

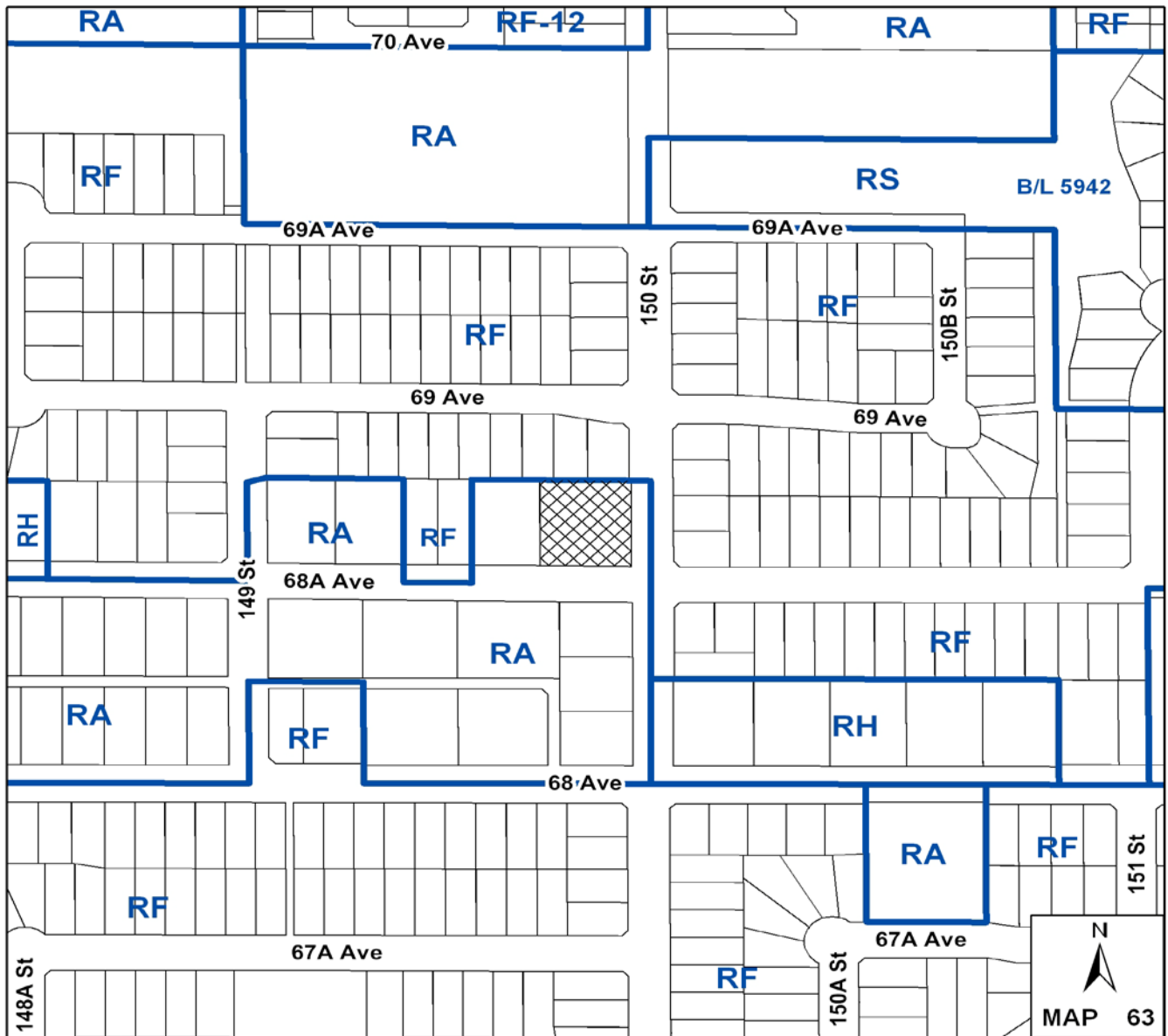
Proposal: Rezone from RA to RF in order to permit subdivision into 3 single family lots. DVP to relax the rear yard setback for the existing dwelling being retained.

Recommendation: Approval to Proceed

Location: 14989 - 68A Avenue **Zoning:** RA

OCP Designation: Urban

NCP Designation: Urban Single Family Res. **Owners:** Devinder Singh Sidhu et al



PROJECT TIMELINE

Application Submission Date:	June 6, 2006
Completed Application Submission Date:	February 6, 2007
Planning Report Date:	February 26, 2007

PROPOSAL

The applicant is proposing:

- a rezoning from RA to RF; and
- a Development Variance Permit to vary the following by-law regulation:
 - reduce rear yard setback from 7.5 metres (25 ft.) to 0.8 metre (2.6 ft.) on proposed Lot 2 for the existing dwelling being retained

in order to allow subdivision into three (3) single family residential lots.

RECOMMENDATION

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7906-0248-00, (Appendix XI) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum rear yard setback of the RF Zone from 7.5 metres (25 ft.) to 0.8 metre (2.6 ft.) on proposed Lot 2 for the existing dwelling being retained.
3. 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;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) submission of a finalized tree survey and a statement regarding tree preservation to the satisfaction of the City Landscape Architect;
 - (d) registration of a Section 219 Restrictive Covenant for "no build" within the 9.0m front yard set back on proposed Lot 1; and

- (e) completion of a Building Code assessment by a qualified professional and/or the Design Consultant to ensure all Building Code requirements are met with respect to the existing dwelling being retained, completion of required upgrading and submission of financial securities in this regard as appropriate.

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. (Appendix V).

School District: **School Impacts:**

Projected number of students from this development:

Elementary students = 1 student
 Secondary students = 0 students
 Total new students = 1 student

School Catchment Area/Current Enrollment/School Capacity:

T.E. Scott Elementary School = 235 enrolled/215 capacity
 Frank Hurt Secondary School = 1,174 enrolled/1,250 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 = 133 students
 Secondary students = 110 students
 Total new students = 243 students

Approved Capacity Projects and Future Space Considerations

It is noted that when Chimney Hill Elementary School opened in 2001 there was a major enrolment move, leaving surplus capacity available at T. E. Scott for future growth. Enrolment has slowly increased with new housing over the last few years, and this trend is expected to continue until the ultimate residential build out for the NCP is achieved. An addition to T.E. Scott is identified in the 2006-2010 Five Year Capital Plan for funding approval in 2009/2010.

SITE CHARACTERISTICS

- **Existing Land Use** Single family residential.
- **East:** Across 150 Street, single family residential, zoned RF, designated Urban in the OCP and Urban Single Family Residential in the NCP.
- **South:** Across 68A Avenue, single family residential, zoned RA, designated Urban in the OCP and Urban Single Family Residential in the NCP.
- **West:** Single family residential, zoned RA, designated Urban in the OCP and Urban Single Family Residential in the NCP.
- **North:** Single family residential, zoned RF, designated Urban in the OCP and Urban Single Family Residential in the NCP.

PLAN COMPLIANCE

OCP Designation: Urban. Complies.

NCP Designation: Urban Single Family Residential. Complies.

DEVELOPMENT CONSIDERATIONS

Background

- This 0.22 hectare (0.55 acre) site is located at the northwest corner of 68A Avenue and 150 Street. The subject property is designated "Urban" in the OCP and is located within the East Newton South NCP, which designates the property "Urban Single Family Residential".
- The subject property is currently zoned "One-Acre Residential (RA)", as are the properties to the west and south. The properties in this area are undersized RA zoned lots used for single-family residential dwellings. The properties to the north and east have been developed under the "Single Family Residential Zone (RF)" in compliance with the East Newton South NCP that was approved by Council in 1997.

Subdivision Layout

- The proposed RF lots meet or exceed the minimum width and depth requirement of the RF zone. However, the proposed lot areas far exceed the 560 m²/6,000 sq.ft. area requirement of the RF Zone. The 3 proposed lots in this development range in area from 618 sq.m (6,650 sq.ft) to 815 sq.m (8,770 sq.ft). As a result, the overall unit density for this project is less than in other surrounding projects. The density of other RF lot developments in this area ranges between 2.4 - 3.2 upha (6-8 upa), whereas this development is proposing a density of approximately 2.2 upha (5.5 upa).
- Proposed Lots 2 and 3, which front onto 150 Street, are generally larger in width, depth, and area than the existing RF lots in the area. Proposed Lot 1 is 723 m² (7,780 ft²) and far exceeds the minimum area requirement of 560m². However, Lot 1 has a frontage of 15m (50 ft), which barely meets the minimum width requirement of the RF zone.

- In terms of the future pattern of subdivision in the area, the properties along 68A Avenue between 149 Street and 150 Street are remnant acreage properties that have the potential to be rezoned and subdivided into RF lots under the NCP designation. The future subdivision potential of the larger properties along 68A Avenue could create lots that range in width from 15.7m (52 ft) to 17m (55 ft).

Retention Of Existing Dwelling

- The applicant proposes to retain the existing dwelling as it is in good condition. By retaining the existing dwelling, the new rear yard setback for the existing dwelling will not comply with the RF provisions of the Zoning By-law (12000). A Development Variance Permit has been applied for to address the reduced rear yard setback, which is discussed further on in this report.
- To ensure the existing dwelling will meet safety standards and properly integrates into the neighbourhood, a Building Code review is required to be completed to assess fire separation and existing openings on the dwelling. Design upgrades will also be required upon the Design Consultants review and recommendations of how to better integrate the dwelling into the neighbourhood.

Building Design

- The applicant has retained Davenport Design Group Limited as the Design Consultant for this project. The Design Consultant conducted a character study of the surrounding homes and based on the findings proposed a set of building design guidelines for the proposed RF lots (Appendix VII).
- The design of the proposed homes will meet current design standards and include "West Coast Modern", "Modern California Stucco", "Neo-Traditional", "Cape Cod" or "County" styles. The proposed homes will incorporate a high degree of compatibility between the proposed style theme and the roof forms, volume allocations, and detailing features.
- The Design Consultant recommends a variety of colours to be used on the exterior cladding materials, which include a range of Ivory, Beige, Colonial Maple, Sage, Slate, and Monterey. Exterior materials that may be used consisting of stucco, cedar wood siding, vinyl siding, hardiplank, brick veneer, or stone veneer. The roofing will also reflect the style objectives with a minimum and maximum roof pitch of 6:12 and 8:12 respectively. Roof material may only be cedar shakes or cedar shingles in natural, earth or brown tones.
- Secondary suites are not a permitted use within the RF Zone or in the Building Scheme. Basement entry homes are not permitted either, as stated in the Building Scheme.

Proposed Lot 1 House Design

- The design guidelines recommend specific actions to ensure the new dwelling on proposed Lot 1 is well integrated into the area. The measures proposed include the following:
 - A 9.0m (30 feet) front yard setback;
 - A 1.8m (6.0 feet) side yard setback on the west and east side of lot;

- Predominate design feature on the east side of the dwelling above the garage; and
- The design feature on the west side of the dwelling allow for a vaulted area above the first floor (Appendix VIII).

Lot Grading

- A preliminary Lot Grading Plan submitted by CitiWest Consulting has been reviewed by staff and is considered acceptable. The plans show minimal amounts of fill proposed over the site, which is used to meet some existing grades and to achieve proper drainage. No retaining walls are proposed.
- The consultant submitted a report that states there is potential for in-ground basements for all 3 lots and, therefore, is proposing in-ground basements for two (2) new dwellings to be constructed.

Tree Preservation

- Randy Greenizan from Clark Kavolinas & Associates Inc. prepared the Arborist Report and Tree Preservation/Replacement Plans for the subject property (Appendix IX). The plans have been reviewed by the City's Landscape Architect and deemed acceptable.
- The report identifies seven (7) protected trees, which include Douglas Fir, Grand Fir, Cherry, and Cottonwood trees. The report states that four (4) of the identified trees are growing within the proposed building envelope and are therefore, required to be removed. The remaining three (3) trees will be retained.
- For replanting, three (3) trees are proposed for Lot 1 and another three (3) are proposed on Lot 3. Since Lot 2 has three by-law sized trees and a few smaller trees located throughout the property, no new trees will be planted on this lot.

PRE-NOTIFICATION

Pre-notification letters were sent on August 16, 2006. As a result of this notification, staff received a petition opposing the development, which was signed by 38 property owners who live in the area. A map illustrating where the properties of the petitioners' are in relation to the subject property has been included as Appendix IX. The major concerns stated in the petition included changing the feel of the street since other existing lots on the street are either 17m or 34m (56 ft or 112 ft) wide, and allowing the existing house to remain would create a setback of less than 1.0 m (3 ft) from the new property line.

Due to the response from the neighbours, a Public Information Meeting (PIM) was conducted by the applicant. The PIM took place on October 17, 2006 at Sullivan Hall. A summary of the meeting has been included with this report (Appendix VI). From the petition, written correspondence, and the PIM, the following points are concerns that have been raised by the neighbours, which is followed by staff comments and/or the applicants response to mitigating the concerns:

- The proposed lot frontage (15 m) for Lot 1 is too narrow and out of character in this neighbourhood.

(Within the RF Zone, 15 m wide lots are the minimum permitted width. Existing lots along 68A Avenue between 149 Street and 150 Street have lot widths ranging from 17 metres/56 ft.) to 51 metres (167 ft). The majority of these properties have the potential for future rezoning and subdivision under the NCP designation and will create potential lots with frontages ranging between 15.7 m (52 ft) and 17m (55 ft). Therefore, the proposed 15 metre/50 ft. lot width for Lot 1 is compatible with the eventual lot width in the area. Furthermore, proposed Lot 1 is substantially larger in lot area (723m²/7,780 ft²) than the minimum RF Zone requirement. Given the proposed lots size, future potential of lot widths on this street through additional subdivision applications, and existing lots widths within the neighbourhood, a 15m (50 ft) wide lot can be considered.)

- Concerns were raised with the proposed 0.8m (2.6 ft) rear yard setback for the existing home, and the close proximity of the home to the proposed property boundary. There is a feeling that this would result in a crowded look not common to the neighbourhood.

(The reduced setback is technically for the rear yard, however, it applies to the side of the existing home where the garage is located. The minimum side yard setback for an RF dwelling is 1.2m (4.0 ft). The requested reduced rear yard setback is only a temporary condition for the existing dwelling only; where a new home replaces the existing home in the future, the minimum 7.5m (25 ft) rear (westerly) yard setback will be adhered to. Additionally, the applicant has proposed to set the home on proposed Lot 1, 9.0 metres (30 ft) back from the front property line, which would be in keeping with many existing setbacks on this street.)

- Some concerns about reduced property values were mentioned.

(The proposed subdivision will create lots that exceed the RF zone requirements and allow the construction of new homes that meet current design standards. As such, the subdivision is not believed to decrease property values in this neighbourhood.)

- Concerns were raised with the potential of increased traffic and street parking, in conjunction with secondary suites.

(With this small infill development, the additional traffic on 68A Avenue would only be due to one additional dwelling, which is minimal. The other lot being proposed fronts onto 150 Street and, therefore, should not contribute to the traffic on 68A Avenue. With respect to street parking and secondary suites, the RF zone does not permit secondary suites, which is restricted in the Building Design Guidelines as well. Newly created RF lots are required to provide a minimum of two parking spaces, which should provide sufficient on site parking for a typical family. On-street parking is available as well.)

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Reduced rear yard setback from 7.5 metres (25 ft.) to 0.8 metre (2.6 ft.) on proposed Lot 2 for the existing building dwelling unit only.

Applicant's Reasons:

- To protect and retain the existing dwelling, while achieving a minimum 15m (9 ft) frontage for Lot 1.

Staff Comments:

- This variance is technically for a rear yard setback, as due to the frontage of the lot being narrower on the 150 Street, the westerly yard setback is considered the rear. However, from a practical point of view, this side yard functions like a side yard, as the lot is presently accessed from 68A Avenue and has its functional rear yard along the proposed northerly property line. A typical side yard is 1.2 m (4.0 ft).
- The dwelling is in good condition, and there is merit in retaining it. The applicant will be undertaking a review and doing upgrading to match area standards.
- The proposed lot lines cannot be further adjusted to increase existing setback due to the need to maintain a 15m (50 ft) frontage for proposed Lot 1.
- The resulting subdivision creates large lots are well in excess of the minimum area requirement of the RF zone, which is 560 m² (6,030 ft²). The proposed lot sizes will range from 618 m² (6,650 ft²) to 815 m² (8,770 ft²).
- The DVP only applies to the existing dwelling, and therefore, is a temporary situation. In the future, when a new home is constructed on this lot, all setbacks for the new dwelling will require to meet the Zoning By-law provisions.
- The following measures will be undertaken to ensure the existing dwelling and proposed subdivision are properly integrated into the neighbourhood in the interim and address the concerns raised by residents:
 - A minimum 1.8 m side yard setback requirement for each side yard for proposed Lot 1.
 - Building Code review to assess fire separation, openings, and ensure conformity with fire and safety;
 - Design upgrades, based on Design Consultant review to ensure integration with emerging design;
 - A 9 metre setback for house on Lot 1 thought a Restrictive Covenant; and

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 Subdivision Layout

Appendix IV.	Engineering Summary
Appendix V.	Parks Comments
Appendix VI.	Summary of Public Information Meeting
Appendix VII.	Location of Residents Opposing the Development
Appendix VIII.	Building Design Guidelines Summary
Appendix IX.	Example of Dwelling Style for Lot 1
Appendix X.	Summary of Tree Survey and Tree Preservation
Appendix XI.	Development Variance Permit No. 7906-0248-00
Appendix XII.	Picture of house being retained

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated August 2, 2006.
- Building Scheme dated February 22, 2007.
- Tree Preservation and Replacement Plan
- Soil Contamination Review Questionnaire prepared by Jagjit Johal dated May 17 2006.

How Yin Leung
Acting General Manager
Planning and Development

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SUBDIVISION DATA SHEET

Proposed Zoning: RF

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	0.54 ac
Hectares	0.22 ha
NUMBER OF LOTS	
Existing	
Proposed	
SIZE OF LOTS	
Range of lot widths (metres)	15 - 30 m
Range of lot areas (square metres)	618 - 723 m
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	13.6 upha/5.6 upa
Lots/Hectare & Lots/Acre (Net)	
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	40%
Estimated Road, Lane & Driveway Coverage	6%
Total Site Coverage	46%
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
Setback (westerly yard)	YES

CONTOUR MAP FOR SUBJECT SITE

