

MINUTES of a Regular Meeting of the **MUNICIPAL PLANNING COMMISSION (MPC)** held on Tuesday, January 29, 2019 at 3:00 p.m. with the following in attendance:

CHAIRMAN:	B. Hyggen	Councillor
MEMBERS:	B. Crowson	Councillor
	R. Miyashiro	Councillor
	M. Kawchuk	Member at Large
	S. Martin	Member at Large
	P. Tessier	Member at Large
	B. Thurber	Member at Large
OTHERS:	M Gaehring	Manager, Planning and Development
	P. Colling	Development Officer
	W. Smith	Recording Secretary
ABSENT:	A. Cornforth	Member at Large

B. CROWSON:

THAT the agenda of the meeting of the Municipal Planning Commission (MPC) held on January 29, 2019 be approved as presented/amended.

-----**CARRIED**

B. THURBER:

THAT the minutes of the meeting of the Municipal Planning Commission (MPC) held on December 4, 2018 be approved.

-----**CARRIED**

R. MIYASHIRO:

THAT B. Crowson be appointed Chairman of the Municipal Planning Commission for the ensuing year.

-----**CARRIED**

R. MIYASHIRO:

THAT B. Hyggen be appointed Acting Chairman of the Municipal Planning Commission for the Tuesday, January 29, 2019 meeting.

-----**CARRIED**

DEVELOPMENT APPLICATIONS:

DEV10933, Ron Aitkens on behalf of Willem and Elaine Zwartbol, 635 14 Street South, propose to construct a two-unit dwelling on a previously developed parcel and a request for a 1.04m (3'5") front setback waiver and a 3.75m (12'4") rear setback waiver. Land Use District is R-L Low Density Residential District.

Development Officer's Presentation:

Pam Colling, Development Officer outlined the following information:

- Application received December 21, 2018 to construct a two-unit dwelling on a previously developed parcel with requests for front and rear setback waivers
- There are no Architectural Controls for this neighbourhood which allows an applicant to construct a design of their choosing but are encouraged to take into account the style of existing dwellings in neighbourhood.
- The Infill Design Guidelines do not apply to this neighbourhood
- Development is a one-storey building with a roof style, pitch and front façade that is complementary with other homes in neighbourhood
- The two halves are not a mirror image of each other but have been offset to give each front façade a bit of a distinction
- These are small, one bedroom units with no basement development.
- Many of the neighbouring dwellings along 14th Street S are closer to the front property line than the minimum 6.0m front setback requirement. A front setback waiver is encouraged to maintain a consistent street wall
- Rear set back is considerably less than the minimum 7.60m (25'0") at 3.85m (12'8"). If attached garages were detached, their minimum rear setback could be as little as 0.60m (2'0").
- Neighbour concerned about using the rear parking pad to exit from the most northerly garage. The lane is 7.60m (standard City width for laneways) and will still be a 3.85m (12'8") from the entrance of garage to the rear property line. Is unlikely that they would require additional space to maneuver.
- Transportation Department confirmed the lane width exceeds City of Lethbridge standard
- Waivers are not granted by precedent, but on individual merits per application. There is not a maximum number of waivers that can be granted per parcel
- There are no minimum parcel width or parcel length required for side-by-side two-unit dwellings. There is only a parcel minimum of 464.5m². This parcel is 580.37m² which exceeds the minimum by 115.87m²
- There is not a lot of amenity space provided for these dwellings. There is a front yard and a front porch and no rear yard as the garages are attached to the dwellings
- If the garages were detached from the dwellings, there is only 1.20m (4'0") separation distance required between dwelling and detached garage, which would be very little amenity space
- If there is parking congestion in the lane, this should be reported to either the Parking Authority at the City of Lethbridge or the Lethbridge Police
- The City of Lethbridge cannot force a property owner to live in any residence. Residents are allowed to purchase properties for the sole purpose of receiving income
- Even though this will be a two-unit dwelling, it does not necessarily mean they will be rental properties. They can be subdivided and sold off individually and lived in by an owner
- According to our Assessment and Taxation Department, two-unit dwellings do not depreciate the value of existing single detached dwellings. If this were a multi-unit dwelling (4 or more units), then there may be an effect
- Parcel is zoned R-L Low Density Residential and two-unit dwellings are considered to be compatible use
- Application is before MPC due to the number of concerns received from the neighbours
- Neighbourhood letters sent to property owners within 60m radius of the subject parcel on December 27, 2018 advising of the application and requesting comments or concerns by January 7, 2019
- 12 letters in objection to the proposal were received
- Concerns from neighbours were:
 - Tenants will use private driveway across lane for access to garages
 - Two-unit dwelling does not fit neighbourhood
 - Size of building
 - Size of garages
 - Impact on values of neighbouring properties
 - Impact on street parking and volumes
 - Effect on older growth trees on the block
 - Added traffic

- Feeling that rear setback waiver is excessive
- Lack of amenity space
- Design of front façade
- Would set a precedent
- Supposition that these will be rental properties
- Added congestion to the lane
- Proximity to neighbouring dwellings
- This application meets the requirements of Land Use Bylaw 5700
- It meets the goals and policies of the Integrated Community Sustainability Plan/Municipal Development Plan
- The development of a two-unit dwelling in place of a single detached dwelling is an efficient use of land and is in accordance with our ICSP/MDP and the South Saskatchewan Regional Plan 2014-2024

In conclusion this application to construct a two-unit dwelling is supported:

- Application meets the requirements of Land Use Bylaw 5700
- It meets the goals and policies of the Integrated Community Sustainability Plan/Municipal Development Plan
- It meets the objective, strategies and principles of the South Saskatchewan Regional Plan 2014 – 2024
- Appears to be no material or undue impact on the use, enjoyment or value on neighbouring properties or neighbourhood amenities

Applicant's Presentation:

Ken Aitkens, on behalf of Willem and Elaine Zwartbol, 635 14 Street South, advised as follows:

- Interested and involved with development/infill mature neighbourhoods
- Been in business for five years
- This particular plan was created with feedback from other customers
- Nine of ten clients/customers are retired, empty nesters or professional
- Completed many infills in the London Road area of the modern design
- Lovely neighbourhood for this type of development
- All developments are designed by client requests and ideas they may have
- Excited for development

Other Presentations:

Lorita Ichikawa, 639 14 Street S advised as follows:

- Sent letter into Development Services
- No objection to single dwelling but not two-unit dwelling
- Concerned with front waiver as there is a 100 year old tree and its root system
- New build needs to be aligned with our home
- Will be added parking and congestion in alley
- Propose issues with backing in and out of garage in alley

Akira Ichikawa, 639 14 Street S advised as follows:

- Spoke with most neighbours about this permit
- Will reduce green space
- Many young families in area
- Disturbed with only four feet between homes
- Our garage is parallel to new build
- Development will create many changes with new fences, sheds, and water drainage
- Know that builder is well respected

Ryan Dyck, 632 14 Street S advised as follows:

- No objection with proposed density
- Issues with setback request and lot coverage
- Building design is the same on both sides

- Front design needs a better design but do recognize the attempt given
- Possible to build up and illuminate so much lot coverage
- Need better infill guidelines
- If building was compatible would not be present

There was no response to the Chairman's three calls for anyone else wishing to speak.

Questions:

Ms. Colling responded to questions regarding:

- What is the standard lot coverage
- Are there guidelines for maximum lot coverage
- Rear setbacks are different for attached or detached garage
- Different waivers if the garages were detached
- Water drainage has been investigated
- Parcel wide enough to park two cars on street
- Proposed development is not in agreeance due to sense of loss or because the development is a duplex
- Purpose for length of driveway in rear
- Victoria Park Neighbourhood Association been contacted
- Are future plans to turn den into another bedroom
- With basement development home could be expanded to three bedroom home
- Services for dwellings will remain central to the lot

The following motion was presented:

B. THURBER:

THAT Development Application DEV10933 be **APPROVED** with the following conditions:

1. A 1.04m (3'5") front setback waiver be granted, allowing a 4.96m (16'4") front setback
2. A 3.75M (12'4") rear setback waiver be granted, allowing a 3.85m (12'8") rear setback
3. The two-unit dwelling shall be developed in accordance with the plans submitted December 21, 2018. Any changes to these plans require the approval of the Development Officer.
4. A minimum of four off-street parking spaces (2 per unit) shall be provided and maintained at all times.
5. The exterior appearance of the two-unit dwelling shall be in accordance with the plans submitted December 21, 2018 to the satisfaction of the Development Officer.

-----**CARRIED**

M. KAWCHUK:

THAT this meeting of the Municipal Planning Commission be adjourned.

-----CARRIED

CHAIRMAN

SECRETARY