



VILLAGE OF LYTTON

Date: October 24, 2014

To: Mayor and Council

From: Chief Administrative Officer

Re: Extension of Display Lean-to at Museum

Lytton Museum is requesting permission to extend the "lean-to" at the rear of the property. A building permit will be applied for and the technical requirements (such as fire-proofing) will be dealt with by the Building Inspector. However, the proposal also involves violations of the Zoning Bylaw, as follows.

Floor Area:

The floor area requirements for accessory buildings is set out in the attached. The total floor area of the *current* accessory buildings *already exceeds* the permitted maximums, i.e. their combined floor area exceeds both 10% of the parcel area and 50% of the principal building area. Therefore, an extension would be a violation of the Zoning Bylaw.

Setbacks:

The required setbacks is 1.5 m (see attached). The proposed extension would not meet this minimum on either the rear or side yards, therefore the extension would be a violation for this reason as well.

DEVELOPMENT VARIANCE PERMIT:

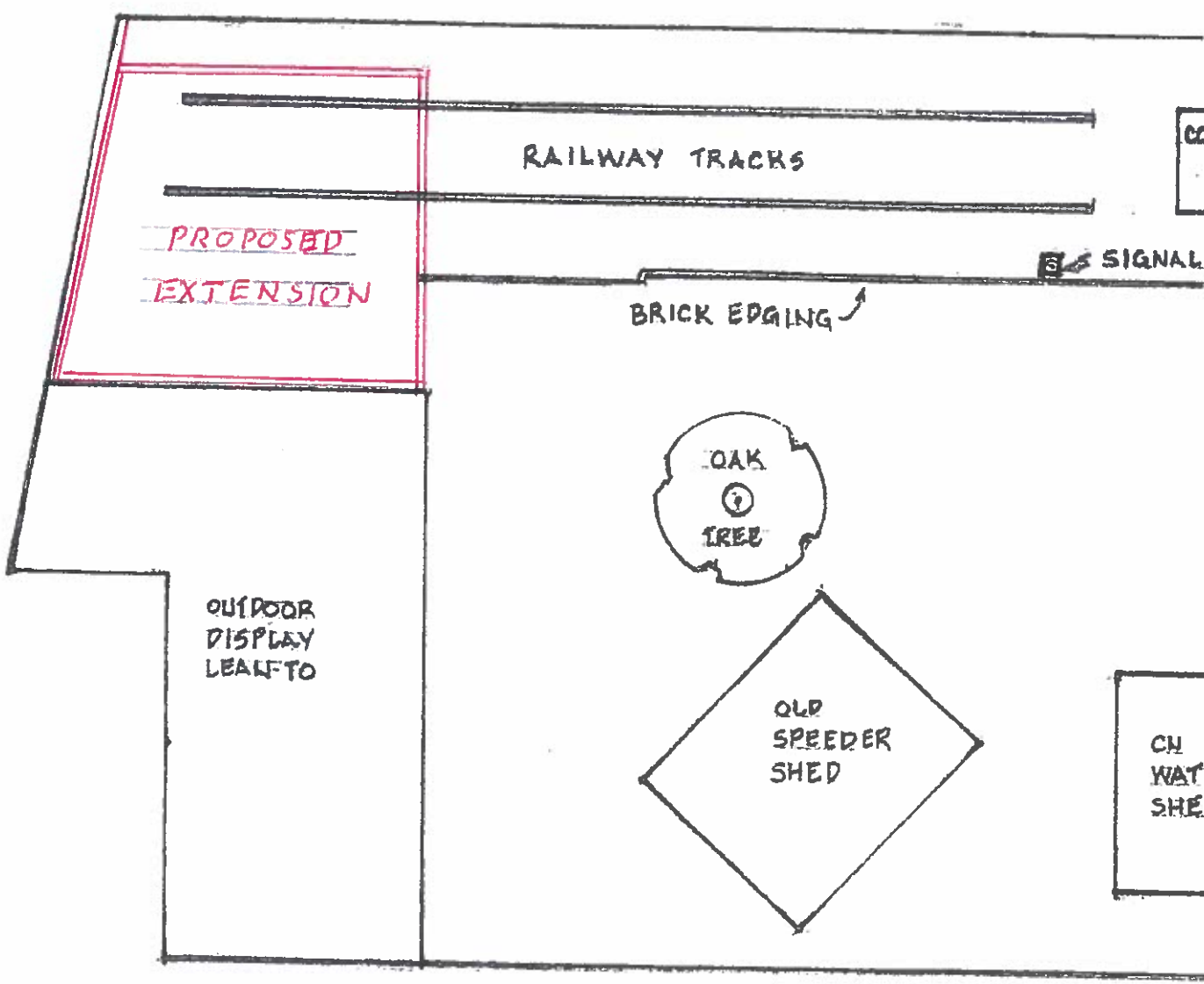
In these circumstances, the *Local Government Act* gives Council the authority to relax the requirements of the Zoning Bylaw to allow the construction with the issuance of a Development Variance Permit (DVP). However, before doing so a notice must be sent out to all properties affected (in this case, CN and the neighbour to the north). If Council is willing to consider issuing a DVP then staff will send out a notice and the matter can be returned to the next Council.

Recommendation:

That staff be directed to send out notices of a DVP in relation to the proposed Lytton Museum lean-to extension.

A handwritten signature in black ink, appearing to read "Mark Anthony Brennan".

Mark Anthony Brennan
Chief Administrative Officer



RAILWAY TRACKS

PROPOSED
EXTENSION

BRICK EDGING ↗

SIGNAL

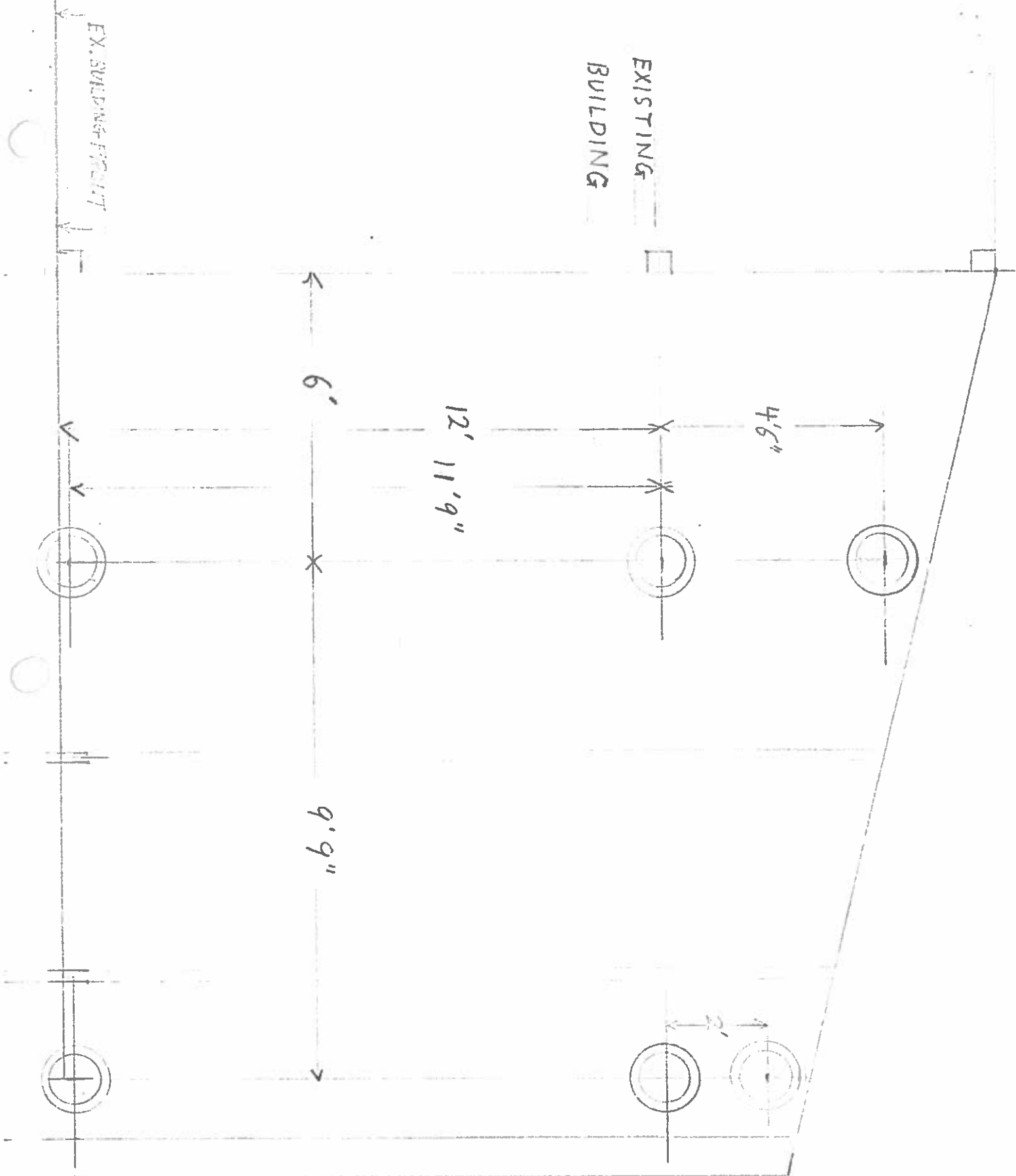
OAK
TREE

OUTDOOR
DISPLAY
LEAN-TO

OLD
SPEEDER
SHED

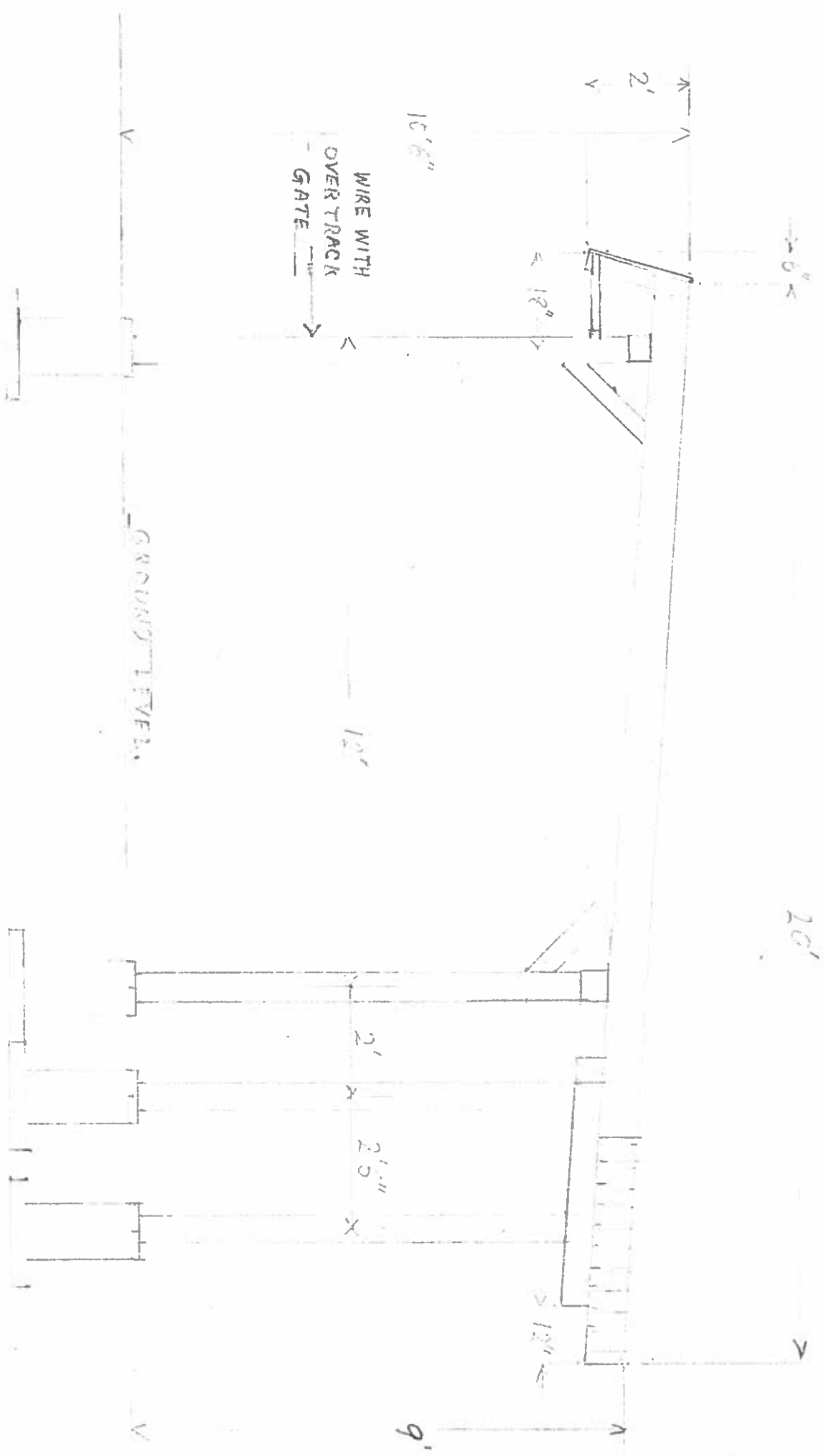
CN
WATER
SHED

EXISTING BUILDING



PROPERTY LINE

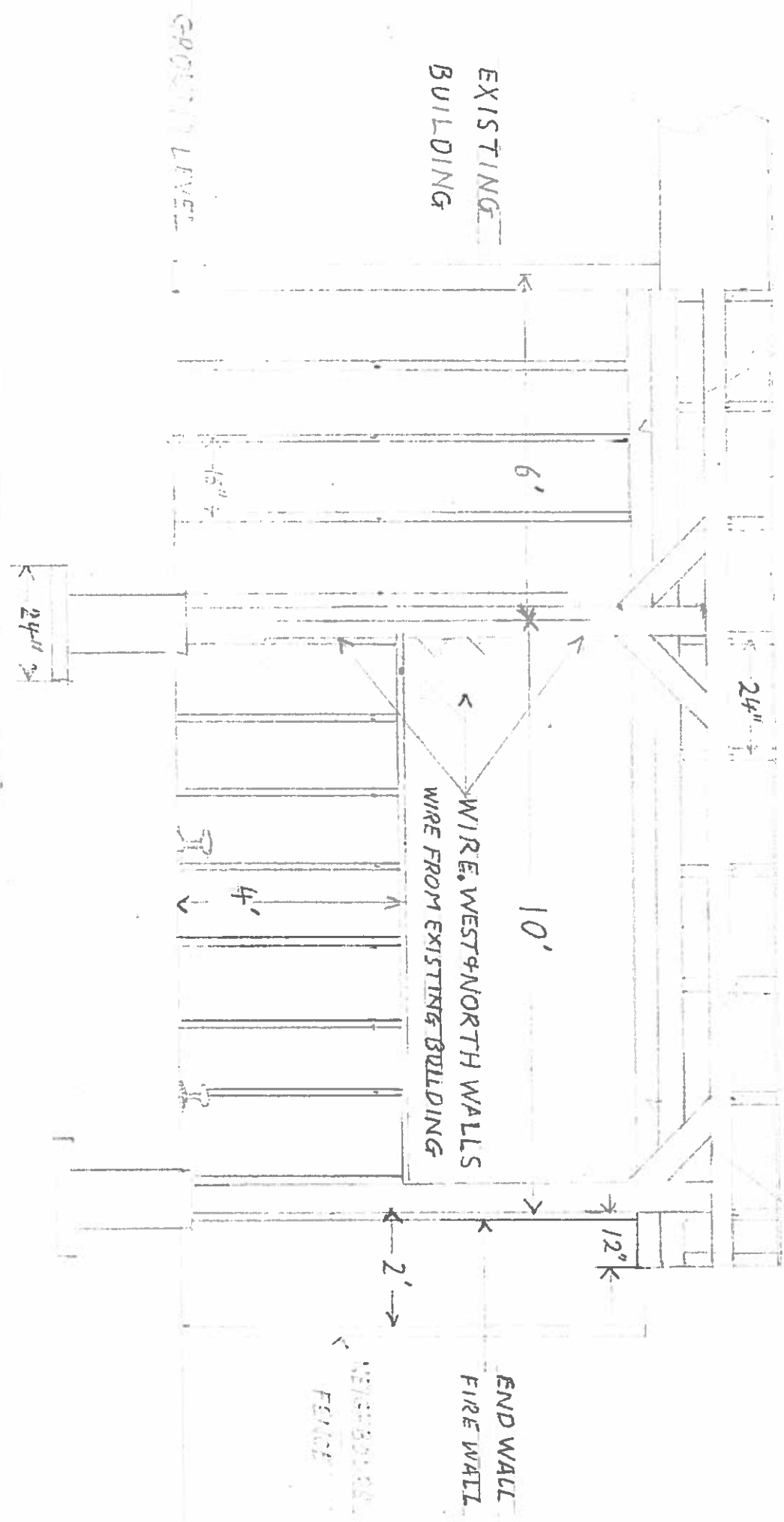
EX. BUILDING FOOTPRINT



END VIEW/ LOOKING SOUTH

MANSARD ROOF OMITTED

THIS REAR BEAM TO BE SLOPED TO ACCOMMODATE WEST TRUNCATED WALL



EXISTING BUILDING

GROUND LEVEL

WIRE WEST & NORTH WALLS
WIRE FROM EXISTING BUILDING

END WALL
FIRE WALL

FENCE

FRONT VIEW LOOKING WEST

SECTION 3 – GENERAL REGULATIONS

Applicability

- 3.1 Section Three applies to all *zones* established under this bylaw, except as otherwise specifically stated in this Bylaw.

Uses Permitted in All Zones.

- 3.2 Parks, *public services* and *public use* are permitted in all *zones*.

Number of Principal Buildings on a Parcel

- 3.3 Not more than one (1) *principal building* shall be permitted on any parcel.

Minimum Parcel Size and Minimum Parcel Width Exceptions.

- 3.4 The minimum parcel size and parcel width regulations for new subdivisions do not apply to parks, *public service* or *public use*.

Secondary Suites

- 3.5 No *dwelling unit* shall be permitted as a *secondary suite* unless it conforms to the following requirements:
1. there is only (one) 1 *secondary suite* per *dwelling unit*;
 2. the *secondary suite* is constructed in accordance with the applicable Building Code regulations and has been approved by a *building inspector*;
 3. a separate outside entrance to the *secondary suite* is provided; and
 4. one (1) additional *off-street parking space* is provided on the parcel.

Accessory Building

- 3.6 No *accessory building* or *structure* shall be erected on any parcel unless the *principal building* has been erected or will be erected simultaneously with the *accessory building* or *structure*.
- * 3.7 *Accessory buildings* shall not have a total *floor area* greater than ten (10) percent of the parcel or fifty (50d) percent of the total *floor area* of a *principal building* whichever is less.
- 3.8 No *accessory building* or *structure* shall be closer than one point eight (1.8) metres to the *principal building*, measured from the furthest projection of either *building*.

- 3.9 No *accessory building* or *structure* shall be located closer to the *front parcel line* than the *principal building*.

Fences

- 3.10 Fences shall be permitted in accordance with the following conditions:
1. The *fence* is located within *parcel lines*.
 2. Subject to sections 3.19 and 3.20, the maximum *height* of the *fence* shall be:
 - (a) one point eight (1.8) metres on *rear* and *interior* side *parcel lines*;
 - (b) one point three (1.3) metre on the *front* and *exterior* side *parcel lines*.

Height Exceptions

- 3.11 Any of the following may exceed the *height* limitations specific for each *zone* of this bylaw, provided that no such *structure* shall cover more than twenty (20) percent of the parcel, or if located on a *building*, no more than (10) percent of the roof area of the *principal building*:
1. dome, cupola;
 2. monument;
 3. chimney;
 4. sire, steeple, belfry;
 5. radio and television tower or antenna;
 6. pole, flood light;
 7. silo;
 8. transmission tower;
 9. hose and fire alarm tower;
 10. mechanical appurtenance on roof tops.

Home Business

- 3.12 Where expressly permitted within a *Zone*, *home business* shall comply with the following conditions:
1. The minimum *floor area* requirement for the *dwelling unit* shall not be affected.
 2. There shall be no structural alterations to the *dwelling* that would indicate that it is being used for any purpose other than a residential *use*.
 3. The *home business* shall be carried out wholly within a *swelling* or an *accessory building*.
 4. No outside storage of material or equipment shall be permitted.

SECTION 13 - P1 PUBLIC

Residential

13.1 The following *uses* and no others shall be permitted in the P1 Zone:

Principle Uses

1. *animal pound;*
2. *cemetery;*
3. *church;*
4. *daycare facility;*
5. *emergency services;*
6. *firehall;*
7. *government building;*
8. *hospital, health centre or clinic;*
9. *outdoor recreation facility;*
10. *parks;*
11. *police station;*
12. *public assembly;*
13. *post office;*
14. *public service;*
15. *public use;*
16. *public utility;*
17. *school and associated playgrounds and playing fields;*
18. *tourist information centre.*

Accessory Uses

19. *accessory buildings or structures.*

Regulations

13.2 On a parcel located in an area *zoned* as P1, no *building* or *structure* shall be constructed, located or altered and no plan of subdivision shall be approved which contravenes the regulations set out in the table below in which Column I sets out the matter to be regulated and Column II sets out the regulations.

COLUMN I Matter to be Regulated	COLUMN II Regulations
1. Minimum <i>Parcel Area</i> > Served by <i>community sewer system</i> ; > Not served by <i>community sewer system</i> .	205 m ² 4000 m ²
2. Maximum <i>Height of Buildings</i>	12 m
3. Minimum <i>Building Setback</i>	1.5 m



Other Regulations

- 13.3 Any *use* which is not contained within a *building* or *structure* or screened by a *fence* or other method shall not be conducted within twenty (20) metres from any *parcel line*.
- 13.4 Where a parcel is used for the purpose permitted, it shall be kept in its natural state except for *buildings* and *structures* or site modifications such as earthworks that are necessary for that *use*.