

REPORTS OF COMMITTEES

2. Committee of the Whole – March 1, 2018

1. Development Variance Permit No 00205 for 632 Raynor Avenue (Victoria West)

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00205 for 632 Raynor Avenue, in accordance with:

1. Plans date stamped February 2, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the required vehicle parking from three stalls to one stall for a triplex conversion.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

3.2 Development Variance Permit No. 00205 for 632 Raynor Avenue (Victoria West)

Committee received a report dated February 15, 2018, from the Director of Sustainable Planning and Community Development regarding recommendations for a proposed parking variance of two stalls for the property located at 632 Raynor Avenue.

- Motion:** It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:
- "That Council authorize the issuance of Development Variance Permit Application No. 00205 for 632 Raynor Avenue, in accordance with:
1. Plans date stamped February 2, 2018.
 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the required vehicle parking from three stalls to one stall for a triplex conversion.
 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 18/COTW

BACKGROUND

Description of Proposal

The proposal is to convert an existing duplex to a triplex. Specific details include:

- no changes to the exterior of the building are proposed
- the additional (third) dwelling unit would be accommodated within the existing basement

The proposed variances are related to a reduction in the required amount of parking stalls, from three stalls to one stall.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this proposal.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Variance Permit application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently occupied by a duplex.

Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single-family dwelling with a secondary suite or a garden suite; however, the property was legally converted to a duplex in 1953.

Data Table

The following data table compares the proposal with the existing R1-B Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify an existing legal non-conformity.

Zoning Criteria	Proposal	Existing Zone (R1-B)
Site area (m ²) - minimum	556.60	460
Lot width (m) - minimum	15.25	15
1 st and 2 nd storey floor area (m ²) - maximum	266	280
Combined floor area (m ²) - maximum	366**	300

Zoning Criteria	Proposal	Existing Zone (R1-B)
Storeys - maximum	3**	2
Site coverage % - maximum	21	40
Setbacks (m) – minimum:		
Front	8.15	7.5
Rear	9.94	9.11
Side (west)	2.29	1.53
Side (east)	3.97	3
Combined side yards	6.29	4.5
Parking – minimum		
Existing Schedule C	1*	3
Proposed Schedule C	1	4
Conversion Regulations (Schedule G)		
Date of construction	1913	Prior to 1931
Required area (m ²) - minimum	366	245
Minimum unit area (m ²) - minimum	66.5	33
Addition in last 5 years	No	Not permitted
Exterior change	No	Not permitted
Landscape – total lot (%) – minimum	79	30
Landscape – rear yard (%) - minimum	100	33
Side yard landscape strip (m) - minimum	<0.6**	0.6

Relevant History

The existing building was constructed as a single-family dwelling in 1913; in 1953 it was legally converted to a duplex. The applicant indicates that the basement was illegally converted to a third dwelling unit several decades ago and, when they recently purchased the property, the property consisted of three rental units with 12 month rental agreements in place. The applicant is now seeking to legalize the conversion of the building to a triplex.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on January 19, 2018, the application was referred for a 30-day comment period to the Victoria West CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This application proposes a variance; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variance.

ANALYSIS

Official Community Plan

The proposal is consistent with the *Official Community Plan, 2012 (OCP)* and the triplex conversion addresses several OCP objectives and policies relating to increasing the supply of rental housing, housing affordability, and supports a range of housing types, forms and tenures within the neighbourhood.

Local Area Plans

The proposal is consistent with the *Victoria West Neighbourhood Plan, 2008*, which supports the conversion of existing houses to suites in a manner that safeguards area character.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts, or impacts to public trees with this application.

Parking

The property currently accommodates one parking stall in association with the legal duplex, albeit, the property appears to have been operating as a triplex for a considerable length of time. The current Schedule C requires three parking stalls for a triplex, whereas the new Schedule C would require four stalls based on the size, location and tenure of the dwelling units. Therefore, staff anticipate that the proposal would result in a shortfall of three parking stalls and this shortfall will likely impact the availability of on-street parking.

Although there appears to be space to provide additional off-street parking in the rear yard of the property, the applicant has indicated that they would prefer that this space be retained as amenity space for tenants. Additionally, the applicant points out that several mature trees may be impacted if the driveway and parking stalls were extended into this area.

While the development results in a shortfall of off-street parking, given the site history, support outlined in the OCP for the proposed use, and the extent of the variance being proposed, staff recommend that Council consider approving this application.

Should Council wish to require that the applicant further explore opportunities for providing additional off-street parking in the rear yard, an alternative motion is provided.

CONCLUSIONS

The proposed application to convert a duplex to a triplex is consistent with City policy. The proposal would result in a shortfall of parking stalls and, as a result, the development will have some impacts on parking availability in the vicinity of the subject site; however, given the site history, support outlined in City policy for this type of house conversion, and the extent of the variance being proposed, staff recommend that Council consider approving this application.

ALTERNATE MOTIONS

Alternate Motion 1 (explore the potential for providing additional off-street parking)

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

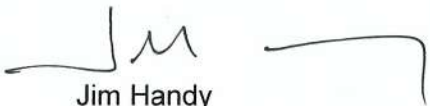
“That Council authorize the issuance of Development Variance Permit Application No. 00205 for 632 Raynor Avenue, in accordance with:

1. Plans date stamped February 2, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required vehicle parking from three stalls to one stall for a triplex conversion.
3. That staff work with the applicant to explore the potential for providing additional off-street parking within the rear yard of the property.
4. The Development Permit lapsing two years from the date of this resolution.”

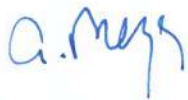
Alternate Motion 2 (decline Application)

That Council decline Development Variance Permit Application No. 00205 for the property located at 632 Raynor Avenue.

Respectfully submitted,



Jim Handy
Senior Planner – Development Agreements
Development Services Division



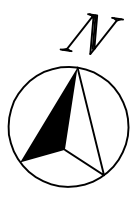
Jonathan Tirney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: Feb 23, 2018

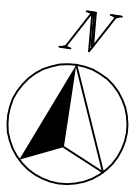
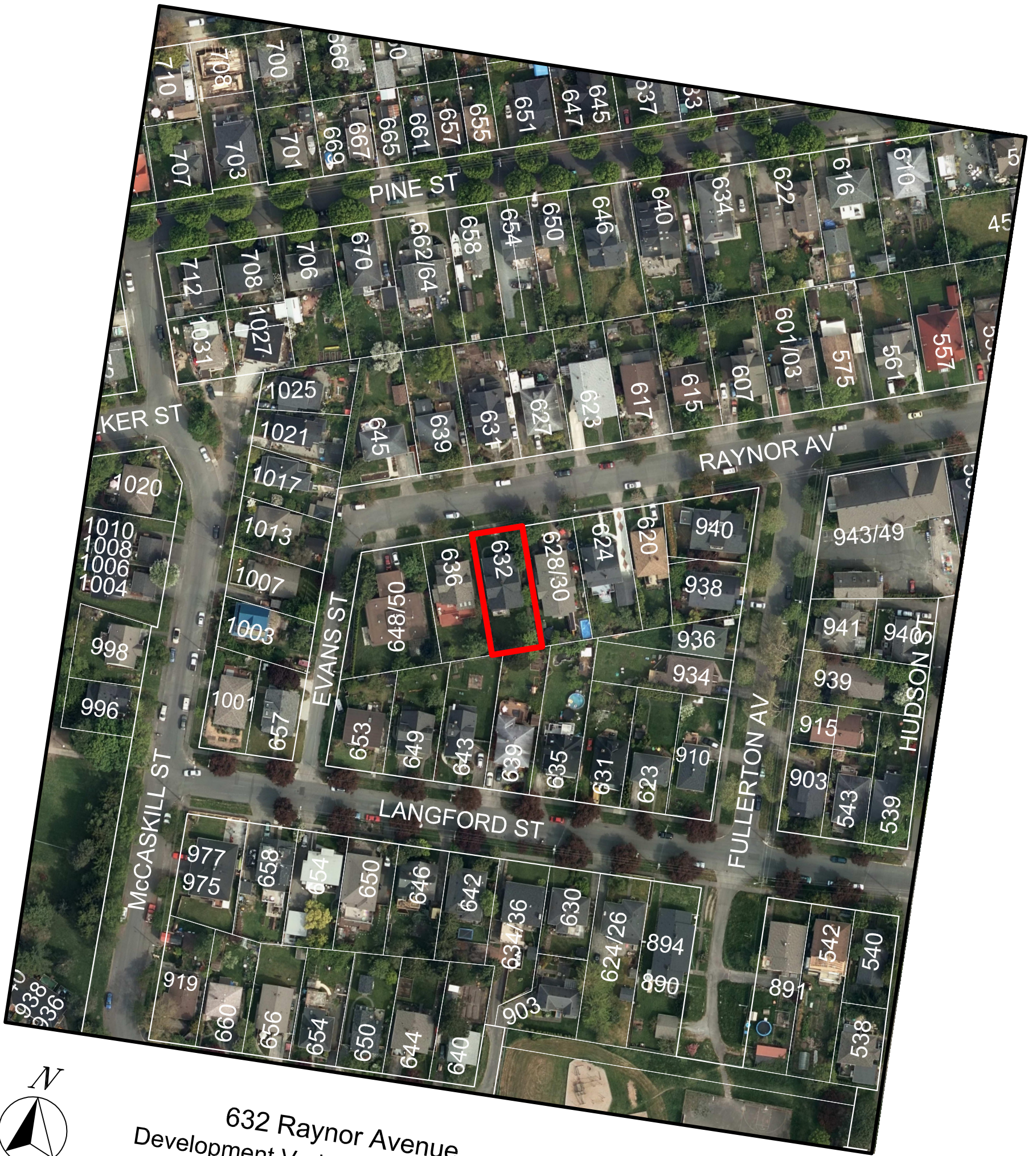
List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped February 2, 2018
- Attachment D: Letter from applicant to Mayor and Council dated January 4, 2018



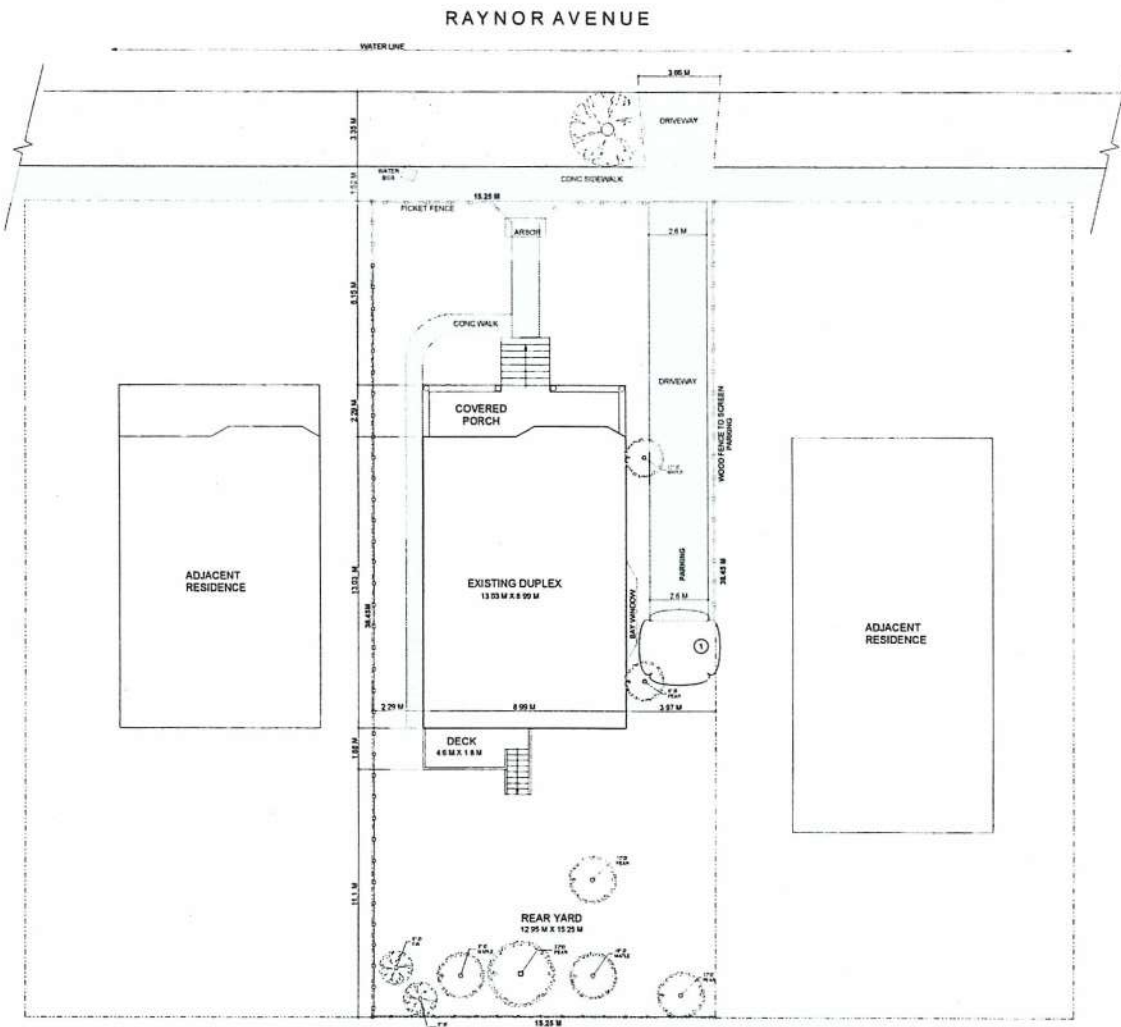
632 Raynor Avenue
 Development Variance Permit #00205





632 Raynor Avenue
Development Variance Permit #00205





SITE PLAN
SCALE: 1:100

Received
City of Victoria
FEB 02 2018
Planning & Development Department
Development Services Division

LIST OF REVISIONS
1. SHED REMOVED TO CONFORM WITH ZONING REGULATIONS (JANUARY 30, 2018)

SITE DATA
CIVIC ADDRESS: 632 RAYNOR AVENUE, VICTORIA, BC
LEGAL DESCRIPTION: LOT 6, BLOCK 3, PLAN 833, SECTION 32, VICTORIA
PID: 008-391-467
ZONING: R1-B
LOT AREA: 556.6 M ²

LAHNI WICKLAND
DRAFTING & DESIGN SERVICE
134 PARK DRIVE, SALT SPRING ISLAND, B.C.
(778) 353 0019 OR lahni@yahpnc.com

PROJECT ADDRESS: 632 RAYNOR AVENUE, VICTORIA, B.C.
ELIZABETH FITZDALAND
DRAFTING & DESIGN SERVICE
SALT SPRING ISLAND, BC V8K 2A9
DRAWING: SITE PLAN

DATE
DEC 18, 2017 (LW)

REVISION:
JAN 30, 2018 (EF)

DRAWN BY:
LW

PAGE:
1
OF 1

received

FEB 02 2018

Planning & Development Department
Development Services Division

FLOOR AREA AND UNIT SIZES

Floor Area	sq'	sq'm
Basement Level		
Main Level		
Upper Level		
TOTAL		
Unit Size		
Basement Suite	715.9	66.5
Main Suite (excluding rooms in basement)	1818.3	168.9
Upper Suite	1077.5	100.1
Common Space	328.8	30.5
TOTAL	3940.2	366.0



RAYNOR AVENUE



632 RAYNOR AVENUE
VICTORIA, BC

FLOOR PLANS: AS BUILT

PREPARED:
JANUARY 4, 2018
UPDATED:
JANUARY 8, 2018

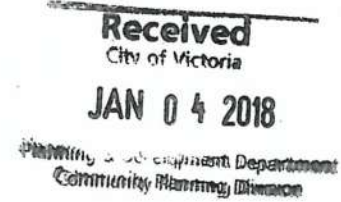
OWNER/APPLICANT:
ELIZABETH FITZZALAND
143 KANAKA ROAD
SALT SPRING ISLAND
V8K 2A9

1" = 5'



January 4, 2018

Mayor and City Councilors
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6



Dear Mayor Helps and City Councilors,

Re: Development Variance Application for House Conversion at 632 Raynor Avenue

Please accept this letter and the attached materials as my family's request for a development variance for the property we own at 632 Raynor Avenue in Vic West. Specifically, *we are requesting a variance to reduce the parking requirement to allow for a house conversion of our legal duplex to a legal three-unit residential building.* There is an existing basement suite that we are seeking to bring into conformance with planning and building regulations.

We purchased the 1913-built character home in September 2016 with a view to preserving the historic exterior, restoring the interior spaces, and maintaining the rental units. At the time of purchase, there were three occupied rental units with 12-month rental agreements in place. The two upper units were the result of a legal house conversion to a duplex in 1953. The basement suite was constructed without zoning or building permits several decades ago. The previous owner confirmed that the basement suite was and rented since at least the 1980s.

The tenant of the basement suite vacated the unit in June 2017. We have not advertised or rented the unit since that time. Instead, we decided to investigate our options for bringing the suite into legal conformance. Based on our conversations with City of Victoria planning staff, we understand that our property meets all of the criteria (Schedule G, Zoning Regulation Bylaw) for a legal conversion to a three-unit building except that there is insufficient off-street parking. The property only contains one off-street parking space as approved in 1953. There is no additional parking for the basement suite. We are applying for a development variance to address this issue. We request the City Council support our application for the following reasons:

1. No New Impacts from Legalized Basement Suite

The basement suite has been as occupied as a rental for several decades. There will be no new impacts (traffic, parking, etc.) on the neighbourhood as a result of legalizing the unit.

2. Consistent with the Draft 2017 Vic West Neighbourhood Plan

Allowing three units within a large character home is consistent with several goals of the Draft Vic West Neighbourhood Plan. These include allowing a broader range of housing types near Craigflower Village and encouraging adaptive reuse of buildings with heritage merit. The plan further contemplates allowing up to two suites in historic buildings and reduced parking requirements.

3. Preservation of Backyard Space and Mature Trees

The only area where additional parking could be accommodated on-site is in the small, rear yard. This compact outdoor space is heavily used by tenants for recreation, relaxation and food growing. It also contains several mature trees and provides visible green space to adjacent lots.

4. Alternative Transportation Options

The property's proximity to transit, bike and pedestrian infrastructure, as well as its location in a walkable neighbourhood, mean that all tenants do not need to own a car.

It is our hope that you will approve our application so that we can proceed with upgrading the suite to meet the building code, and complete a legal conversion. We adore this charming home. We also really appreciate Craigflower Village with its beautiful homes, green spaces, diverse households and dedicated businesses. Our family looks forward to being part of the positive, incremental change envisioned for this special place.

Please feel welcome to contact us with any questions or to request more information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Elizabeth FitzZaland', with a long horizontal flourish extending to the right.

Elizabeth FitzZaland, RPP, MCIP
Owner/Applicant