



## Committee of the Whole Report For the Meeting of August 3, 2017

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**To:** Committee of the Whole **Date:** July 21, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Development Variance Permit No. 00188 for 1457 Clifford Street

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### 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 Permit Application No. 00188 for 1457 Clifford, in accordance with:

1. Plans date stamped July 13, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

#### Lot 1

- i. reduce the minimum lot width from 15m to 13.46m;
- ii. reduce the minimum side yard setback from 3.0m to 2.49m;
- iii. reduce the minimum combined side yard setback from 4.5m to 3.99m.

#### Lot 2

- i. reduce the minimum average lot width from 15m to 13.46m;
- ii. reduce the minimum side yard setback from 3.0m to 2.59m;
- iii. reduce the minimum combined side yard setback from 4.5m to 4.09m.

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 Variance 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.

## **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 1457 Clifford Street. The proposal would reduce the side yard setbacks and lot width of the proposed lots in order to facilitate a subdivision to create two lots for single family homes with secondary suites.

The following points were considered in assessing this application:

- each of the proposed lots would be larger than the minimum site area required in R1-B Zone (Single Family Dwelling District); however, variances would be required related to lot width, and side yard setbacks
- the proposed variances are relatively minor and do not significantly impact the established lot pattern of the street or pose privacy issues for adjoining properties
- consistency with the *Official Community Plan*, 2012, Traditional Residential Urban Place Designation, and objectives for including secondary suites to increase home affordability and residential rental units
- consistency with the *Suburban Neighbourhoods Plan*, 1984, which supports development that reinforces the attractive local character and scale
- secondary suites generally comply with the *Secondary Suite Design Guidelines*.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to subdivide the existing lot and construct two single family dwellings with secondary suites on each lot. The proposed variances on both lots are related to:

- reducing the minimum required lot width
- reducing the minimum required side yard setback
- reducing the minimum required combined side yard setbacks.

### **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 Variance 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 single family home with a basement suite. Under the current R1-B Zone, the property could be developed as a single family dwelling with secondary suite or garden suite.

### Data Table

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

Zoning Criteria	Proposed (Lot 1)	Proposed (Lot 2)	Zone Standard R1-B
Site area (m <sup>2</sup> ) - minimum	492.75	493.47	460.00
1 <sup>st</sup> & 2 <sup>nd</sup> Storey floor area (m <sup>2</sup> ) - maximum	222.25	194.08	280.00
Total floor area (m <sup>2</sup> ) - maximum	295.42	282.74	300.00
Lot width (m) - minimum	<b>13.46*</b>	<b>13.46*</b>	15.00
Height (m) - maximum	7.45	7.42	7.60
Storeys - maximum	2	2	2
Site coverage % - maximum	31.94	27.43	40.00
<b>Setbacks (m) – minimum:</b>			
Front (south)	7.50	7.50	7.50
Rear (north)	9.64	12.96	9.17
Side (west)	1.50	<b>2.59*</b>	1.50
Side (east)	<b>2.49*</b>	1.50	3.00
Combined side yards	<b>3.99*</b>	<b>4.09*</b>	4.50
Parking - minimum	1	1	1

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on March 29, 2017 the application was referred for a 30-day comment period to the Fairfield CALUC. An email from the Fairfield Gonzales CALUC 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**

### **Official Community Plan**

The *Official Community Plan, 2012* (OCP) Urban Place Designation for the subject property is Traditional Residential. The strategic direction in the OCP is ground-oriented buildings up to two storeys, with houses oriented toward the street. Additionally, it is consistent with policy in the OCP which supports increased affordable home ownership through additional, on-site residential rental units.

### **Suburban Neighbourhoods Plan**

The *Surburban Neighbourhood Plan* characterizes the residential areas in this neighbourhood as being small structures on relatively small lots, with low heights, and being of a variety of ages and styles.

### **Regulatory Considerations**

The proposed variances are related to overall lot width and sideyard setbacks.

The minimum requirement for lot width permitted in the R1-B Zone is 15 meters. The proposed new lot widths would be 13.46 meters for each lot. These reductions are fairly minor and are in part a result of the irregular lot width and how these measurements are taken. Overall the rhythm of buildings along Clifford Street is not overly impacted.

With regard to the request for the reduced setbacks, for Lot 1 the reduction would be from 3 metres to 2.49 meters and for Lot 2 the reduction would be from 3 metres to 2.59 metres. In both instances, because of the irregular lot shape, where the lot fans out, becoming wider towards the rear of the lot, these variances apply for the portion of the houses closest to the street and the minimum distances are met further back on the property. Additionally, very few windows have been included on these elevations in order to help mitigate potential privacy concerns.

### **Tree Preservation and Urban Forest Masterplan**

There are no bylaw protected trees on the subject property. However, there are two mature city boulevard trees (Green Ash and Swedish Whitebeam) on Clifford Street, one of which will be retained, and one will be removed, due to its declining health. The tree that is removed will be replaced by the applicant.

There is a bylaw protected tree immediately adjacent to the east property line of proposed Lot 1, owned by 358 Arnold Avenue. The proposed driveway and home are approximately 2.5 meters from this tree trunk. An arborist report has been submitted, which reviews the construction impacts to this tree. A requirement of the Building Permit will be that the project arborist do exploratory digging of the tree's root zone prior to construction.

### **Secondary Suite Design Guidelines**

The *Secondary Suite Design Guidelines* recommend a single entrance on the front façade of the house, which is consistent with the secondary suite entrances on the sides of each lot. The Guidelines also recommend hard entrance pathways, gate entrances, and private outdoor spaces with landscape screening, which have been proposed.

## CONCLUSIONS

The creation of two detached dwellings with secondary suites is consistent with City policy. Further, the development is consistent with the neighbourhood plan and OCP, which envisions ground oriented houses consistent with the street context, and provision of secondary suites for rental. Staff recommend for Council's consideration that the Application advance to an opportunity for public comment at a meeting of Council.

## ALTERNATE MOTION(S)

That Council decline DVP Application No. 00188 for the property located at 1457 Clifford Street.

Respectfully submitted,



Chelsea Medd  
Planner  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date:

July 25, 2017

## List of Attachments

- Attachment A – Subject Map
- Attachment B – Aerial Map
- Attachment C – Plans
- Attachment D – Letter from applicant
- Attachment E - Community Association Land Use Committee email