

Staff Report to Council

Planning and Development

FILE: 3090-20-2022-02

REPORT DATE: April 27, 2022 **MEETING DATE:** May 17, 2022
TO: Mayor and Council
FROM: Colin O'Byrne, Acting Director of Planning and Development
SUBJECT: Development Variance Permit for 11746 Wildwood Crescent N.

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



RECOMMENDATION(S):

THAT Council:

- A. Approve the issuance of Development Variance Permit 2022-003 for 11746 Wildwood Crescent N to permit the construction of an addition at the rear of the single family home; OR
- B. Other.

PURPOSE

To advise Council of a Development Variance Permit application to permit the construction of an addition at the rear of the single family dwelling at 11746 Wildwood Crescent N.

☐ Information Report ☒ Decision Report ☐ Direction Report

DISCUSSION

Background:

The property is subject to Land Use Contract No. 13 and in accordance with Section 4, where the footprint of the building or the square footage is increased, the approval of a Development Variance Permit is required to permit alterations to the plans that formed part of the Land Use Contract Bylaw.

Applicant: Jacqueline Fernandez (My House Design/Build Team)
Owner: Geoffrey Norman and Theresa Cecchetto
Civic Address: 11746 Wildwood Crescent N.
Property Size: 392 m² (4219 ft²)
OCP Designation: Residential – Low Density (up to 30 units per hectare)
Zoning: R-2 Small Lot Residential
Land Use Contract: No. 13

The existing single family dwelling on the property is 1,611 ft² with a 224 ft² carport. The proposal is to increase the living space through a ground level, 25 m² (269 ft²) great room addition at the rear of the home where there is an existing patio (see Figure 1).



Figure 1: Proposed addition area



Figure 2: Google street view (October 2020) of existing home

Relevant Policy, Bylaw or Legislation:

Land Use Contracts were a mechanism used in the 1970's for subdivision and development control. They are contracts between the local government and the registered owner that were registered on title and run with the land until they are discharged. While new Land Use Contracts are no longer permitted, existing ones remain and supercede any underlying zoning. Under provincial legislation, all Land Use Contracts will expire in 2024 and the underlying zoning will take effect.

In this particular case, Land Use Contract No. 13 sets out parameters for the use, siting and development of homes, including floor plans and building materials. The homes in this Land Use Contract were developed as compact lots typically built with one-and-a-half storey homes on a crawl space with wood siding, sloped roofs and single carports in front.

The Local Government Act allows for changes to Land Use Contracts using either a Development Variance Permit or a Land Use Contract Amendment. For this application, a Development Variance Permit application is the recommended option because it is a simplified approval process for amendments to Land Use Contracts where there is no proposed change in use.

Analysis:

While the Land Use Contract is still in effect until 2024, the property's underlying zoning is R-2, which will apply when the Land Use Contract expires. Table 1 is a summary of the proposed addition's compliance with relevant regulations from both the R-2 Zone and Land Use Contract (LUC) No. 13.

	R-2 Zone Regulations	LUC No. 13 Regulations	Application Proposal
<i>Lot coverage</i>	Max. 50% 196 m ² (2109 ft ²)	35% 137 m ² (1476 ft ²)	34% 133.5 m ² (1437 ft ²)
<i>Gross Floor Area</i>	Max. 232m ² (2497 ft ²)	Min. 139 – 152 m ² (1496 ft ² - 1635 ft ²) Maximum limited by setbacks, height, footprint	174.6 m ² (1880 ft ²)
<i>Rear Setback</i>	6 m (19.7 ft)	7.62 m (25 ft)	7.62 m (25 ft)
<i>Side Setback</i>	1.5 m (4.92 ft)	1.2 m (3.9 ft)	1.47 m (4.83 ft)

Table 1: R-2 Zone and LUC #13 regulations

The property's underlying Small Lot Residential (R-2) zone is important to this application because once Land Use Contracts expire in 2024, the R-2 zoning regulations will come into effect. While the interior side setback at 1.47 m does not quite meet the R-2 requirement of 1.5 m, the addition lines up with the existing house setback, which was constructed under the provisions of the LUC at the time; compliance with the 1.5 m setback would require the house to be rebuilt entirely. Once the LUC expires, the side setback to the house will be considered lawfully non-conforming with the R-2 zoning regulation. This will likely be the case with many houses in this and other Land Use Contracts across the City.

Surrounding Properties

The applicant reached out to the surrounding property owners to inform them of their application proposal. Through this process, the applicant has received letters of support from seven nearby properties (see Figure 3). These letters of support can be found in Attachment F.



Figure 3: Properties providing letter of support

Staff Comments

No concerns were raised during the interdepartmental referral process.

If the variance is not approved, a Land Use Contract amendment application can be pursued. This option would require preparation of a bylaw, readings of that bylaw, and a public hearing.

If the variance is not approved or an amendment bylaw to the Land Use Contract is not granted, then the proposed addition cannot be constructed at this time; the applicant could wait until 2024 when the LUC expires and this addition would be permitted under the R-2 zoning that would then be in effect (provided the addition met the minimum 1.5 m side setback).

Conclusion

The proposed addition is in compliance with the regulations of the Land Use Contract and adheres closely to the property's underlying R-2 zoning. Impact to the surrounding properties is expected to be minimal as the new living space will be enclosed and the neighbours have given a statement of support for the application proposal. For these reasons, staff have no objections to the application.

COUNCIL STRATEGIC PLAN ALIGNMENT

- ☐ Principled Governance ☐ Balanced Economic Prosperity ☐ Corporate Excellence
- ☒ Community Spirit & Wellbeing ☐ Transportation & Infrastructure Initiatives

Housing Diversity. Encourage diversity in housing types to foster an inclusive, affordable, multi-generational community.

FINANCIAL IMPLICATIONS

☒ None ☐ Budget Previously Approved ☐ Referral to Business Planning
☐ Other

There are no financial implications associated with this report.

PUBLIC PARTICIPATION

☒ Inform ☐ Consult ☐ Involve ☐ Collaborate ☐ Empower

Comment(s):

Staff notified all property owners and residents within 50 m (164 ft) of the subject property, as per the City's Development Procedures Bylaw No. 2740, 2016. Any comments or feedback received will be reported to Council prior to consideration of the Development Variance issuance.

KATZIE FIRST NATION CONSIDERATIONS

Referral ☐ Yes ☒ No

SIGN-OFFS

Written by:

Allison Dominelli,
Development Services Technician

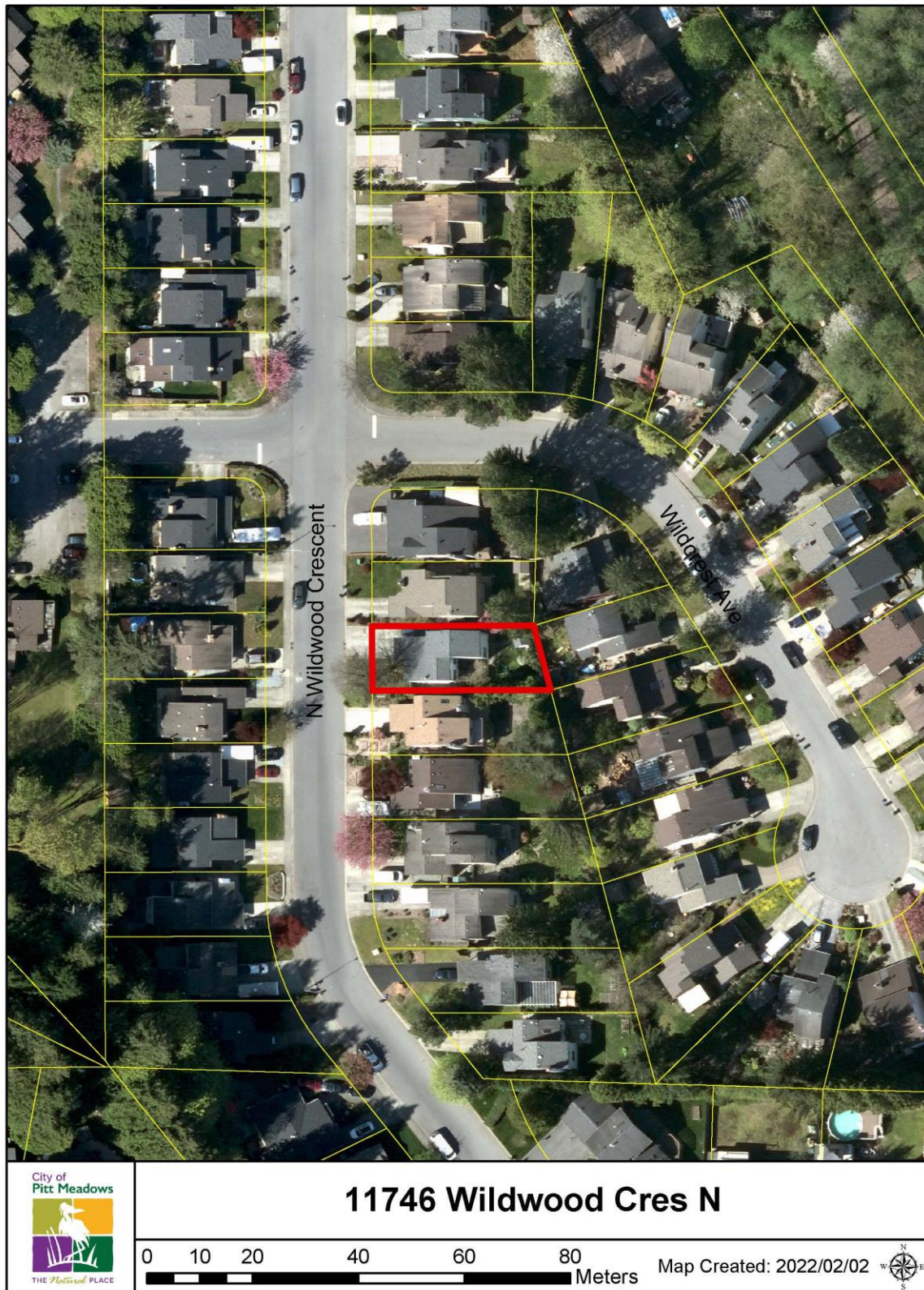
Reviewed by:

Colin O'Byrne,
Acting Director of Planning and Development

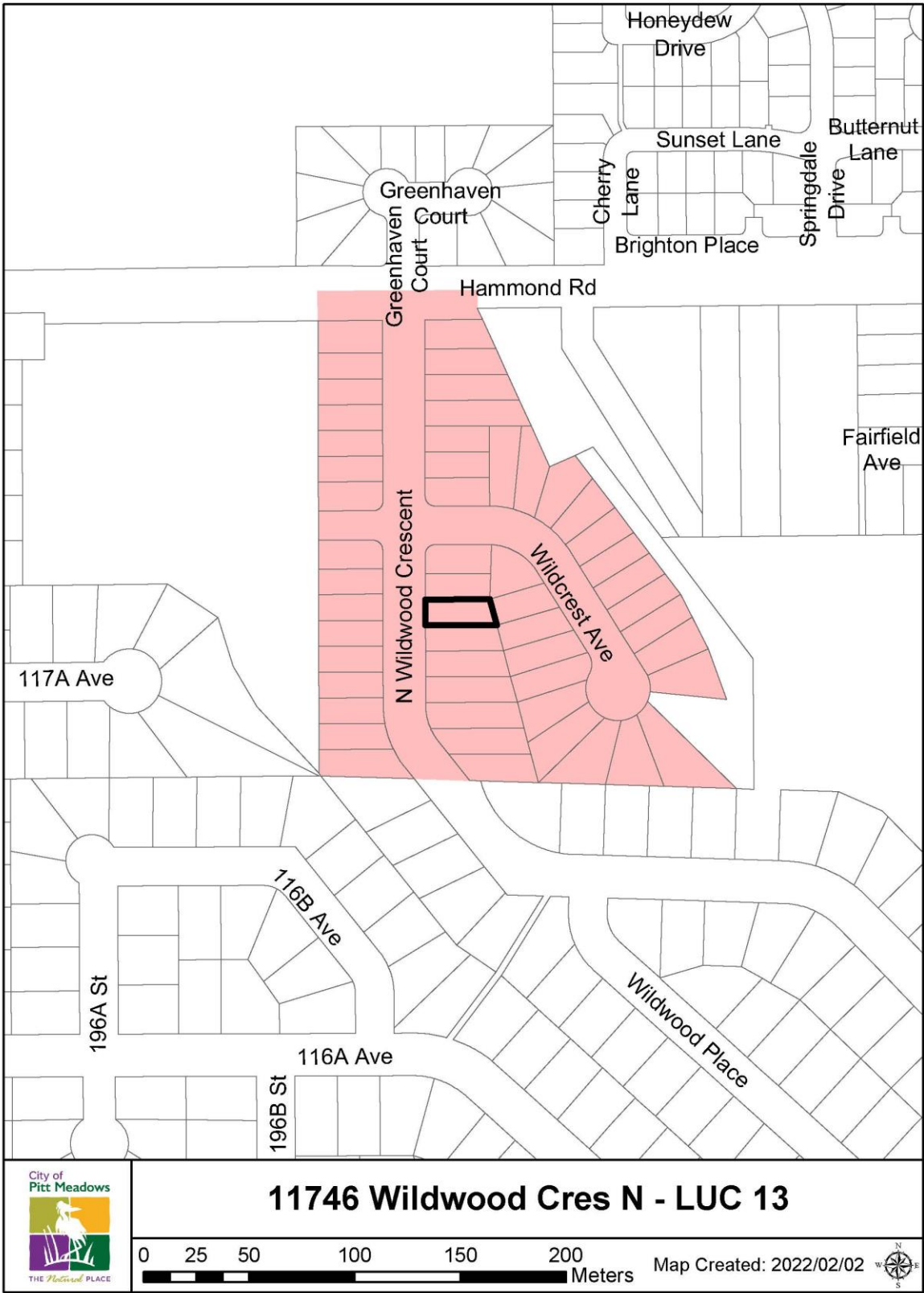
ATTACHMENT(S):

- A. Aerial Photo Map
- B. Map of Land Use Contract 13
- C. Neighbourhood OCP Map
- D. Neighbourhood Zoning Map
- E. Letter of Intent
- F. Neighbourhood Support Letters
- G. Plans
- H. Development Variance Permit 2022-003

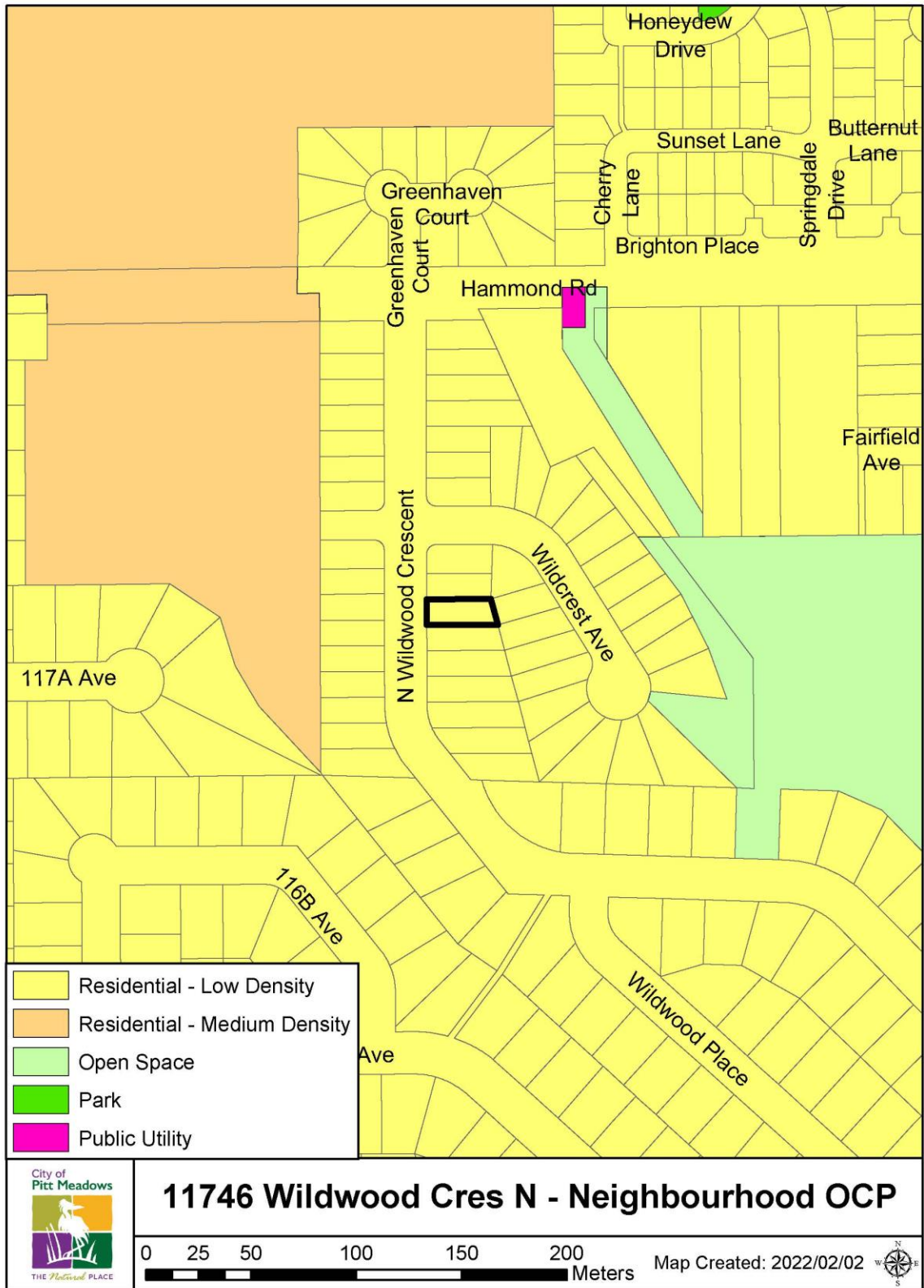
Attachment A: Aerial Photo Map



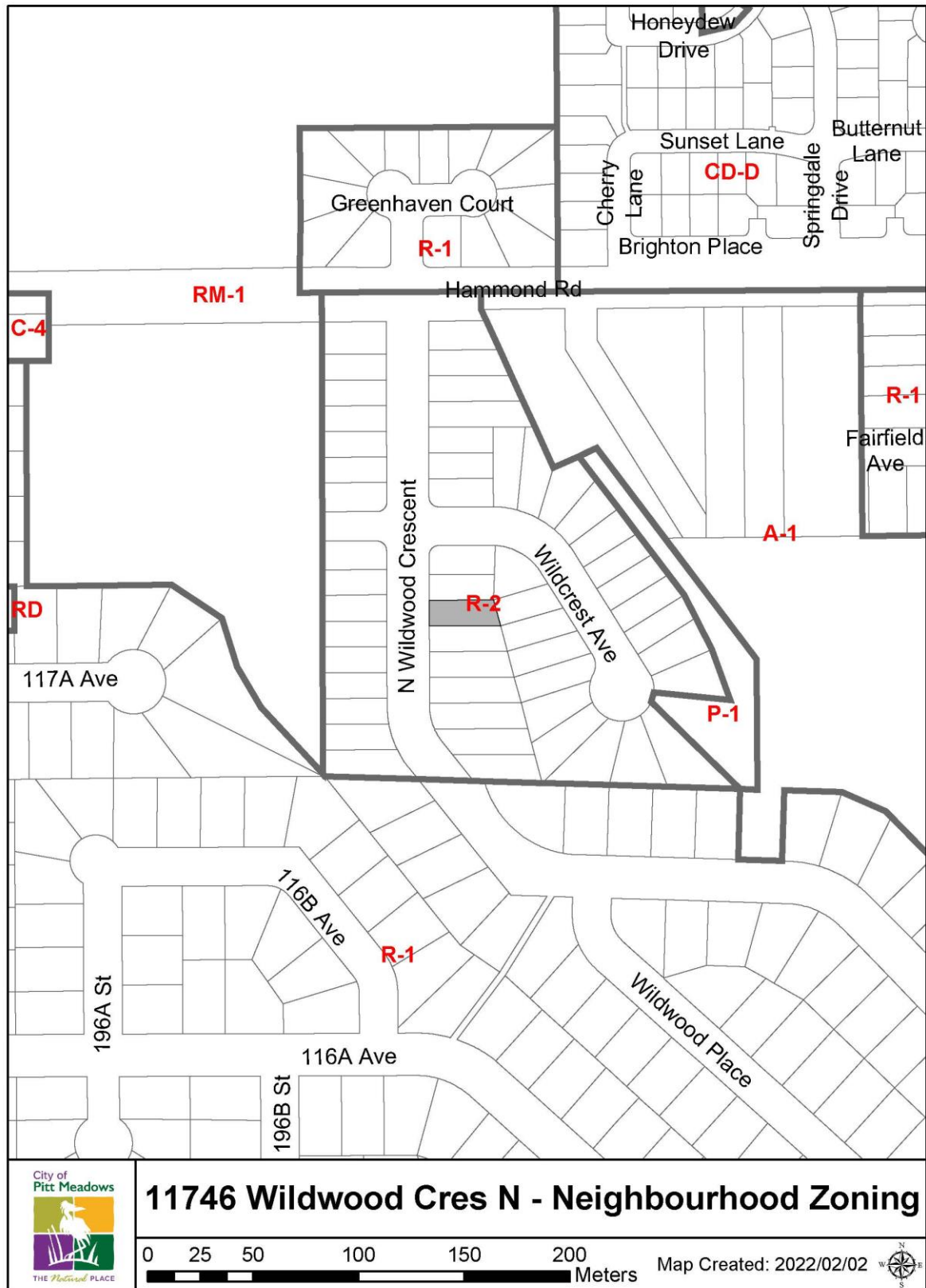
Attachment B: Map of Land Use Contract 13



Attachment C: Neighbourhood OCP Map



Attachment D: Neighbourhood Zoning Map



Attachment E: Letter of Intent

Letter of Intent: NORMAN - 11746 Wildwood Crescent, N.

Project Scope of work

1. **Great Room addition**
New walls, new windows, new sliding door, 3 new engineered flushed beams
2. **Kitchen Renovation**
New cabinetry, new island and pantry, new floors, new countertops
3. **Dining Room Updates**
New sliding door, new window
4. **Exterior**
Supply and install new vinyl siding, supply and install new roof to match existing, supply and install new gutters
5. **Reconfiguration of main floor bathroom, mudroom, and laundry room**
6. **Upper floor bathroom Re&Re**

Attachment F: Neighbourhood Support Letters



Letter of Support

11752 WILDWOOD CRESCENT N
Property Owner's Address

I/we, JOSEPH & DEVON SYLVA, Have reviewed the permit drawings for our neighbouring property located at **11746 Wildwood Crescent N**, and we are in support of the Development Variance Application to increase the building footprint and the square footage of their home.

Sincerely,


Signature
JOSEPH SYLVA
Property Owner Name
FEB 20TH, 2022
Date signed


Signature
Devon Sylva
Property Owner Name
FEB 20TH, 2020
Date signed



Letter of Support

11734 WILDWOOD CRESC N.

Property Owner's Address

I/we, JAGANDEEP & AGATA, Have reviewed the permit drawings for our neighbouring property located at **11746 Wildwood Crescent N**, and we are in support of the Development Variance Application to increase the building footprint and the square footage of their home.

Sincerely,

JAGANDEEP

Signature

JAGANDEEP NAGRA

Property Owner Name

FEB. 18, 2022

Date signed

AGATA

Signature

Agata Matyszczyk

Property Owner Name

FEB 18 / 2022

Date signed



Letter of Support

Property Owner's Address

11758 WILDWOOD CRESCENT
PITTMEDOWS BC V3Y1L9

I/we, WIESLAW KRZYSIK, Have reviewed the permit drawings for our neighbouring property located at **11746 Wildwood Crescent N**, and we are in support of the Development Variance Application to increase the building footprint and the square footage of their home.

Sincerely,

A handwritten signature in blue ink, appearing to read 'W. Krzyzik', written over a horizontal line.

Signature

WIESLAW KRZYSIK

Property Owner Name

19/21/2022

Date signed

Signature

Property Owner Name

Date signed



Letter of Support

11740 Wildwood Cres North
Property Owner's Address

I/we, Christy & Chad Lamarche, Have reviewed the permit drawings for our neighbouring property located at **11746 Wildwood Crescent N**, and we are in support of the Development Variance Application to increase the building footprint and the square footage of their home.

Sincerely,

C. Lamarche

Signature

Christy Lamarche

Property Owner Name

Feb 19, 2022

Date signed

C. Lamarche

Signature

Chad Lamarche

Property Owner Name

Feb. 20, 2022

Date signed



Letter of Support

19760 WILDCREST AVE PIT MEADOWS
V3Y 4M2

Property Owner's Address

I/we, JUN ANOR / GRACE ANOR, Have reviewed the permit drawings for our neighbouring property located at **11746 Wildwood Crescent N**, and we are in support of the Development Variance Application to increase the building footprint and the square footage of their home.

Sincerely,

Signature

JUN ANOR

Property Owner Name

2/19/22

Date signed

Signature

GRACE GRAFIL ANOR

Property Owner Name

FEB 19, 2022

Date signed




Letter of Support

19764 Wildcrest Ave.

Property Owner's Address

I/we, Michael Fandrey
Jessica Norman, Have reviewed the permit drawings for our
neighbouring property located at **11746 Wildwood Crescent N**, and we are in support of the
Development Variance Application to increase the building footprint and the square footage of
their home.

Sincerely,


Signature

J. NORMAN

Property Owner Name

Feb. 19. 2022

Date signed


Signature

Property Owner Name

02.19.22

Date signed



Letter of Support

19762 WILDCREST AVENUE

Property Owner's Address

I/we, LUCA LORENZATO / MARA ZANOTTO, Have reviewed the permit drawings for our neighbouring property located at **11746 Wildwood Crescent N**, and we are in support of the Development Variance Application to increase the building footprint and the square footage of their home.

Sincerely,



Signature

LUCA LORENZATO

Property Owner Name

FEB 19, 2022

Date signed



Signature

MARA ZANOTTO

Property Owner Name

FEB 19, 2022

Date signed