



Corporate NO: R124

Report COUNCIL DATE: May 29, 2000

REGULAR COUNCIL

TO: Mayor & Council **DATE: May 25, 2000**

FROM: General Manager, Planning & Development **FILE: 7999-0254-00**

SUBJECT: Revisions to CD By-law No. 13960 - 12550 - 66 Avenue

RECOMMENDATION

The Planning & Development Department recommends that Council:

1. Receive this report as information.
2. Rescind Third Reading of By-law No. 13960.
3. Amend Comprehensive Development Zone By-law No. 13960 to:
 - (a) reduce the front yard setback from 6.0 metres [20 ft.] to 5.0 metres [16.4 ft.];
 - (b) increase the maximum building height from 8.0 metres [26.2 ft.] to 9.0 metres [30 ft.]; and
 - (c) reduce the minimum side yard setback from 1.8 metres [6.0 ft.] to 1.2 metres [4. ft.] as indicated on the attached revised CD By-law.
4. Grant Third Reading of By-law No. 13960 as amended.
5. Approve the proposed Building Scheme to limit the front yard setback requirement for the eastern half of the proposed cul-de-sac (Lots 10 - 17) to a minimum of 6 m (20 ft.).

BACKGROUND

On February 21, 2000, Council received a Planning Report regarding the proposed rezoning and subdivision of the property at 12550 - 66 Avenue to develop 17 compact, single family lots (Appendix I). The subject property is located within the West Newton North Neighbourhood Concept Plan (NCP) area and is bounded by the B.C. Hydro Right-of-

Way at the west and Tamanawis Secondary School at the east and south (Appendix II). As a part of the proposal, an NCP Amendment was also proposed to change the subject property from "Multiple Residential (12 u.p.a.)" to "Compact Single Family". The NCP amendment was approved and the proposed CD By-law was given By-law Introduction. Public Hearing and Third Reading occurred on March 20, 2000. There were no concerns raised at the Public Hearing.

The applicant has since requested that CD By-law No. 13960 be amended in order to match the regulations of the newly created RF-12 Zone. In addition, the applicant requests a reduction in front yard setback in order to accommodate the constrained building envelopes created by the impacts of the B.C. Hydro Right-of-Way.

	Existing CD By-law No. 13960	Proposed Amendment	RF-12
Minimum Front Yard	6 m (20 ft.)	5 m (16.4 ft.)	6 m (20 ft.)
Minimum Side Yard	1.8 m (6 ft.)	1.2 m (4 ft.)	1.2 m (4 ft.)
Maximum Principle Building Height	8 m (26.2 ft.)	9 m (30 ft.)	9.5 m (31 ft.)

DISCUSSION

The subject property is significantly encumbered by the B.C. Hydro Right-of-Way. In order to meet minimum lot depth and road dedication width requirements, the proposed lots on the western side of the site have to encroach slightly into the Hydro Right-of-Way. Upon later analysis by the applicant for building footprint locations, it was determined that due to the Hydro Right-of-Way, building envelopes on the proposed lots, particularly those on the western half of the proposed cul-de-sac, would be significantly constrained. In order to accommodate adequate building footprints, the applicant has requested that the front yard and side yard setbacks be reduced slightly by 1.0 metre [3.3 ft.] to 5 m (16.4 ft.) and 0.6 metre [2.0 ft.] to 1.2 m (4 ft.) respectively. The front yard setback of 5.0 metres [16.4 ft.] will apply only to the lots on the western half of the proposed cul-de-sac. Since the lots on the eastern half of the proposed cul-de-sac are not encumbered by the B.C. Hydro Right-of-Way, a reduced front yard setback of 5.0 metres [16.4 ft.] is not warranted. It is proposed that a minimum 6.0-metre [20 ft.] front yard setback be stipulated in the Building Scheme for the proposed lots on the eastern half of the cul-de-sac.

The proposed amendments will result in CD By-law No. 13960 being similar to the newly created RF-12 Zone in terms of side yard setbacks and maximum building height. Moreover, the proposed side yard reduction and building height increase will not impact any adjacent, residential neighbour as the site abuts the play fields at Tamanawis Secondary School and the B.C. Hydro corridor. A slight reduction to the front yard setback to 5.0 metres [16.4 ft.] is considered warranted, given the impacts of the B.C. Hydro corridor and the fact that only the lots on the western half of the proposed new cul-de-sac will be utilizing this reduced front yard setback. The applicant's request on the maximum building height of 9.0 metres [30 ft.] is less than the maximum allow (9.5 m/31 ft.) in the RF-12 Zone.

The proposed amendments involve changes to CD By-law No. 13960 that do not affect land use or density. In this case, the City Solicitor has advised that a new Public Hearing would not be required. It is also noted that during the Public Hearing held on CD By-law No. 13960, no concerns were raised by the public. The Planning & Development Department, therefore, recommends that Council rescind Third Reading of CD By-law No. 13960, amend CD By-law No. 13960 as discussed in this report and grant Third Reading to the By-law as amended. A revised CD By-law No. 13960 is attached as Appendix III.

CONCLUSION

The building envelopes for many of proposed small lots are affected by the B.C. Hydro Right-of-Way. In order to achieve reasonable building envelopes on all of the proposed lots and to allow CD By-law No. 13960 to be consistent with the newly created RF-12 Zone, it is recommended that Council approve amendments to Comprehensive Development By-law No. 13960 to reduce front yard setbacks from 6.0 metres [20.0 ft.] to 5.0 metres [16.4 ft.], reduce side yard setbacks from 1.8 metres [6.0 ft.] to 1.2 metres [4.0 ft.], and to increase the maximum building height from 8.0 metres [26.2 ft.] to 9.0 metres [3.0 ft.]

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General Manager

Planning & Development Department

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Appendices

I. Proposed Subdivision Plan

II. Vicinity Map

III. Amended CD By-law

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