



Committee of the Whole Report

For the Meeting of December 7, 2017

To: Committee of the Whole **Date:** November 23, 2017

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

Subject: **Development Permit with Variances Application and Development Variance Permit for 3110 Doncaster Drive**

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. 00583, if it is approved, consider the following motions:

- 1) "That Council authorize the issuance of a Development Permit with Variances Application for the west portion of 3110 Doncaster Drive, in accordance with:
 - a. Plans date stamped October 5, 2017.
 - b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the front setback from 6.00m to 5.11m
 - ii. reduce the rear setback from 6.00m to 3.94m.
 - c. The Development Permit lapsing two years from the date of this resolution."
- 2) "That Council authorize the issuance of a Development Variance Permit Application for the east portion of 3110 Doncaster Drive, in accordance with:
 - a. Plans date stamped October 5, 2017.
 - b. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the rear setback from 6.00m to 5.70m.
 - c. 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.

In accordance with Section 498 of the *Local Government Act*, council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application related to a new small lot house and a Development Variance Permit Application for the property located at 3110 Doncaster Drive. The proposal is to subdivide and rezone the property into two small lots to construct a new small lot house while retaining the existing house. Variances have been requested for the front and rear setbacks of the proposed small lot house, and for the rear setback of the existing house.

The following points were considered in assessing this application:

- the proposal is consistent with the design guidelines specified in the *Small Lot House Rezoning Policy, 2002*, and the applicant would retain the existing single-family dwelling
- the requested rear yard variance associated with the existing dwelling at 3110 Doncaster Drive is relatively minor (30cm or 1 foot) and is required in order to establish the new lot line in a location that would meet the minimum site area for the newly proposed dwelling
- the requested front yard variances for the proposed dwelling would create a transition from the western building setback of approximately 9.5m to the smaller setback of 3.02m of the existing dwelling at 3110 Doncaster. Privacy concerns are minimized at the rear through the use of mainly narrow and small windows.

BACKGROUND

Description of Proposal

The proposal is to create two lots, maintain the existing single-family dwelling on the eastern lot, and construct a new small lot house on the western lot.

The details for the proposed new small lot dwelling include:

- two-storey building with a one-car garage
- projecting eave over the front door, which gives the entry more prominence
- a direct pedestrian connection from the sidewalk to the entrance and pitched rooflines, both of which are consistent with the character of the area
- exterior materials such as cement fiber board, stucco, asphalt shingles and cedar fencing.

A variance to reduce the rear yard setback from 6.00m to 5.70m is required for the existing house. For the proposed small lot house, variances are required to reduce the rear yard setback from 6.00m to 3.94m, and the front yard setback from 6.00m to 5.11m.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

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 Development Permit Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently a one-storey single-family dwelling. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single-family dwelling with either a secondary suite or a garden suite and up to a height of 7.5m and a total floor area of 280m².

Data Table

The following data table compares the proposal with the R1-S2 Zone, Restricted Small Lot (Two Storey) District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal-Lot 1 (new building)	Proposal-Lot 2 (existing building)	Zone Standard R1-S2, Small Lot (Two Storey)
Site area (m ²) - minimum	260.20	360.80	260.00
Density (Floor Space Ratio) - maximum	0.55	0.20	0.6 to 1
Total floor area (m ²) - maximum	143.20	72.10	190.00
Lot width (m) - minimum	16.02	16.24	10.00
Height (m) - maximum	6.00	3.73	7.50
Storeys - maximum	2.00	1.00	2.00
Site coverage % - maximum	35.90	20.80	40.00
Setbacks (m) – minimum:			
Front	5.11* (Clawthorpe)	8.52 - Doncaster	6.00
Rear	3.94* (north)	5.70* (west)	6.00
Side	1.52 (east)	n/a	1.50 (non-habitable) 2.40 (habitable)
Side	1.50 (west)	3.08 (north)	1.50 (non-habitable) 2.40 (habitable)

Zoning Criteria	Proposal-Lot 1 (new building)	Proposal-Lot 2 (existing building)	Zone Standard R1-S2, Small Lot (Two Storey)
Side on flanking street	n/a	3.02 (Clawthorpe)	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 Oaklands CALUC at a Community Meeting held on January 31, 2017. The minutes from the meeting are 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 100% 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

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 15A, Intensive Residential - Small Lot. The proposal is consistent with the design guidelines specified in the *Small Lot Design Guidelines*. The design of the proposed dwelling takes cues from the existing houses in the area, such as the lower portion of the front façade consisting of varying siding materials and stucco on the upper front façades. A straight path from the sidewalk to the front door is another prominent feature in the area. The slight recession of the garage façade and the projecting eave above the front door gives more prominence to the main entry.

The house on the eastern lot is existing so has not been assessed against the Small Lot Design Guidelines; however, any future exterior renovations would require consideration of the consistency with these guidelines.

Tree Preservation Bylaw and Urban Forest Master Plan

Proposed preservation and impacts to trees are discussed in association with the concurrent Rezoning Application associated with this property.

Regulatory Considerations

A Development Variance Permit is being requested for the eastern lot with the existing house to reduce the rear yard setback from 6.00m to 5.70m. This reduction is minimal in nature and is required in order to meet the minimum site area requirements of the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

For the proposed small lot house, variances are required to reduce the rear yard setback from 6.00m to 3.94m, and the front yard setback from 6.00m to 5.11m. These variances would aid in

the creation of a staggered transition from the existing house on the subject property, which has a small setback on Clawthorpe Avenue; and the properties to the west, which have significant front yard setbacks. Privacy concerns regarding rear yard overlook are minimized due to the small and narrow windows on the upper storey of the proposed dwelling. There is one larger window on the upper storey of the proposed dwelling; however, the existing spruce and cedar trees would block views from this window onto the neighbour's rear yard.


CONCLUSIONS

The proposal to construct a new small lot house along with two variances is consistent with Development Permit Area 15A: Intensive Residential - Small Lot. The small lot house is a form of sensitive infill development and generally fits in with the existing neighbourhood and in this instance the proposed variances are recommended as being supportable because the front yard setback acts as a transition from the large setbacks to the west to the small setback to the east. Privacy concerns are minimized due to window design and existing landscaping. The variance related to the rear yard of the existing house is minimal in nature and is required in order to meet the minimum site area for the proposed small lot.

ALTERNATE MOTION


That Council decline the Development Permit with Variances Application and the Development Variance Permit Application for the property located at 3110 Doncaster Drive.

Respectfully submitted,

 *A. Meyer*
Michael Angrove
Planner
Development Services


Jonathan Tinney, Director
Sustainable Planning and Community
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Report accepted and recommended by the City Manager:


Date: Nov 29, 2017