

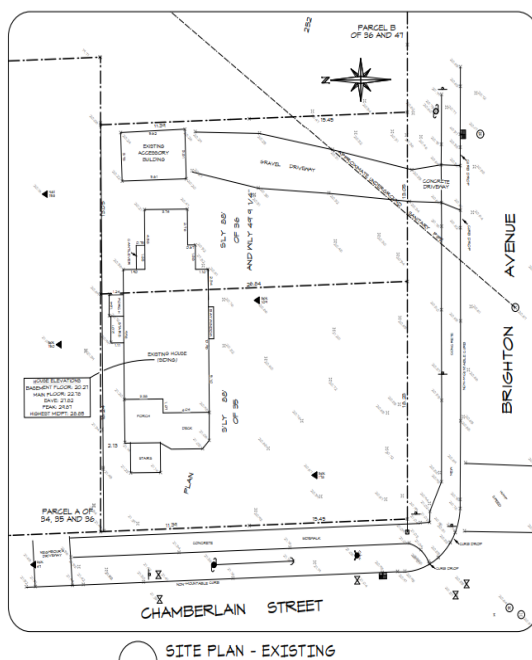
Rezoning and DP/DPV Application 1005 Chamberlain

February 15, 2024

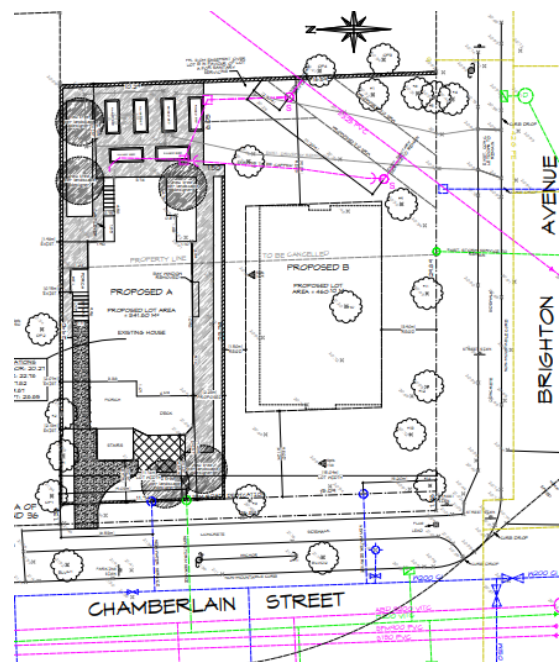
Mayor Marianne Alto and Councillors
1 Centennial Square
Victoria, B.C. V8W 1P6

Overview

This Gonzales property sits at the corner of Chamberlain and Brighton and is currently zoned R1-G. It is two legal lots - a small lot at 345m² and a full size lot at 485m². Unfortunately the lot line runs through the middle of the existing duplex. To utilize the land as it was originally intended (two lots), would require removing the existing home or simply flipping the lot line.



EXISTING SITE PLAN



PROPOSED SITE PLAN

The owner has no desire to demolish the existing home, displace tenants and remove perfectly adequate housing. The long term tenants wish to remain and are currently paying below market rent that matches the city's affordability matrix for median income.

The proposal then, is to flip the lot line and retain the existing home on the small lot and retain the R1-G full size lot at the corner where a future owner could build in accordance with city bylaws, potentially under the new missing middle initiative.

Proposal Details

R1-G Lot

Since the property is already zoned R1-G, this particular parcel is not being rezoned as part of this application and therefore does not require a house design. It is however, important to reference because it gives context to the overall proposal.

Existing Lot/Home

The existing non-conforming duplex consist of the following units:

	Size	Bedrooms
Upper (existing)	86.96m ²	2
Main (existing)	92.16m ²	2

There will be some modifications to the south side of the building in order to comply with BC building code spatial separations and fire code regulations. You may also notice the jog in the lot line. This also addresses fire code regulations and allows us to maintain the required size of the R1G lot. The solution was derived in collaboration with the subdivision approving officer and the building inspector as well as our consultant professionals.

Trees and Landscape

No trees are being removed with this application. Five (5) new trees will be introduced onto the duplex Lot A and strategically placed for appropriate shading and privacy. In the future, Lot B's building envelope would impact 1 onsite tree requiring its removal.

Green space and 6 raised food garden boxes are included in the rear of Lot A. Planting beds will include adaptive, shade and drought tolerant species. Limestone screening pathways along with the increased greenspace, will contribute to permeability on the site.

The landscape will be further enhanced by expanding the outdoor amenities. A patio is proposed as an extension of the raised front porch to provide tenants recreation area. A 1.2m fence along the front as well as 1.8m fences between all the properties are included for privacy.

Transportation Strategy

Because of its very walkable location, both Planning staff and the current tenants asked we choose green space over parking. We have come forth as suggested with no parking for the existing duplex.

In support of transportation requirements, we are offering two car share memberships per unit, which will be secured under a section 219 Covenant. There is also a secured bike storage room within the building for 4 bicycles. Transportation fully supports the parking variance being requested.

Under an updated policy, new since this application was originally submitted, there is a requirement for one accessible parking space. It is important to note that this building is not accessible. The main floor unit is up a flight of stairs, and the 2nd floor unit is up another flight of stairs. There is no elevator or accessible way to get into these units.

Variances

Our proposal includes a site specific zoning request so we can achieve the objective of maintaining the existing home and creating a full R1G lot at the corner. However, staff have reviewed the proposal against the RT Two Family Dwelling District zone and have asked for rationale on variances they identified in their review against this existing policy.

The majority of the variances related to setbacks, height and number of storeys are **existing conditions**. The only new variances we're introducing are:

- Reduce south lot line set back from 3.0m to 2.23m
 - Placement of the lot line was discussed at length with city staff. There were two main goals. One, to ensure fire code regulations are met and two, to maintain the required lot size for an R1G lot at the corner. Our proposal shows the result of these conversations. It is felt this is a reasonable and accepted distance for a side yard and it achieves the objectives laid out above.
- Parking reduction
 - The rationale is presented under the Transportation Strategy section above.

Government Policies and Guidelines

Official Community Plan / Victoria Housing Strategy

In its broad objectives related to housing, the Official Community Plan (OCP) encourages us to provide a wide range of housing choice in support of diverse, inclusive and multigenerational communities. The Victoria Housing Strategy was created in support of these initiatives and seeks to increase housing supply and choice for low/moderate income households, and to focus on renters. Through these policies we are asked to create housing opportunities that respond to future demands through innovative design and efficient land use.

The 2021 OCP Implementation and Annual Review indicates that the desired trend for new housing units is lower than expected. The review also highlighted transportation targets for 2041, whereby at least 70% of journey to work trips and 60% of all trips, would take place by walking, cycling or public transit. Other targets include a minimum of 99% of Victoria residents living within 400 meters of a transit stop and 90% living within 400 meters of a grocery store.

Our proposal supports these policies and strategies in the following ways:

- Increased housing supply through subdivision and the potential for up to six units under the new missing middle policy.

- Diverse housing by offering rental accommodation and potential home ownership on the proposed subdivided corner lot.
- Housing within 400 meters of a transit stop, grocery store and other amenities.
- A walkable location close to an urban village decreasing car dependence.
- A transportation management strategy that supports climate and environmental initiatives.

Small Lot House Design Guidelines – Existing Duplex

We have been asked to evaluate our proposal against the small lot house design guidelines which focuses on **new** construction. Since there is no new construction being proposed, comments will focus on the existing home and how this proposal supports the intent of these guidelines.

- **Streetscape:** Our proposal supports the guideline's idea of sensitive infill because it does not change the existing streetscape or design in any significant way apart from enhanced landscaping.
- **Setbacks:** Setback considerations are looking to create yard spaces for outdoor activity and landscaping as well as maintain privacy. All set backs are existing, except for the new 2.23m south set back created through the proposed subdivision. This is a reasonable and accepted distance for a side yard since it mostly serves as a pathway from front to back. As well, we have discussed the lot line configuration at length a city staff and this distance meets fire code regulations.
- **Privacy:** A few windows have been removed on the south side for privacy and to adhere to BCBC for allowable openings. Light into the units is not significantly affected because of the large remaining windows and the south exposure. Privacy is further enhanced with 1.8m fencing proposed on north, south and east property lines. A 1.2m fence is proposed on the frontage.
- **Landscape:** The front yard will be enhanced with an at grade patio and two new trees. Three more trees will be planted towards the rear. Note that **no** trees will be removed with this proposal. There are 6 raised garden beds in the rear. Additionally there is a large planting bed on the SW corner for flowers or more food production as desired.

Project Benefits

- Using the land as it is intended - 2 lots. Remembering this parcel of land is already subdivided, with the unfortunate circumstance of the lot line running through the existing house.
- Retention of existing housing stock.
- Increasing housing supply close to an urban village.
- Supporting transportation management strategies to reduce greenhouse gas emissions.
- Potential for a missing middle strategy development application on the proposed corner lot.
- Offering diverse housing types.

Community Engagement

A community meeting was held on June 27, 2022. Six people were in attendance. There was a suggestion during the meeting to move the south lot line and create a larger side yard for the existing duplex. This would effectively reduce the corner lot size so it no longer qualifies as an R1-G zone. The pros and cons of moving the lot line were explored and in the end we believe it is a better overall use of the land to retain the R1-G lot at the corner because:

- Under the new missing middle policy there will be greater opportunities to increase supply with an R1G lot.
- Being on a corner gives greater flexibility for a workable design.
- The building envelope is already constrained by a large sewer main running through the SE corner of the property at Brighton. If this application is approved, the City will register a Statutory Right of Way preventing any building on a relatively significant portion of the land, effectively making the lot smaller.

Looking at this from the perspective of the duplex lot:

- In terms of privacy, any home built on the R1-G lot is subject to bylaw regulations such as setbacks, height and allowable openings and therefore protects neighbour privacy.
- A larger side yard does not necessarily provide greater livability or outdoor space. Mostly side yards are pathways from front to back, not areas for recreation.
- Sufficient outdoor areas, privacy and garden spaces are planned for the duplex.

The small lot rezoning policy requires applicants to engage contiguous neighbors and submit a *small lot neighborhood petition* summarizing application support. Results are included with this submission.

Summary

This large corner property is two legal lots and we are trying to find the best way forward to utilize the land as it was intended. Taking down the existing home is not necessary in order to make these two lots a reality. I believe the only question that needs to be answered is, *does the existing home provide satisfactory livable accommodation as proposed on the smaller lot?* I believe that answer is yes.

Our application has been caught in the middle of many policy changes over the last several years. It has been tricky navigating changes and trying to fit into the policy of the day. I do however believe that the proposal still strongly supports the intention of the OCP and the city's desire to provide more housing.

We have a unique opportunity on this one piece of property to preserve what exists, support the current tenants to remain in their home *and* create an R1-G corner lot for further housing options.

Thank you for your careful consideration of this application.

Respectfully,

Kim Colpman, Applicant