

REGULAR MEETING OF THE LAND USE AND PLANNING COMMITTEE

Notice is hereby given of the following Land Use and Planning Committee:
May 1, 2017 at 12:00 p.m.
Committee Room 2, City Hall

AGENDA

ADDITIONS / DELETIONS TO THE AGENDA

MOTION to amend the Land Use and Planning Committee agenda.

ADOPTION OF MINUTES

1. **No Items**

PRESENTATIONS

2. **No Items**

UNFINISHED BUSINESS

3. **No Items**

REPORTS FOR ACTION

4. **628 Eighteenth Street: DVP00627 to Vary Accessory Site Coverage in Order to Construct a Pool and a Hot Tub - Preliminary Report**

DIRECTOR'S / MANAGER'S REPORT (Oral Report)

- 5.

NEW BUSINESS

- 6.

CORRESPONDENCE

7. No Items

ADJOURNMENT



REPORT

Development Services

To: Land Use and Planning Committee **Date:** 5/1/2017

From: Jackie Teed **File:** DVP00627
Acting Director of Development
Services

Item #: 26/2017

Subject: **628 Eighteenth Street: DVP00627 to Vary Accessory Site Coverage in Order to Construct a Pool and a Hot Tub - Preliminary Report**

RECOMMENDATION

THAT the Land Use and Planning Committee recommends Council issue notice that it will consider a resolution to issue Development Variance Permit DVP00627 to permit accessory site coverage of 19 percent at 628 Eighteenth Street so as to enable the property owners to construct an in-ground swimming pool and a hot tub, following an Opportunity to Be Heard on June 26, 2017.

EXECUTIVE SUMMARY

This report provides preliminary information on a Development Variance Permit application that would permit the owners of 628 Eighteenth Street to construct an in-ground swimming pool and hot tub. Because the proposed structures will increase the total accessory site coverage on the property to more than the 15 percent limit allowed by the Zoning Bylaw, the proposed site coverage variance would be required. The proposed variance is considered reasonable given that it is relatively minor and in keeping with the intent of the bylaw despite there being no hardship or community benefit.

1. PURPOSE

This application would enable construction of an in-ground pool and hot tub. The purpose of this report is to apprise the Land Use and Planning Committee of the application and request Council issue notice of consideration of the required Development Variance Permit.

2. POLICY AND REGULATIONS

A policy approach to considering requests for variances and criteria by which they are to be evaluated was endorsed by Council on January 28, 2008.

3. BACKGROUND

3.1 Site Characteristics and Context

The subject property is located in a single detached dwelling area in the West End. Grimston Park and Lord Tweedsmuir Elementary School are nearby. A map of the land uses is contained in Appendix 1.

Most of the West End neighbourhood between Thirteenth and Twentieth Streets and Sixth Avenue and Edinburgh Street is sloped toward the Fraser River. The subject property is 56.74 feet/17.3 metres wide by 121.4 feet/37 metres deep (6,888 square feet/640 square metres) and has a side-to-side slope. Parking access to the property is from a lane on the south side of the property.

4. PROJECT DESCRIPTION

The property at 628 Eighteenth Street was redeveloped in 2011. Although the new house was built significantly under the maximum site coverage (22 percent built, 35 percent permitted) a new house could be constructed to the full permitted site coverage in the future. The garage, front porch and rear deck are built to the maximum allowable 15 percent accessory structure site coverage (1,033 square feet/96 square metres). The current property owners would like to construct an in-ground swimming pool and a hot tub separate from their existing deck. They therefore need approval of a variance from the 15 percent accessory site coverage limit for the pool and hot tub (not including a proposed concrete patio). Appendix 2 contains a proposed site plan.

5. DISCUSSION

5.1 General Evaluation Criteria

1. What is the intent of the bylaw which the applicants are seeking to have varied?

The intent is to limit the erection of structures on properties such that properties do not contain excessive building bulk. Additionally, the regulation attempts to limit the amount of impermeable surfacing of the property.

2. Is there a community benefit to the granting of the variance; beyond that received by the owners?

No.

3. Is there a hardship involved in adhering to the pertinent bylaw? A hardship must relate to the location, size, geometry or natural attributes (e.g. slope, flood plain, rock formation, trees) of the site and not the personal or business circumstances of the applicant

No. The variance is being requested as the site is already built to the maximum site coverage, not due to a geometric or natural attribute of the site.

4. If the answer to Question 2 is 'No' and the answer to Question 3 is 'Yes' can it still be demonstrated that the proposal meets the intent of the bylaw?

N/A.

5. Is this the most appropriate mechanism for achieving the end result of the proposed variance?

Yes, as the alternative would be to not construct a pool and hot tub.

6. Is the proposed variance relatively minor?

Yes. Although the proposed variance would permit a 27 percent increase in permitted accessory structure site coverage (going from 15 percent to 19 percent is a 27 percent increase) which is significant, the proposed structures would still achieve the intent of the bylaw. The proposed structures would not result in excessive building bulk, and the pool and hot tub, while technically decreasing site permeability, would effectively store rainwater that would fall on those areas, making the impact of the variance relatively minor.

5.2 Conclusion

The applicants' request to be allowed increased accessory site coverage in order to be able to construct an in-ground pool and hot tub is reasonable given that it is relatively minor and in keeping with the intent of the bylaw despite there being no hardship or community benefit.

6. REVIEW PROCESS

Application made	March 30, 2017
Preliminary Report to Land Use and Planning Committee	May 1, 2017
Report to Council requesting notification of Opportunity to Be Heard	May 15, 2017
Applicant to deliver notices to neighbours within 100 m./ 328 ft., advising of their DVP application	June 1, 2017 (approx.)
Opportunity to be Heard	June 26, 2017

7. OPTIONS

The following options are presented for the Land Use Planning Committee's consideration:

1. That the Land Use and Planning Committee recommends Council issue notice that it will consider a resolution to issue Development Variance Permit DVP00627 to permit accessory site coverage of 19 percent at 628 Eighteenth Street so as to enable the property owners to construct an in-ground swimming pool and a hot tub, following an Opportunity to Be Heard on June 26, 2017.
2. That the Land Use and Planning Committee provide staff with alternative feedback.

Staff recommends Option 1.

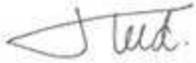
ATTACHMENTS

Attachment 1: Land Use Map

Attachment 2: Site Plan

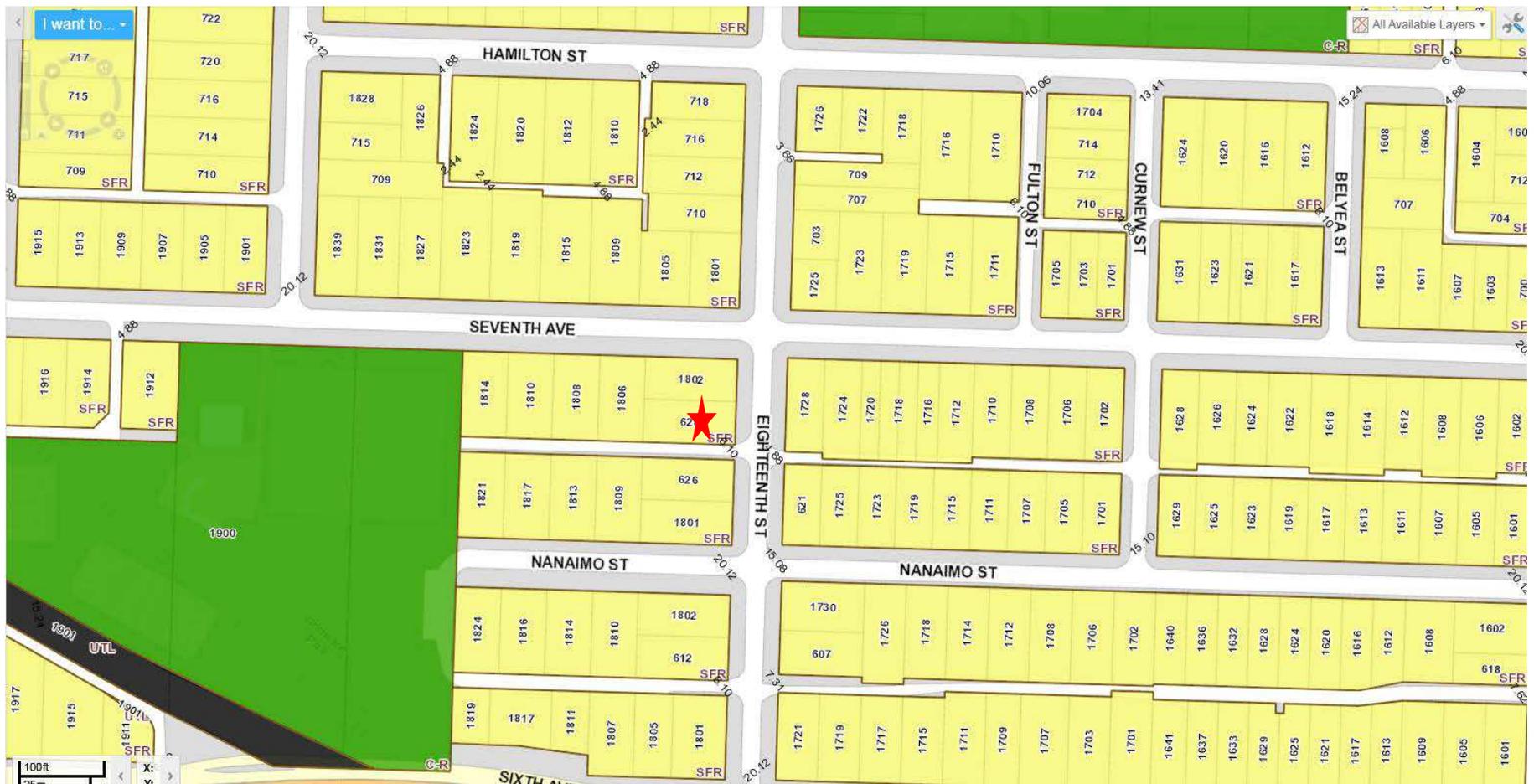
This report has been prepared by:
David Guiney, Senior Planning Analyst

This report was reviewed by:
John Stark, Acting Manager of Planning



Jackie Teed
Acting Director of Development
Services

Attachment 1
Land Use Map



Yellow is single detached dwelling, Green is civic institution and recreation. Black is railway line.

Attachment 2

Site Plan

628 18th St

Hot Tub: 28 sq ft.
Pool: 306 sq ft.

