I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

- I.1.a Report from the May 2, 2019 COTW Meeting
- I.1.a.d 553 Raynor Avenue: Rezoning Application No. 00616 (Vic West)

Moved By Councillor Loveday Seconded By Councillor Collins

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00616 for 553 Raynor Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

F. LAND USE MATTERS

F.2 553 Raynor Avenue - Rezoning Application No. 00616 (Vic West)

Committee received a report dated April 18, 2019, from the Acting Director of Sustainable Planning and Community Development regarding an application to increase the combined floor area of the existing house.

Moved By Councillor Collins Seconded By Councillor Potts

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00616 for 553 Raynor Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of May 2, 2019

To:

Committee of the Whole

Date:

April 18, 2019

From:

Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00616 for 553 Raynor Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00616 for 553 Raynor Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the Local Government Act, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the Local Government Act, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 553 Raynor Avenue. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new zone in order increase the combined floor area of the existing house. The increased floor area is for a new dormer on the west side, extending a dormer on the east side, and enclosing the garage for living space.

The following points were considered in assessing this application:

- The house is currently approved as a duplex house conversion and has had multiple renovations without permit. This application would allow an increased floor area caused by building an illegal dormer and enclosing the garage, as well, increase the height and number of stories.
- The proposed use is a single family dwelling with secondary suite. Increasing the combined floor area for changes to the existing house requires rezoning to a site-specific zone.

• The proposal is consistent with the *Official Community Plan* (OCP, 2012) and the *Victoria West Neighbourhood Plan* (2018), which envisions ground-oriented residential and encourages the retention of buildings and new buildings that fit with the character of neighbourhoods.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the property from the R1-B Zone, Single Family Dwelling District, to a new zone in order to alter the building and allow previous alterations which were completed without the benefit of permits. The following differences from the R1-B Zone, Single Family Dwelling District, are being proposed and would be accommodated in the new zone:

- increase the combined floor area from 300m² to 360.70m²
- increase the height from 7.60m to 7.88m
- increase the number of stories from 2 to 2.5.

The current zone permits secondary suites; however, the combined floor area is greater than that permitted in the R1-B Zone and the property therefore requires rezoning.

The alterations that result in a change in floor area include:

- changing the dormer on the east elevation (reduced size)
- a new dormer on the west elevation (existing and without permits)
- enclosing the garage (existing and without permits)
- removing an enclosed area at the back of the building under the stairs.

The existing house has a third kitchen on the ground floor, which would be decommissioned as part of the Building Permit application. Should the Rezoning Application be approved, a building permit would be required to make the changes listed above as well as to complete the internal renovations outlined in the applicant's letter (attached).

Affordable Housing Impacts

The applicant is not proposing to create new residential units.

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 Rezoning Application.

Accessibility Impact Statement

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

Land Use Context

The area is characterized by single family dwellings and house conversions. Immediately adjacent to the east is Craigflower Village, and Raynor Park to the south.

Existing Site Development and Development Potential

The site is presently being used as a single family dwelling; however, it is permitted as a duplex house conversion. At some point in the past, a third unit was also added. Under the current R1-B Zone, Single Family Dwelling District, the property could be redeveloped as 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. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used to identify where there are legal non-conformities.

Zoning Criteria	Proposal	Existing Zone R1-B	
Site area (m²) – minimum	557.50 460.00		
Lot width (m) – minimum	15.24	15.00	
Combined floor area (m²) – maximum	360.70 *	300.00	
1 st & 2 nd storey floor area (m²) – maximum	271.80	280.00	
Density (Floor Space Ratio)	0.65	n/a	
Height (m) – maximum	m 7.88 * 7.60		
Storeys – maximum	2.5 *	2	
Site coverage % – maximum	rage % – maximum 33.00		
Roof deck	Existing **	Not permitted	
Setbacks (m) – minimum			
Front	7.20 **	7.50	
Projections – stairs/porch	1.80 **	1.80 ** 0 - steps over 1.7m	
Rear	10.61	9.15	
Side (west)	2.90 **	3.00	

Zoning Criteria	Proposal	Existing Zone R1-B	
Side (east)	1.50 **		
Combined side yards	4.40 **	4.50	
Parking – minimum	1	1	

Relevant History

City records show that the existing building was constructed in 1912 and converted to a duplex in 1950. The building changed to a triplex sometime after 1950 and at some point the garage on the ground floor was converted to living space without the necessary approvals in place. In July of 2015, a Stop Work Order was posted on the property for the illegal construction of a dormer on the west side of the house.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Vic West Land Use Committee at a meeting on February 21, 2017. As six months had passed before application submission, a letter dated October 9, 2017 states that a second meeting is not required.

ANALYSIS

Official Community Plan

The Official Community Plan (OCP, 2012) Urban Place Designation for the subject property is Traditional Residential. This Urban Place Designation envisions ground-oriented buildings up to two storeys. This property is directly adjacent to the Craigflower Small Urban Village.

Victoria West Neighbourhood Plan

The *Victoria West Neighbourhood Plan* locates this property in the Northwest Sub-Area, which supports housing that is compatible with the surrounding neighbourhood, including single-family dwellings with secondary suites. The plan also encourages the retention of buildings to maintain the existing character in neighbourhoods. When considering a rezoning application in this area, buildings up to 10.7m (approximately three storeys) are supported. This proposal is consistent with these policies as it retains and adapts the existing dwelling.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this application.

Regulatory Considerations

The applicants are requesting an increase to the combined floor area, height and number of stories in order to legalize a dormer and enclosed garage and legalize other renovations to the existing house. The proposed increase in combined floor area does not significantly change the

massing or density of the existing house. The proposed increase in height and number of stories arises from the proposal to rebuild the east dormer and to permit the west dormer (which was built without permits), but the height would not change significantly from what is existing. By enclosing the garage, the parking stall would be located in front of the house which complies with Schedule C – Off-Street Parking of the *Zoning Regulation Bylaw*.

The site specific zone would be drafted in such a way that if a new building is constructed on the subject property in the future, it would comply with the regulations in the R1-B Zone, Single Family Dwelling District.

CONCLUSIONS

The proposal to rezone the property at 553 Raynor Avenue to a site specific zone for a single family dwelling with secondary suite is consistent with the objectives in the *Official Community Plan* and *Victoria West Neighbourhood Plan*. The rezoning would allow the alteration of the existing building and permit work that was done in the past without permits. The requested changes to increase the combined floor area, increase the height and increase the number of stories do not significantly change the existing building. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00616 for the property located at 553 Raynor Avenue.

Respectfully submitted,

Chelsea Medd

Planner

Development Services Division

Andrea Hudson, Acting Director

Sustainable Planning and Community

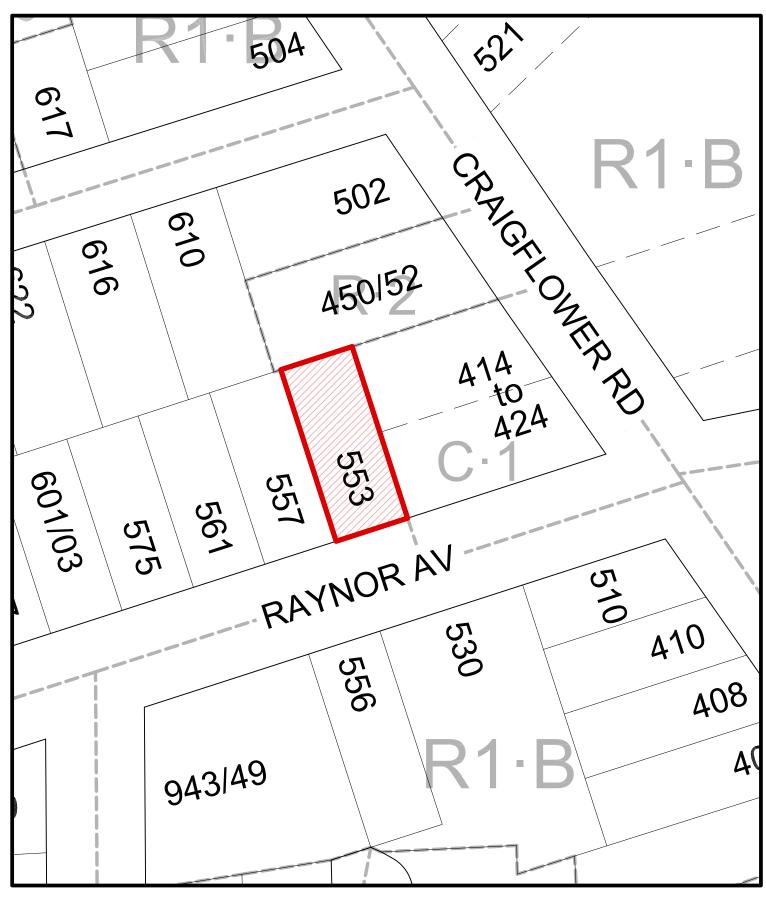
Development Department

Report accepted and recommended by the City Managers

Date:

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped March 8, 2019
- Attachment D: Letter from applicant to Mayor and Council dated February 21, 2019
- Attachment E: Community Association Land Use Committee letter dated October 9, 2017
- Attachment F: Letters from Neighbours date stamped November 20, 2018.





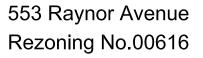
553 Raynor Avenue Rezoning No.00616



Attachment B





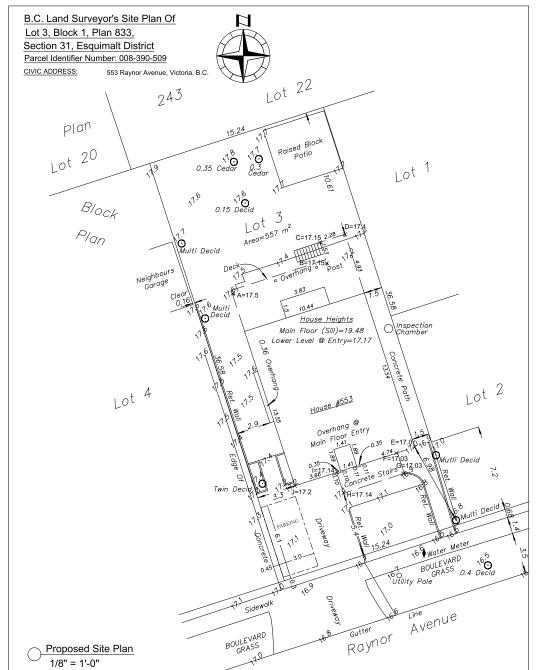




Existing Lot / House Data Table

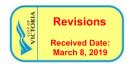
	Parent / existing parcel remainder - project information	Zone standard*	Calculate Variance* (if required)
Zoning	R1-B	R1-B	
Current use	Duplex		
Heritage	n/a		
Proposed use	Single-family dwelling with secondary suite		
Proposed zone	New		
Proposed scope of works	Construct dormer additions, enclose garage and renovations		
Site Area (m2)	557.5	min 460	
Lot width (m)	15.24	min 15	
Lot depth (m)	36.58	n/a	
1st and 2nd storey floor area (m2)	271.8	max 280	
Upper 1/2 storey floor area (m2)	88.9	n/a	
Floor Space Ratio	0.65	n/a	
Combined floor area (m2)	360.7	max 300	60.7
Average grade (m)	17.18	n/a	
Height (m)	7.88	max 7.6	0.28
Storeys	2.5	max 2	
Basement	no	Permitted	
Roof deck	existing	Not permitted	
Setbacks:			
Front Yard	7.2	min 7.5	0.3
Projections - stairs	1.8	0 for stairs over 1.7 m	
Rear - north	10.61	min 9.15	
Side - east	1.5	min 1.52	0.02
Side - west	2.9	min 3.0	0.1
Combined side yards	4.4	min 4.5	0.1
Site Coverage (%)	33	max 40	
Parking	1	min 1	
Parking location	front yard		
Driveway/parking slope (%)	existing	max 8	
Driveway/parking material	concrete	solid surace	

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Grade Point J: 17,20 Points J-A ((J+A)/2) 17,35 x 13,50 23	4,23
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Attachment C





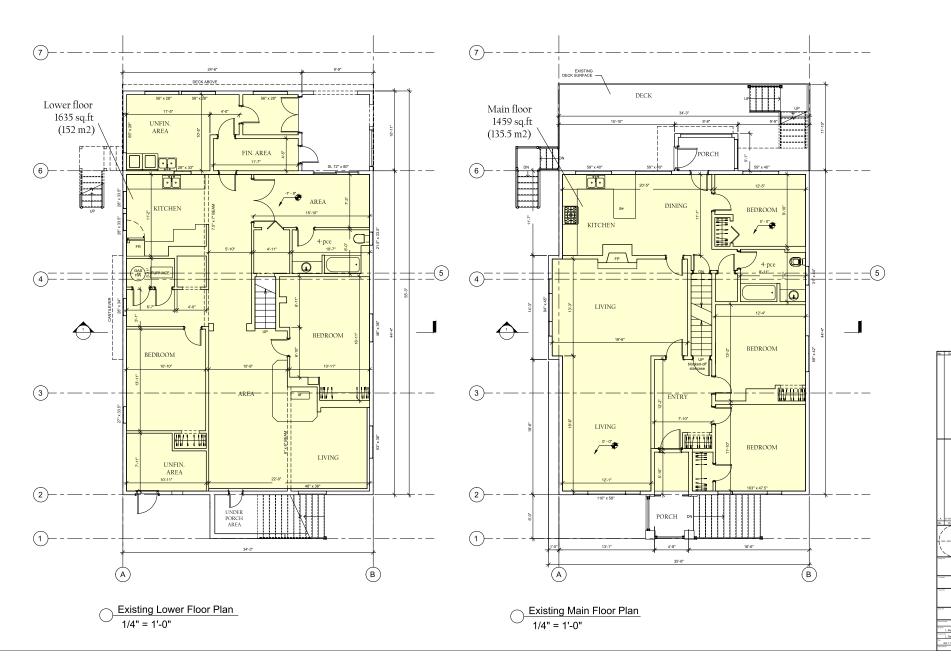




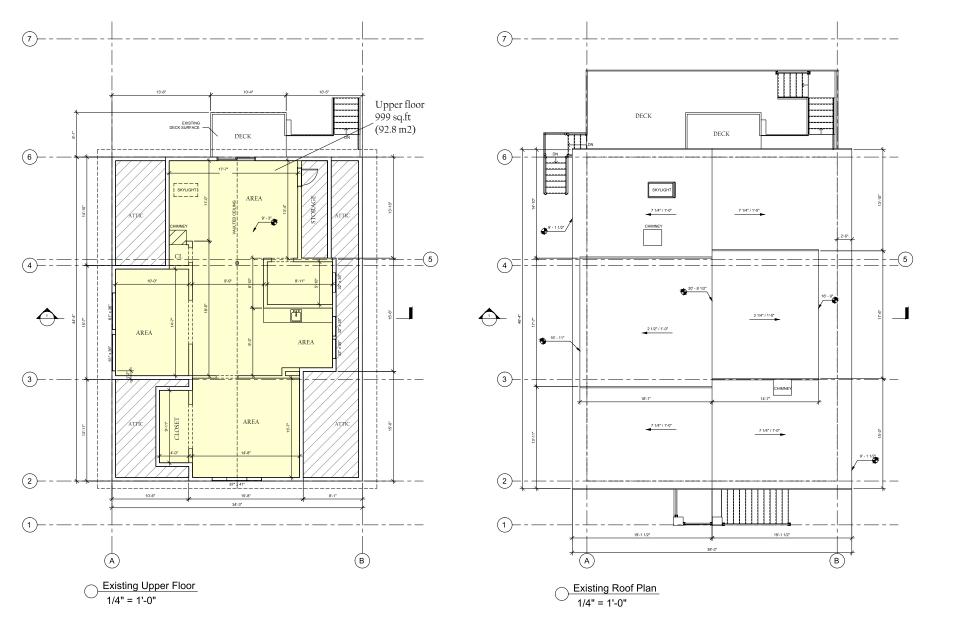
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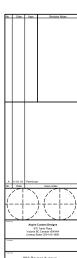
553 Raynor Avenue. Rezoning

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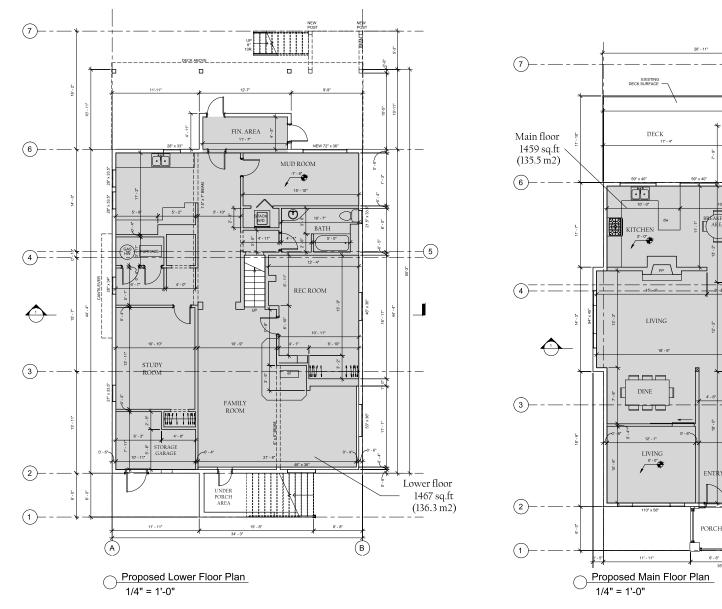
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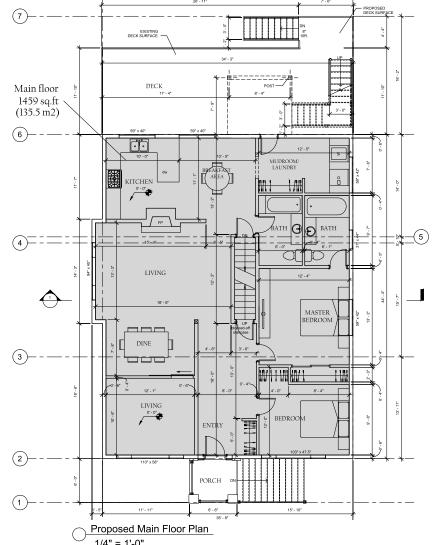


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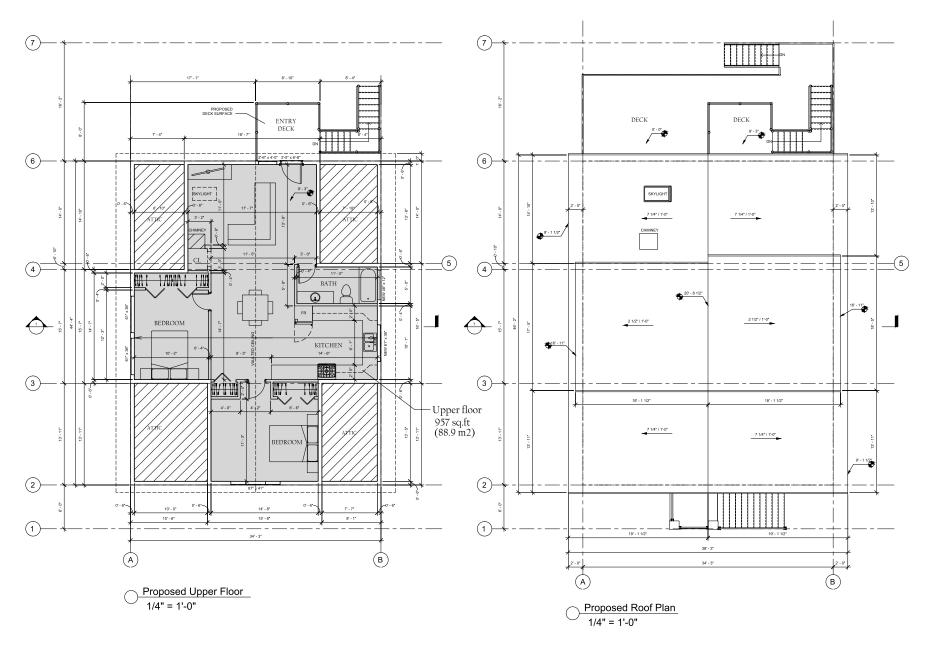
553 Raynor Avenue. Rezoning

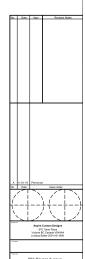
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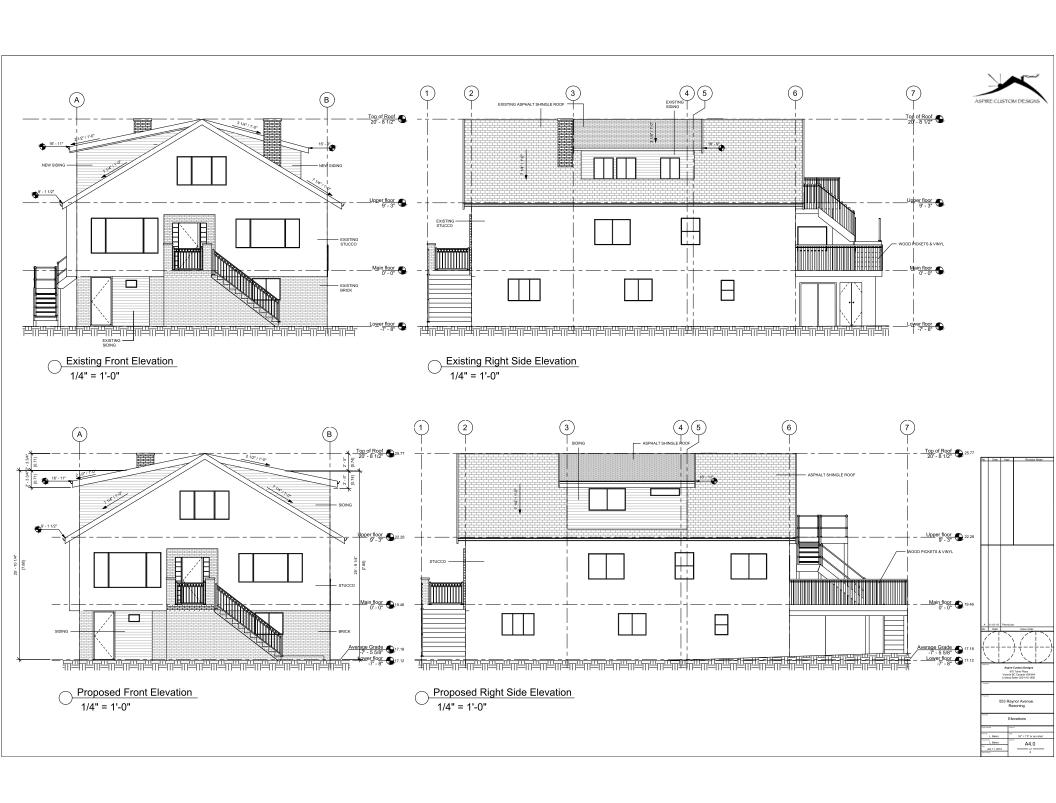


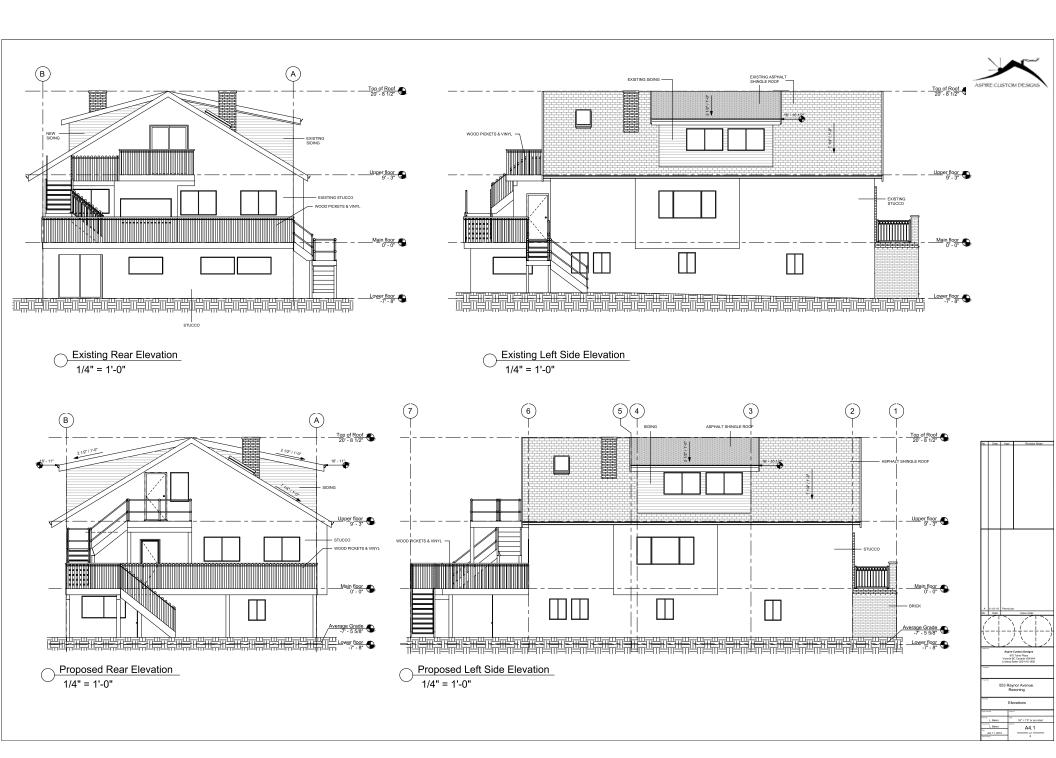




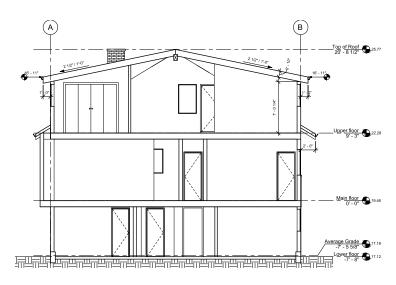


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Proposed Building Section
1/4" = 1'-0"

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Avery Kelly Robert Morris 553 Raynor Avenue Victoria, B.C V9A 3A9

Mayor Lisa Helps City of Victoria Council Members Planning and Land Use Committee 1 Centennial Square Victoria, BC V8W 1P6

February 21, 2019

Dear Members of the City of Victoria Planning and Land Use Committee,

Received City of Victoria

CIOS 80 NAM

Planning & Development Department Development Services Division

Thank you for considering our application to rezone 553 Raynor Avenue from a non-conforming duplex to a single-family home with secondary suite. This application will involve both height and density variances. We bought this non-conforming duplex with lower illegal suite three years ago to rejuvenate a neglected property. As part of the improvements, we have already completed \$20,000 in permitted electrical work, including the addition of hardwired smoke detectors.

Below is a list of proposed changes that relate to our request for height and density variances:

- We are seeking approval for the dormer constructed without permits on the west side of the house. To do this we would need a variance to allow for 8.01m roof height. Note that this does not increase the height of the primary roof ridge. This dormer would also increase the square footage by 80sq.ft.
- Our engineer recommends that we rebuild the dormer on the east side of the house. This would move the dormer's load bearing wall off the floor joist and onto the outer wall of the house. This would be a significant structural improvement, and only increase the floor area by a minor 55sq.ft.
- In total the two dormers increase the square footage of the top ½ floor by 135sq.ft., and we are seeking a variance for this increased density. Please note that we have removed a storage area and closet totalling 87sq.ft., and so the total floor area of the ½ level will only increase by 48sq.ft.
- On the lower floor, we are seeking a variance for density for the partially enclosed garage space. As this enclosure was done before we purchased the house and no original blueprints exist, the precise size of the original garage is unclear. However, if we assume a garage that was 19 feet long and the same width as the current space (six foot three inches), the total estimated area of the garage space would have been 223sq.ft. The remaining garage space is 87sq.ft., which means we are increasing the density by 136.sq.ft.
- We also propose removing the enclosed space beneath the deck, as well as the enclosed space off the kitchen on the main floor, further reducing the density of the home by another 220 square feet.

- In total then we are asking for a density increase of 271sq.ft., but we have also removed 307sq.ft of enclose space, meaning we have actually reduced the total enclosed space of the home by 36sq.ft.
- Our house, built in 1912, is two and a half floors. The current zoning, created after our house was built, allows only for two. As such, the house is legal non-conforming, and compliance would cause a hardship: removing the entire top floor of the home. Please note, the proposed upper floor is 68% of the ground floor and conforms as a half level.

Below is a list of changes unrelated to the variances and which do not require approval beyond the building permit stage:

Changes to Basement (ext. and int.)

- Bathroom door moved from lower mudroom to hallway
- Addition of a laundry room
- Removal of patio door in lower floor mudroom and the addition of a window in its place.

Changes to Main Floor (ext. and int.)

- Addition of another bathroom
- Division of the living room into two separate rooms
- Removal of the exterior door in the kitchen that allows access to the deck.
- Addition of an exterior door in the mudroom
- Removal of window on north side of main floor mudroom
- addition of window on west side of mudroom

Changes to Deck

- new stairway config. for deck
- removal of old deck stairs on west side of house
- Creation of a larger deck area on the north side of the house off the top floor.

Changes to ½ Floor

 Removal of sliding glass entrance door and replacement with traditional exterior door on north side of house

Further notes:

- The exterior appearance of the house will change minimally as the two changes we are requesting, the addition of the shed dormer, and the small expansion of the other, do not extend beyond the existing envelope of the building.
- We worked with the City Planning Department and some of the building inspectors to ensure that the main floor and ground floor are one suite.
 - Opened staircase
 - Removed stove
 - Plan to replace double sink with single basin.

- The neighbours we have canvassed so far have all expressed their support for our project.

Once completed, our renovation of this unit will provide a rental unit perfect for a couple or small family. Vic West is a perfect neighbourhood for those who work downtown and rental housing is very hard to find.

Thank you,

Robert Morris

Avery Kelly

521 Craigflower Rd. Victoria, BC V9A 6Z5

info@victoriawest.ca & www.victoriawest.ca



October 9, 2017

Building & Planning Dept.

City of Victoria

1 Centennial Square Victoria,

BC V8W 1P6

Attention: Building & Planning Dept.

Received
City of Victoria

OCT 1 2 2017

Planning & Development Department Development Services Division

Dear Building & Planning Dept.

On February 21, 2017, Robert Morris presented a Rezoning application to the Vic-West CALUC for 553 Raynor Ave. During that meeting on February 21, the application was well received by the Land-Use Committee, and no issues or concerned were raised from the committee or the public. We understand that a time of more than 6 months has passed, and a secondary meeting may be required. However, the Vic West Community Association Land-Use Committee agrees to waive a secondary Community Meeting, as no further issues or concerns are present.

Sincerely,

Sean Dance, Chair

Vic West Land Use Committee

NOV 2 0 2018

Dear Neighbor(s)

Hello, our names our Avery and Robert and we live at 553 Raynor Avenue. We have decided and Planning & Development Department Hello, our names our Avery and Robert and we live at 553 Raynor Avenue. We have renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

As part of the renovations we will be adding a dormer to the top floor of our house, rebuilding the deck, and upgrading the internal structure of the building.

We hope to submit letters from all our neighbours in support of the project as part of our application.

Warm regards,

Robert Morris

Avery Kelly

Neighbour's address:

Signature One:

022 Pine St. David von Blankenstein

NOV 2 0 2018

Dear Neighbor(s)

Hello, our names our Avery and Robert and we live at 553 Raynor Avenue. We have decided to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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Warm regards,

Robert Morris

Avery Kelly

Neighbour's address:

616 Pine St.

Signature One:

B. Bourassa

Received

NOV 2 0 2018

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Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 450 Craigflower Signature One:

Butania Pout

NOV 2 0 2018

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Planning & Development Department

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Warm regards,

Robert Morris

Avery Kelly

Neighbour's address:

610 Pine St.

Signature One:

City of Victoria

NOV 2 0 2018

Dear Neighbor(s)

Planning & Development Department Development Services Division

Hello, our names our Avery and Robert and we live at 553 Raynor Avenue. We have decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 915 Hudson G. Cooper

Signature One:

NOV 2 0 2019

Dear Neighbor(s)

Planning & Development Department
Development Services Division
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Warm regards,

Robert Morris

Avery Kelly

109 Hudson St. Neighbour's address:

Signature One:

NOV 2 0 2018

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Planning & Development Department
Development Services Division
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Development Services Division
Tenovations to resultable and the decided to do some renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 521 Langford St. Victoria, B.C V9A3C5
Signature One: Lini Ja.

NOV 2 0 2018

Dear Neighbor(s)

Planning & Development Department Development Services Division

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Warm regards,

Robert Morris

Avery Kelly

Neighbour's address: 934 Fullerton Auc

Signature One:

NOV 2 0 7318

Dear Neighbor(s)

Planning & Development Department Hello, our names our Avery and Robert and we live at 553 Raynor Avenue. We have decided প্ৰতাহিত Division renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

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Warm regards,

Robert Morris

Avery Kelly

Neighbour's address:

Signature One:

Signature Two:

938 Fuller for Ave Victoria

BC

NOV 2 D

Planning & Development Department

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We hope to submit letters from all our neighbours in support of the project as part of our application.

Warm regards,

Robert Morris

Avery Kelly

Neighbour's address:

Elise Matzanke

620 Raynor Avenue

Signature One:

NOV 2 0 2018

Dear Neighbor(s)

Hello, our names our Avery and Robert and we live at 553 Raynor Avenue. We have identified the comment services Division renovations to revitalize our house. To do so, we need to rezone from a non-conforming duplex to a single-family home with secondary suite.

As part of the renovations we will be adding a dormer to the top floor of our house, rebuilding the deck, and upgrading the internal structure of the building.

We hope to submit letters from all our neighbours in support of the project as part of our application.

Warm regards,

Robert Morris

Avery Kelly

Neighbour's add

5 Raynor

Avenue

Signature One:

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Neighbour's address: 623

HEATHER MCPHERSON.

623 Raynor Ave

Signature One:

Rezoning Application for 553 Raynor Avenue















