

# Staff Report



**To:** Chief Administrative Officer

**From:** James van Hemert, Consulting Planner

**Date:** April 4, 2023

**Re:** ***Development Variance Permit*** to allow a garden suite in the front yard for property legally described as Lot 20, Section 6, Renfrew District, Plan 6253, with a street address of 74 Gordon Road.

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## Application Request

The Town is in receipt of an application for a Development Variance Permit to allow a garden suite in the front yard.

## Background

The subject property is zoned R-3. A garden suite is a permitted accessory use subject to the following Zoning Bylaw requirements:

### Section 5.1.9 Garden Suite Standards

- a. Maximum size is 40% of gross floor area of principal dwelling, or 60 square metres, whichever is less.
- b. Minimum size is 30 square metres.
- c. Maximum number of bedrooms is 2 (two).
- d. A Garden Suite shall be located in the rear yard of the principal dwelling.

Section 5.1.6 establishes minimum setbacks and maximum heights:

- Maximum height of 7.5 metres
- Minimum front setback of 7.5 metres

The applicant seeks a variance to permit a Garden Suite in the ***front yard*** rather than in the rear yard.

No other variances to the standards are requested.

## Discussion

The existing development of the subject property is oriented toward the Cowichan River: the principal dwelling is at the rear of the property and the garage is in the front yard, immediately adjacent to Gordon Road.

The standards developed for Garden Suites were based on the typical configuration of a principal dwelling situated in the front of the lot, and a rear yard with room for an accessory building.

It is reasonable that the development configuration be reversed in this case and a Garden Suite be constructed in the largely undeveloped front yard.

The application notes the intent to remove the existing garage, which is encroaching in the front yard.

## Recommended Council Resolution

- I. A Development Variance Permit is granted to vary the standard requiring a Garden Suite be located in the **rear yard**, pursuant to Section 5.1.9 d. of the Zoning Bylaw, by permitting a Garden Suite be located in the **front yard** of the parcel legally described as Lot 20, Section 6, Renfrew District, Plan 6253, with a street address of 74 Gordon Road.



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James van Hemert, MCIP, RPP, Consulting Planner