



Committee of the Whole Report

For the Meeting of March 7, 2019

To: Committee of the Whole **Date:** February 21, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00090 for 1491 Edgeware Road and 2750 Gosworth Road

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. 00659, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00090 for 1491 Edgeware Road and 2750 Gosworth Road, in accordance with:

1. Plans date stamped January 15, 2019.
2. Prior to issuance of the Development Permit with Variances, refine plans to include detailed elevations of fences and landscape screens meeting all bylaws, and making revisions to the landscape plan in order to correct inconsistencies to the Satisfaction of the Director of Sustainable Planning and Community Development.
3. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot 1

- i. decrease the lot width from 10.0m to 9.99m
- ii. decrease the front yard setback from 6.00m to 2.48 m
- iii. decrease the rear yard setback from 6.00m to 1.50m
- iv. decrease the front yard setback for an accessory building from 18.0m to 3.74m
- v. allow an accessory building to be located in the side yard.

Proposed Lot 2

- i. decrease the lot width from 10.0m to 9.99m
- ii. increase the site coverage maximum from 40% to 40.79%.

Proposed Lot 3

- i. decrease the lot width from 10.0m to 9.99m
- ii. increase the site coverage maximum from 40% to 40.4%.

Proposed Lot 4

- i. decrease the minimum side yard setback with a habitable window from 2.40m to 1.50m.

1. 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 Variances Application for the property located at 1491 Edgeware Road and 2750 Gosworth Road. The proposal is rezone the two existing lots, subdivide to four small lots and construct four new single family dwellings.

The following points were considered in assessing this application:

- the proposal is consistent with the objectives and guidelines for sensitive infill contained in Development Permit Area 15A: Intensive Residential - Small Lot, of the *Official Community Plan* (OCP, 2012)
- the proposal is consistent with the *Oaklands Neighbourhood Plan 1993*, which considers infill development based on an applications merit and meeting the small lot policy
- the proposal is generally consistent with the Design Guidelines contained in the *Small Lot House Rezoning Policy 2004*
- numerous variances are proposed related to lot width, front and rear yard setbacks, accessory building location and setback, and site coverage. The variances are supportable, as they are minor in nature, and are due to the road dedications and what is considered the street frontage.

BACKGROUND

Description of Proposal

The Development Permit with Variances Application is to subdivide the existing two lots and construct four small lot houses. Specific details include:

- each house would be two storeys with pitched rooflines, covered entries, and pedestrian-oriented streetscapes
- the houses are differentiated through architectural design and materials. Siding materials for the houses include stucco, cedar shingles, board and batten, concrete lap siding, and cultured stone. Roofing materials include fibreglass shingles and metal roof accents
- parking located in internal garages within the houses or in detached garages in the rear yards
- outdoor patios located at front and/or rear yard
- two lots share a driveway, which reduces the amount of hard landscaping
- driveway materials are a combination of concrete strips, tumbled rock, and decorative paving

- pathway and patio materials are concrete bands with granite fines
- soft landscaping throughout the development.

The proposed variances are related to:

- decreasing the lot width for lot 1, 2, and 3
- decreasing the front yard setback for lot 1
- decreasing the rear yard setback for lot 1
- allowing an accessory building in the side yard for lot 1
- decreasing the front yard setback for an accessory building for lot 1
- increasing the site coverage for lot 2 and 3
- decreasing the side yard setback for a habitable window for lot 4.

Data Table

The following data table compares the proposal with the proposed R1-S2 Zone. An asterisk is used to identify where the proposal is less stringent than the zone.

Zoning Criteria	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Proposed Lot 4	Zone Standard R1-S2
Site area (m ²) – minimum	275.85	274.62	273.39	299.11	260.00
Lot width (m) – minimum	9.99 *	9.99 *	9.99 *	10.00	10.00
Density (Floor Space Ratio) – maximum	0.51	0.59	0.59	0.59	0.60
Total floor area (m ²) – maximum	139.76	163.20	162.35	175.18	190.00
Height (m) – maximum	7.49	7.48	7.38	7.05	7.50
Storeys – maximum	2	2	2	2	2
Basement	no	no	no	no	Permitted
Site coverage (%) – maximum	35.51	40.79 *	40.40 *	36.64	40.00
Setbacks (m) – minimum					
Front	2.48 * (north)	6.00 (east)	6.00 (east)	6.00 (north)	6.00
Rear	1.50 * (south)	6.90 (west)	7.46 (west)	7.41 (south)	6.00

Zoning Criteria	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Proposed Lot 4	Zone Standard R1-S2
Side	7.92 (west)	1.53 (north)	2.03 (north)	1.54 (west)	1.50 – non-habitable 2.40 – habitable
Side	n/a	2.00 (south)	1.50 (south)	1.50 * - habitable (east)	1.50 – non-habitable 2.40 – habitable
Side – flanking street	6.00 (east)	n/a	n/a	n/a	2.40
Parking – minimum	1	1	1	1	1
Parking – location	garage	garage	garage	interior	Schedule C
Schedule F – Accessory Building Regulations					
Location	Side *	Rear	Rear	n/a	Rear
Rear Yard Site Coverage (%) – maximum	6.62	26.44	24.56	n/a	30.00
Combined floor area (m ²) – maximum	18.25	18.25	18.25	n/a	Schedule F 37.00
Height (m) – maximum	3.82	3.32	3.28	n/a	4.00
Setbacks (m) – minimum					
Front	3.74 * (north)	23.05 (east)	22.93 (east)	n/a	18.00
Rear	0.75 (south)	0.83 (west)	0.75 (west)	n/a	0.60
Side	0.75 (west)	0.75 (north)	3.73 (north)	n/a	0.60
Side	23.19 (east)	3.74 (south)	0.75 (south)	n/a	0.60

Zoning Criteria	Proposed Lot 1	Proposed Lot 2	Proposed Lot 3	Proposed Lot 4	Zone Standard R1-S2
Separation from single family dwelling (m) – minimum	3.48	2.43	2.92	n/a	2.40

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property within Development Permit Area 15A: Intensive Residential - Small Lot. The proposed design of the four new small lot houses are generally consistent with the *Small Lot House Design Guidelines*.

The proposed small lot houses generally fit in with the character of Oaklands neighbourhood. The immediate context has a variety lot sizes and houses in terms of character. The proposed setbacks are generally similar to other houses on Gosworth Road and Edgeware Road, with the exception of the house directly to the south, which has a larger setback with the house sited toward the rear of the property.

The proposed houses have pitched rooflines complementary to the adjacent single-family dwellings and to the overall neighbourhood character. The designs incorporate features such as covered entryways, quality materials and traditional rooflines.

The *Small Lot Design Guidelines* emphasize openings, such as windows and entries, as important elements to help projects fit in with the character of existing neighbourhoods. Entryways should be places on the front façade with a landing and porch. The houses have covered entries, which are at grade or one step up.

The *Small Lot Design Guidelines* encourage windows that take into consideration privacy concerns for neighbours. The proposal has windows maximized on the front and rear elevations of each house, and the windows on the side elevations are smaller on non-habitable spaces (e.g. hallways, bathrooms, and laundry rooms), which are located to respect the privacy of adjacent neighbours.

The *Small Lot Design Guidelines* encourage front yards that are people-oriented and not dominated by vehicle parking. This proposal generally meets this design guideline. Vehicle parking for the two houses facing Gosworth Road are located at the rear of the each proposed property in detached garages accessed by a shared driveway. The house on the corner has a detached garage located as far from the intersection as possible. The house on Edgeware Road would have an internal garage.

Each house is differentiated in materials and styles, with materials complementary to those in the neighbourhood. The house proposed for:

- Lot 1 would have primarily lap siding, and board and batten with cedar shingle and stone accents
- Lot 2 would be primarily stucco with cedar shingle accents
- Lot 3 would be primarily cedar shingles with a small amount of stone accents
- Lot 4 would be stucco with stone accents.

The *Small Lot Design Guidelines* recognize front yards as prominent features of the streetscape and, in general, front yard landscaping should reflect that in the neighbourhood. The proposal generally meets the design guidelines in terms of providing privacy fences in the rear yards and planting new landscaping and trees that enhances the streetscape. The usable outdoor space in the rear yards is limited in size due to the accessory buildings (garages) for the three houses facing Gosworth Road; therefore, the outdoor space has been located in the front yards. Staff have identified a concern that the front patios may not be very usable due to their semi-public nature. While front patios are not common in the neighbourhood, there would be soft landscaping and cedar privacy screens around the patios, which may help make the patios more usable and provide definition between the private and public spaces. More detail is required on the cedar privacy screen; however, soft landscaping would provide a more positive streetscape. The request for further detail and refinement is included in the recommended motion.

Overall, the proposed four small lot houses and landscaping are generally consistent with the *Small Lot Design Guidelines*.

Regulatory Considerations

The application proposes the following variances form the *Zoning Regulations Bylaw*:

Proposed Lot 1

- i. decrease the lot width from 10.0m to 9.99m
- ii. decrease the front yard setback from 6.00m to 2.48 m
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Proposed Lot 2

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Proposed Lot 4

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Lot Width Variances

The proposed lot width reduction requests from 10.0m to 9.99m for Lot 1, Lot 2 and Lot 3 are minor in nature, and are partially a result of the required road dedications. These variances are considered supportable.

Front Yard Setback and Rear Yard Setback Variances

The proposed variances for Lot 1 to decrease the front and rear yard setbacks are a result of Edgware being considered the frontage on this lot. If Gosworth Road were considered the frontage, the front yard setback of 6.0m and rear yard setback of 6.0m would be met. There are no habitable windows on the rear elevation, which would have a 1.50m setback from the property line. These variances are considered supportable.

Accessory Building Location and Front Yard Setback Variance

The proposed variance for Lot 1 to allow the accessory building to be located on the side yard is due to Edgeware Road being considered the frontage for this lot. This also requires a reduction in the front yard setback for an accessory building. If Gosworth Road were considered the frontage, these two variances would not be required. These variances are considered supportable.

Site Coverage Variance

The proposed variances for site coverage for Lot 2 from 40% to 40.79%, and Lot 3 from 40% to 40.4%, are minor in nature and are considered supportable.

Side Yard Setback

The proposed variance for Lot 4 to reduce the side yard setback for a habitable window is for transom windows in a landing at the top of the stairs on the second storey. The windows would be piano windows and would pose very little privacy concern. This setback is internal to the proposed development and would not impose on existing neighbours. This variance is also considered supportable.


CONCLUSIONS

The proposal to construct four new small lot houses is generally consistent with the *Small Lot House Design Guidelines*. Further, the proposed variances for lot coverage, lot widths, front yard setback, rear yard setback, side yard setback, and accessory building location and setback are considered supportable, as they are either a result of a technicality related to the street front or are minor in nature. Staff recommend that Council consider supporting this Development Permit with Variances Application.

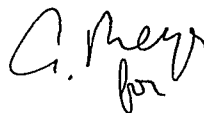
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00090 for the property located at 1491 Edgeware Road and 2750 Gosworth Road.

Respectfully submitted,



Chelsea Medd
Planner
Development Services Division

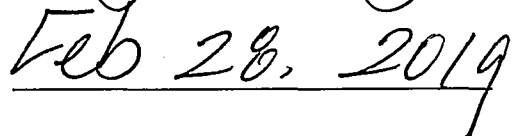


Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:



List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped January 15, 2019

- Attachment D: Renderings date stamped December 21, 2018
- Attachment E: Letter from applicant to Mayor and Council date stamped January 15, 2019
- Attachment F: Community Association Land Use Committee Comments date stamped September 13, 2018
- Attachment G: Small Lot Petition date stamped November 16, 2018
- Attachment H: Correspondence.