



Committee of the Whole Report

For the Meeting of June 28, 2018

To: Committee of the Whole **Date:** June 28, 2018

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00594 for 1663 Oakland Avenue

RECOMMENDATION

That Council decline Rezoning Application No. 00594.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, buildings and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1663 Oakland Avenue. The proposal is to rezone from the current R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, to permit the subdivision of one lot into two new small lots; retain the existing single-family dwelling one lot; and construct a new two-storey single-family dwelling on the other.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill in the *Official Community Plan, 2012* (OCP)
- the proposal is inconsistent the design guidelines specified in the *Small Lot House Rezoning Policy, 2002* with respect to the architectural massing and design
- the proposal is inconsistent with *Small Lot House Rezoning Policy, 2002* requirement to have at least 75% of adjacent neighbours in support of the proposal.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the subject property from the R1-B Zone, Single Family

Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) Dwelling District. The proposal is to create two lots, retain the existing single-family dwelling on one lot and construct one new small lot house on the other. Variances related to both the existing and new houses would be required to facilitate this development and will be discussed in relation to the concurrent Development Permit with Variances Application.

Affordable Housing Impacts

The applicant proposes the creation of one new residential unit which would increase the overall supply of housing in the area.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this application.

Public Realm Improvements

The following frontage works are being offered in association with the concurrent Development Permit Application and would be secured with a section 219 covenant prior to the subdivision approval. The subject property is a corner lot abutting Oakland Street to the north, Shakespeare Street to the east and a laneway to the south. The existing Right-of-Way along Shakespeare Street does not meet the standard Right-of-Way for a local street of 18.0m; however, future transportation-related needs on the corridor can be met in a Right-of-Way width of 15.0m. To help achieve this minimum on this portion of Shakespeare Street, a dedication of 1.21m would be required as a condition of subdivision. Shakespeare Street has been identified as a Greenway, and this additional Right-of-Way width will be used to achieve objectives contained within the Greenways Plan, as well as the Subdivision and Development Servicing Bylaw.

The lot is also adjacent to a laneway; the existing Right-of-Way width does not meet the 6.0m standard for the lane street classification. To assist in securing the width, a 1.17m roadway dedication would be required as a condition of subdivision. This additional Right-of-Way width will be used to improve the functionality of this lane as laid out in the Subdivision and Development Servicing Bylaw.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Land Use Context

The area is characterized by single family houses and the Hillside Shopping Centre is located across the street.

Existing Site Development and Development Potential

The site is presently contains a single-family dwelling. Under the current R1-B Zone, Single

Family Dwelling District, the property could be redeveloped as a single-family dwelling with secondary suite. If the property is rezoned to the R1-S2 Zone, secondary suites would no longer be permitted.

Data Table

The following data table compares the proposed two lots with the R1-S2 Zone. A single asterisk is used to identify where a variance is being proposed.

Zoning Criteria	Proposed Lot A Existing House	Proposed Lot B New House	Zone Standard R1-S2
Site area (m ²) - minimum	349.84	262.80	260.0
Density (Floor Space Ratio) - maximum	~0.21	~0.57	0.60:1
Total floor area (m ²) - maximum	~83.71	~170.48	190
Lot width (m) - minimum	17.29	15.22	10.00
Height (m) - maximum	3.70	6.48	7.50
Storeys - maximum	1	2	2
Site coverage % - maximum	~23.96	33.70	40.00
Setbacks (m) – minimum:			
Front	8.60 (Oakland)	4.66* (Shakespeare)	6.00
Rear	3.05*	5.00*	6.00
Side	3.85 (window)	1.50 (no window to habitable space) ~3.12 (window to habitable space)	1.50 (no windows to habitable space) 2.40 (window to habitable space)
Side on Flanking Street	2.89 (Shakespeare St.)	1.50* (Laneway)	2.40
Parking - minimum	1	1	1

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Oaklands CALUC at a Community Meeting held on January 31, 2017. At the time of writing this report, a letter from the CALUC had not been received.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 0% support the application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions provided by the applicant are attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan* (OCP) Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential – Small Lot. The OCP also seeks to encourage sensitive infill and supports a range of housing forms. The proposal to subdivide an existing lot in order to construct a new house does provide an infill housing unit; however, the proposed massing and design in relation to the established character of the neighbourhood does not meet the guidelines for sensitive infill provided by the OCP.

Local Area Plan

The *Oaklands Neighbourhood Plan* (1993) envisions limited infill to provide for a range of housing types, with a specific focus on family-oriented housing. This includes development that respects the established low-scale character of the neighbourhood. While the alternative housing form is supported within the neighbourhood plan, the overall massing and design does not meet the neighbourhood plan objectives.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no protected trees on the subject property; however, an arborists report may be required at the building permit stage in relation to the protected Willow tree located on the corner lot to the south of the laneway. The need for an arborist report would be determined by further staff review of detailed building permit plans.

Two new public trees would be planted along the boulevard at the subdivision stage. The species will be determined by staff at the building permit stage.

CONCLUSIONS

This proposal to rezone the subject property to the R1-S2 Zone, retain the existing single family house and construct one new small lot house is consistent with some aspects of the OCP related to the Traditional Residential land use designation; however, it is inconsistent with the OCP and Local Neighbourhood Plan in terms of sensitive infill, and the Small Lot House Rezoning Policy in terms of neighbour support. Staff recommend for Council's consideration that the application be declined. An alternative motion is provided below should Council wish to advance it for consideration at a Public Hearing.


ALTERNATE MOTION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00594 for 1663 Oakland Avenue; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and a Public Hearing date be set subject to the applicant improving the massing and design, as well as clarifying and correcting the data table related to the zoning requirements, to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,



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Sustainable Planning and Community
Development Department



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

June 20, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped May 7, 2018
- Attachment D: Letter from applicant to Mayor and Council dated April 26th, 2018
- Attachment E: Small Lot Housing Rezoning petitions, date stamped May 31, 2017