

4.1 b. Development Permit with Variances Application No. 00517 for 115 Moss Street

Committee received a report dated September 22, 2016, from the Director of Sustainable Planning and Community Development regarding an application to construct two small lot houses and retain the existing dwelling unit.

- Motion:** It was moved by Councillor Lucas, seconded by Councillor Coleman, 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.00517 if it is approved, consider the following motion:
- "That Council authorize the issuance of Development Permit Application No. 00517 for 115 Moss Street, in accordance with:
1. Plans date stamped July 27, 2016
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 1.23.3: reduce the lot width of Lot A and C from 10m to 9.89m;
 - ii. Part 1.23.8(c): reduce the side yard (north) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iii. Part 1.23.8(c): reduce the side yard (south) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iv. Schedule "C" Section 3 - permit one parking space to be located in the front yard of Lot B;
 3. The Development Permit lapsing two years from the date of this resolution."

Committee discussed:

- Concerns about the inconsistency with sensitive infill guidelines and potential of destabilizing the neighbourhood.
- Affects to the neighbouring properties and the lack of demonstrated need for variances.
- The intent of small lot zones and concerns about allowing these sites to be rezoned.

Councillor Loveday withdrew from the meeting at 9:28 a.m. and returned at 9:29 a.m.

CARRIED 16/COTW

For: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Against: Councillor Isitt, Madoff, and Young

1. Committee of the Whole – October 6, 2016

2. b. Development Permit with Variances Application No. 00517 for 115 Moss Street

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

Carried

For:

Opposed:

**Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, and Thornton-Joe
Councillors Isitt, Madoff, and Young**



Committee of the Whole Report

For the Meeting of October 6, 2016

To: Committee of the Whole **Date:** September 22, 2016

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

Subject: Development Permit with Variances Application No. 00517 for 115 Moss Street

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.00517 if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00517 for 115 Moss Street, in accordance with:

1. Plans date stamped July 27, 2016
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
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 - iii. Part 1.23.8(c): reduce the side yard (south) setback of Lot B from 2.40m to 1.56m to allow for a habitable room with a window;
 - iv. Schedule "C" Section 3 – permit one parking space to be located in the front yard of Lot B;
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 *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 Permit Application for the property located at 115 Moss Street. The proposal is to construct two small lot houses and retain the existing dwelling unit. The variances are related to lot width, setbacks and parking location.

The following points were considered in assessing these applications:

- the proposal is 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);
- the proposal is generally consistent with the design guidelines contained in the *Small Lot House Rezoning Policy*;
- the requested variance associated with slightly reducing the lot widths of Lots A and C is supportable, and is a result of retaining the existing house, which requires a slightly larger lot size and lot width to accommodate the house and maintain adequate setbacks;
- the requested side yard setback variances associated with the existing single-family dwelling on Lot B (middle lot) is supportable and would have minimal impact on privacy and overlook onto neighbouring properties. A new fence would be installed around the perimeter of the site;
- the existing dwelling unit on proposed Lot B does not contain a garage. The requested variance to locate the parking space in the front yard is supportable as the applicant is proposing to install permeable pavers and substantial landscaping to reduce the visual impact of the proposed parking space.

BACKGROUND

Description of Proposal

The proposal is for two small lot houses. Specific details include:

- each new small lot house would be two-storeys with a crawlspace
- design elements of the small lot house on Lot A include a slightly pitched roofline, traditional style windows, covered entryway and a single car garage; and the exterior materials include cement board panels and wood trim, wood shingles, rock veneer posts, fiberglass shingles and wood garage door
- design elements of the existing dwelling unit on Lot B include a roof with a dormer on the front and a gambrel roofline on the rear; and the exterior materials include wood trim and fascia, wood shingles and stucco
- design elements of the small lot house on Lot C include a slightly pitched roofline, contemporary style windows, flat roof elements above the entryways and a single car garage; and the exterior materials include painted stucco, horizontal siding, wood trim and fascia, upper-storey fiberglass door with glazing, wood front door with glazing and a prefinished metal garage door
- parking for the existing dwelling unit would be located in the front yard (variance required)
- all hard surface materials on site are permeable
- new hard and soft landscaping would be introduced.

The proposed variances are related to:

- reducing the lot width of Lot A and C
- reducing the side yard setbacks of Lot B
- allowing the parking space for Lot B to be located in the front yard.

Sustainability Features

As indicated in the applicant's letter dated April 14, 2016, the small lot houses would be constructed with sustainable and durable materials and incorporate energy and resource efficient features.

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.

Existing Site Development and Development Potential

The site is presently a single-family dwelling.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on April 20, 2016 the application was referred for a 30-day comment period to the Fairfield Gonzales CALUC. A letter dated April 16, 2016 is attached to this report.

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property within Development Permit Area 15A: Intensive Residential – Small Lot. The proposed design of the two new small lot houses are generally consistent with the *Design Guidelines for Small Lot House (2002)*.

The proposed two-storey small lot houses have a similar pitched roofline that is complementary to adjacent single family dwellings and the overall neighbourhood character. The proposed small lot house on Lot A also incorporates traditional design features such as traditional style windows and materials, and covered entryway. Whereas, the proposed small lot house on Lot C incorporates design elements, such as contemporary style glazing and materials, and flat roof projections above the entryways to enhance the contemporary look of the building. All the houses have windows that are maximized on the front and rear elevations, and the windows on the side elevations are smaller and carefully located to respect the privacy of adjacent neighbours.

The only concern regarding the design of the new small lot houses is the prominence of the single car garages. Each garage projects beyond the front door. To soften the appearance of the single-car garages, roof projections above the front entryways and posts extending slightly beyond the garage doors have been added to reduce the visual impact on the streetscape.

The applicant is proposing to retain and restore the existing dwelling unit to ensure it is consistent with the design guidelines for small lot houses. The building has a distinctive rooflines that gives it a unique character on the street. The applicant is proposing to restore the exterior finishes by introducing wood shingles and adding stucco along the lower level.

The applicant is proposing a mix of hard and soft landscaping in the front and rear yards of all three lots and is also proposing to plant additional trees on site.

Regulatory Considerations

Lot width variances

The applicant is proposing to reduce the lot widths of Lots A and C from 10m to 9.89m. A small reduction in lot width is a result of requiring a slightly larger lot size and lot width to accommodate the existing single family dwelling and to maintain adequate setbacks. The proposed lot widths would not change the overall character of the streetscape, and staff recommend that Council consider supporting this variance.

Setback variances for Lot B

The applicant is proposing to reduce the side yard setbacks of Lot B from 2.40m to 1.56m to allow for a habitable room with a window. There are existing windows on both side elevations; however, they are small and would not create privacy concerns. A new 6m high privacy fence would be installed along the side property lines. Staff recommend that Council consider supporting this variance.

Parking variance for Lot B

The existing dwelling unit does not contain a garage and there is no space to locate a vehicle behind the front face of the building. As a result, the applicant is proposing to locate a parking space in the front yard. A privacy hedge is being proposed in between the neighbouring property and the parking pad, and the driveway would be finished with permeable pavers. Staff recommend that Council consider supporting this variance.

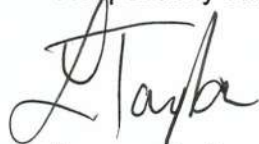
CONCLUSIONS

The proposal to construct two new small lot houses and the associated variances is consistent with Development Permit Area 15A: Intensive Residential – Small Lot. The small lot houses are a form of sensitive infill development and fits in with the existing neighbourhood. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00517 for the property located at 115 Moss Street.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

September 27, 2016

List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated April 14, 2016
- Applicant's letter to Mayor and Council dated July 27, 2016
- Arborist report dated August 11, 2016
- Small Lot Housing Rezoning Petition
- Letter from Fairfield-Gonzales CALUC dated April 20, 2016
- Neighbourhood Correspondence
- Plans dated July 26, 2016.