



Committee of the Whole Report For the Meeting of September 6, 2018

To: Committee of the Whole **Date:** August 23, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00644 for 457 and 459 Kipling Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00644 for 457 and 459 Kipling Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set.

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, building 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 457 and 459 Kipling Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District to the R-2 Zone, Two Family Dwelling District, in order to permit the existing non-conforming duplex to be strata titled and to alter the building.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan (OCP)*, 2012
- the proposal meets the regulatory policies in the *Neighbourliness Guidelines for Duplexes*, 1996
- the property has an existing duplex that is considered a non-conforming use.

BACKGROUND

Description of Proposal

The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District to the R-2 Zone, Two Family Dwelling District, in order to permit the existing non-conforming duplex to be strata titled and to alter the building and parking location. There is a variance to the R-2 Zone, Two Family Dwelling District, being requested and this will be discussed in relation to the concurrent Development Permit with Variance Application.

Affordable Housing Impacts

The applicant is not proposing to create new residential units. The rezoning would permit the applicant to strata title the two existing residential units.

Sustainability Features

The applicant has identified a number of sustainability features they have changed in the building, which are outlined in the attached Letter to Mayor and Council.

Active Transportation Impacts

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

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

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 dwellings, duplexes, and house conversions.

Existing Site Development and Development Potential

The site is presently a non-conforming duplex. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single-family dwelling with a secondary suite or garden suite.

Data Table

The following data table compares the proposal with the R-2 Zone, Two Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify where the proposal is non-conforming.

Zoning Criteria	Proposal	Zone Standard R-2
Site area (m ²) - minimum	697.00	555.00
Site area per unit (m ²) - minimum	348.50	277.50
Density (Floor Space Ratio) - maximum	0.38:1	0.50:1
Lot width (m) - minimum	18.37	15.00
1 st & 2 nd storey floor area (m ²) - maximum	262.89	280.00
Combined floor area (m ²) - maximum	389.78*	380.00
Height (m) - maximum	7.64**	7.60
Storeys - maximum	3**	2 (with no basement)
Site coverage % - maximum	28.00	40.00
Open site space % (lot)- minimum	34.74	30.00
Open site space % (rear)- minimum	44.88	33.00
Setbacks (m) - minimum		
Front	9.10	7.50
Stairs/porch projection	3.44	3.50
Rear	17.01	13.30
Side (north)	2.00**	3.00
Side (south)	1.80**	1.84
Combined Side	3.80**	4.50
Parking - minimum	2	2
Roof Deck	Existing**	Not permitted

Relevant History

The existing purpose-built duplex was built in 1947 with a Building Permit. At some point, the garage doors were covered over with stonework, resulting in the parking being located in front of the building. The applicant would like to use what was the garage as a storage area, and re-instate the doors with thermally improved garage style access doors.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on November 23, 2017. A letter received December 1, 2017 is attached to this report.

ANALYSIS

Official Community Plan

The Official Community Plan Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, duplexes are subject to DPA 15D: Intensive Residential – Duplex. The proposal is generally consistent with the objectives of DPA 15D to foster and encourage a sense of neighbourliness, and fits in with the neighbouring context.

Local Area Plans

The property is located within the Conservation and General Residential Area in the *Suburban Neighbourhoods Plan*, which encourages improvement in the lifespan of existing housing stock. The existing purpose-built duplex would be retained and improved.

Neighbourliness Guidelines for Duplexes

The *Neighbourliness Guidelines for Duplexes* supports rezoning to the R-2 Zone, Two Family Dwelling District if the lot width is at least 15m, the lot site area is at least 670m² for interior sites, and if the lot has 277.5m² of site area per dwelling unit. The subject property exceeds the requirements of the guidelines, with a lot width of 18.37m, site area of 697m², and site area per dwelling unit of 348.5m².

Tree Preservation Bylaw and Urban Forest Master Plan

There is one bylaw protected Douglas fir tree, which is 84cm in diameter (measured at breast height) located on the southwest corner of the subject property; it will be retained and not affected by the proposed development. There is one publicly owned 65cm diameter Maple tree on the Kipling Boulevard; it will be retained with this proposal.

CONCLUSIONS

This proposal to rezone the property to allow the existing non-conforming duplex to be strata titled is generally consistent with the Official Community Plan and Local Area Plan. The existing duplex use would continue; however, it would allow the duplex to be strata titled.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00644 for the property located at 457 and 459 Kipling Street.

Respectfully submitted,



Chelsea Medd
Planner
Development Services Division

JH



For
Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:

Joelyn Jenkins
Aug 28, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped July 3, 2018
- Attachment D: Letter from applicant to Mayor and Council dated August 4, 2018
- Attachment E: Community Association Land Use Committee Comments from meeting on November 23, 2017