



Committee of the Whole Report

For the Meeting of September 10, 2020

To: Committee of the Whole **Date:** August 27, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: **Update Report for Rezoning Application No. 00672 and Development Permit with Variances Application No. 00097 for 1023 Tolmie Avenue**

RECOMMENDATION

Rezoning Application No. 00672

That first and second reading of the *Zoning Regulation Bylaw* Amendment be considered by Council and a public hearing date be set for the proposed development outlined in Rezoning Application No. 00672 for 1023 Tolmie Avenue.

Development Permit with Variances No. 00097

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. 00627, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00097 for 1023 Tolmie Avenue, in accordance with:

1. Plans date stamped July 20, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the front yard setback on the south lot from 6.00m to 4.30m to the building and 3.40m to the deck;
 - ii. reduce the rear yard setback on the south lot from 6.00m to 4.60m to the stairs and 5.40m to the building;
 - iii. reduce the south side yard setback on the north lot from 2.40m to 1.73m for any portion of a dwelling used for habitable space and which has a habitable window.
3. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to advance a rezoning application and development permit with variances application for the property located at 1023 Tolmie Avenue for reconsideration at

Committee of the Whole. In response to neighbourhood concerns, the applicant has made changes to the plans for the southern lot (new house) to eliminate the south side yard setback variance and increase the front and rear yard setbacks.

BACKGROUND

This proposal was presented at the Public Hearing on July 9, 2020 where Council made the following motion:

That this matter be referred to staff to work with the applicant to address concerns expressed by nearby residents relating to setbacks.

The applicant has since revised the plans for the south lot (new house) to move the driveway from the north portion of the site to the south portion, which gives additional space between the neighbour to the south and the proposed house. In addition, the front, rear, and side yard setbacks have been adjusted. Specifically:

- the south side yard setback has increased from 1.5m to 4.1m, which no longer requires a variance
- the front yard setback has increased from 3.0m to the deck and 4.2m to the house, to 3.4m to the deck and 4.3m to the house
- the rear yard setback to the stairs has increased from 3.5m to 4.6m
- the rear yard setback to the building has decreased from 5.5m to 5.4m
- the north side yard setback has decreased from 3.0m to 1.5m.

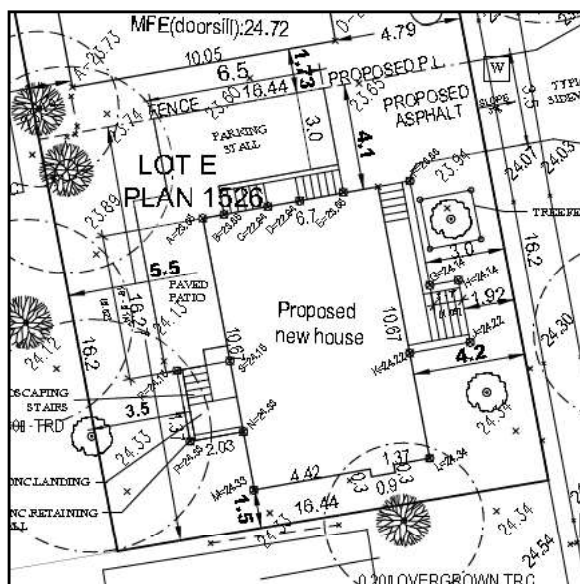


Figure 1: South Lot from April 6, 2020 (previous plans)

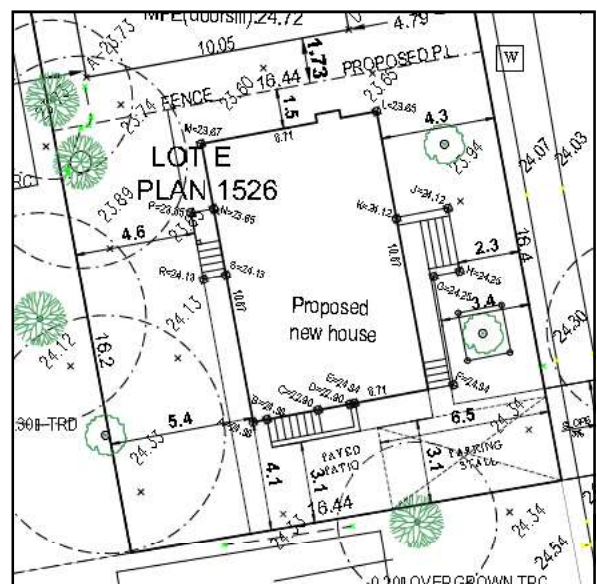


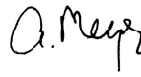
Figure 2: South Lot from July 20, 2020 (revised plans)

The south façade has been revised with no windows or doors in an effort to address privacy concerns. Finally, the average grade has been recalculated, which results in an 8.00cm increase in height, from 4.35m to 4.43m.

Respectfully submitted,



Michael Angrove
Senior Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: August 31, 2020

List of Attachments

- Attachment A: Plans date stamped July 20, 2020
- Attachment B: Minutes from the Council meeting of July 9, 2020
- Attachment C: Committee of the Whole Report dated June 11, 2020
- Attachment D: Committee of the Whole Report dated April 9, 2020.