



THE CORPORATION OF THE
DISTRICT OF SUMMERLAND
COUNCIL REPORT

DATE: November 6th, 2017 File: ZON 2017-11, DVP 2017-29
TO: Linda Tynan – Chief Administrative Officer
FROM: Alex Kondor, MCIP, RPP – Development Planner
SUBJECT: Rezoning Application Lot 3, DL 488, ODYD, Plan 19309 (523 Stonor Street)

STAFF RECOMMENDATION:

That Council pass the following resolutions:

1. *THAT 'Zoning Bylaw Amendment (523 Stonor Street) Bylaw No. 2017-036' to rezone the subject property from RSD3 – Residential Estate Lot Zone to RSD1 – Residential Medium Lot Zone be introduced and given first and second readings.*
2. *THAT a Public Hearing be scheduled for January 8, 2018 to receive public feedback on Bylaw No. 2017-036.*

PURPOSE:

To consider applications for rezoning and a variance to allow for the subdivision of a property at 523 Stonor Street into two residential lots.

BACKGROUND AND DISCUSSION:

The subject property has an Official Community Plan (OCP) designation of Low Density Residential (LDR) and is zoned RSD3 – Residential Estate Lot Zone. The applicants have applied to rezone the subject property to RSD1 – Residential Medium Lot Zone for the purpose of subdividing the property into two lots. The owners have submitted a preliminary subdivision plan along with their rezoning application and a letter in support of their application (see attached figures).

The proposed rezoning of the subject property would allow for the subdivision of the land into two parcels. The proposed lots would be smaller than the existing lots in the area which are currently zoned RSD2 and RSD3. The proposed zone is consistent with the existing Low Density Residential (LDR) Official Community Plan designation. It is anticipated that the District will continue to receive applications for further subdivisions similar to the proposal in the future as the community continues to grow.

The proposed rezoning would create a residential infill opportunity with the retention of the existing single-family dwelling and the potential of an additional new single-family dwelling on a new lot. The proposed density conforms to the existing OCP land use designation of Low Density Residential (LDR). Specifically, the OCP states the District of Summerland seeks to increase densities in areas designated LDR from about 4 units per hectare (1.5 units per acre) up to 22 units per hectare (9 units per acre) to more efficiently use serviced land, and increase transit potential (OCP Section 7.4.1). The proposed density of the subject site is equivalent to 19 units

per hectare (8 units per acre).

The proposed infilling would also be in-line with the Community Plan Goals (Section 4.2) and Growth Management Strategy (Section 6.0) of the OCP. Specifically, a community goal of the OCP is to provide for a range of housing types, densities and affordability levels within the designated Urban Growth Area to address the needs of current and future residents (OCP Section 4.2.6). The District of Summerland Growth Management Strategy was established with an emphasis on supporting infill development to limit urban sprawl and associated environmental and financial costs of growth. A District objective is to promote infill development and selective intensification of land uses within existing urban areas being respectful of existing uses and ecological values (OCP Section 6.2.2.8).

A development variance permit has also been submitted to reduce the front setback along Stonor Street from 6.0m to 3.0m (See Figure 3.) This request is to allow for a larger buildable area (building envelope) on the proposed lot and enhance lake views for the subject property. This request is comparable with the front setbacks of several existing houses in the area. Specifically, in 1993 the adjacent house at 519 Stonor Street received a Development Variance Permit to reduce the setback adjacent to Stonor Street to 3.0m, more recently a Development Variance Permit (DVP 2016-319) was issued to allow a 4.0m front setback for a new single detached house at 704 Stonor Street.

CIRCULATION COMMENTS:

The application will be circulated to neighbouring properties within 30m of the subject site. The application has been presented to the Advisory Planning Commission (APC) at their meeting September 29th 2017 to obtain a recommendation to Council. The APC passed the following resolution:

THAT the application be supported.

This application has been circulated to Telus, Fortis, and Shaw Cable and the Ministry of Transportation and Infrastructure. No concerns have been raised to date. The application has been reviewed with District departments. No concerns have been expressed in the Recreation, Parks, Finance, and Administration Dept. The Works and Utilities department has noted that a new sanitary sewer service at this location may have significant costs associated with dewatering. The Fire Department has noted that water modeling may be required to determine if adequate fire flows are present in the existing 4-inch water main, if they are not the fire hydrant may need to be relocated to an existing 6-inch water main or the existing water-main may need to be upgraded.

If the rezoning application is approved, subdivision approval would be required prior to any new lot being created and a Building Permit would be required prior to beginning construction of any proposed structures.

At the subdivision stage road dedication would be required for both the Stonor Street and Woods Avenue road right-of-ways. This required road dedication would reduce the size of the proposed lot below the minimum lot size of 460sqm required in the RSD1 Zone. Zoning Bylaw Section 3.3 addresses undersized lots which states: *Where a Lot is reduced in size as a result of taking for public Use by the District, provincial federal government, or a public utility by dedication, expropriation, or purchase, the Lot, Buildings and Structures thereon are deemed to conform with the provisions of this Bylaw and the Lot shall be considered to exist as it did prior to the taking.*

LEGISLATION AND POLICY:

- Local Government Act
- Official Community Plan 2014-002
- Zoning Bylaw 2000-450

CONCLUSION:

The proposed rezoning application, if approved would allow for the subject property to be subdivided into two residential properties.

OPTIONS:

1. Pass a motion denying the application.
2. Refer back to staff for other options.

Respectfully submitted,



Alex Kondor MCIP, RPP
Development Planner

Reviewed by:



Dean Strachan MCIP, RPP
Director of Development Services

Approved for Agenda


Linda Tynan, CAO

Figure 1



Figure 2

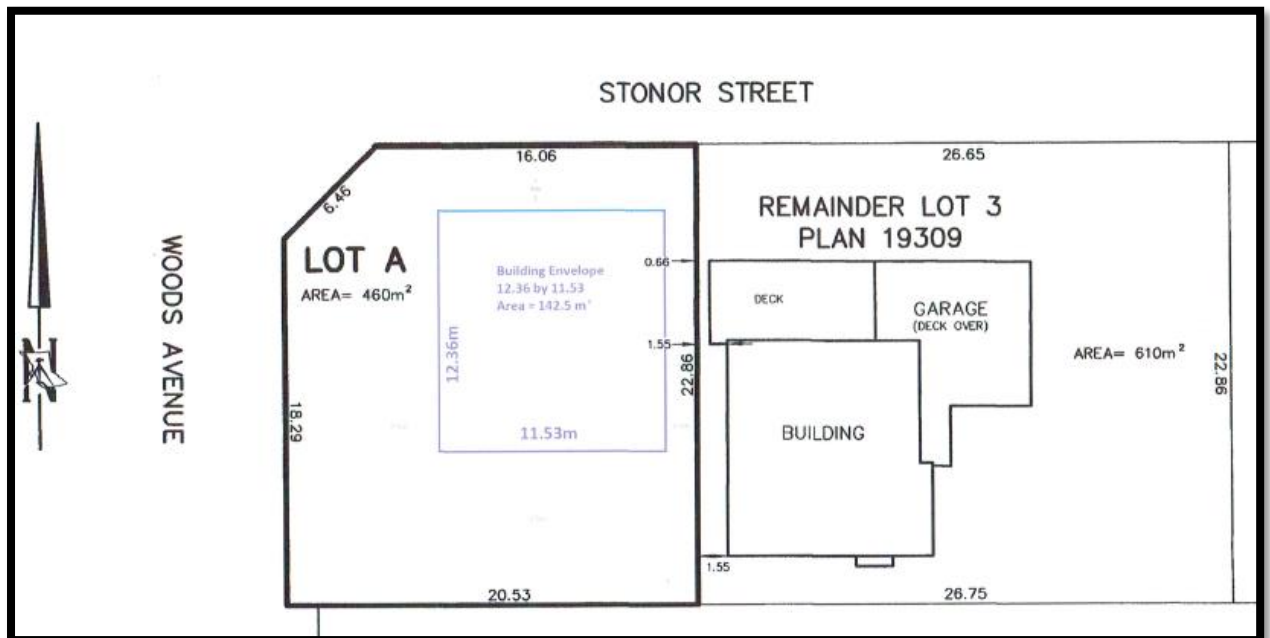
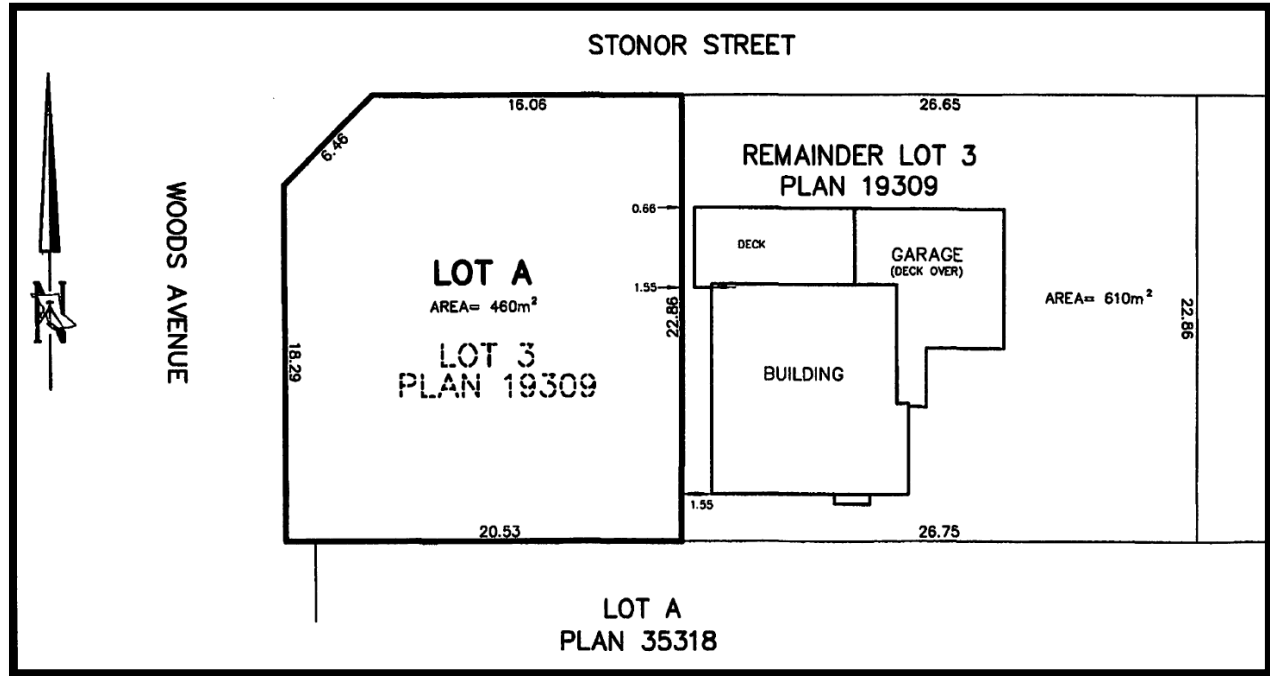


Figure 3

Zoning Application

523 Stonor Street Summerland V0H 1Z9

Roll 325 01550 030 Lot 3 DL 488 Plan KAP19309

I would like to split our current RSD2 lot into two RSD1 lots. This would allow me to sell my current house to build in the new lot and reduce my expenses prior to retiring in 2018.

I am also separately applying for a variance to the front setback (north property line on Stonor Street.) I am requesting a front setback of 3 meters, this is consistent with the property immediately east - 519 Stonor Street.)

The front setback (Stonor St) is 3 meters, rear setback is 7.5 meters, the inside setback is 1.5 meters and the side setback (Woods Ave) is shown as 7.5 meters which includes the standard 4.5 meters and an additional 3 meters for the Woods Avenue roadway allowance which extends into the property.

The above setbacks allow a building envelope of 11.53 meters by 12.36 meters, 142.5 square meters.

RSD1 lots are consistent with the OCP for Trout Creek. There are many RSD1 lots existing in Trout Creek within 5 blocks north and west of my property. Also there are applications pending that would increase the use of RSD1 lots in Trout Creek, closer to my property.