



## **Council Report**

### **For the Meeting of April 11, 2019**

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**To:** Council **Date:** March 28, 2019  
**From:** Andrea Hudson, Acting Director, Sustainable Planning and Community Development  
**Subject:** **Update for Rezoning Application No. 00629 for 1276 and 1278 Gladstone Avenue**

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### **RECOMMENDATION**

That Council give first and second reading to *Zoning Regulation Bylaw Amendment* (No. 1166) No. 19-009 for Rezoning Application No. 00629 for 1276 and 1278 Gladstone Avenue, and a Public Hearing date be set.

### **EXECUTIVE SUMMARY**

The purpose of this report is to update Council on Rezoning Application No. 00629 for 1276 and 1278 Gladstone Avenue. The statutory Right-of-Way has been executed by the applicant, the Bylaws have been drafted, and the plans have been revised slightly to correct inconsistencies.

### **BACKGROUND**

The proposal is to rezone the property to a site specific zone to allow two single family dwellings on a single lot. There have been minor plan revisions to correct inconsistencies with the plans, and the Statutory Right-of-Way of 1.85m on Gladstone Avenue has been executed by the applicant; however, proof of registration at the Land Titles Office is still pending as of the date of this report.

#### Plan Revision

Minor revisions to the plans were required for consistency between the drawings and what currently exists onsite. The inconsistencies were related to setbacks, average grade calculations and height. The draft R-2-T Zone, Two Single Family Dwelling District has been drafted to reflect what currently exists on site as per the plans dated January 11, 2019. The plans have been revised and are included in the attachments.

#### Statutory Right-of-Way

A Statutory Right-of-Way of 1.85m on Gladstone Avenue has been executed; however, at the time of writing this report the agreement has not been registered with the Land Titles Office by the applicant. It is anticipated that this step will be completed prior to the public hearing date.

## CONCLUSIONS

As per Council's motion on July 12, 2018, the applicant has executed a Statutory Right-of-Way on Gladstone Avenue. The plans were also revised slightly to fix minor inconsistencies. As the applicant has carried out the recommendations set forth by Council, staff recommend that the application advance to a Public Hearing.

Respectfully submitted,

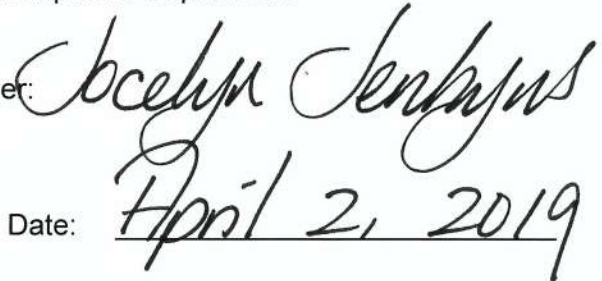


Chelsea Medd  
Planner  
Development Services Division



Andrea Hudson, Acting Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

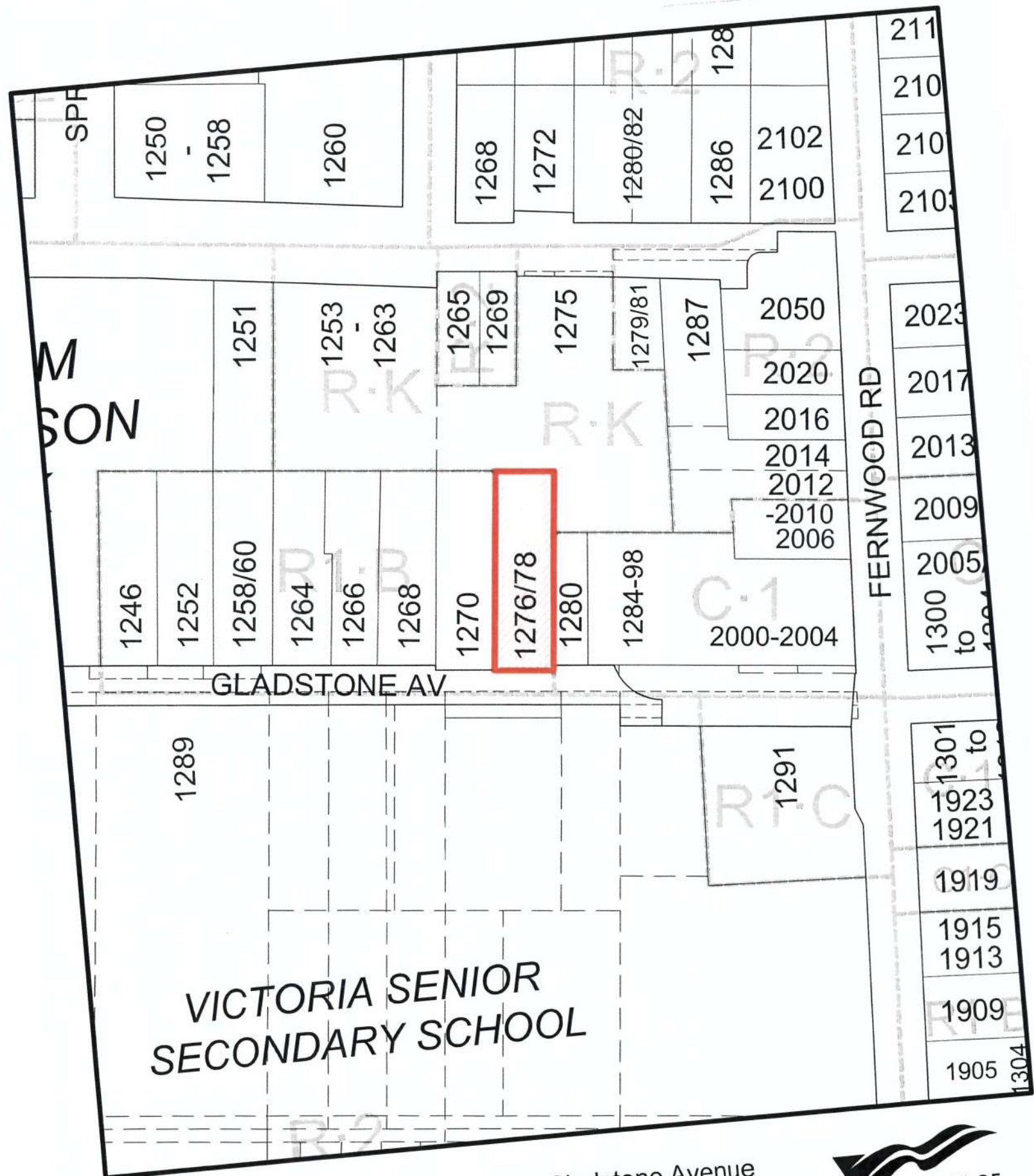


Date:

April 2, 2019

## List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Revised Plans dated January 11, 2019
- Attachment D: Council Motion from July 12, 2018.







1276 & 1278 Gladstone Avenue  
Rezoning No.00629





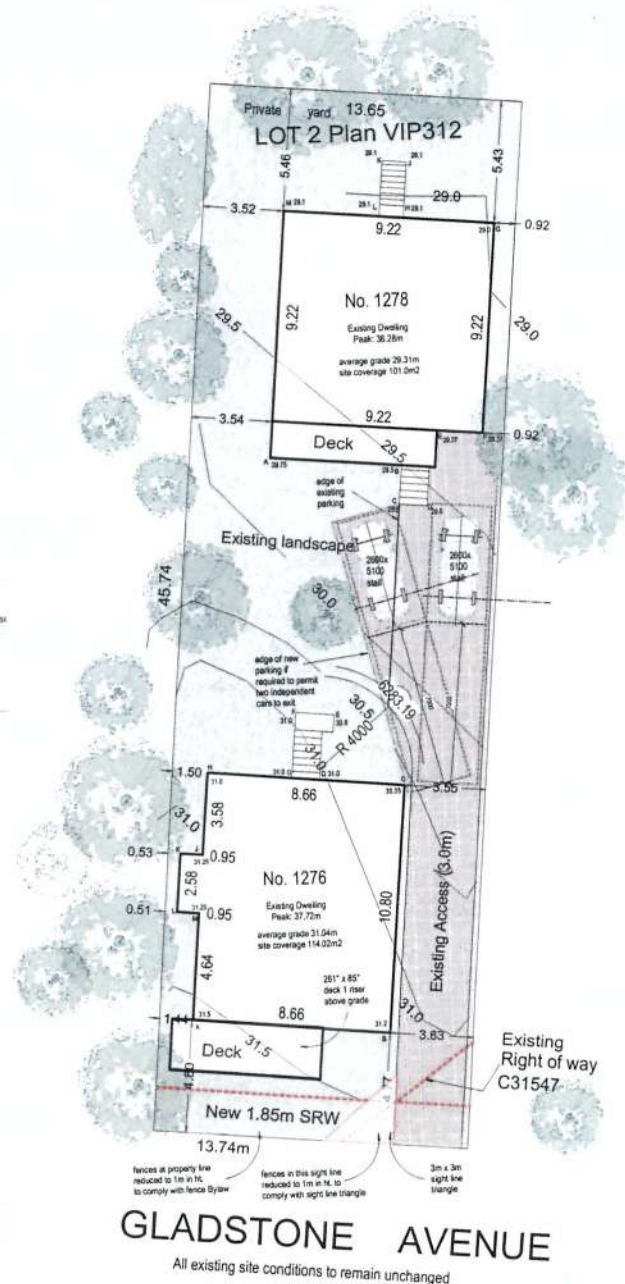
1276 Gladstone - Average Grade Calculation

SEGMENT	Start	Finish	Average	Distance	Factor	Total Factor	Perimeter	Average Grade
AB	28.15	28.50	28.33	5.12	16.15	16.15	16.15	28.33
BC	28.50	28.60	28.55	1.72	25.80	42.00	42.00	28.55
CD	28.60	28.70	28.65	1.20	30.40	72.40	72.40	28.65
DE	28.70	28.75	28.73	1.32	67.72	139.12	139.12	28.73
EF	28.75	28.77	28.77	1.42	58.22	200.34	200.34	28.77
FG	28.77	28.80	28.79	1.22	75.62	275.96	275.96	28.79
GH	28.80	28.10	28.45	4.99	176.22	452.18	452.18	28.45
HI	28.10	28.10	28.10	2.45	7.50	459.68	459.68	28.10
IJ	28.10	28.10	28.10	1.08	35.30	495.00	495.00	28.10
JK	28.10	28.10	28.10	2.46	7.50	502.50	502.50	28.10
KL	28.10	28.10	28.10	1.14	32.17	534.67	534.67	28.10
LM	28.10	28.10	28.10	8.22	271.31	806.00	806.00	28.10
TOTAL				45.32	1761.28			28.10

1276 Gladstone - Average Grade Calculation

SEGMENT	Start	Finish	Average	Distance	Factor	Total Factor	Perimeter	Average Grade
AB	21.25	21.25	21.25	0.88	21.18	21.18	21.18	21.25
BC	21.25	21.25	21.25	1.10	25.27	46.45	46.45	21.25
CD	21.25	21.25	21.25	1.10	25.27	71.72	71.72	21.25
DE	21.25	21.25	21.25	1.10	25.27	97.00	97.00	21.25
EF	21.25	21.25	21.25	1.10	25.27	122.27	122.27	21.25
FG	21.25	21.25	21.25	1.10	25.27	147.54	147.54	21.25
GH	21.25	21.25	21.25	1.10	25.27	172.81	172.81	21.25
HI	21.25	21.25	21.25	1.10	25.27	198.08	198.08	21.25
IJ	21.25	21.25	21.25	1.10	25.27	223.35	223.35	21.25
JK	21.25	21.25	21.25	1.10	25.27	248.62	248.62	21.25
KL	21.25	21.25	21.25	1.10	25.27	273.89	273.89	21.25
LM	21.25	21.25	21.25	1.10	25.27	299.16	299.16	21.25
TOTAL				10.88	100.00			21.25

Received  
City of Victoria  
  
JAN 11 2019  
  
Planning & Development Department  
Development Services Division



PROJECT DATA

Project Description  
Planning Application for the purpose of documenting in Planning  
1. Zoning that which exists on site. No new development is  
proposed. No subdivision is planned.

Building Permit records were for and original 1987 single family  
dwelling, and upon records exist of a second single family home  
involving a building permit in 1913.

The Purpose of this submission is to ensure that which is on site  
has the right to be on site, including both City & Crown the ability  
to respond following an emergency fire / earthquake.

Marriage, insurers and insurance providers require a clear  
understanding of zoning rights and privileges in the event of an  
emergency.

Building Owner  
Lorne Merv & Jordan Miles  
101 Oak Street Highway  
Victoria BC V8B 1G8

Architect providing recent drawings  
Hillel Architecture Inc.  
101-1011 Oak Bay Avenue, Victoria BC V8P 1C3  
tel: 252-8188 fax: 252-8178

Legal Description  
Lot 2, Section 8, Spring Ridge, Victoria City Plan 113  
P.L.D. 008-100-004

City Address  
1276 Gladstone Avenue, Victoria BC

As Found Conditions of Site

1	1276/1278 Gladstone Avenue	Victoria BC	Site Plan
2	1276/1278 Gladstone Avenue	Victoria BC	Site Plan
3	1276/1278 Gladstone Avenue	Victoria BC	Site Plan
4	1276/1278 Gladstone Avenue	Victoria BC	Site Plan
5	1276/1278 Gladstone Avenue	Victoria BC	Site Plan
6	1276/1278 Gladstone Avenue	Victoria BC	Site Plan
7	1276/1278 Gladstone Avenue	Victoria BC	Site Plan
8	1276/1278 Gladstone Avenue	Victoria BC	Site Plan
9	1276/1278 Gladstone Avenue	Victoria BC	Site Plan
10	1276/1278 Gladstone Avenue	Victoria BC	Site Plan



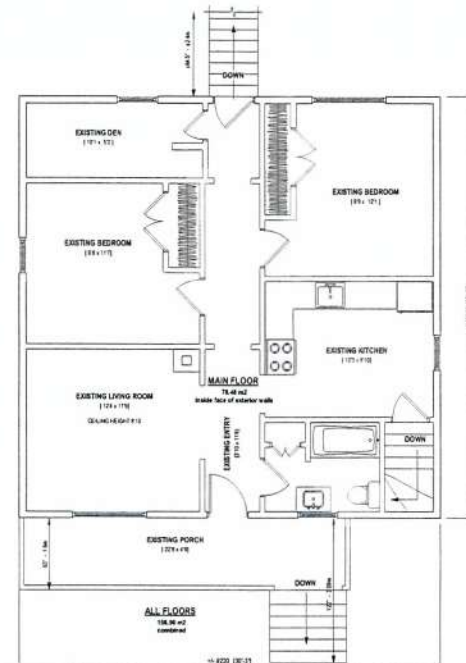
# PROJECT DATA FOR 1278 GLADSTONE

ZONING	PROPOSED DATA	
ZONING	R1-B	
lot area	450m <sup>2</sup> (max)	628.4 m <sup>2</sup> (8,742.5 sq ft)
lot coverage	40% (max)	18% (101.0m <sup>2</sup> )
floor space ratio	-	0.25:1
average grade	-	26.21m
height	7.5 m (2 storeys)	± 5.48 m (18'0") - local mid gate height-unfenced
SETBACKS		
South (front)	7.5 m	20.0m (back of deck) 27.7m (back of stairs)
North (rear)	7.5 m or 25% of lot depth (whichever is greater)	9.43m (back of 1st flg) 2.85m (back of stairs)
East (side)	1.5 m or 10% of lot depth width (whichever is greater)	0.32m
West (side)	combined 4.5 m	3.32m

note: for setback dimensions, see B.C. Land Surveyor's plan prepared by Kenneth Ng, BCLS dated 14 December 2018



1 No. 1278 Existing Lower Floor Plan  
A2.1 metric scale: 1:50

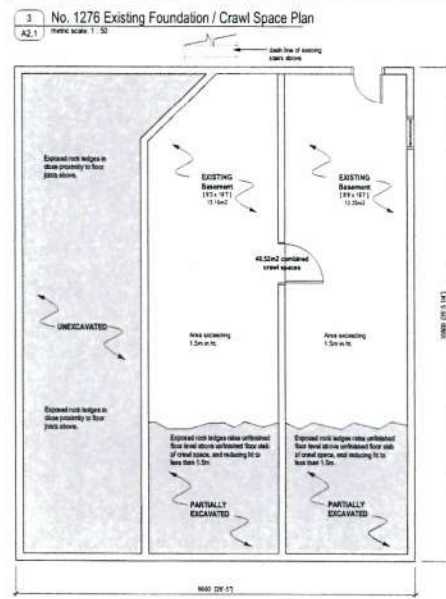


2 No. 1278 Existing Main Floor Plan  
A2.1 metric scale: 1:50

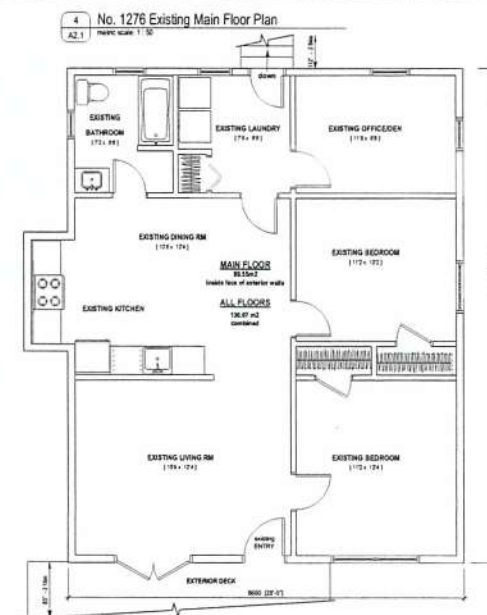
# PROJECT DATA FOR 1276 GLADSTONE

ZONING	PROPOSED DATA	
ZONING	R1-B	
lot area	450m <sup>2</sup> (max)	628.4 m <sup>2</sup> (8,742.5 sq ft)
lot coverage	40% (max)	18% (114.2m <sup>2</sup> )
floor space ratio	-	0.21:1
average grade	-	31.54m
height	7.5 m (2 storeys)	± 5.31 m (17'4") - local mid gate height-unfenced
SETBACKS		
South (front)	7.5 m	4.77m (back of 1st flg) 2.14m (back of deck)
North (rear)	7.5 m or 25% of lot depth (whichever is greater)	30.14m (back of 1st flg) 27.41m (back of stairs)
East (side)	1.5 m or 10% of lot depth width (whichever is greater)	3.55m
West (side)	combined 4.5 m	0.21m

note: for setback dimensions, see B.C. Land Surveyor's plan prepared by Kenneth Ng, BCLS dated 14 December 2018



3 No. 1276 Existing Foundation / Crawl Space Plan  
A2.1 metric scale: 1:50



4 No. 1276 Existing Main Floor Plan  
A2.1 metric scale: 1:50

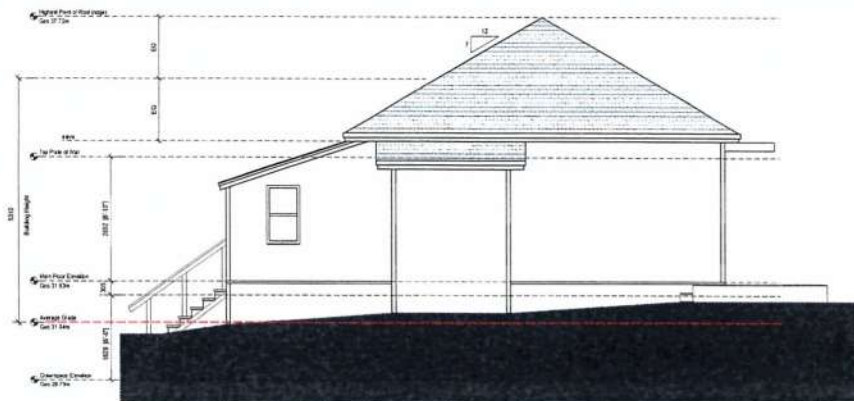


**Project Description:**  
Revising application for the proposed development in Planning / Zoning, that which exists on site. No new development is planned. No subdivision is planned.  
**Building Permit:** Building Permit issued for and original 187 single family home, and upon receipt, west of a second single family home receiving a building permit in 1871.  
**The Purpose of this submission is to ensure that which is on site has the right to be in use, pending with City & Council the ability to respond following an emergency (fire, earthquake).  
Mortgage holders and insurance providers require a clear understanding of zoning rights and privileges in the event of an emergency.  
**Building Owner:**  
Lorne Wilson & family  
121 Oak Street, Victoria  
Victoria BC V8B 1E8  
**Architect providing record drawings:**  
Hillel Architecture Inc.  
121-1231 Oak Bay Avenue, Victoria BC V8P 1C3  
403-100-1000 Fax: 403-100-1000  
**Legal Description:**  
L27.2 Section 13, Spring Ridge, Victoria City Plan 312  
P.O. Box 100-1000  
**City Address:**  
121 Gladstone Avenue, Victoria BC**

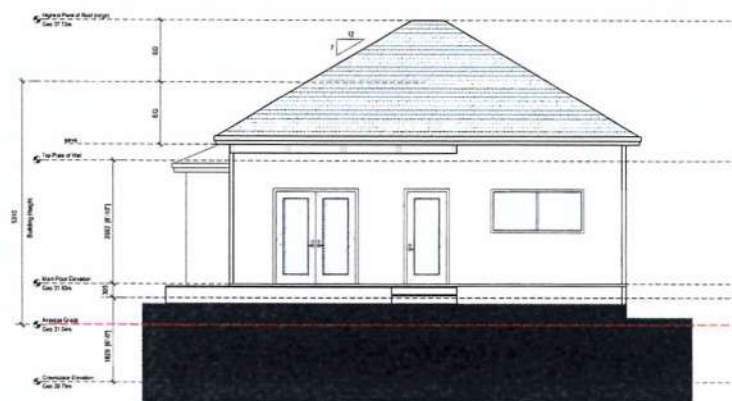
## As Found Conditions of Building Plans

1	121-1231 Oak Bay Avenue	Building Permit (Building Permit)
2	121-1231 Oak Bay Avenue	Building Permit (Building Permit)
3	121-1231 Oak Bay Avenue	Building Permit (Building Permit)
4	121-1231 Oak Bay Avenue	Building Permit (Building Permit)
5	121-1231 Oak Bay Avenue	Building Permit (Building Permit)
6	121-1231 Oak Bay Avenue	Building Permit (Building Permit)
7	121-1231 Oak Bay Avenue	Building Permit (Building Permit)
8	121-1231 Oak Bay Avenue	Building Permit (Building Permit)
9	121-1231 Oak Bay Avenue	Building Permit (Building Permit)
10	121-1231 Oak Bay Avenue	Building Permit (Building Permit)

**Hillel Architecture Inc.**  
1276/1278 Gladstone Avenue  
Victoria BC  
Existing House Plans  
A2.1

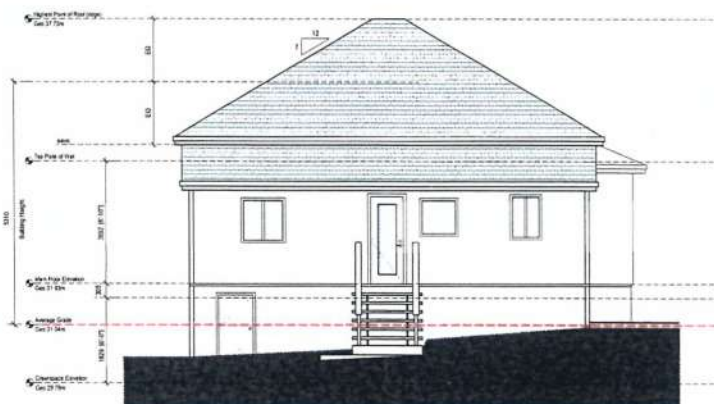


1 No. 1276 West Elevation  
Metric Scale: 1:50  
A3.1

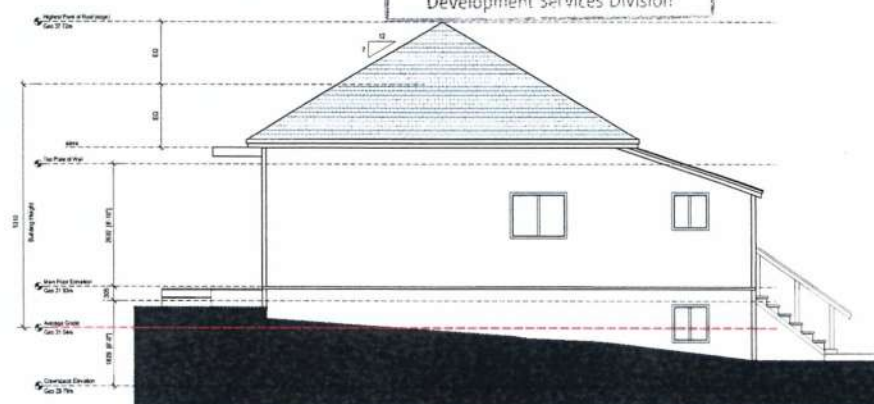


2 No. 1276 South Elevation  
Metric Scale: 1:50  
A3.1

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Planning & Development Department  
Development Services Division



3 No. 1276 North Elevation  
Metric Scale: 1:50  
A3.1



4 No. 1276 East Elevation  
Metric Scale: 1:50  
A3.1

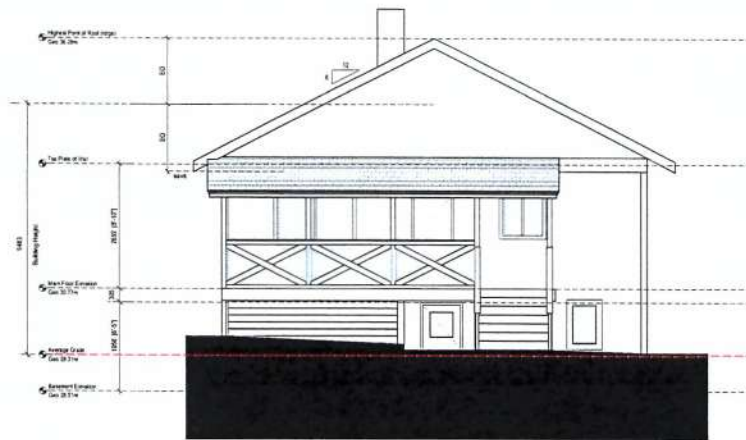
As Found Conditions / Exterior Elevations

Project	1276/1278 Gladstone Avenue
Client	Victoria BC
Working Title	No. 1276 Existing Exterior Elevations
Author	12/12/18
Check	12/12/18
Scale	1:50
Notes	1. As shown on site plan.

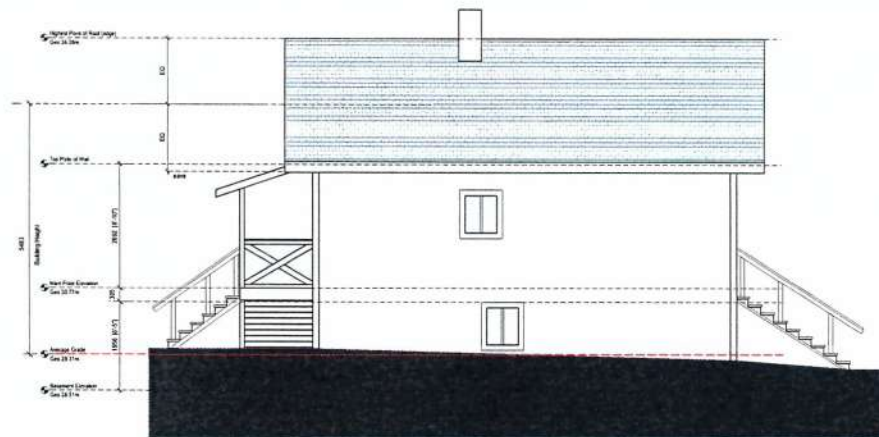
Project	1276/1278 Gladstone Avenue
Client	Victoria BC
Working Title	No. 1276 Existing Exterior Elevations
Author	12/12/18
Check	12/12/18
Scale	1:50
Notes	1. As shown on site plan.

Hillier Architecture

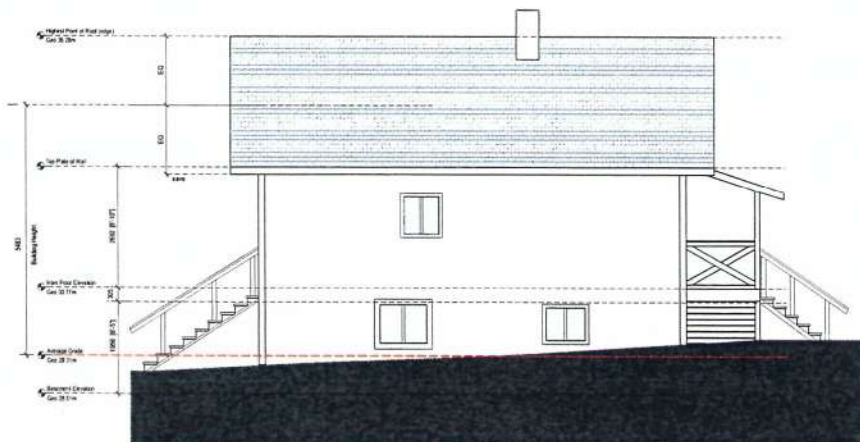




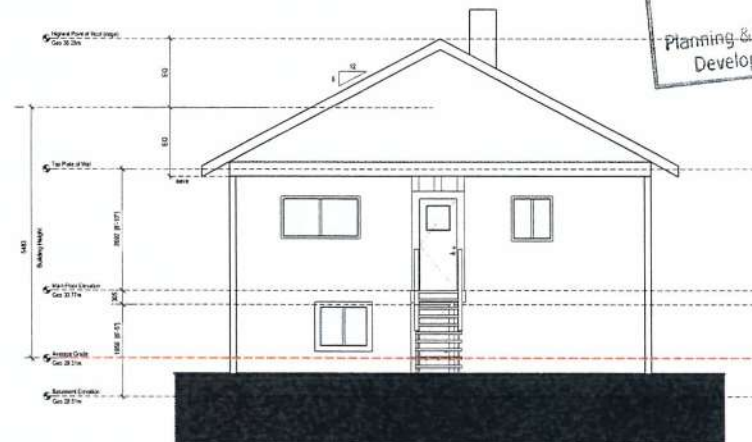
1 No. 1278 South Elevation  
A3.2 Metric Scale: 1:50



2 No. 1278 East Elevation  
A3.2 Metric Scale: 1:50



3 No. 1278 West Elevation  
A3.2 Metric Scale: 1:50



4 No. 1278 North Elevation  
A3.2 Metric Scale: 1:50



As Found Conditions / Exterior Elevations

Project	1276/1278 Gladstone Avenue
Location	Victoria BC
Project No.	1276/1278
Project Name	1276/1278 Existing Exterior Elevations
Project Date	2017.12

<b>Hillel Architectural Inc.</b> 1276/1278 Gladstone Avenue Victoria BC Project No. 1276/1278 Project Name 1276/1278 Existing Exterior Elevations Project Date 2017.12	
Project 1276/1278 Gladstone Avenue Victoria BC Project No. 1276/1278 Project Name 1276/1278 Existing Exterior Elevations Project Date 2017.12	Project 1276/1278 Gladstone Avenue Victoria BC Project No. 1276/1278 Project Name 1276/1278 Existing Exterior Elevations Project Date 2017.12



B. C. Land Surveyor's Partial Location Certificate of:  
**LOT 2 SECTION 61 SPRING**  
**RIDGE VICTORIA CITY PLAN 312**

133-1335 Bear Mountain Pkwy  
 Victoria, B. C. V9B 6T9  
 Tel: (604) 355-8879  
 Email: kenneth@explorersurvey.com  
 File: 11383



**LOT A**  
**Plan VIP38665**

**SCALE :**

0 1:250 10

All distances are in METERS and decimals thereof.

Parcel Identifier: 009-166-084  
 In the City of Victoria

Prepared exclusively for: GMC Projects Inc

**ZONING : R1-B**

**LOT 3**  
**Plan VIP312**

**LOT K**  
**Plan VIP2302**

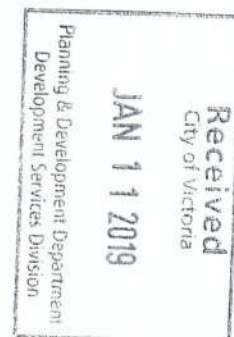
**LOT 2**  
**Plan VIP312**

No. 1276  
 Existing  
 Dwelling  
 Peak: 37.72m

Patio

Right of way  
 C31547

**GLADSTONE AVENUE**



**Kenneth Ng PICY1F**  
Digitally signed by Kenneth Ng  
 PICY1F  
 DN: c=CA, cn=Kenneth Ng PICY1F,  
 o=BC Land Surveyor, ou=Verify ID  
 at www.juricert.com/LKUP.cfm?  
 id=PICY1F  
 Date: 2018.12.14 12:21:51 -0800

Kenneth Ng, BCLS

Field Survey - 27 January, 2017

Dated this 14th of December, 2018.

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# Explorer

Land Surveying Inc

B. C. Land Surveyor's Partial Location Certificate of:  
**LOT 2 SECTION 61 SPRING  
RIDGE VICTORIA CITY PLAN 312**

133-1335 Bear Mountain Pkwy  
Victoria, B. C. V9B 6T9  
Tel: (604) 355-8879  
Email: kenneth@explorersurvey.com  
File: 11383



## LOT A Plan VIP38665

SCALE:

0 1:250 10

All distances are in METERS and decimals thereof.

Parcel Identifier: 009-166-084

In the City of Victoria

Prepared exclusively for: GMC Projects Inc

**ZONING : R1-B**

LOT 3  
Plan VIP312

LOT 2  
Plan VIP312

LOT K  
Plan VIP2302

GLADSTONE AVENUE



Kenneth  
Ng  
PICY1F

Digitally signed by Kenneth Ng  
PICY1F  
DN: c=CA, cn=Kenneth Ng PICY1F,  
o=BC Land Surveyor, ou=Verify ID  
at www.juricert.com/LRUP.cfm?  
id=PICY1F  
Date: 2018.12.14 12:22:35 -0800

Kenneth Ng, BCLS

Field Survey - 27 January, 2017

Dated this 14th of December, 2018.

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**H.1.c Report from the July 12, 2018 COTW Meeting**

**H.1.c.a 1276-1278 Gladstone Avenue - Rezoning Application  
No. 00629 (Fernwood)**

**Moved By** Councillor Madoff

**Seconded By** Councillor Thornton-Joe

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00629 for 1276/1278 Gladstone Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way of 1.85m on Gladstone Avenue, to the satisfaction of the Director of Engineering and Public Works.

**CARRIED UNANIMOUSLY**