

COUNCIL REPORT

To: Mayor and Council

From: Administration

Date: April 17, 2023

Subject: Development Variance Permit #3090-20-23-02

RECOMMENDATION:

THAT Council authorizes proceeding with the Development Variance Permit # 3090-20-23-02 application process.

BACKGROUND:

The District has received an application for a Development Variance Permit from the owners of Lot 154 District Lot 12463 Plan 18898, commonly known as 14 Finlay Forks Crescent to vary setback regulations in Section 8.3 of Zoning Bylaw No.1368, 2017.

The current minimum interior side setback distance for Zone R1 – Single Family Dwelling is 1.2 metres; the proponents are asking to lower this to 0.45 metres to accommodate the new build of a carport to improve the accessibility of the home to the occupants.

The proponents have had an issue with ice buildup around the entryway of their residence creating a hazard. With the addition of a carport the objective is to have an area that is clear to enter and exit the home into the vehicle, improving accessibility and reducing the risk of a fall.

Administration has conducted a technical review as per the District of Mackenzie's Development Procedure Manual and included a review of:

- Applicable District of Mackenzie Bylaws
- Extent of the variance
- Possible precedents being set
- Rationale for the variance
- Safety and risk issues
- Urban design and aesthetic issues

A copy of the technical review is attached to the report as well as a site plan and photos in Appendix A.

CONSIDERATION

Council is being asked to proceed with the permit application process. This will allow Administration to refer the permit to the technical agencies for additional feedback as well as notifying neighbouring properties to give them a chance to share feedback prior to Council considering the permit's approval.

NEXT STEPS

If Council supports staff's recommendation the following would be completed:

- Agency review would be conducted;
- Neighbouring properties within 100m from the property line would be notified; and
- Submit final report to Council for approval.

ALTERNATIVE DECISIONS

After Council reviews the information submitted, there are two (2) options:

- Authorize notification of Council's approval in proceeding, or
- Deny the application

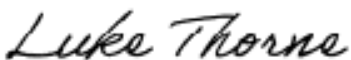
If denied, the applicant may not re-apply for a Development Variance Permit until six (6) months after the date of refusal. Under Section 460 of the *Local Government Act*, the required time limit for any re-application may be reduced by an affirmative vote of at least 2/3 of Council members.

COUNCIL PRIORITIES:

Strong Governance and Finances

- As the municipality's elected governing body, we serve all residents and businesses in the community. We engage residents and stakeholders on important issues and make our decisions through open and transparent processes. We are careful in our use of resources, mindful of the need to maintain programs and services, while also meeting the community's infrastructure needs.

Respectfully Submitted,



Luke Thorne
Land and Environmental Coordinator



Approved for Submission to Council