



by a proposed lot line adjustment that would be required to facilitate the construction of a mixed-use development consisting of community-oriented uses and approximately 88 affordable and below-market dwelling units on the site (Lot A).

The following points were considered in assessing this application:

- Schedule C: Off-street Parking in the *Zoning Regulation Bylaw* requires a continuous soft landscape area with a minimum width of one metre (1m) between a parking area and an adjacent lot use primarily for residential uses to achieve a buffer strip for softening the visual impact of surface parking spaces.
- There is an existing surface parking lot on the west side of the Burnside School with no soft landscaping. There are no proposed changes to the parking lot, except for re-painting parking lines.
- The variance is supportable given that there would be an approximately 5.46m wide continuous soft landscape area consisting of trees and shrubs on the development site (proposed Lot A) adjacent to the existing surface parking lot, which would provide adequate screening and soften the visual impact of the surface parking spaces.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to permit a reduction to the width of a required continuous soft landscaping area adjacent to an existing surface parking lot on the Burnside School lot (proposed Lot B), from 1m to 0.38m. This variance is being triggered by a proposed lot line adjustment that would be required to facilitate the construction of a proposed mixed-use development consisting of community-oriented uses and approximately 88 affordable and below-market dwelling units on the site (Lot A). There are active rezoning and development permit applications for the proposed development currently proceeding through the Council process.

### **Accessibility**

The *British Columbia Building Code* regulates accessibility as it pertains to buildings. The accessibility of the Burnside School site will remain relatively unchanged from the current status.

### **Existing Site Development and Development Potential**

The site is presently comprised of three separate parcels known as the Burnside School site, which includes the existing school, sports field and surface parking lot. Under the current R1-B Zone, each property could be developed as a public building, or a single-family dwelling with a secondary suite or garden suite.

### **Data Table**

The following data table compares the proposal with the R1-B Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing zone. Two asterisks are used to identify where the proposal is legally non-conforming.

Zoning Criteria	Proposal – Lot B (school lot)	Existing Zone (R1-B Zone)
Site area (m <sup>2</sup> ) – minimum	3501	460
Lot width (m) – maximum	49.83	15
Total floor area (m <sup>2</sup> ) – maximum	3342	n/a
Height (m) – maximum	existing	11
Storeys – maximum	2.5 – 3** (existing)	2.5
Site coverage (%) – maximum	28	40
<b>Setbacks (m) – minimum</b>		
Front (Jutland Road)	0.92**	7.50
Rear (west)	15.17	12.46
Flanking Street (Cecelia Road)	15.18	3.50
Side (north)	1.99**	4.98
Parking – minimum	35	0** (non-conforming)
Parking location	Rear	Side or Rear
Width of landscape screen along internal property line (m) – minimum	<b>0.38*</b>	1
Landscape screen along internal property line (opaque visual barrier)	Trees and Shrubs	Trees, Shrubs or Wooden Fence
Landscaping for parking area with 30 or more parking spaces (%) – minimum	10	10
Driveway/Parking material	Asphalt	Solid Surface

**Relevant History**

On February 4, 2021, Council approved a motion to advance Rezoning Application No. 00655 for 3130 Jutland Road and 496-498 Cecelia Road and concurrent Development Permit Application No. 000532 to a public hearing in order to consider a proposal for a five-storey, mixed-use building consisting of ground floor community-oriented uses and rental dwelling units on the upper floors, and a four-storey, multi-unit residential rental building. The development will provide approximately 88 affordable and below-market rental dwelling units, secured for 60 years. An amendment to the *Official Community Plan (OCP)* from Public Facilities, Institutions, Parks and Open Space to Large Urban Village is required to facilitate this development.

Should Council approve the rezoning and development permit applications, a lot line adjustment (i.e., subdivision) will be required to facilitate the construction of the proposed mixed-use development. A survey plan was prepared in advance to confirm if any variances would be triggered by a lot line adjustment. A variance to reduce the width of a continuous landscaping area was identified on the survey. To avoid returning to Council in the future to deal with this technical variance, the development variance permit application is coming forward now for Council's consideration and will move forward concurrently with the current rezoning and development permit applications. This application is not delaying the other two applications from moving forward to a Public Hearing as all parties (City, Pacifica Housing, School District 61 and BC Housing) involved in the proposed development are currently working on the legal agreements associated with the rezoning application.

### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on September 28, 2021, the application was referred for a 30-day comment period to the Burnside Gorge CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This application proposes variances, 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 to shift the east property line (dashed line in Figure 1 below) of 496 Cecelia Road (L-shaped lot) to create a rectangular-shaped lot and provide sufficient site area for the proposed mixed-use development is consistent with the *Official Community Plan, 2012 (OCP)*, which contains a broad objective to encourage the use of available tools to encourage more affordable housing across the housing spectrum.



**Figure 1. Aerial photo of the subject site showing proposed lot line adjustment from blue to red dashed line**

### **Burnside Gorge Neighbourhood Plan**

The *Burnside Gorge Neighbourhood Plan* envisions the Burnside School site as a site for re-use and redevelopment with opportunities for community-service space and affordable housing. Adjusting the lot line to achieve this vision is consistent with the Plan. There will continue to be parking on proposed Lot B to serve Burnside School and the community-service space (refer to Figure 2 below).



Figure 2. Parking layout on proposed Lot B

### Regulatory Considerations

Schedule C: Off-street Parking in the *Zoning Regulation Bylaw* requires a continuous soft landscape area with a minimum width of one metre (1m) between a parking area and an adjacent lot used primarily for residential uses to create a buffer strip for softening the visual impact of the surface parking spaces. The proposed width of the continuous landscape area on Lot B ranges between 0.35m to 0.51m.

The existing surface parking lot for the Burnside School currently has no soft landscaping. However, the landscape plan for the proposed mixed-use development will introduce an approximately 6m wide continuous soft landscaping area consisting of trees and shrubs adjacent to the existing parking lot, which would provide adequate screening and soften the visual impact of the parking spaces.

### CONCLUSIONS

The proposal to permit a reduction to the width of a required continuous soft landscape area adjacent to an existing surface parking lot on the Burnside School lot to enable a lot line

adjustment and facilitate the construction of a proposed mixed-use development consisting of community-oriented uses and affordable and below-market rental housing further advances several objectives in the OCP and *Burnside Gorge Neighbourhood Plan*. It also achieves goals in the City's *2019-2022 Strategic Plan* and *Victoria Housing Strategy 2016-2025* to consider using existing City land to increase the affordable housing supply. A significant landscape buffer will be provided on the adjoining lot which will soften the visual appearance of a parking lot. Therefore, staff recommend that Council support the proposed variance.

## **ALTERNATE MOTION**

That Council decline Development Variance Application No. 00274 for the property located at 3130 Jutland Road and 496-498 Cecelia Road.

Respectfully submitted,

Leanne Taylor  
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Development Services Division

Karen Hoese, Director  
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**Report accepted and recommended by the City Manager.**

## **List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Survey Plan date stamped September 9, 2021
- Attachment D: Landscape Plan date stamped December 17, 2020
- Attachment E: Letter from applicant to Mayor and Council dated September 27, 2021.