

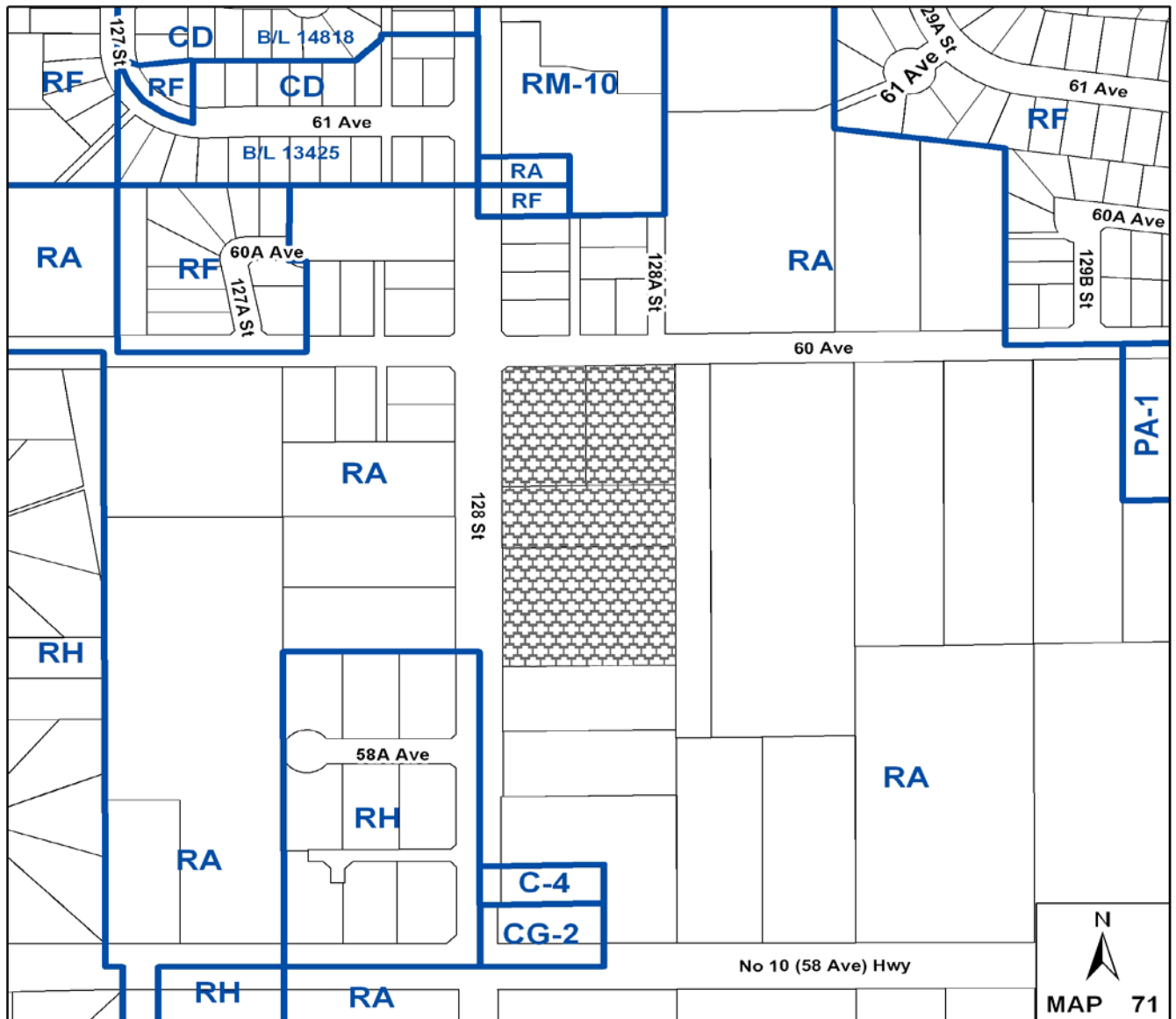
Proposal: OCP amendment from Suburban to Urban, NCP amendment from Attached Housing to Small Lot/Coach House with Lane, rezoning from RA to RF-9C in order to create 41 small Lots with coach houses and DVP to relax the minimum building separation.

Recommendation: Approval to Proceed

Location: 12846 - 60 Avenue and 5926/48/66 - 128 Street **Zoning:** RA

OCP Designation: Suburban

NCP Designation: Attached Housing **Owners:** Sangha, Dhaliwal, Heer and Goel



PROJECT TIMELINE

Completed Application Submission Date: February 26, 2004
Application Revision & Re-submission Date: January 15, 2006
Planning Report Date: January 30, 2006

PROPOSAL

The applicant is proposing:

- an OCP amendment from Suburban to Urban;
- an NCP amendment from Attached Housing to Small Lot/Coach House with Lane;
- a rezoning from RA to RF-9C; and
- a Development Variance Permit to:
 - reduce the required separation between the principal dwelling and the coach house for proposed Lots 5, 6, 7, 8, 9, 14, 16, 17, 26, 38, 39, 40 and 41

in order to allow subdivision into 41 single family small lots with coach houses.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to redesignate the property in the Official Community Plan from Suburban to Urban and a date for Public Hearing be set (Appendix X).
2. Council determine the opportunities for consultation with persons, organizations and authorities that are considered to be affected by the proposed amendment to the Official Community Plan, as described in the Report, to be appropriate to meet the requirement of Section 879 of the *Local Government Act*.
3. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential (9) Coach House Zone (RF-9C)" (By-law No. 12000) and a date be set for Public Hearing.
4. Council approve Development Variance Permit No. 7904-0068-00 (Appendix XI), varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum required 6 metre (20 ft.) separation between the principal building and the coach house and other accessory structures exceeding 2.4 metres (8 ft.) in building height as follows:
 - 1.2 metres (4 ft.) for Lot 5;

- 1.5 metres (5 ft.) for Lot 6;
 - 2.5 metres (8 ft.) for Lot 7;
 - 1.5 metres (5 ft.) for Lot 8;
 - 3.0 metres (10 ft.) for Lot 9;
 - 3.0 metres (10 ft.) for Lot 14;
 - 1.5 metres (5 ft.) for Lot 16;
 - 1.2 metres (4 ft.) for Lot 17;
 - 2.0 metres (6.5 ft.) for Lot 26;
 - 5.0 metres (16 ft.) for Lot 38;
 - 2.5 metres (8 ft.) for Lot 39;
 - 2.5 metres (8 ft.) for Lot 40; and
 - 3.0 metres (10 ft.) for Lot 41.
5. Council instruct staff to resolve the following issues prior to final adoption:
- (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering including resolution of downstream drainage issues related to Eugene Creek;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) approval from the Ministry of Transportation;
 - (d) submission of an acceptable tree survey and a statement regarding tree preservation;
 - (e) registration of Section 219 No-Build Restrictive Covenants to ensure specific building setbacks for tree preservation;
 - (f) registration of Section 219 Restrictive Covenants to restrict coach houses on Lots 19, 27, 29, 30 and 31;
 - (g) ensure that shortfall in amenity contributions is addressed by the applicant; and
 - (h) registration of Section 219 Restrictive Covenants to prohibit secondary suites on all Lots.
6. Council pass a resolution to amend the West Newton Highway No. 10 NCP to redesignate the site from "Attached Housing" to "Small Lots/Coach House with Lane" prior to final adoption of the rezoning by-law.

REFERRALS

- Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix IV).
- Parks: No concerns. Ensure that park amenity contributions are provided on a per unit basis in keeping with the original densities proposed in the NCP (Appendix V).

School District:

School Impacts:

Projected number of students from this development:

Elementary students = 14 students
 Secondary students = 6 students
 Total new students = 20 students

School Catchment Area/Current Enrollment/School Capacity:

Panorama Park Elementary School = 265 enrolled/380 capacity
 Tamanawis Secondary School = 1,379 enrolled/1,125 capacity

Projected number of students from development approvals in the last 12 months (not including subject project) in the subject school catchment areas:

Elementary students = 0 students
 Secondary students = 17 students
 Total new students = 17 students

Approved Capacity Projects and Future Space Considerations

A major enrollment move to the new Newton Area Secondary when it opens in 2006-2007, including the catchment for Panorama Park Elementary is scheduled to eliminate overcrowding at Tamanawis Secondary.

(Appendix VI).

Ministry of Transportation:

No concerns (Appendix VII).

SITE CHARACTERISTICS

- **Existing Land Use** Single family homes.
- **Significant Site Attributes** Some significant trees.
- **East:** Single family homes, zoned RA, designated Small Lots with Lanes in the West Newton Highway No. 10 NCP.
- **South:** Single family homes, zoned RA, designated Seniors Housing in the West Newton Highway No. 10 NCP.
- **West:** Across 128 Street, single family homes, zoned RA, designated Small Lot in the West Newton Highway No. 10 NCP.
- **North:** Across 60 Avenue, single family homes, zoned RA, designated Small Lots with Lanes in the West Newton Highway No. 10 NCP.

PLAN AND POLICY COMPLIANCE

| | |
|------------------|---|
| OCP Designation: | Needs amendment from Suburban to Urban. |
| NCP Designation: | Needs amendment from Attached Housing (max. 20 upa) to Small Lot/Coach House with Lane. |

JUSTIFICATION FOR PLAN AMENDMENT

- On July 28, 2004, Council approved the Stage II West Newton/Highway No. 10 Neighbourhood Concept Plan. Council decided that the required amendments to the Official Community Plan (OCP) should proceed in conjunction with individual rezoning applications.
- The applicant proposes to amend the West Newton/Highway 10 NCP designation for the subject sites from "Attached Housing (Max. 20 u.pa.)" to "Small Lot/Coach House with Lane".
- There are four (4) parcels located at 128 Street and between 59 and 60 Avenue that have the "Attached Housing" designation. This development application includes all of the parcels in the immediate area with this designation.
- The subject site interfaces with a variety of land use designations in the West Newton/Highway 10 NCP. The lands directly to the north and east are designated "Small Lot with Lane". Development Application No. 7905-0338-00 is situated directly to the east and proposes small Lots. The lands to the west, across 128 Street, are designated for small Lots. The lands to the south across future 59 Avenue are designated for "Seniors Housing".
- The road concept pattern for the subject area and adjacent properties is not proposed to change.
- The proposed development and pattern of subdivision are designed in order to retain significant trees while also maintain a certain level of density on the site.
- The proposed NCP amendment has merit and can be supported, in light of the fact that:
 - the subject application includes all of the lands designated for "Attached Housing" in this area
 - 57 mature trees are proposed to be retained on the site.
 - the small Lots with coach houses provide some diversity in housing stock and achieve additional units, which is in keeping with the density intent of the NCP.
 - the servicing and road pattern approved under the NCP is not impacted.

DEVELOPMENT CONSIDERATIONS

- The applicant is proposing to rezone the subject site from One-Acre Residential (RA) to Single Family Residential (9) Coach House (RF-9C) to create 41 RF-9C Lots. The lots proposed to be created are primarily Type I lots with a 9.0m (30 ft) frontage but with larger areas ranging from the minimum 250 sq.m. (2,691 sq.ft.) to 612 sq.m. (6,588 sq.ft.) and increased lot depths of up to 40m (131 ft).
- The increase in Lot depth allows for an increased opportunity for tree retention. Section 219 Restrictive covenants for tree protection and specific setbacks for building envelopes will be registered on all Lots with protected trees to ensure that these trees are retained.
- Coach houses have been eliminated on Lots 13,19, 27, 29, 30 and 31 in order to maximize tree retention on the site.
- The proposed Lot pattern provides an acceptable interface for future development to the east, south, north and west and is compatible with the existing single family homes.
- The road pattern outlined in the NCP is not impacted by the proposed amendment.
- The maximum density outlined under the "Attached Housing" designation is 20 u.pa. This proposed RF-9C Lots yield a density of 9.1 u.p.a, which is below the NCP designation. The coach houses provide additional units, up to 9 u.p.a., which is in keeping with the density outlined in the "Attached Housing" designation. The overall density on the site is approximately 14 u.p.a.
- The applicant will be required to address the shortfall in amenity contributions as a result of the reduction in density from the proposed NCP amendment to small Lots.
- Section 219 Restrictive Covenants will be registered on Lots to prohibit secondary suites

Tree Preservation and Lot Grading

- The applicants retained Jeremy Gye (Gye and Associates Ltd.) to conduct a tree survey and prepare an Arborist report. The report identified 261 mature trees. Fifty-seven (57) trees are proposed to be retained on the site and will be secured with a Section 219 Restrictive Covenant for their retention.
- Significant design efforts have been made for the retention of the 57 trees and detailed design for potential building envelopes, coach houses and porous parking pads have been outlined in conjunction with the tree preservation plan.
- Two (2) of the trees have been identified as being hazardous and 204 are proposed to be removed because they are either within building envelopes, roads or driveways. The majority of mature trees on the site are Western Red Cedar and Douglas Fir, which also constitute the trees that are proposed for retention.

- The applicant submitted a Lot-grading plan and proposes to have in-ground basements on all Lots. Minimal fill of less than 0.5 metres (1.6 ft.) is being proposed except along the front of 60 Avenue in order to match existing grade of the road. Lots 15 to 18 do not have fill in order to preserve trees along 60 Avenue. There are no interface issues with surrounding development. The proposed Lot grading plan is found to be generally acceptable by the Building Division.

Building Design Guidelines

- The proposed homes are readily identifiable as "Rural Heritage", "Neo-Heritage" or "Craftsman Heritage".
- Exterior cladding materials include wood siding or vinyl siding accompanied by brick, stone or authentic wood detailing.
- Special guidelines for the coach houses are included.
- The colour scheme is neutral in the cream to grey range.
- The Building Scheme includes Appendix IV that outlines appropriate building envelopes and trees to be retained for all Lots.
- No basement entry homes or secondary suites are permitted.

Engineering Servicing

- The Engineering Department has identified a downstream drainage concern related to required upgrades of Eugene Creek.
- Works to resolve this drainage constraint, which is identified in the West Newton/Highway #10 NCP, are tentatively scheduled to be functional by no later than Summer 2007, subject to, but not limited to, the following:
 - Completion of right-of-way acquisitions, which are underway;
 - Completion of final design. DFO, MOE and FREMP will be requested to review and to provide their approvals/permits;
 - Approval from Council for the remainder of capital funding in the 2006 budget (partial funding was approved in the 2005 budget); and
 - Construction progress/constraints related to soil placement and consolidation.
- Staff have advised the applicant of this constraint and that detailed servicing of the site cannot proceed until these issues are resolved. Each development application may proceed through to Third Reading as applicable; however, a Servicing Agreement will not be issued to the Developer until the constraint has been mitigated via the above works.

PRE-NOTIFICATION

Pre-notification letters were sent on May 10, 2005, and staff received no comments.

Public Information Meeting

- A Public Information Meeting was held on January 12, 2005. At the meeting the applicant presented the proposed amendment from "Attached Housing" to "Small Lot with Lane/Coach House". A total of two (2) area residents attended the meeting. The residents inquired as to why small Lots were being proposed, if any trees would be saved, what 'coach houses' were and if basements were being proposed. The developer expressed their belief that there may be an increased opportunity for tree retention with a 'Small Lot' configuration as opposed to 'Attached Housing', and thus some trees would be retained. The developer also indicated that basements would be proposed but that the shallow storm sewer would limit the number of possible basements. Overall, there was no significant opposition expressed.
- In May, 2004, the applicant canvassed the area residents with a letter outlining opposition to townhouses and support for single family small Lots. Forty-two (42) residents in the immediate area signed this letter, and the applicant received fifty-eight (58) signatures in total.
- No comments were received as a result of the pre-notification letter.

PUBLIC CONSULTATION PROCESS FOR OCP AMENDMENT

Pursuant to Section 879 of the *Local Government Act*, it was determined that it was not necessary to consult with any persons, organizations or authorities with respect to the proposed OCP amendment, other than those contacted as part of the NCP amendment and pre-notification process.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- To reduce the minimum separation required from 6m (20 ft) between the principal building and the coach house to 1.2 m (5 ft) for Lots 5 and 17.
- To reduce the minimum separation required from 6m (20 ft) between the principal building and the coach house to 1.5m (5 ft.) for Lots 6, 8 and 16.
- To reduce the minimum separation required from 6m (20 ft) between the principal building and the coach house to 2.5m (8 ft.) for Lots 7, 39 and 40.
- To reduce the minimum separation required from 6m (20 ft) between the principal building and the coach house to 2.0m (6.5 ft) for Lot 26.
- To reduce the minimum separation required from 6m (20 ft) between the principal building and the coach house to 3.0m (10 ft) for Lots 9, 14, and 41.

- To reduce the minimum separation required from 6m (20 ft) between the principal building and the coach house to 5.0m (16 ft) for Lot 38.

Applicant's Reasons:

- The applicant would like to make efforts to preserve trees that are challenging to retain and require specific building sitings, design and construction methods.

Staff Comments:

- The NCP amendment from "Attached Housing" to "Small Lot with Lane" was considered in order consider tree preservation. There are challenges associated with tree preservation on both single family and townhouse sites.
- Significant efforts have been made by the developer in order to explore layout and design options in order to preserve trees.
- In order to maximize tree preservation on the site it is necessary to relax the required distance between the principal building and coach houses in the RF-9C zone. This enables the houses to be sited in order to preserve trees.
- The proposed variances will not compromise the amount of functional yards because the proposed Lots are significantly deeper than the minimum requirements.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

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|----------------|---|
| Appendix I. | Lot Owners, Action Summary and Project Data Sheets |
| Appendix II. | Contour Map |
| Appendix III. | Proposed Subdivision Layout, Site Plan, Typical Floor Plans and Elevations, Landscape Plans and Perspective |
| Appendix IV. | Engineering Summary |
| Appendix V. | Parks Comments |
| Appendix VI. | School District Comments |
| Appendix VII. | Ministry of Transportation |
| Appendix VIII. | Building Design Guidelines Summary |
| Appendix IX. | Summary of Tree Survey and Tree Preservation |
| Appendix X. | OCP Amendment Map |
| Appendix XI. | Development Variance Permit No. 7904-0068-00 |
| Appendix XII. | NCP Amendment Map |

INFORMATION AVAILABLE ON FILE

- Survey Plan, 3 copies
- Detailed Engineering Comments dated December 2005.
- Building Scheme dated January 25, 2006.
- Neighbourhood Character Study dated May 2005.
- Tree Survey Plan dated January 24, 2006.
- Arborist Report dated January 24, 2006.
- Tree Preservation and Replacement Plan dated January 24, 2006.
- Lot Grading Plan dated December 2005.
- Soil Contamination Review Questionnaire prepared by Errol Freeman dated December 16, 2003.

Murray Dinwoodie
General Manager
Planning and Development

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SUBDIVISION DATA SHEET

Proposed Zoning: RF-9C

| Requires Project Data | Proposed |
|--|---|
| GROSS SITE AREA | |
| Acres | 4.835 ac |
| Hectares | 1.957 ha |
| NUMBER OF LOTS | |
| Existing | 4 |
| Proposed | 41 |
| SIZE OF LOTS | |
| Range of Lot widths (metres) | 9.0 m - 11.6 m |
| Range of Lot areas (square metres) | 252 m ² - 1,101 m ² |
| DENSITY | |
| Lots/Hectare & Lots/Acre (Gross) | 8.4 Lots/ac 20.9 Lots/ha |
| Lots/Hectare & Lots/Acre (Net) | 9.1 Lots/ac 22.6 Lots/ha |
| SITE COVERAGE (in % of gross site area) | |
| Maximum Coverage of Principal & Accessory Building | 55.6% |
| Estimated Road, Lane & Driveway Coverage | 18.6% |
| Total Site Coverage | 74.2% |
| PARKLAND | |
| Area (square metres) | |
| % of Gross Site | |
| | Required |
| PARKLAND | |
| 5% money in lieu | YES |
| TREE SURVEY/ASSESSMENT | |
| | YES |
| MODEL BUILDING SCHEME | |
| | YES |
| HERITAGE SITE Retention | |
| | NO |
| BOUNDARY HEALTH Approval | |
| | NO |
| DEV. VARIANCE PERMIT required | |
| Road Length/Standards | NO |
| Works and Services | NO |
| Building Retention | NO |
| Setbacks | YES |

CONTOUR MAP FOR SUBJECT SITE

