

Committee of Adjustment Comments from Staff, Public and Agencies



Application Details

Application Number: A-46/20
Location: 9 Queensdale Crescent
Hearing Date: November 12, 2020
Owner: Christine Huggins, John Emslie, Dorothy Bakker, and Danny Lui
Agent: Don Huggins
Official Plan Designation: Low Density Residential
Zoning: Residential Single Detached (R.1B) Zone

Request: The applicant is seeking relief from the By-Law requirements to permit an accessory apartment size of 89.5 square metres, or 43.7 percent of the total floor area of the existing detached dwelling.

By-Law Requirements: The By-Law requires that an accessory apartment shall not exceed 45 percent of the total floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser.

Staff Recommendation

Approval

Recommended Conditions

None

Comments

Planning Services

The subject property is designated "Low Density Residential" in the City's Official Plan. The "Low Density Residential" land use designation permits a range of housing types including single detached residential dwellings with accessory apartments. The requested variance meets the general intent and purpose of the Official Plan.

The subject property is zoned "Residential Single Detached" (R.1B) according to Zoning By-law (1995)-14864, as amended, which permits a single detached dwelling. An accessory apartment is also a permitted use in the R.1B zone, subject to meeting the requirements of Section 4.15.1 of the Zoning By-law. Section 4.15.1.5 requires that accessory apartments not exceed 45 percent of the total

floor area of the building and shall not exceed a maximum of 80 square metres in floor area, whichever is lesser. The applicant is requesting to permit an existing accessory apartment with an area of 89.5 square metres in the basement of the single detached, raised bungalow style dwelling. An accessory apartment of that size will occupy 43.7 percent of the total floor area of the dwelling.

The general intent and purpose of the Zoning By-law in limiting the floor area of an accessory apartment is to ensure that the unit is clearly subordinate and accessory to the primary use and to maintain the appearance of the built form, which in this case is a single detached dwelling. The proposed accessory apartment represents 43.7 percent of the total floor area of the dwelling (including the basement). Based on floor plans submitted by the applicant, the apartment contains two bedrooms, is interconnected to and is smaller than the host dwelling. Planning staff are of the opinion that the accessory apartment is subordinate to the host dwelling unit in size.

The requested variance for accessory apartment size is considered desirable and minor in nature as the accessory dwelling unit is wholly contained within the dwelling and does not exceed 45 percent of the total floor area of the building.

Planning staff recommend approval of the requested variance to permit an accessory apartment size of 89.5 square metres.

Engineering Services

Engineering has no concerns with the request of seeking relief from the By-law requirements to permit an accessory apartment size of 89.5 square metres, or 43.7 percent of the total floor area of the existing detached dwelling.

We agree with recommendations made by the Planning and Building staff.

Building Services

This property is located in the Residential Single Detached (R.1B) Zone. The applicant is proposing to maintain an existing accessory apartment with an area of 89.5 square metres in the basement of the existing detached dwelling. A variance from 4.15.1.5 of Zoning By-law (1995)-14864, as amended, is being requested.

Building Services does not object to this application to permit an accessory apartment size of 89.5 square metres (43.7 percent of the total floor area of the existing detached dwelling).

A Building Permit and Two-Unit House Registration has been applied for, with the approval of each being partially contingent on the approval of this minor variance application.

Comments from the Public

None

Contact Information

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