



Committee of the Whole Report

For the Meeting of December 10, 2020

To: Committee of the Whole **Date:** November 26, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Development Variance Permit Application No. 00253 for 1171 Rockland Avenue

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00253 for 1171 Rockland Avenue, in accordance with:

1. Plans, date stamped August 11, 2020
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. reduce the minimum unit size from 33m² to 19.5m² for one unit.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1171 Rockland Avenue. The proposal is to legalize the existing eight self-contained units in an existing Heritage Designated house. The current approved use is as a house conversion with 12 light housekeeping units.

The following points were considered in assessing this application:

- the proposal is consistent with the density and use ranges established for this area, which is designated Traditional Residential in the *Official Community Plan* (OCP, 2012)

- the request to reduce the minimum unit size for one unit from 33m² to 19.5m² is considered supportable given the existing conditions and general mix of unit sizes throughout the building
- The proposal was originally submitted as a Rezoning Application, but with the adoption of the new Schedule G – House Conversions Regulations the regulatory process was lessened and only one variance is required to facilitate legalization of this existing situation.

BACKGROUND

Description of Proposal

The proposal is to legalize an existing eight-unit house conversion. The proposal meets Schedule G – House Conversion Regulations of the *Zoning Regulation Bylaw*, with the exception of the request to reduce the minimum unit size from 33m² to 19.5m² for one unit.

Affordable Housing

The applicant proposes to formalize eight residential units which would enhance the quality of the supply of housing in the area.

Sustainability

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation

In addition to meeting the *Zoning Regulation Bylaw* requirements related to bike parking, the application proposes a six-stall short term bicycle parking rack along the front of the house.

Public Realm

No public realm improvements beyond the City's standard requirements are proposed in association with this application.

Relevant History

The building is currently approved for 12 Light Housekeeping units; however, the actual use has been eight self-contained units for a number of years. The application was initially submitted as a rezoning; however, the recent bylaw changes to Schedule G – House Conversion Regulations eliminated the need for rezoning. A concurrent Delegated Heritage Alteration Permit, which was reviewed and supported by the Heritage Advisory Panel, will be issued by staff if the current Development Variance Permit is approved.

Data Table

The following data table compares the proposal with the R1-B, Single Family Dwelling District Zone and Schedule G – House Conversion Regulations. While the zoning for the site is R-K, Medium Density Attached Dwelling District Zone, the size of the lot limits the uses to those permitted in the R1-B Zone, so those are the relevant regulations referenced in the table below.

An asterisk is used to identify where the proposal does not meet the requirements of the existing zone; two asterisks identify where this is an existing condition.

Zoning Criteria	Proposal	Existing Zone	Schedule G – House Conversion Regulations
Site area (m ²) – minimum	532.39	460	
Number of units – maximum	8	As per conversion regulations	10
Total floor area (m ²) – maximum	551.36**	300	
Unit size (m ²) – minimum	19.87*	N/A	33
Height (m) – maximum	13.59**	7.6	
Storeys – maximum	4**	2 plus basement	
Site coverage % – maximum	38.70	40	
Setbacks (m) – minimum			
Front (east – Linden Avenue)	7.91	7.50	
Rear (west)	1.96**		
Side on Flanking Street (north – Rockland Avenue)	296**		
Side (south)	1.42**	2.73	
Combined side yards	4.60	4.50	
Parking – minimum	1	As per Conversion regulations	0
Long Term bicycle parking stalls – minimum	8	As per Conversion regulations	8
Short Term bicycle parking stalls – minimum	6 stall rack	0	0

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on May 30, 2019. A summary of the meeting is

attached to this report. For clarity, when the proposal went forward to the CALUC meeting, the application was a rezoning, however recent bylaw changes have resulted in the application being amended to a Development Variance Permit.

This application proposes a variance; 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

Official Community Plan

The proposal is consistent with the *Official Community Plan*, 2012 (OCP), and the conversion addresses several OCP objectives and policies relating to increasing the supply of rental housing; housing affordability; and supporting a range of housing types, forms and tenures within the neighbourhood.

Fairfield Neighbourhood Plan

The proposal is consistent with the *Fairfield Neighbourhood Plan*, 2019 which supports the conversion of existing houses in Traditional Residential areas.

Other Considerations

Minimum Unit Size Variance

The eight units generally range in size from 36m² to 63m², with the exception of one unit, which is 19.87m². The minimum unit size for self-contained dwelling units with house conversions is 33m². The under-sized unit functions as a bachelor with a small storage loft area. Given the existing conditions of the site, and the general mix of unit sizes throughout the building, this smaller floor area for one unit only is considered to be supportable.

CONCLUSIONS

The application is consistent with the Traditional Residential Urban Place Designation, and housing policy in the OCP, which supports a diversity of ground-oriented housing types in each neighbourhood. The variance to reduce the size of one unit would allow for a liveable studio unit and would facilitate the legalization of eight existing units.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00253 for the property located at 1171 Rockland Avenue.

Respectfully submitted,

Chloe Bryden Tunis
Planner
Development Services

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 11, 2019
- Attachment D: Letter from applicant to Mayor and Council dated May 25, 2020
- Attachment E: Community Association Land Use Committee Comments dated May 30, 2019.
- Attachment F: Correspondence.