

## **H. REPORTS OF COMMITTEES**

### **H.1 Committee of the Whole**

#### **H.1.b Report from the June 14, 2018 COTW Meeting**

##### **H.1.b.d 2732 Doncaster Drive - Rezoning Application No. 00635, Development Permit with Variances Application No. 00072, and Associated Official Community Plan Amendment (Oaklands)**

**Moved By Councillor Alto**

**Seconded By Councillor Lucas**

***Application to amend the Urban Place Designation from Traditional Residential to Urban Residential and rezone the property from the R1-B Zone, Single Family Dwelling District, to the R3-A1 Zone, Low Profile Multiple Dwelling District, in order to permit the construction of an eleven unit, multi-unit residential building.***

**Rezoning Application No. 00635 for 2732 Doncaster Drive and associated Official Community Plan Amendment**

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00635 for 2732 Doncaster Drive, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of a Housing Agreement to secure all units as rental housing for 25 years, executed by the applicant, to the satisfaction of City Staff.
2. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask

questions of staff and provide written or verbal comments to Council for their consideration.

3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the Local Government Act, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations, the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.
5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

**Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive**

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00635, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

9. Plans date stamped May 17, 2018.
10. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - a. reduce the site area from 920.0m<sup>2</sup> to 638.70m<sup>2</sup>
  - b. reduce the dwelling unit floor area from 33.0m<sup>2</sup> to 28.40m<sup>2</sup>
  - c. reduce the front yard setback from 7.50m to 4.50m
  - d. reduce the south side yard setback from 4.75m to 1.70m
  - e. reduce the north side yard setback from 4.75m to 4.0m
  - f. reduce the open site space from 30.0% to 22.22%
  - g. reduce the number of vehicle parking stalls from 12 to 8
11. The Development Permit lapsing two years from the date of this resolution."

FOR (7): Mayor Helps, Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

**CARRIED (7 to 1)**



## **E. LAND USE MATTERS**

### **E.3 2732 Doncaster Drive - Rezoning Application No. 00635, Development Permit with Variances Application No. 00072, and Associated Official Community Plan Amendment (Oaklands)**

Committee received a report dated May 31, 2018, from the Director of Sustainable Planning and Community Development regarding an application to permit the construction of an eleven unit, multi-unit residential building.

**Moved By** Councillor Loveday  
**Seconded By** Councillor Lucas

Rezoning Application No. 00635 for 2732 Doncaster Drive and associated Official Community Plan Amendment

That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00635 for 2732 Doncaster Drive, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of a Housing Agreement to secure all units as rental housing for 25 years, executed by the applicant, to the satisfaction of City Staff.
2. That Council determine, pursuant to section 475(1) of the Local Government Act that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the *Local Government Act* with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
4. That Council, specifically consider whether consultation is required under Section 475(2)(b) of the *Local Government Act*, and determine that no referrals are necessary with the Capital Regional District Board, Councils of Oak Bay, Esquimalt and Saanich, the Songhees and Esquimalt First Nations,

the School District Board and the provincial and federal governments and their agencies due to the nature of the proposed amendment.

5. That Council give first reading to the Official Community Plan Amendment Bylaw.
6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the *Local Government Act*, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
7. That Council give second reading to the Official Community Plan Amendment Bylaw.
8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00635, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

1. Plans date stamped May 17, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. reduce the site area from 920.0m<sup>2</sup> to 638.70m<sup>2</sup>
  - b. reduce the dwelling unit floor area from 33.0m<sup>2</sup> to 28.40m<sup>2</sup>
  - c. reduce the front yard setback from 7.50m to 4.50m
  - d. reduce the south side yard setback from 4.75m to 1.70m
  - e. reduce the north side yard setback from 4.75m to 4.0m
  - f. reduce the open site space from 30.0% to 22.22%
  - g. reduce the number of vehicle parking stalls from 12 to 8
3. The Development Permit lapsing two years from the date of this resolution."

*Committee discussed:*

- *Neighbourhood support for the application.*

- *The rental price proposed and whether the applicant is willing to ensure the amount in a housing agreement.*

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe

OPPOSED (1): Councillor Young

**CARRIED (8 to 1)**





## Committee of the Whole Report

### For the Meeting of June 14, 2018

---

**To:** Committee of the Whole **Date:** May 31, 2018

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive

---

### RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00635, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00072 for 2732 Doncaster Drive, in accordance with:

1. Plans date stamped May 17, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - a. reduce the site area from 920.0m<sup>2</sup> to 638.70m<sup>2</sup>
  - b. reduce the dwelling unit floor area from 33.0m<sup>2</sup> to 28.40m<sup>2</sup>
  - c. reduce the front yard setback from 7.50m to 4.50m
  - d. reduce the south side yard setback from 4.75m to 1.70m
  - e. reduce the north side yard setback from 4.75m to 4.0m
  - f. reduce the open site space from 30.0% to 22.22%
  - g. reduce the number of vehicle parking stalls from 12 to 8
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 2732 Doncaster Drive. The proposal is to construct an eleven unit multi-residential rental building.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial*
- the site area variance is supportable as the massing of the building has been designed for a smaller site
- the applicant proposes units that are below the required 33m<sup>2</sup>; however, the proposal would contribute eleven new units to the city's rental housing stock
- the front yard setback variance is supportable as the building is not overbearing in height and the ground floor units have entrances fronting the street, which helps animate the public realm
- the variance to the north side yard setback is supportable as it is minimal in nature and overlook concerns are addressed using transom windows
- the variance on the south side yard setback is supportable as the setback of the building to the south is significant and the proposal's windows minimize privacy concerns
- the variance to reduce the parking to eight stalls is supportable due to the property's location near major transit and across the street from the Hillside Mall Town Centre
- the open site space variance is supportable as the site coverage does not exceed the maximum and a common outdoor amenity space is provided at-grade.

## BACKGROUND

### Description of Proposal

The proposal is for an eleven unit multi-residential rental building. Specific details include:

- low-rise building form consisting of contemporary architectural features
- individual at-grade entrances for the ground floor units
- Juliet balconies for the units on the upper storeys and a shared amenity space in the rear yard
- an eight-stall surface parking lot and an eleven stall secure bicycle room located to the rear of the building
- exterior materials consisting of fibre cement siding, sheet metal, aluminium railings, and cedar fencing.

The proposed variances are related to:

- reduced site area from 920.0m<sup>2</sup> to 638.70m<sup>2</sup>
- reduced dwelling unit floor area from 33.0m<sup>2</sup> to 28.40m<sup>2</sup>
- reduced front yard setback from 7.50m to 4.50m
- reduced south side yard setback from 4.75m to 1.70m
- reduced north side yard setback from 4.75m to 4.0m
- reduced open site space from 30.0% to 22.22%
- reduced vehicle parking stalls from 12 to 8.

### Sustainability Features

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



## Active Transportation Impacts

The Application proposes eleven secure bicycle parking stalls and six visitor bicycle parking stalls, which support active transportation.

## Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit with Variances Application.

## Accessibility Impact Statement

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

## Existing Site Development and Development Potential

There is presently a single family dwelling on the subject property. Under the current R1-B Zone, the property could be developed as a single family dwelling with either a secondary suite or a garden suite.

## Data Table

The following data table compares the proposal with the existing R1-B Zone and the proposed R3-A1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R3-A1	Existing R1-B Zone
Site area (m <sup>2</sup> ) - minimum	<b>638.70*</b>	920.0	460.0
Density (Floor Space Ratio) - maximum	0.79	1.0	N/A
Dwelling unit floor area (m <sup>2</sup> ) - maximum	<b>28.40*</b>	33.0	N/A
Total floor area (m <sup>2</sup> ) - maximum	509.20	638.70	N/A
Lot width (m) - minimum	16.76	N/A	15.0
Height (m) - maximum	9.70	10.70	7.60
Storeys - maximum	3	3	2
Site coverage % - maximum	24.40	33.33	40.0
Open site space % - minimum	<b>22.22*</b>	30.0	N/A
Open site space front yard % - minimum	100.0	100.0	N/A
<b>Setbacks (m) – minimum:</b>			
Front	<b>4.50*</b>	7.50	7.50

Zoning Criteria	Proposal	Zone Standard R3-A1	Existing R1-B Zone
Rear	16.00	10.5	9.53
Side (north)	<b>1.70*</b>	4.75	1.68
Side (south)	<b>4.00*</b>	4.75	3.0
Parking - existing Schedule C -minimum	<b>8*</b>	12	N/A
Parking - proposed Schedule C -minimum	<b>8*</b>	9 + 1 visitor stall (10 total)	N/A
Bicycle parking stalls - existing Schedule C - (minimum)	Class 1 – 11 Class 2 – 6	Class 1 – 11 Class 2 – 6	N/A
Bicycle parking stalls - proposed Schedule C - (minimum)	Long term – 11 Short term – 6	Long term – 11 Short term – 6	N/A
Landscape screening for parking – wide (minimum)	0.80 (north) 0.60 (west) 0.60 (south)	0.60	N/A

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on March 14, 2018 the Application was referred for a 30-day comment period to the Oaklands CALUC. At the time of writing this report, a letter from the CALUC had not been received. However, the Applicant attended a CALUC meeting as part of the requirements for the Official Community Plan and Rezoning Application. The minutes from that meeting are attached to the Rezoning Application report.

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

### ANALYSIS

#### Development Permit Area and Design Guidelines

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 16 – General Form and Character (DPA16). *The Multi-Unit Residential, Commercial and Industrial* guidelines are the main applicable design guidelines for this project. These guidelines are intended to promote new developments that result in design excellence and livability; and contribute to a sense of place and urbanism that is responsive to Victoria's context, while enabling flexibility and fostering creativity.

The objectives of the designation are to integrate multi-unit residential buildings in a manner that is complementary to an established neighbourhood. Other objectives include enhancing character and streetscapes through high-quality architecture, landscape and urban design. As well, to achieve more liveable environments through considerations for human-scaled design, quality of open spaces, privacy impact, safety and accessibility.

With respect to context and transition, the transition of building form and height is appropriate for the current adjacent land uses. The proposal provides for a transition from the higher multi-



residential building to the south to the lower height single family dwellings to the north. Locating the driveway on the north side further provides breathing room to the single family dwellings and reduces shading.

The design and site planning contribute to the building's relationship to Doncaster Drive. The two ground floor units feature entrances fronting onto the street with useable front yard space, and the upper storey units have Juliet balconies. These balconies and entrances along the street frontage create a direct relationship to the street and add to the sense of safety with potential activity and overlook.

The exterior building material is primarily fibre cement siding, with aluminum balcony railings and sheet metal fascia feature contributing to a modern architectural style. The choice of materials will add variety in the streetscape, and distinguish this project from adjacent dwellings.

### **Tree Preservation Bylaw and Urban Forest Master Plan**

There is a bylaw protected Deodar Cedar tree 4.0m from the rear property line. The Applicant has been made aware that if large structural roots are encountered, the City of Victoria Parks Arborist is to be contacted to complete a review.

There are no impacts to public trees with this application.

### **Regulatory Considerations**

In total there are seven variances from the R3-A1 Zone. The first requested variance is to reduce the site area from 920m<sup>2</sup> to 638.70m<sup>2</sup>. This variance is supportable as the building has been designed for a smaller site; it is notable that the building does not exceed the maximum site coverage and floor space ratio. Similarly, there is a variance to reduce the open site space from 30% to 22.22%, which primarily arises from the amount of area dedicated to vehicle parking and movement. However, as noted the site meets the overall maximum site coverage requirement. In addition, there is a shared private amenity space located at-grade in the rear yard.

A variance is requested to reduce the minimum dwelling unit floor area from 33m<sup>2</sup> to 28.40m<sup>2</sup>. This variance is supportable as the proposal adds eleven rental units to the city's rental housing stock. In addition, the units maintain livability by having windows that allow natural light to enter the units. All but one unit have either a Juliet balcony or front yard amenity space, and there is shared amenity space in the rear yard.

Three of the variances relate to setbacks. The north side yard setback is proposed to be reduced from 4.75m to 4.0m. This is supportable as the driveway provides breathing room from the proposed building to the single family dwelling and overlook concerns are addressed using transom and corner windows only. The south side yard setback would be reduced from 4.75m to 1.70m. Again transom and corner windows help minimize privacy concerns and the existing building to the south has a large north setback due to the location of its driveway.

The front yard setback would be reduced from 7.50m to 4.50m, as the surface parking lot at the rear forces the building to move closer to the street. Staff have noted that this setback is not in line with the adjacent buildings, in which the multi-residential building to the south is approximately 10m from Doncaster Drive and the single family dwelling is approximately 7.5m from Doncaster Drive. However, the effect of the variance is reduced through the front

entrances and useable front yard amenity space of the ground floor units fronting on Doncaster Drive.

Finally, there is a variance to the required parking. The proposal is for 8 parking stalls, whereas the current Schedule C requires 12 parking stalls and the proposed Schedule C requires 10 parking stalls. This variance is supportable due to the location of the property in an area that has access to frequent transit and is highly walkable. The Hillside Mall Town Centre, which includes a grocery store, is located across the street.

## CONCLUSIONS

The proposed development is generally consistent with the objectives of Development Permit Area 16, which seeks to integrate multi-unit residential buildings in a manner that is complementary to an established neighbourhood. The proposed building provides a step-down transition from the multi-residential building to the south and the single family dwelling to the north.

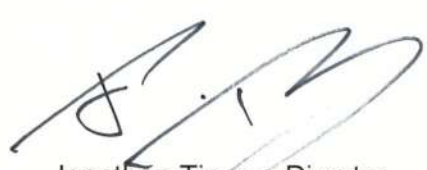
## ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00072 for the property located at 2732 Doncaster Drive.

Respectfully submitted,



Michael Angrove  
Planner  
Development Services



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager.



Date: June 8, 2018