

ITEM	5
MANAGER'S REPORT NO.	10
COUNCIL MEETING	95/03/06

TO: CITY MANAGER 1995 March 01

FROM: DIRECTOR PLANNING AND BUILDING OUR FILE:16.400.9

SUBJECT: BUILDING PERMIT APPLICATION: 8622 ARMSTRONG AVENUE

PURPOSE: To obtain Council authority to process a building permit application for a new single-family dwelling in the Crest area.

RECOMMENDATION:

1. **THAT** Council authorize staff to process a building permit application for a new single-family dwelling at 8622 Armstrong Avenue, as described in this report.

REPORT

1.0 BACKGROUND

On 1994 May 03, the Planning and Building Department received a petition from the owners of 117 properties in the Crest area, which is bounded by Armstrong Avenue to the north, Tenth Avenue to the south, Cumberland Street to the west, and Langley Street to the east (map in **Attachment A**). There are 208 residential lots within the study area.

The petition requested that Council instruct the Planning Department to conduct a survey to determine if the majority of property owners would be in favour of changing the zoning from the R3 District to the R10 District in order to further regulate the bulk of new houses. In response to this petition, Council authorized staff to send a questionnaire to the property owners and residents to determine the level of support for an area rezoning to the R10 District.

At its meeting on 1994 November 7, Council considered the findings of the questionnaire and adopted the recommendation to initiate a rezoning of a portion of the Crest study area to the R10 District. On 1995 February 6, the rezoning of 127 lots was completed (see shaded area of map in Attachment A).

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For the remaining 81 lots within the study area (see Attachment A), the findings of the questionnaire indicated that there was an insufficient level of support for a rezoning to the R10 District. Therefore, the zoning remains R3 District. These lots are located on the outer blocks of the study area: 8500-8600 block of Armstrong Avenue, 7700-7800 block of Cumberland St, 8500 block of Tenth Avenue and 8500 block of Eleventh Avenue.

At the Public Hearing for the R10 rezoning of the 127 lots, there were area residents who felt that these excluded blocks should have been included in the area rezoning because they are an integral part of the neighbourhood. Some of these residents appeared as a delegation at the Housing Committee meeting held on 1995 January 24 and requested that these blocks be rezoned to the R10 District. In response, the Housing Committee directed staff to re-canvass the property owners to confirm their zoning preference. The results will likely be submitted to the Housing Committee at its meeting on 1995 March 21.

2.0 BUILDING PERMIT APPLICATION

On 1995 February 24, a building permit application for a new single-family dwelling at 8622 Armstrong Avenue was received (see Attachment A). The application is based on the R3 District.

The subject lot is located on one of the blocks that was excluded from the rezoning to the R10 District. As background information, the findings of the initial questionnaire (October 1994) indicated a lack of support for R10 zoning on the 8500 and 8600 blocks of Armstrong Avenue (31 lots). Of the 15 respondents, only 5 owners (33 percent) were in support of R10 zoning. Based on these findings, the properties along Armstrong Avenue retained their R3 zoning, and the owner of 8622 Armstrong proceeded with the design of his new house.

The lot size is 60' X 164.95' (9896 sq. ft.). A single-family house with two storeys plus a cellar is proposed. The following table compares the dimensions of the proposed dwelling with the permitted dimensions of the R3 District (current zoning) and the R10 District (possible zoning). Under both districts, the total permitted floor area is the same for this lot: 3982 sq. ft. However, the R10 District is more restrictive in terms of the building height, the above grade floor area, the building depth, and the width of the second floor above grade.

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TABLE 1: Applicant's Proposal in Relation to R3 and R10 Zoning

Zoning Regulations	Permitted Under the Current R3 District	Permitted Under the R10 District	The Applicant's Proposal		
			Applicant's Proposal	Proposal in Relation to R3	Proposal in Relation to R10
Building Height	29.5 ft.	24.9 ft.	29.5 ft.	same as R3	4.6 ft. greater than R10
Gross Floor Area	3,982 sq. ft.	3,982 sq. ft.	3,973 sq. ft.	9 sq. ft. less than R3	9 sq. ft. less than R10
Above Grade Floor Area	3,958 sq. Ft.	2,605 sq. Ft.	3,086 sq. Ft.	872 sq. ft. less than R3	481 sq. ft. greater than R10
Building Depth	60 ft.	55.8 ft.	47 ft.	13 ft. less than R3	8.8 ft. less than R10
Width of 2nd Floor Above Grade	50.2 ft.	37 ft.	44.3 ft.	5.9 ft. less than R3	7.3 ft. greater than R10

The front and rear elevation drawings of the proposed dwelling is provided in **Attachment B**.

3.0 RECOMMENDATION

It is recommended that Council authorize staff to process this building permit application based on the R3 District for the following reasons:

- The applicant has indicated that he waited for the results of the first questionnaire before proceeding with his house plans. After confirming that his property was excluded from the area rezoning to the R10 District, he paid for house plans based on the R3 District. Wanting to proceed with construction shortly, he has hired a builder and has given his tenants notice to vacate the existing house by the end of February. It was not until 1995 February 21, that he was made aware that Housing Committee had directed staff to re-contact the owners on the outer blocks of the study area to confirm their zoning preference for either R3 or R10.
- Although the house is designed to the maximum permitted height of 29.5 feet under R3 zoning, the proposed building is not designed to the limit in terms of the other R3 bulk regulations: the above grade floor area, the building depth, and the width of the second floor above grade, as shown in Table 1.

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As mentioned earlier, the applicant would like to proceed with construction shortly. Under the Municipal Act, compensation for damages would arise from the withholding of a building permit if an area rezoning bylaw is not adopted within 90 days from the date of permit application. At this time, it is not known whether the level of support for R10 along Armstrong Avenue would be substantially greater now than when the first questionnaire was distributed in July 1994. The findings of a second questionnaire will be provided to the Housing Committee in March.

If Council concurs with the recommendation to process the building permit application, staff will forward this report to five surrounding property owners to inform them of this application and Council's decision. While it is not common practice to notify neighbours of individual applications, staff feel that it would be advantageous in this case in view of the area rezoning process that is still on-going.

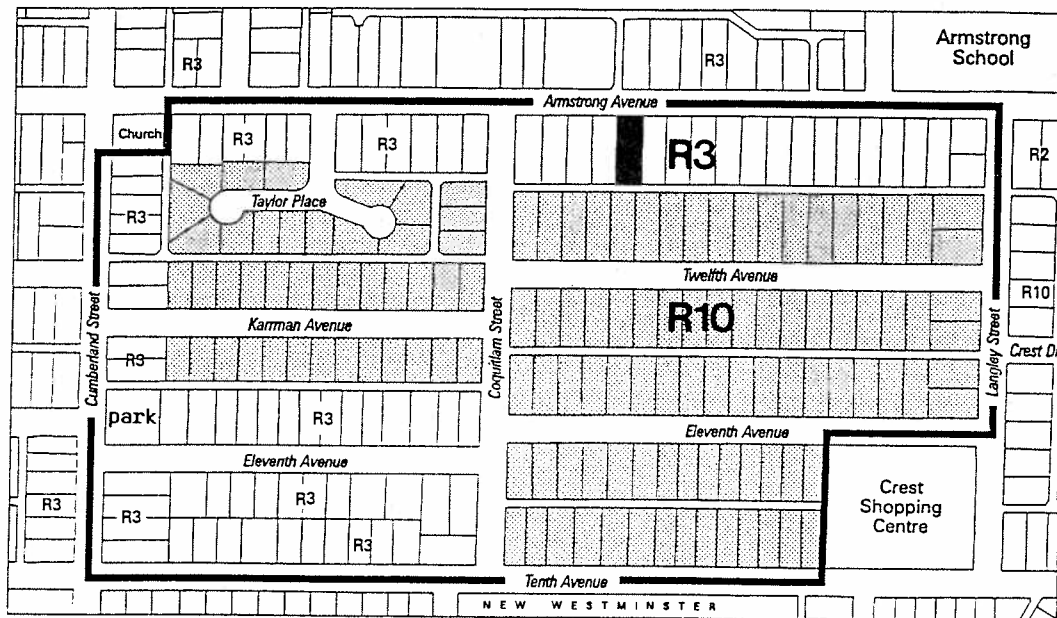

D.G. Stenson, Director
PLANNING & BUILDING





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Attachments (2)

cc: Chief Building Inspector
Supervisor Plan Checking

Crest Neighbourhood



- CREST STUDY AREA
-  Lots rezoned to R10
-  Lots zoned R3 (under review)
-  8622 Armstrong Avenue: proposed new single-family dwelling zoned R3 District

ATTACHMENT B

PROPOSED SINGLE-FAMILY DWELLING
8622 ARMSTRONG AVENUE

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