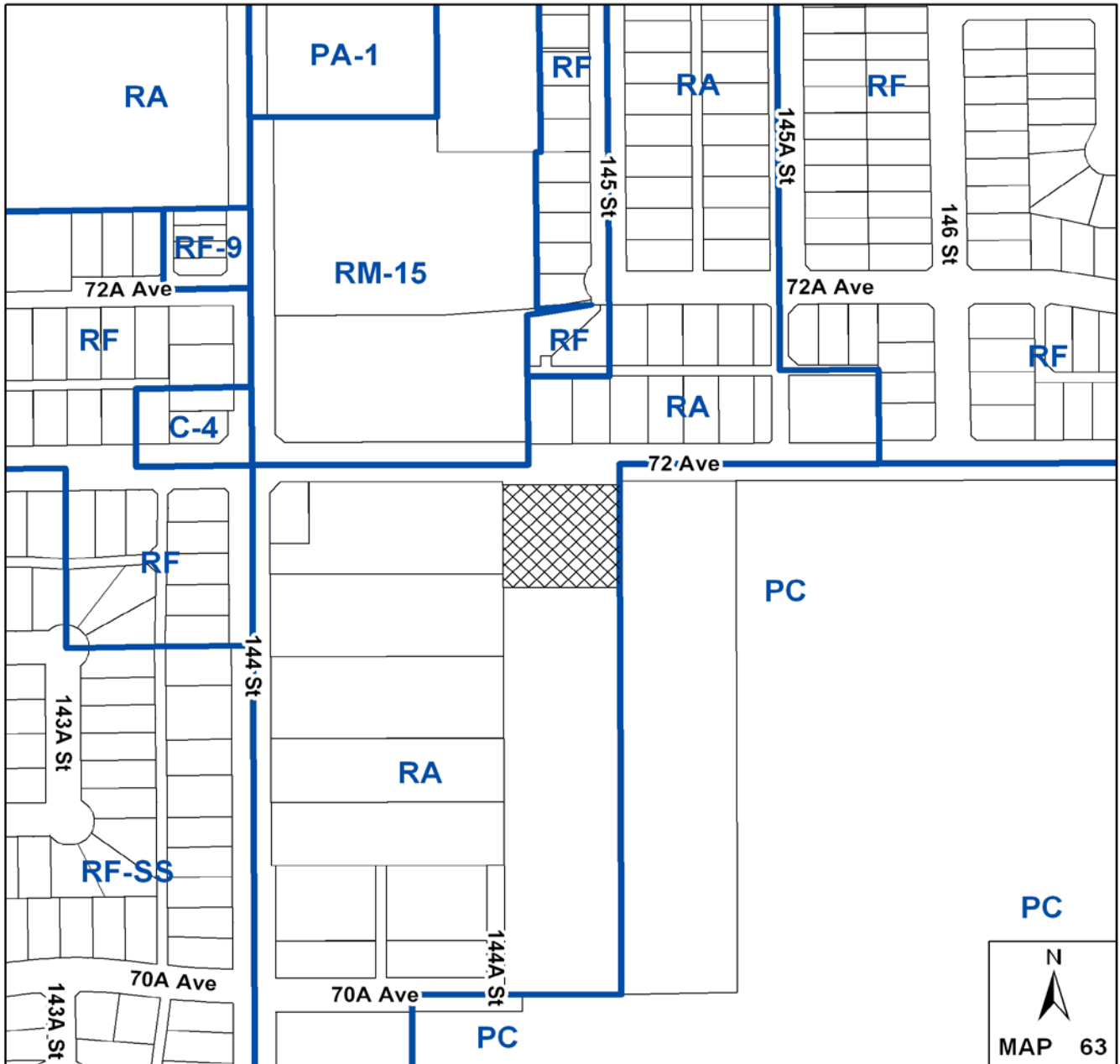


Proposal: DVP to permit stairs, access ramp and guardrail within the front yard; vary the side (west) yard setback and height for the existing dwelling, and the required landscaping strip along the east property line.

Recommendation: Approval to Proceed

Location: 14474 - 72 Avenue **Zoning:** RA
OCP Designation: Urban
NCP Designation: Townhouse (max. 15 upa) **Owner:** The Pentecostal Assemblies of Canada



PROJECT TIMELINE

Application Submission Date: April 10, 2006
Planning Report Date: April 24, 2006

PROPOSAL

The applicant is proposing:

- A Development Variance Permit to vary the following Zoning By-law regulations:
 - To vary the height of stairs encroaching on a required setback from a maximum of three (3) risers to a maximum of eight (8) risers;
 - To vary the height of a structure permitted to encroach into the front yard from a maximum of 0.6 metres (2 ft.) to a maximum of 1.2 metres (4 ft.) for an access ramp, and an additional 1.1 metre (3.7 ft.) for a guardrail;
 - To reduce the minimum side (west) yard setback from 7.6 metres (25 ft.) to 5.6 metres (18 ft.) to accommodate the siting of the existing dwelling;
 - To vary the maximum height of accessory buildings and structures of the PA-1 Zone for the existing house, from 4 metres (13 ft.) to an absolute height of 6.7 metres (22 ft.); and
 - To reduce the minimum width of the required landscaping strip of the PA-1 Zone, along the east property line, from 3 metres (10 ft.) to a minimum of 0.9 metres (3 ft.).

in order to permit the development of a 250 seat church.

RECOMMENDATION

The Planning & Development Department recommends that:

1. Council approve Development Variance Permit No. 7901-0337-01 (Appendix III), varying the following, to proceed to Public Notification:
 - (a) increase the allowable height of stairs permitted to encroach into the setback area from a maximum of three (3) risers to a maximum of eight (8) risers;
 - (b) increase the height of a structure permitted to encroach into the front yard setback area from a maximum of 0.6 metres (2 ft.) to a maximum of 1.2 metres (4 ft.) for an access ramp, and an additional 1.1 metres (3.7 ft.) for a guardrail;
 - (c) reduce the minimum side (west) yard setback from 7.6 metres (25 ft.) to 5.6 metres (18 ft.) to allow the siting of the existing house;

- (d) to increase the allowable height of accessory buildings and structures from 4 metres (13 ft.) to an absolute maximum height of 6.7 metres (22 ft.) to allow for the height of the existing house; and
- (e) to reduce the minimum width of the required landscaping strip of the PA-1 Zone, along the east property line, from 3 metres (10 ft.) to a minimum of 0.9 metres (3 ft.).

REFERRALS

Engineering: The Engineering Department has no concerns with the proposed Development Variance Permit.

SITE CHARACTERISTICS

- **Existing Land Use** Single family dwelling.
- **Significant Site Attributes** none. There are no trees on the property
- **East:** Existing Valley View Memorial Gardens Cemetery, zoned PC, designated "Urban" in the Official Community Plan (OCP).
- **South:** Vacant parcel, zoned RA, designated "Townhouses (maximum 15 upa)" in the East Newton South Neighbourhood Concept Plan (NCP) and "Urban" in the OCP.
- **West:** Single family dwelling on acreage lot, zoned RA, designated "Townhouse (maximum 15 upa)" in the East Newton South NCP, and "Urban" in the OCP.
- **North:** Single family dwellings on acreage lots, zoned RA, designated "Existing Urban Residential" in the East Newton South NCP, and "Urban" in the OCP.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

NCP Designation: Does not comply, however, upon final adoption of the rezoning by-law for this development, the East Newton South NCP will be amended from Townhouses (maximum 15 upa) to Institutional for the subject site.

DEVELOPMENT CONSIDERATIONS

Original Development Variance Permit (7901-0337-00)

- The original Development Variance Permit (DVP) was approved as part of application No. 7901-0337-00 which included an amendment the East Newton South Neighborhood Concept Plan (NCP) from Townhouses (15 upa maximum) to Institutional, and the rezoning of the subject property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Assembly Hall 1 Zone (PA-1)" (By-law No. 12000) in order to permit the development of a 250-seat church (Appendix III).
- The approved DVP included variances to permit stairs, an access ramp and balcony within the front yard setback, and to vary the west side yard setback, the height of the existing house and the landscaping requirements along the east property line (Appendix III).
- The DVP proceeded to public notification and was approved when the application received third reading on April 28, 2003. However, the DVP expired two years later (April 2005) before the application was complete. Therefore the applicant is required to apply for a new DVP.

New Development Variance Permit (7901-0337-01)

- The applicant has completed all requirements for final approval of rezoning as outlined in the original planning (7901-0337-00) report dated April 14, 2003. As a result, the Rezoning By-law for Project No. 7901-0337-00 is being brought forward for Council's consideration of final adoption on April 24, 2006.
- At the same time, the applicant has submitted a new DVP application (No. 7901-0337-01). The requested variances are essentially the same as those approved in the original DVP (No. 7901-0337-00) except for minor adjustments, as follows:

1. Height of Stairs in Front Yard

The applicant requests that the height of stairs encroaching in the front yard setback area be increased to permit eight (8) risers, not six (6) risers as approved in the original DVP (No. 7901-0337-00). The reason for this change is that the applicant has raised the main floor elevation slightly in order to reduce the amount of excavation required, and allow more natural light into the basement. However, the floor to ceiling separation is proposed to be reduced to maintain the identical maximum building height previously approved. The new main floor elevation necessitates additional risers to match the height of the proposed access ramp which was relocated to the west side of the building in response to the City's request.

2. Height of Structures in Front Yard

The applicant has chosen to remove the balcony that was originally proposed within the front yard setback. As a result, the requested variance has been reduced from 4.92 metres (16 ft.) to 1.2 metres (4 ft.) to permit an access ramp and an additional 1.1 metres (3.7 ft.) for a guardrail in the front yard setback. The access ramp and guardrail were approved in the original DVP and have not been altered. With the removal of the balcony, the front yard setback relaxation now only reflects the encroachment of the access ramp and guardrail.

BY-LAW VARIANCES AND JUSTIFICATION

(a) Requested Variance:

- To vary the height of stairs from three (3) to a maximum of eight (8) risers to permit stairs for the front entrance of the church to encroach into the front (north) yard setback area.

Applicant's Reasons:

- The stairs are required to provide access into the church and will be a maximum 1.2 metres (4 ft.) above finished grade.

Staff Comments:

- This is not a significant variance, as the overall building height is being maintained as originally approved, and the change will allow more natural light into the basement. The church building complies with the setback requirements set out in the PA-1 Zone. The stairs are integrated well with the design of the church. Staff does not object to this variance.

(b) Requested Variance:

- To vary the height of structures permitted to encroach into the front (north) yard setback area from 0.6 metre (2 ft.) to 1.2 metres (4 ft.).

Applicant's Reasons:

- The variance is requested to allow for the provision of an access ramp and guardrail, both of which will be located at the front (north) of the church. The ramp will be a maximum of 1.2 metres (4 ft.), and the guardrail will be an additional 1.1 metres (3.7 metres) above finished grade.

Staff Comments:

- The variance is not significant, as the church building complies with required front yard setback requirements. The ramp is required to facilitate disabled and stroller access to the church. The applicant proposes to plant 0.6 metres (2 ft.) high planting beds within the front yard setback to soften the potential aesthetic impact of the access ramp and guardrail. Staff does not object to this variance.

(c) Requested Variance:

- To vary the side (west) yard setback requirement of the PA-1 Zone, from 7.6 metres (25 ft.) to 5.6 metres (18 ft.) to retain the existing house.

Applicant's Response:

- The applicant wishes to retain the existing house at its current location.

Staff Comments:

- The setback of the PA-1 Zone is based upon the height of the principal building (the church) or 7.5 metres (25 ft.), whichever is greater. With the church being proposed at 7.6 metres (25 ft.) in height, 7.6 metres (25 ft.) would apply as the required side yard setback. Given the existing siting of the house and the adequate landscaping buffer being provided along the west property line, staff does not have an objection to the proposed variance.

(d) Requested Variance:

- To vary the maximum height of an accessory building in the PA-1 zone, from 4 metres (13 ft.) to 6.7 metres (22 ft.) to retain the existing house.

Applicant's Reasons:

- The applicant wishes to retain the existing house.

Staff Comments:

- The variance is not significant, as the house is already existing on site. The house allows for a gradual transition for the proposed development, from the existing dwellings located to the west, to the new church and the existing cemetery to the east. Staff do not object to the proposed variance.

(e) Requested Variance:

- To vary the landscaping strip requirement of the PA-1 Zone, along the east property line from 3 metres (10 ft.) to a minimum of 0.9 metres (3 ft.).

Applicant's Reasons:

- The reduced landscape buffer is applied only to the east property line, adjacent the existing cemetery. The buffers adjacent the residential properties to the south and west (designated for Townhouses, maximum 15 upa) remain as per the PA-1 Zone landscaping requirements.

Staff Comments:

- The reduction in the width of the landscape buffer is acceptable, adjacent to the existing cemetery, as the proposed landscaping is of good quality and adequate given the interface.
- Staff does not object to the proposed variance.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Contour Map
Appendix III.	Proposed Site Plan, Typical Floor Plans and Elevations, Landscape Plans
Appendix IV.	Development Variance Permit No. 7901-0337-01
Appendix V.	East Newton South NCP
Appendix VI.	Previous DVP Plan (No. 7901-0337-00)

INFORMATION AVAILABLE ON FILE

- Soil Contamination Review Questionnaire prepared by Rehan Garstin and dated April 7, 2006.

How Yin Leung
Acting General Manager
Planning and Development

LCR/RCA/kms

v:\planning\plncom06\04031025.lcr.doc
SEH 7/14/10 10:25 AM

DEVELOPMENT DATA SHEET

Proposed: PA-1

Required Development Data	Minimum Required / Maximum Allowed	Proposed
LOT AREA* (in square metres)		
Gross Total		4,055 m ²
Road Widening area		
Undevelopable area		3,968 m ²
Net Total		
LOT COVERAGE (in % of net lot area)		
Buildings & Structures	35%	16.5%
Paved & Hard Surfaced Areas		57.5%
Total Site Coverage		74% %
SETBACKS (in metres)		
Front	7.6 m	7.69 m
Rear	7.6 m	32.9 m
Side #1 (West)	7.6 m	5.6 m
Side #2 (East)	7.6 m	13.4 m
BUILDING HEIGHT (in metres/storeys)		
Principal	9 m	7.6 m
Accessory	4 m	6.7 m
NUMBER OF RESIDENTIAL UNITS		n/a
Bachelor		
One Bed		
Two Bedroom		
Three Bedroom +		
Total		
FLOOR AREA: Residential		250.1 m ²
FLOOR AREA: Commercial		n/a
Retail		
Office		
Total		
FLOOR AREA: Industrial		n/a
FLOOR AREA: Institutional		556.1 m ²
TOTAL BUILDING FLOOR AREA		806.2 m ²

** If the development site consists of more than one lot, lot dimensions pertain to the entire site.*

Development Data Sheet cont'd

Required Development Data	Minimum Required / Maximum Allowed	Proposed
DENSITY		
# of units/ha /# units/acre (gross)		
# of units/ha /# units/acre (net)		
FAR (gross)	0.35	0.20
FAR (net)	0.35	0.25
AMENITY SPACE (area in square metres)		n/a
Indoor		
Outdoor		
PARKING (number of stalls)		
Commercial		
Industrial		
Residential		2
Residential Visitors		
Institutional		74
Total Number of Parking Spaces		76
Number of disabled stalls		1
Number of small cars		19
Tandem Parking Spaces: Number / % of Total Number of Units		
Size of Tandem Parking Spaces width/length		

Heritage Site	NO	Tree Survey/Assessment Provided	NO
---------------	----	---------------------------------	----

CONTOUR MAP FOR SUBJECT SITE

