

K. **BYLAWS**

K.1 **Bylaw for Rezoning Application for 1276 to 1278 Gladstone Avenue**

Moved By Councillor Potts
Seconded By Councillor Alto

That the following bylaw **be given first and second readings:**

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1166) No. 19-009

CARRIED UNANIMOUSLY



Council Report

For the Meeting of April 11, 2019

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**

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,

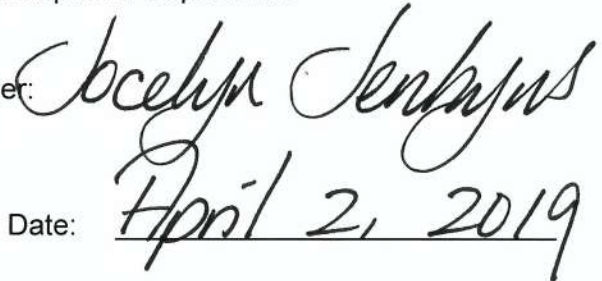


Chelsea Medd
Planner
Development Services Division



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



1278 Elevations - 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	28.50	28.50	1.72	25.85	25.85	25.85	28.50
CD	28.50	28.50	28.50	1.20	36.40	36.40	36.40	28.50
DE	28.50	28.50	28.50	1.32	87.72	87.72	87.72	28.50
EF	28.50	28.50	28.50	1.42	38.22	38.22	38.22	28.50
FG	28.50	28.50	28.50	1.22	29.62	29.62	29.62	28.50
GH	28.50	28.50	28.50	1.59	19.22	19.22	19.22	28.50
HI	28.50	28.50	28.50	1.45	7.50	7.50	7.50	28.50
IJ	28.50	28.50	28.50	1.08	32.30	32.30	32.30	28.50
JK	28.50	28.50	28.50	1.46	7.52	7.52	7.52	28.50
KL	28.50	28.50	28.50	1.14	120.17	120.17	120.17	28.50
LM	28.50	28.50	28.50	1.22	37.31	37.31	37.31	28.50
TOTAL								28.50

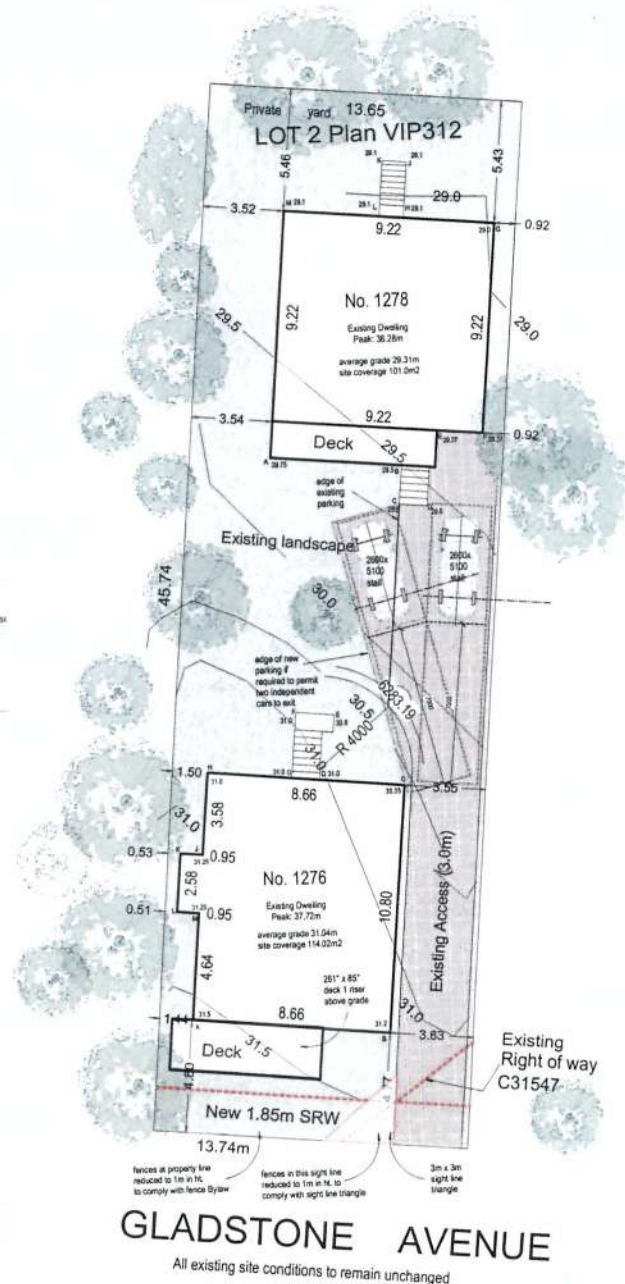
1276 Elevations - Average Grade Calculation

SEGMENT	Start	Finish	Average	Distance	Factor	Total Factor	Perimeter	Average Grade
AB	27.25	27.25	27.25	2.68	27.18	27.18	27.18	27.25
BC	27.25	27.25	27.25	2.19	11.94	11.94	11.94	27.25
CD	27.25	27.25	27.25	2.40	88.24	88.24	88.24	27.25
DE	27.25	27.25	27.25	1.60	97.76	97.76	97.76	27.25
EF	27.25	27.25	27.25	2.40	18.40	18.40	18.40	27.25
FG	27.25	27.25	27.25	2.78	114.76	114.76	114.76	27.25
GH	27.25	27.25	27.25	2.44	11.42	11.42	11.42	27.25
HI	27.25	27.25	27.25	2.72	28.64	28.64	28.64	27.25
IJ	27.25	27.25	27.25	2.28	89.42	89.42	89.42	27.25
JK	27.25	27.25	27.25	2.46	28.58	28.58	28.58	27.25
KL	27.25	27.25	27.25	2.40	115.38	115.38	115.38	27.25
TOTAL								27.25

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 details seen for and original 1987 single family
dwelling, and upper portion of a second single family home
existing 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 & 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 Merv & Jordan Miles
101 Oak Street Highway
Victoria BC V8B 1G8
Architect providing recent drawings
Hillel Architecture Inc.
101-1011 Oak Street, Victoria BC V8B 1G8
Tel: 250-555-5178
Legal Description
Lot 2, Section 8, Spring Ridge, Victoria City Plan 113
P.L.D. 108-108-084
Cadastral 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

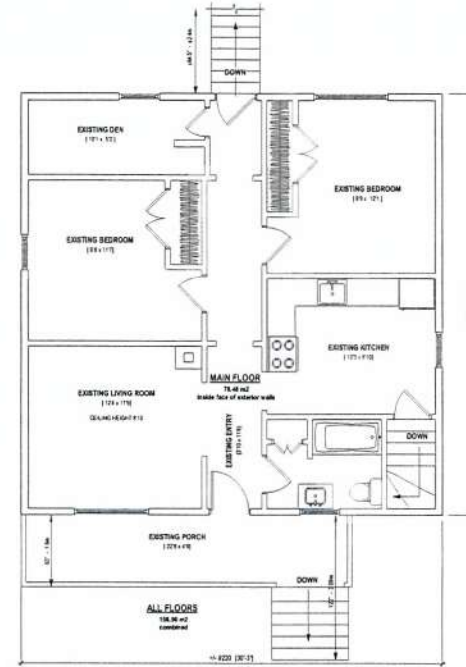
PROJECT DATA FOR 1278 GLADSTONE

ZONING	PROPOSED DATA	
ZONING	R1-B	
lot area	450m ² (max)	628.4 m ² (8,742.5 sq)
lot coverage	40% (max)	18% (101.0m ²)
floor space ratio	-	0.25:1
average grade	-	26.21m
height	7.5 m (2 storeys)	± 5.48 m (18'7") - 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 bldg) 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

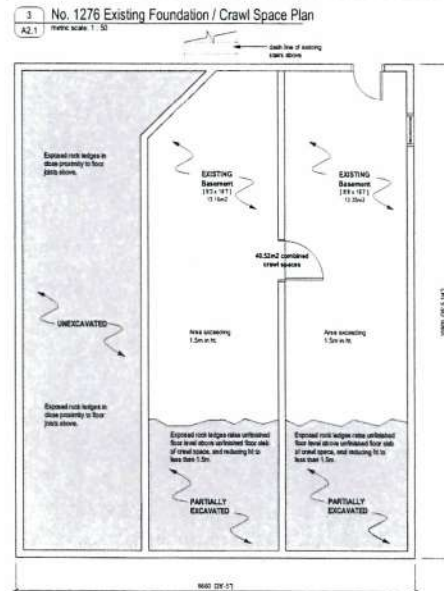


2 No. 1278 Existing Main Floor Plan
A2.1 metric scale: 1:50

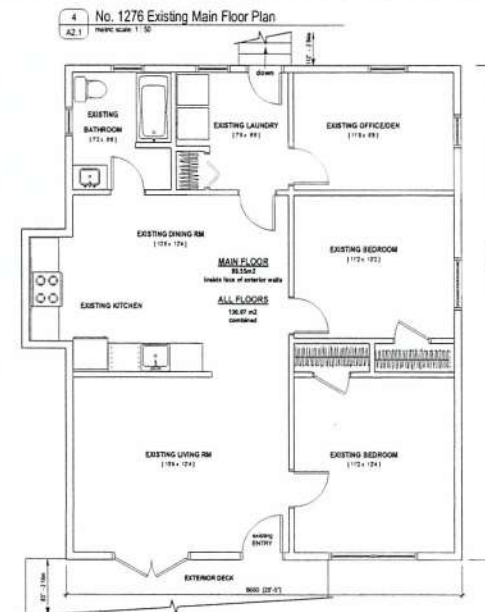
PROJECT DATA FOR 1276 GLADSTONE

ZONING	PROPOSED DATA	
ZONING	R1-B	
lot area	450m ² (max)	628.4 m ² (8,742.5 sq)
lot coverage	40% (max)	18% (114.2m ²)
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 bldg) 2.14m (back of deck)
North (rear)	7.5 m or 25% of lot depth (whichever is greater)	30.14m (back of bldg) 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

Received
City of Victoria

JAN 11 2019

Planning & Development Department
Development Services

Project Description
Revising application for the purpose of documenting in Planning / Zoning that which exists on site. No new development is planned. No subdivision is planned.

Building Permit records used for and original 1987 single family home, and upon records west of a second single family home receiving a building permit in 1917.

The Purpose of this submission is to ensure that which is on site has the right to be in use, pending with City & Crown 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 BC V8B 1E8

Architect providing record drawings
Hillel Architecture Inc.
121-1231 Oak Bay Avenue, Victoria BC V8P 1C3
416-100-1000 ext. 100-1010

Legal Description
L27.2 Section 01, Spring Ridge, Victoria City Plan 312
P.O. 100-100-100

City Address
1276 Gladstone Avenue, Victoria BC

As Found Conditions of Building Plans

DATE	DESCRIPTION	BY	APP'D
10/12/2018	As Found Conditions of Building Plans	K. Hillel	
10/12/2018	As Found Conditions of Building Plans	K. Hillel	
10/12/2018	As Found Conditions of Building Plans	K. Hillel	

As Found Conditions of Building Plans

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As Found Conditions of Building Plans

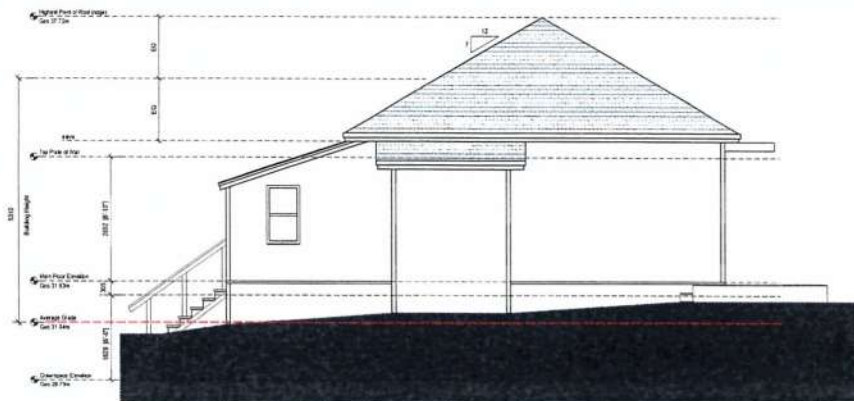
As Found Conditions of Building Plans

As Found Conditions of Building Plans

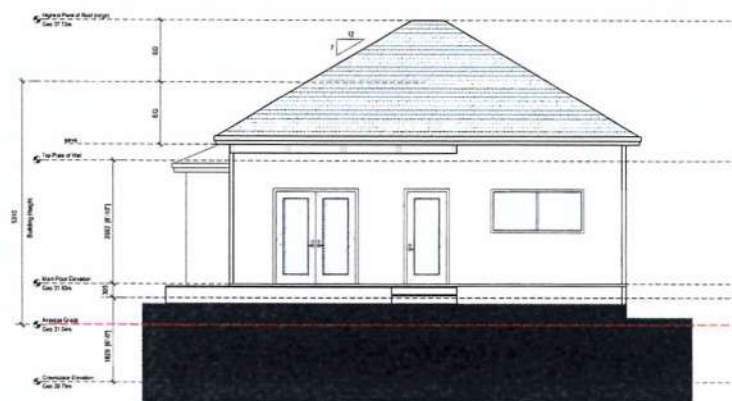
As Found Conditions of Building Plans

As Found Conditions of Building Plans

As Found Conditions of Building Plans



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

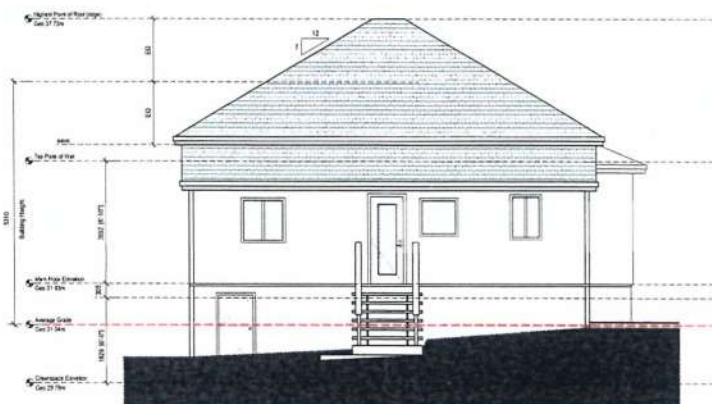


2 No. 1276 South Elevation
Metric Scale: 1:50
A3.1

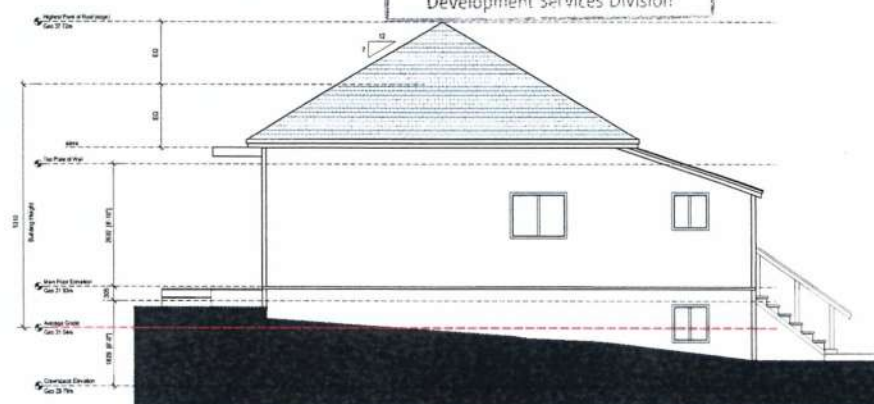
Received
City of Victoria

JAN 11 2019

Planning & Development Department
Development Services Division



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



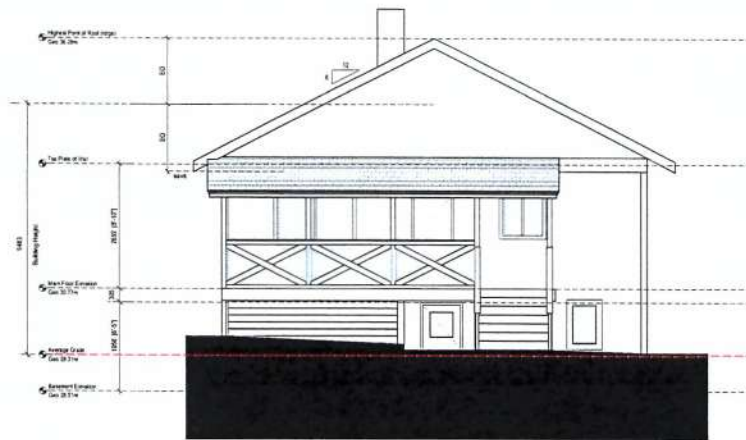
4 No. 1276 East Elevation
Metric Scale: 1:50
A3.1

As Found Conditions / Exterior Elevations

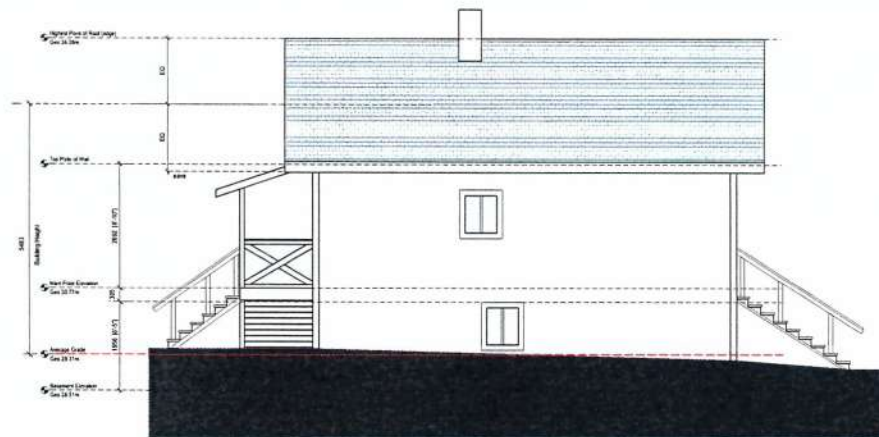
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Client	Victoria BC
Working Title	No. 1276 Existing Exterior Elevations
Drawn By	2017.12.14
Checked By	2017.12.14
Scale	1:50
Sheet No.	A3.1

Hillier Architecture

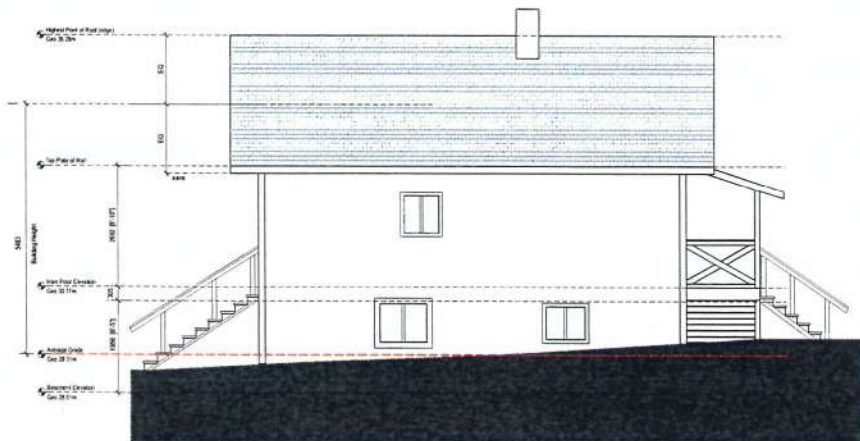
Project	1276/1278 Gladstone Avenue
Client	Victoria BC
Working Title	No. 1276 Existing Exterior Elevations
Drawn By	2017.12.14
Checked By	2017.12.14
Scale	1:50
Sheet No.	A3.1



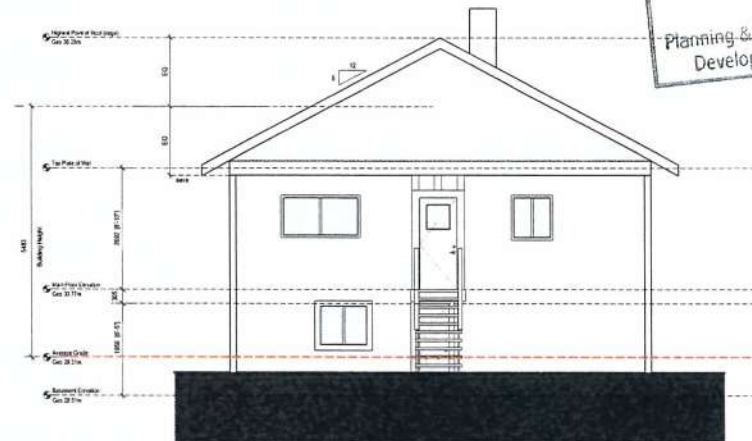
1 No. 1278 South Elevation
A3.2 Metric Scale: 1:50



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

Hillel Architectural Inc. 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

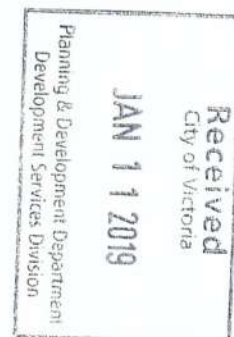
LOT 2
Plan VIP312

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?
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 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
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o=BC Land Surveyor, ou=Verify ID
at www.juricert.com/LRUP.cfm?
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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