

# District of Barriere

## REPORT TO BOARD OF VARIANCE

<b>Hearing Date:</b> December 6, 2023 @ 1:30pm	<b>File:</b> 530.20/Rpts
<b>To:</b> Board of Variance	<b>From:</b> Tasha Buchanan, Corporate Officer
<b>Re: BOV 23-01 Mahal</b>	

### **Background:**

#### **Legal Description:**

Lot 1, District Lot 1325, KDYD, Plan EPP108201

**PID** 008-011-796

**Civic Address:** 370 Lilley Road, Barriere BC V0E-1E0

**Zoning:** Residential Multi-Family (RM)

**Zoning Section to be varied:** RM – Section 7.3(b)(i) 6m side setback min. to 4.5m

This proposed variance is to permit the construction of a residential multi-family dwelling unit consisting of seven (7), single level dwelling units. The proposed construction is located at the rear of the current Barriere Motor Inn on Lilley Rd. This property (370 Lilley Rd) was successfully rezoned from C2 (Yellowhead Highway Commercial) to RM (Residential Multi-Family) in October of 2021. (Schedule 'A' attached shows the subject property hatched in red.) During the initial subdivision and subsequent rezoning processes to permit the multi-family use of this newly created lot, the Ministry of Transportation, Interior Health, First Nations, BC Hydro and Telus were all referred and provided any relevant comment/requirements that may have been necessary prior to their final subdivision/rezoning approvals. An easement was created off of Lilley Rd. to provide access to the parcels beyond, including the Barriere Budz store and overflow parking area of the hotel/restaurant.

The property owner's original plan during the rezoning process was for the construction of a four (4) unit complex. Now, in response to the current, extreme rental housing demand in Barriere, the property owner wishes to create an additional four (3) units for a total of seven (7), single-level units.

### **Discussion:**

In order to accommodate the seven (7) units, the applicant's new design has resulted in an encroachment result of *up to* 1.5 meters (5.0ft) into the required side setback of 6 meters (19.69ft) (see Schedule 'B' attached sketch) for a total side setback result of 4.5m (14.76ft). The applicant has indicated that the resulting encroachment may end up being less than this 1.5m (5.0ft).

If this application is approved by the Board of Variance, the development will be subject to a District approved *Development Permit* outlining (but not inclusive) landscaping, fencing, wastewater & water connection locations, and fire hydrant requirements as the property is within the Development Permit Highway Corridor within the District of Barriere Official Community Plan (OCP). This application supports the Barriere & Area Housing Needs Study.

**Servicing** – The parcel is municipal water and wastewater service ready. Zoning Bylaw No. 111 parking requirements of 1.5 spaces per dwelling unit of Multi-Family Residential are met with 13 regular spaces and

one reserved disability space. Access is available via the road easement registered on Title and shown in Schedule 'B' attached to this report.

**Public Comments:**

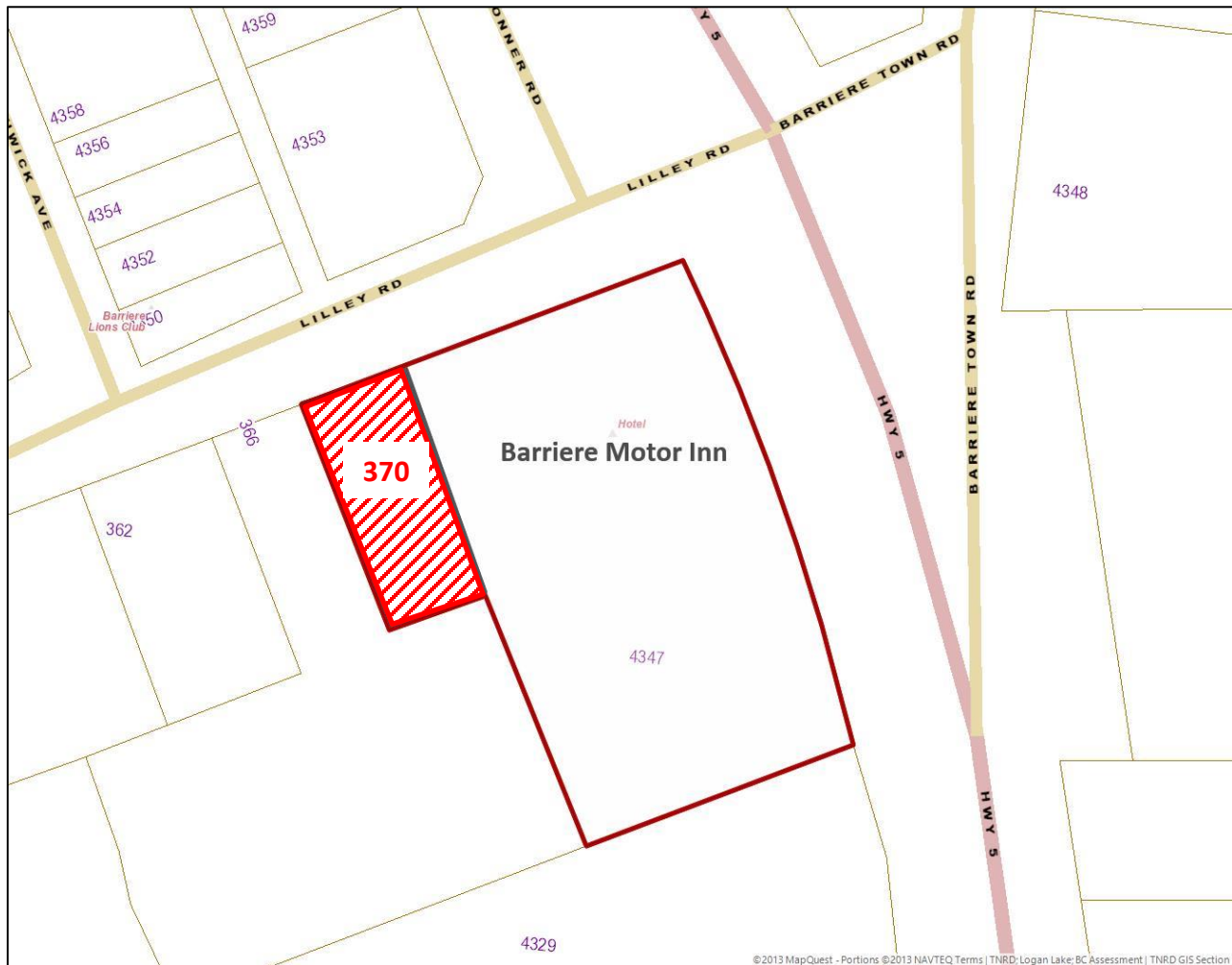
On November 23<sup>rd</sup>, 2023, adjacent property owners within 100m of the subject parcel were mailed and/or hand delivered formal notice of this application and hearing.

As of December 4, 2023, only one comment has been received as a result of that circulation: Mr. M. Purcha, who owns 4353 Conner Rd (strip mall containing upstairs apartments and the Barriere Gym and Chamber office below) - *"I have no problem with the variance."* Any additional comments received will be verbally reported by staff during the Board of Variance Hearing on December 6<sup>th</sup>.

**Recommendation:** That the Board grant the appeal for a variance (File# BOV 23-01 Mahal) by reducing the minimum required rear setback of 6m (19.69') to 4.5m (14.76') to accommodate a residential multi-family dwelling unit consisting of seven (7), single level dwelling units at 370 Lilley Road, Barriere BC, V0E-1E0.

Prepared by: Tasha Buchanan, Corporate Officer

*Schedule 'A' – BOV 23-01 Mahal*



**Schedule 'B' – BOV-23-01 Mahal**

