

DISTRICT OF
OAK BAY

REPORT TO: Board of Variance

FROM: Graeme Buffett, Planner

DATE: November 25, 2020

RE: Board of Variance Application (BOV00013)
2617 Cadboro Bay Road
RS-5, One Family Residential Use Zone
Lot 2, Block 2, Section 61, Victoria District, Plan 379

SUMMARY

Variance(s) Requested

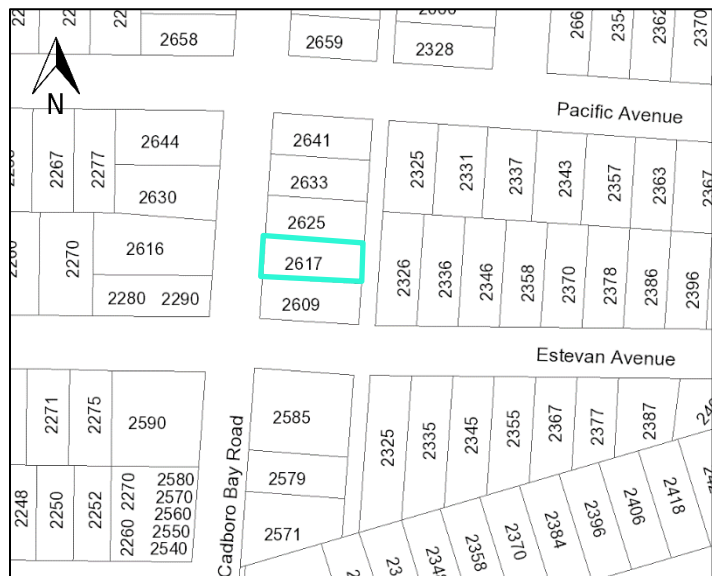
Vary the minimum rear lot line setback for an accessory building from the required minimum of 0.61 m (2.0 ft) to 0.15 m (0.5 ft) to accommodate the siting of an existing carport.

Stated Hardship – The applicant has indicated that relocating the carport would result in a hardship due to the heavy timber frame construction. Moving the structure is difficult and would result in the complete deconstruction and reconstruction of the building.

BACKGROUND

This is a Board of Variance application to permit a relaxation to the minimum rear lot line setback for an accessory building, a carport, by 0.46 m (1.5 ft). The proposal requires varying the provisions of the District of Oak Bay *Zoning Bylaw No. 3531*.

Construction began on the carport in 2018, through an active building permit, and works are now nearing completion. However, during construction a location certificate was required as part of the building permit; and the location plan indicates the carport was not sited as per the siting requirements of the *Zoning Bylaw*, in the rear yard of the subject property at 2617 Cadboro Bay Road.



The approximately 557 m² (6000 ft²) subject property is located north of the intersection of Cadboro Bay Road and Estevan Avenue. A single family dwelling occupies the site and is

surrounded by other single family homes. The carport is accessed via a laneway at the rear of the subject property.

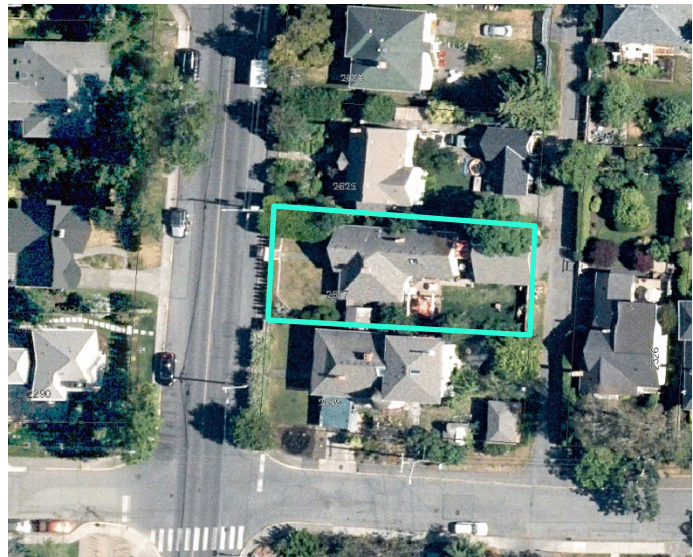
Variances Requested

Zoning Bylaw Section(s)	Permitted	Requested	Variance
6.5.4(2)(b) Minimum Setback Rear Lot Line	0.61 m (2 ft)	0.15 m (0.5 ft)	0.46 m (1.5 ft)

Note: Imperial measurements are approximate and provided for convenience only.


ANALYSIS

The home on the property was constructed in 1936. A permit was issued in 1974 to demolish a garage and replace it with a carport. In 2018, another building permit was issued to construct a new carport in the rear yard accessed via the laneway, replacing the previous carport. The proposed siting complied with all *Zoning Bylaw* requirements. As part of the standard process for construction, a location certificate was required as part of the framing inspection. The survey reported that the carport was sited 0.15 m (0.5 ft) from the rear lot line with an eave projecting beyond the property line into the laneway. The owner is required to remove the eave overhang where it encroaches beyond the property line. All other requirements of the *Zoning Bylaw* have been adhered to.



The applicant has indicated the intent was to build the carport as per the *Zoning Bylaw* requirements and that the error in siting was the result of a misinterpretation of where the rear lot line is located. The applicant also indicates hardship is due to the level of completion of the carport. In order to move the building, it would have to be completely deconstructed and rebuilt 0.46 m (1.5 ft) to the west.

Respectfully Submitted,



Graeme Buffett
Planner

cc: Deborah Jensen, Secretary, Board of Variance

TELFORD CARPORT
 VARIANCE APPLICATION
 2617 CADBORO BAY ROAD
 OAK BAY BC
 420 sq/ft 39 sq/m



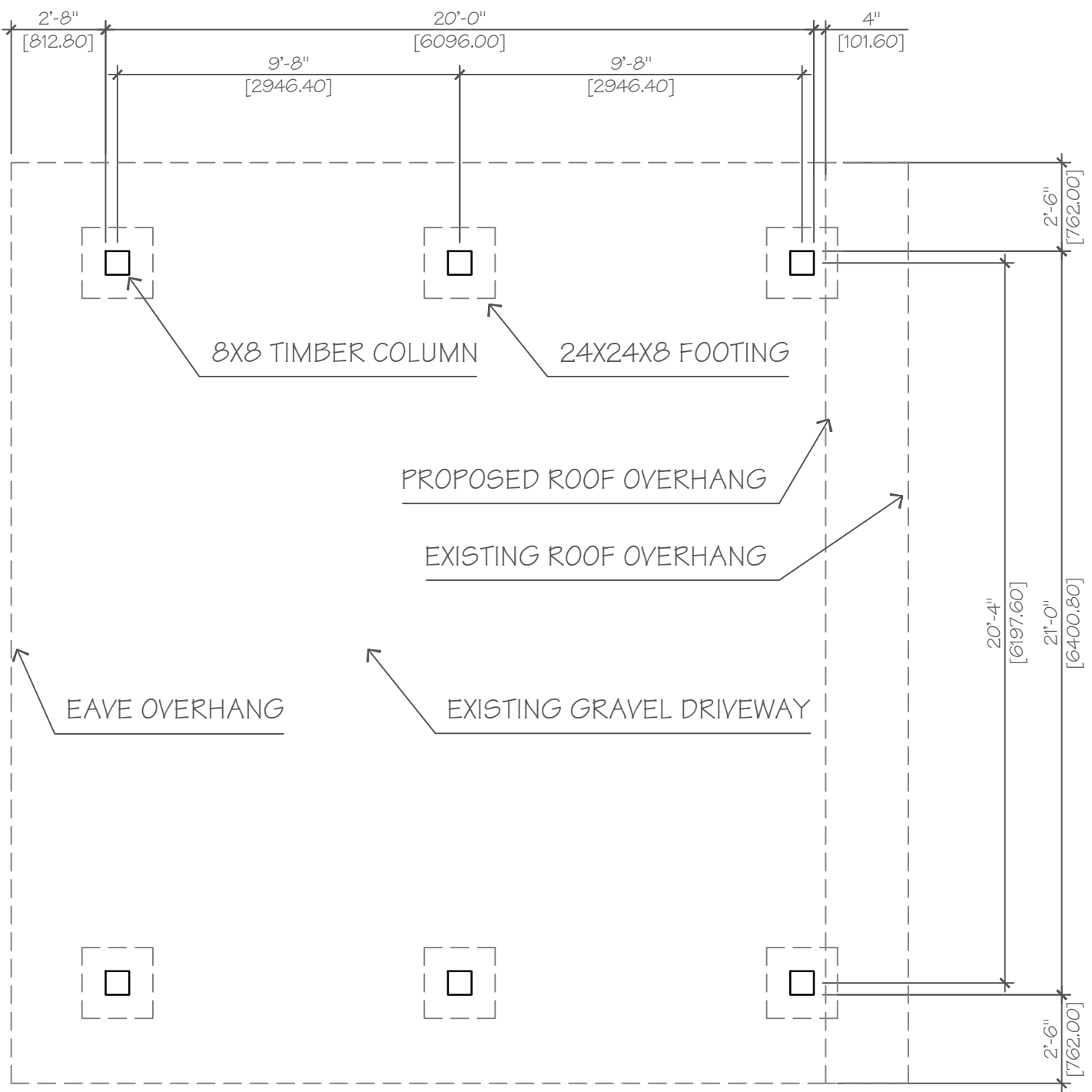
- A-0 - TITLE SHEET
- A-1 - FLOOR PLAN
- A-2 - NORTH / SOUTH ELEVATION
- A-3 - EAST / WEST ELEVATION
- A-4 - BUILDING SECTION
- A-5 - SITE PLAN
- A-6 - ENCROACHMENT DETAIL
- A-7 - EXISTING HOUSE PLAN
- A-8 - EXISTING HOUSE BASEMENT

PETER KNOWLES
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TELFORD CARPORT
 OAK BAY
 TITLE
 SCALE = NA

A-0
 DATE JUL 20, 2020

FOR PERMIT



NOTE:
 ALL FRAMING LUMBER IS GRADED ROUGH CUT
 GABLE END TIMBER BENTS ARE NON STRUCTURAL
 THERE IS NO ELECTRICAL WORK IN THIS PROJECT
 THERE IS NO PLUMBING WORK IN THIS PROJECT

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TELFORD CARPORT
 OAK BAY
 GROUND FLOOR PLAN
 SCALE = 1/50

A-1
 DATE JUL 20, 2020

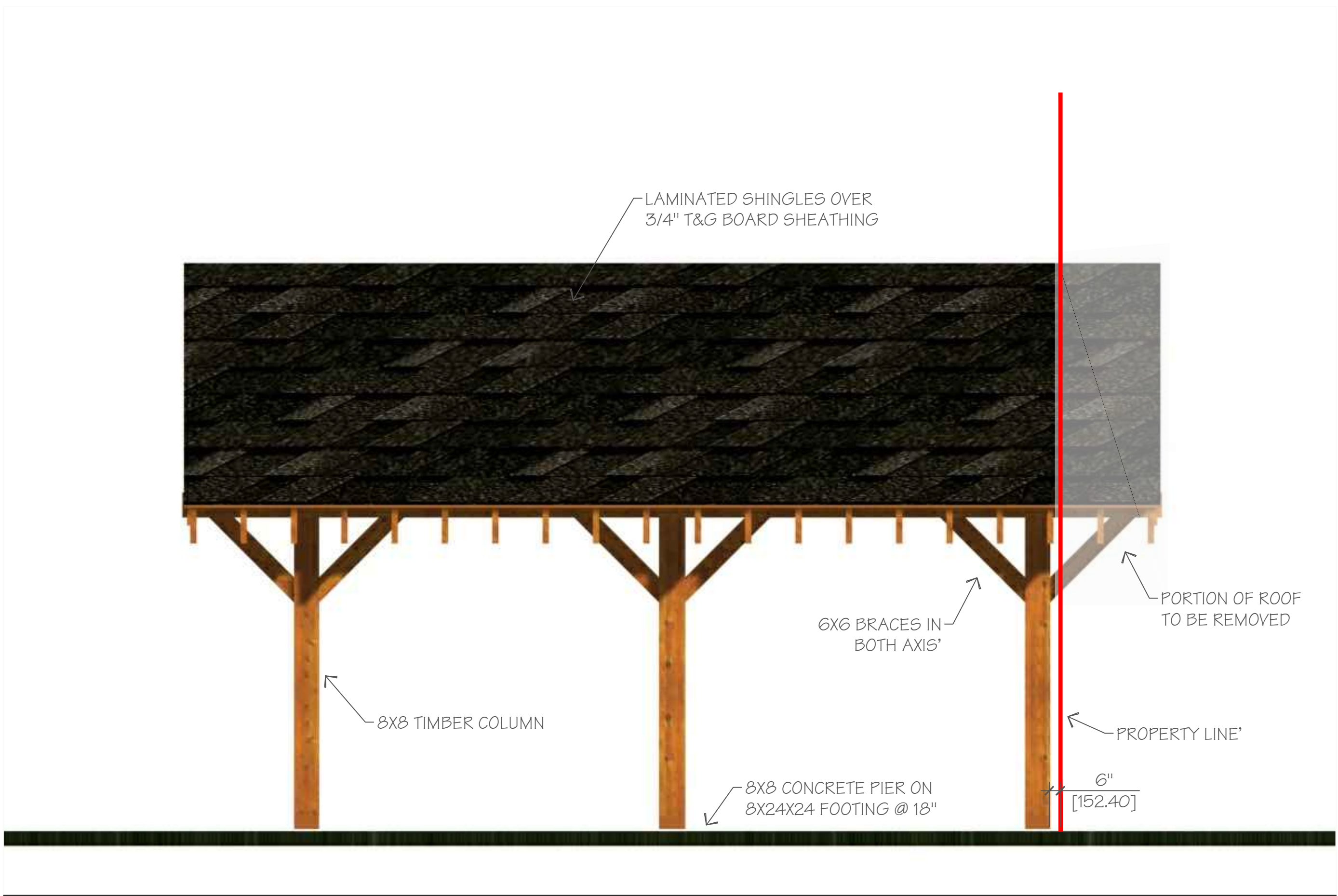
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TELFORD CARPORT
OAK BAY
NORTH / SOUTH ELEVATION
SCALE = 1/50

A-2
DATE JUL 20, 2020

FOR PERMIT

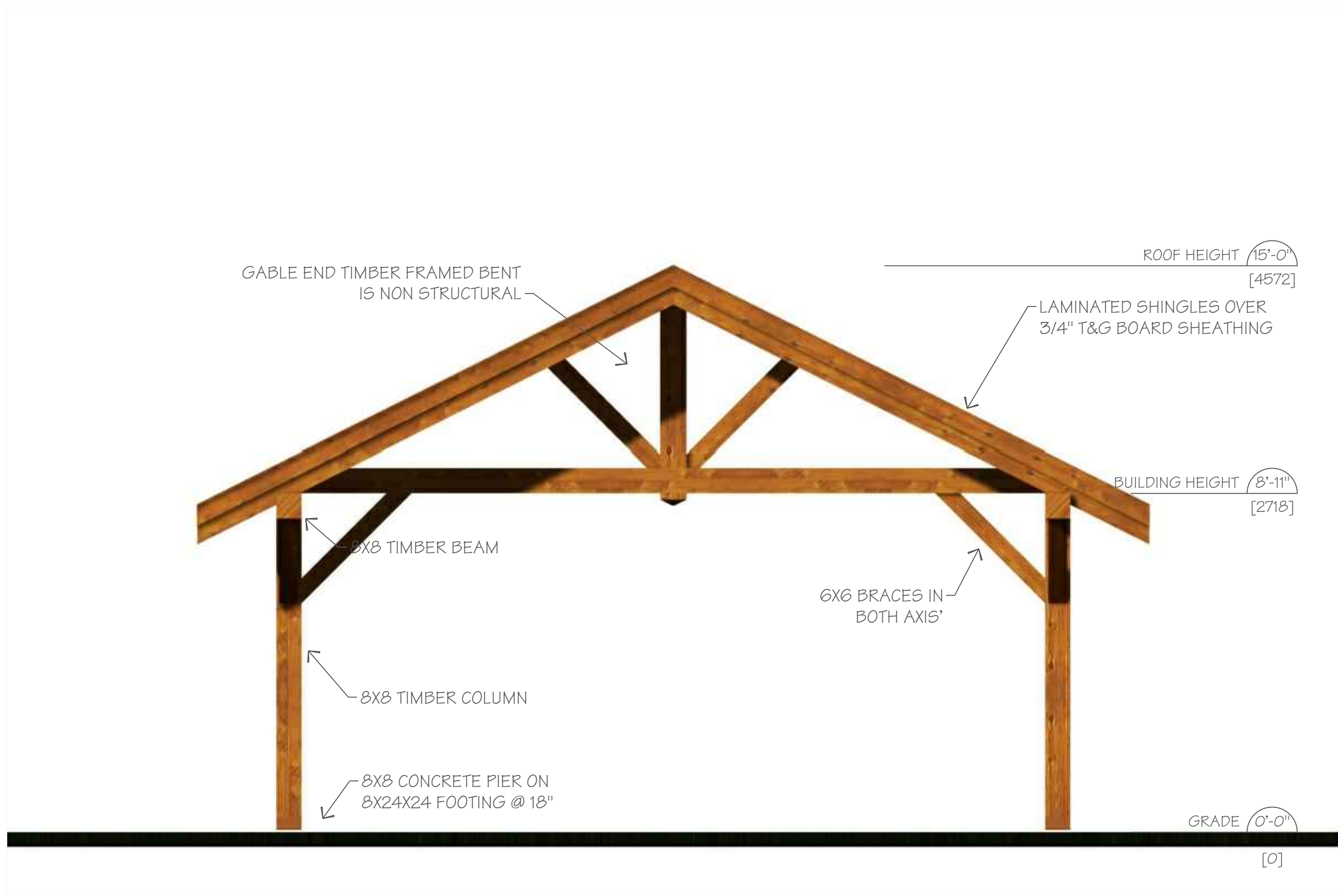


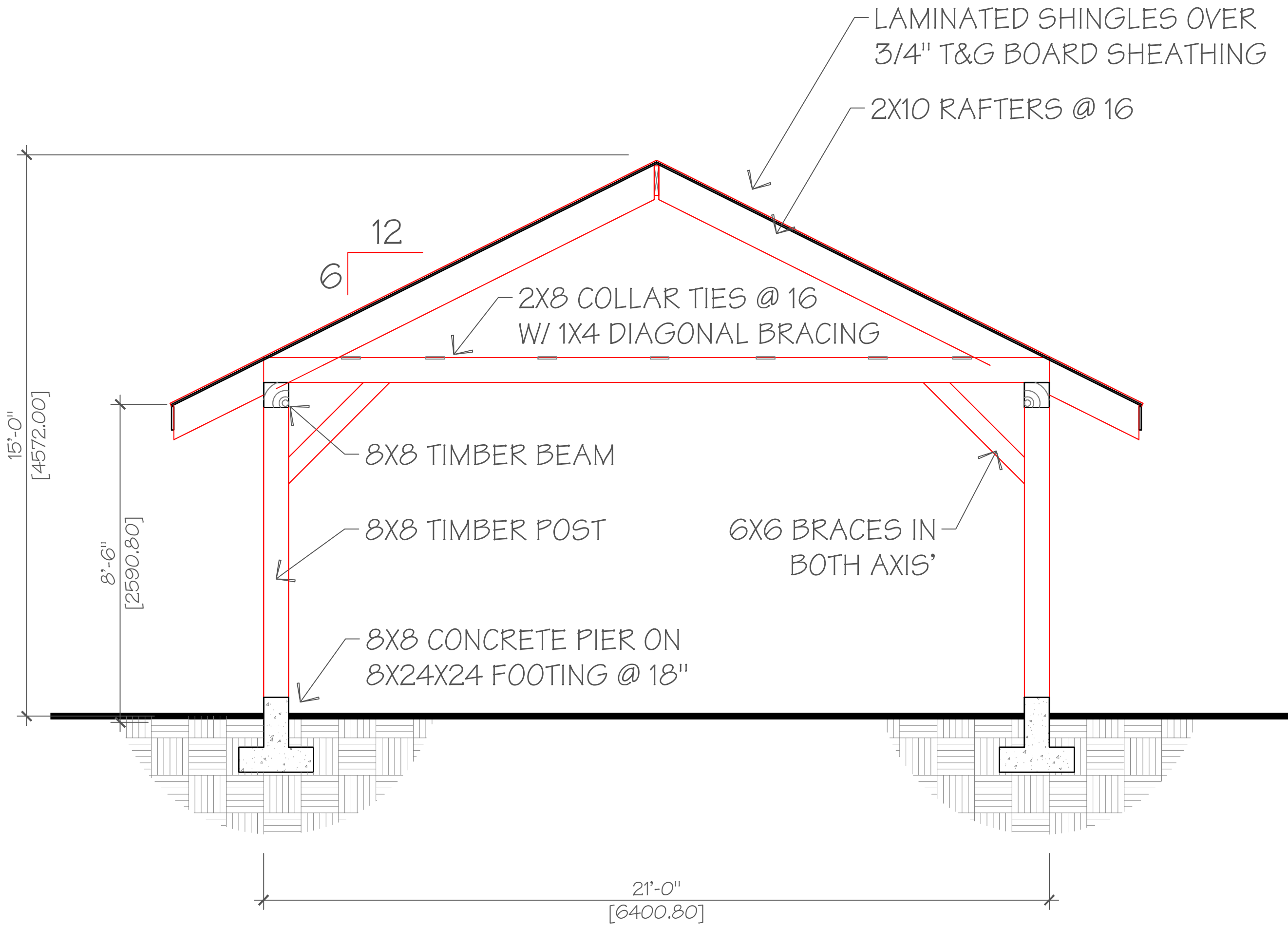
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TELFORD CARPORT
OAK BAY
EAST / WEST ELEVATION
SCALE = 1/50

A-3
DATE JUL 20, 2020

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TELFORD CARPORT
 OAK BAY
 BUILDING SECTION
 SCALE = 1/30

A-4
 DATE JUL 20, 2020

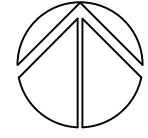
FOR PERMIT

Zoning analysis

Address 2617 Cadboro Bay Road
Legal description Lot 2, Block 2, Plan 379, PID 009103911

LOT INFORMATION	REQUIRED	EXISTING	PROPOSED
Zone	RS5		
Lot Area	558 sq/m	557.4 sq/m	N/A
Setbacks (carport)			
Front lot line	7.62 m	10.01 m	N/A
Interior side lot line	0.61 m	1.23 m	N/A
Total side lot lines	N/A		
Rear lot line	0.61 m	Exceeding	0.15 m
Between buildings	3.0 m	4.04 m	N/A
Heights (carport)			
Roof Height	4.6 m	4.57 m	N/A
Building height	3.0 m	2.7 m	N/A
Occupiable height	0.25 m	0.0 m	N/A
Gross Floor Area			
Existing house	110 sq/m	126 sq/m	N/A
Existing pergola	N/A	9 sq/m	N/A
Carport max 7%	39.0 sq/m	39.0 sq/m	N/A
Total lot max 35%	195 sq/m	174 sq/m	N/A

PROPOSED VARIANCES	Proposed	Variance Requested
Rear lot line	0.15 m	0.46 m



PLAN

EXISTING HOUSE
1360 sq/ft
126 sq/m

Maximum lot coverage summary.

This property is permitted 35% maximum lot coverage under Schedule B
Height regulations for single story buildings in RS-5
Under lot breadth 15240 to 18290

	Maximum	Existing
Roof height	5790	5588
Building height	3960	2743
Occupiable height	610	305

EAVE OVERHANG

NEW CARPORT
420 sq/ft
39 sq/m

EAVE AS BUILT

EAVE PROPOSED

TIMBER PERGOLA

EXISTING PLASTIC SHED
TO BE REMOVED

AREA CALCULATIONS

RS5 - SINGLE STORY ALLOWABLE COVERAGE 35%
LOT - 15190 x 36580 = 557.4 sq/m
EXISTING HOUSE = 126 sq/m
EXISTING PERGOLA = 9 sq/m
NEW CARPORT = 39 sq/m < 7%
TOTAL AREA = 174 sq/m, 194 ALLOWABLE

SETBACKS (carport)

FRONT = 99'-6" [30328]
SIDE (NORTH) = 4'-0" [1219]
SIDE (SOUTH) = 25'-0" [7620]
REAR = 6" [152] - EXCEEDING - 24" [610] ALLOWABLE
EXISTING BUILDING = 13'-8" [4165]

HEIGHTS (carport)

AVERAGE GRADE = -1" [-25]
BUILDING HEIGHT = 8'-11" [2717]
OCCUPIABLE HEIGHT = 0'-0" [0]
ROOF HEIGHT = 15'-0" [4572]

EXISTING HOUSE
1360 sq/ft
126 sq/m

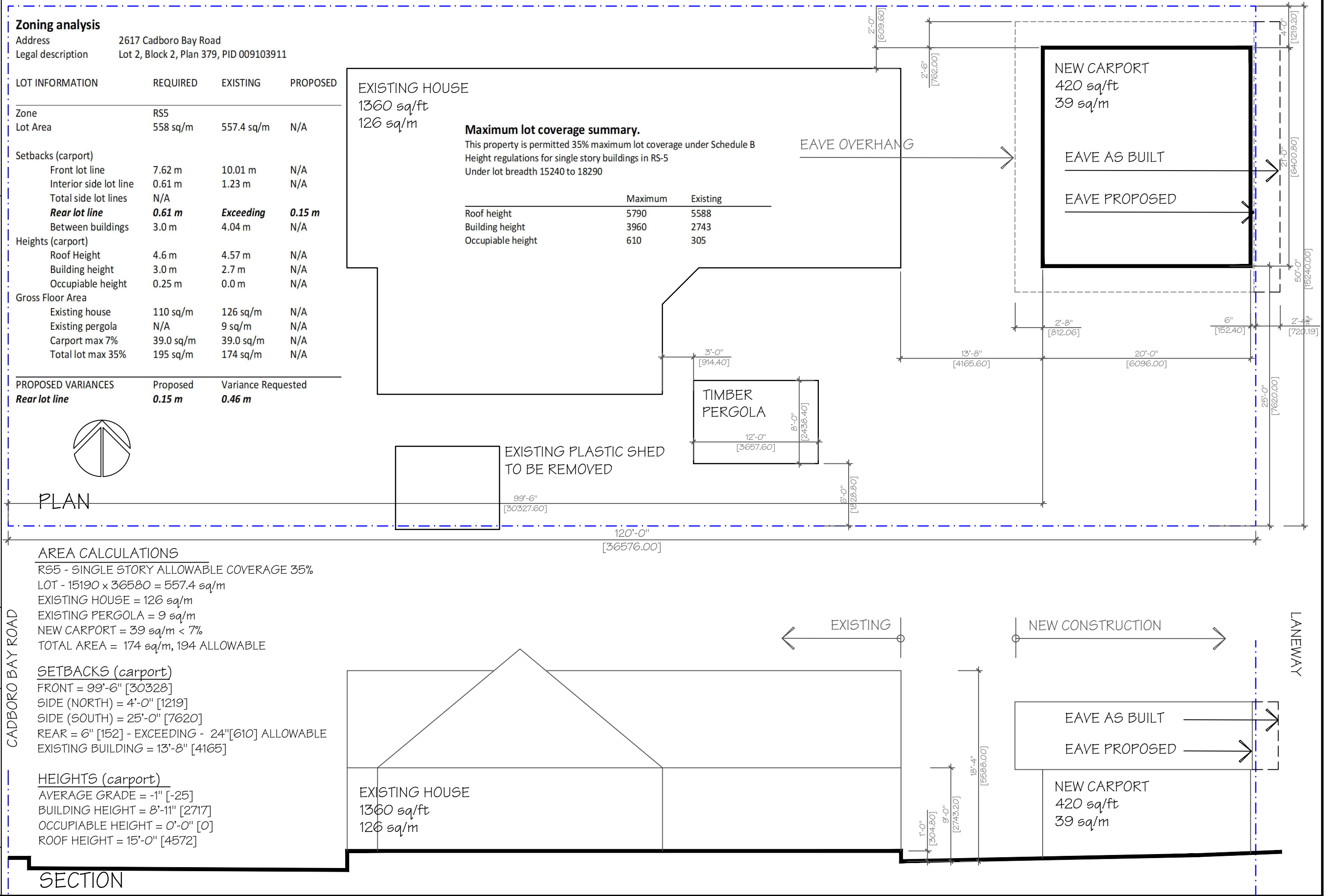
EAVE AS BUILT

EAVE PROPOSED

NEW CARPORT
420 sq/ft
39 sq/m

SECTION

LANEWAY

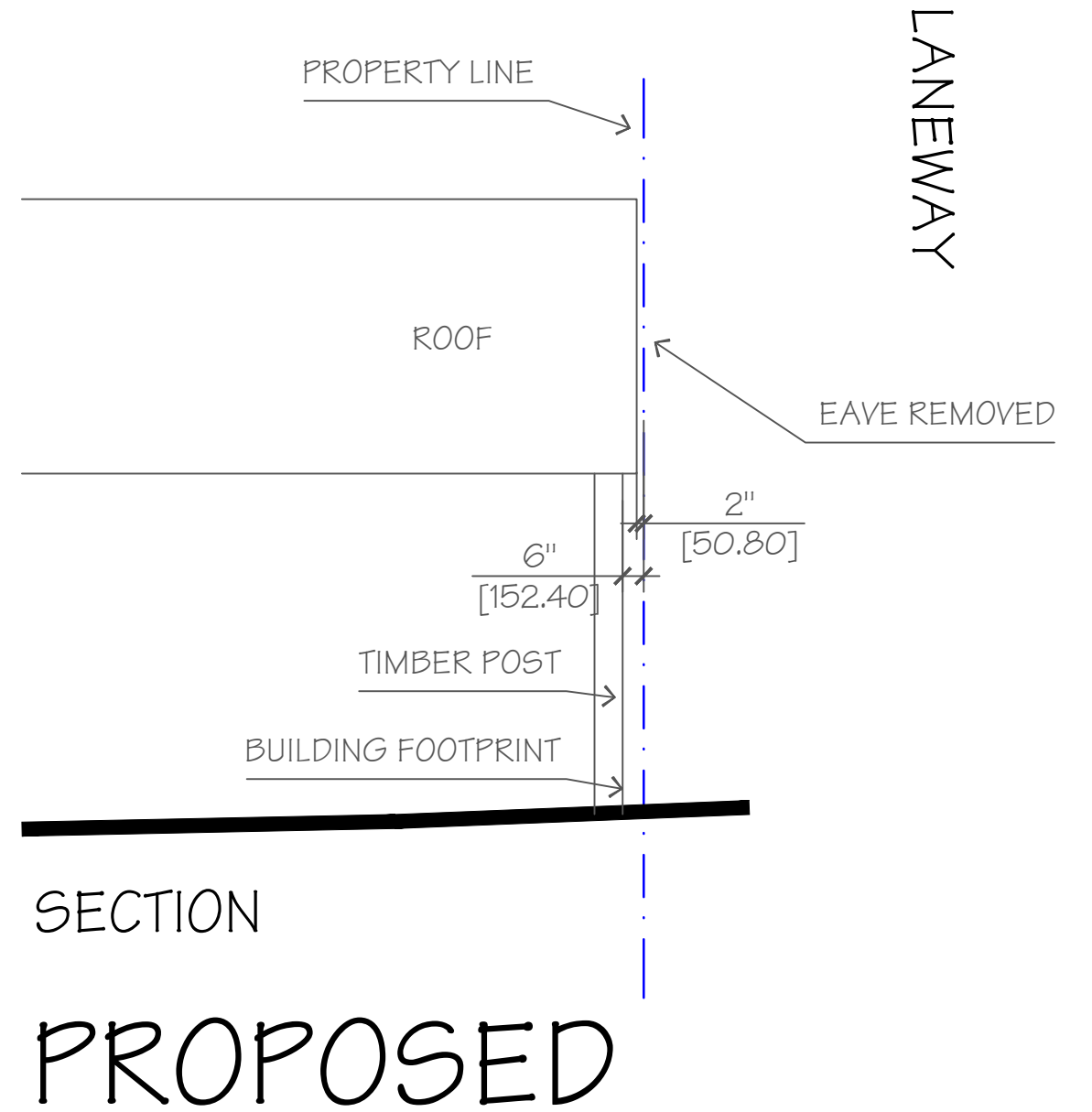
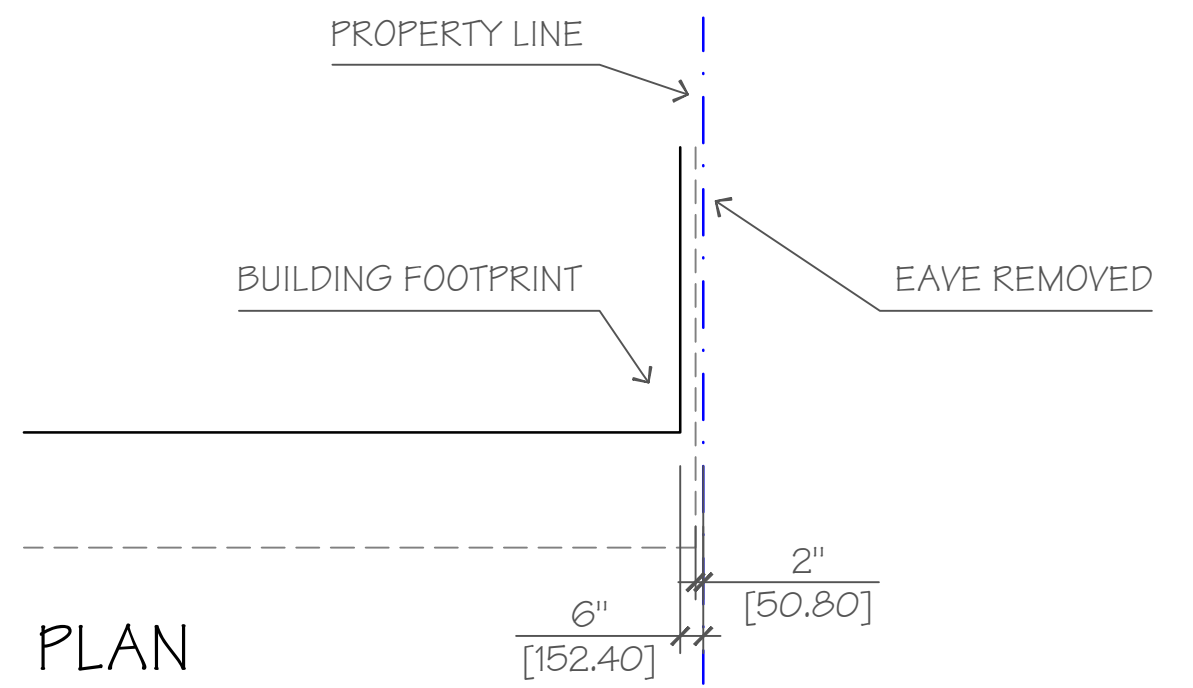
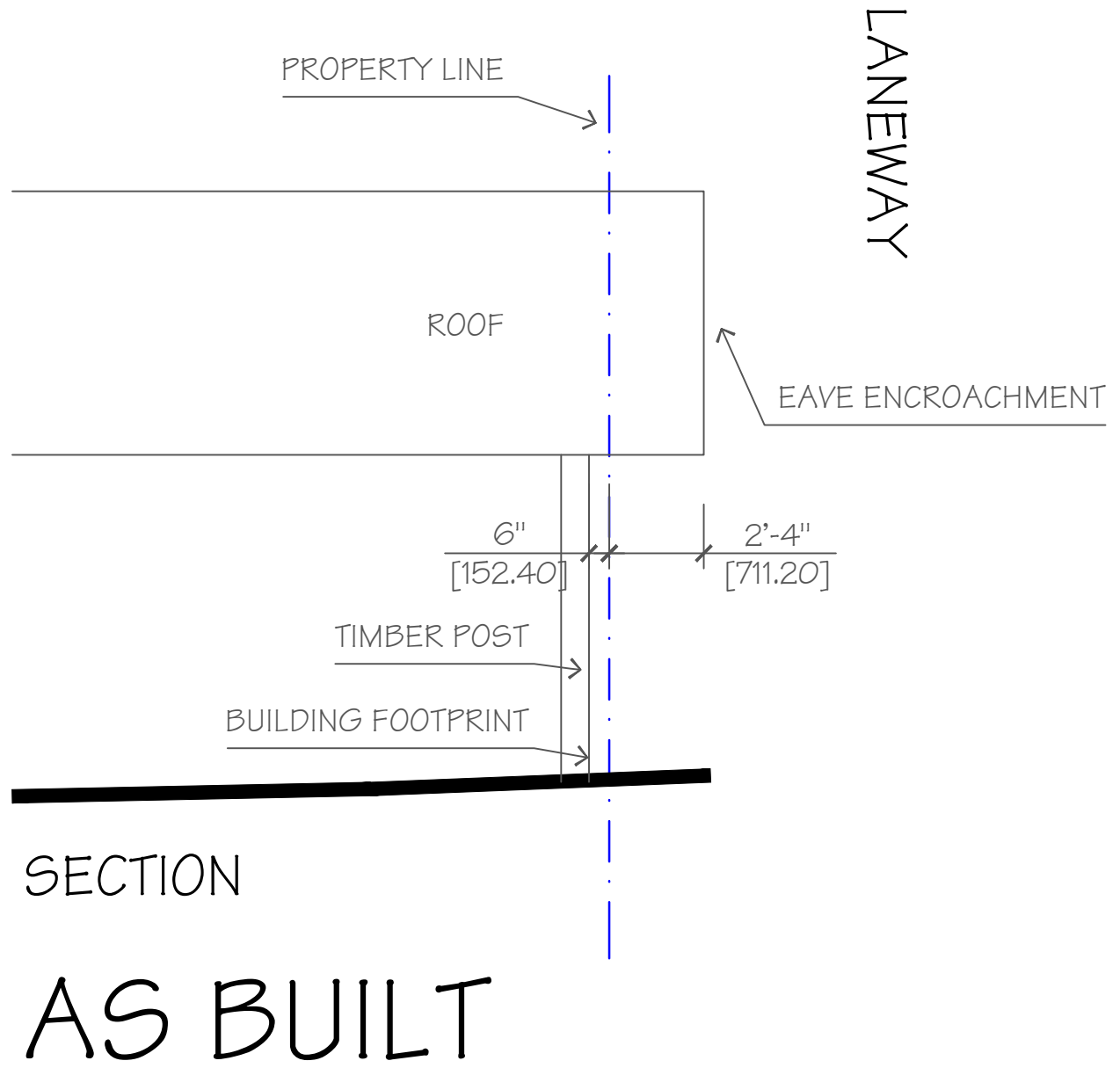
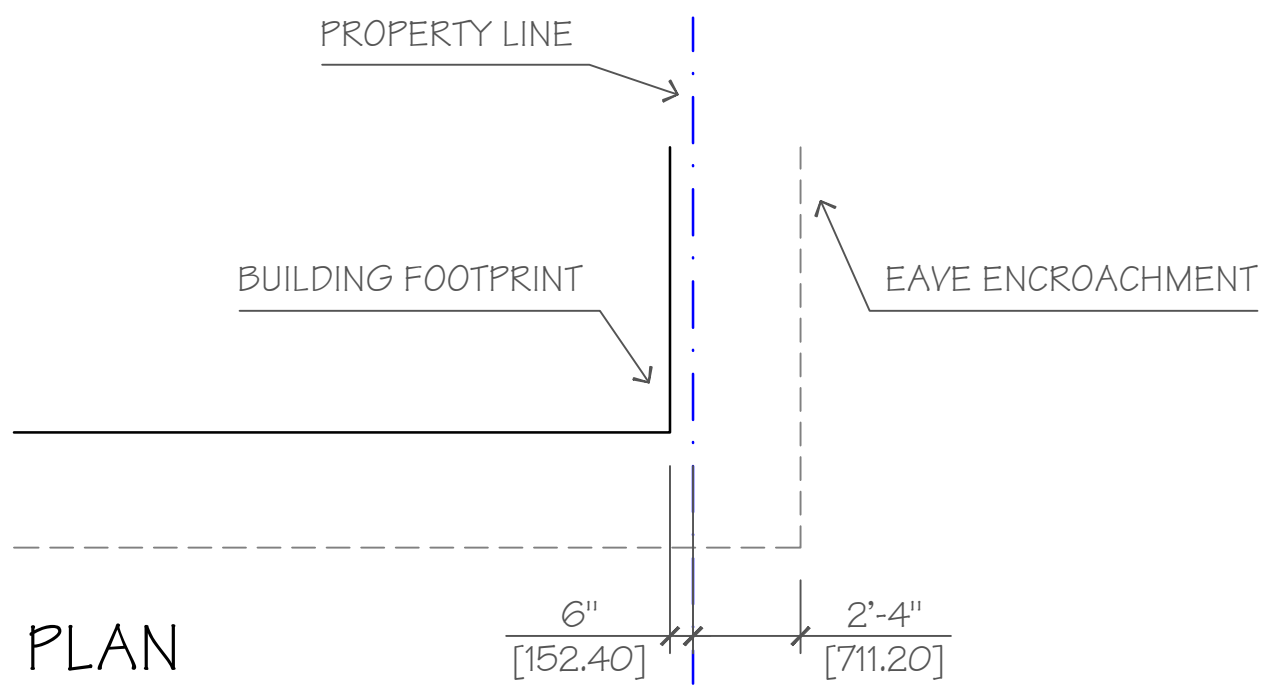


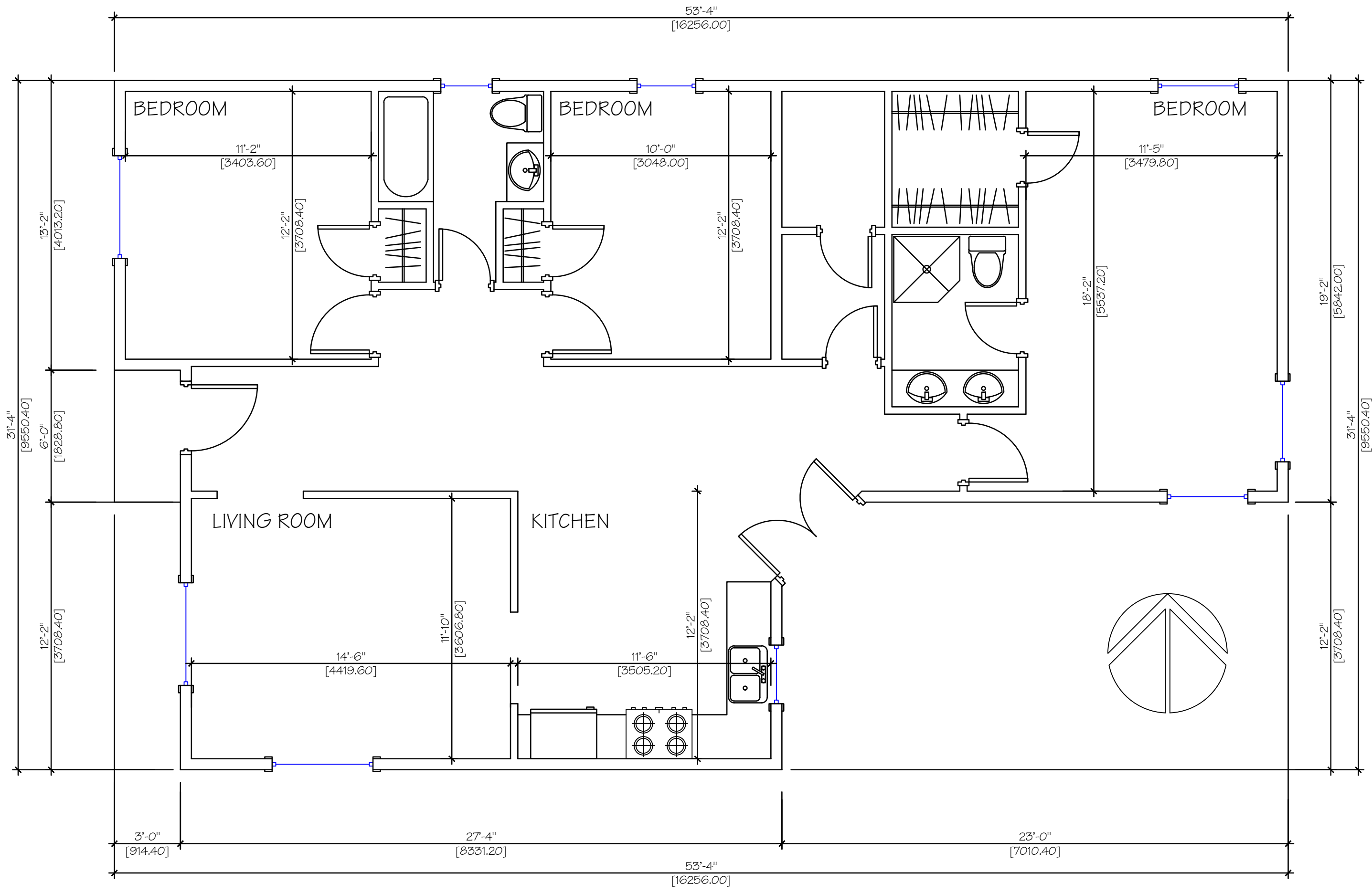
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TELFORD CARPORT
OAK BAY
ENCROACHMENT DETAIL
SCALE = 1/50

A-6
DATE JUL 20, 2020

FOR PERMIT





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TELFORD CARPORT
OAK BAY
EXISTING HOUSE BASEMENT PLAN

A-8

FOR PERMIT

SCALE = 1/50
DATE JUL 20, 2020

