



Committee of the Whole Report For the Meeting of September 21, 2017

To: Committee of the Whole **Date:** September 7, 2017
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Variance Permit No. 00184 for 1265 Vista Heights

RECOMMENDATION

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00184 for 1265 Vista Heights, in accordance with:

1. Plans date stamped August 23, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. relaxation to permit a roof deck
 - ii. reduce the front yard setback from 7.50m to 5.00m
 - iii. increase the maximum parking stall area grade from 8% to 10.50%.
3. Registration of a Section 219 Covenant on title to ensure the roof deck is used solely for the purposes pertaining to sustainable environmental initiatives, including but not limited to, solar panels and green roofs.
4. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

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 Variance Permit application for the property located at 1265 Vista Heights. The proposal is to construct a single-family dwelling with a secondary suite. The variances are related to reducing the front yard setback, permitting a roof deck, and increasing the maximum parking stall area grade.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential urban place designation within the *Official Community Plan*, which envisions single-family dwellings
- the proposal is consistent with the *Hillside-Quadra Neighbourhood Plan*, which identifies the property within the "Maintain Current Zoning" designation
- the roof deck variance is supported by the immediate neighbours and its use will be controlled through a Section 219 Covenant
- the front yard setback and the parking stall area grade variances are minimal in nature and are a consequence of the sloping nature of the subject property.

BACKGROUND

Description of Proposal

The proposal is for the construction of a new single-family dwelling with secondary suite. Variances are required due to the sloping nature of the site as well as to provide access to a roof deck which accommodates a green roof and solar panels. The proposed variances are to:

- reduce the front yard setback from 7.5m to 5.0m
- increase the maximum parking stall area grade from 8% to 10.5%
- permit a roof deck.

Sustainability Features

As indicated in the applicant's letter, dated June 5, 2017, the following sustainability features are associated with this application:

- rain harvest and storm water retention through green roofs, decks and other drainage troughs. Rain harvest will be stored in four 1500 gallon tanks located underground in the rear yard. The rain harvest will be connected to an automated irrigation system to water fruits, vegetables, herbs and flowers. Electric pumps, powered by solar panels, will provide power for the irrigation system
- green roofs with drought resistant, pollinating sedums and other low growing, low maintenance plants
- high-capacity solar panels and Tesla storage batteries to decrease power consumption
- envelope design that meets Passive House and Net Zero performance targets
- low-maintenance, highly-durable long lifecycle exterior materials
- high-performance triple-paned windows
- passive heating and cooling through the placement of windows
- non-venting condensing clothes dryer and non-venting kitchen exhaust will preserve the integrity of the passive envelope.

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 Variance Permit Application.

Existing Site Development and Development Potential

The site is presently a single-family dwelling. Under the current R1-B Zone, Single Family Dwelling District the property could be developed as a single-family dwelling with no more than one of the following:

- secondary suite
- garden suite
- roomers and/or boarders up to a maximum of four

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard (R1-B)
Site area (m ²) - minimum	625.30	460.00
1 st & 2 nd storey floor area (m ²) - maximum	214.00	280.00
Lot width (m) - minimum	18.29	15.00
Height (m) - maximum	7.60	7.60
Storeys - maximum	2.00	2.00
Site coverage % - maximum	36.93	40.00
Basement	Yes	Permitted
Roof deck	Yes*	Not permitted
Setbacks (m) – minimum:		
Front	5.00*	7.50
Rear	11.79	8.56
Side (east)	1.83	1.83
Side (west)	3.05	3.00
Combined side yards	4.88	4.50
Parking - minimum	1	1
Driveway/parking slope (%) - maximum	10.50*	8.00

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 8, 2017 the application was referred for a 30-day comment period to the Hillside-Quadra CALUC. A letter dated February 20, 2017 is attached to this report.

This application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Local Area Plans

The *Hillside-Quadra Neighbourhood Plan* identifies the property within the "Maintain Current Zoning" designation. The proposal is consistent with this designation.

Tree Preservation Bylaw and Urban Forest Management

There is an existing protected Garry Oak on the subject property. Staff requested further investigation of the tree's roots by the consulting arborist, and it was determined that the tree had poor root structure that would not withstand the amount of excavation work required for the proposed landscape plan and underground servicing, and as such, the tree will be removed. As per the bylaw, two replacement trees will be planted by the applicant on their property.

There is an existing boulevard tree that will be removed and replaced as a result of the proposed driveway.

Regulatory Considerations

There are three variances that affect this application. The maximum parking stall area grade is proposed to be increased from 8% to 10.5% due to the natural slope of the property. Similarly, the front yard setback is proposed to be reduced from 7.5m to 5.0m. While this setback is closer to the street than the immediately adjacent properties, it is consistent with properties on the same block face to the west. To further reduce the impact of the reduced setback, the applicant is opening up sightlines between the entry and the street through a wide staircase and providing a seating area at the front door to promote connections with the public sidewalk.

Finally, the applicant proposes to install a green roof with maintenance access by a permanent staircase. By adding the staircase the green roof is technically considered a roof deck, which requires a variance. The applicant has obtained letters of support from the immediate neighbours and is willing to register a Section 219 Covenant on title, which will restrict the use of the roof deck. The purpose will be to minimize privacy concerns, as it would prevent future owners from removing the environmentally sustainable initiatives and instead use the roof deck for amenity space.

CONCLUSIONS

This proposed variances to the setback and parking stall area grade are a result of the sloping nature of the site and measures are being taken to mitigate the impacts. The roof deck variance has the support of the adjacent neighbours and a Section 219 Covenant will be registered on title stating the deck can only be used for environmental sustainability initiatives. Staff recommend for Council's consideration supporting this application.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00184 for the property located at 1265 Vista Heights.

Respectfully submitted,

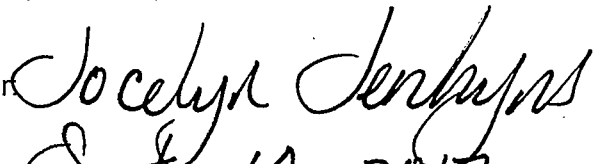


Michael Angrove
Planner
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager



Date:

Sept. 14, 2017

List of Attachments:

- Attachment A – Subject Map
- Attachment B – Aerial Map
- Attachment C – Plans date stamped August 23, 2017
- Attachment D – Letter from applicant to Mayor and Council dated August 22, 2017
- Attachment E – Community Association Land Use Committee Comments dated February 20, 2017
- Attachment F – Arborist report dated April 13, 2017
- Attachment G – Arborist report addendum dated May 31, 2017
- Attachment H – Arborist report addendum dated August 9, 2017
- Attachment I – Correspondence