



Proposal: Rezone from RA to RF and Development Variance Permit to reduce the lot depth for one lot only, to permit subdivision into 3 single family lots.

Recommendation: Approval to Proceed

Location: 16808 - 61 Avenue **Zoning:** RA

OCP Designation: Urban

LAP Designation: Urban Single Family Residential **Owner:** Alexander Wasyluk

PROJECT TIMELINE

Completed Application Submission Date:	January 18, 1996
Application Revision & Re-submission Date:	September 8, 2003
Planning Report Date:	December 1, 2003

The applicant is proposing:

- a rezoning from RA to RF; and
- a Development Variance Permit to vary the following by-law regulation:
 - reduce the minimum lot depth in the RF Zone from 28 metres (90 ft.) to 21.8 metres (71.5 ft.) for proposed Lot 3

in order to allow subdivision into three (3) single family lots.

The Planning & Development Department recommends that:

1. a By-law be introduced to rezone the property from "One-Acre Residential Zone (RA)" (By-law No. 12000) to "Single Family Residential Zone (RF)" (By-law No. 12000) and a date be set for Public Hearing.
2. Council approve Development Variance Permit No. 7996-0010-00, (Appendix V) varying the following, to proceed to Public Notification:
 - (a) to reduce the minimum lot depth of the RF Zone from 28 metres (90 ft.) to 21.8 metres (71.5 ft.) for proposed Lot 3.
3. Council instruct staff to resolve the following issues prior to final adoption;
 - (a) ensure that all engineering requirements and issues including restrictive covenants, and rights-of-way where necessary, are addressed to the satisfaction of the General Manager, Engineering;
 - (b) submission of a subdivision layout to the satisfaction of the Approving Officer;
 - (c) approval by Council of a road exchange by-law; and
 - (d) approval by Council of Development Variance Permit No. 7996-0010-00.

REFERRALS

Engineering: The Engineering Department has no objection to the project subject to the completion of Engineering servicing requirements as identified in the attached (Appendix III).

SITE CHARACTERISTICS

- **Existing Land Use** Vacant.
- **Significant Site Attributes** The property has no significant trees or vegetation and is relatively flat.
- **East:** Single family dwellings, zoned RF, designated Urban.
- **South:** One-storey dwelling with a secondary suite, zoned RF-SS, designated Urban.
- **West:** Across 168 Street, partially vacant lot, at third reading for future RM-30 townhouse development (File No. 7802-0384), zoned RA, designated Urban.
- **North:** Across 61 Avenue, single family dwellings, zoned RF, designated Urban.

PLAN AND POLICY COMPLIANCE

OCP Designation: Complies.

LAP Designation: Complies.

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DEVELOPMENT CONSIDERATIONS

Background

- This application for rezoning to permit subdivision into three lots was initially submitted in 1996. At that time, this quadrant of West Cloverdale was beginning to develop. A statutory right-of-way had earlier been registered on the property to ensure the ultimate alignment of 61 Avenue would eventually be achieved. The right-of-way affects a triangular portion of land (some 162 square metres [1,743 sq.ft.]) at the northeast corner of the property (Appendix II).
- During the initial stages of this application, the applicant had been attempting to purchase and consolidate a portion of the abutting property to the south in order to obtain the minimum lot depth required in the RF Zone (28 metres (90 ft.)) for the proposed easterly lot. Given the road right-of-way discussed above, the minimum depth would no longer be available once the area had been dedicated for road purposes. The owners of the two properties, however, were unable to reach an agreement on the matter.
- On May 13, 1998, a letter was sent to the applicant, advising that the file would be closed because the Engineering pre-design meeting and consolidation of the properties had not taken place. The applicant responded by submitting a revised lot layout for two lots only and suggesting that a no-build restrictive covenant be placed on the larger of the two lots. This would prohibit building until such time when a portion of the lot to the south could be consolidated and the minimum lot depth achieved.
- On October 1, 2001, another letter was sent to the applicant advising that the file would be closed because further progress had not been made. The applicant again indicated that they did not want the file to be closed, primarily for personal reasons.

Current Proposal

- On July 28, 2003, the applicant resurrected the file and submitted a layout showing three lots. An application for a Development Variance Permit for a reduced lot depth was also made. The applicant felt that recent development on the abutting lot to the south effectively made it impossible to purchase a portion of that lot so as to achieve the minimum required depth.
- The adjacent property to the south (6070 - 168 Street) was rezoned to the Single Family Residential Secondary Suite Zone (RF-SS) on October 28, 2002 (File No. 7901-0211-00). The rezoning was to accommodate the housing needs of family members who owned and occupied the newer one-storey house.
- At the time of rezoning, the owners of 6070 - 168 Street indicated that they might agree at some point to sell a sliver of their lot to their northern neighbour. The large lot size and the situation of the new house made this feasible without affecting the setbacks and density of the house.
- Notwithstanding the above, the submission of this revised application involving three lots, prompted a reconsideration of a Development Variance Permit and the potential merits associated with a reduction in lot depth.
- The southern property line of the subject lot marks the boundary between two different designations in the West Cloverdale Local Area Plan. The subject lot is designated for Urban Single Family Residential uses. The properties to the south (down to 60 Avenue), are designated for Compact Housing (Single Family). Maintaining the location of the current property lines (by not increasing lot depth for proposed Lot 3) will respect the land use designation boundary.
- Since the time the application was first submitted in 1996, the neighbourhood has continued to develop. The lot to the south was rezoned to accommodate a secondary suite, as discussed above. The lot to the south of that has

been incorporated into a townhouse proposal (File No. 7903-0171-00) that extends along 168 Street to 60 Avenue. Should the property at 6070 - 168 Street redevelop in the future for townhouse uses, access is anticipated to come via an internal driveway connecting to 60 Avenue. Although such redevelopment may be many years in the future, maintaining the existing lot size and configuration of 6070 - 168 Street may make it easier to ensure a future multi-family development is well integrated with the adjacent single family uses to the north and east.

- This rezoning and subdivision into three single family lots will complete this part of West Cloverdale in accordance with the Local Area Plan. The proposed lots will be consistent in size with existing lots on both sides of 61 Avenue.
- The applicant is also proposing to purchase some excess road right-of-way along 61 Avenue at the western edge of the property. This is to ensure proposed Lot 1 achieves the minimum required lot area.
- Building Design Guidelines have been developed by Tynan Consulting Ltd. The 3 proposed new houses will be compatible with existing homes in the 6000 and 6100 blocks of 168 Street. They will also be reasonably compatible with others in the area, subject to an updating of development standards which include improvements in massing design, the effective use of style authentic design elements and the prudent application of trim and detailing elements which specifically reinforce the style objective.
- The "West Coast Modern", "Neo-Traditional", "Neo-Heritage", "Craftsmen-Heritage" and "Rural Heritage" styles will be utilized. Two-storey, split-level and modified bungalows will be allowed. Basement-entry homes are not permitted. In-ground basements will not be constructed.
- In addition to being designed according to the above guidelines, the house on proposed Lot 3 will have a layout that is appropriate for the lot's dimensions and configuration.

PRE-NOTIFICATION

Pre-notification letters were sent on September 3, 2003, and staff received no comments.

BY-LAW VARIANCE AND JUSTIFICATION

(a) Requested Variance:

- Reduce the minimum lot depth in the RF Zone for proposed Lot 3 from 28 metres (90 ft.) to 21.8 metres (71.5 ft.).

Applicant's Reasons:

- The lot depth variance is required for proposed Lot 3 only. The lot depth on the west side will be 27.284 metres (89.5 ft.) and the east property line will be 21.899 metres (71.8 ft.). The midpoint (average) lot depth will be 24.59 metres (83.6 ft.).
- The variance is required because the rezoning and development of the property to the south (6070 - 168 Street) did not make provisions for this owner to acquire the land needed to comply with the by-law standards. The lot to the south has a new home and it can be expected that it will not be redeveloped for many years.

Staff Comments:

- The size and siting of the newer house at 6070-168 Street makes it possible for the owners to sell a portion of their land without substantially affecting the density or enjoyment of their property. Such a transaction, however, is not considered necessary, given the location of land use designation boundaries and road dedication requirements, as discussed above.
- Realigning the rear property line slightly southward would not significantly improve the relationship to the adjacent, existing house to the east. The owners of that property have effectively been living with existing property and fence lines that meet their lot at a regular angle, approximately mid-way through their site.
- The planting of 3 new trees and a minimum of 15 shrubs on proposed Lot 3 will result in well-landscaped yards that will further soften any impact the reduced lot depth may have.
- The configuration of proposed Lot 3 will require a building envelope that is distributed lengthwise, across the site's frontage. The additional lot width of 23 metres (75.5 ft.) will facilitate an appropriately designed building.
- The applicant has submitted sample house plans (Appendix II) which demonstrate that a practical and attractive home can be built on the shallower lot. The design guidelines that will be registered on title will further ensure that the future house complements the neighbourhood.

INFORMATION ATTACHED TO THIS REPORT

The following information is attached to this Report:

Appendix I.	Lot Owners, Action Summary and Project Data Sheets
Appendix II.	Proposed Subdivision Layout Plan, Sample Floor Plans and Elevation for Proposed Lot 3
Appendix III.	Engineering Summary
Appendix IV.	Building Design Guidelines Summary
Appendix V.	Development Variance Permit No. 7996-0010-00

INFORMATION AVAILABLE ON FILE

- Detailed Engineering Comments dated October 8, 2003.
- Tree Location Plan prepared by Clark Kavolinas and dated October 2003.
- Residential Character Study and Proposed Building Scheme prepared by Mike Tynan and dated November 3, 2003 (One copy is filed with the City Clerk's Office).
- Soil Contamination Review Questionnaire prepared by Clarence Arychuk and dated September 9, 2003.

Murray Dinwoodie
General Manager
Planning and Development

TA/rdd/kms

Information for City Clerk

Legal Description and Owners of all lots that form part of the application:

1. (a) Agent: Name: Clarence Arychuk, Hunter Laird Engineering Ltd.
 Address: #300 - 65 Richmond Street
 New Westminster, B.C. V3L 5P5
 Tel: 604-525-4651

2. Properties involved in the Application
 - (a) Civic Address: 16808 - 61 Avenue

 - (b) Civic Address: 16808 - 61 Avenue
 Owner: Alexander Wasyluk
 PID: 001-634-887
 Lot 4 Section 7 Township 8 New Westminster District Plan 7695

3.
 - (a) Introduce a By-law to rezone the property.

 - (b) Proceed with Public Notification for Development Variance Permit No. 7996-0010-00.

SUBDIVISION DATA SHEET**Proposed Zoning: RF**

Requires Project Data	Proposed
GROSS SITE AREA	
Acres	0.459
Hectares	0.1858
NUMBER OF LOTS	
Existing	1
Proposed	3
SIZE OF LOTS	
Range of lot widths (metres)	17.02 - 23.07

Range of lot areas (square metres)	519 - 560
DENSITY	
Lots/Hectare & Lots/Acre (Gross)	16.1/6.5
Lots/Hectare & Lots/Acre (Net)	
SITE COVERAGE (in % of gross site area)	
Maximum Coverage of Principal & Accessory Building	40
Estimated Road, Lane & Driveway Coverage	5
Total Site Coverage	45
PARKLAND	
Area (square metres)	N/A
% of Gross Site	
	Required
PARKLAND	
5% money in lieu	NO
TREE SURVEY/ASSESSMENT	
	NO
MODEL BUILDING SCHEME	
	YES
HERITAGE SITE Retention	
	NO
BOUNDARY HEALTH Approval	
	NO
DEV. VARIANCE PERMIT required	
Road Length/Standards	NO
Works and Services	NO
Building Retention	NO
Lot Depth	YES