

154 APPLEBROOKE CRESCENT

DVP24-0200



McElhanney

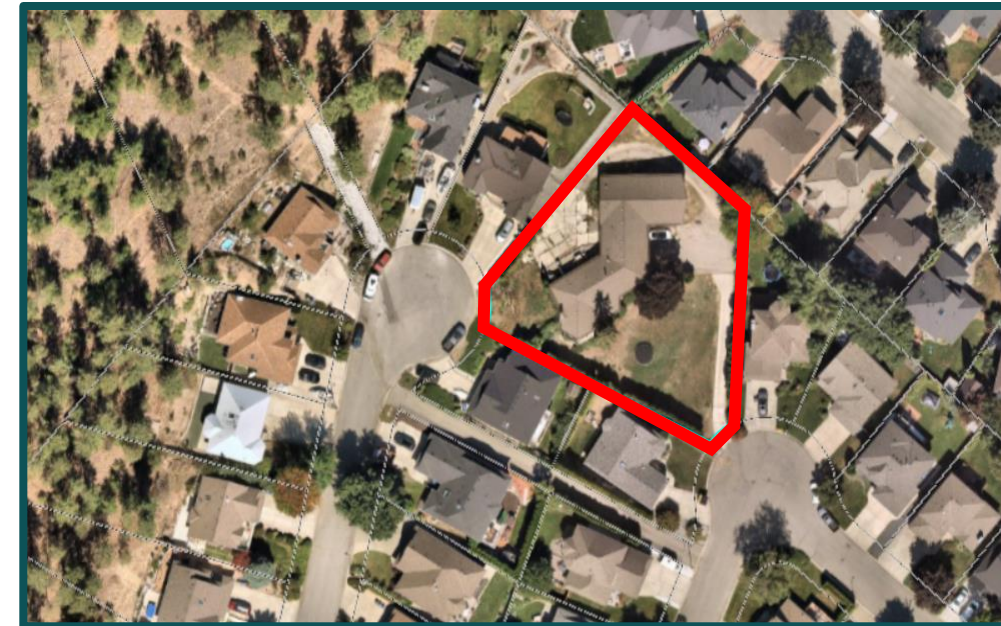
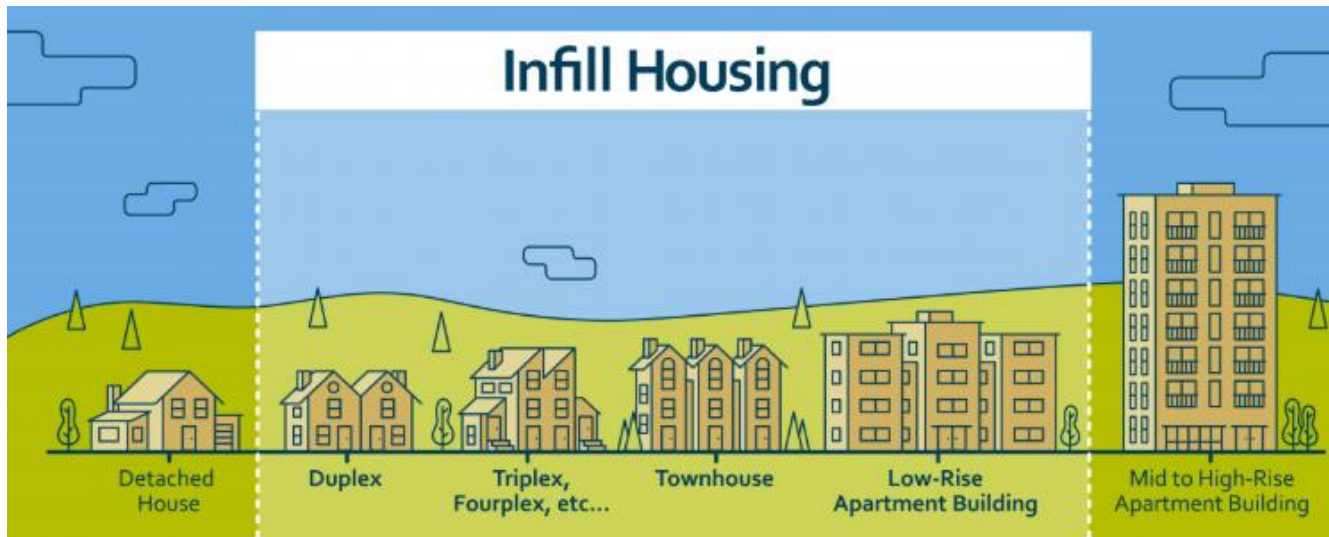
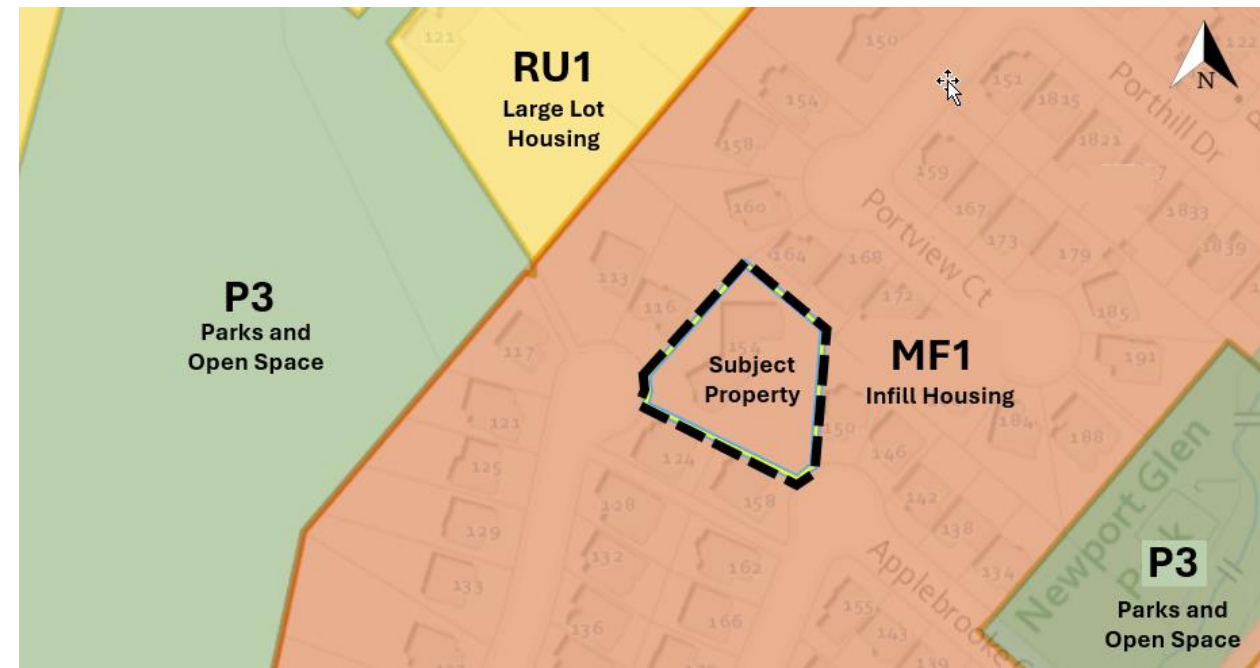


Location

Zoning: MF1 – Multi-Family

The purpose of this zone is to provide infill development within the core area of the City limiting development to 6 ground-oriented residential dwelling units or less.

The variance being requested is a technical variance due to the shape of the parcel and how lot width is calculated.



Proposal

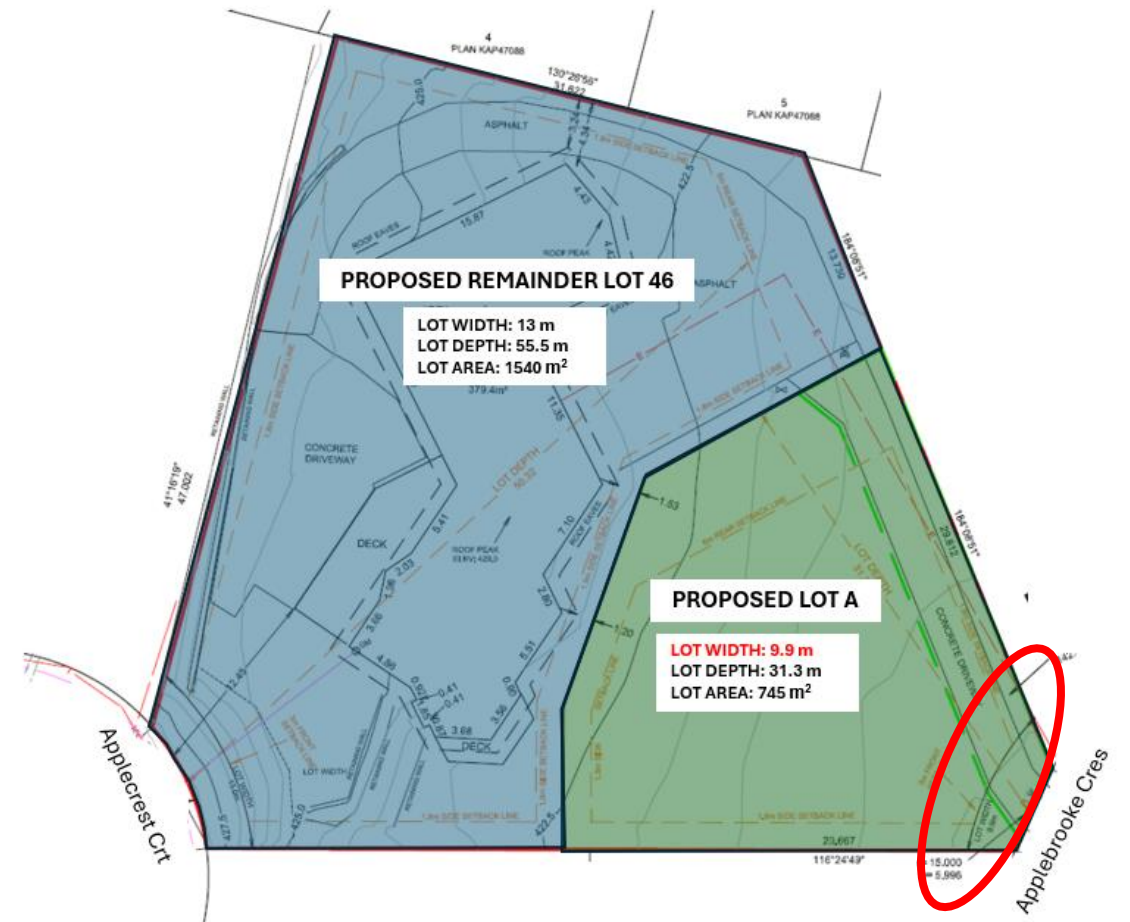
To seek approval for a reduction in Lot Width from the required 13 m to 9.9 m, to facilitate a two-lot subdivision.

MF1 Requirements

Lot Area: 350 m²

Lot Depth: 27.0 m

Lot Width: 13 m



VARIANCE NOT SUPPORTED BY STAFF

In the decision made by Staff, the following was considered:

1. Scope and scale of variance ✓
2. Use and enjoyment of neighbouring lands ✓
3. Effects on the natural environment ✓
4. Appropriateness of the development ✓
5. Intent of the Zoning Bylaw
6. Public interest in variances

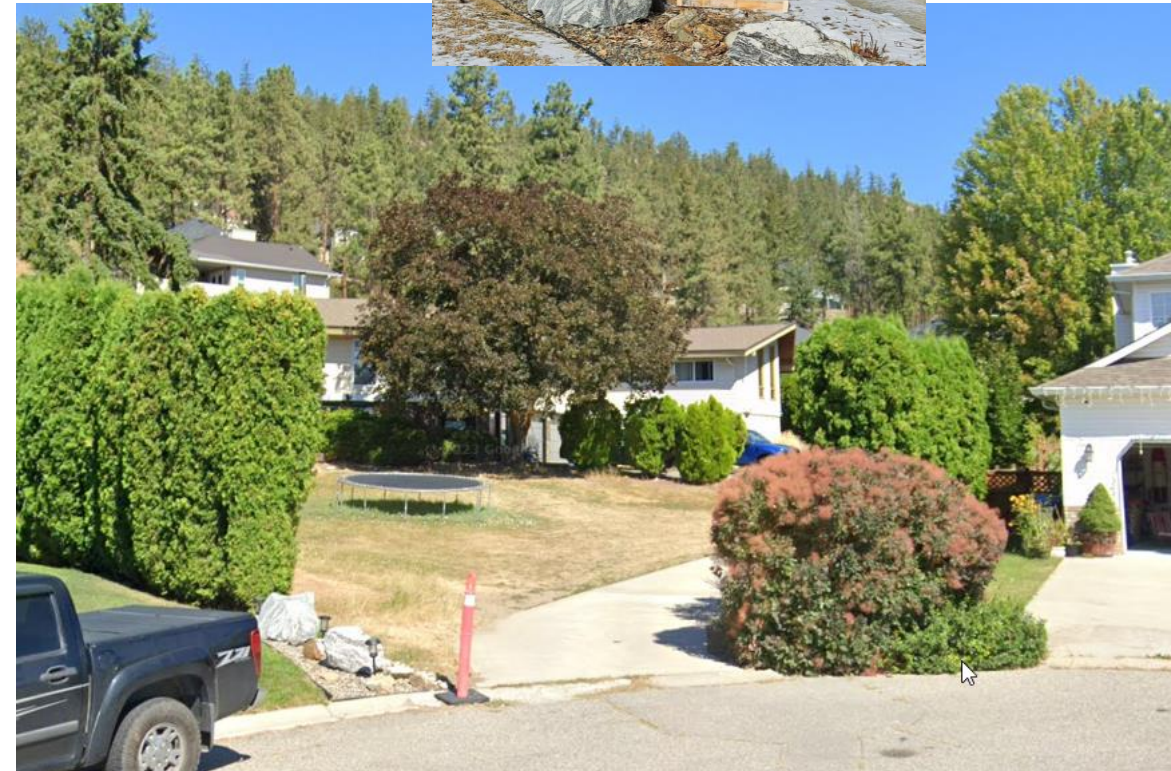
No issues were flagged by Staff as they related to items 1 through 4, **but concerns were raised with items 5 and 6.**

Concern: Driveway

Width Clarification: The 6.5m requirement was incorrectly cited by staff. The requirement in the ZBL is 4.5 m width, which is proposed.

Shared Access: Any perceived conflict of a shared driveway can be mitigated through registration of access easement.

Subdivision, Development & Servicing Bylaw: supports shared driveways for two-lot subdivisions and small lot frontages.



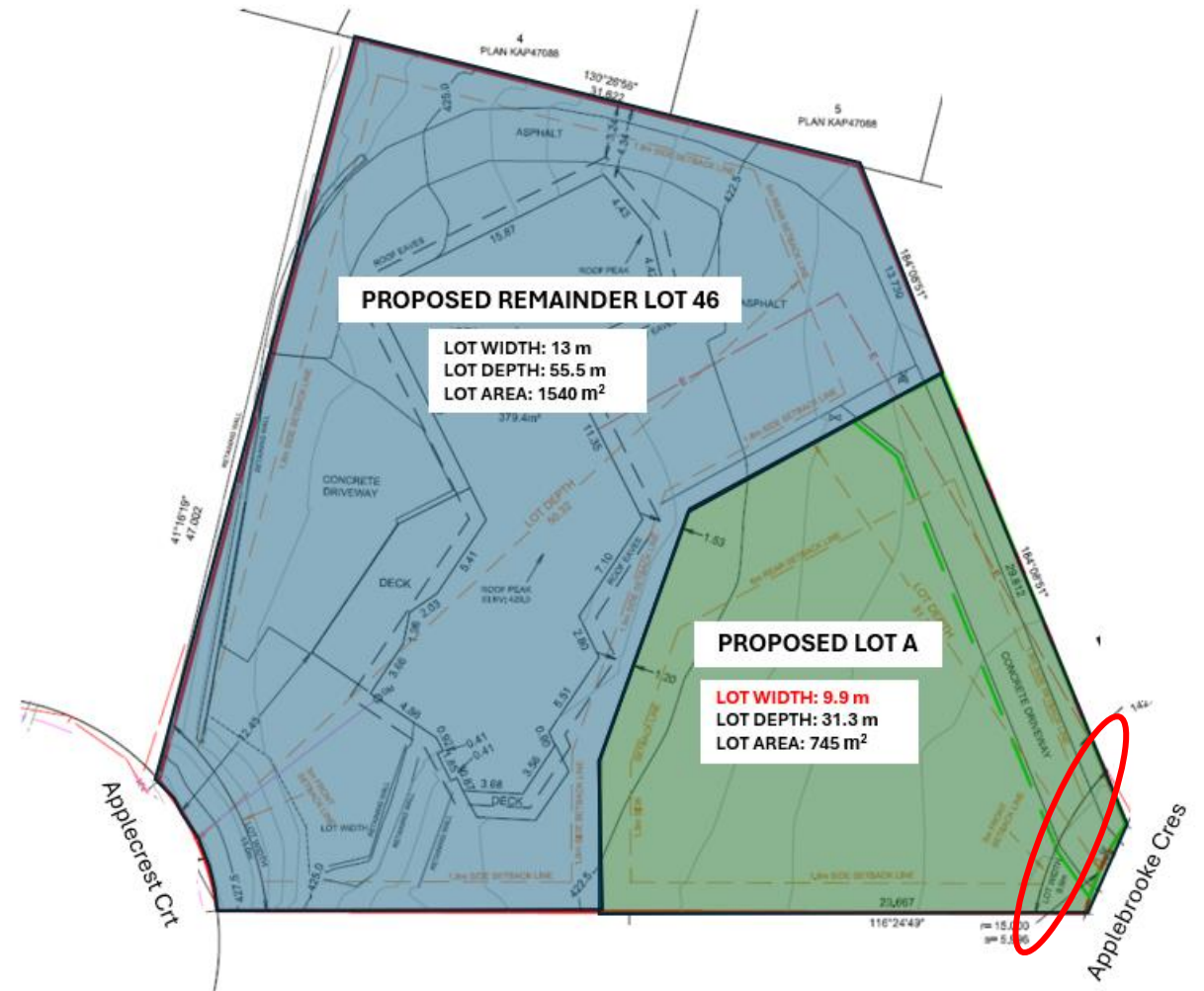
Concern: Landscaping & Limited Frontage

Concern around no room for trees.

How we Comply:

- Trees are only required for 3+ units
- If 2 or less units are built, no trees are required.
- If 3+ units are built, landscaping will be evaluated at Building Permit stage.

Concerns around limited frontage were based on the (incorrect) 6.5 m requirement and (theoretical) landscaping requirements.



Public Concerns

PROPERTY MANAGEMENT: Tenant-related issues have been addressed, including the removal of the disruptive tenant in September 2023.

PROPERTY LAYOUT: The irregular lot shape may reduce impact on the neighborhood, preserving its character.

TRAFFIC SAFETY: Concerns are related to previous tenant behavior, which the client actively managed when issues arose. They aren't related to Land Use or Zoning.

LEGAL COMPLIANCE: The property is in compliance with legal and regulatory requirements, including building permits and rental agreements.

WHAT HAS BEEN DONE?

- The problem tenant was evicted in September 2023.
- The property owner has complied with outstanding building permit requirements, officially legalizing the Secondary Suite.
- The property owner has been in communication with the tenants and neighbours regarding any by-law complaints when they came up.
- The owner is committed to working with Staff and the neighbourhood to resolve any issues.
- **No By-law infractions since October 2023.**

Solutions to Mitigate Concerns

Variance Approval with Conditions

- A condition to limit the combined density of the subdivided lots to six units in total, which could be accommodated by a restrictive covenant.
- This can resolve any concerns regarding densities since the max density for the two proposed parcels will stay at what is permitted today.

Driveway Improvements

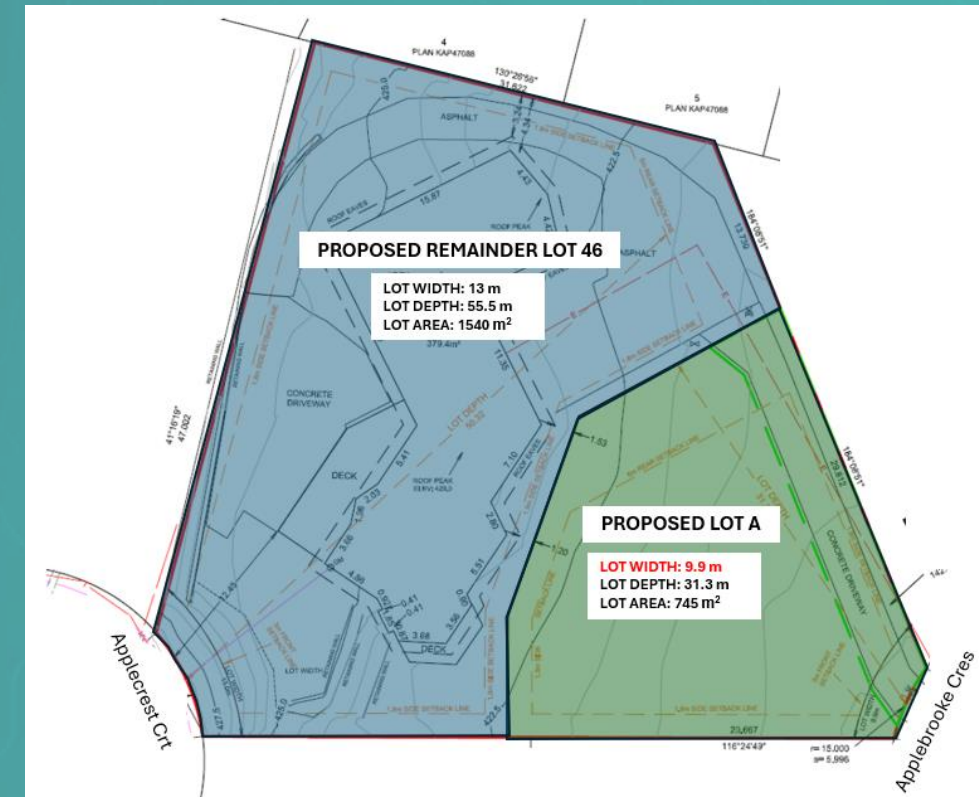
- There could be potential to add a pull-off or passing area on the driveway to address concerns about driveway functionality.
- This could be captured in the Easement Agreement and would be subject to approval by the Approving Officer at the Subdivision stage.

Landscaping Solutions

- These concerns only exist if 3+ units are built. If that were the case, a Development Permit would be required and the development would be thoroughly reviewed for zoning compliance—adhering to all landscaping requirements.

Summary and Policy

1. Both lots, if subdivided, meet and exceed the requirements for Lot Area, Lot Depth and Setbacks.
2. Currently, 6 ground-oriented units may be built on this lot today.
3. Development is supportive of Bill 44 “Housing Statutes (Residential Development)” Amendment Act.
4. The property owner has worked to resolve tenant complaints and building compliance concerns.
5. The applicant is willing to place a covenant on the property to keep the density the same as today.



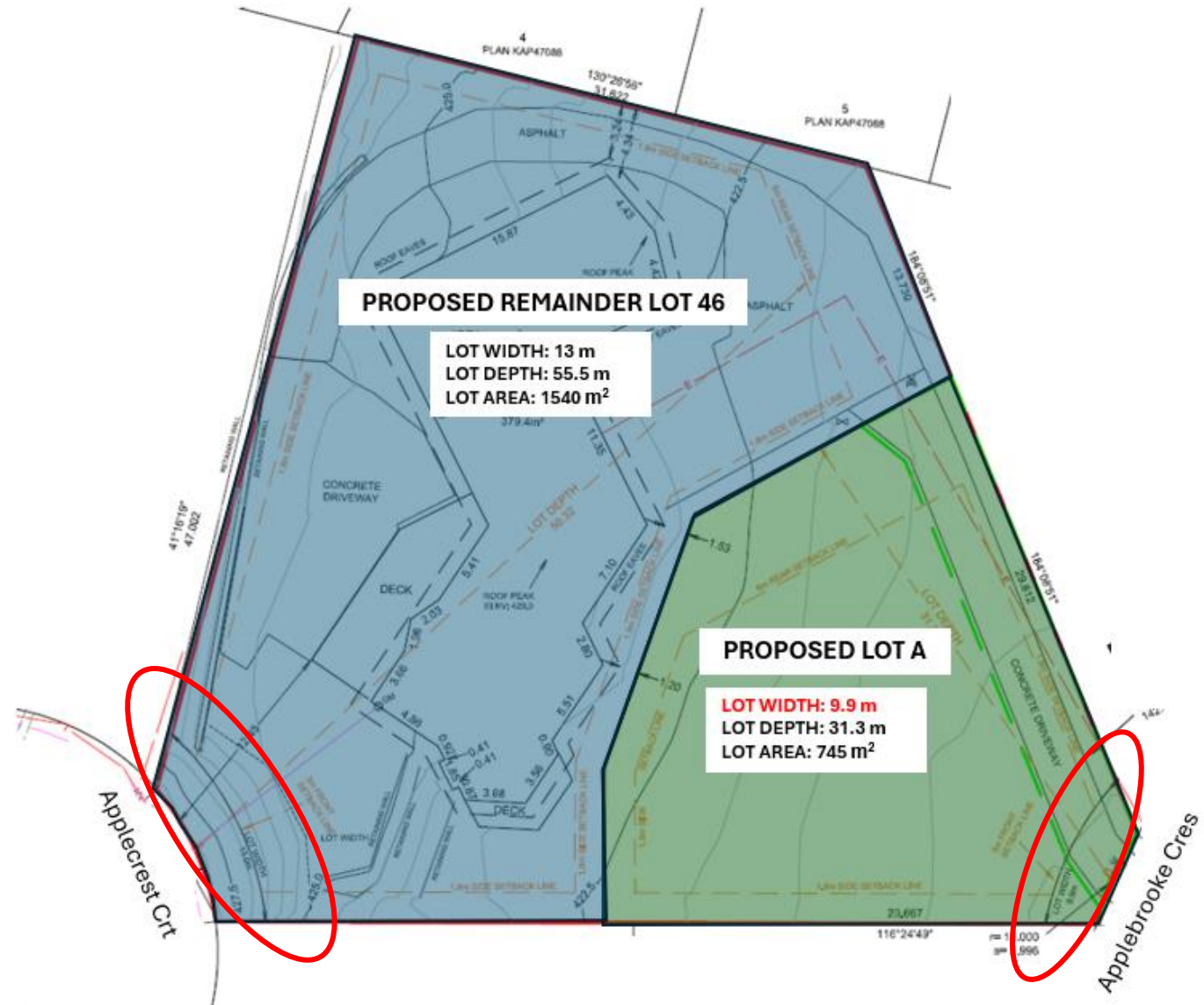
Final Thoughts

Application APPROVED

- Property is subdivided to create two lots
- High probability a single-family dwelling be built on the new lot, given the desirability of the single-family neighbourhood

Application DENIED

- Property stays as one lot
- Property owner can still build 4 additional units adjacent to Applebrooke Cres.



Regardless the outcome of the application, this property can have 6 dwelling units on it.

Thank You

Questions