

SUNSHINE COAST REGIONAL DISTRICT STAFF REPORT

TO: Electoral Area Services Committee – October 17, 2024

AUTHOR: Devin Rajala, Planning Technician III

SUBJECT: **Development Variance Permit DVP00107 for 8719 Redrooffs Road - Electoral Area B**

RECOMMENDATION

- (1) **THAT the report titled Development Variance Permit DVP00107 for 8719 Redrooffs Road - Electoral Area B be received for information;**
- (2) **AND THAT Development Variance Permit DVP00107, to allow for the construction of a single-unit dwelling at 8719 Redrooffs Road, be issued to vary Zoning Bylaw No. 722 as follows:**
- (a) Section 5.14.1(a) to reduce the setback for a structure adjacent to a highway or an internal private road from 5 m to 1.5 m.**
-

BACKGROUND

The SCRD received a Development Variance Permit application (DVP00107) for 8719 Redrooffs Road to reduce the setback for a structure from a highway or an internal private road. The intent of the application is to permit the construction of a new single-unit dwelling on the property.

The purpose of this report is to present the application to the Electoral Area Services Committee for consideration and decision.

Table 1 – Application Summary

Owner/Applicant:	Landon Dix
Legal Description:	LOT 10 BLOCK 5 DISTRICT LOT 1427 PLAN 7134
PID:	010-764-143
Electoral Area:	B – Halfmoon Bay
Civic Address:	8719 Redrooffs Road
Land Use Zone:	R1 (Residential One)
OCP Land Use:	Residential C
Parcel Area:	1,020 square meters
Proposed Variances:	To vary the minimum setback from a parcel line adjacent to a road dedication from 5 metres to 1.5 metres.

DISCUSSION

Analysis

The property at 8719 Redrooffs Road is 1,020 m². It is zoned R1 and bordered by another R1 property to the north, the ocean to the west, Redrooffs Road to the east and a road right-of-way to the south.

An existing cabin with non-conforming siting exists on the property. The applicant is proposing to demolish the existing cabin and construct a new single-unit dwelling that meets current ocean setbacks of 15 m. A variance for the south parcel line setback, which faces a highway right-of-way, is requested to accommodate a covered parking area.

Zoning Bylaw No. 722 contains the following regulation:

5.14.1 The setback of building or structure shall be:

- a) a minimum of 5 m from any portion of a parcel line adjacent to a highway or an internal private road;*

Figure 1: Aerial Photo

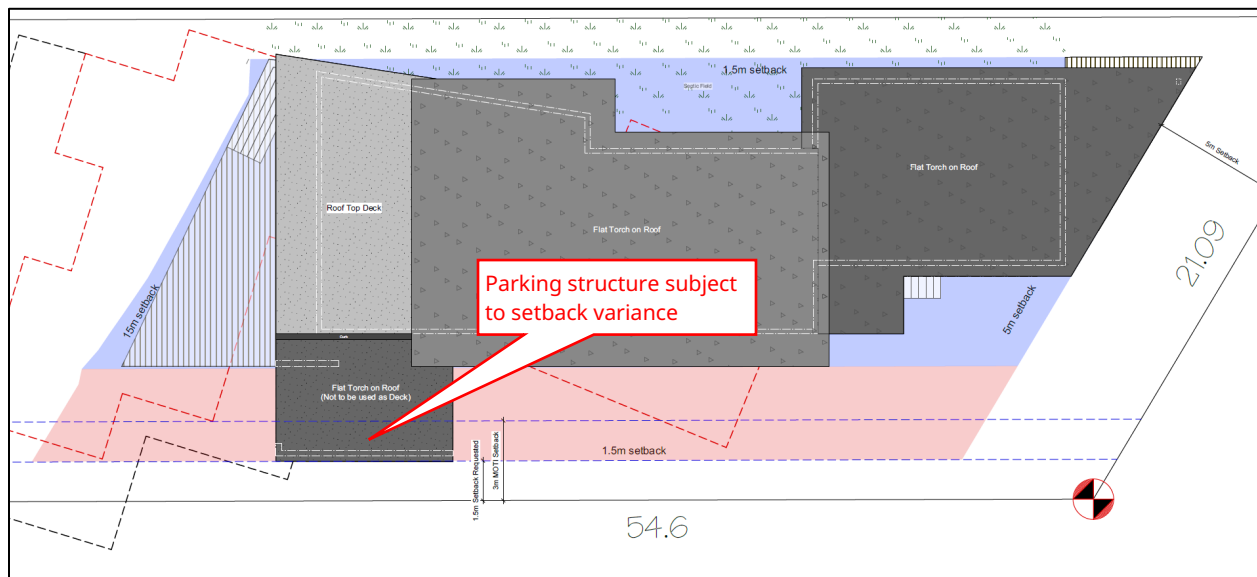


The BC Ministry of Transportation & Infrastructure (MOTI) has already issued a permit to reduce the required MOTI setback from 3 m to 1.5 m.

The subject parcel is located within the Development Permit Area 1A: Coastal Flooding, therefore a development permit is required for the construction of the single-unit dwelling. A development permit application has been received and will be issued under delegated authority pending the outcome of this development variance permit application process.

The proposed development plans are included in Attachment A.

Figure 2: Proposed Development subject to Variance



Applicant Rationale

The applicant provided the following rationale in support of their variance request:

- The redevelopment of the parcel will see the removal of an existing dwelling which has encroached over the property line into the right of way for over 50 years.
- This right-of-way is currently used primarily for drainage, and not a developed road and the requested variance proposes setbacks comparable to if it were treated as a side yard with a minimum setback for buildings and/or structures of 1.5 metres. MOTI has already issued a setback permit.
- The requested setback reduction will not be for a habitable area of the home but rather to accommodate a covered parking area.

Variance Criteria

Staff have evaluated this application using SCRD Board Policy 13-6410-6 (Development Variance Permits) as criteria as follows:

1. *The variance should not defeat the intent of the bylaw standard or significantly depart from the planning principle or objective intended by the bylaw;*

The setback requirement for an exterior side parcel line is intended to address circumstances where there is an opened road right of way. In this case, it is unlikely that it would be opened as a full road. The right of way is approximately 7.5m wide and incorporates a drainage ditch.

Treating this parcel line like an interior parcel line with a 1.5m setback is a reasonable approach.

2. *The variance should not negatively affect adjacent or nearby properties or public lands;*

Given that the variance application is to vary the setback from an exterior side parcel line, due to it being a road right-of-way, the effects should be minor on adjacent lots, especially as the proposed variance is for a portion of the new single-unit dwelling that incorporates a covered single-storey parking area.

Similarly, there would still be a 1.5 m setback from the right-of-way, which would allow for future improvements to the right-of-way in the future, should it be desired (e.g. drainage improvements, beach access etc.). MOTI has already granted a setback permit, granting their permission to allow for the construction at 1.5 metres from the parcel line.

3. *The variance should not be considered a precedent, but should be considered as a unique solution to a unique situation or set of circumstances;*

As discussed above this right of way is a relatively unique situation and represents a circumstance where it is reasonable to consider a variance.

4. *The proposed variance represents the best solution for the proposed development after all other options have been considered; and*

The redevelopment of the parcel will result in the removal of an existing dwelling that is located in the right of way, so this will represent an improvement to the current situation.

5. *The variance should not negatively affect the natural site characteristics or environmental qualities of the property.*

As above, the redevelopment will see the removal of a dwelling from within the right of way. The right of way will continue to function as a drainage ditch.

Options

Possible options to consider:

Option 1: Issue the permit

Staff Recommendation.

This would permit the proposed residential development on the property to proceed.

Staff recommend this option.

Option 2: Refer the application to the Area B APC

The APC would discuss the proposed variance in consideration of the Board's DVP policy and provide a recommendation to the EAS. Further notification is not required with this option.

Option 3: Deny the permit

The zoning bylaw regulation would continue to apply, and the new single-unit dwelling development would be required to comply with the required setback.

Timeline for next steps or estimated completion date

Figure 2 Application Timeline



Consultation

The development variance permit application has been referred to the following agencies for comment:

Table 2 Referral Comments

Referral Agency	Comments
SCRD Building Division	Depending on the required flood construction level determined through the Development Permit, building height will need to be considered as, based on the current plans, elevation appears to be close to this level.
SCRD Parks Division	The SCRD Parks <i>Trail Network Plan</i> (January 2007) does not designate the right-of-way as a priority for beach access.
Shíshálh Nation	Comments not received at time of report writing.
Halfmoon Bay Fire Department	The Halfmoon Bay Fire Department has no concerns at this time.
Ministry of Transportation and Infrastructure (MOTI)	A setback permit has been approved reflecting the requested variance.
Neighbouring Property Owners/Occupiers	Notifications were mailed on October 2, 2024, to owners and occupiers of properties within a 50 m radius of the subject property.

Notifications to surrounding properties were completed in accordance with Section 499 of the *Local Government Act* and the Sunshine Coast Regional District Bylaw No. 522. No comments were received prior to the report deadline. Those who consider their interests affected may attend the Electoral Area Services Committee meeting and speak at the call of the Chair.

STRATEGIC PLAN AND RELATED POLICIES

The proposed variance was evaluated using the criteria provided in SCRD Board Policy 13-6410-6 (Development Variance Permits).

CONCLUSION

The proposed development variance permit would facilitate the construction of a single-unit dwelling. Given the approval for a reduction in the setback to 1.5 metres from the BC Ministry of Transportation & Infrastructure, based on the nature and function of the right of way staff are supportive of the requested variance.

Accordingly, staff recommend issuing the development variance permit. If approved, the applicant would, subject to the issuance of the associated development permit, be able to proceed to the building permit stage.

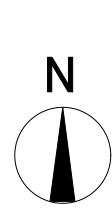
ATTACHMENTS

Attachment A – Site Plan

Reviewed by:			
Manager	X – J. Jackson	Finance	
GM	X – I. Hall	Legislative	X – S. Reid
CAO/CFO	X -T. Perreault	A/ Manager	X – K. Jones

Macpherson Residence
8719 Redrooffs Rd, Halfmoon Bay, BC, V7Z 1B1, Canada

PID: 010-764-143
Folio: 746.03859.000
Lot: 10
Block: 5
District Lot: 1427
Plan: VAP7134
Approximate Lot Size: .27 ACRES



Attachment A



Landon Dix Projects Ltd.
8700 Redrooffs Rd
Halfmoon Bay, BC, V7Z 1B1
604.307.2324
projects@landondix.com
landondix.com

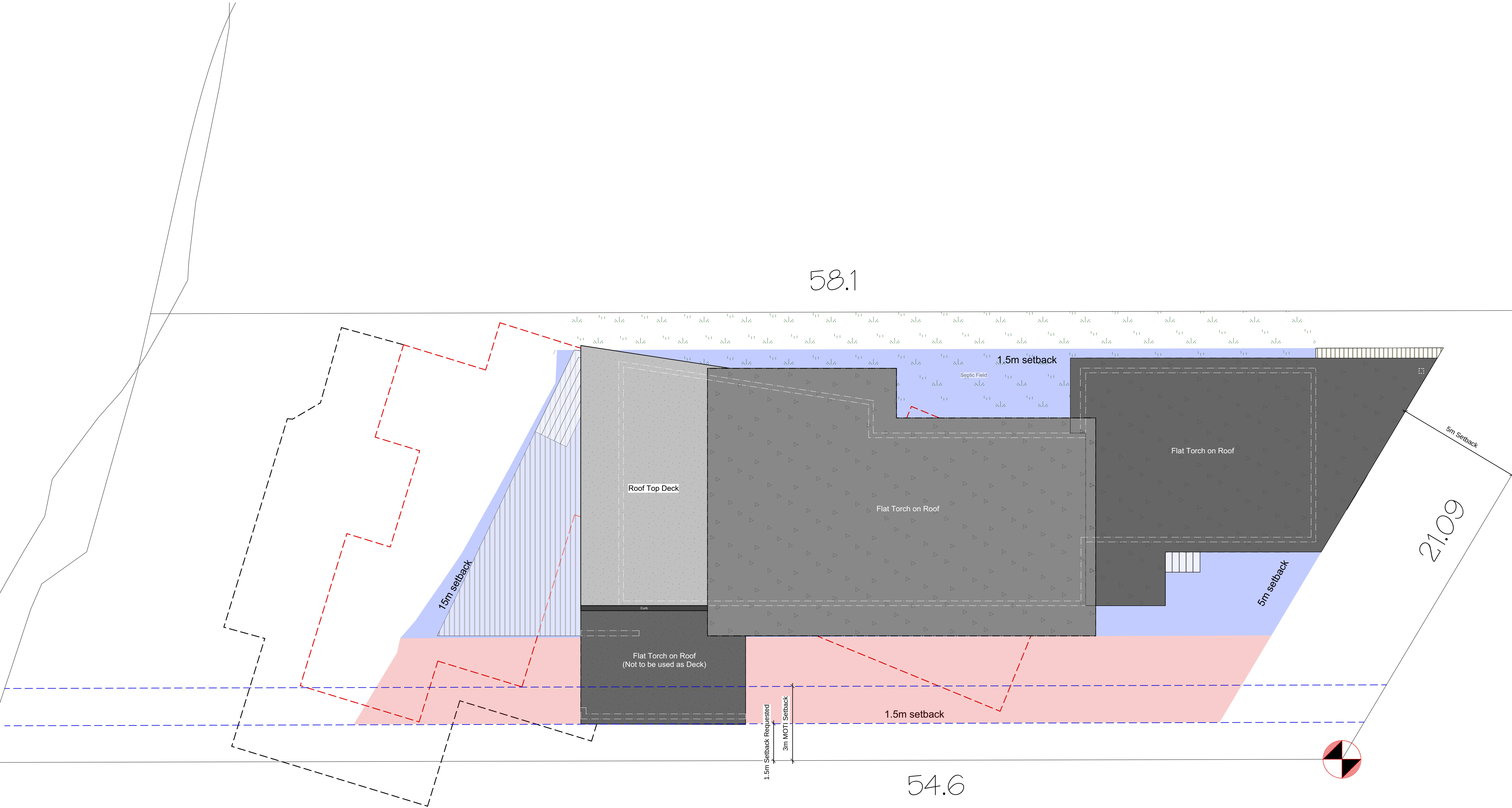
Copyright Reserved:
This drawing/design is and at all times remains the property of Landon Dix Projects Ltd. and cannot be used or duplicated without written consent. This drawing shall not be sealed. The general contractor shall verify all dimensions, datums and levels prior to commencement of work. Any errors and omissions are to be reported to the designer immediately.

Date: 2023.04.03
Scale: As Shown
Drawn by: L.Dix

Issue 01: 2024.06.12

Stamps:

HALFMOON BAY



1 Potential New Dwelling Footprint
Scale: 1/8" = 1'-0"

Project
Macpherson
Residence
Address

Drawing
Potential Building
Footprint
Sheet

A.101