



Committee of the Whole Report

For the Meeting of July 20, 2017

To: Committee of the Whole **Date:** July 6, 2017

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

Subject: **Development Permit with Variances Application No. 00033 for 1421 Fairfield Road**

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. 00033 for 1421 Fairfield Road, in accordance with:

1. Plans date stamped June 23, 2017.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot D

- i. Schedule H (3)(a): Increase the height from 5.00m to 6.66m
- ii. Schedule H (3)(a): Increase the number of storeys from 1 to 1.5.

Proposed Lot E

- i. Schedule H (3)(a): Increase the height from 5.00m to 7.01m
- ii. Schedule H (3)(a): Increase the number of storeys from 1 to 1.5.

3. The Development Permit lapsing two years from the date of this resolution.

This authorization is conditional on the property being subdivided into three strata lots generally in accordance with the subdivision application dated April 29, 2016."

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 with Variances Application for the property located at 1421 Fairfield Road. The proposal is to subdivide the existing lot and construct three single-family dwellings. This Development Permit with Variances is for two proposed Panhandle Lots. A Development Variance Permit is required for the third lot located on Fairfield Road and is discussed in a separate report.

The following points were considered in assessing these applications:

- the proposal is generally consistent with the objectives for sensitive infill in Development Permit Area 15B: Intensive Residential – Panhandle Lot of the *Official Community Plan* (OCP)
- the proposal is generally consistent with the design specifications of the *Small Lot House Design Guidelines* (2002)
- the proposed variances relate to height and number of storeys. These variances reflect the context across the lane and do not have a substantial impact on the privacy of the adjacent properties.

BACKGROUND

Description of Proposal

The proposal is to construct three single-family houses. Lot D and Lot E, the subjects of this application, are Panhandle Lots and therefore are in Development Permit Area 15B: Intensive Residential – Panhandle Lot. Lot F is not a Panhandle Lot but would require variances which are reviewed under a separate report. Similarly, although all three lots would be in the R1-B Zone, Single Family Dwelling District, Schedule H – Panhandle Lot Regulations would apply only to Lot D and E.

Specific details include:

- one and a half storey buildings with basements
- design elements such as contemporary low slope rooflines, covered front entryways, and contemporary styled windows
- the exterior materials include wood siding, acrylic stucco siding, metal cladding, fibre cement panel and aluminium guard rails with glass inserts
- new hard and soft landscaping would be introduced, including permeable paving stone driveways and paths, trees, shrubs and ground cover.

Sustainability Features

As indicated in the applicant's letter dated February 22, 2017, the following sustainability features are associated with this application:

- energy efficiency: New construction to pursue Energuide 80 (or equivalent)
- renewable energy: solar / PV provisions
- water: low flow fixtures

- site permeability: permeable paving stones for hard landscaping
- landscaping: no net loss in number of trees.

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 in the R1-B Zone, Single Family Dwelling District. Under this zone, the site could be subdivided and three single-family homes with secondary suites could be built, subject to Council's approval of a Panhandle Development Permit Application.

Data Table

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

Zoning Criteria	Proposal Lot D	Proposal Lot E	Zone Standard R1-B Zone
Site area (m ²) - minimum	600.00	600.00	600.00
Lot width (m) - minimum	21.74	20.94	18.00
Total floor area (m ²) - maximum	279.80	280.00	280.00
Height (m) - maximum	6.66 *	7.01 *	5.00
Storeys - maximum	1.5 *	1.5 *	1
Site coverage % - maximum	24.90	25.00	25.00
Setbacks (m) - minimum			
Front (Moss Rock Pl.)	8.40	7.50	7.50
Rear (south)	7.50	8.60	7.50
Side (east)	4.20	4.20	4.00
Side (west)	4.00	4.30	4.00
Parking - minimum	1	1	1

Relevant History

The three single-family dwellings located across Moss Rock Place were constructed prior to revisions to the Panhandle Lot Regulations and therefore the Panhandle Lot Regulations did not apply at the time.

A previous application (No.00004) was received for 1421 Fairfield Road to subdivide into three lots and construct three single-family dwellings. The proposal was declined by Council at the September 8, 2016 Council Meeting (minutes attached). The subject of this report is a revised application for the same site.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 18, 2017 the application was referred for a 30-day comment period to the Fairfield Gonzales CALUC; a letter dated May 19, 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

Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 15B: Intensive – Panhandle Lot. The Design Guidelines for a Small Lot House (2002) apply to Panhandle Lot Development.

Proposed Lot D – New Single Family Dwelling

The proposal is for a one and a half storey house with a basement. The design of the house incorporates architectural elements such as contemporary low slope rooflines, covered front entryways, and contemporary styled windows. The exterior design, materials, form and character are in keeping with the buildings across the lane, and the proposed Lot F.

Proposed Lot E – New Single Family Dwelling

The proposal is for a one and a half storey house with a basement. The design of the house incorporates architectural elements such as contemporary low slope rooflines, covered front entryways, and contemporary styled windows. The exterior design, materials, form and character are in keeping with the buildings across the lane, and the proposed Lot F.

Regulatory Considerations

The single-family dwellings across Moss Rock Place were not subject to the Panhandle Regulations at the time of their construction. This application proposes variances to permit increased height and number of storeys which would be more in keeping with these existing houses.

Proposed Lot D – New Single Family Dwelling

The applicant is requesting variances for the house on Lot D as follows:

- increasing the height from 5.00m to 6.66m
- increasing the number of storeys from 1 to 1.5

A new fence and new trees are proposed to mitigate potential privacy impacts on the adjacent house (1470 Faircliff Lane) which may result from an increased building height. The proposed house is offset and the rear setback is 7.5m so that the existing house will see past it. The other adjacent property (311 Masters Road) will not be substantially impacted because it is at a much higher elevation due to a steep grade change.

Proposed Lot E – New Single Family Dwelling

The applicant is requesting variances for the house on Lot E as follows:

- increase the height from 5.00m to 7.01m
- increase the number of storeys from 1 to 1.5.

These variances will not have a substantial impact because the adjacent existing house does not have any windows on the rear elevation and there are existing trees on the adjacent lot that will screen the view between the two buildings. The windows on the rear of the house are small in size and number.

Tree Preservation and Urban Forest Management

There are no bylaw protected trees on the development's proposed residential lots. There is one large protected Arbutus tree directly across from the development on Moss Rock Place. There are three privately owned protected Western Red Cedar trees immediately adjacent to the development's east property boundary. Their critical root zones do not extend into the proposed building envelopes; however they do extend into the subdivision's servicing easement. The Tree Preservation Plan outlines protection measures for these neighbour's trees to be employed during construction. The project arborist will be required to be on site during excavation works for the proposed services to these lots within the road right-of-way on Moss Rock Place, to ensure the Arbutus root zone is protected as well.

Boulevard landscaping along the Fairfield Road frontage will be secured at the time of subdivision approval, including grass and three new boulevard canopy trees.

CONCLUSIONS

This proposal to construct three new houses requires a Development Permit with Variances for the two Panhandle Lots. Although the application is not in compliance with Schedule H, which provides regulations related to height and number of storeys, the proposal is generally consistent with Development Permit 15B: Intensive Residential – Panhandle Lot. The new houses will fit in with the existing neighbourhood and the variances will not have a substantial impact on the privacy of the adjacent lots. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00033 for the property located at 1421 Fairfield Road.

Respectfully submitted,



Rob Bateman
Senior Process Planner
Development Services Division

Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:


July 12, 2017

List of Attachments

- Subject Map
- Aerial Map
- Plans date stamped June 23, 2017
- Letter from applicant to Mayor and Council dated April 24, 2017
- September 8, 2016 Council Meeting Minutes
- Letter from Fairfield Gonzales CALUC dated May 19, 2017