

Staff Report to Council

Planning Department

FILE: 3360-20-2022-02

REPORT DATE: September 21, 2022 **MEETING DATE:** October 04, 2022
TO: Mayor and Council
FROM: Angie Lucas, Director of Planning and Development
SUBJECT: Rezoning Application for 11578 195A Street

CHIEF ADMINISTRATIVE OFFICER REVIEW/APPROVAL:



RECOMMENDATION(S):

THAT Council:

- A. Grant third reading to Zoning Amendment Bylaw No. 2921, 2022 to rezone the property at 11578 195A Street from RS (Large Lot Residential) to CD-P (Comprehensive Development P); AND
- B. Require the following conditions be fulfilled prior to adoption of Zoning Amendment Bylaw No. 2921, 2022;
 - 1. Payment of \$4,500 as Residential Amenity Contribution as offered by the developer;
OR
- C. Other.

PURPOSE

Following a public hearing, Council to consider granting third reading to Zoning Amendment Bylaw No. 2921, 2022 to rezone the property at 11578 195A St (PID: 009-288-341) from RS (Large Lot Residential) to CD-P (Comprehensive Development P) in order to subdivide the property into two lots.

☐ Information Report

☒ Decision Report

☐ Direction Report

Background:

Applicant:	Karen & David Laustrup Carlie & Joel Dalgarno
Legal Description:	Lot 2 District Lot 282 Group 1 NWD PL NWP22983
Civic Address:	11578 195A St.
Area:	2144 m ² (23,088 ft ²)
OCP:	Residential – Low Density (up to 30 units per ha). Development Permit Area No. 11 Infill Housing
Zoning:	Large Lot Residential (RS)

Site plan for a proposed 0.20 ha residential development. The plan shows two building envelopes, each 0.102 ha and 0.112 ha respectively. An existing dwelling is shown within the first building envelope. The plan includes a driveway (asphalt), retaining wall, concrete area, and a hedge. Elevation points are marked throughout the site. The plan is dated 22/06/2014.

Figure 1: Proposed subdivision plan

First and second reading to the subject Zoning Amendment Bylaw were granted on June 7, 2022. A public hearing was held on September 20, 2022.

Relevant Policy, Bylaw or Legislation:

The Official Community Plan Bylaw No. 2352, 2007 designates this property as Residential – Low Density, which “permits 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.” This application complies with this designation.

The property’s current RS zoning in the City’s Zoning Bylaw No. 2505, 2011, permits a single-family dwelling with either a secondary or garden suite. The subject parcel is an irregular shaped lot and would require several variances to the standard R-1 zoning regulations to accommodate subdividing the parcel. Therefore, a new Comprehensive Development zone based on the R-1 zone is proposed to accommodate this subdivision.

Before final subdivision approval, a development permit for infill development will be required. This development permit will address the form and character outlined in the Development Permit Area (DPA) No. 9 – Ground-oriented Residential. The intent of this DPA is to ensure infill housing is compatible with surrounding residential building massing, style, character, open space and streetscape. In addition, this DPA recognizes that the siting and design of infill developments should take into consideration the privacy of neighbouring properties and their sunlight exposure. Approval for this type of development permit, for proposals with fewer than five units, is delegated to staff.

Analysis:

A public hearing for the application was held on September 20, 2022. One written submission was received, from the applicant. There were three speakers, plus the property owners.

The neighbour immediately to the north spoke in favour of the development, while noting that he would prefer that the hedge between his and the subject property be left out of a tree protection covenant. He preferred to have greater flexibility for hedge maintenance and/or removal in the future, with the agreement of the subject property owners.



Figure 2: Subject hedge

The neighbour to the west also spoke in favour of the development. A third neighbour further north on 195A St also spoke in favour of the development, although he lamented the loss of the mature trees on the property.

In terms of the tree protection covenant, the City originally suggested one to preserve the large hedge at the north end of the property, for privacy and screening purposes. However, the City is amenable to eliminating this condition of rezoning in favour of landscaping and screening to be determined at the development permit stage, when the building plans are refined. This way, the applicant can work with the next door neighbour to determine mutually beneficial landscaping for privacy along this property line.

The development permit will include requirements for tree replacement at least at a one-to-one ratio to replace the trees that were removed; this will be secured through a landscaping deposit. The City confirmed with both the applicant and the property owner to the north (on the other side of the hedge) that this is the preferred option.

This application to rezone the property to CD-P (Comprehensive Development P) for subdivision into two lots is consistent with the current OCP designation and policies for increased density in the urban area through infill development. As per Policy C091 Residential Community Amenity Contributions, the developer has offered to contribute \$4,500 for this project.

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

There are no financial implications associated with this report. If the application is successful, the City will receive a \$4,500 community amenity contribution.

PUBLIC PARTICIPATION

- ☒ Inform ☒ Consult ☐ Involve ☐ Collaborate ☐ Empower

Comment(s):

First and second readings were granted on June 7, 2022. A public hearing was held on September 20, 2022.

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. Zoning Amendment Bylaw No. 2921, 2022