



Committee of the Whole Report

For the Meeting of August 3, 2017

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

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

Subject: Rezoning Application No. 00541 for 1068 Chamberlain Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment(s) that would authorize the proposed development outlined in Rezoning Application No. 00541 for 1068 Chamberlain Street, that first and second reading of the Zoning Regulation Bylaw Amendment(s) 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 1068 Chamberlain Street. The proposal is to rezone from R1-G Gonzales Single Family Dwelling District to a new site specific zone to allow for a duplex with a secondary suite, through an addition onto the existing home. The Traditional Residential Designation in the *Official Community Plan, 2012* (OCP) envisions ground-oriented residential including single family, duplex and attached dwelling (3 or more units), but does not envision secondary suites in duplexes. However, this proposal supports many of the objectives in the Official Community Plan around housing affordability, sustainability and energy. Taking this all into consideration, staff recommend that Council support this Rezoning Application.

The following points were considered in assessing this application:

- either a duplex or attached dwelling is consistent with the Traditional Residential Urban Place Designation within the OCP; however, a duplex with secondary suite is not consistent within the Zoning Bylaw
- a two family dwelling with secondary suite would ensure the existing secondary suite would remain as rental, whereas, attached dwellings could be individually owned

that it retains the existing housing stock, and the addition keeps in scale of the neighbourhood.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the property from R1-G Zone, Gonzales Single Family Dwelling District, to a site specific zone based on R-2 Zone, Two Family Dwelling District, to permit an addition of one unit onto an existing detached dwelling with secondary suite. With the new addition, the lot would have a duplex with secondary suite.

The following difference from the standard R-2 Zone is being proposed and would be accommodated in the new zone: allowing for a secondary suite when the principle use is two family dwelling. Additionally, variances are being proposed to parking location, combined floor area of first and second storey, rear yard, and minimum lot width. These variances will be reviewed in relation to the concurrent Development Permit with Variances Application No. 000488.

Affordable Housing Impacts

The applicant proposes the creation of one new residential unit, as well as retaining and renovating the existing secondary suite, which will remain as rental.

Sustainability Features

The applicant has identified a number of sustainability features which will be reviewed in association with the concurrent Development Permit with Variances Application for this property.

Active Transportation Impacts

The application proposes a bike room and two accessory buildings for residents and tenants, which supports active transportation choices.

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 characterised by mainly two-storey single family dwellings, duplexes, house conversions; and a six-unit, three-storey residential building directly adjacent. The lot is just south of Oak Bay Avenue which is designated as a Small Urban Village, characterized by commercial and mixed-used buildings.

Existing Site Development and Development Potential

The site is presently a one-storey dwelling with a secondary suite. Under the current R1-G

Zone, Gonzales Single Family Dwelling District the property could be developed as a single family dwelling with a secondary suite or garden suite.

Data Table

The proposal will be a site specific zone, based on the closest zone, R-2. The following data table compares the proposal with the R-2 Zone. An asterisk is used to identify where the proposal is less stringent than the zone that the site specific zone will be based on. The site specific zone would vary the use, and the Development Permit will vary parking location, maximum floor area on the 1st and 2nd floor, and minimum rear yard setback.

Zoning Criteria	Proposal	Zone Standard R-2
Site area (m ²) - minimum	709.39	555.00
Number of units		
Maximum	2	2
Secondary suites	1*	0
Density (Floor Space Ratio) - maximum	0.36 to 1	0.50 to 1
1 st and 2 nd storey floor area (m ²) - maximum	359.80*	280.00
Total floor area (m ²) - maximum	359.80	380.00
Lot width (m) - minimum	19.44	15.00
Height (m) - maximum	6.83 mid-point on hip roof 6.47 top of parapet on flat roof	7.60
Storeys - maximum	2	2
Site coverage % - maximum	36.00	40.00
Open site space % - minimum	55.60	30.00
Setbacks (m) – minimum:		
Front	7.39 building 4.61 steps	7.50 building 3.50 porch
Rear	10.26*	12.78
Side (north)	2.58	1.94
Side (south)	3.29	3.00
Combined side yards	5.87	4.50
Parking - minimum	2	2
Parking location	front*	side or rear

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 October 20, 2016. Meeting minutes are attached to this report.

ANALYSIS

Official Community Plan

The property is located in the Traditional Residential Urban Place Designation within the *Official Community Plan, 2012 (OCP)*. This designation envisions ground-oriented residential buildings, including duplexes and attached dwellings (defined as a building designed for three or more residential units).

The OCP currently envisions secondary suites as legal rental suites to be located within single-family detached houses, as noted by its definition. However, the designation also envisions attached dwellings, which could be separately titled and owned. From a land use perspective, both options function the same; however, a duplex with secondary suite would meet the objectives set out in the OCP more closely, with respect to rental housing retention.

The OCP supports affordable home ownership by permitting residential rental units in primary structures, and having a range of housing choices for an inclusive and multi-generational community. These objectives are supported with this proposal, by the secondary suite providing a mortgage-helper and rental housing.

The OCP has objectives for the re-use of buildings, energy efficient design, and having onsite renewable energy generation. The proposal makes an addition to and upgrades the existing house to Passive House design standards, drought resistant plants, and utilizes renewable energy sources.

Gonzales Neighbourhood Community Plan

The property is located within the Residential designation in the *Gonzales Neighbourhood Plan*. The Plan encourages retention of existing housing stock, and additions that are sensitive to the neighbourhood. It also encourages secondary suites to provide more affordable housing and retain a diversity of housing.

Tree Preservation Bylaw and Urban Forest Master Plan

There is a protected Garry Oak tree on the neighbour's property to the south that has been reviewed by the consulting project arborist. Its trunk is 7 meters from the duplex foundation. It has a large overhanging canopy that may require some pruning of small limbs for building clearance of the proposed duplex. The pruning will not have a significant impact on the Garry Oak tree. Protection measures will be put in place during construction of the new home, for the critical root zone of this protected tree.

Parking Regulations

The parking is non-compliant with Schedule C(4) of the *Zoning Regulation Bylaw*. Parking is reviewed in the Development Permit with Variance report.

CONCLUSIONS

The proposal to rezone the property from the R1-G Zone, Gonzales Single Family Dwelling District, to a site specific zone based on the R-2 Zone, Two Family Dwelling District, would permit the construction of an additional unit. While attached dwellings (defined as three or more units) would be consistent with the OCP in the Traditional Residential designation, the proposal to include a secondary suite in a duplex (also three units, but one would be rental) is not envisioned in the *Official Community Plan, 2012* (due to the secondary suite definition), nor permitted by the *Zoning Regulation Bylaw*. However, defining it as a duplex with secondary suite ensures the retention of an already existing rental unit. Additionally, this proposal supports many of other OCP objectives around sustainability and energy, and affordable housing. Taking this all into consideration, staff recommend that Council support this Rezoning Application No. 00541.

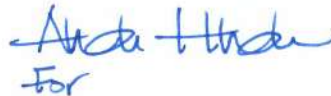
ALTERNATE MOTION

That Council decline Rezoning Application No. 00541 for the property located at 1068 Chamberlain Street.

Respectfully submitted,



Chelsea Medd, Planner
Sustainable Planning and Community
Development Department



For
Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

July 25, 2017

List of Attachments

- Attachment A - Subject Map
- Attachment B - Aerial Map
- Attachment C - Plans dated/date stamped July 14, 2017
- Attachment D - Letter from applicant to Mayor and Council dated July 20, 2017
- Attachment E - Community Association Land Use Committee Comments dated October 20, 2016
- Attachment F - Correspondence (letters received from residents)