

**THE CORPORATION OF THE CITY OF GRAND FORKS
AGENDA – SPECIAL MEETING**

**Thursday July 30 – 10:00 a.m.
7217 4th Street, City Hall**

	<u>ITEM</u>	<u>SUBJECT MATTER</u>	<u>RECOMMENDATION</u>
1.	<u>CALL TO ORDER</u>		
2.	<u>ADOPTION OF MEETING AGENDA</u>		
3.	<u>REGISTERED PETITIONS AND DELEGATIONS</u>		
4.	<u>UNFINISHED BUSINESS</u>		
	a) Manager of Development & Engineering Services - Development Variance Permit RFD-Dev Var Permit Zibin.pdf	Council consideration to approve the Development Variance Permit regarding the Zibin Application	RESOLVED THAT Council approve the request for a Development Variance Permit at 6135 - 18th Street for an increase in accessory building height, and an increase in overall floor area of all accessory buildings, in order to construct a garage, and further to direct Staff to complete the necessary statutory requirements for the Development Variance Permit Application, as requested.
5.	<u>RECOMMENDATIONS FROM STAFF FOR DECISIONS</u>		
6.	<u>REQUESTS ARISING FROM CORRESPONDENCE</u>		
7.	<u>BYLAWS</u>		
8.	<u>LATE ITEMS</u>		
9.	<u>ADJOURNMENT</u>		

REQUEST FOR DECISION

— SPECIAL MEETING —



To: Mayor and Council

From: Sasha Bird, Manager of Development & Engineering Services

Date: July 30, 2015

Subject: Application for a Development Variance Permit to request an increase in accessory building height and an increase in overall floor area of all accessory buildings, in order to construct a garage.

Recommendation: **RESOLVED THAT** Council approve the request for a Development Variance Permit at 6135 – 18th Street for an increase in accessory building height and an increase in overall floor area of all accessory buildings, in order to construct a garage and direct staff to complete the necessary statutory requirements for the Development Variance Permit Application, as requested.

BACKGROUND: The City has received a Development Variance Permit application from Drew Zibin, owner of property legally described as Parcel C, Block 6, Plan KAP67, DL 533, S.D.Y.D, Portion (X57267), located at 6135-18th Street. The property in question is currently zoned R-1 (Single and Two-family Residential) in the City's Zoning Bylaw and is 0.481 acres (20952 square feet) in size. The lot dimensions are approximately 137 x 150 feet (42 x 45 m).

Section 901 of the Local Government Act states that a person may apply to the Board of Variance to permit a minor variance or allow an exemption, to relieve hardship. At the present time, the City does not have a Board of Variance, so the approving body is Council.

The applicant wishes to construct a 984 square foot RV/single car garage. There is an existing 500 square foot accessory building on the property, as well as a 1147 square foot house.

Completion of the proposed garage would result in the total of all accessory buildings having a floor area of approximately 129% of the principal structure. The Zoning Bylaw states that the total of all accessory buildings shall have a floor area not greater than 50% of the principal structure.

The proposed garage is 6 meters (19 feet, 11 inches) in height. The Zoning bylaw states that no accessory building or structure shall exceed 4.8 meters (16 feet) in height.

The applicant is requesting a variance to these two regulations in order to proceed with the project.

At the June 15th, Committee of the Whole (COTW) meeting, the COTW was presented the following options for Council consideration:

REQUEST FOR DECISION

— SPECIAL MEETING —



Option 1: COTW can chose to accept the request and direct staff to proceed with the statutory requirements necessary for a Development Variance Permit application, and refer the application to the July 20, 2015 Regular Meeting of Council for decision.

Option 2: COTW can chose to not accept the request and direct staff to not proceed with the statutory requirements necessary for a Development Variance Permit application, and not refer the application to the July 20, 2015 Regular Meeting of Council for decision.

The COTW resolved to receive the report and recommended to Council to select one of the presented options at the July 20, 2015 Regular Meeting of Council and authorized staff to proceed with Option 1.

Staff proceeded with the statutory requirements by sending referral letters to potential stakeholder agencies for comments as well as notification to surrounding property owners informing them of the application and the opportunity to provide input. The notification also informed surrounding property owners of the opportunity to speak regarding the application at the July 20th Committee of the Whole Meeting.

No surrounding property owners contacted staff regarding the application nor attended the July 20th, 2015 Committee of the Whole Meeting.

At the July 20th, 2015 Regular Meeting, Council resolved to refer the development variance permit regarding 6135 – 18th Street to the August 17th, 2015 Regular Meeting so that Staff could provide information regarding any upstairs development.

Benefits or Impacts of the Recommendation:

General:	By approving the development variance request, it would alleviate the applicant's hardship issue in that he could build an accessory building to suit his requirements.
Strategic Impact:	N/A
Financial:	There is no cost to the taxpayers with regard to the development variance. The applicant has paid \$350.00 for the Development Variance Permit application.
Policy/Legislation:	Section 901 of the Local Government Act governs development variance applications and procedures.
Attachments:	<ol style="list-style-type: none">1. Development Variance Permit application complete with site plan showing the existing and proposed buildings on the property and a picture showing the proposed structure;2. Excerpt from the City's Zoning Bylaw – R-1 Single & Two Family Residential;

REQUEST FOR DECISION

— SPECIAL MEETING —



3. Aerial and Street views of the property and a copy of the zoning map showing the zoning of area;

Recommendation:

RESOLVED THAT Council approve the request for a Development Variance Permit at 6135 – 18th Street for an increase in accessory building height and an increase in overall floor area of all accessory buildings, in order to construct a garage and direct staff to complete the necessary statutory requirements for the Development Variance Permit Application, as requested.

OPTIONS:

- 1) COUNCIL COULD CHOOSE TO SUPPORT THE RECOMMENDATION.
- 2) COUNCIL COULD CHOOSE TO NOT SUPPORT THE RECOMMENDATION.
- 3) COUNCIL COULD CHOOSE TO REFER THE REPORT BACK TO STAFF FOR MORE INFORMATION.

	
Department Head or CAO	Chief Administrative Officer

THE CORPORATION OF THE CITY OF GRAND FORKS



7217 - 4TH STREET, BOX 220 • GRAND FORKS, BC V0H 1H0 • FAX 250-442-8000 • TELEPHONE 250-442-8266

DEVELOPMENT VARIANCE PERMIT APPLICATION

LOCAL GOVERNMENT ACT, SECTION 922

APPLICATION FEE \$350.00

Receipt No. 185606

Registered Owner(s): Drew Zibin

Mailing Address: Box 2505

Grand Forks, B.C. V0H 1H0

Telephone: Home: 250-666-0328 Work: 250-442-8883

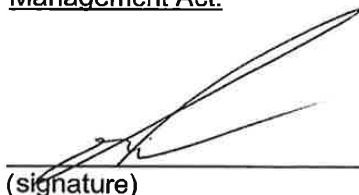
Legal Description & P.I.D.: Lot 533, Block 6, Plan KAP 67

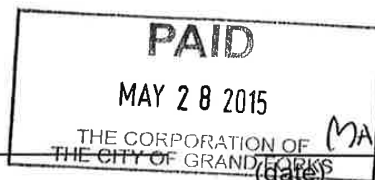
PID: 002-276-861

Street Address: 6135 - 18th Street

DECLARATION PURSUANT TO THE WASTE MANAGEMENT ACT

I, Drew Zibin, owner of the subject property described on this application form, hereby declare that the land which is the subject of this application has not, to my knowledge been used for industrial or commercial activity as defined in the list of "Industrial Purposes and Activities" (Schedule 2) of the Contaminated Sites Regulation (B.C. Reg. 375/96). I therefore declare that I am not required to submit a Site Profile under Section 26.1 or any other section of the Waste Management Act.


(signature)



.....OVER.....

Outline the provisions of the respective Bylaw(s) that you wish to vary and give your reasons for making this request:

To build a vehicle garage on the property and vary the following:

Section 33, 2.e Height: **Increase accessory building height from 16 feet to 19 ft 11 inches;** and

Section 33, 2.g Accessory Buildings: **Increase the total floor area of all accessory buildings from 50% of the principal structure to 129% of the principal structure.**

Submit the following information with the application:

1. A legible site plan showing the following:

- (a) The boundaries and dimensions of the subject property.
- (b) The location of permanent or proposed buildings and structures existing on the property.
- (c) The location of any proposed access roads, parking, screening, landscaping or fencing.
- (d) The location and nature of any physical or topographic constraints on the property (stream, ravines, marshes, steep slopes, etc.)

Other information or more detailed information may be requested by the City of Grand Forks upon review of your application.

The information provided is full and complete and to the best of knowledge to be a true statement of the facts, relating to this application.

Signature of Owner

Date

MAY 28 2015.

AGENT'S AUTHORIZATION

I hereby authorize the person/company listed below to act on my behalf with respect to this application:

Name of Authorized Agent: _____

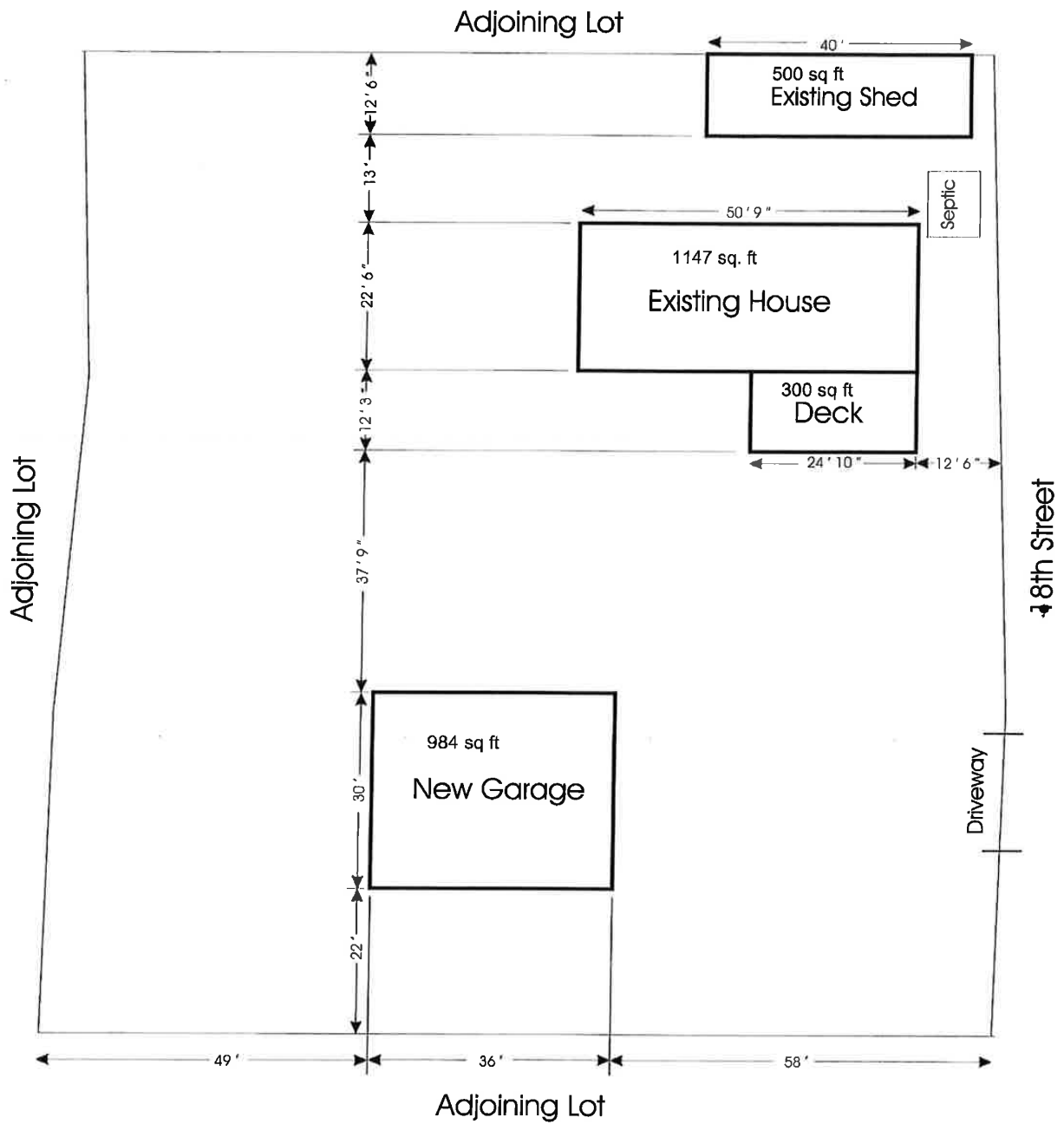
Mailing Address: _____

Telephone: _____

Owner(s) Signature of Authorization

Website: www.grandforks.ca

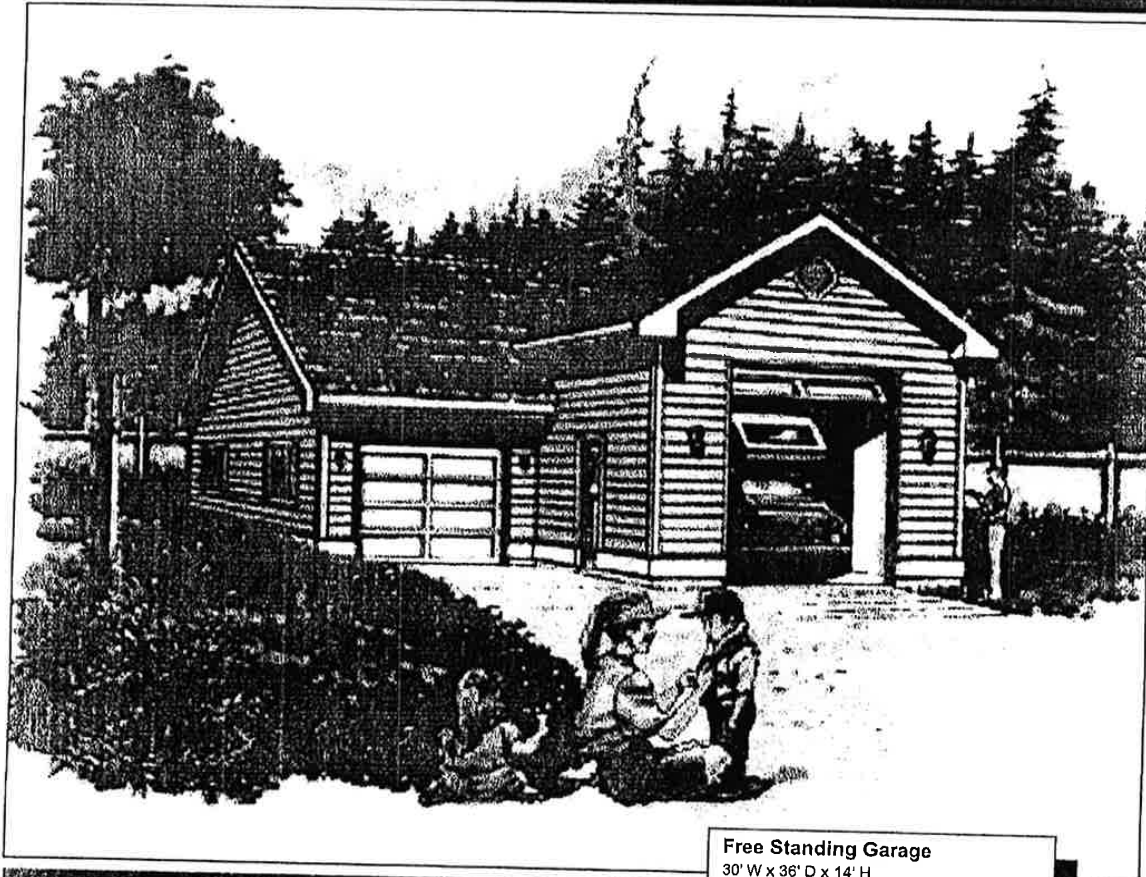
Email: info@grandforks.ca



Site Plan : Drew Zibin
Scale 1 inch = 20 feet



RV/SINGLE CAR
DELUXE GARAGE
30' X 36'



Home
building centre

0164428

Free Standing Garage

30' W x 36' D x 14' H

Standard Package Includes:

All framing materials, engineered roof trusses, asphalt shingles, sectional steel overhead doors, windows, insulated walk-in doors with locksets, and all hardware. Cutting and assembly required.

Concrete not included. Check with local building official prior to construction.

Shown with optional vinyl siding, rain goods and soffit and fascia packages.

Plans are in accordance to National Building Code Requirements

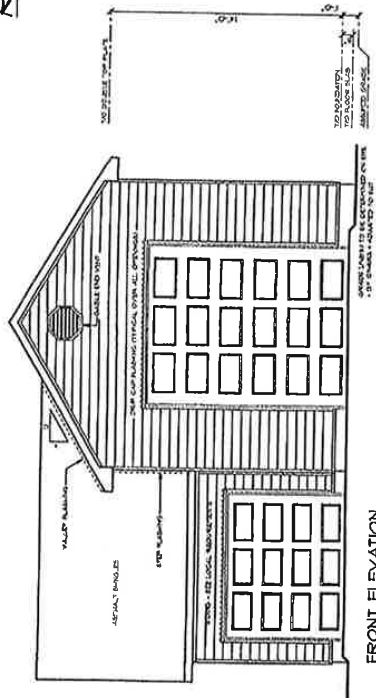
Spedal Drawings and approvals to suit local municipal by-law remain the responsibility of the owner

These plans could show components or product that may not be included in your material package.

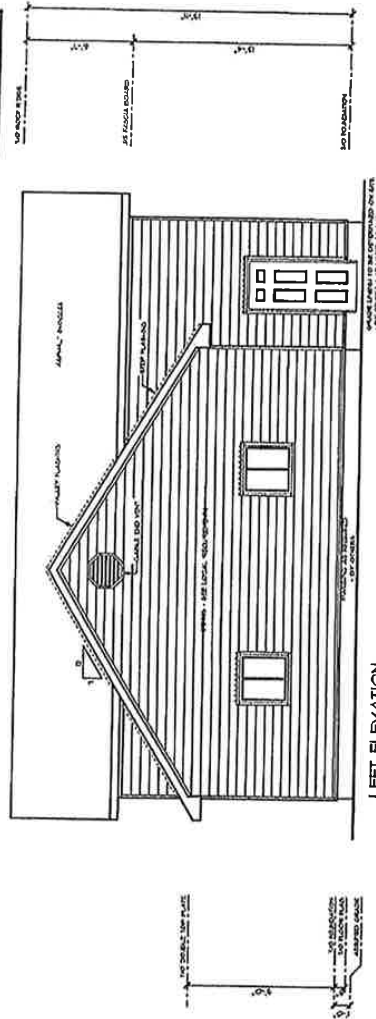
Product may vary due to regional availability. See local dealer for details.

WE'VE GOT YOUR LUMBER.®

RV GARAGE 30' x 36'



FRONT ELEVATION



LEFT ELEVATION

DISCLAIMER:
THESE DRAWINGS ARE PREPARED BY THE ARCHITECT FOR THE PURPOSES OF OBTAINING PERMITS AND FOR INFORMATION ONLY. THE ARCHITECT DOES NOT WARRANT OR REPRESENT THAT THE INFORMATION CONTAINED HEREIN IS COMPLETE, ACCURATE, OR CURRENT. THE ARCHITECT DOES NOT ASSUME RESPONSIBILITY FOR ANY OMISSIONS, ERRORS, OR MISTAKES IN THESE DRAWINGS. THE ARCHITECT DOES NOT WARRANT OR REPRESENT THAT THE INFORMATION CONTAINED HEREIN IS COMPLETE, ACCURATE, OR CURRENT. THE ARCHITECT DOES NOT ASSUME RESPONSIBILITY FOR ANY OMISSIONS, ERRORS, OR MISTAKES IN THESE DRAWINGS.

GENERAL NOTES:
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTERNATIONAL RESIDENTIAL CODE BOOK (IRC) AND THE INTERNATIONAL BUILDING CODE (IBC).
2. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

FOUNDATION:
1. FOUNDATION SHALL BE CONCRETE ON GRAVEL.
2. FOUNDATION SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

ROOFING:
1. ROOF SHALL BE ASPH/FLT SHINGLES.
2. ROOF SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

CLADDING:
1. CLADDING SHALL BE VINYL SIDING.
2. CLADDING SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

DOORS & WINDOWS:
1. DOORS & WINDOWS SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

MECHANICAL:
1. MECHANICAL SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

ELECTRICAL:
1. ELECTRICAL SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

PLUMBING:
1. PLUMBING SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

HEATING & COOLING:
1. HEATING & COOLING SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

FINISHES:
1. FINISHES SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE LOCAL BUILDING DEPARTMENT.

PERMITS:
1. PERMITS SHALL BE OBTAINED FROM THE LOCAL BUILDING DEPARTMENT.

CONTRACTOR:
1. CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING PERMITS AND FOR THE QUALITY OF THE CONSTRUCTION.

DATE:
1. DATE OF DRAWING: APRIL 11, 2008

		RV GARAGE 30' x 36'		FRONT & LEFT ELEVATIONS	
SCALE: 1/4" = 1'-0" DATE: JANUARY, 2008 DRAWN BY: C.E.T.	SCALE: 1/4" = 1'-0" DATE: JANUARY, 2008 DRAWN BY: C.E.T.	SCALE: 1/4" = 1'-0" DATE: JANUARY, 2008 DRAWN BY: C.E.T.	SCALE: 1/4" = 1'-0" DATE: JANUARY, 2008 DRAWN BY: C.E.T.	SCALE: 1/4" = 1'-0" DATE: JANUARY, 2008 DRAWN BY: C.E.T.	SCALE: 1/4" = 1'-0" DATE: JANUARY, 2008 DRAWN BY: C.E.T.

PART VI ZONES

SECTION 33 R-1 (Residential – Single & Two Family) Zone

Permitted Uses

1. The following uses and no others are permitted in an R-1 zone:

- (a) dwelling units;
- (b) religious centres;
- (c) day care centres;
- (d) bed and breakfast accommodations;
- (e) home occupations.

Permitted accessory uses and buildings on any parcel includes the following:

- (f) any accessory buildings or structures to any of the above uses.

Regulations

2. On a parcel of land located in an R-1 zone:

Minimum Parcel Size for Subdivision purposes

- (a) The minimum parcel size is 10,120 square metres (108,913 sq.ft. or 2.5 acres) where there is no community sewage or water system;
- (b) The minimum parcel size is **1,393.5 square metres (15,000sq ft)** when the parcel is either connected to a community sewage or water system, but not both;
- (c) The minimum parcel size is 697 square metres (7,500 sq.ft.) when the parcel is connected to both a community sewage and water system.

BYLAW 1800

Number and type of Dwelling Units allowed

- (d) One of the following types of dwelling units is allowed on a parcel of land in an R-1 zone;
 - (i) One single-family dwelling; or
 - (ii) One two-family dwelling.

Height

- (e) No principal building or structure shall exceed 9.75 metres (32 ft) in height. No accessory building or structure shall exceed 4.8 metres (16 ft) in height.

SECTION 33

R-1 (Residential – Single & Two Family) Zone cont'd

Setbacks

- (f) Except as otherwise specifically permitted in this bylaw, no building or structure shall be located within:
 - (i) 6 metres (20 ft) of a front parcel line;
 - (ii) 1.5 metres (5 ft) of an interior side parcel line;
 - (iii) 4.6 metres (15 ft) of an exterior side parcel line; or
 - (iv) 6 metres (20 ft) of a rear parcel line.

Accessory Buildings

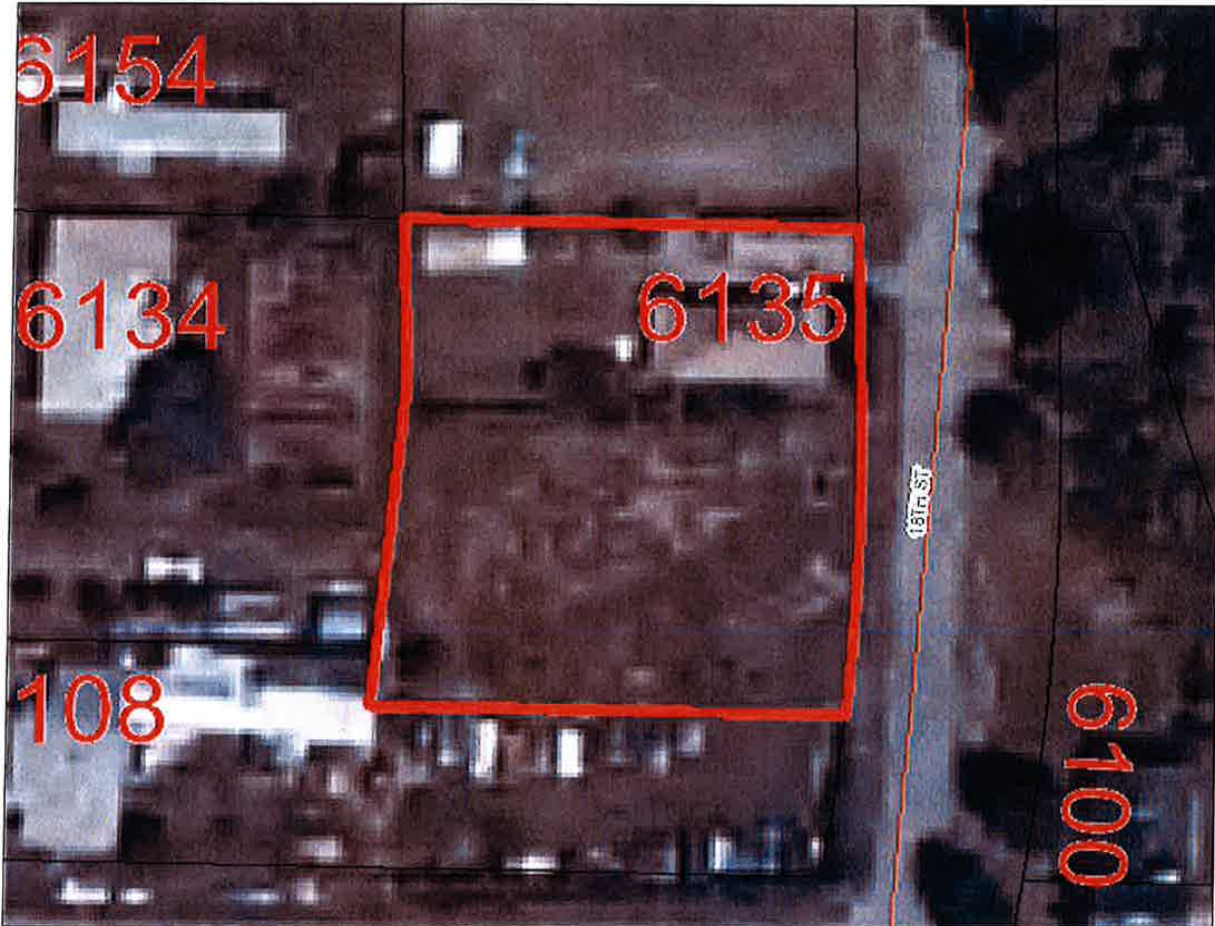
- (g) The total of all the accessory buildings shall have a floor area not greater than 50% of the principal structure;
- (h) No accessory building shall be located closer than 1.5 metres (5 ft) to a rear parcel line and not closer to the front parcel line than the facing wall of the principal building, to which it is accessory.

Lot Area Coverage

- (i) The maximum permitted lot area coverage shall be as follows:
 - Principal building with all accessory buildings and structures 50%

Additional requirements

- (j) ****deleted by Bylaw 1888***
- (k) ****deleted by Bylaw 1679***
- (l) The minimum size for a single-family dwelling shall be 75 square metres (800 sq.ft.);
- (m) See Sections 13 to 30A of this Bylaw.



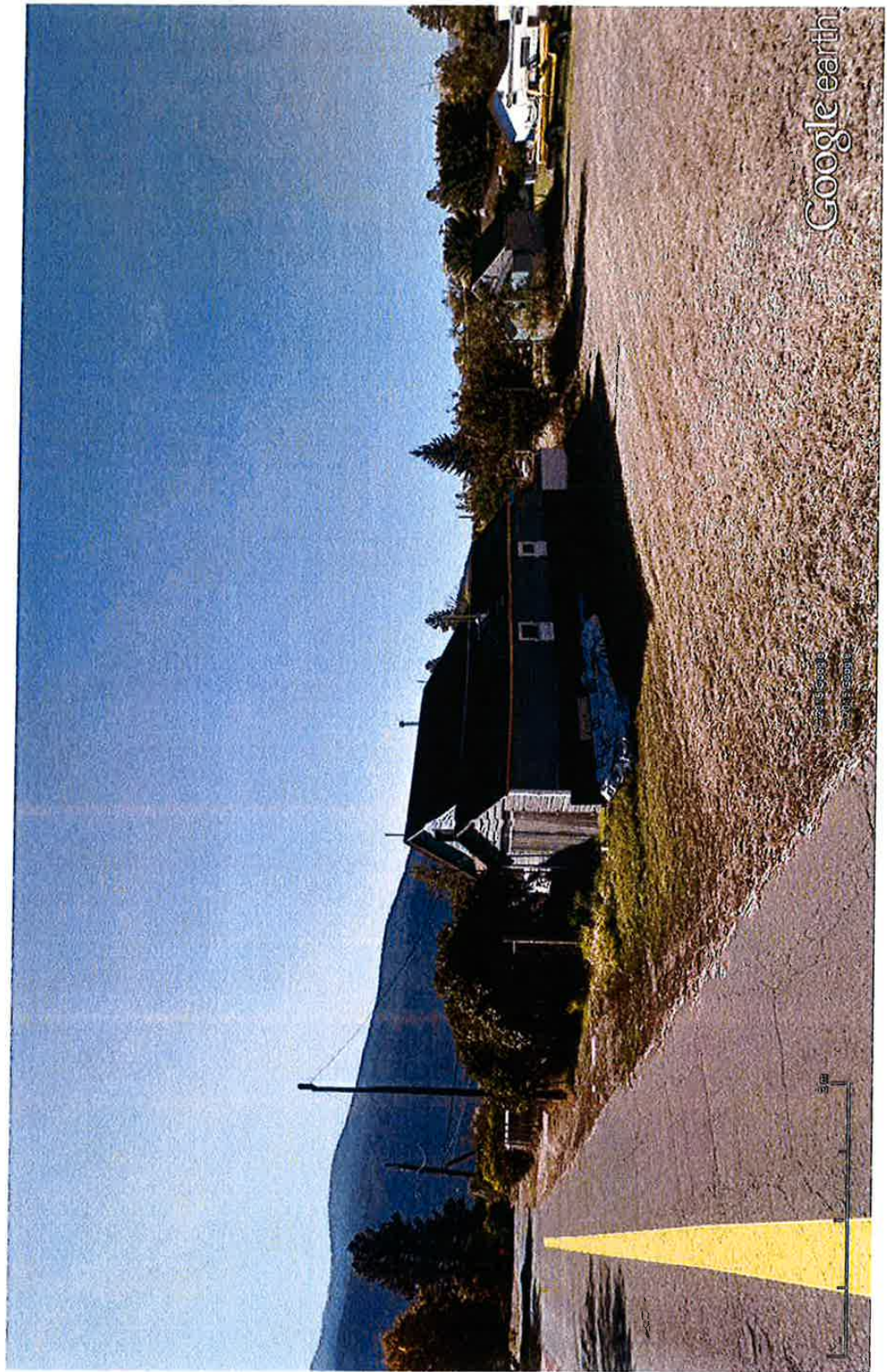
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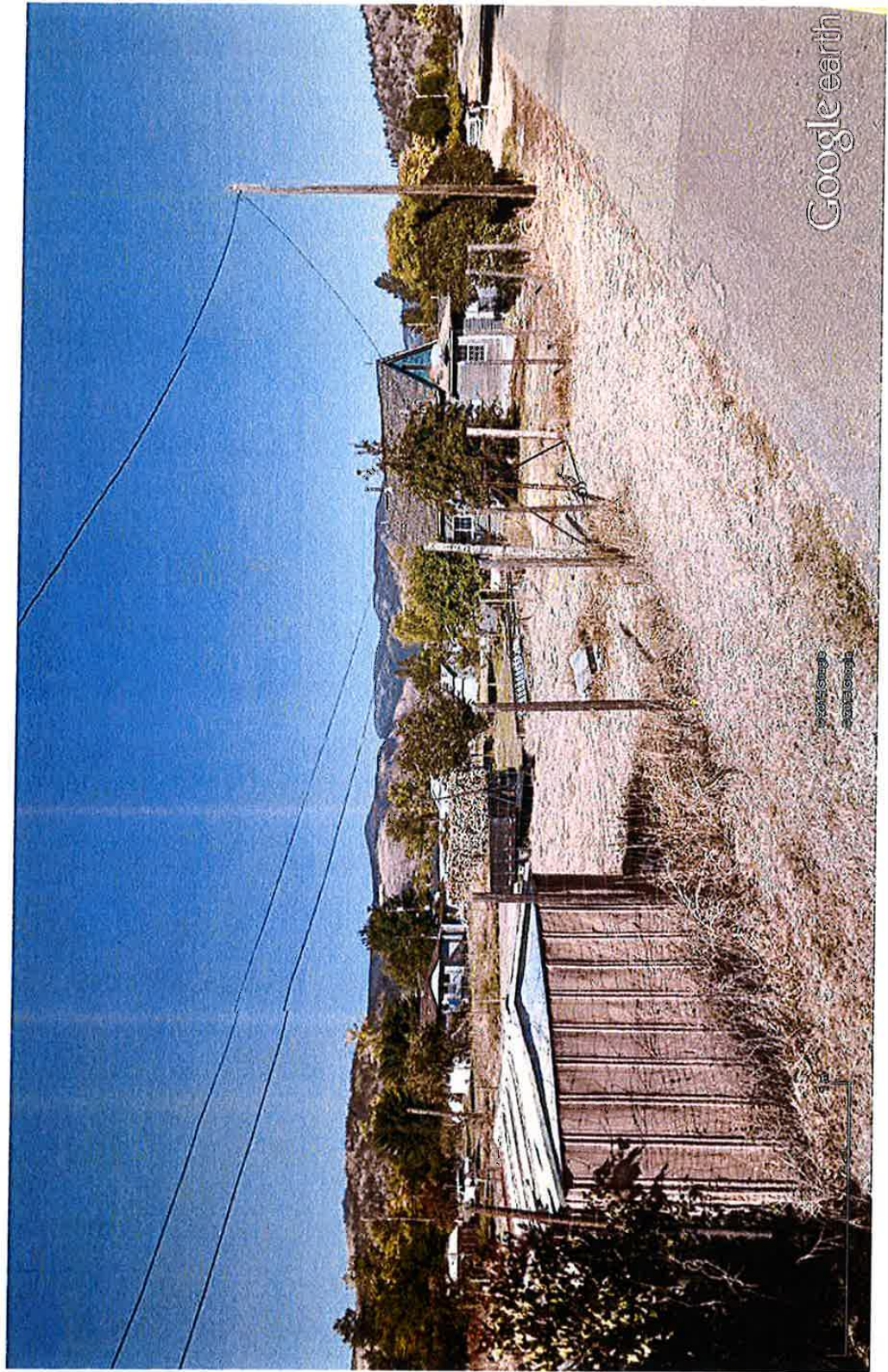
Legal Information

Plan: KAP67	Section:	Jurs: 210	Lot Area: 0.481
Block: 6	Township:	Roll: 1144050	Area Unit: acr
Lot:	Land District: 54	PID: 002-276-861	Width (ft): 0
District Lot: 533			Depth (ft): 0
Street: 6135 18TH ST			
Description: Parcel C Portion (X57267).			

This report and map is for general information only. The RDKB does not guarantee its accuracy or correctness. All information should be verified.

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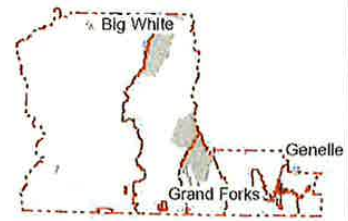






Regional District of Kootenay Boundary
Interactive Mapping System

Regional District of Kootenay
Boundary



Legend

Admin

Cadastral Lines

- CAD_DISTRICT_LOT
- CAD_GAS
- CAD_HIGHWAY
- CAD_HYDRO
- CAD_INTER_BDY
- CAD_LOTLINE
- CAD_LOTLINE_LICENSE
- CAD_LOTLINE_WATER
- CAD_RAILWAY
- CAD_RAILWAY_ABAN
- CAD_ROAD
- CAD_TELEPHONE
- CAD_TOWNSHIP

Miscellaneous Cadastral Lines

- CADM_AIRSTRIP
- CADM_ARROW
- CADM_BRIDGE
- CADM_DEWDNEY_TRAIL
- CADM_EASEMENT
- CADM_HOOK
- CADM_LEASE_LICENSE
- CADM_MAP_RESERVE
- CADM_MINERAL_CLAIM
- CADM_MISC_RW
- CADM_MTN_TOP_MARKER
- CADM_SKI_LIFT
- CADM_STAR
- CADM_TRANSCANADA_TRAIL
- CADM_UNSURVEYED_ROAD

Parcels

Provincial Park

City of Grand Forks

Single & Two Family Residential 1 (R1)

Single Family Residential 1A (R1A)

Scale: 1: 1,500

1 cm represents 15 m



0 50 100 m

Datum: NAD 1983 Projection: UTM Zone 11N

Printed on 02-Jun-2015

Notes: 6135 - 18th Street DVP Application

This map is for general information only. The RDKB does not guarantee its accuracy or correctness. All information should be verified.

Selkirk College