

REPORTS OF COMMITTEES

2. Committee of the Whole – December 14, 2017

1. Rezoning & Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue

Motion:

It was moved by Councillor Alto, seconded by Councillor Loveday:

Rezoning Application No. 00578

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.

Development Permit with Variances Application No. 00578

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. 00578, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit No. 00578 for 1410 Myrtle Avenue, in accordance with:

1. Plans date stamped October 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, R1-S2 Zone, Restricted Small Lot (Two Storey District) except for the following variances:
 - i. reduce the front yard setback for Lot A (new house) from 6.00m to 3.14m;
 - ii. reduce the rear yard setback for Lot B (existing house) from 6.00m to 2.40m.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

3. CONSENT AGENDA

3.4 Rezoning Application No. 00578 & Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue

Committee received a report dated November 30, 2017, from the Director of Sustainable Planning & Community Development regarding an application to create two small lots, retain the existing single-family dwelling on one lot, and construct a new small lot house on the other.

Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto:

Rezoning Application No. 00578

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.

Development Permit with Variances Application No. 00578

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. 00578, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit No. 00578 for 1410 Myrtle Avenue, in accordance with:

1. Plans date stamped October 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, R1-S2 Zone, Restricted Small Lot (Two Storey District) except for the following variances:
 - i. reduce the front yard setback for Lot A (new house) from 6.00m to 3.14m;
 - ii. reduce the rear yard setback for Lot B (existing house) from 6.00m to 2.40m.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW



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: Development Permit with Variances Application No. 00578 for 1410 Myrtle Avenue

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. 00578, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit No. 00578 for 1410 Myrtle Avenue, in accordance with:

1. Plans date stamped October 16, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, R1-S2 Zone, Restricted Small Lot (Two Storey District) except for the following variances:
 - i. reduce the front yard setback for Lot A (new house) from 6.00m to 3.14m;
 - ii. reduce the rear yard setback for Lot B (existing house) from 6.00m to 2.40m.
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 *Official 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 Application for the property located at 1410 Myrtle Avenue.

The proposal is to rezone from R1-B Zone, Single Family Dwelling District, to the 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 one new small lot house on the other. The application proposes variances related to reducing the front yard setback of the new single-family dwelling, and reducing the rear yard setbacks on the existing house.

The following points were considered in assessing this application:

- the application is largely consistent with the objectives and guidelines for sensitive infill contained in Development Permit Area 15A: Intensive Residential - Small Lot, of the *Official Community Plan, 2012* (OCP), and with the policies and design guidelines specified in the *Small Lot House Design Guidelines*
- the variances proposed to reduce the front yard setback of the new house, and rear yard setback of the existing house, are considered supportable as adequate green space is provided for both buildings.

BACKGROUND

Description of Proposal

This Rezoning Application is to subdivide the lot, retaining the existing house on one small lot, and constructing a new small lot single-family dwelling on the other lot.

The details for the proposed new small lot house include:

- two-storey dwelling
- design elements include a hip roofline with a dormer and a covered entryway
- exterior materials include board and batten, concrete siding, and accents of cultured stone
- landscaping includes a lawn area in the front and rear yards with shrubs and two small ornamental trees in the two main planting areas (front entrance and south-east corner of rear yard). A new solid board fence will separate the two lots.

For the existing house, the driveway will be retained (off Myrtle Avenue) and will be repaved with a coloured smooth finish concrete. The driveway and carport that are to be decommissioned (off Hamilton Road) will be replaced with lawn. The applicant has not indicated any further changes to the exterior of the existing house.

The proposed variances are related to:

- reducing the front yard setback on the new house
- reducing the rear yard setback on the existing house.

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

Proposed public realm improvements are discussed in association with the concurrent Rezoning Application associated with this property.

ANALYSIS

Small Lot House Design Guidelines

The design of the small lot house is subject to the Small Lot House Design Guidelines. In general, the focus of the guidelines is to achieve a good fit in the immediate and broader context of the neighbourhood. The proposed new small lot house is in keeping with the visual character of the neighbourhood, with a similar roofline and height to many of the dwellings within the area.

The subject lot is in a unique location as it can be considered a transitional lot to the higher density development along Hillside Avenue. The adjacent property on Hamilton Road (1441 Hillside Avenue) is a townhouse development. As such, the building height and massing create an appropriate transition from single-family to multi-family residential. It is noted that the achieved height of the building is less than the maximum permitted in the zone.

The siting of both dwellings require a variance. For the existing dwelling, a setback variance is required for the rear yard from 6.0m to 2.4m. This is mostly as a result of the house placement, which is setback 8m from Myrtle Avenue. As the rear yard will still provide some functional outdoor private space for the existing dwelling, and as there is significant green space in the front of the dwelling, this is a supportable variance.

For the proposed dwelling, a setback variance is required from the front yard from 6.0m to 3.14m. As the street is very short on this side of the block, and as there is little guidance for an established setback pattern and the proposed setback is in keeping with the existing house, the proposed setback is supportable. With a smaller front yard, the back yard is not comprised and the minimum required setback from the neighbour to the east (1414 Myrtle Avenue) is maintained.

CONCLUSIONS

The proposal to construct a new small lot house on Hamilton Road is generally consistent with the *Small Lot House Design Guidelines* and Development Permit Area 15A: Intensive Residential – Small Lot. The proposed dwelling represents a good fit in the immediate and wider context of the neighbourhood. The massing and proportion are appropriate for this lot, which can be viewed as a transitional lot between the single-family residences and the higher density development along Hillside Avenue. The design of the house has visual interest and is compatible with the established design in the neighbourhood. The proposed variances to reduce the front yard setback on the new house, and reduce the rear yard setback on the existing house, are considered supportable. Staff recommend that Council support this Application.

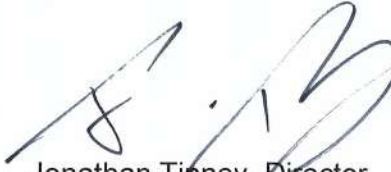
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00578 for the property located at 1410 Myrtle Avenue.

Respectfully submitted,



Lucina Baryluk, Planner
Sustainable Planning and Community
Development Department

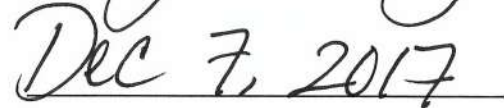


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:



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)