

Staff Report to Council

Planning and Development

FILE: 6480-20-2022-02

REPORT DATE: September 16, 2022 **MEETING DATE:** September 27, 2022
TO: Mayor and Council
FROM: Angie Lucas, Director of Planning and Development
SUBJECT: Official Community Plan and Zoning Amendment Application for 19049 Mitchell Road

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL: *Samantha Maki*
On behalf of Mark Roberts

RECOMMENDATION(S):

THAT Council:

- A. Grant first and second readings to Official Community Plan Amendment Bylaw No. 2930, 2022; AND
- B. Grant first and second readings to Zoning Amendment Bylaw No. 2929, 2022; AND
- C. Direct Staff to schedule a public hearing for an upcoming Council meeting; OR
- D. Other.

PURPOSE

To provide bylaws for first and second readings to designate the property at 19049 Mitchell Road (PID: 017-543-380) as Residential Low Density in the Official Community Plan, and to rezone the property to Small Lot Residential (R-2), in order to subdivide the property into two lots.

Information Report Decision Report Direction Report

DISCUSSION

Background:

A previous development variance permit application was submitted for this property, to vary the minimum lot width requirement for subdivision, which would have enabled subdivision of the property into two R-1 lots (Medium Lot Residential) lots, and a new single family dwelling with

secondary suite potential built on each lot. Council heard concerns about this application regarding the potential for secondary suites and that application was not approved. The applicant was invited to consider submitting an application to rezone the property to R-2 (Small Lot Residential), which is the subject application. Secondary suites are not permitted in the R-2 zone.

Upon receipt of the introductory report for the rezoning application at the July 12, 2022 Public Meeting, Council passed the following motion:

- A. *Waive the requirements for a developer information meeting prescribed by Council Policy C015; AND*
- B. *Direct staff to prepare the OCP and Zoning Bylaw Amendments for initial readings at an upcoming Council meeting.*

CARRIED.

Relevant Policy, Bylaw or Legislation:

(Draft) Official Community Plan Bylaw No. 2864, 2020

This application proposes to amend the subject property’s OCP designation to low-density residential. This designation is intended for “low-density residential use in a variety of forms, ranging from single-, two- and three family housing to townhouses at a density of up to 30 units per net hectare. Duplexes and garden suites are also contemplated for this designation, subject to other zoning requirements such as minimum lot size and location requirements.”

The property is designated as Development Permit Area (DPA) #9 – Ground-Oriented Residential. A development permit following the guidelines in DPA #9 will be required before any construction of buildings. Development permit applications for fewer than five contiguous single family lots are delegated to staff for approval of form and character.

Zoning Bylaw No. 2505, 2011

This application proposes to amend the zoning to R-2 (Small Lot Residential), which permits a single family dwelling. Secondary and garden suites are not permitted in the R-2 zone. The minimum lot size for subdivision is 350 m² with a minimum lot width of 11 m.

Analysis:

This application proposes to amend the OCP land use designation to Residential – Low Density:

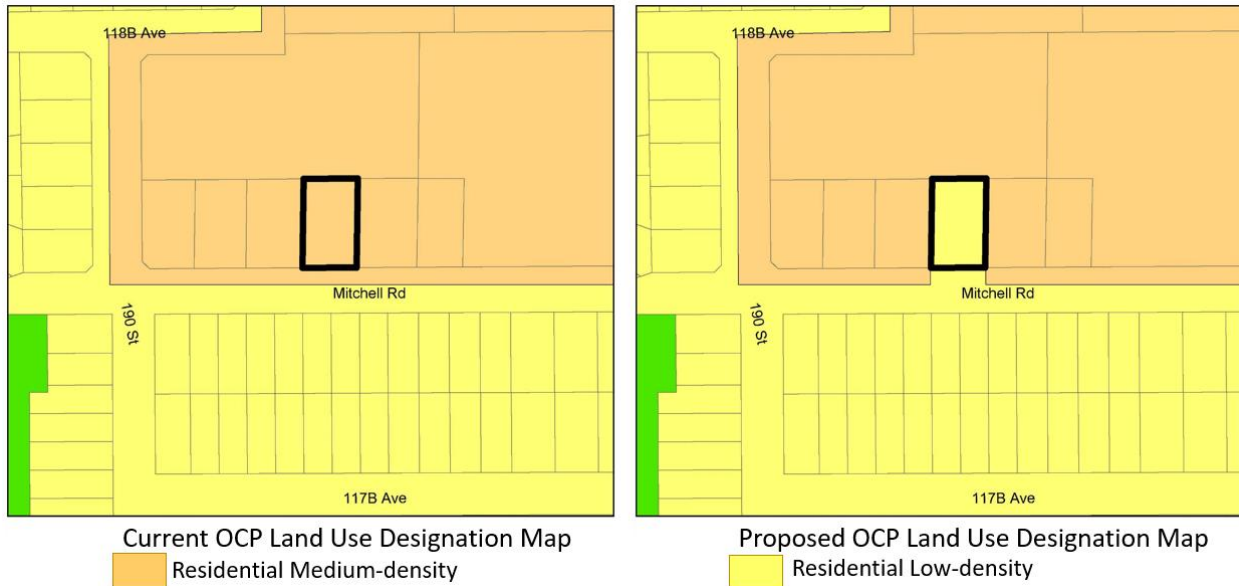


Figure 1: Current and proposed OCP land use designation map

This application also proposes to rezone the property to R-2 and ultimately subdivide the property into two lots as follows:

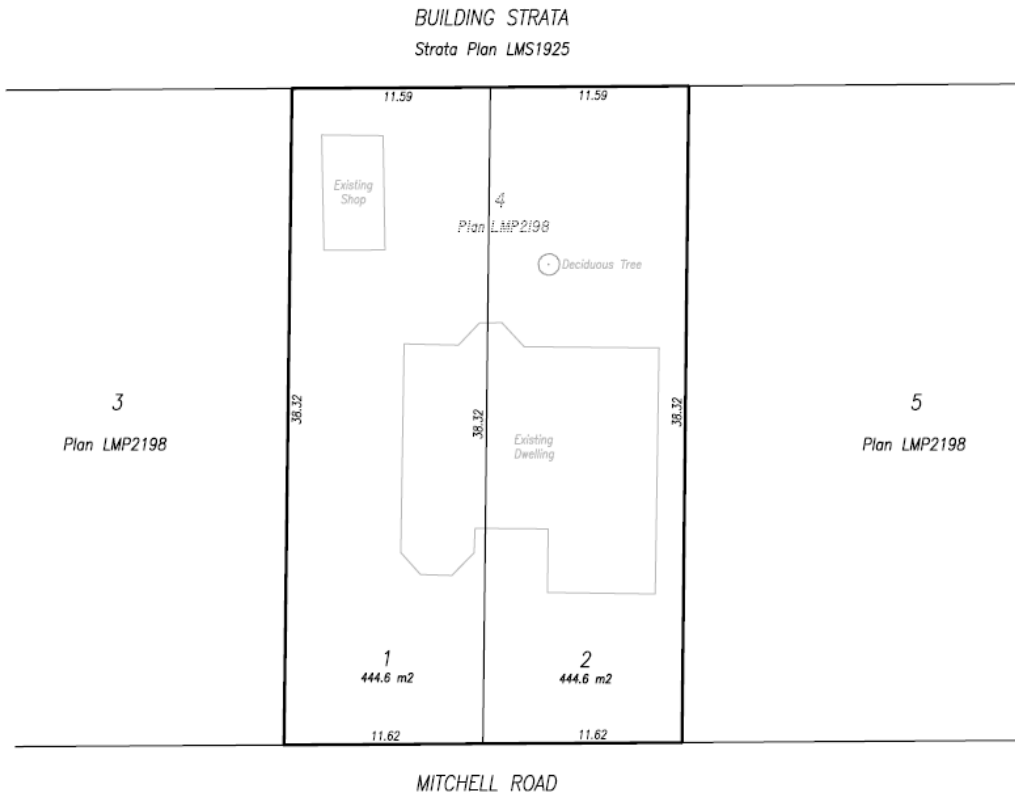


Figure 2: Proposed subdivision plan

If approved, the R-2 zoning will permit construction of two single family dwellings. The maximum floor area for each dwelling is 232 m² (2,497 ft²). Secondary suites are not permitted in the R-2 zone.

Design

At this point, the plans are very preliminary. Design details would be confirmed at the development permit stage and reviewed by staff for compliance with the development permit design guidelines (in Development Permit Area No. 9 – Ground-Oriented Residential) before a development permit will be issued.

There is currently one deciduous tree on the property and the applicant plans to retain the tree. However, if during the detailed design or construction stage it turns out that the tree cannot be retained, it will be replaced; this will be ensured as part of the development permit process.

Public Consultation

In accordance with section 475 of the *Local Government Act*, to amend an Official Community Plan, a local government must:

- (a) consider whether the opportunities for consultation with one or more of the persons, organizations and authorities should be early and ongoing, and
- (b) specifically consider whether consultation is required with the following:
 - (i) the board of the regional district in which the area covered by the plan is located, in the case of a municipal official community plan;
 - (ii) the board of any regional district that is adjacent to the area covered by the plan;
 - (iii) the council of any municipality that is adjacent to the area covered by the plan;
 - (iv) first nations;
 - (v) boards of education, greater boards and improvement district boards;
 - (vi) the Provincial and federal governments and their agencies.

In this case, staff do not feel that this type of wide-ranging consultation is required for a project of this scale.

A development information sign was posted on the site on September 3, 2022.

The requirement for a developer information meeting was waived by Council, but a public hearing will be required. This will provide an opportunity for public consultation at a level appropriate to this application.

Recommendation

This site has long been identified as having development potential for medium-density residential and is well-suited for townhouses. That said, residents of the block expressed a preference for single family housing when the previous development variance permit application was considered.

While staff do not generally recommend amending a brand new OCP shortly after adoption, especially for a single property, it is recognized that Council preferred to consider an application to rezone this property to R-2 and, therefore, the only way to accomplish that is by also amending the OCP.

The following conditions of approval are recommended should the project proceed to the third reading:

- Payment of \$4,500 community amenity contribution as offered by the developer and in compliance with Council Policy C091 – Residential Community Amenity Contributions.

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

A community amenity contribution of \$4,500 is offered by the developer and in compliance with Council Policy C091 – Residential Community Amenity Contributions.

PUBLIC PARTICIPATION

- Inform Consult Involve Collaborate Empower

Comment(s):

A public hearing is recommended to be scheduled.

KATZIE FIRST NATION CONSIDERATIONS

Referral Yes No

SIGN-OFFS

Written by:

Allison Dominelli,
Senior Development Services Technician

Reviewed by:

Colin O'Byrne,
Manager of Planning

ATTACHMENT(S):

- A. Official Community Plan Amendment Bylaw No. 2930, 2022
- B. Zoning Amendment Bylaw No. 2929, 2022