

J. REPORTS OF COMMITTEES

Councillor Thornton-Joe joined the meeting at 11:45 pm.

J.1 Committee of the Whole

J.1.a Report from the September 27, 2018 COTW Meeting

**J.1.a.a 27 Pilot Street - Development Permit with Variance
Application No. 00081 (James Bay)**

Moved By Councillor Madoff

Seconded By Councillor Lucas

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 Permit with Variance Application No. 00081 for 27 Pilot Street, in accordance with:

1. Plans date stamped August 7, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule M- Garden Suites - reduce the rear yard setback from 0.6m to 0.2m.
3. Development Permit lapsing two years from the date of this resolution".

CARRIED UNANIMOUSLY

B. CONSENT AGENDA

Moved By Councillor Coleman
Seconded By Councillor Lucas

That the following items be approved without further debate

CARRIED UNANIMOUSLY

B.1 27 Pilot Street - Development Permit with Variance Application No. 00081 (James Bay)

Committee received a report dated September 13, 2018 from the Director of Sustainable Planning and Community Development presenting information, analysis and recommendations for a Development Permit with Variance Application proposing to permit a garden suit through an addition to an existing accessory building.

Moved By Councillor Coleman
Seconded By Councillor Lucas

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 Permit with Variance Application No. 00081 for 27 Pilot Street, in accordance with:

1. Plans date stamped August 7, 2018.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Schedule M- Garden Suites - reduce the rear yard setback from 0.6m to 0.2m.
3. Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of September 27, 2018

To: Committee of the Whole **Date:** September 13, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Permit with Variance Application No. 00081 for 27 Pilot Street

RECOMMENDATION

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 Permit with Variance Application No. 00081 for 27 Pilot Street, in accordance with:

1. Plans date stamped August 7, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Schedule M – Garden Suites - reduce the rear yard setback from 0.6m to 0.2m.
3. 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 *Official 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.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping; and the siting, form, exterior design, and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variance Application for the property located at 27 Pilot Street. The proposal is to permit a garden suite through an addition to an existing accessory building. The variance is related to the rear yard setback, which does not comply with the *Zoning Regulation Bylaw*, Schedule M – Garden Suites.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan (OCP)*, 2012
- the proposal is generally consistent with the policies and design specifications of the *Garden Suite Policy and Guidelines*, 2011
- the garden suite would be an addition to, and conversion, of an existing accessory building
- the variance for the rear yard setback is for an existing portion of the building.

BACKGROUND

Description of Proposal

The proposal is for a garden suite in the rear yard of the subject property. Specific details include:

- one-storey building with a pitched roofline
- horizontal hardi-board siding
- concrete paver path leading to the garden suite
- semi-private outdoor space with permeable concrete pavers
- additional soft landscaping, including a privacy hedge.

The proposed variance is related to decreasing the existing rear yard setback from 0.6m to 0.2m. This portion of the building is existing.

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 application.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit with Variance 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 with a single-family dwelling. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed to a single-family dwelling with a secondary suite or garden suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone, Single Family Dwelling District, and Schedule M – Garden Suites. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R1-B
Site area (m ²) - minimum	478.90	460.0
Lot width (m) - minimum	15.24	15
Parking - minimum	1	1
Parking location	Side	Schedule C
Site coverage (%) - maximum	24.74	40.00
Garden Suite Zoning Criteria	Proposal	Schedule M
Combined floor area (m ²) - maximum	22.75	37.00
Height (m) - maximum	2.90	3.50
Storeys	1	1
Rear yard site coverage (%) - maximum	18.90	25.00
Setbacks (m) – minimum:		
Separation space from single family dwelling (m)	2.60	2.40
Rear setback (m) – southeast	0.20*	0.60
Side setback (m) – northeast	0.61	0.60

Relevant History

The existing accessory building was built with a building permit in 2008 (BP No. 044742).

Community Consultation

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. As per staff's normal practice, the applicant was encouraged to communicate with their neighbours, and the application was referred to the James Bay Community Association Land Use Committee for a 30-day comment period.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan*, 2012 (OCP) identifies this property within Development Permit Area (DPA) 15E: Intensive Residential - Garden Suites. The proposal is consistent with the objectives of DPA 15E in terms of utilizing existing accessory buildings for residential uses and achieving new infill that respects the established character in residential areas.

The proposed development is consistent with the relevant land use policies of the *Garden Suite Policy and Guidelines*. The proposed garden suite is a small, ground-oriented unit located in the rear yard. Other than the variance to reduce the rear yard setback, all other zoning criteria

are met. An existing accessory building, with the proposed addition, will be utilized for the garden suite. The rear yard setback variance is required for a portion of the existing building; and therefore, is not further impacting what is already exists. The change in use from an accessory building to a garden suite triggers this variance. The proposed addition meets the rear yard setback requirements.

Local Area Plans

Tree Preservation Bylaw and Urban Forest Master Plan

There are no bylaw protected trees that will be affected by the proposed work. Impacts to publicly owned trees are expected to be minimal.

CONCLUSIONS

This proposal to construct a garden suite by utilizing an existing accessory building is consistent with the OCP objectives and guidelines for sensitive infill in the form of garden suites within established residential areas. The variance to the rear yard setback would not change the existing condition, and is quite minimal in nature. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00081 for the property located at 27 Pilot Street.

Respectfully submitted,



Chelsea Medd
Planner
Development Services Division

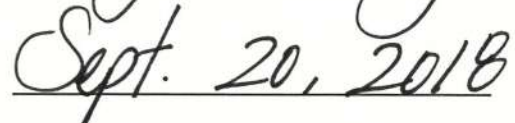


Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

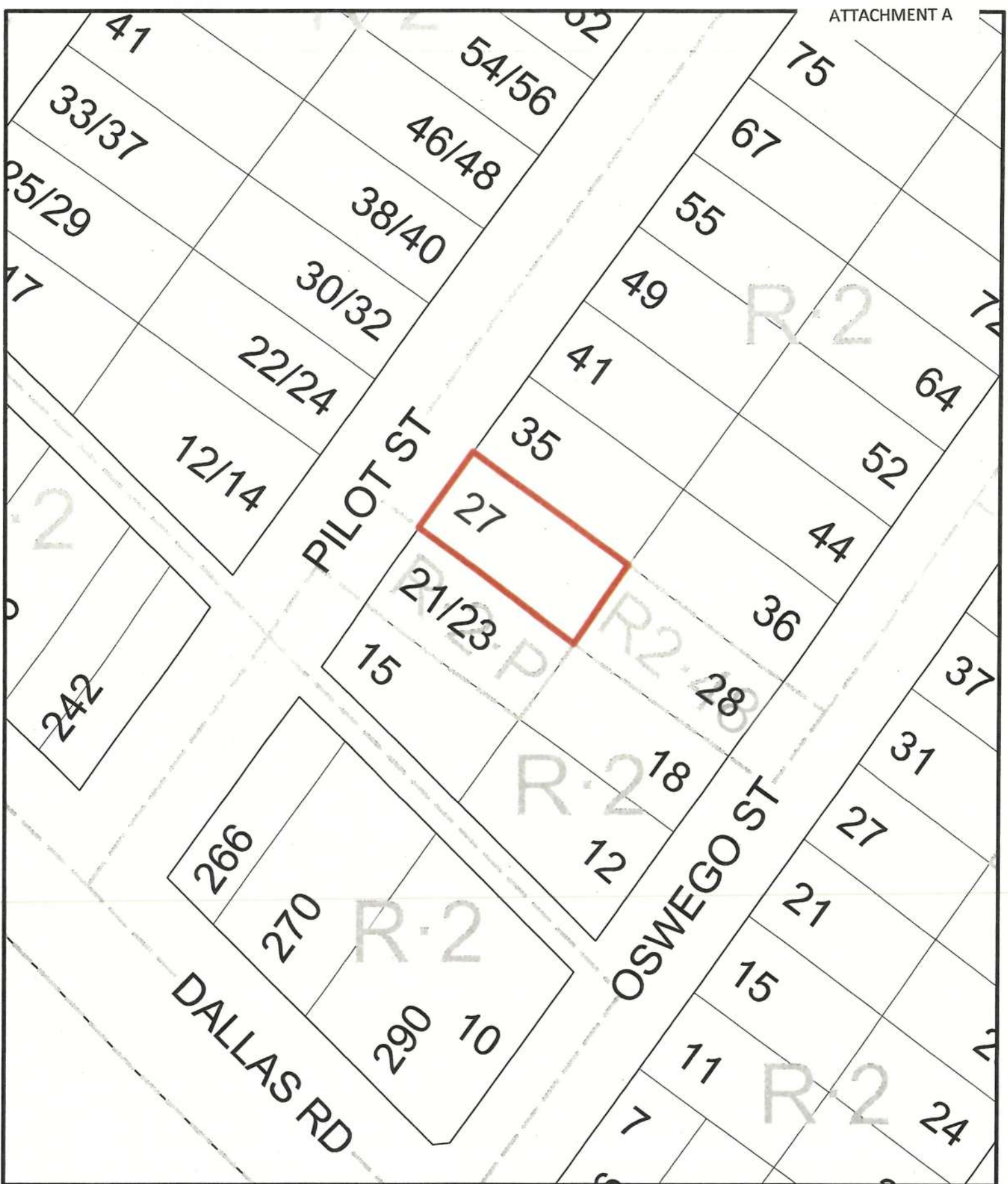


Date:



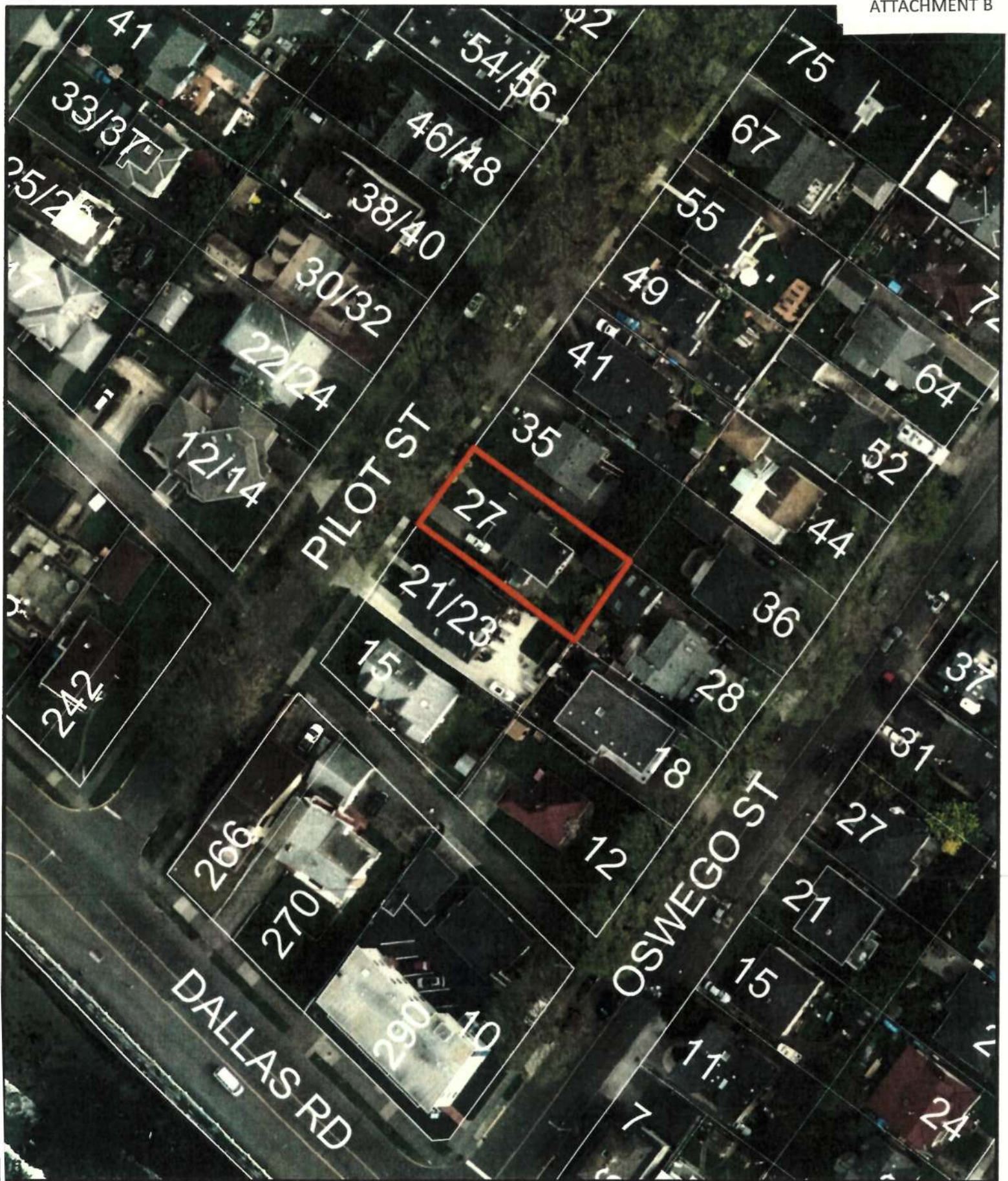
List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Letter from Applicant to Mayor and Council dated July 30, 2018
- Attachment D: Plans date stamped August 7, 2018
- Attachment E: Site Survey date stamped June 7, 2018



27 Pilot Street
Development Permit with Variance #00081





27 Pilot Street
Development Permit with Variance #00081



27 Pilot Street
Victoria B. C.

REVISED: 18/7/30

To: The Mayor and Council
City of Victoria

Re: Addition to existing accessory building and use as a garden suite at 27 Pilot Street

We wish to add 5.4 m² (58.1 sq. ft.) to the existing studio building which was approved and built in 2007 and use it as a garden suite. The existing studio is 17.35 m² (186.7 sq. ft.). The garden suite will have a 3 piece bathroom and a kitchen as shown on the drawings attached to this application. The proposed garden suite will be 22.75 m² (244.9 sq. ft.).

The existing one story pitched roof form of the studio will be retained as shown on the drawings and photographs attached to this application.

The proposal is within the required lot coverage, open space requirement, height limitation and floor space ratio.

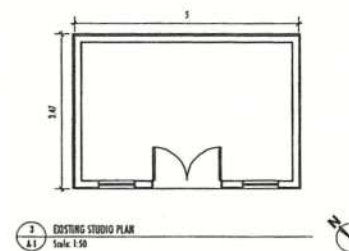
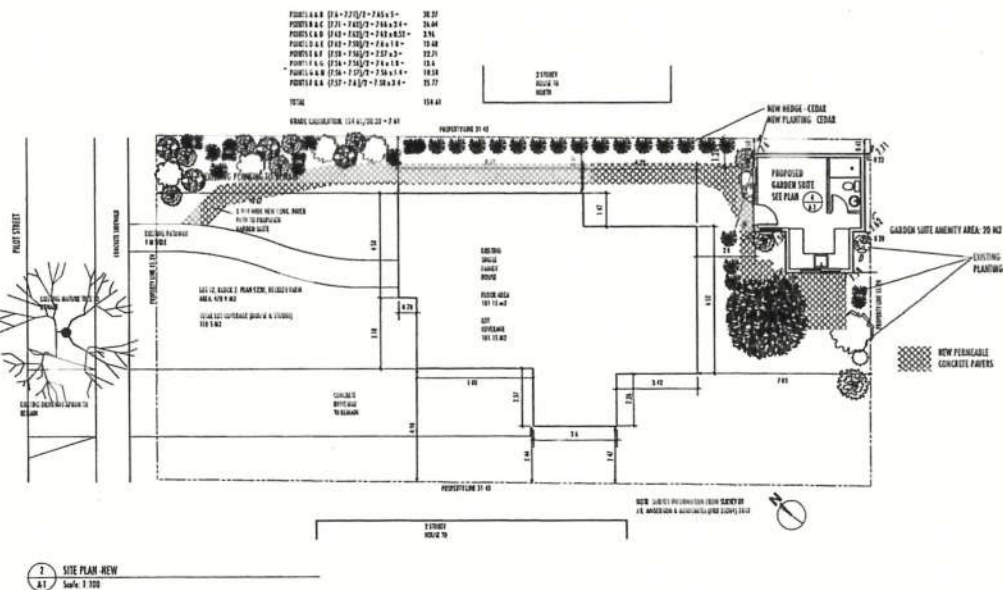
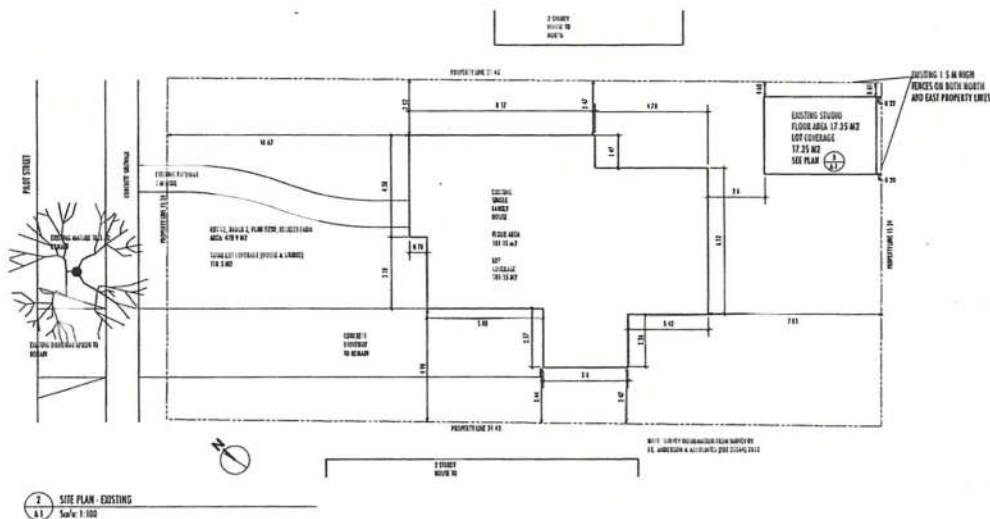
A variance is no longer requested for the separation distance between the existing house and the garden suite. The bylaw requires 2.4 m and the existing 2.6 m separation distance is being maintained.

A rear setback variance as noted on the ZONING PLAN CHECK is requested as the proposal would not be feasible without it. The setback was existing when we bought the house and had been done under a previous completed application to the City of Victoria. The garden suite will have fire resistant cladding i. e. cementitious board similar to Hardie board.

We are retired and wish to have a garden suite for additional income from the property and to provide another rental opportunity for Victoria residents.

Susan and Gary Forget





PROJECT INFORMATION TABLE

Zone	Zone Standards	Proposed
1	0.2	0.2
2	555 M²	555 M²
3	200 M²	200 M²
4	0.5-1	0.5-1
5	40%	40%
6	30%/25%	30%/25%
7	7.4 M	7.4 M
8	1	1
9	1	1
10	7.5 M	7.5 M
11	11 M	11 M
12	1.5 M	1.5 M
13	1.5 M	1.5 M

Received
City of Victoria

AUG 07 2018

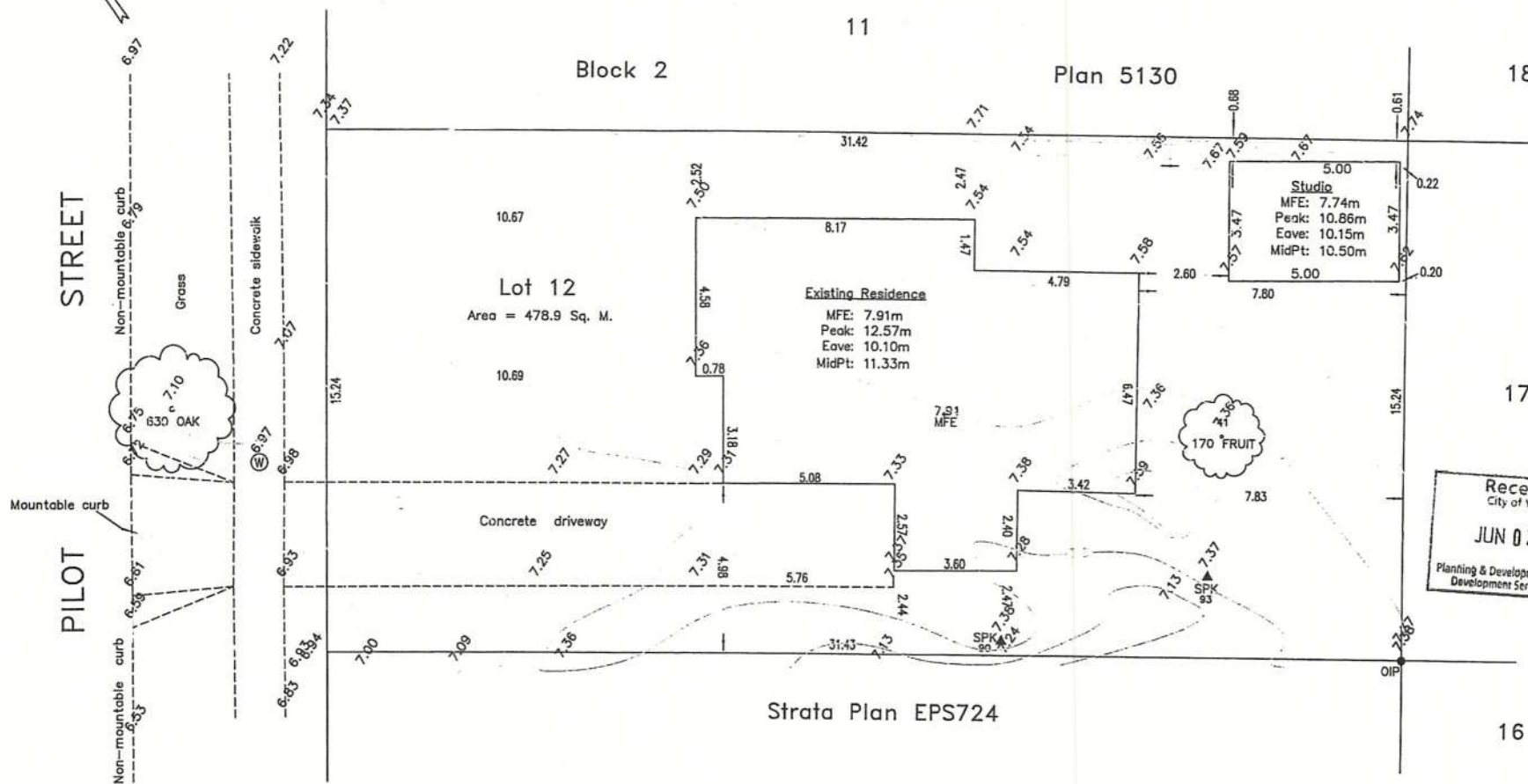
Planning & Development Department
Development Services Division

BOURQUE
1360 DUNDAS STREET
OAK BAY V8R 5Y9
PHONE: 250 595 7363
EMAIL: bourque@telus.net
PROJECT NAME:
27 PILOT STREET GARDEN SUITE
PROJECT LOCATION:
27 PILOT STREET
VICTORIA
NOTES

DRAWING INFORMATION
A-1 SITE PLANS, FLOOR
PLANS & PROJECT
INFORMATION TABLE

DATE: 18/7/20
SCALE: AS NOTED

SITE PLAN OF LOT 12, BLOCK 2, BECKLEY FARM, VICTORIA CITY, PLAN 5130



This sketch does not constitute a redefinition of the legal boundaries hereon described and is not to be used in any matter which would assume same.

J.E. Anderson & Associates accepts no responsibility or liability for any damages that may be suffered by a third party as a result of any decision made, or actions taken based on this document.

Subject to charges, legal notations, and interests shown on: Title No. CA3875588 (P.I.D. 004-775-376)

V: _Projects\31347\08\02\Microsurvey\31347.dwg

Elevations are in metres and are on the geodetic datum.

House dimensions are measured to exterior siding

Note: Not all house corners are 90°

Tree diameters are in millimetres.

Tree sizes are shown schematically.

LEGEND

All distances shown are in metres

- Standard Iron Post found
- ▲ denotes Traverse Station
- ⊙ denotes Water Service Manhole

Certified correct this 24th day of May, 2018

Ryan P. Hourston, BCLS
J.E. ANDERSON & ASSOCIATES

Development Permit with
Variance Application
for
27 Pilot Street



27 Pilot Street (subject property)



Existing Accessory Building



35 Pilot Street (north)



21/23 Pilot Street (south)



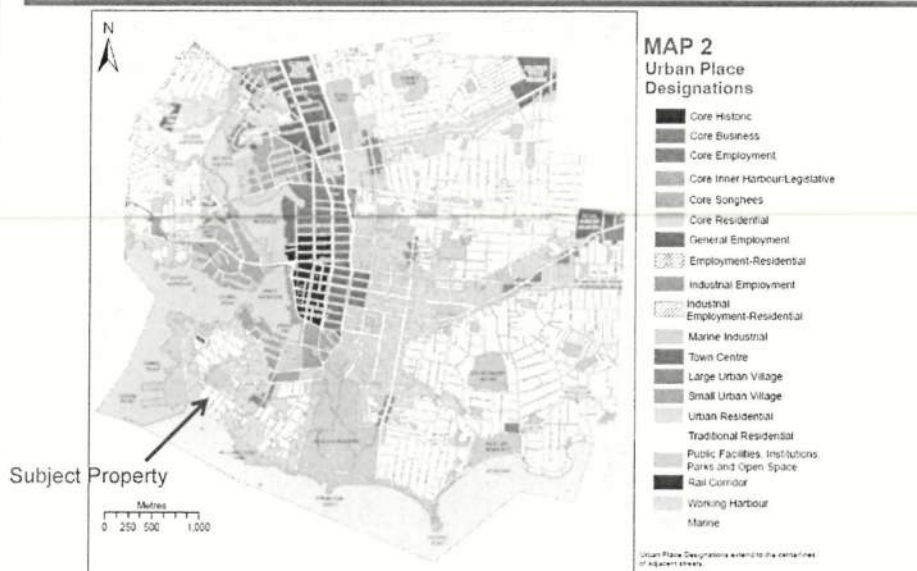
30/32 Pilot Street (north-west)



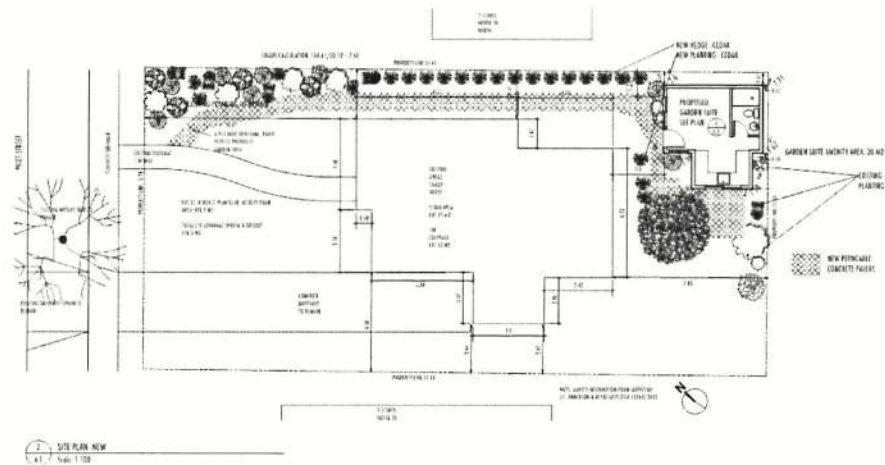
22/24 Pilot Street (north-west)



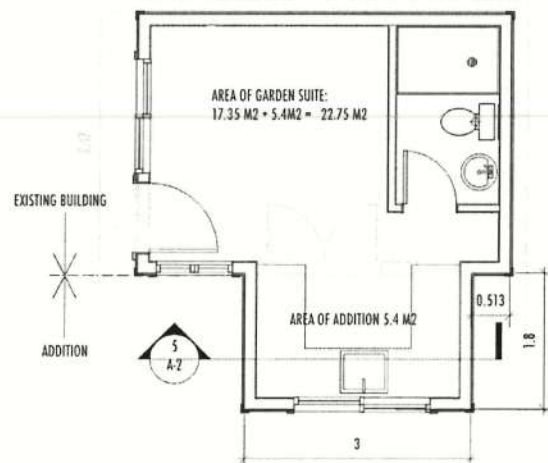
12/14 Pilot Street (west)



Site Plan



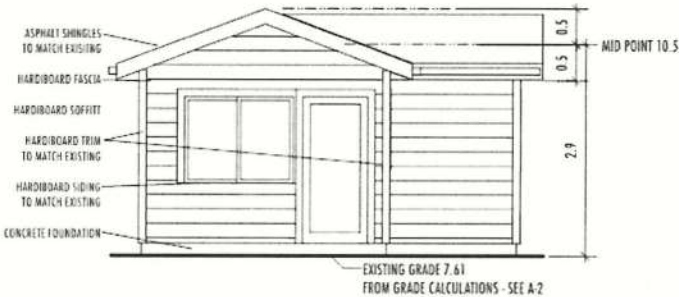
Floor Plan



4 GARDEN SUITE PLAN
A-1 Scale: 1:50



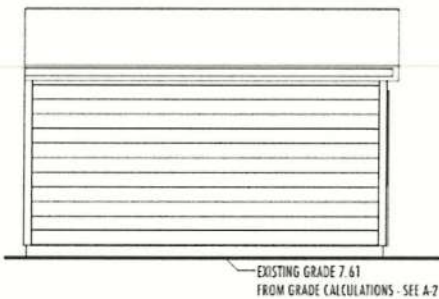
Front Elevation (west)



4 WEST ELEVATION
A-2 Scale: 1:50



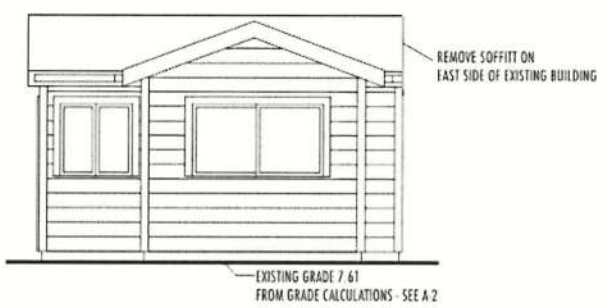
Side Elevation (north)



3 NORTH ELEVATION
A-2 Scale: 1:50



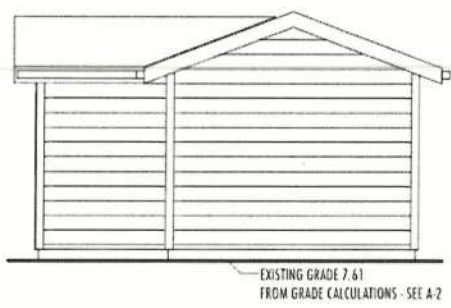
Side Elevation (south)



1 SOUTH ELEVATION
A-2 Scale: 1:50

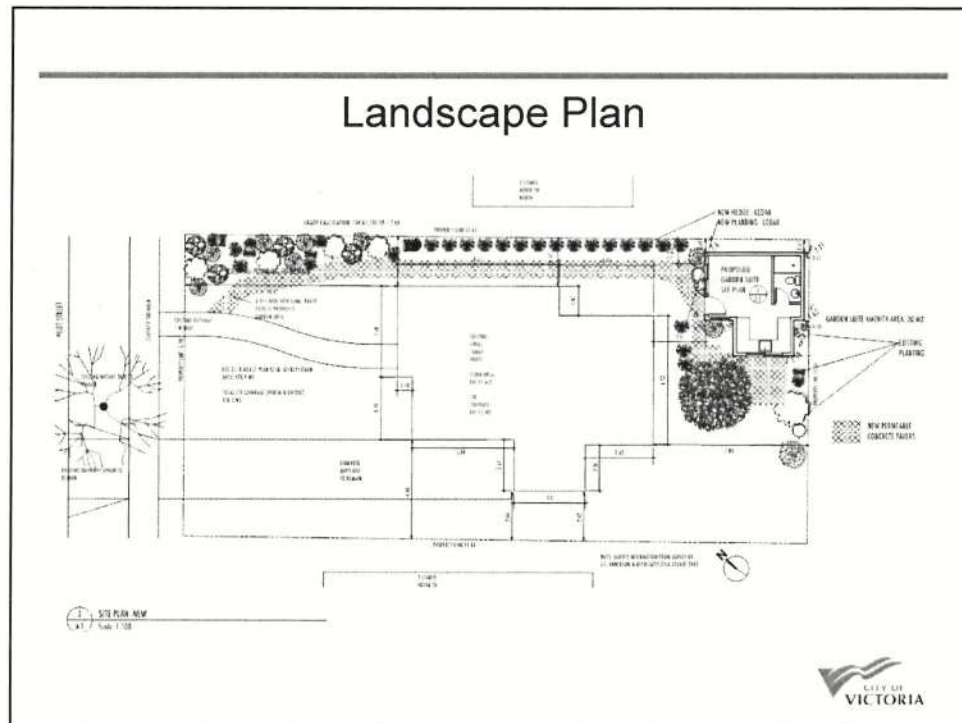


Rear Elevation (east)



2 EAST ELEVATION
A-4 Scale: 1:50





Existing Front Elevation (south)



CITY OF
VICTORIA

Existing Side Elevation (south)



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VICTORIA

Existing Front Elevation (west)

