot 1, 2498 Beaufort Road

Members of the Board,

We are grateful for your consideration of the following requests regarding the subject lot.

In the interest of maintaining a 6.0m protective radius from Fir tree '321', the following relaxation is sought:

- **Decrease Front Yard Setback from 7.5m to 3.5m**

We look forward to discussing this project in greater detail at the BOV hearing and remain at your disposal.

Sincerely,

Wm. S. Peereboom
Owner, Chief Designer

RECEIVED
JAN 06 2020

TOWN OF SIDNEY

#103 - 891 ATTREE AVENUE
VICTORIA, B.C.
V9B 0A6
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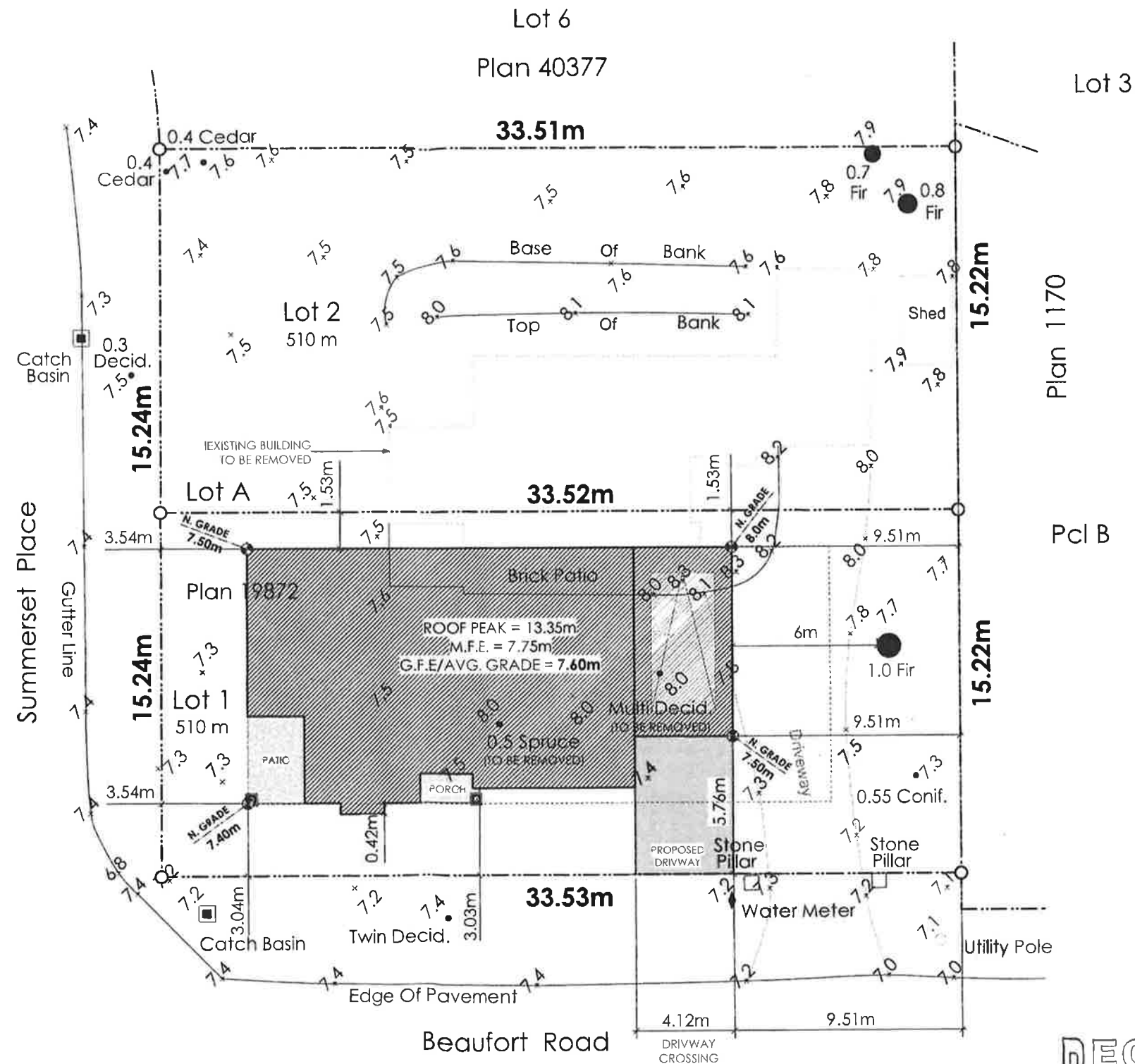
SKETCH PLAN OF
2498 BEAUFORT ROAD
LOT A, SECTION 14, RANGE 4 EAST
NORTH SAANICH DISTRICT
PLAN 19872

PROPOSED - LOT 1

SITE DATA	R1.1 - SINGLE-FAMILY RESIDENTIAL	
	PERMITTED	PROPOSED
ITEMS		LOT 1
LOT AREA	min. 500 sq.m.	510.00 sq.m.
LOT COVERAGE	40.00 %	39.99 %
HEIGHT - PITCHED ROOF	max. 9.00 m.	5.75 m.
MAXIMUM STOREYS	2.5	1
REQUIRED PARKING	2	2
SETBACKS		
- FRONT (W)	*7.5 m.	*3.54 m.
- REAR (E)	5.50 m.	9.51 m.
- SIDE INTERIOR (N)	1.50 m.	1.51 m.
- SIDE EXTERIOR (S)	3.00 m.	3.04 m.
FLOOR AREA		
- MAIN		158.74 sq.m.
- GARAGE		32.61 sq.m.
TOTAL FLOOR AREA		191.35 sq.m.

AVERAGE NATURAL GRADE CALCULATION:
 $7.40m + 7.50m + 8.0m + 7.50m$
 $= 30.40 / 4$
 $= 7.60m$

*VARIANCE: Front-yard setback to be decreased from 7.5m TO 3.5m to achieve recommended 6.0m radial setback from tree 321 (Fir).



SITE PLAN

Date
Dec 30, 2019

Project Address
2498 Beaufort Rd,
Sidney BC

Prepared for
Kelly & Steve Tomer

Project #
8339

Scale
As Shown

Drawn By
WGM

RECEIVED
JAN 06 2020

TOWN OF SIDNEY

1 Siteplan
AI Scale: 1:100

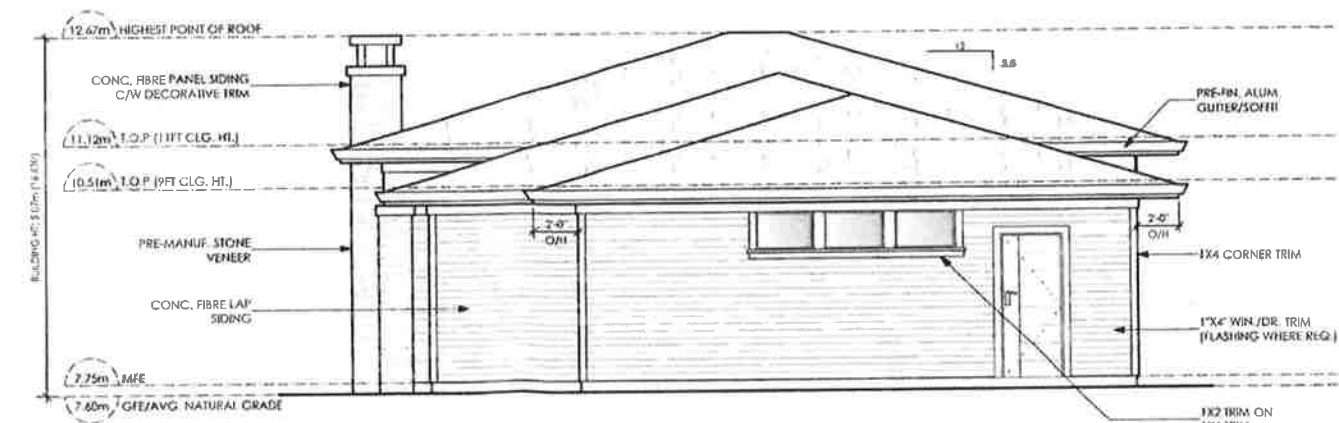
B.O.V PRESENTATION

2498 BEAUFORT ROAD, SIDNEY BC



1 Front Elevation
A2 Scale: 1/4" = 1'-0"

ELEVATIONS



2 Right Elevation
A2 Scale: 1/4" = 1'-0"

Date
Dec 30, 2019

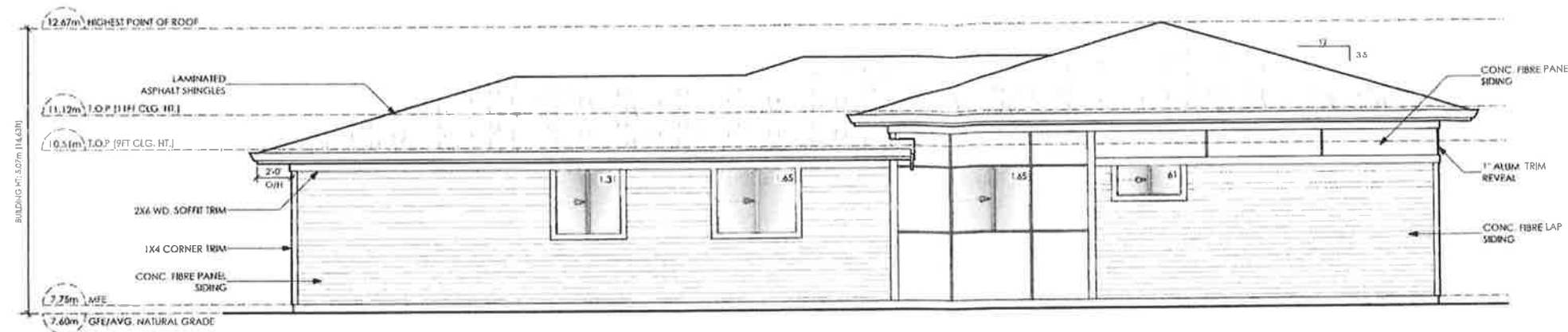
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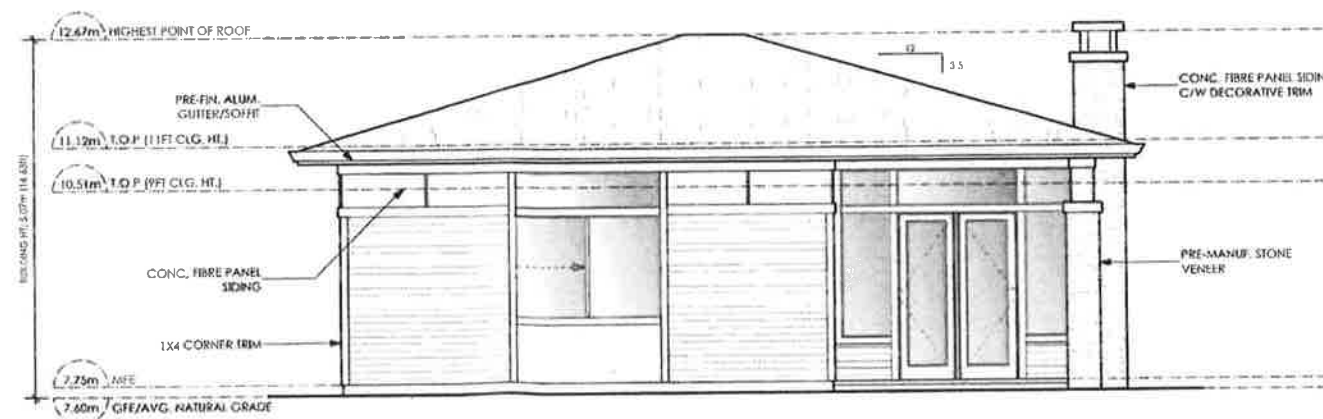
Drawn By
WGM



1 Rear Elevation
A3 Scale: 1/4" = 1'-0"

Limiting Distance	1.53	m.
Exposed Building Face	69.58	sq m.
Allowable Openings	8.00	%
Allowable Opening Area	5.57	sq m.
Proposed Openings	5.22	sq m.

ELEVATIONS



2 Left Elevation
A3 Scale: 1/4" = 1'-0"

Date
Dec 30, 2019

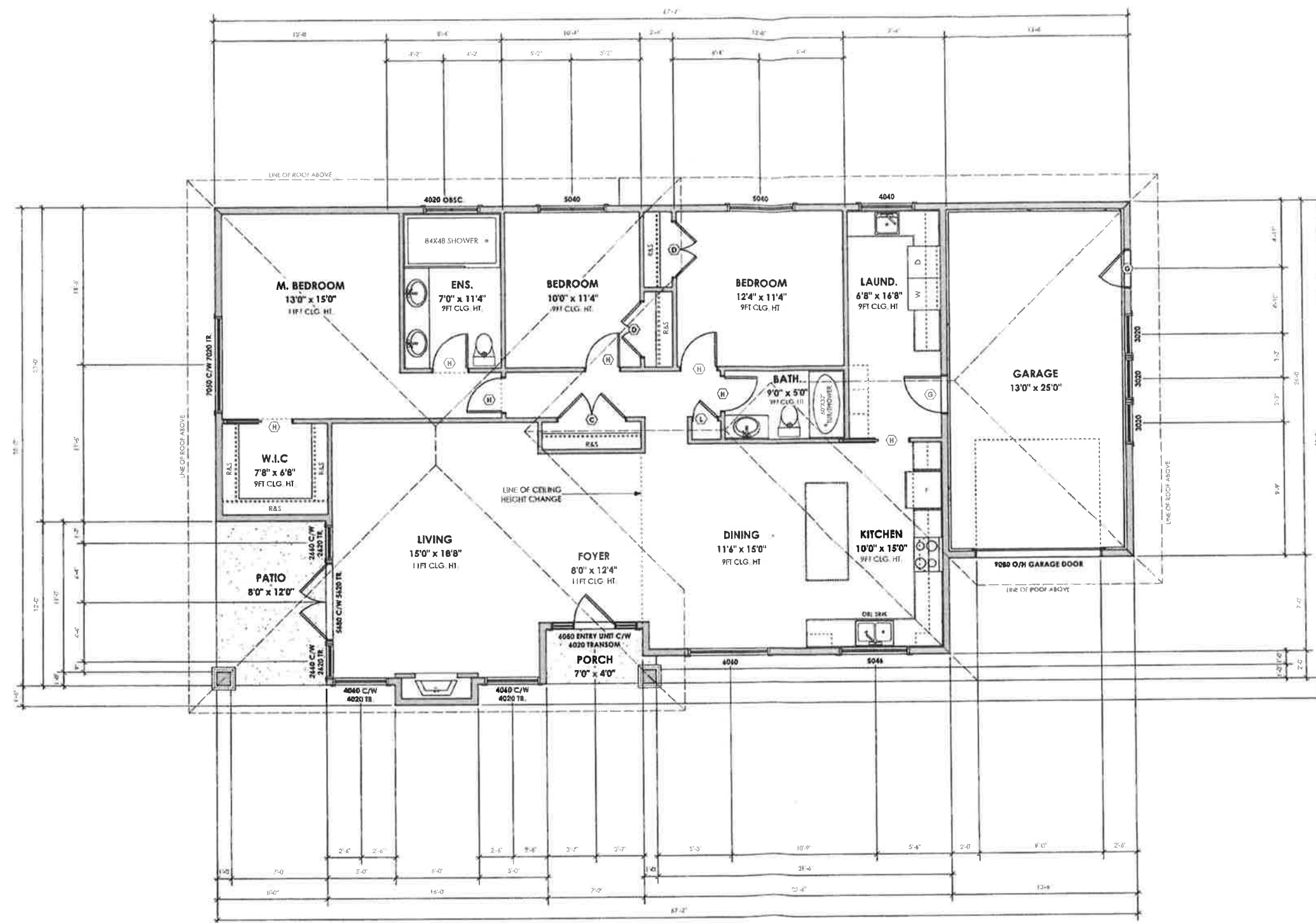
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Scale
As Shown

Drawn By
WGM



MAIN
FLOOR PLAN

Date

Dec 30, 2019

Project Address

2498 Beaufort Rd,
Sidney BC

Prepared for

Kelly & Steve Tomer

Project #

8339

Scale

As Shown

Drawn By

WGM

1 Main Floor Plan
A4 Scale: 1/4" = 1'-0"

Main Floor: 1,708.66 sq.ft. (158.74 sq.m.)
Garage: 351.01 sq.ft. (32.61 sq.m.)