

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 2708 Graham Street and 1050-1054 Hillside Avenue. The proposal is to consolidate two properties, demolish an existing single-family dwelling, and construct a new four-unit townhouse building. The variances are related to reducing the minimum site area, increasing the maximum number of buildings, reducing the rear and side yard setbacks, increasing the maximum site coverage and decreasing the minimum open site space.

The following points were considered in assessing this application:

- the proposed townhouses are generally consistent with the relevant design guidelines as the townhouses provide a sensitive transition to the lower-density buildings and create a positive street relationship through strong residential entrances
- the proposal is consistent with the Hillside-Quadra Neighbourhood Plan in providing gradual change through infill development
- the variances are to:
 - increase the number of buildings, which is supportable as it creates two distinct building masses
 - decrease the site area, which is supportable as it is a minimal variance
 - decrease the rear (north) yard setback, which is supportable as this setback acts as a side yard
 - decrease the side (east) yard setback from the building and from the stairs, which is supportable as it helps create an interesting relationship with the street
 - increase the maximum site coverage and decrease the minimum open site space, which is supportable as the proposal is well-landscaped with permeable paving utilized on all new construction.
- the applicant is providing a sizeable Statutory Right-of-Way.

BACKGROUND

Description of Proposal

The proposal is to consolidate two properties, demolish an existing single-family dwelling, and construct a new four-unit townhouse building.

Building and site design elements include:

- low-rise building form consisting of contemporary architectural features
- retention of an existing duplex fronting onto Hillside Avenue
- enclosed parking area
- individual raised entrances facing Graham Street
- private amenity space in the form of patios rear and side.

Building materials include:

- hardy lap siding and hardy panels
- horizontal metal siding
- brick veneer.

Landscaping elements include:

- permeable pavers for all driveway, patio and walkway surfaces
- aluminum fencing and wooden lattice fencing
- retention of existing pink horse chestnut trees
- planting of seven new trees, including vine maples and dogwoods.

The proposed variances are related to:

- increase the number of buildings from one to two
- decrease the site area from 920.0m² to 911.93m²
- decrease the rear (north) yard setback from 4.57m to 2.31m
- decrease the side (east) yard setback from the building from 4.57m to 2.42m
- decrease the side (east) yard setback from the stairs from 3.0m to 0.0m
- increase the site coverage from 40.0% to 48.4%
- decrease the open site space from 60.0% to 51.6%.

Affordable Housing Impacts

The applicant proposes the creation of four new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed which would ensure that future Strata Bylaws could not prohibit the rental of units. The applicant has noted that extended family would be living in the newly created units and therefore cannot secure affordability on-site.

The applicant has voluntarily offered to contribute \$20,000 to the Victoria Housing Reserve Fund; however, this is not a relevant consideration for a Development Permit, and therefore, has not been factored into staff's consideration or assessment of the application.

Tenant Assistance Policy

The proposal is to demolish an existing single-family dwelling with secondary suite which would result in a loss of two existing residential rental units. Tenant Assistance Plans are not required for Development Permit applications; however, the proposal also retains an existing rental duplex with five bedrooms in each unit which is currently being rented to students.

Sustainability Features

As indicated in the applicant's letter dated February 20, 2019, the following sustainability features are associated with this application:

- building to be constructed to Step 2 of the BC Energy Step Code
- retention of the existing duplex on-site
- water conservation measures including low-flow faucets and dual-flush toilets
- permeable hardscape surfaces.

Active Transportation Impacts

A six-stall bicycle rack will be installed on the property, which provides benefits to active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Development 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 a duplex on the southern lot and a single-family dwelling with basement suite on the northern lot. Under the current R3-2 Zone, Multiple Dwelling District, the property could be developed as a multi-unit residential building at a density of up to 1.6:1 floor space ratio (FSR).

Data Table

The following data table compares the proposal with the R3-2 Zone, Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing R3-2 Zone
Site area (m ²) - minimum	911.93*	920.0
Number of buildings - maximum	2*	1
Density (Floor Space Ratio) - maximum	0.80	1.20
Total floor area (m ²) - maximum	725.76	820.73
Lot width (m) - minimum	20.57	N/A
Height (m) - maximum	9.14	18.50
Storeys - maximum	3	N/A
Site coverage % - maximum	48.4*	40.0
Open site space % - minimum	51.60*	60.0
Setbacks (m) – minimum:		
Front (Hillside Avenue)	7.58m	7.50
Rear (north)	2.31*	4.57
Side (west)	5.04 (building) 4.16 (stairs)	4.57 (building) 3.0 (stairs)
Side (east)	2.42* (building) 0.0* (stairs)	4.57 (building) 3.0 (stairs)
Parking - minimum	6	6

Zoning Criteria	Proposal	Existing R3-2 Zone
Visitor parking (minimum) included in the overall units	0	0
Bicycle parking stalls (minimum)		
Class 1	6	5
Class 2	12	6

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on November 29, 2017, the application was referred for a 30-day comment period to the Hillside-Quadra CALUC. A letter dated December 29, 2017 is attached to this report. The revised application was subsequently referred to the CALUC on December 19, 2018; however, at the time of writing this report, a revised letter from the CALUC had not been received.

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*, 2012 (OCP) identifies this property in Development Permit Area 16: General Form and Character (DPA 16). Design guidelines that apply to DPA 16 are the *Guidelines for Fences, Gates and Shutters* (2010), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006) and *Design Guidelines for Multi-Unit Residential, Commercial and Industrial* (2012).

The proposed development is generally consistent with the objectives of DPA 16 which seek to integrate multi-unit residential buildings in a manner that is complementary to an established neighbourhood. The roofline of the proposed townhouses steps down on the north and south to provide a transition in height to the adjacent buildings. The stairs help to give the residential entrances more prominence and provide a transition from the public realm of the sidewalk to the private residential realm. Enclosing the parking under the building minimizes the number of driveway crossings and allows for additional amenity space for residents.

Staff believe further improvements can be made to the proposal. Revising both the horizontal metal siding and the glass garage door to wood would soften the appearance of the proposal and de-emphasize the prominence of the vehicle entrance. Adding canopies to the residential entrances would further increase the prominence. Additionally, the bicycle parking is shown differently on the site plan and the landscape plan; the landscape plan should be revised to match the site plan. These proposed changes have been added to the staff-recommended Council motion.

Local Area Plans

The *Hillside-Quadra Neighbourhood Plan* identifies this property within the Maintain Current Zoning designation. The housing policies note that gradual change through infill will be acceptable in some locations, with family-oriented townhouses being preferred to apartments.

Tree Preservation Bylaw and Urban Forest Master Plan

There is one public Birch tree and one Cherry Plum tree on Hillside Avenue, and two public Horse Chestnut trees on Graham Street that will be retained with this application.

All public trees to be retained will be protected during construction. No significant private trees are to be removed. No new trees are being proposed on the portion of the property with the existing duplex and nine new trees are proposed to be planted on the townhouse portion of the property. There are no bylaw protected trees impacted by this application.

Regulatory Considerations

There are seven proposed variances. The first variance is to increase the number of buildings on site from one to two; staff consider this supportable as it breaks up the massing of the proposal into two distinct building forms. The second variance is to decrease the site area from 920m² to 911.93m²; staff support this variance as it is minimal in nature. The third variance is to increase the site coverage from 40% to 48.4% and the fourth variance is to reduce the open site space from 60% to 51.6%; these variances are considered supportable as new hardscaping is permeable, and the proposal represents a unique solution to infill housing.

The final variances relate to decreasing the setbacks. The variance to decrease the rear (north) yard setback from 4.57m to 2.31m is supportable as this setback acts as a side yard and represents an increase in distance over the building currently on-site. There are two variances to decrease the side (east) yard; one measured from the building, decreasing the side yard 4.57m to 2.42m; and one from the stairs, decreasing the side yard 3.0m to 0.0m. These variances are considered supportable as they help create an interesting relationship with the street by distinguishing the public realm from the private residential entrances.

Finally, the applicant has agreed to register a 3.57m Statutory Right-of-Way off Hillside Avenue. This Right-of-Way will be used to help fulfill Council approved Official Community Plan objectives such as enhanced facilities for walking, cycling, and boulevards. Should the application proceed, Staff recommend executing this document prior to the Opportunity for Public Comment.

Other Considerations

A previous version of the application was brought to the Advisory Design Panel (ADP) on April 11, 2018, as it represents an uncommon form of infill development. The ADP discussed a lack of green space and decreased liveability, which was caused from the driveway, at that time, being located in between the proposed townhouses and the duplex. The ADP recommended that the application be declined.

Since the ADP meeting, the applicant has significantly revised the proposal to provide parking access in the middle of the townhouses. This maintains rear yards for the duplex units, allows for units 1 and 4 to have basements, and creates more useable open space at the rear of the townhouses.

CONCLUSIONS

The proposal for infill townhouses is a unique solution to increase the density on the property while retaining an existing rental duplex. While there are a large number of variances, the overall design of the townhouses provides for a sensitive transition to the lower-density buildings and its contemporary architectural style with pronounced front entrances is consistent with the relevant guidelines. Staff, therefore, recommend that Council consider supporting this application.

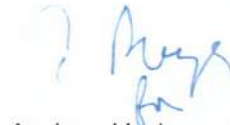
ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00043 for the property located at 2708 Graham Street and 1050-1054 Hillside Avenue.

Respectfully submitted,



Michael Angrove
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

March 8, 2019

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped December 17, 2018
- Attachment D: Letter from applicant to Mayor and Council dated February 20, 2019
- Attachment E: Community Association Land Use Committee Comments dated December 29, 2017
- Attachment F: Advisory Design Panel Minutes from the April 11, 2018 Meeting.