



Committee of the Whole Report

For the Meeting of December 14, 2017

To: Committee of the Whole **Date:** November 30, 2017

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

Subject: Rezoning Application No. 00578 for 1410 Myrtle Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No.00578 for 1410 Myrtle Avenue, 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 1410 Myrtle Avenue. The proposal is to rezone from R1-B Zone, Single Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, in order to subdivide the property and construct a small lot house and retain the existing house. Variances related to the front yard setbacks of the proposed house, and rear yard setbacks of the existing house, are considered under the concurrent Development Permit with Variances Application report.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill development, as described in the *Official Community Plan, 2012* (OCP)
- the proposal is consistent with the objectives of the *Oaklands Neighbourhood Plan* which contains objectives to make provision for a range of housing types and sizes, and to encourage family housing through limited infill
- the proposal is generally consistent with the policies specified in the *Small Lot House Rezoning Policy, 2002*.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the subject property from the R1-B Zone, Single Family District, to the R1-S2 Zone, Restricted Small Lots (Two Storey) Dwelling District. The proposal is to create two small lots, retain the existing single-family dwelling on one lot, and construct a new small lot house on the other. Variances related to both the existing and new house would be required to facilitate this development, and will be discussed in relation to the concurrent Development Permit and 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

As indicated in the applicant's letter dated April 19, 2017 the following sustainability features are associated with this application:

- energy efficient heat pump
- energy star appliances
- thermal windows
- fiberglass shingle roof
- ICF foundation.

Active Transportation Impacts

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

Public Realm Improvements

The following frontage works associated with this Rezoning Application would be secured as part of the building permit process, and include a new separated sidewalk and boulevard along Hamilton Road. A 0.76 m road dedication along Hamilton Road is required as a condition of subdivision.

Land Use Context

The immediate neighbourhood (Myrtle Avenue, Hamilton Road, and Holly Street) are predominately characterized by single-family dwellings. The subject property represents a transitional property in terms of density and land uses due to its proximity to Hillside Avenue where duplexes, townhouses, apartment buildings, and retail and commercial uses are concentrated.

Existing Site Development and Development Potential

The site is presently a single-family house. Under the current R1-B Zone, the property could be redeveloped as a single-family house with a secondary suite or garden suite.

Data Table

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

Zoning Criteria	Proposed Lot A New House	Proposed Lot B Existing House	Zone Standard R1-S2
Site area (m ²) - minimum	260.15	380.93	260.00
Density (Floor Space Ratio) - maximum	0.57:1	0.28:1	0.6:1
Total floor area (m ²) - maximum	148.70	104.88	190.00
Lot width (m) - minimum	14.84 (Hamilton)	17.53 (Myrtle)	10.00
Height (m) - maximum	6.71	5.07	7.50
Storeys - maximum	2	2	2
Site coverage % - maximum	31.87	28.96	40.00
Setbacks (m) – minimum:			
Front	3.14* (Hamilton)	8.00 (Myrtle)	6.00
Rear	6.00 (East)	2.40 * (North)	6.00
Side	1.50 (North)	n/a	n/a
Side	3.00 (South)	3.50 (East)	1.50 (non-habitable) 2.40 (habitable)
Side on flanking street	n/a	2.56 (Hamilton)	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 Oakland's CALUC at a Community Meeting held on March 20, 2017. A record of this meeting is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 92% 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, Summary and illustrative map provided by the applicant are attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan (OCP)* Urban Place Designation for the property is Traditional Residential which contemplates small residential lots to diversify housing to create more

opportunities for home ownership. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential - Small Lot. The proposal is consistent with the objectives of DPA 15A to achieve new infill development that respects the established character in residential areas.

The Strategic Direction for the Oakland's Neighbourhood considers increased residential capacity within walking distance of the Hillside Avenue transit corridor, and the property is in close proximity to Hillside Avenue.

The *Oaklands Neighbourhood Plan* contains objectives to make provision for a range of housing types and sizes, and encourages family housing through limited infill. The *Oaklands Neighbourhood Plan* states that small lot houses will be considered on their own merits provided they meet design standards. The proposed small lots meet the intent of the Neighbourhood Plan.

Small Lot House Rezoning Policy

The *Small Lot House Rezoning Policy* encourages sensitive infill with an emphasis on ground-oriented housing that is consistent with the existing character of development. The Policy refers to a "Small Lot House" with a minimum lot size of 260m² and a minimum lot width of 10m. The proposed subdivided lots would meet the minimum lot size and lot width requirements of the Policy. Importantly, the policy discourages the removal of existing homes to facilitate development, and in this case the existing single-family dwelling would be retained, thus, maintaining the existing streetscape.

Tree Preservation and Urban Forest Management

As a condition of subdivision, a new separated sidewalk and boulevard are required along Hamilton Road. There are currently no city boulevard trees on this frontage. Within this new boulevard, two trees are proposed to be planted.

There are no bylaw protected trees affected by this project.

Resource Impacts

There are no resource impacts identified with this development.

CONCLUSIONS

This proposal to subdivide and rezone the subject property, retain the existing house, and construct one new small lot house is consistent with the objectives in the OCP and the *Small Lot House Rezoning Policy* for sensitive infill development. Staff recommend for Council's consideration that Council support this Application.

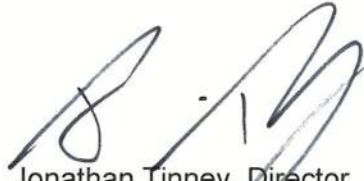
ALTERNATE MOTION

That Council decline Application No. 00578 for the property located at 1410 Myrtle Avenue.

Respectfully submitted,

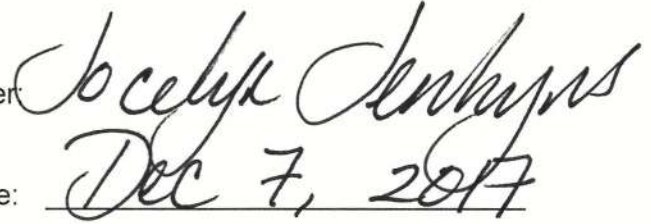


Lucina Baryluk, Planner
Sustainable Planning and Community
Development Department



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

Dec 7, 2017

List of Attachments:

- Attachment A - Subject Map
- Attachment B - Aerial Map
- Attachment C - Plans dated/date stamped October 16, 2017
- Attachment D - Letter from applicant to Mayor and Council dated April 19, 2017
- Attachment E - Community Association Land Use Committee Comments dated March 20, 2017
- Attachment F - Correspondence (Letters received from residents)