



Committee of the Whole Report For the Meeting of March 1, 2018

To: Committee of the Whole **Date:** February 15, 2018
From: Jonathan Tinney, Director, Sustainable Planning and Community Development
Subject: Development Variance Permit No. 00205 for 632 Raynor 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. 00205 for 632 Raynor Avenue, in accordance with:

1. Plans date stamped February 2, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the required vehicle parking from three stalls to one stall for a triplex conversion.
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 present Council with information, analysis and recommendations for a Development Variance Permit application for the property located at 632 Raynor Avenue. The proposal is to convert the existing duplex to a triplex. The proposal requires three parking stalls; however, only one parking stall is being provided. Therefore, the application proposes a parking variance of two stalls.

The following points were considered in assessing this application:

- the proposal responds to objectives and policies outlined in the *Official Community Plan*, 2012 (OCP) relating to mix of house types, tenures and affordability
- the proposed parking variance is not expected to result in a significant impact on the neighbourhood.

BACKGROUND

Description of Proposal

The proposal is to convert an existing duplex to a triplex. Specific details include:

- no changes to the exterior of the building are proposed
- the additional (third) dwelling unit would be accommodated within the existing basement

The proposed variances are related to a reduction in the required amount of parking stalls, from three stalls to one stall.

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 proposal.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Variance Permit application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently occupied by a duplex.

Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single-family dwelling with a secondary suite or a garden suite; however, the property was legally converted to a duplex in 1953.

Data Table

The following data table compares the proposal with the existing R1-B Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify an existing legal non-conformity.

| Zoning Criteria | Proposal | Existing Zone (R1-B) |
|---|----------|----------------------|
| Site area (m ²) - minimum | 556.60 | 460 |
| Lot width (m) - minimum | 15.25 | 15 |
| 1 st and 2 nd storey floor area (m ²) - maximum | 266 | 280 |
| Combined floor area (m ²) - maximum | 366** | 300 |

| Zoning Criteria | Proposal | Existing Zone (R1-B) |
|---|----------|----------------------|
| Storeys - maximum | 3** | 2 |
| Site coverage % - maximum | 21 | 40 |
| Setbacks (m) – minimum: | | |
| Front | 8.15 | 7.5 |
| Rear | 9.94 | 9.11 |
| Side (west) | 2.29 | 1.53 |
| Side (east) | 3.97 | 3 |
| Combined side yards | 6.29 | 4.5 |
| Parking – minimum | | |
| Existing Schedule C | 1* | 3 |
| Proposed Schedule C | 1 | 4 |
| Conversion Regulations (Schedule G) | | |
| Date of construction | 1913 | Prior to 1931 |
| Required area (m ²) - minimum | 366 | 245 |
| Minimum unit area (m ²) - minimum | 66.5 | 33 |
| Addition in last 5 years | No | Not permitted |
| Exterior change | No | Not permitted |
| Landscape – total lot (%) – minimum | 79 | 30 |
| Landscape – rear yard (%) - minimum | 100 | 33 |
| Side yard landscape strip (m) - minimum | <0.6** | 0.6 |

Relevant History

The existing building was constructed as a single-family dwelling in 1913; in 1953 it was legally converted to a duplex. The applicant indicates that the basement was illegally converted to a third dwelling unit several decades ago and, when they recently purchased the property, the property consisted of three rental units with 12 month rental agreements in place. The applicant is now seeking to legalize the conversion of the building to a triplex.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on January 19, 2018, the application was referred for a 30-day comment period to the Victoria West CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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 variance.

ANALYSIS

Official Community Plan

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

Local Area Plans

The proposal is consistent with the *Victoria West Neighbourhood Plan*, 2008, which supports the conversion of existing houses to suites in a manner that safeguards area character.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts, or impacts to public trees with this application.

Parking

The property currently accommodates one parking stall in association with the legal duplex, albeit, the property appears to have been operating as a triplex for a considerable length of time. The current Schedule C requires three parking stalls for a triplex, whereas the new Schedule C would require four stalls based on the size, location and tenure of the dwelling units. Therefore, staff anticipate that the proposal would result in a shortfall of three parking stalls and this shortfall will likely impact the availability of on-street parking.

Although there appears to be space to provide additional off-street parking in the rear yard of the property, the applicant has indicated that they would prefer that this space be retained as amenity space for tenants. Additionally, the applicant points out that several mature trees may be impacted if the driveway and parking stalls were extended into this area.

While the development results in a shortfall of off-street parking, given the site history, support outlined in the OCP for the proposed use, and the extent of the variance being proposed, staff recommend that Council consider approving this application.

Should Council wish to require that the applicant further explore opportunities for providing additional off-street parking in the rear yard, an alternative motion is provided.

CONCLUSIONS

The proposed application to convert a duplex to a triplex is consistent with City policy. The proposal would result in a shortfall of parking stalls and, as a result, the development will have some impacts on parking availability in the vicinity of the subject site; however, given the site history, support outlined in City policy for this type of house conversion, and the extent of the variance being proposed, staff recommend that Council consider approving this application.

ALTERNATE MOTIONS

Alternate Motion 1 (explore the potential for providing additional off-street parking)

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. 00205 for 632 Raynor Avenue, in accordance with:

1. Plans date stamped February 2, 2018.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required vehicle parking from three stalls to one stall for a triplex conversion.
3. That staff work with the applicant to explore the potential for providing additional off-street parking within the rear yard of the property.
4. The Development Permit lapsing two years from the date of this resolution."

Alternate Motion 2 (decline Application)

That Council decline Development Variance Permit Application No. 00205 for the property located at 632 Raynor Avenue.

Respectfully submitted,



Jim Handy
Senior Planner – Development Agreements
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

Feb 23, 2018

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped February 2, 2018
- Attachment D: Letter from applicant to Mayor and Council dated January 4, 2018