

Staff Report to Council

Planning & Development

FILE: 3090-20-2022-04

REPORT DATE: June 13, 2022 **MEETING DATE:** June 21, 2022
TO: Mayor and Council
FROM: Colin O'Byrne, Acting Director of Planning and Development
SUBJECT: Development Variance Permit Application for 19560 Hammond Road

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:

D. Chamberlain, Acting CAO



RECOMMENDATION(S):

THAT Council:

- A. Grant issuance of Development Variance Permit No. 2022-005 for 19560 Hammond Road, to permit subdivision into four lots by varying the following:
 - 1. Minimum lot width from 11 m to 10.92 m; and
 - 2. Minimum interior side setback from 1.5 m to 1.2 m for the east sides of proposed Lots 1 and 3 and west sides of proposed Lots 2 and 4; AND
- B. Waive the 10% lot perimeter frontage requirement in accordance with *Local Government Act* s. 512(2) for Proposed Lots 1-4 as shown on the survey plan for 19560 Hammond Road prepared by Terra Pacific Land Surveying Inc. dated September 27, 2021; OR
- C. Other.

PURPOSE

To present a development variance permit for consideration of issuance, to correspond with the rezoning application for 19560 Hammond Rd to develop the property into four single family lots. This development variance permit is drafted to reduce the minimum required lot width from 11 m to 10.92 m and to reduce one interior side setback on each proposed lot from 1.5 m to 1.2 m. There is also a request to waive the 10% perimeter frontage requirement for that subdivision.

☐ Information Report ☒ Decision Report ☐ Direction Report

DISCUSSION

Background:

Zoning Amendment Bylaw No. 2897, 2021 was granted third reading on March 29, 2022. After conditions of third reading are completed and the bylaw adopted, the property at 19560 Hammond Rd will be zoned R-2 (Small Lot Residential).

As identified in the staff reports presented for the zoning amendment bylaw, the minimum required lot width in the R-2 zone is 11 m; however, each of the four proposed lots will have a lot width of 10.92 m. Additionally, the applicant proposed that one interior side setback for each of the proposed lots be reduced from 1.5 m to 1.2 m. The interior side setbacks adjacent to existing neighbouring parcels will remain 1.5m.

This application, therefore, is consistent with the proposal presented for rezoning the subject property to R-2 small lot residential.

Relevant Policy, Bylaw or Legislation:

Zoning Amendment Bylaw No. 2897, 2021

Local Government Act Section 512 regulates the minimum parcel frontage requirement for subdivision purposes.

Analysis:

Lot Width

The application is to reduce the lot width from 11 m (36 ft) to 10.92 m (35.8 ft), for a variance of 8 cm per lot.

Previous, similar subdivisions requiring small width variances on this block of Hammond Road have been approved in past years and there are two other similar subdivisions in progress currently (see Figure 1).

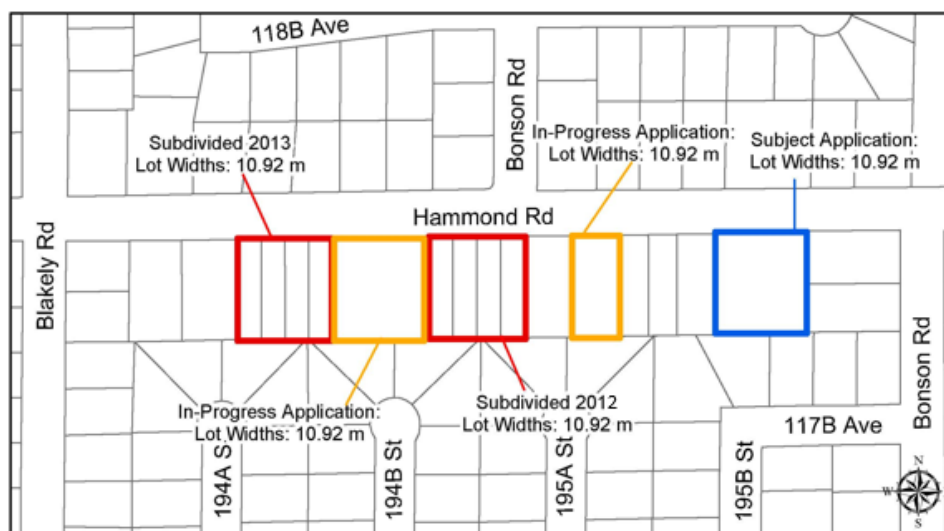
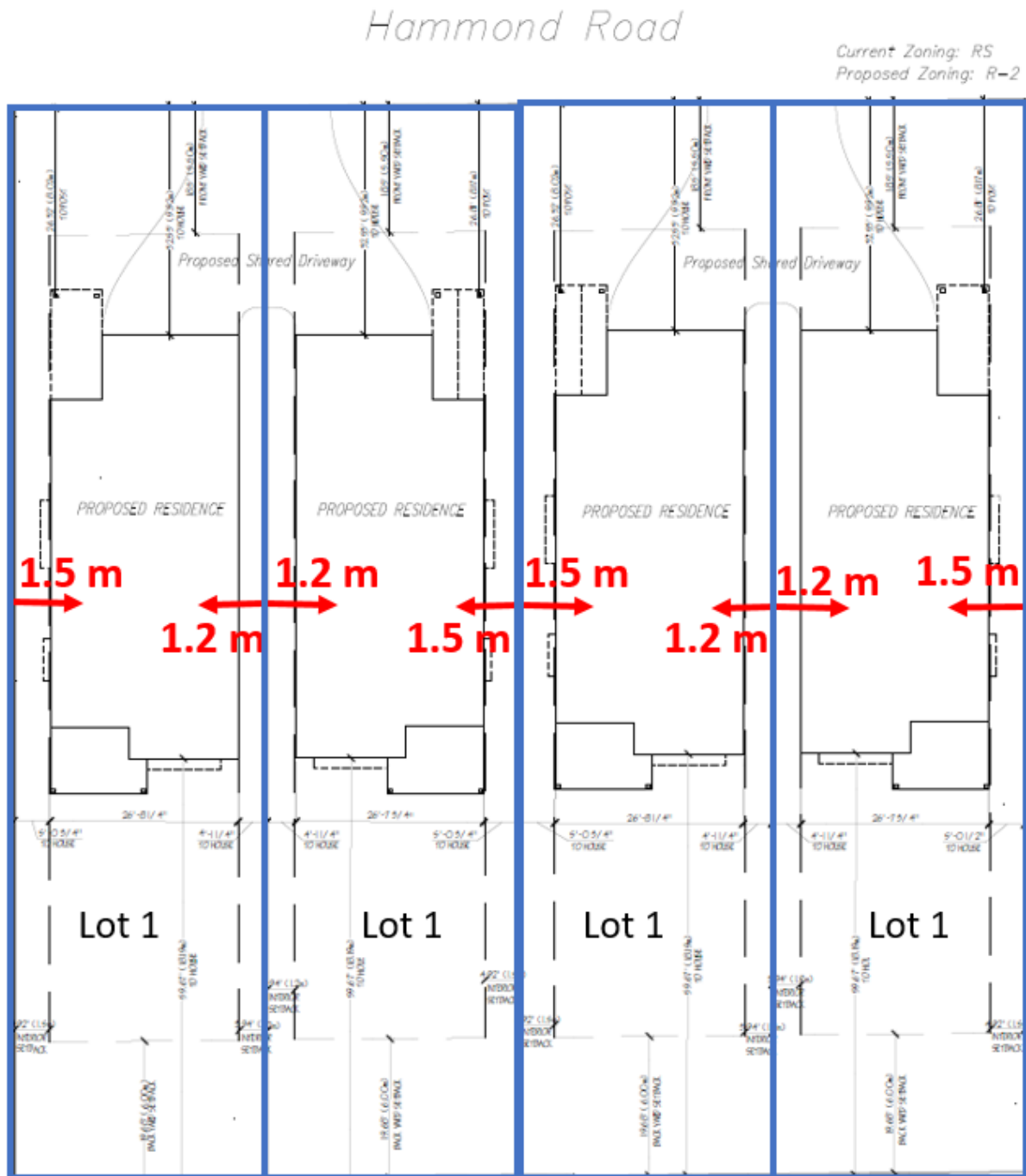


Figure 1: Infill Development on Hammond Rd

If the lot width reduction from 11 m to 10.92 m is not approved, then only three lots can be created.

Setbacks

The application is also made to reduce one interior side setback on each proposed lot from 1.5 m to 1.2 m as shown in Figure 2:



The homes in the previous, similar subdivisions in 2012 and 2013 nearby were developed with 1.2 m side setbacks (see Figure 3), the minimum required in the Zoning Bylaw at that time. In 2017, the minimum side setback was increased to 1.5 m, as part of the infill policy review.

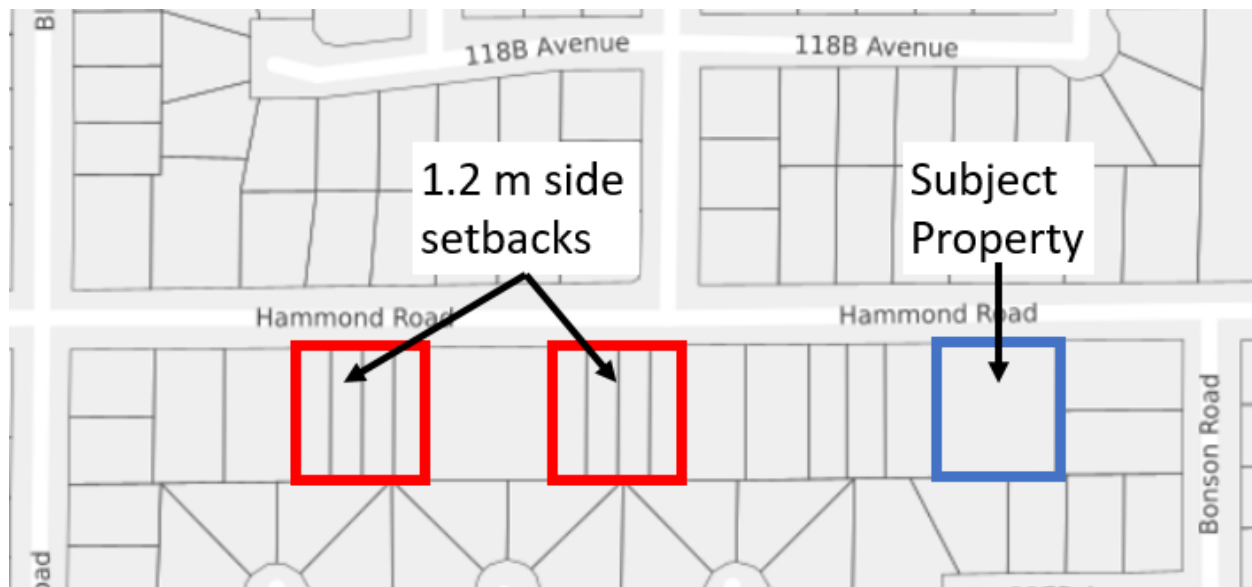


Figure 3: Side setbacks of previous subdivisions

Approval of this side setback variance will increase the width of the proposed homes from 7.92 m (26 ft) to 8.22 m (27 ft), to help slightly mitigate the perception of the tall and narrow appearance of the houses, although the overall amount of living space permitted will not increase. As the variance is only requested on the lot lines internal to the new subdivision, the impact of this particular variance on existing neighbours will be minimal.

Perimeter Frontage

Section 512 (2) of the *Local Government Act* states:

Minimum parcel frontage on highway

- (1) If a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of
 - (a) 10% of the perimeter of the lot that fronts on the highway, and
 - (b) the minimum frontage that the local government may, by bylaw, provide.
- (2) A local government may exempt a parcel from the statutory or bylaw minimum frontage provided for in subsection (1).
- (3) As a limitation on section 229 [delegation of board authority] of this Act or section 154 [delegation of council authority] of the *Community Charter*, a local government may delegate its powers under subsection (2) only to an approving officer.

This section of the *LGA* requires a lot created by subdivision to have a minimum parcel frontage along a highway (road) equal to at least 10% of the perimeter of that lot (see Figure 6). In general, this section intends to avoid parcel shapes that would create inadequate building envelopes and further parcel development. If this 10% requirement is not met, a local government can waive this requirement, either by Council or staff if Council has delegated this authority. In Pitt Meadows, this authority has not been delegated to staff, and therefore a Council resolution is required.

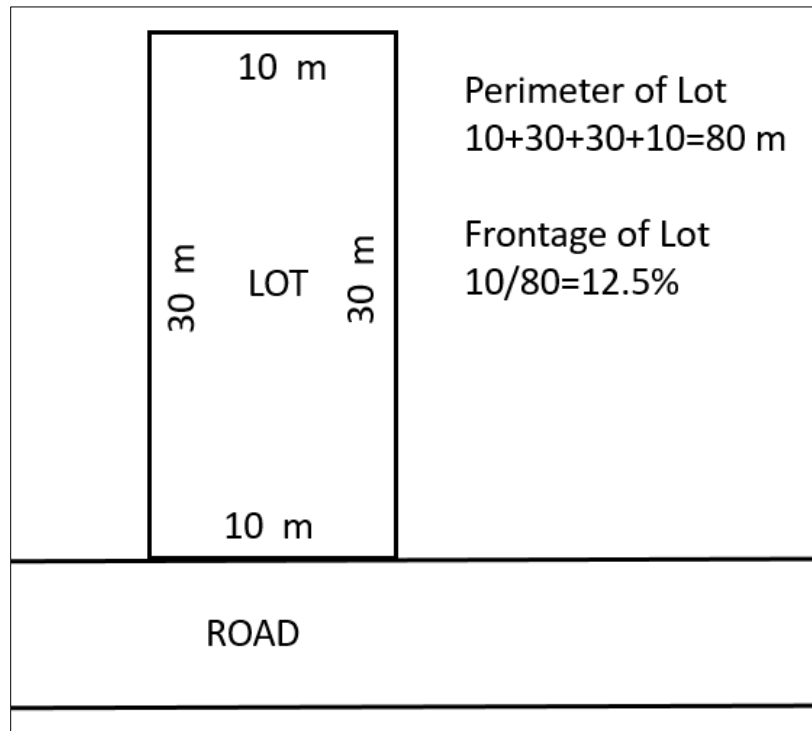


Figure 4: Example of perimeter frontage calculation

For this proposed four lot subdivision, each lot carries a 9.5% parcel frontage. While a subdivision application for this site cannot receive preliminary approval until a decision on the variance for lot width has been made, staff are requesting that Council consider waiving the minimum 10% parcel frontage requirement at this stage if the variance for lot width is also approved, to save bringing a standalone report back to Council just to waive that requirement in the future.

In this case, the proposed lots are deeper than most infill lots in the City, which increases their perimeter length. Each lot has a sufficient building envelope. The likelihood of future subdivision is very low as the City generally does not support panhandle lots; therefore, staff have no objections to waiving the *LGA* requirement for 10% perimeter frontage on a highway.

Public Notification

In accordance with the City's Development Procedures Bylaw and the *Local Government Act*, residents within 50 m of the subject parcel were notified about consideration of issuance of this permit, as shown in Figure 5.

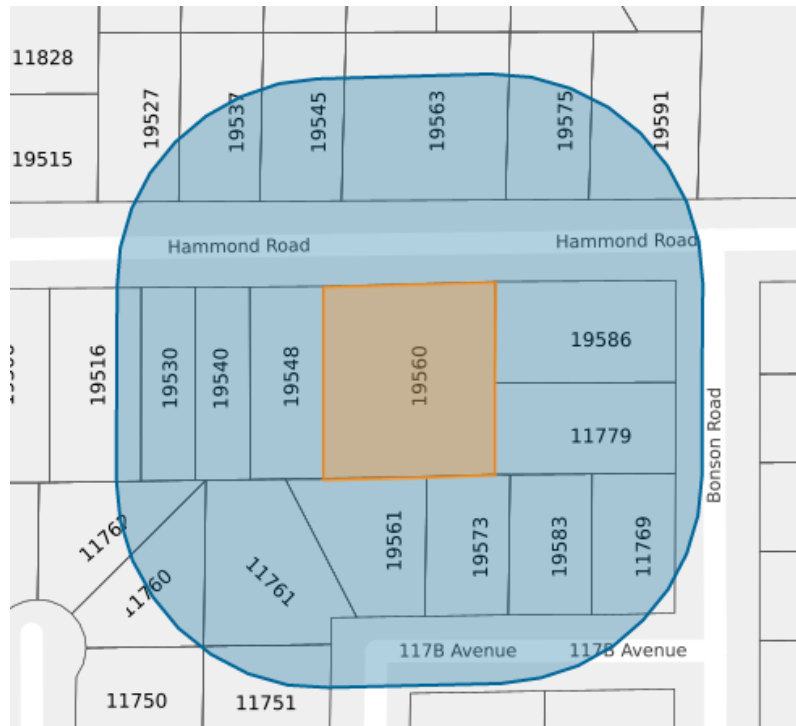


Figure 5: Notified properties

Next Steps

If this development variance permit is approved, a development permit for infill development will be required before final subdivision approval. This development permit will address the form and character outlined in the Development Permit Area (DPA) No. 11 – Infill Housing. The intent of this DPA is that infill housing is compatible with existing residential areas in building massing, style, character, open space and streetscape. Approval for this type of development permit (i.e., infill development for less than 5 dwelling units) is delegated to staff.

Detailed design drawings will be submitted at the development permit stage, although the applicant has submitted a preliminary elevation drawing:



Final adoption of the Zoning Amendment Bylaw is also required prior to final subdivision approval. The applicant is currently working on completing the conditions of third reading of that bylaw.

Staff have no objections to issuance of this development variance permit or waiving the minimum 10% perimeter frontage requirement.

COUNCIL STRATEGIC PLAN ALIGNMENT

- ☐ Principled Governance ☐ Balanced Economic Prosperity ☐ Corporate Excellence
☒ Community Spirit & Wellbeing ☐ Transportation & Infrastructure Initiatives
☐ Not Applicable

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
-

PUBLIC PARTICIPATION

- ☒ Inform ☒ Consult ☐ Involve ☐ Collaborate ☐ Empower

Comment(s):

Property owners and residents within 50 m (164 ft) of the subject property were notified. To date, no comments have been received.

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. Draft Development Variance Permit No. 2022-005
- B. Proposed Subdivision Plan