

Item	11
Manager's Report No.	18
Council Meeting	01/07/09

TO: CITY MANAGER

2001 July 03

FROM: DIRECTOR PLANNING AND BUILDING

SUBJECT: PROPOSAL TO CONSTRUCT A TWO-FAMILY DWELLING
AT 5037 CLAUDE AVENUE
CANADA WAY - CLAYTON AVENUE AREA PLAN

PURPOSE: To inform Council of an intended building permit application for a new two-family dwelling within the Canada Way - Clayton Avenue Area Plan.

RECOMMENDATION:

1. **THAT** Council authorize the execution of a Road Reservation Agreement with the owner of 5037 Claude Avenue.

R E P O R T

A written proposal has been received for the construction of a new two-family dwelling on the property at 5037 Claude Avenue in accordance with the prevailing R4 Residential District zoning. However, the property is located within the Canada Way - Clayton Avenue Area Plan and forms part of a proposed site assembly intended for a future R9 Residential District subdivision (see *attached* Sketch #1).

In addition to the subject lot, occupied by an older single-family dwelling in poor condition, the proposed subdivision area includes 18 other properties with various owners. Immediately to the east and west of the subject site are small, older houses in fair to good condition. To the south near Canada Way is a small, older house in poor to fair condition. To the north across Claude Avenue is a large vacant site covered in brushwood and trees. The development of a new two-family dwelling on the subject site will tend to impede the assembly of the proposed subdivision area, as the cost of land assembly would have to recognize the value of a new building. The City does not own property in the proposed subdivision area.

It is acknowledged that the proposed new development is a permitted use under the existing R4 Residential District zoning of the subject property. Under the circumstances, the only feasible alternative to issuance of a Building Permit for the proposed two-family dwelling would appear

to be acquisition of the property by the City. However, given the numerous lots with various owners in the area, reasonable existing development, such as two adjacent single family dwellings in fair to good condition, and other development constraints in this area, redevelopment of the area in the near future in line with the plan for a R9 Residential District subdivision is considered unlikely. Consequently, the potential acquisition of 5037 Claude Avenue is not seen as a priority at this time.

On 1997 January 06, Council adopted the R9 Residential District subdivision concept for the Canada Way - Clayton Avenue Area (see *attached* Sketch #1). Since that time, Phase I of the concept plan — the R9 subdivision located in the area east of the subject property — has proceeded with a refined layout. More recently, rezoning for a mosque at the corner of Canada Way and Sperling Avenue was adopted by Council, further adjusting the original subdivision concept for the area. Nevertheless, the intent of the area concept plan remains valid despite the refinements that may be required from time to time.

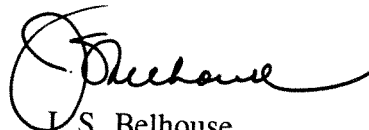
In order to continue to facilitate the intent of the future R9 Residential District subdivision and to ensure the protection of a proposed, more direct linkage of Claude Avenue to Wilton Avenue, as illustrated in *attached* Sketch #2, a Road Reservation Agreement is desired. This road extension is proposed in order to protect a minimum feasible road alignment while permitting reasonable siting of a new two-family dwelling on the subject property. In addition, the proposed road extension is preferable to the current, temporary north-south connection between Claude Avenue and Wilton Avenue. It provides for the direct crossing of an existing creek currently running parallel and very close to the north-south connection — a more direct crossing is desired for stream protection purposes — while minimizing the amount of future road right-of-way required from the subject property. It is also noted that a new two-family dwelling in its proposed location would still permit a reasonable R9 subdivision layout for the area including increased development potential utilizing the rear portion of the subject property.

The siting of the proposed two-family dwelling, as indicated in *attached* Sketch #3, should recognize a minimum front yard setback of 7.5 metres (24.6 feet) from the proposed road extension, without taking front yard averaging into account. It is also noted that soil testing would be required prior to issuance of a Building Permit and that, given the subject property's low-lying location, it is likely that measures such as pre-loading or piling would be required to ensure the structural integrity of any new construction.

The owner of the subject property has been advised of the recommended Road Reservation and has confirmed a willingness to enter into the Agreement, if provided by the City. The reserved road dedication would need to be purchased by the City when the road extension proceeds in the future.

CITY MANAGER
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Following the execution of the Road Reservation Agreement, staff will process a Building Permit application for construction of a new two-family dwelling on the property in accordance with the prevailing R4 District zoning and with its siting respecting the proposed road extension. This approach protects the key aspects of this area plan, while allowing sufficient flexibility to accommodate a new two-family dwelling in line with the R4 District.



J. S. Belhouse
Director Planning and Building

LS/ds

Attach.

cc: Chief Building Inspector
City Solicitor
Director Engineering

PLAN 1438
D/W PLAN 0514
GLENCARIN DR.

TRANS CANADA HWY

SPERLING AVE.

HYPOTHETICAL R-9 RESIDENTIAL SUBDIVISION LAY-OUT

R-9 RESIDENTIAL SUBDIVISION

RESIDENTIAL BUFFER

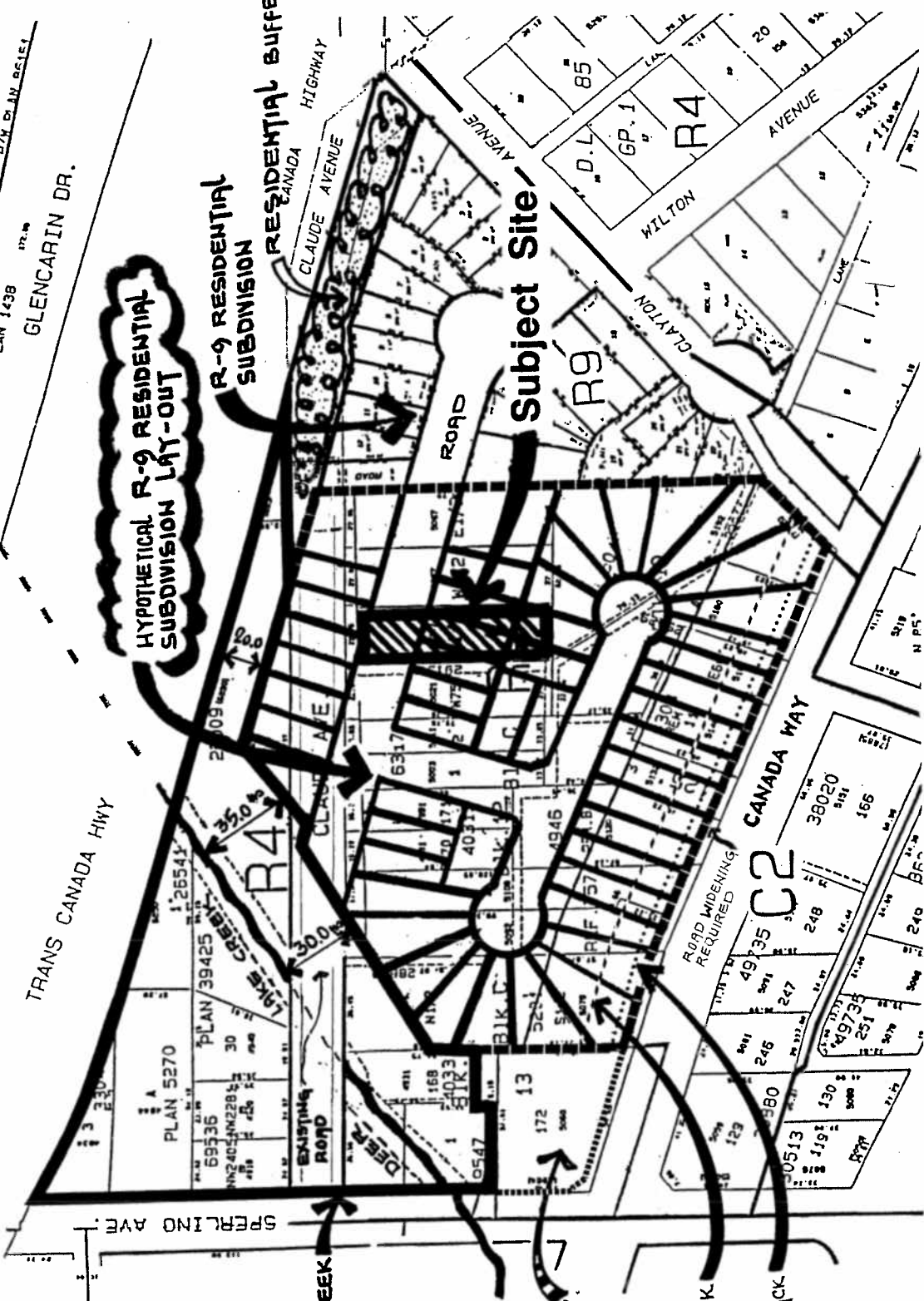
DEER LAKE CREEK PARKWAY BOUNDARY

Subject Site

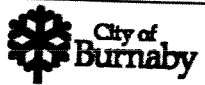
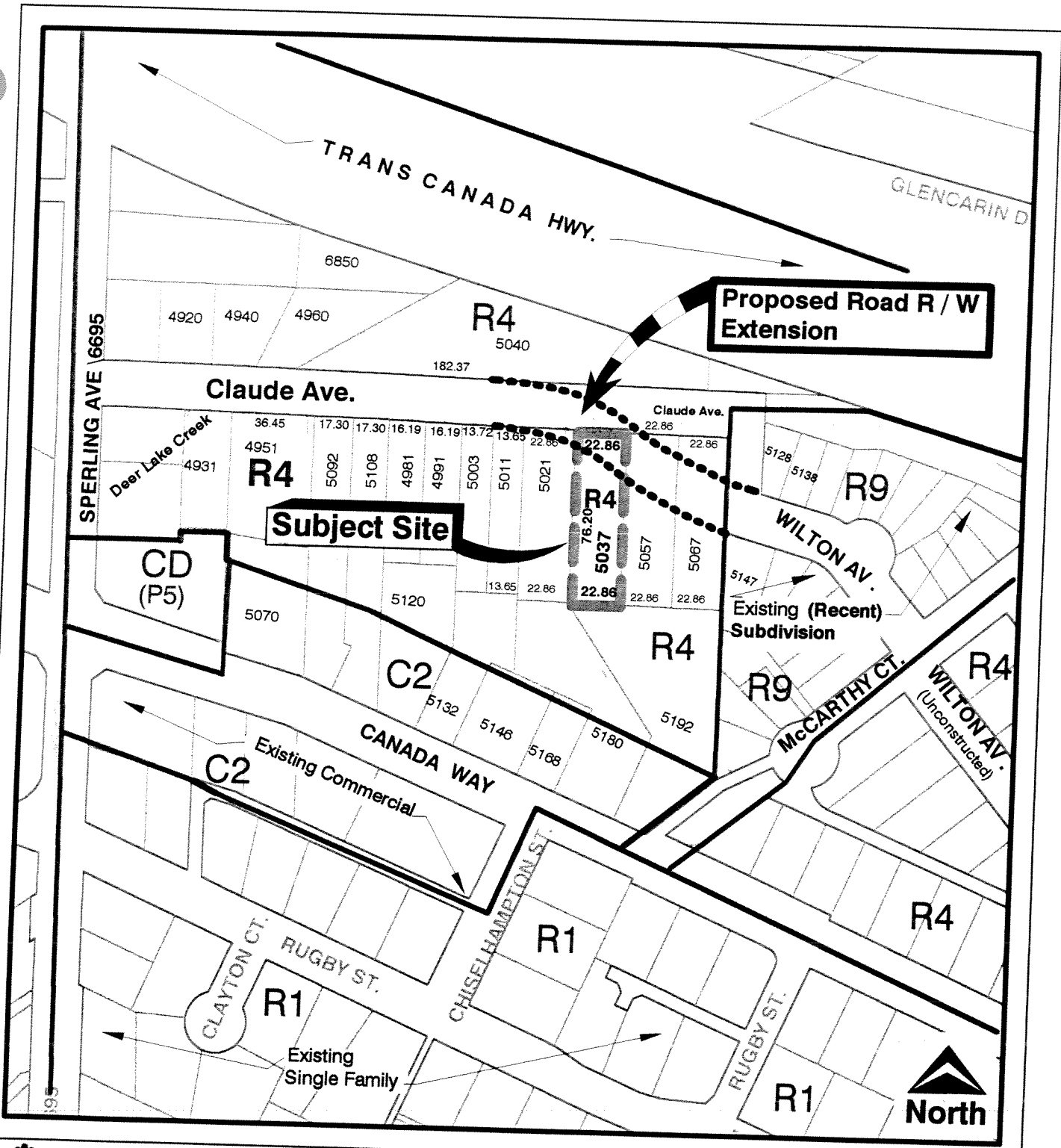
INSTITUTIONAL

* 15.25 m BUILDING SETBACK

* 4.60 m LANDSCAPE SETBACK



PORTION OF CANADA WAY - CLAYTON AVE. AREA - PLAN



Planning And Building Department

Scale: 1 = 2500

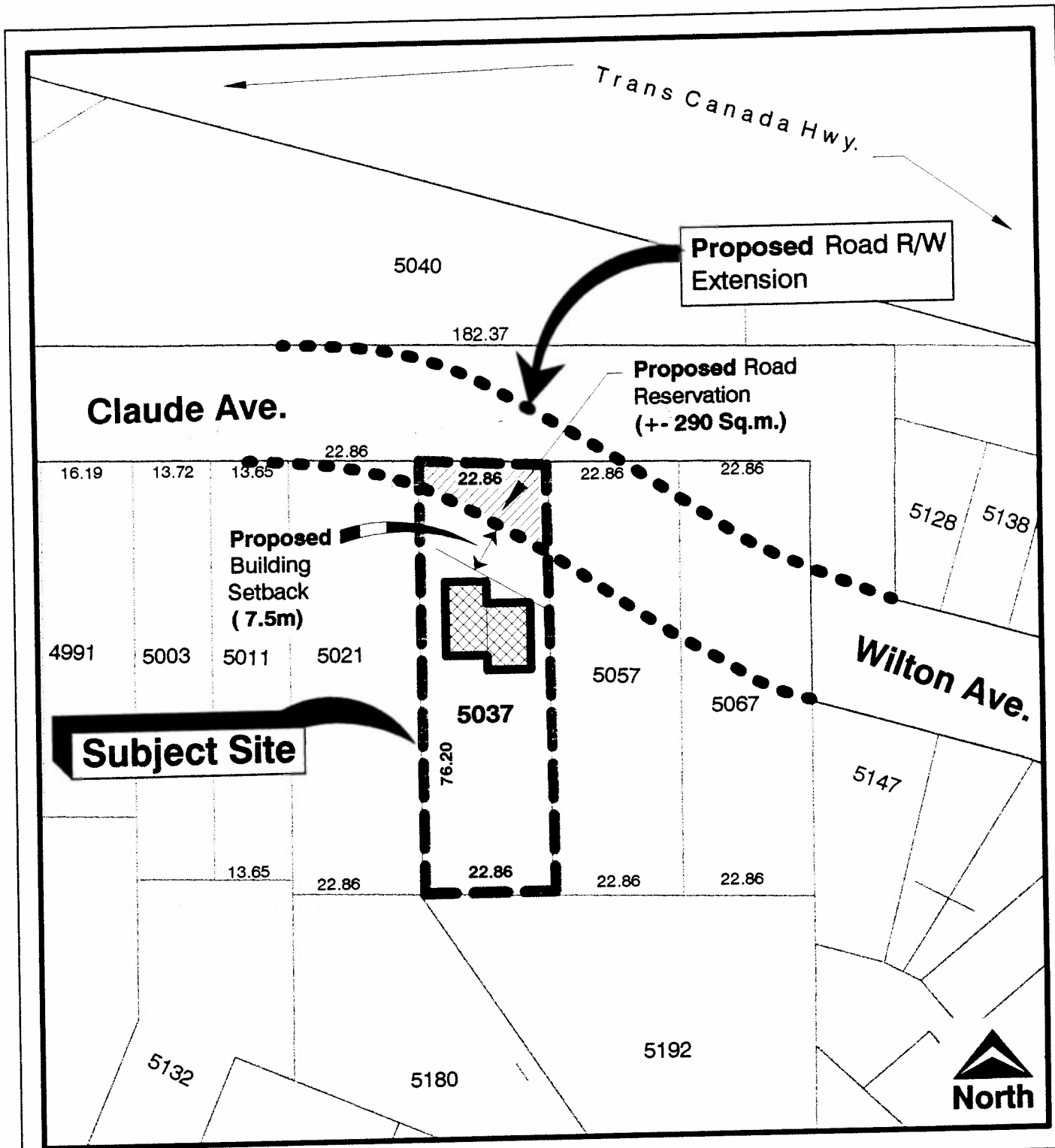
Drawn By: J.P.C.

Date: June 2001

**Proposed Road Aligment
Related to**

5037 Claude Ave.

Sketch #2



Planning And Building Department

Scale: 1 = 1000

Drawn By: J.P.C.

Date: June 2001

Setback For R4 Semi-detached Dwelling
5037 Claude Ave.

Sketch # 3