



Committee of the Whole Report

For the Meeting of October 5, 2017

To: Committee of the Whole **Date:** September 21, 2017

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

Subject: Rezoning Application No.00591 for 1122 Collinson 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. 00591 for 1122 Collinson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set subject to preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental housing for 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.

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.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

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 1122 Collinson Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a site specific zone in order to permit six self-contained units. The current use is an eight unit house conversion (one self-contained suite and seven light housekeeping units); the proposed use is six self-contained units.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan, 2012* (OCP), which supports House Conversions. The OCP includes policy to enable and support upgrades and rehabilitation of existing housing stock.
- changes to the House Conversion Regulations would be required to accommodate the minimum floor area which is below that required for six self-contained units, as well as below the minimum floor area for self-contained units.
- rental housing secured through a 10 year Housing Agreement is proposed by the applicant.

BACKGROUND

Description of Proposal

A new site specific zone based on the R1-B Zone, Single Family Dwelling District, and the House Conversion regulations of the Zoning Bylaw is being proposed in order to decrease the minimum total floor area required to accommodate conversion to six self-contained dwelling units from 560m² to 351m². One of the units is also below the minimum area required for self-contained units, and would be decreased from 33m² to 29.7 m². Additionally, the new zone would allow the addition of approximately 10.87m² of enclosed floor area, which already exists but was constructed without permit.

Affordable Housing Impacts

The applicant proposes to reduce the number of units in this eight unit house conversion (seven light housekeeping units and one self-contained unit) to six self-contained units. The reconfiguration would allow each of the units to be slightly larger and contain separate bathrooms.

A Housing Agreement for 10 years is also being proposed by the applicant which would secure the six dwelling units as rental housing. Staff's request for a Housing Agreement ensuring rental for a minimum of twenty years or in perpetuity was declined by the applicant.

Sustainability Features

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

Active Transportation Impacts

The applicant has proposed six bike racks for tenants, which supports active transportation.

Public Realm Improvements

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

Accessibility Impact Statement

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

Land Use Context

The area is characterized by single family homes, house conversions, multi-family residential and commercial. There are also several heritage designated properties along Trutch Street, in close proximity.

Existing Site Development and Development Potential

The site is presently an eight unit house conversion containing seven light housekeeping units (with shared bathrooms) and one self-contained unit (with an individual bathroom). Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single-family dwelling with secondary suite or garden suite.

Data Table

The following data table compares the proposal with the R1-B Zone, Single Family Dwelling District, and the House Conversion Regulations under Schedule G of the Zoning Bylaw. An asterisk (*) is used to identify where the proposal is less stringent than the existing zone. A double asterisk (**) is used to identify existing legal non-conformities.

Zoning Criteria	Proposal	Zone Standard R1-B
Site area (m ²) - minimum	613.30	460.00
Floor area of all floor levels combined for lots less than 669m ² - maximum	350.95**	300.00
Lot width (m) - minimum	16.79	15.00
Height (m) - maximum	9.02** (approx. - data not provided)	7.6
Storeys - maximum	3**	2
Site coverage % - maximum	34.37	40.00
Setbacks (m) - minimum:		
Front	5.79**	7.50
Rear	15.93	9.09
Side (west)	1.52** (to building) 0.30** (to stairs)	3.00
Side (east)	2.46**	1.68
Combined side yards	2.76**	4.50
Schedule G - House Conversion Regulations		
Required minimum habitable floor area for a six self-contained dwelling units (m ²)	351.00*	560.00

Minimum floor area for individual dwelling units (m ²)	29.73*	33.00
Addition of enclosed space	10.87*	Not permitted
Landscape - total lot (%) - minimum	40.30	30.00
Landscape - total rear yard (%) - minimum	42.00	33.00
Parking - minimum	3**	4
Schedule F - Accessory Building - Garage/Carport		
Combined floor area (m ²) (max)	31.59	37.00
Height (m) (max)	existing	3.50
Setbacks (m) - minimum		
Rear setback	1.50	0.60
Side setback	0.30**	0.60
Separation from main building	8.16	2.40
Rear yard site coverage (%) (max)	19.50	25.00

Relevant History

The existing building, built in 1912, was converted and approved for seven light housekeeping units (without separate bathrooms) and one self-contained unit (with a bathroom) in 1959. There is an accessory building in the rear built with permit, and a carport built without permit. The balcony at the front of the house was enclosed at some point, and not shown on any building permit plans.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on May 15, 2017. A letter dated May 15, 2017 is attached to this report.

ANALYSIS

Official Community Plan

The proposal for a six unit House Conversion is consistent with the Traditional Residential Urban Place Designation contained in the *Official Community Plan, 2012* (OCP) which supports a diversity of ground-oriented housing types and house conversions. The Application proposes to convert the existing eight units to six self-contained units. Although there is an overall reduction of two units, there would be renovations to the existing building interior, upgrades in

compliance to current BC Building Code, and livability would increase by providing individual bathrooms. Additionally, the overall number of occupants may not decrease, as it would be more likely that multiple individuals could live in each unit.

The applicant has also proposed a Housing Agreement, ensuring the units remain rental for at least 10 years. After the 10 years, the owner could apply to convert the rental units to strata; however, the OCP states that conversion will not be supported when the vacancy rate provided by Canada Mortgage and Housing Corporation for Greater Victoria is at 4% or lower, and would require Council approval.

Suburban Neighbourhoods Plan

The proposal would conserve the traditional character of the neighbourhood, while making improvements to the housing stock, which is consistent with the *Suburban Neighbourhoods Plan, 1984*.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this Application.

Heritage

The applicant has declined designating or including the property on the Heritage Registry; however, since the proposal would be facilitated through modification to the House Conversion Regulations, the house would be retained.

Regulatory Considerations

This Rezoning Application is to rezone from the R1-B Zone, Single Family Dwelling District, to a site specific zone to allow a House Conversion with six dwelling units. The new zone would be based on the R1-B Zone, except for the following changes:

- a decrease in the minimum habitable floor area required for six self-contained units in a house conversion would change from 560m² to 350m²
- a decrease in the minimum floor area for individual dwelling units for conversion to a multiple dwelling would change from 33m² to 29.73m²
- allowing for the addition of enclosed floor area to accommodate the front porch enclosure.

The intent of the House Conversion Regulations is to ensure liveability of self-contained units. Since the overall unit size of the units would change when converting from a light housekeeping arrangement to self-contained units, the units would become larger and potentially more liveable.

Other deviations from the zone with regard to height, parking, setbacks and number of storeys would remain legal, non-conforming.

CONCLUSIONS

The proposal is to rezone the subject property from the R1-B Zone, Single Family Dwelling District, to a new site specific zone to permit a six self-contained dwelling unit House Conversion and is generally consistent with Traditional Residential Urban Place Designation

and other OCP policies. The Application includes a Housing Agreement Bylaw that would secure the six units as rental for 10 years. Staff recommend that Council consider supporting the Application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00591 for the property located at 1122 Collinson Street.

Respectfully submitted,

Chelsea Medd
Planner
Development Services Division

Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:

Sept. 28, 2017

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped September 18, 2017
- Attachment D: Letter from applicant to Mayor and Council dated August 22, 2017
- Attachment E: Community Association Land Use Committee comments dated May 15, 2017
- Attachment F: Correspondence.