



Committee of the Whole Report For the Meeting of June 29, 2023

To: Committee of the Whole **Date:** June 15, 2023
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Development Permit No. 000628 for 903 Sherk Street

RECOMMENDATION(S)

1. That Council authorize the issuance of Development Permit No. 000628 for 903 Sherk Street, in accordance with plans submitted to the Sustainable Planning and Community Development department and date stamped May 17, 2023.
2. That the Development Permit, if issued, lapses two years from the date of this resolution.

LEGISLATIVE AUTHORITY

This report discusses Development Permit No. 000628 (the DP) for 903 Sherk Street. The development permit application addresses the design guidelines as per the *Official Community Plan, 2012* (OCP) – Development Permit Area (DPA) #15 A – Intensive Residential – Small Lot.

Enabling Legislation

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 for the property located at 903 Sherk Street.

The following points were considered in assessing this application:

- The application aligns with the *Official Community Plan (OCP)* and the *Victoria West Neighbourhood Plan, 2018* as the proposed development maintains the existing traditional character of the area.
- Consistent with the *Design Guidelines for Small Lot Houses, 2002* for form and character, relating to additions and alterations to existing single-detached dwellings,

BACKGROUND

Description of Proposal

The City of Victoria has received a Development Permit application for an addition and alteration to an existing single-family dwelling located at 903 Sherk Street in the Victoria West Neighbourhood area. Additions and alterations to homes on small lots require Council approval.

The applicant is proposing to construct a 20.8 m², two storey addition to allow a new bedroom and walk in closet at the rear of the property. The rear deck would also be demolished and would be replaced with an at grade patio with a pergola above (see Figure 1 below).

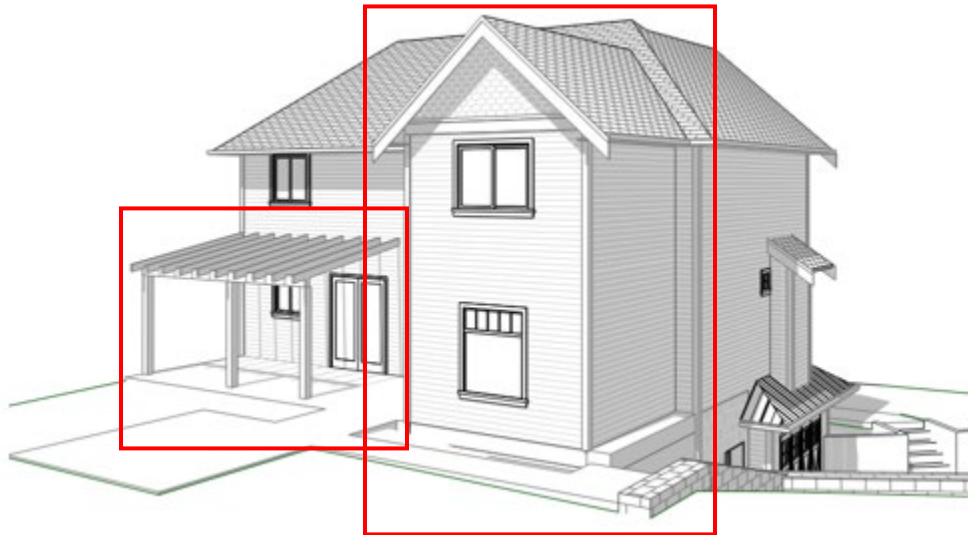


Figure 1 – Proposed Addition and Alteration to the Existing Single-Family Dwelling

This application is fully compliant with the R1-S2 Zone, Restricted Small Lot (Two Storey) District and does not require variances.

Land Use Context

The area is primarily characterized by low density residential development including single family dwellings, duplexes, and other small lot developments. The Victoria West Elementary School Park is located to the front of the subject site (see Figure 2 below).



Figure 2: Location of subject property and surrounding land uses.

Existing Site Development and Development Potential

The subject property currently contains one single-family dwelling on a small lot.

Under the R1-S2 Zone, Restricted Small Lot (Two Storey) District, the subject site is limited to one single family dwelling.

Data Table

The following data table compares the proposal with the R1-S2 Zone, Restricted Small Lot (Two Storey) District. As noted above, the application is consistent with the zoning.

Zoning Criteria	Proposal	R1-S2 Zone Standard
Site area (m ²) – minimum	445.00	260.00
Site area per unit (m ²) – minimum	n/a	n/a
Number of units – maximum	n/a	n/a
Density (Floor Space Ratio) – maximum	0.35	0.60 to 1.00
Total floor area (m ²) – maximum	156.31 m ²	190.00 m ²
Lot width (m) – minimum	24.48 m	10.00 m

Zoning Criteria	Proposal	R1-S2 Zone Standard
Height (m) – maximum	7.46 m	7.50 m
Storeys – maximum	2	2
Site coverage (%) – maximum	17.90 %	40.00 %
Open site space (%) – minimum	n/a	n/a
Number of dwellings units in an attached dwelling	n/a	n/a
Separation space between buildings (within the site) (m) – minimum	n/a	n/a
Setbacks (m) – minimum		
Front	6.08 m	6.00 m
Rear	6.89 m	6.00 m
Side (east)	1.91 – existing 2.46 – new add	1.50 (non-habitable) 2.40 (habitable)
Side (west)	1.51 – new deck	1.50 (non-habitable) 2.40 (habitable)
Combined side yards	n/a	n/a
Parking – minimum	1	1
Visitor parking included in the overall units – minimum	n/a	n/a
Bicycle parking stalls – minimum	n/a	n/a

Sustainable Mobility

No sustainable mobility improvements beyond minimum City standards are proposed in association with this application.

Public Realm

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

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, since this is a Development Permit without any variances, there is no requirement to refer the application for consultation.

ANALYSIS

Official Community Plan, 2012

The subject property falls within the Traditional Residential urban place designation as per the OCP. The proposed development aligns with the land use policies and objectives for neighbourhoods in Traditional Residential areas as it retains the area's existing traditional character.

Victoria West Neighbourhood Plan, 2018

The proposed development is consistent with the *Victoria West Neighbourhood Plan* as development within Traditional Residential areas encourages the retention and re-use of existing buildings.

The landscape plan provided shows detailed information on how the general design guidelines have been met for landscaping (see Attachment B – Plans date stamped May 17, 2023).

Design Guidelines for Small Lot Houses, 2002

The addition and alteration of this existing small lot house aligns with the Design Guidelines for Small Lot Houses for its massing and proportion, finishes and materials, and landscaping.

Accessibility

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*.

In their Letter to Mayor and Council, the applicant stressed that the proposed addition and alteration to their existing single-family dwelling is to facilitate aging in place by having a bedroom located on the main floor of the home, as well as having a safer deck area and accessible closet.

Sustainability

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

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the *Urban Forest Master Plan* include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods. This application was received after July 1, 2021, so Tree Protection Bylaw No. 21-035 applies. In total nine trees have been inventoried. Of these nine trees, two are located on the subject lot which are bylaw protected. Seven bylaw protected trees are located off-site along the eastern property line.

The two bylaw protected trees (western redcedars) on the subject lot can be retained following the mitigation measures outlined in the memorandum letter (see Attachment C - Tree Assessment dated May 15, 2023) provided by the project arborist. The seven off-site bylaw protected trees (Elms) located along the eastern property line can be retained following the mitigation measures outlined in the memo provided by the project arborist.

Tree Impact Summary Table:

Tree Status	Total # of Trees	To be REMOVED	To be PLANTED	NET CHANGE
On-site trees, bylaw protected	2	0	0	0
On-site trees, not bylaw protected	0	0	0	0
Municipal trees	0	0	0	0
Neighbouring trees, bylaw protected	7	0	0	0
Neighbouring trees, not bylaw protected	0	0	0	0
Total	9	0	0	0

CONCLUSIONS

The applicant is requesting issuance of a Development Permit to facilitate the construction of a new addition and alteration to an existing single-family dwelling located at 903 Sherk Street.

The proposal complies with the OCP, the Victoria West Neighbourhood Plan, and applicable form and character design guidelines for intensive residential – small lots. This application is fully compliant with the R1-S2 – Restricted Small Lot (Two Storey) District zone and does not require variances. Staff recommend issuance of Development Permit No. 000628 for 903 Sherk Street.

ALTERNATE MOTION

That Council decline Development Permit No. 000628 for 903 Sherk Street.

Respectfully submitted,

Kasha Janota-Bzowska
Planner
Development Services Division

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: Plans date stamped May 17, 2023
- Attachment C: Tree Assessment dated May 15, 2023
- Attachment D: Letter to Mayor and Council dated May 17, 2023
- Attachment E: Small Lot House Rezoning Petition (Neighbourhood Consultation)