

Proposal: To amend the Restrictive Covenant (Building Scheme) to permit in-ground basements on Lots 2 to 5.

Recommendation: Approval

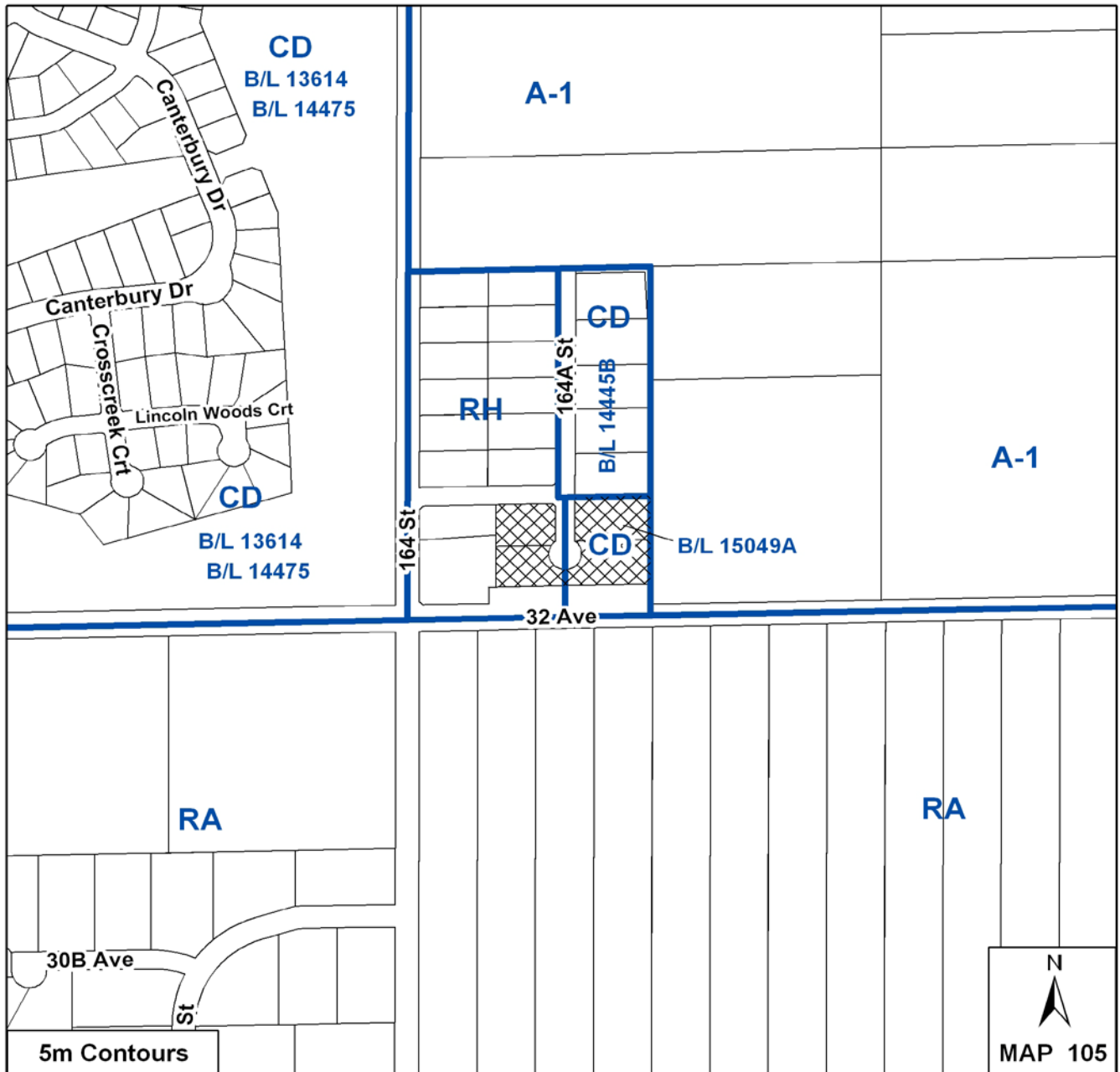
Location: 3245, 3248, 3228 & 3225 - 164A Street

Zoning: RH and CD

OCP Designation: Suburban

LAP Designation: Agricultural

Owner: Dhama Sahota et al



PROJECT TIMELINE

Completed Application Submission Date: July 6, 2006
Planning Report Date: July 24, 2006

PROPOSAL

The applicant is proposing:

- a Restrictive Covenant (Building Scheme) amendment

in order to permit the development of in-ground basements on Lots 2 to 5.

RECOMMENDATION

The Planning & Development Department recommends that Council approve the proposed amendments to the Restrictive Covenant (Building Scheme) to allow in-ground basements on Lots 2 to 5.

REFERRALS

Engineering: No concerns.

SITE CHARACTERISTICS

- **Existing Land Use** Vacant half-acre residential lots.
- **East:** Agricultural land within the ALR, zoned A-1, designated Agricultural.
- **South:** Across 32 Avenue, one-acre residential, zoned RA, designated Suburban in the OCP, single detached (2 upa) in the North Grandview Heights NCP.
- **West:** Across 164 Street, the Morgan Creek Golf Course, zoned CD (By-laws No. 13614 and 14475), designated Suburban.
- **North:** Single family residential dwellings with in-ground basements, zoned RH and CD (By-law No. 14445B), designated Suburban.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

DEVELOPMENT CONSIDERATIONS

Previous Lot Grading Plan

- The 4 subject properties were created as part of a 6-lot rezoning and subdivision completed in 2005 (Development Application 7902-0208-00). The subject application allowed the site to be rezoned from General Agriculture (A-1) to Half-Acre Residential (RH) for the portion west of 164A Street and CD for the remainder to permit subdivision into six (6) suburban residential lots. The intention of the CD zone was to create single-family dwellings on large suburban lots. The rezoning was given final adoption on January 10, 2005 and the subdivision plan was approved on January 21, 2005.
- Building Design Guidelines were prepared and registered as a Restrictive Covenant (Building Scheme) on title for all 6 newly created lots as a requirement of Subdivision approval. As part of this, the applicant retained a Professional Engineer to prepare a servicing review and Lot grading plan for the proposed lots. The Lot Grading Plan was approved by Staff.
- The proposed Lot Grading Plan indicated in-ground basements were unachievable on Lots 2-5 without a substantial amount of fill due to servicing constraints. In particular, the proposed lots were deemed to be too low to be serviced by gravity to the City sewer system. Furthermore the area was found to be geotechnically sensitive and the fill proposed was deemed unacceptable by the Engineer acting on behalf of the applicant. As a result, the Rezoning Report and Lot Grading Plans submitted to Council indicated that in-ground basements would not be permitted.

Proposed Lot Grading Plan Amendment

- The applicant retains control of all six (6) properties. Given that properties to the North have in-ground basements, the applicant retained a different Professional Engineer to assess the servicing constraints and explore the potential for in-ground basements.
- The applicant is now requesting a Restrictive Covenant (Building Scheme) amendment to modify the approved Lot Grading plan. With the modifications, in-ground basements can be achieved.
- The applicant's Engineer has subsequently undertaken a detailed analysis to confirm that by pumping the sanitary, which results in deeper servicing inverts, in-ground basements can be accommodated on the subject lots with an acceptable amount of fill similar to the lots to the north. They are now requesting an amendment to the Restrictive Covenant (Building Scheme) to reflect the revised Lot Grading Plans and permit basements on Lots 2-5.
- The amount of fill proposed complies with the previously prepared Geotechnical Assessment. Building Division has confirmed that the proposed fill is acceptable with engineered foundations, as indicated on the revised plans.
- The proposed Lot Grading changes suitably integrate with the character of the existing subdivision to the North. The dwellings to the north have been built with in-ground basements and have similar finished grade elevations.

- As the lots back onto 32 Avenue, a major arterial road, there will be minimal impact on the properties to the south.
- All other aspects on the Design Guidelines are consistent with the established building scheme for the area. The Design Guidelines will maintain the restriction on the construction of secondary suites and basement-entry homes.

Public Consultation

- There were no speakers at the Public Hearing for the initial Rezoning and Subdivision.
- The property owners directly adjacent to the subject properties have been notified of the proposed changes but have not provided any comments.

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. Revised Lot Grading Plan

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Planning and Development

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CONTOUR MAP FOR SUBJECT SITE

