



Committee of the Whole Report For the Meeting of August 6, 2020

To: Committee of the Whole **Date:** July 9, 2020
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Development Permit with Variances Application No. 00137 for 202 Raynor Avenue

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00724, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00137 for 202 Raynor Avenue, in accordance with:

1. Plans date stamped June 9, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the front yard setback from 6.00m to 3.49m.
3. The 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 *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 202 Raynor Avenue. The proposal is to subdivide the rear portion of the heritage-designated property to create a new lot, retain the existing heritage-designated house, and construct a small lot house

on the newly subdivided lot. The proposed variance for the new small lot house is to decrease the front yard setback from 6.00m to 3.49m.

Concurrent with the application are:

- Rezoning Application No. 00724 that proposes to change the zoning for both lots from the R-2 Zone, Two Family Dwelling District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District
- Heritage Alteration Permit with Variance Application No. 00021 that proposes a variance for the existing house to reduce the rear yard setback.

The following points were considered in assessing this application:

- The proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill development in the *Official Community Plan* (OCP, 2012)
- The proposal is consistent with the policies and design guidelines specified in the *Small Lot House Rezoning Policy* (2002).
- The proposal is consistent with the *Victoria West Neighbourhood Plan* (2018) which supports infill development when consistent with the context and character of the neighbourhood, and *Small Lot House Design Guidelines*.
- The proposed variance for the new small lot house is to reduce the front yard setback. This variance is supportable given the setback variance could potentially reduce the shadow impact to neighbouring properties outdoor space, provides private outdoor space for the new lot, and it would generally fit with the established streetscape pattern.

BACKGROUND

Description of Proposal

The proposal is to subdivide the rear portion of the property, while retaining the existing heritage-designated house, to create a new lot for a detached home. The Development Permit with Variance application relates only to the new small lot house and includes a variance for a reduced front yard setback from 6.00m to 3.49m.

Specific details of the new small lot house include:

- two storey building with a basement
- designed to meet Passive House criteria
- contemporary pitched roofline and front facing entry
- extensive landscaping and rainwater management.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* identifies this property within Development Permit Area 15A: Intensive Residential - Small Lot. The proposed design of the new small lot house is generally consistent with the *Small Lot House Design Guidelines*.

The Design Guidelines encourage small lot houses to fit with the streetscape and neighbourhood context but does not preclude opportunities for contemporary design. It acknowledges that building patterns and rhythms should be respected, and these can be established by height, form, roof shape, massing, and details. The immediate context of the subject site is a mix of single-family dwellings and commercial buildings. There are four

heritage-designated houses on Raynor Avenue including the subject site, but none of the houses on this block of Alston Street are heritage-designated. The rooflines in the area are a mix of gable, hipped roofs, and some of the heritage homes have turrets. The proposed house is designed with an off-camber gable roof, with large eaves. Massing in the immediate context is quite varied, and the proposed house is similar in massing to the house to the south on Alston Street. The materials used in the neighbourhood are also varied, featuring stucco, horizontal siding, and shakes. The materials for the proposed house are fibre cement with hidden fasteners, with cedar soffits and wood trim.

The siting of new small lots should respect the topography and adjoining properties in terms of shading, privacy and significant views. The proposed house is sited toward the front of the property, similar to the neighbours to the south. By siting the house further toward the front of the property, it reduces potential shading of the rear yard and deck for the neighbours to the west, and for the outdoor patio of the heritage-designated house. The proposed house will sit slightly above street level due to the slope of the site and design of the building, and the existing retaining wall will be re-built on the subject property to reflect the retaining wall in front of the heritage-designated house.

The design guidelines acknowledge that entries and windows make up the most distinctive elements of a house façade and encourage having apparent and clear entries. The proposed house has stairs to a prominent door with large windows spanning two stories. The guidelines encourage echoing character elements or introducing an equivalent focal detail. The proposal introduces a new design style that emphasizes the entry and creates a welcoming focal point.

Window placement should respect the privacy of neighbouring properties. The south side yard has a setback of 4.72 metres to provide breathing room for the neighbour's property. Though windows are proposed on the south side, there is no overlap between windows on the proposed house and neighbours house. Landscaping and a fence are also proposed to provide a visual buffer.

Parking for small lots is encouraged to be on the side or rear yard to reserve the front yard for open space, with landscaping and materials that make the parking stall an integral part of the landscaping. Parking for the proposed house is located adjacent to the new parking stall provided for the existing house. The two parking stalls, one on each lot, will be separated with a short fence with privacy vines and permeable paving.

Landscaping is an important element of design and proposed landscaping should fit with the existing character found in the neighbourhood. The existing neighbourhood has quite extensive and mature gardens. The proposal includes building a retaining wall with reclaimed stone from the existing retaining wall. As well, several trees will be planted along the frontage with garden beds. The sides and rear yard will also be landscaped with rain gardens and water features.

Victoria West Neighbourhood Plan

The *Victoria West Neighbourhood Plan* supports infill development consistent with the Small Lot Design Guidelines, and guidelines for Vic West. It supports a variety of modest setbacks, with sufficient space for landscaping, and respect for patterns on the street.

The Neighbourhood Plan also recognizes that potential infill should maintain existing character and retain existing heritage-designated buildings. The proposal retains the existing heritage-designated house, and slightly modifies some of the landscaping and the parking location.

Regulatory Considerations

The proposed variance from the *Zoning Regulation Bylaw* is to reduce the front yard setback from 6.0m to 3.49m.

The *Victoria West Neighbourhood Plan* recognizes there are a variety of modest front setbacks found in Victoria West. It encourages sufficient space for landscape but also respect for existing patterns along the street, which can vary between 3.5 and 6.0 metres. The *Small Lot Policy* also encourages front setbacks that generally fit with the established streetscape. The proposed setback is 3.49 metres, which is slightly smaller than the two neighbouring houses to the south. The existing heritage-designated house faces Raynor Avenue and has a generous side yard of 7.66 metres on Alston Street.

The variance to reduce the front yard setback is generally in line with other nearby houses and allows more sunlight onto outdoor spaces; therefore, staff would consider this variance supportable.

CONCLUSIONS

The proposal to construct a new small lot house is consistent with Development Permit Area 15A: Intensive Residential – Small Lot. The small lot house is a form of infill development that is sensitive to the character of the neighbourhood including the existing heritage house. Staff recommend that Council consider supporting this application.

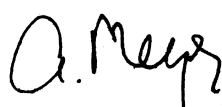
ALTERNATE MOTION

That Council decline Development Permit Application No. 00137 for the property located at 202 Raynor Avenue.

Respectfully submitted,



Chelsea Medd
Planner
Development Services Division



Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: August 5, 2020

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped June 9, 2020
- Attachment D: Letter from applicant to Mayor and Council dated June 9, 2020
- Attachment E: Design Summary from Waymark Architecture dated June 9, 2020

- Attachment F: Small Lot House Rezoning Petition Map, Summary and Petitions
- Attachment G: Tree Protection Plan dated February 28, 2020
- Attachment H: Arborist Inventory dated February 13, 2020
- Attachment I: Heritage Advisory Panel Minutes from May 12, 2020
- Attachment J: Statement of Significance
- Attachment K: Conservation Plan for 202 Raynor Avenue by Waymark Architecture Inc.
- Attachment L: Correspondence (Letters received from residents).