

REPORTS OF COMMITTEES

2. Committee of the Whole – May 11, 2017

1. Rezoning and Development Permit Application No. 00553 for 1757 Newton Street (Jubilee)

Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas:

Rezoning Application No. 00553

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00553 for 1757 Newton Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Development Permit Application No. 00553

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. 00553, if it is approved, consider the following motion:

"That Council authorize the issuance of a Development Permit for 1757 Newton Street, in accordance with:

1. Permit date stamped April 21, 2017.
2. Development meeting all Zoning Bylaw requirements.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

3.3 Rezoning Application No. 00553 for 1757 Newton Street (Jubilee)

Committee received a report dated April 20, 2017 from the Director of Sustainable Planning and Community Development providing information regarding the rezoning application for the property located at 1757 Newton Street in order to rezone the property from the current R1-B Zone to the proposed R-2 Zone to allow for construction of a duplex dwelling.

Motion: It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00553 for 1757 Newton Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 17/COTW



Committee of the Whole Report

For the Meeting of May 11, 2017

To: Committee of the Whole **Date:** April 20, 2017

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00553 for 1757 Newton Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00553 for 1757 Newton Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1757 Newton Street. The proposal is to rezone from the R1-B Zone, Single Family District, to the R-2 Zone, Two Family Dwelling District, in order to construct a duplex dwelling.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential urban place designation within the *Official Community Plan*
- the proposal is consistent with the Residential designation within the *Jubilee Neighbourhood Plan*.

BACKGROUND

Description of Proposal

The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District, to the R-2 Zone, Two Family Dwelling District, to permit the construction of a duplex dwelling. The

addition of a two-family dwelling as a permitted use is the main difference from the current R1-B Zone. There are no variances being proposed from the R-2 Zone.

Affordable Housing Impacts

The applicant proposes the creation of two residential units which would increase the overall supply of housing in the area.

Sustainability Features

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

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this application.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Land Use Context

The area is characterized mainly by two-storey single-family dwellings, with some duplex dwellings in the area including the presence of a duplex directly adjacent to the subject property. To the north of the property is Richmond Elementary School, which also has Bowker Creek daylighting through its field.

Existing Site Development and Development Potential

The site is presently a one-storey single-family dwelling. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single-family dwelling up to a maximum height of 7.6m and two storeys.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the North Jubilee CALUC at Community Meetings held on December 6, 2016 and February 7, 2017. A letter dated March 21, 2017 is attached to this report.

ANALYSIS

Official Community Plan

The property is located in the Traditional Residential urban place designation within the *Official Community Plan*. Within this designation, ground oriented residential buildings including duplexes up to two storeys are envisioned.

Local Area Plans

The property is located within the Residential designation in the *Jubilee Neighbourhood Plan*. New housing in this designation should fit with the form of established housing and provide at-grade entrances facing the street.

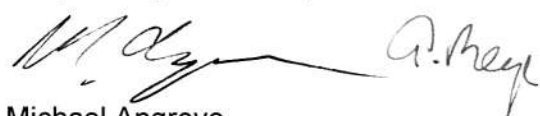
CONCLUSIONS

The proposal to rezone the property from the R1-B Zone, Single Family Dwelling District, to the R-2 Zone, Two Family Dwelling District, to permit the construction of a duplex is consistent with the Traditional Residential urban place designation in the OCP. The proposal is also consistent with the Residential designation in the *Jubilee Neighbourhood Plan*. Staff recommend that Council consider supporting the application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00553 for the property located at 1757 Newton Street.

Respectfully submitted,



Michael Angrove
Planner
Development Services



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date: April 25, 2017

List of Attachments:

- Subject Map
- Aerial Map
- Plans dated/date stamped March 17, 2017
- Letter from applicant to Mayor and Council dated March 27, 2017
- Community Association Land Use Committee Comments dated March 21, 2017.

NEWTON ST

KINGS RD

CARRICK ST

SHELBOURNE ST





1757 Newton Street
Rezoning No.00553



Proposed Duplex Development, Rezoning From R1-B To R-2

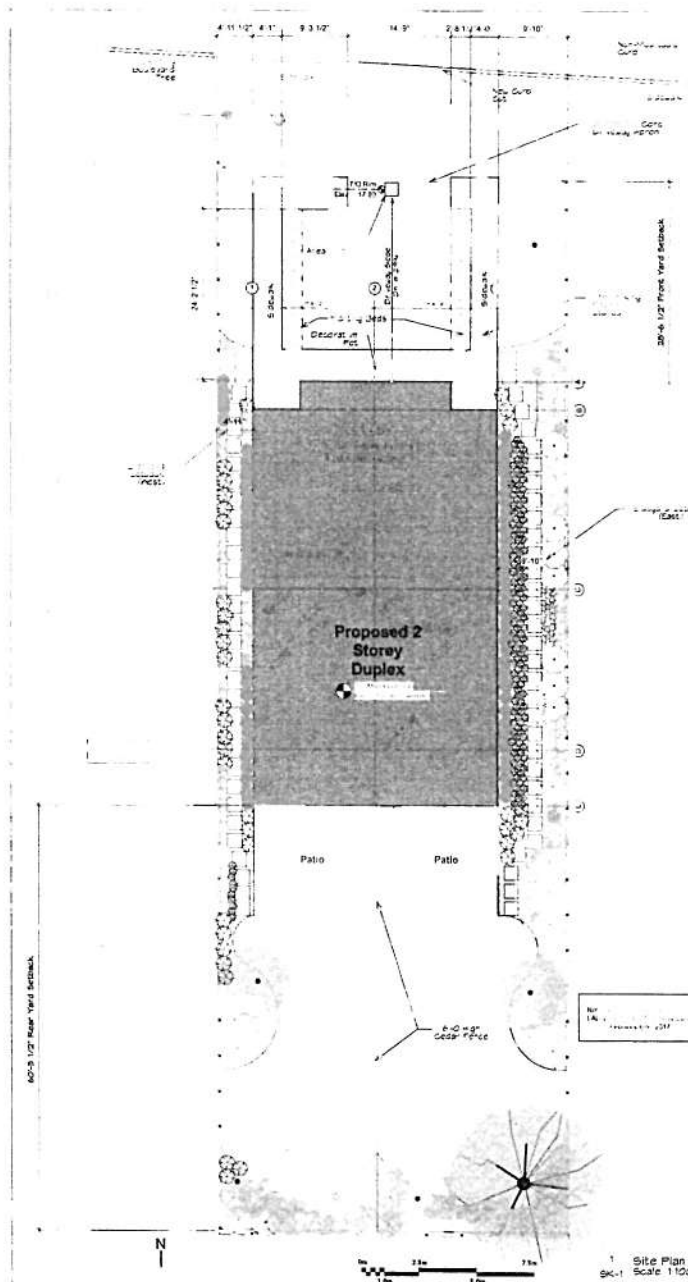
1757 Newton Street, Victoria, B.C.



5 View From Street
SK-1 Not To Scale



4 Location Plan
SK-1 Not To Scale



Project Information/ Site Data Table					
Project Name: 1757 Newton Street, Victoria, B.C.					
Project Address: 1757 Newton Street, Victoria, B.C.					
Project Owner: [Redacted]					
Project Manager: [Redacted]					
Project Date: April 2017					
Project Status: [Redacted]					
Project Description: [Redacted]					
Project Details: [Redacted]					
Project Summary: [Redacted]					
Project Notes: [Redacted]					

Received
City of Victoria

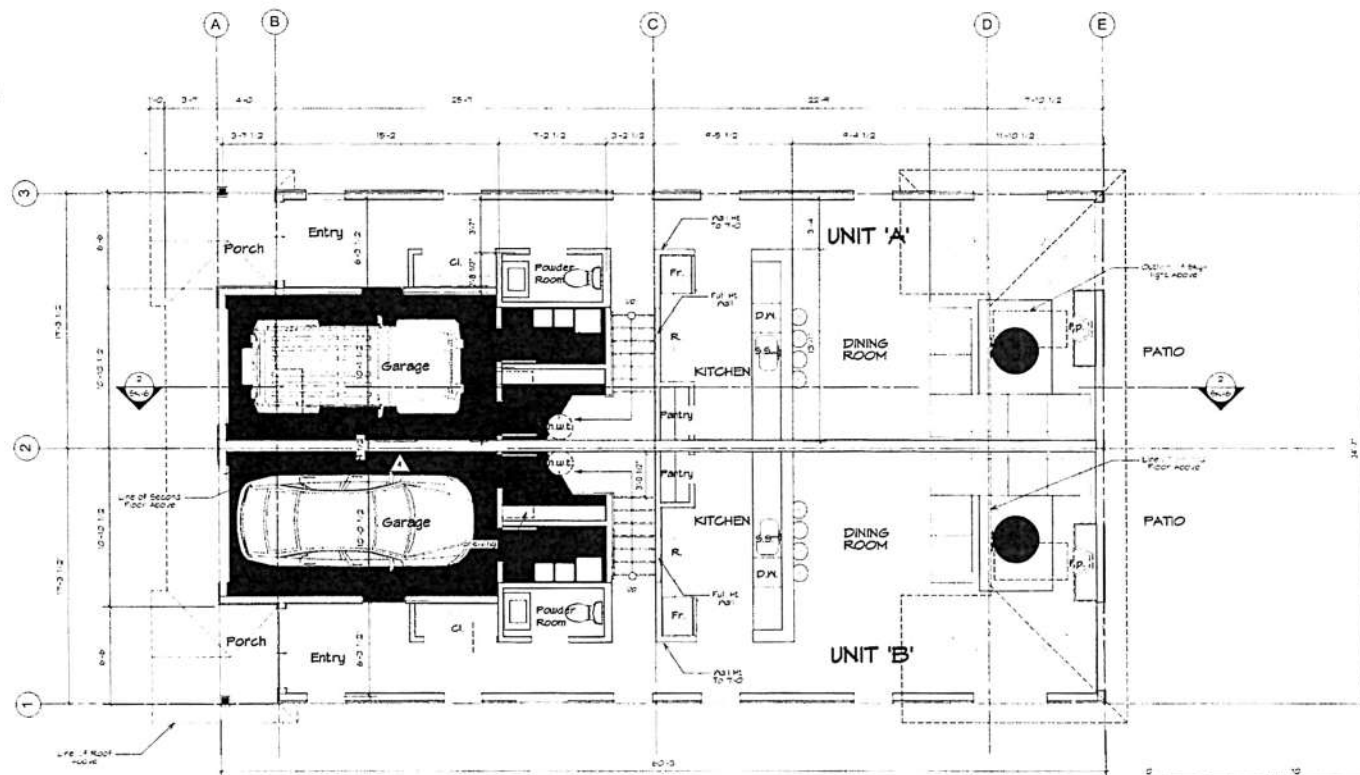
APR 21 2017

Planning & Development Department
Community Planning Division

2 Grade Calculation
SK-1 Scale 1:100

Duplex Development
1757 Newton Street, Victoria, B.C.
Rezoning From R1-B To R-2
Site Plan/Grade Calculation
Scale - As Noted
April 2017

SK-1



1
SK-2
Main Floor Plan
Scale: 1/4" = 1'-0"

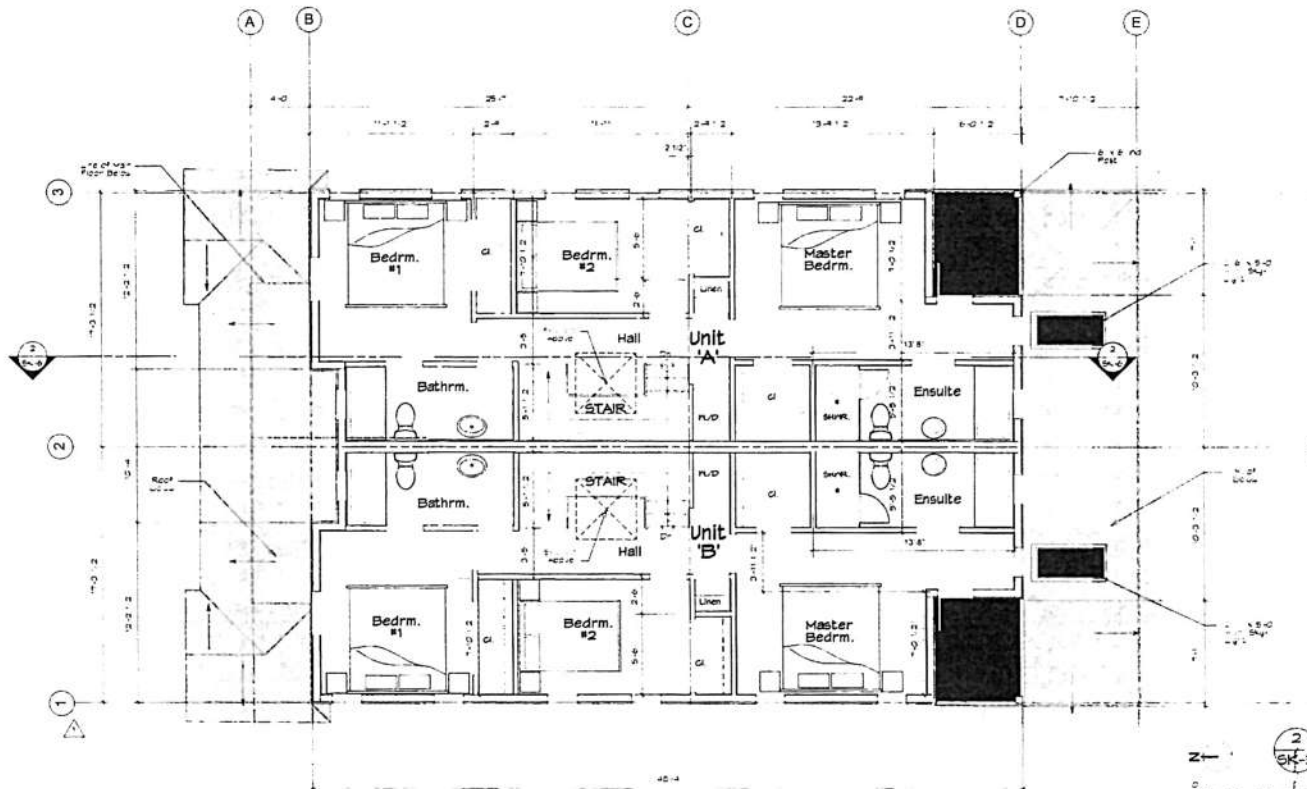
Received
City of Victoria

APR 21 2017

Planning & Development Department
Community Planning Division

Duplex Development
1757 Newton Street, Victoria, B.C.
Rezoning From R1-B To R-2
Main Floor Plan
Scale: As Noted
April 20th, 2017

SK-2

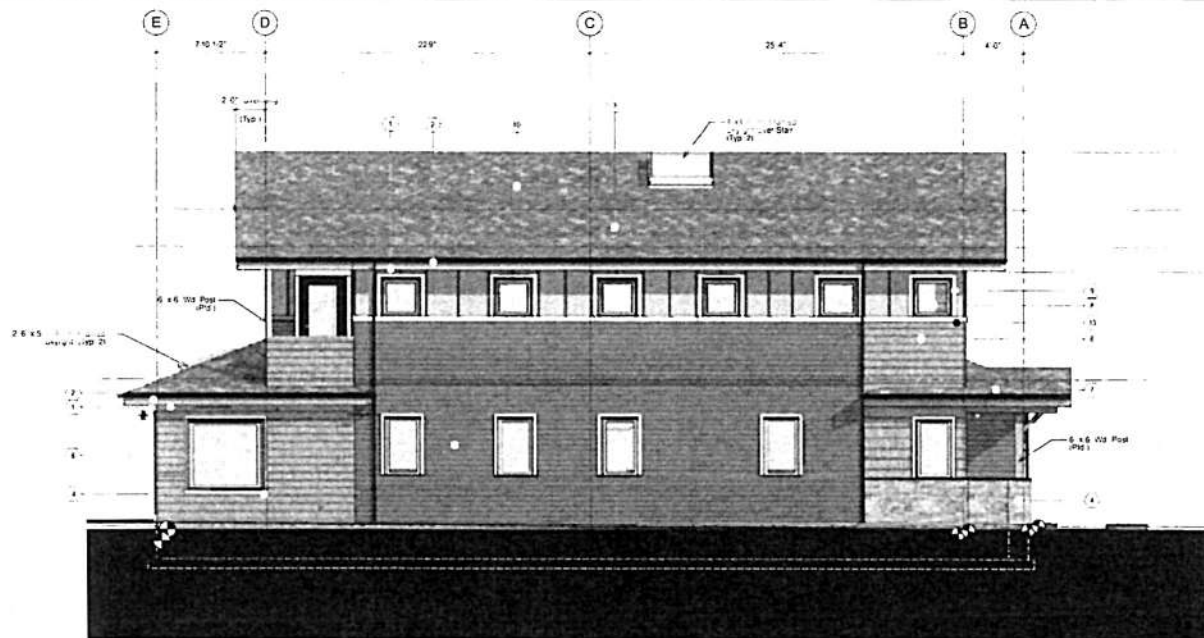


APR 21 2017

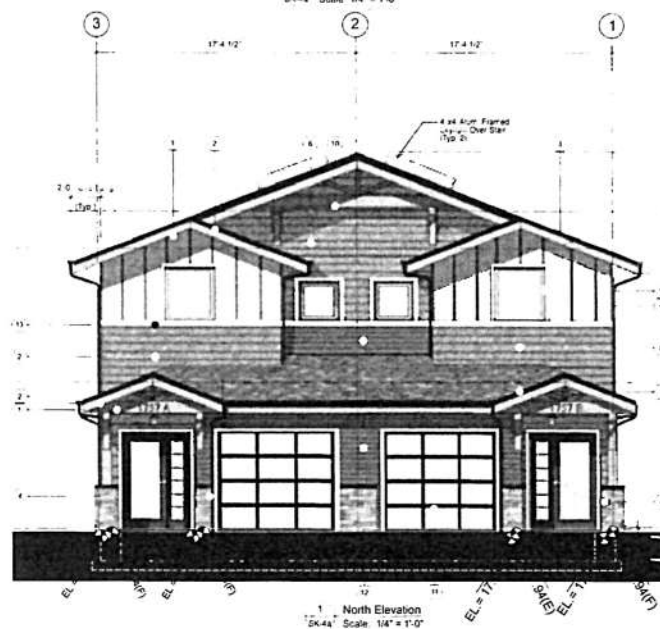
Planning & Development
Community Planning

Duplex Development
1757 Newton Street, Victoria, B.C.
Rezoning From R1-B To R-2
Main & Second Floor Plans
Scale - As Noted
April 20th, 2017

SK-3

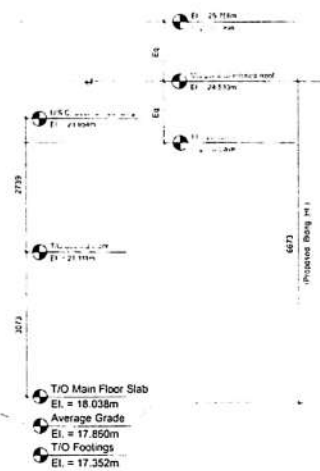


Note:
Colours Shown On Elevations
Are Approximate Only. Refer To
Drawing 2/SK-8.



GRADE LEGEND

GPX
El.=XX.XXm (E) - EXISTING GRADE
GPX
El.=XX.XXm (F) - FINISHED GRADE



Received
City of Victoria

APR 21 2017

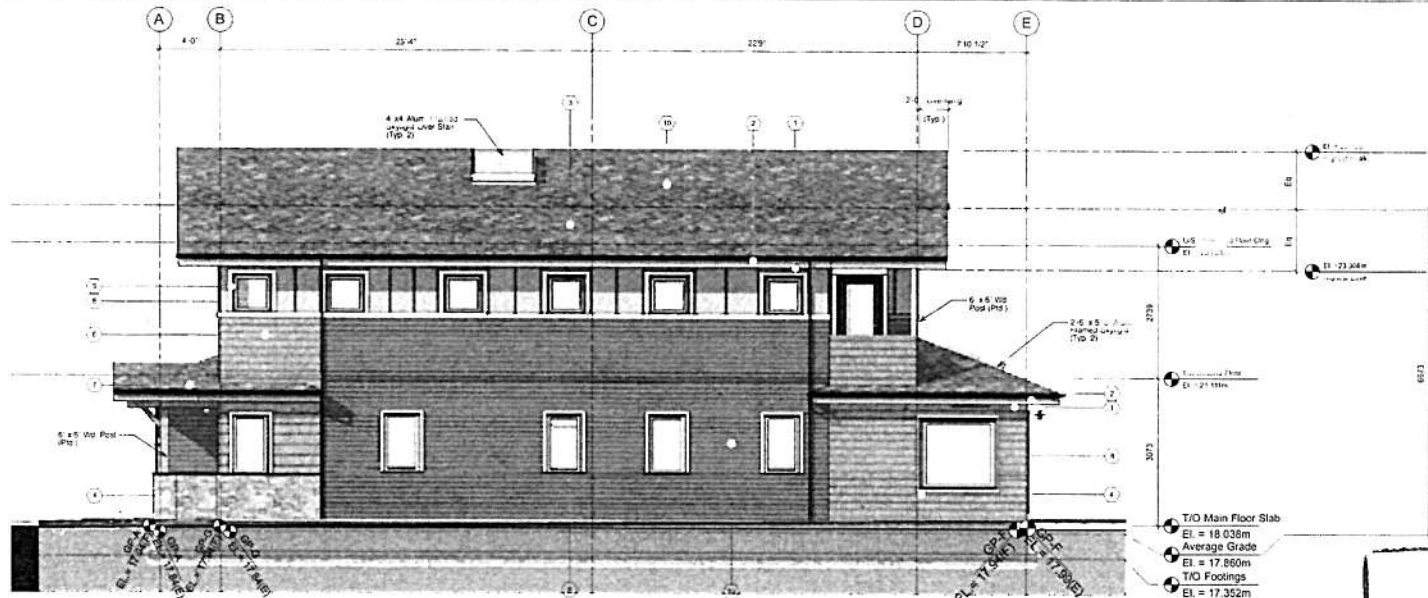
Planning & Development Department
Community Planning Division

MATERIAL LEGEND

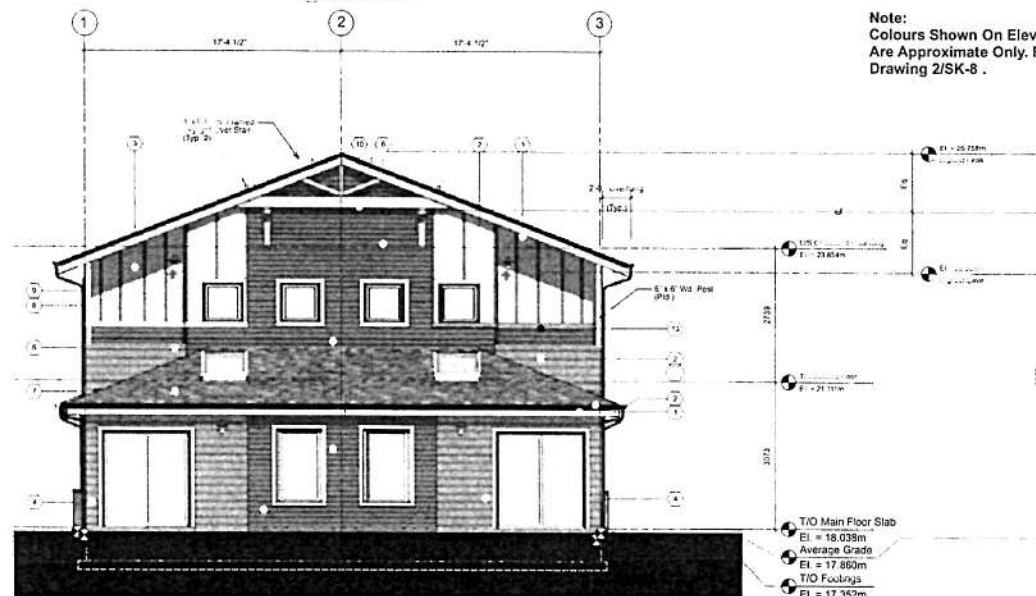
- 1. 2" x 4" Studs (S18)
- 2. 1/2" x 1/2" Plywood (S18)
- 3. 1/2" x 1/2" Plywood (S18)
- 4. 1/2" x 1/2" Plywood (S18)
- 5. 1/2" x 1/2" Plywood (S18)
- 6. 1/2" x 1/2" Plywood (S18)
- 7. 1/2" x 1/2" Plywood (S18)
- 8. 1/2" x 1/2" Plywood (S18)
- 9. 1/2" x 1/2" Plywood (S18)
- 10. 1/2" x 1/2" Plywood (S18)
- 11. 1/2" x 1/2" Plywood (S18)
- 12. 1/2" x 1/2" Plywood (S18)
- 13. 1/2" x 1/2" Plywood (S18)
- 14. 1/2" x 1/2" Plywood (S18)
- 15. 1/2" x 1/2" Plywood (S18)
- 16. 1/2" x 1/2" Plywood (S18)
- 17. 1/2" x 1/2" Plywood (S18)
- 18. 1/2" x 1/2" Plywood (S18)
- 19. 1/2" x 1/2" Plywood (S18)
- 20. 1/2" x 1/2" Plywood (S18)

Duplex Development
1712 Newton Street, Victoria B.C.
Rezoning From R1-B To R-2
North & East Elevations
Scale: As Shown
April 20th, 2017

SK-4a



2 West Elevation
Scale: 1/4" = 1'-0"



1 South Elevation
Scale: 1/4" = 1'-0"

Note:
Colours Shown On Elevations
Are Approximate Only. Refer To
Drawing 2/SK-8.

GRADE LEGEND

GPX
El.=XX.XXm (E) — EXISTING GRADE
GPX
El.=XX.XXm (F) — FINISHED GRADE

Received
City of Victoria

APR 21 2017

Planning & Development Department
Community Planning Division

MATERIAL LEGEND

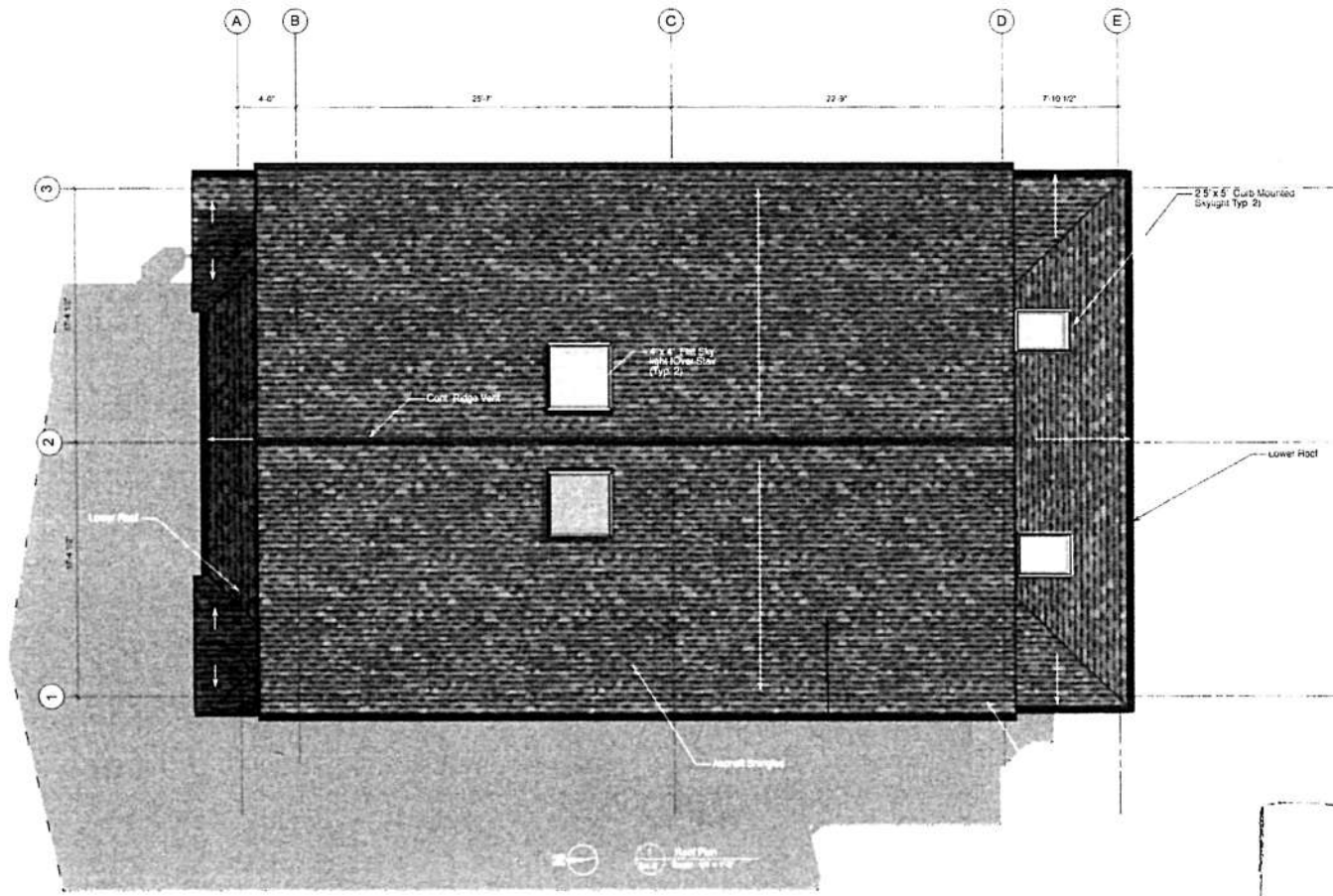
1	2" x 12" PLYWOOD SHEET (PS)
2	4" x 6" PLYWOOD SHEET (PS)
3	6" x 6" PLYWOOD SHEET (PS)
4	8" x 8" PLYWOOD SHEET (PS)
5	10" x 10" PLYWOOD SHEET (PS)
6	12" x 12" PLYWOOD SHEET (PS)
7	14" x 14" PLYWOOD SHEET (PS)
8	16" x 16" PLYWOOD SHEET (PS)
9	18" x 18" PLYWOOD SHEET (PS)
10	20" x 20" PLYWOOD SHEET (PS)
11	22" x 22" PLYWOOD SHEET (PS)
12	24" x 24" PLYWOOD SHEET (PS)
13	26" x 26" PLYWOOD SHEET (PS)
14	28" x 28" PLYWOOD SHEET (PS)
15	30" x 30" PLYWOOD SHEET (PS)
16	32" x 32" PLYWOOD SHEET (PS)
17	34" x 34" PLYWOOD SHEET (PS)
18	36" x 36" PLYWOOD SHEET (PS)
19	38" x 38" PLYWOOD SHEET (PS)
20	40" x 40" PLYWOOD SHEET (PS)

Duplex Development
1757 Newton Street, Victoria, B.C.

Rezoning From R1-B To R-2

South & West Elevations
Scale: As Noted
April 20th, 2017

SK-4b



Received
City of Victoria

APR 21 2017

Planning & Development Department
Community Planning Division

Duplex Development
1757 Newton Street, Victoria, B.C.
Rezoning From R1-B To R-2
Road Plan
Scale - As Noted
April 20th, 2017

SK-5



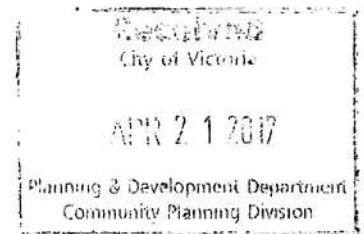
SK-6



1 Rendering As Seen From North West
SK-7 Not To Scale



2 Rendering As Seen From South East
SK-7 Not To Scale



Duplex Development
1757 Newton Street, Victoria B.C.
Rezoning From R1-B To R-2
Resubmitted
Scale - As Noted
April 20th, 2017

SK-7

SK-8

March 27, 2017

Mayor & Council
1 Centennial Square
Victoria, BC
V8W 1P6

RE: Proposed Re-Zoning of 1757 Newton St.

I am proposing to rezone 1757 Newton Street from R1-B to R-2 (no variances) for the purpose of constructing a two storey side by side duplex. The proposed building will not have a basement. It will have drive-in garages facing the street and reasonably good sized south facing back yards.

My rationale for requesting the zoning change is that the property does meet the minimum lot size requirement of 555m², as the subject property is 695m². The subject property also meets the 15m frontage requirement. At present the existing house is a smaller 90m², single storey home. I feel that my proposal would be a good fit for the street. The adjoining neighbour to the west is R-2 zoned with a front to back duplex and to the west of him is also an R-2 zoned property.

At present, the surrounding neighbours seem to have little opposition to my proposal. Having said that, it should be noted that the adjoining neighbour to the east had concerns regarding shade and after further reflection on the building style and massing, I decided to abandon the original concept which was a larger, modern and square building and decided to propose a more traditional style building. Addressing the concerns of the neighbour to the east, I have kept the larger side set back on his side as well as I have kept the height approximately a meter lower than the allowable height in the R-2 zone.

I did go back to the NJNA a second time to to show my efforts to work with the neighbours. Although it was a smaller, select crowd, they seemed to support the revised plans and were appreciative of my efforts to work with the neighbour to the east. They also requested a shade study which I did supply.

Please note that I will be in contact with Nickel Bros. to attempt to have the house relocated if possible.

Sincerely,

Dan Hagel

2165 Windsor Rd.
Victoria, BC V8S 3C4
250-889-2221



North Jubilee Neighbourhood Association

c/o 1766 Haultain Street

Victoria, B.C., V8R2L2

March 21, 2017

Mayor Lisa Helps and Victoria City Councillors

#1 Centennial Square

Victoria, B.C. V8W 1P6

Re: REZ No. 00553...1757 Newton Street

Dear Mayor Helps and City Councillors:

The North Jubilee Neighbourhood Association hosted a Community Meeting on December 6, 2016 in connection with the above proposed rezoning. Fifteen residents attended this meeting with bad weather possibly contributing to the low turnout. The Sustainable Planning and Community Development department emailed North Jubilee on December 29, 2016 advising that the application was on the Development Tracker and comments to City Council could be submitted 30 days from date of the email. While working within this time frame, the LUC asked if a shadow study was available, as the neighbours on the East side had expressed serious concerns about the loss of light and privacy due to the scale of the proposed duplex. The LUC was also gathering information re the proposed landscaping in order to better visualize the shrubs and trees at maturity. This proposed front-to-back duplex included 3 levels, 10 bedrooms, and 5 full baths with a separate two-car garage. It was noted by members of the community that the applicant was open to conversation and responsive to neighbourhood concerns. The strongest objections were to the scale, mass, privacy and shading of the proposed project on immediate neighbours; the impact on the Bowker Creek watershed and spillover; the loss of mature greenspace and the continual concern over adequate parking.

Prior to submitting the community letter re the first application, the applicant advised NJ on January 23, 2017 that his initial proposal was being revised and we contacted the City planner for advice. A second CALUC meeting was not a requirement, but it was recommended we contact the applicant for a meeting to review the new proposal. Arrangements were made for him to meet with the LUC on February 7, 2017 and four neighbours adjacent to the development were also invited. A full set of plans for the revised proposal were available for perusal and the rezoning was unchanged, R1-B to R-2. NJ was advised by the City on February 28th that revised plans for 1757 Newton Street had been received.

February 7, 2017 comments:

Applicant: Variances not required for this build other than duplex rating. Each unit would be kitchen, dining and living rooms, 3 bedrooms, 2.5 baths on a concrete slab and would be approximately 1504 sq. ft. each. There are patios at the back of each house with a divider in-between. There would not be a basement as that was a concern voiced re the initial proposal. Five-foot setback is planned on the West side and 10 feet on the East. Driveways will be concrete with pavers being used for the walkways and patios.

Residents: Residents asked if a shadow study was available and the applicant advised that he would have one prepared. The shadow study was delivered to the LUC recently which shows that the residence to the East will often be in shade. He also agreed that there would be consultation with the neighbours with regard to

the fence at the rear of the property and any trees to be planted.

Neighbours were advised that maybe Nickel Brothers would remove the existing home, but the applicant has not yet approached them. It should be noted that the proposal will demolish a viable existing SFD and the applicant was originally asked if he had considered other methods of infill such as a garden or secondary suite.

It was generally thought that this revised plan was a huge improvement and there was not a lot of opposition. The neighbours felt that the applicant had listened to the concerns of the nearby residents and that the new structure would probably be favourably received.

Land Use Committee: This second proposal follows the Neighbourliness Guidelines for Duplexes much more closely than the initial one, as it is side-by-side with patios and greenspace featured in the rear. Porches are now facing the street, but it is noted that they are recessed with the wide driveway, two garages and future parked cars, dominating the front entrance.

As the integration of the Bowker Creek watershed protection into land use planning is a strategic direction, the community would strongly support permeable surface materials being used rather than the proposed concrete driveway, walkways and patio pavers.

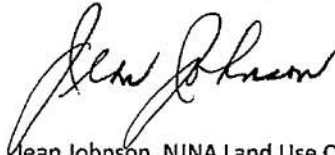
At the December 6th meeting neighbours discussed wet backyards and basements due to the proximity to Bowker Creek. NJ checked with the Planner for further information and were advised by the Engineering and Public Works Department that they did not have any records looking back at least 10 years, but that this did not mean nothing had happened, but it was not reported to the City by residents. "This area is very close to Bowker Creek, which can run full during the very heavy rain events and at times when there are also high tides water can build up. It isn't uncommon that under those circumstances with the high saturation of the ground people may observe flooded back yards and water in the basement. With soil having the 100% saturation water has nowhere to go and it will start pooling."

Parking is at a premium on Newton Street, as the North side is situated in Saanich where there are not any restrictions and spaces are always fully occupied due to the nearby hospital campus. The community is aware of losing existing residential greenspace through rezonings and would hope that Council will bear in mind the trade-off between increasing density and loss of lifestyle with an eye to creating balance by minimizing shading and loss of privacy.

Respectfully submitted,



Sheena Bellingham, NJNA Land Use Co-Chair



Jean Johnson, NJNA Land Use Co-Chair

Cc: Community Planning

DAN HACEY-APPLICANT

Amanda Ferguson

Subject: 1757 Newton St. duplex development

From: Fiona Pogue

Sent: May 10, 2017 11:16 AM

To: Michael Angrove <mangrove@victoria.ca>

Subject: 1757 Newton St. duplex development

Hello Mr. Angrove,

I live on Newton St. and I am concerned about the look of our street. After looking at the plans submitted, I can't tell you how much I dislike the second plan. There is no front lawn, only concrete. There is a driveway up to the front doors with no barrier between the driveway and the sidewalk. In a big rain, all that water will rush onto the sidewalk. I just hate the unfriendly look of the huge garage doors where a porch should be.

Please don't allow this ugly duplex to mar the look of our quirky street!

Newton St. already has more than its share of parking issues, what with the tree in the middle of the street (that I love) that means no parking in that area of the street. We have all the hospital daily parking and as it is a dead end, we have a lot of traffic on this road.

A duplex with all those attendant cars will mean more parking issues. There could be 4 or more new cars permanently living on Newton St., probably more.

I'm not sure if this is where I'm supposed to send my comments, but I really dislike the look of that duplex. When you add in the huge house beside it, which is equally atrocious, this part of Newton St. will start looking very ugly.

Please don't let this plan proceed.

Fiona Pogue