

DATE OF MEETING March 7, 2022

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PLANNING

**SUBJECT DEVELOPMENT PERMIT APPLICATION NO. DP1258 AND
DEVELOPMENT VARIANCE PERMIT APPLICATION NO. DVP431
– 3123 ROBIN HOOD DRIVE**

OVERVIEW

Purpose of Report

To present for Council's consideration a development permit application to allow a driveway access and site servicing improvements within the required watercourse setback, and to concurrently present for Council's consideration a development variance permit application to reduce the minimum lot depth requirement in order to facilitate a two-lot subdivision at 3123 Robin Hood Drive.

Recommendation

That Council

1. issue Development Permit No. DP1258 at 3123 Robin Hood Drive with a variance to reduce the minimum required watercourse setback from 7.5m to 0m for the proposed driveway access and site servicing improvements; and,
2. issue Development Variance Permit No. DVP431 at 3123 Robin Hood Drive with a variance to reduce the minimum lot depth requirement from 30m to 29.6m for proposed Lots A and B.

BACKGROUND

A development permit application (DP1258) and a concurrent development variance permit application (DVP431) were received from Herold Engineering on behalf of Piotr Walenciak and Samantha Sparrow, to facilitate a proposed two-lot subdivision with variances to the watercourse setback and minimum lot depth requirements.

As the proposed lot depth variance associated with the subdivision is not directly related to the purpose of Development Permit Area No.1 – Watercourses, the minimum lot depth variance is being considered through a concurrent development variance permit.

Statutory Notification has taken place prior to the consideration of the variance.

Subject Property and Site Context

<i>Zoning</i>	R1 – Single Dwelling Residential
<i>Location</i>	The subject property is a though lot fronting both Jestors Way and Robin Hood Drive.
<i>Total Area</i>	1,627.4m ²
<i>Official Community Plan (OCP)</i>	Map 1 – Future Land Use Plans – Neighbourhood Map 3 – Development Permit Area No. 1 – Watercourses

The subject property contains an existing single family dwelling and is bounded by single residential properties with Robin Hood Drive to the southwest and Jestors Way to the northeast. A small, non-fish-bearing, ditched watercourse runs from west to east following Jestors Way along the property's northeastern frontage. The watercourse originates in Linley Valley Park where it traverses southeast towards a small wetland located in Jestors Way Park. The wetland is drained during high water levels into a ditched watercourse southeast through Jestors Way Park entering a culvert under Jestors Way; which abuts the subject property.

DISCUSSION

Proposed Development

The applicant is proposing to subdivide the subject property into two fee-simple lots while retaining the existing single residential dwelling within proposed Lot A. The applicant is seeking a variance to allow the servicing and driveway access for the new proposed lot within the watercourse setback. These improvements consist of a 4m wide concrete driveway, water and sanitary sewer connections and storm drain culvert under the driveway. Furthermore, in order to facilitate the subdivision, a development variance permit is required to reduce the minimum lot depth requirement for the proposed lots. The requested variances are conditions of the issued preliminary layout approval (PLA) for subdivision application SUB01397 and are required prior to subdivision approval.

Proposed Variances

Minimum Watercourse Setback

The required watercourse setback is 7.5m as measured from the top of bank. The proposed setback is 0m to allow the driveway and servicing to cross the ditch. The proposed driveway and servicing will affect a total of 67.5m² of the watercourse setback area. No other development will occur within the watercourse setback and the applicant has demonstrated that a new dwelling within the proposed Lot B can be accommodated outside of the watercourse setback.

A Qualified Environmental Professional (QEP) assessed the subject property and the proposed development and determined that the ditched watercourse is seasonal and does not support fish and is not connected to any fish-bearing watercourse; it forms part of the municipal storm water system. The QEP concluded that culverting the ditched watercourse for a driveway as proposed will not result in riparian habitat loss as none currently exists in this

location; however the QEP also recommended re-vegetation within the watercourse setback including the following measures:

- *Invasive Species Removal:* Invasive Himalayan blackberry thickets in the watercourse setback area will be removed while minimizing the removal of existing native plants and shrubs; and,
- *Riparian Vegetation Planting:* Riparian vegetation will be restored with native shrubs along the watercourse (66m² restoration area).

These recommendations are included as conditions of the development permit.

Minimum Lot Depth Requirement

The minimum lot depth required in the R1 zone is 30m. The applicant is requesting to reduce the minimum lot depth from 30m to 29.6m; a proposed variance of 0.4m for proposed Lots A and B.

The proposed lots meet or exceed all other zoning requirements, including minimum lot frontage and lot size (500m²). The proposed lot depth variances will not negatively impact the functionality of the parcels for their intended residential use. Despite the reduced depth, the lots will have adequate building envelopes to construct new dwellings in accordance with the R1 zone, and will be consistent with other residential development in the neighbourhood. Proposed Lot A is 813.4m² in area and Lot B is 813.5m² in area (627.8m² excluding the 7.5m watercourse setback).

These variances, to facilitate subdivision of the subject property, will allow a modest infill in an existing neighbourhood. The Neighbourhood designation within the Official Community Plan (OCP) supports a mix of low-density residential uses, including infill development of this nature. The proposed subdivision is consistent with Neighbourhood policies in the OCP, which support a residential density of 10 to 50 units per hectare (uph). The proposed two-lot subdivision would achieve a unit density of 12 uph if the subdivision was approved. The proposed variance is not anticipated to negatively impact neighbouring properties.

Staff support the proposed variances.

SUMMARY POINTS

- Development Permit No. DP1258 proposes to permit the construction of a driveway access and site servicing improvements within the 7.5m watercourse setback for proposed Lot B for a proposed subdivision at 3123 Robin Hood Drive.
- A concurrent Development Variance Permit No. DVP431 proposes a variance to reduce the minimum required lot depth from 30m to 29.6m for both Lots A and B.
- The watercourse is a drainage ditch and does not support fish habitat but will be enhanced with native vegetation.
- Staff support the proposed variances.

ATTACHMENTS

ATTACHMENT A: Permit Terms and Conditions
ATTACHMENT B: Context Plan
ATTACHMENT C: Location Plan
ATTACHMENT D: Proposed Subdivision Plan
ATTACHMENT E: Re-vegetation Plan
ATTACHMENT F: Aerial Photo

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