



Item .....
Meeting ..... 2015 March 02

COUNCIL REPORT

**TO:** CITY MANAGER 2015 February 25

**FROM:** DIRECTOR PLANNING AND BUILDING

**SUBJECT: REZONING REFERENCE # 14-41**  
Proposed single family residence

**ADDRESS:** 7868 Government Road (see *attached* Sketch #1)

**LEGAL:** Lot A, D.L. 42, Group 1, NWD Plan EPP45856

**FROM:** R1 Residential District

**TO:** R1a Residential District

**APPLICANT:** Michael Green Architecture  
63 E. Cordova Street  
Vancouver, BC V6A 1K3  
(Attn: Michael Green)

**PURPOSE:** To seek Council authorization to forward this application to a Public Hearing on 2015 March 31.

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**RECOMMENDATIONS:**

1. **THAT** a Rezoning Bylaw be prepared and advanced to First Reading on 2015 March 09 and to a Public Hearing on 2015 March 31 at 7:00 p.m.
2. **THAT** the following be established as prerequisites to the completion of the rezoning:
  - a) The submission of a suitable plan of development.
  - b) The registration of a Section 219 Covenant requiring the land to be developed in accordance with the approved building and landscape plans.
  - c) The deposit of sufficient monies including a 4% Engineering Inspection Fee to cover the costs of all services necessary to serve the site and the completion of a servicing agreement covering all requisite services. All services are to be designed to City standards and constructed in accordance with the Engineering Design. One of the conditions for the release of occupancy permits will be the completion of all requisite services.

## REPORT

### 1.0 REZONING PURPOSE

The purpose of the proposed rezoning bylaw amendment is to permit construction of a single family dwelling with a gross floor area beyond that currently permitted under the prevailing zoning.

### 2.0 BACKGROUND

- 2.1 The subject property is located in a single family residential neighbourhood in the Government Road area. The property is bordered on the east by a row of single family homes fronting Piper Avenue; to the south by Kentwood Street, which is partially constructed; to the west by an undeveloped lot and a single family residential lot, both of which are owned by the applicant; and to the north by Seaforth Elementary School. Nearby residences are generally larger two storey homes, some of which have outdoor recreational facilities such as swimming pools.
- 2.2 The neighbourhood is primarily zoned R1 Residential District. The lot at 7750 Government Road, located approximately 100 m west of the subject property, was rezoned to the R1a District in 1999 (Rezoning Reference #98-44). The lot at 3821 Piper Avenue is zoned P1 Neighbourhood Institutional District and contains a child care facility. The Official Community Plan designates the subject site and surrounding area for Single Family Suburban residential use.
- 2.3 The subject lot consists of two lots that were consolidated in 2014. The lots previously contained single family dwellings, one of which was demolished in 2007 and the other in 2014. The consolidated lot is currently vacant.
- 2.4 On 2014 November 24, Council received the report of the Planning and Building Department concerning the proposed rezoning of the subject site and authorized the Department to work with the applicant in the preparation of a suitable plan of development with the understanding that a further and more detailed report would be submitted at a later date. The applicant has now submitted a plan of development suitable for presentation to a Public Hearing.

### 3.0 GENERAL COMMENTS

- 3.1 The applicant proposes rezoning of the site to the R1a District to allow for construction of an approximately 2,566.45 m<sup>2</sup> (27,625 ft<sup>2</sup>) one-storey residence with two cellar levels and an attached three car garage. The proposal also includes an approximately 557 m<sup>2</sup> (6,000 ft<sup>2</sup>) outdoor patio area with swimming pool; a tennis court; and an approximately

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55.74 m<sup>2</sup> (600 ft<sup>2</sup>) accessory service building with an approximately 55.74 m<sup>2</sup> (600 ft<sup>2</sup>) covered area. Vehicular access is proposed via a porte-cochere driveway from Government Road and a secondary driveway from Kentwood Street at the rear of the property.

The proposed main floor and a portion of the lowest cellar level contain overheight ceilings. Section 6.20(4) of the Zoning Bylaw requires that the gross floor area of any space with ceiling heights greater than 3.7 m (12.1 ft.) be counted twice, with the exception of the first 9.3 m<sup>2</sup> (100.1 ft<sup>2</sup>) of each space. The proposed gross floor area, calculated by this method, is 4,241.95 m<sup>2</sup> (45,660 ft<sup>2</sup>) and the proposed above grade floor area is 1,935.63 m<sup>2</sup> (20,835.00 ft<sup>2</sup>).

3.2 Under the R1a District, each lot shall have an area of not less than 1,350 m<sup>2</sup> (14,531.8 ft<sup>2</sup>) and a width of not less than 34 m (111.6 ft.). The subject property has a lot area of approximately 9,303.71 m<sup>2</sup> (2.3 acres) and a width of 70.41 m (231 ft.), which exceeds the lot area and width requirements of the R1a District. With regard to development density, the proposed R1a District provides for a maximum FAR of 0.60 on lots, such as the subject site, that have a minimum width of 37 m. If applied to the subject property, 0.60 FAR would permit a maximum gross floor area of 5,582.23 m<sup>2</sup> (60,086.62 ft<sup>2</sup>) subject to legal survey.

3.3 On 1989 January 03, Council adopted design guidelines for assessing single-family development proposals in the R "a" Residential Districts. The following is an assessment of the proposed development based on these guidelines:

i) *Limit the scale of the dwelling to a two-storey appearance or to the scale of the neighbouring dwellings, whichever is less.*

The proposed dwelling generally presents a one and a half storey appearance, with building heights ranging from 4.27 m (14 ft.) at the north entry and the east and west wings; and increasing in the central portion of the residence to 8 m (26.3 ft.) at the front elevation and 9.6 m (31.5 ft.) at the rear elevation. This portion of the building exceeds the 7.4 m (24.3 ft.) maximum permitted height for flat roofed buildings in the R1 District. However, this exceedance is mitigated by several factors. First, the overheight portions of the building consist primarily of flat roof canopy and clerestory glazing in the center of the building, which provide no overlook and have minimal massing impacts on neighbouring properties to the west and east. The south elevation, where the massing of the overheight element is the greatest, provides a 76.66 m (251.5 ft.) set back from the south property line. In addition, the north elevation is measured from a grade that is approximately 2 m (6.6 ft.) below the grade of the adjacent frontage road, such that the height of this elevation will appear significantly lower than measured.

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Given these mitigating factors, the overall appearance of the proposed residence is consistent with this guideline.

- ii) *Maintain the existing pattern of front yard setbacks established along the street frontage, if the prevailing setback pattern is beyond the minimum required in the "R" District regulations.*

The proposed development includes an approximately 17.3 m (56.7 ft.) front yard setback from Government Road, which exceeds the front yard setbacks on neighbouring properties.

- iii) *Require a minimum rear yard setback of 35% of the depth of the lot and limit the depth of the dwelling to a maximum of 18.30 meters (60.0 feet).*

The proposed development provides an approximately 76.66 m (251.5 ft.) rear yard setback for the principal building, which constitutes 58% of the lot depth. However, the proposed depth of the principal building is approximately 35.4 m (116 ft.), which significantly exceeds the recommended maximum depth. The intent of the recommended limit on depth is to prevent the visual intrusion and sense of confinement that a long building wall can impose on neighbouring properties. In this regard, the impacts of the proposed building depth are mitigated by the design of the dwelling and associated landscape features.

Specifically, the dwelling features low roof heights on both the east and west wings, nearest the adjacent property lines, with only the central roof elements extending above 4.27 m (14 ft.). These roof elements, excluding the structural components, are clerestories that let in light but do not afford views from the floor level below. Thus while the massing of the building is concentrated in the center of the lot, this massing is lightened by the use of glazing rather than solid walls. The depth of this element is approximately 10.4 m (34 ft.), with an additional 6.1 m (20 ft.) overhang, which is less than the recommended building depth. Generous side setbacks and extensive landscaping in the side yards further reduce impacts on the neighbouring properties.

- iv) *Encourage the side yard setbacks for the development under R "a" zoning to be doubled from that required in the pertinent "R" District zone.*

The R1 District requires a minimum setback of 2.4 m (7.9 ft.) on each side, with a sum of side yard setbacks totaling at least 5.5 m (18.0 ft.). The proposed development provides a west side setback of 7.4 m (24.1 ft.) and an east side setback of 14.2 m (46.6 ft.), for a total of all side setbacks of 21.6 m (70.7 ft.).

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The proposed setbacks therefore significantly exceed those recommended in this guideline.

- v) *Encourage modeling and faceting by means such as indentations or additional setbacks, bay windows, balconies, porches and some variation in roof lines – particularly for any building face adjacent to a street.*

The design of the proposed residence incorporates significant faceting and variation in roof lines. The exterior finishing, which includes both glazing and metal and stone cladding, adds further variation to the design.

- vi) *Eliminate large and excessive numbers of windows or active deck areas which are in close proximity to neighbouring dwellings.*

The proposed development features a perimeter wall, such that only the uppermost portions of the windows overlook neighbouring properties. These windows are further screened by landscaping. Glazing on the central clerestory overlooks the neighbouring properties; however, this glazing does not afford views from the floor level below. The proposed patio is primarily located between the eastern and western wings of the building, with the exception of the southernmost portions. This area is sufficiently distant from the adjoining rear yards of neighbouring properties to pose little risk of significant impacts.

- vii) *Encourage the preservation of as much existing landscaping and mature trees as possible and the provision of appropriate new soft landscaping while avoiding an excessively hard, urban look to the site.*

The applicant has submitted a landscaping plan that features a perimeter hedge, perimeter wall, and extensive planting in the interior of the site. The proposed perimeter wall is 2.4 m – 3.7 m (8 ft. – 12 ft.) high and thus exceeds the maximum fence heights permitted by Section 6.14 of the Zoning Bylaw. This wall is required for security purposes and will be softened by hedges along its exterior faces. An approximately 25 m (82 ft.) tall conifer at the front property line will be retained; however, two deciduous trees along the eastern property line may be removed in response to comments made during neighbourhood consultation undertaken by the applicant. The proposed landscaping will soften the appearance of the site and largely obscure the proposed residence.

Overall, the proposed development is generally consistent with the guidelines for assessing single family dwellings in the R1a District. While the proposed development exceeds the recommended building depth and height, it provides design solutions that address the concerns that underlie the intent of the guideline.

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3.4 The Planning Department has been advised that the owner has approached the residents in the neighbourhood regarding the proposed rezoning of the subject property, and has received general support for the proposed development.

3.5 The City Engineer will assess the need for any further required services to the site, including, but not limited to:

- construction of a sanitary sewer to service the site;
- construction of a new storm sewer on Kentwood Street; and
- any required road and curb works.

3.6 The owner will be required to register a Section 219 Covenant to restrict the development of the property to that presented at the Public Hearing.

3.7 Approval of the proposed building height, building depth, and perimeter fence height is subject to a successful appeal to the Board of Variance following Final Adoption of the proposed rezoning bylaw. Adoption of the rezoning bylaw prior to Board of Variance review is necessary to provide the required density for the proposal.

3.8 Submission of a legal survey verifying lot area is required.

**4.0 DEVELOPMENT PROPOSAL**

4.1 Site Area (subject to detailed survey) - 9,303.71 m<sup>2</sup> (2.3 acres)

4.2 Lot Coverage  
 Permitted in R1a District 40.0% - 3,721.48 m<sup>2</sup> (0.92 acres)  
 Proposed 12.7 % - 1,189.16 m<sup>2</sup> (0.29 acres)

4.3 Floor Area Ratio  
 Permitted - 0.60 FAR  
 Proposed - 0.46 FAR

4.4 Gross Floor Area  
 Permitted - 5,582.23 m<sup>2</sup> (60,087 ft<sup>2</sup>)  
 Proposed - 4,241.95 m<sup>2</sup> (45,660 ft<sup>2</sup>)

4.5 Above Grade Floor Area  
 Permitted - 3,721.48 m<sup>2</sup> (40,057.72 ft<sup>2</sup>)  
 Proposed - 1,935.63 m<sup>2</sup> (20,835.00 ft<sup>2</sup>)

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- 4.6 Proposed Dwelling Space - 2,566.45 m<sup>2</sup> (27,625 ft<sup>2</sup>)
  
- 4.7 Building Height
  - Permitted - 7.4 m (24.3 ft.)
  - 2.5 storeys
  - Proposed - 9.6 m (31.5 ft.)
  - 1 storey

  
Lou Pelletier, Director  
PLANNING AND BUILDING

LF:tn  
**Attachment**

cc: City Manager  
Director Engineering  
City Solicitor  
City Clerk

