

4.1 Rezoning Application No. 00507 for 155 Linden Avenue

Committee received a report dated May 19, 2016, from the Director of Sustainable Planning and Community Development regarding an application to rezone the property to allow for construction of a garden suite.

Motion: It was moved by Councillor Loveday, seconded by Councillor Thornton-Joe, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00507 for 155 Linden Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 16/COTW

2. **Committee of the Whole – June 9, 2016**

3. **Rezoning Application No. 005077 for 155 Linden Avenue**

It was moved by Councillor Madoff, seconded by Councillor Loveday, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00507 for 155 Linden Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Carried Unanimously



Committee of the Whole Report

For the Meeting of June 9, 2016

To: Committee of the Whole **Date:** May 19, 2016

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

Subject: Rezoning Application No. 00507 for 155 Linden Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00507 for 155 Linden Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 155 Linden Avenue. The proposal is to rezone from the current R1-B Zone, Single Family Dwelling, to the R1-B-GS Zone, Single Family Dwelling with Garden Suite, to permit the construction of a garden suite.

The following points were considered in assessing this Application:

- The proposal is consistent with the Urban Place Designation in the *Official Community Plan (OCP)* 2012.
- The proposal is consistent with the policies of the *Garden Suite Policy* (2011).

BACKGROUND

Description of Proposal

The proposal is to rezone from the R1-B Zone, Single Family Dwelling, to the R1-B-GS Zone, Single Family Dwelling with Garden Suite, in order to construct a garden suite. The proposed

garden suite would be located in the same position as the existing garage and would occupy a similar footprint. The property is considered a “plus site” as it exceeds the minimum lot size of 557m², although the proposal is for a modest garden suite with a combined floor area of 20m².

Affordable Housing Impacts

The applicant proposes the creation of one new residential unit which would increase the overall supply of housing in the area.

Sustainability Features

The applicant has identified sustainability features which will be reviewed in association with the concurrent Development Permit Application for this property.

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 Rezoning Application.

Land Use Context

The area is predominantly characterized by single family dwellings and is two blocks from Beacon Hill Park to the west.

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 a secondary suite. Should the rezoning proceed, a single family dwelling and garden suite will be permitted, thus precluding the use of the main dwelling for the inclusion of a secondary suite.

The subject site qualifies as a “plus site” as it exceeds the minimum lot size of 557m², which allows for garden suites up to 56m²; however, the proposal is for a modest garden suite and the applicant wishes to utilize the standard garden suite zone, which caps floor area at 37m² for garden suites. As noted earlier, the proposed garden suite in this instance is only 20m² in floor area and could therefore be accommodated in the standard garden suite zone.

Data Table

The following data table compares the proposal with the proposed R1-B-G Zone, Single Family Dwelling with a Garden Suite District. A double asterisk is used to identify existing legal non-conformities in relation to the principle dwelling. The proposed garden suite meets all the requirements of both the R1-B-GS (standard garden suite) and R1-B-GS2 (plus size garden suite) Zones.

Zoning Criteria	Proposal	Proposed Zone Standard R1-B-GS	Zone Standard R1-B-GS2 "Plus Site"
Principle Dwelling			
Site area (m ²) - minimum	673.54	460	557
Lot width (m) - minimum	15.24	15	15
Total floor area (m ²) - maximum	263.55	420	420
Storeys - maximum	2	2	2
Site coverage % - maximum	27.20	40.00	40.00
Setbacks (m) - minimum			
Front (Linden Avenue)	7.62	7.50	7.50
Rear (east)	18.75	11.05	11.05
Side (north)	0.90**	1.52	1.52
Side (south)	2.30**	3.00	3.00
Combined side yards	3.20**	4.50	4.50
Parking - minimum	1	1	1
Garden Suite			
Floor area (m ²) – maximum	20.06	37.00	56.00
Height (m) – maximum	3.25	3.50	5.50
Storeys - maximum	1	1.5	1.5
Rear yard setback (m) – minimum	10.20	0.60	0.60
Side yard setback (m) - minimum	1.20	0.60	0.60
Separation space between buildings (within the site) (m) - minimum	2.40	2.40	2.40
Rear yard site coverage (%) - maximum	7.27	25.00	25.00

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield Gonzales Community Association CALUC at a Community Meeting held on November 16, 2015. At the time of writing this report, a letter from the CALUC had not been received.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, garden suites are subject to DPA 15E: Intensive Residential – Garden Suites. The proposal is consistent with the objectives of DPA 15E to achieve new infill that respects the established character in residential areas.

Garden Suite Policy

The proposed development is consistent with the relevant land use policies of the *Garden Suite Policy* and all of the siting criteria are met.

CONCLUSIONS

This proposal to construct a garden suite is consistent with the OCP objectives and guidelines for sensitive infill in the form of garden suites within established residential areas. The garden suite creates an opportunity for an alternative form of rental housing. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Application No. 00507 for the property located at 155 Linden Avenue.

Respectfully submitted,



Charlotte Wain
Senior Planner – Urban Design
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

June 1, 2016

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