

H. REPORTS OF COMMITTEES

H.1 Committee of the Whole

H.1.b Report from the June 28, 2018 COTW Meeting

H.1.b.h 1139 Chapman Street – Rezoning Application No. 00624 & Development Permit with Variance Application No. 00624 (Oaklands)

Moved By Councillor Madoff

Seconded By Councillor Coleman

Rezoning Application No. 00624 for 1139 Chapman Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00624 for 1139 Chapman Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 1.17m along the lane, to the satisfaction of the Director of Engineering and Public Works.

Development Permit with Variance Application No. 00624 for 1139 Chapman Street

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00624, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit Application No. 00624 for 1139 Chapman Street, in accordance with:

1. Plans date stamped May 28, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the maximum floor area for the first and second storeys from 280.0m² to 362.13m².
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED

E. LAND USE MATTERS

E.3 1139 Chapman Street – Rezoning Application No. 00624 & Development Permit with Variance Application No. 00624 (Fairfield)

Committee received a report dated June 28, 2018, from the Director of Sustainable Planning and Community Development regarding an application to permit the construction of a duplex dwelling.

Moved By Councillor Madoff

Seconded By Councillor Thornton-Joe

Rezoning Application No. 00624

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00624 for 1139 Chapman Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 1.17m along the lane, to the satisfaction of the Director of Engineering and Public Works.

Development Permit with Variance Application No. 00624

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00624, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00624 for 1139 Chapman Street, in accordance with:

1. Plans date stamped May 28, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the maximum floor area for the first and second storeys from 280.0m² to 362.13m².
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of June 28, 2018

To: Committee of the Whole **Date:** June 14, 2018

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

Subject: Development Permit with Variance Application No. 00624 for 1139 Chapman Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00624, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00624 for 1139 Chapman Street, in accordance with:

1. Plans date stamped May 28, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. increase the maximum floor area for the first and second storeys from 280.0m² to 362.13m².
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variance Application for the property located at 1139 Chapman Street. The proposal is to construct a two-family dwelling.

The following points were considered in assessing this application:

- the proposal is consistent with the objectives for sensitive infill in Development Permit Area 15D: Intensive Residential - Duplex of the *Official Community Plan, 2012* (OCP)
- the proposal is generally consistent with the *Neighbourliness Guidelines for Duplexes*
- the variance to increase the maximum floor area on the first and second storeys combined is supportable, as the proposal is within the combined floor area for all levels, site coverage, as well as, floor space ratio.

BACKGROUND

Description of Proposal

The proposal is to construct a duplex dwelling. Specific details include:

- 1.5 storey building with a pitched roofline
- side-by-side units, each with a street oriented entry
- the exterior materials include board and batten, wood siding and cement block veneer
- shared garage accessed from rear lane
- shared path leading to covered front entries
- new fencing around the sides and rear yard
- separate outdoor spaces located in rear yard with patios.

The application proposes to vary the *Zoning Regulations Bylaw* by increasing the first and second floor area maximum from 280m² to 362.13m².

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP) identifies this property within Development Permit Area 15D: Intensive Residential – Duplex. The proposed design of the two-family dwelling is generally consistent with the *Neighbourliness Guidelines for Duplexes*.

The Guidelines promote designs that are compatible with neighbouring buildings and the character of the street, including a positive street presence with doors and porches oriented toward the street and landscaping that enhances the streetscape. The proposal is for a side-by-side duplex with ground-oriented entrances, landscaped front yard, and parking off the rear lane.

The Design Guidelines promote buildings in scale and character with the neighbourhood. Additionally, the front should be broken up into parts to create the illusion of a smaller building. The proposal has a pitched roof for the main massing of the house, with two pitched rooflines oriented toward the front yard for each unit, visually breaking up the front façade. The majority of the houses on the Chapman Street have hipped roofs, and a few houses have pitched roofs which are perpendicular to the street. The proposal, however, would have a pitched roof parallel to the street. The applicant has decreased the height of the roofline to help reduce the massing, and the first storey extends at a lower pitch to help reduce the shadowing impact for neighbours. A shadow study has been completed by the applicant, and can be found within the plans attached.

The proposed materials are generally in keeping with the character in the neighbourhood, using stained wood siding and modern finishes such as board and batten and block veneer. Variations in the finishes and details have been designed to break up the front of the building into smaller parts, to create the illusion of a smaller scale and to distinguish between the two units.

The Design Guidelines encourage windows and doors oriented toward the front for a positive street presence, and landscaping which fits the neighbourhood context. The proposal generally meets this guideline, with porches and windows oriented toward the street and landscaping with trees and shrubs. Parking has been provided in an accessory building at the rear so that the front has a more positive street presence.

The Design Guidelines encourage careful consideration of windows in relation to overlook to neighbouring properties. In the proposal, the windows on the side elevations of the proposed duplex do not directly overlap with neighbours' windows; however, there may be some potential for indirect views. The proposal would have transom bedroom windows on the main floor and opaque glass on bathroom windows. In addition, there would be a six foot high privacy fence to partially block the direct views from the ground floor windows.

The proposal for a side-by-side duplex is generally in keeping with the *Neighbourliness Guidelines for Duplexes*.

Local Area Plans

The property is located within the Conservation and General Residential Area in the *Suburban Neighbourhoods Plan*. New housing infill in this area should fit with the traditional residential streetscapes in regards to landscaping and architecture. This proposal generally meets these objectives.

Regulatory Considerations

A variance from the R-2 Zone, Two Family Dwelling District is proposed, which would increase the floor area maximum on the first and second storey from 280m² to 362.13m². The proposal is designed to be 1.5 storeys and without a basement, therefore all of the floor area is located within the first and partial storey above. All floor area within the 1.5 storeys is still below the maximum combined floor area of 380m² in the R-2 Zone. The proposal is also below the overall site coverage of 40%, and is below the FSR of 0.5 to 1. Staff recommend that Council consider supporting this variance.

CONCLUSIONS

The proposal to construct a duplex is consistent with Development Permit Area 15D: Intensive Residential – Duplex. The variance to increase the floor area on the first and second storey is supportable as the proposal is below the maximum FSR, site coverage and combined floor area of all levels. Staff recommend that Council consider supporting the concurrent Rezoning Application and this Development Permit with Variance application.

ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00624 for the property located at 1139 Chapman Street.

Respectfully submitted,



Chelsea Medd
Planner
Development Services Department



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:



List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped May 18, 2018
- Attachment D: Letter from applicant to Mayor and Council dated May 18, 2018
- Attachment E: Community Association Land Use Committee Comments dated November 28, 2017.