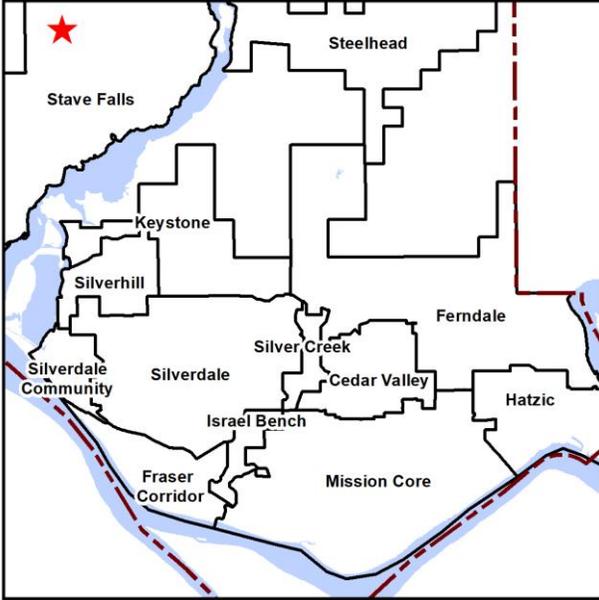


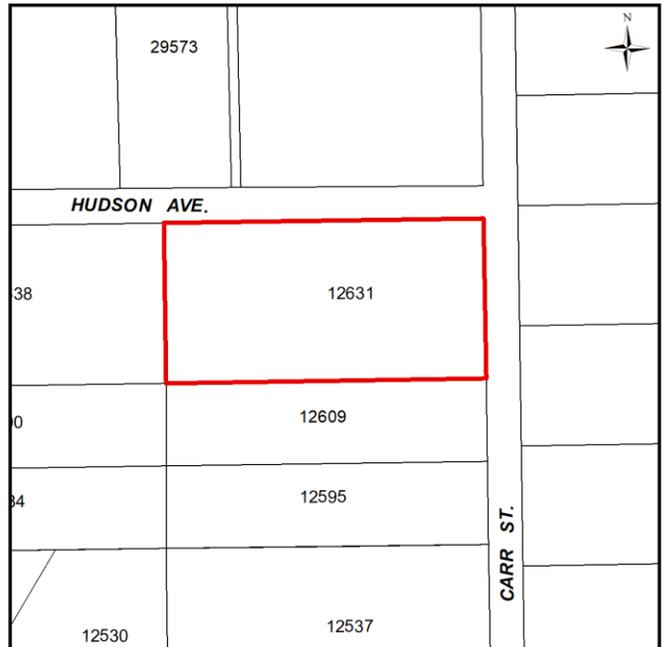
Project: P2021-097
Application Numbers: R21-036, DP21-111, DP21-112, DP21-113

Subject: Development Application – 12631 Carr Street



DATE: June 20, 2022
BYLAW / PERMIT #: 6106-2022-5949(69)
PROPERTY ADDRESS: 12631 Carr Street
LOCATION: Stave Falls
CURRENT ZONING: Rural 16 Zone (RU16)
PROPOSED ZONING: Rural Residential 7 Zone (RR7s)
CURRENT OCP: Rural Residential
PROPOSED OCP: No change

PROPOSAL:
To rezone the property to allow for a two-lot subdivision with a secondary dwelling permitted on each lot.



Recommendation(s)

1. That draft bylaw 6106-2022-5949(69) to rezone 12631 Carr Street from Rural 16 (RU16) Zone to Rural Residential 7 Secondary Dwelling (RR7s) Zone be considered for first and second reading;
2. That, subject to the Bylaw receiving first and second reading, a Public Hearing be scheduled for July 18, 2022; and
3. That prior to the adoption of Zoning Amending Bylaw 6106-2022-5949(69), the following conditions be met to the satisfaction of the Director of Development Services:
 - a. Substantial completion of subdivision application S21-020.
 - b. Collection of any volunteered contributions to the City's community amenity reserve.
 - c. Any other requirements resulting from Council's consideration of the Bylaw, including Public Hearing.

Rationale of Recommendation(s)

The proposal is consistent with the Official Community Plan (OCP) and Zoning Bylaw.

- The development is located within, and conforms to, the Rural Residential OCP designation which is characterized by larger residential lots on the fringe of urban areas not serviced by municipal water or sewer.
- The two proposed lots that would be created will meet the minimum lot area required under the RR7s Zone, which is 0.7 ha (1.73 ac). The draft plan of subdivision is included as **Attachment A**.
- The proposed RR7s Zone would allow for a secondary dwelling on each of the lots in the form of a secondary suite, garden cottage, or coach house. Support for this zone can be found in our OCP which states:
 - **Section 5.1.8** "Facilitate the development of affordable, rental and special needs housing through supporting multi-unit housing developments, small house/small lot housing, secondary suites, duplexes in appropriate locations, mixed market/non-market housing projects, coach houses, garden cottages and other innovative housing forms."
 - **Section 5.1.20** "Allow detached suites such as garden cottages on all single detached lots with lot sizes that are able to appropriately accommodate an additional on-site parking space."
 - **Section 5.1.26** "Encourage secondary dwelling units as a form of infill housing on lots in any residential designation that are large enough to accommodate the following associated elements: on-site parking, private outside space, separate entrance that is clearly secondary to the primary dwelling, and that scale of the secondary dwelling must be ancillary to the primary use."

Purpose

To accommodate a two-lot subdivision with a secondary dwelling permitted on each lot.

Site Characteristics and Context

Applicant

- Gary Lowther

Property Size

- 12631 Carr Street is 1.955 ha (4.8 ac) in area.
- The property is a large, rural lot with wide, open spaces. The property slopes downward to the east. Several watercourses are present on the eastern portion of the lot, including a stream and a pond. A single-family dwelling resides near the western property line. A large accessory building is present near the middle of the southern property line.

Neighbourhood Character

- The subject property is located within the rural residential Stave Falls neighbourhood which is comprised of single-family dwellings on larger lots. All surrounding properties are designated Rural Residential. The two-lot subdivision and accompanying secondary dwellings will fit within the context of the surrounding properties and are believed to have little impact on the neighbours.

Environmental Protection

- There is evidence of tree clearing on the site ahead of the submission of a development application and prior to approval of a tree retention/replanting plan. An arborist report will be required that calculates the number, species, and diameters of significant trees that have been removed. A site plan showing remaining trees and proposed replanting areas will also be required.
- There is evidence that extensive soil disturbance, accompanied by vegetation and tree removal, has occurred within the riparian assessment area and streamside protection and enhancement areas (SPEAs). Watercourses have most likely been disturbed ahead of any assessments, permits, and surveys. We have received notification that a riparian area protection regulation (RAPR) assessment has been rejected by the Province for failure to meet the assessment and report criteria.
- As a requirement of subdivision, the City will require a condition and impact assessment report, tree retention/replanting plan, provincially approved RAPR assessment, and proof of that culverts were installed under notification to the Province and proper legislation. See **Attachment C** for comments from the Environmental Services Department.

Development Permits

- Development Permit Area E for Natural Environment is applicable to this development and is delegated to staff for approval.
- Development Permit Area G for Geotechnical Hazards is applicable to this development and is delegated to staff for approval.
- Development Permit Area I for Fire Interface is applicable to this development and is delegated to staff for approval.

Servicing

- Development of this area will require servicing, as outlined under "Referrals".

Referrals

Engineering Department: The Engineering Department has no objection to this proposal, subject to the completion of Engineering Servicing requirements, as outlined in **Attachment B**.

Environmental Services:	Environmental Services does not support subdivision of this parcel at this time due to retroactive development within SPEAs. They are asking for a condition and impact assessment report, tree replanting plan, and proof that the culvert was installed under notification to the Province. See Attachment C .
Building Division:	No concerns.
Bylaw Enforcement Division:	No concerns.
Mission Fire Rescue Service:	No concerns.
School District 75:	No comment.

Development Considerations

Community Amenity Contribution

The applicant has volunteered to contribute \$2,815 per new lot/unit in accordance with Policy LAN.40(C).

Tree Management

A tree retention/replanting plan will be required as a condition of subdivision due to trees being removed on the property ahead of the submission of a development application. The plan shall include an arborist report as well as a site plan showing remaining trees and proposed replanting areas.

In accordance with Policy LAN.32 – Tree Retention and Replanting, the applicant is also required to plant four additional trees; two trees on each lot. The condition will be met as part of the subdivision approval process. The applicant is also required to replace any significant trees that will be removed in any areas, except for building envelopes and driveways having a maximum area of 2,000 sq m (21,528 sq ft).

No tree is permitted to be removed within an identified SPEA.

Transit

The proposed development is not within walking distance of a transit stop. Walking distance is generally considered to be 400 m or less.

Communication

Communication action, as listed below, is in accordance with Policy LAN.03 Development Notification Signs, Land Use Application Procedures and Fees Bylaw 3612-2003, and the *Local Government Act*.

- The applicant has posted a development notification sign.
- Public Hearing Notification will be sent to all occupiers and owners of properties within 500 m from the development site notifying them of the public hearing details.

Attachments

Attachment A:	Draft Plan of Subdivision
Attachment B:	Engineering Department Rezoning Comments
Attachment C:	Environmental Services Comments

Sign-Offs



Rob Publow, Manager of Planning

JH / sh

Approved for Inclusion: Mike Younie, Chief Administrative Officer