

Planning and Land Use Committee Report For the Meeting of January 14, 2016

To:

Planning and Land Use Committee

Date:

December 18, 2015

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Permit with Variances Application No. 00496 for 1122 and 1124

Leonard Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00496, if it is approved, Council consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00496 for 1122 and 1124 Leonard Street, in accordance with:

- 1. Plans date stamped November 6, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 2.1.3 (d): Increase the combined floor area from 380m² to 395.08m²;
 - ii. Part 2.1.4 (a): Increase the height from 7.6m to 8.16m;
 - iii. Part 2.1.4 (a): Increase the height from 1.5 storeys with a basement to 2 storeys with a basement;
 - iv. Part 2.1.5 (b): Reduce the rear yard setback from 13.28m to 9.51m;
 - v. Part 2.1.5 (c): Reduce the side yard (west) setback from 1.5m to 0.99m;
 - vi. Part 2.1.5 (c): Reduce the side yard (east) setback from 3.0m to 0.97m;
 - vii. Part 2.1.5 (d): Reduce the combined side yard setbacks from 4.5m to 1.96m;
 - viii. Schedule "C" (3): Permit parking to be located between the building and the front lot line.
- 3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the bylaw.

Pursuant to Section 920 (8) of the Local Government Act, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential

development, a Development Permit may include requirements respecting the character of the development including landscaping, siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 1122 and 1124 Leonard Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District to a new zone in order to permit the existing non-conforming duplex to be strata titled and to alter the building.

The following points were considered in assessing this Application:

- the proposal is consistent with the objectives for sensitive infill in Development Permit Area 15D: Intensive Residential Duplex of the Official Community Plan 2012 (OCP)
- the proposal is generally consistent with the policies and design specifications of the Neighbourliness Guidelines for Duplexes (1996)
- the proposed variances relate to floor area, height, number of storeys, rear and side setbacks and locating parking in the front yard. These variances are required to facilitate the retention of the existing building and reflect the current conditions.

BACKGROUND

Description of Proposal

The proposal is to strata title an existing non-conforming duplex and to alter the building. Specific details include:

- exterior materials include new stucco, roofing and windows with wood trim
- the existing concrete block is to be retained and refurbished
- the entryways of each dwelling will have new solid wood doors, glass guards, concrete stairs and masonry stone veneer
- a covered porch will be added at the rear of each dwelling.

Sustainability Features

As indicated in the applicant's letter dated November 6, 2015, the following sustainability features are associated with this proposed development:

- renovation of an existing building instead of demolition reduces waste
- improvements to the building envelope increases energy efficiency
- new windows and exterior doors will be more energy efficient
- the interior renovation will include dual flush toilets, low VOC paints and energy star appliances.

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 Development Permit with Variances Application.

Existing Site Development and Development Potential

The site is presently a non-conforming duplex.

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 July 20, 2015. The minutes of this meeting are attached to this report.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Development Permit Area and Design Guidelines

The Official Community Plan (OCP) identifies this property within Development Permit Area 15D: Intensive Residential - Duplex. The proposal is to alter an existing non-conforming duplex, including changes to exterior materials and design and is consistent with the Neighbourliness Guidelines for Duplexes.

The proposed improvements would help emphasise a positive street appearance with exterior materials that suit the existing building and adjacent buildings. Both units are oriented towards the street with covered entrances and windows facing it.

The applicant is proposing a mix of hard and soft landscaping, including parking, walkways, patios surfaced with decorative concrete pavers, the addition of a new ground cover, shrubs and trees.

Regulatory Considerations

To facilitate the Rezoning Application from the R1-B Zone to a new zone based on the R-2 Zone, eight variances would be required. The variances are the result of the siting and size of the existing duplex and reflect the current conditions. The following table summarizes the proposed variances.

| Zoning Criteria | Proposed Variance | Zone Standard R-2 |
|------------------------------------|-------------------|--------------------------|
| Combined floor area (m²) - maximum | 395.08 | 380 |
| Height (m) - maximum | 8.16 | 7.60 |
| Storeys - maximum | 2 w/basement | 1.5 w/basement |
| Setbacks (m) - minimum | | |
| Rear | 9.51 | 13.28 |
| Side (west) | 0.99 | 1.50 |
| Side (east) | 0.97 | 3.00 |
| Combined Side | 1.96 | 4.50 |
| Location of Parking | Front yard | Behind front of building |

CONCLUSIONS

This proposal to alter an existing non-conforming duplex is consistent with Development Permit 15D: Intensive Residential – Duplex. The proposed variances would not have a substantial impact on the adjacent properties. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00496 for the property located at 1122 and 1124 Leonard Street.

Respectfully submitted,

Rob Bateman

Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

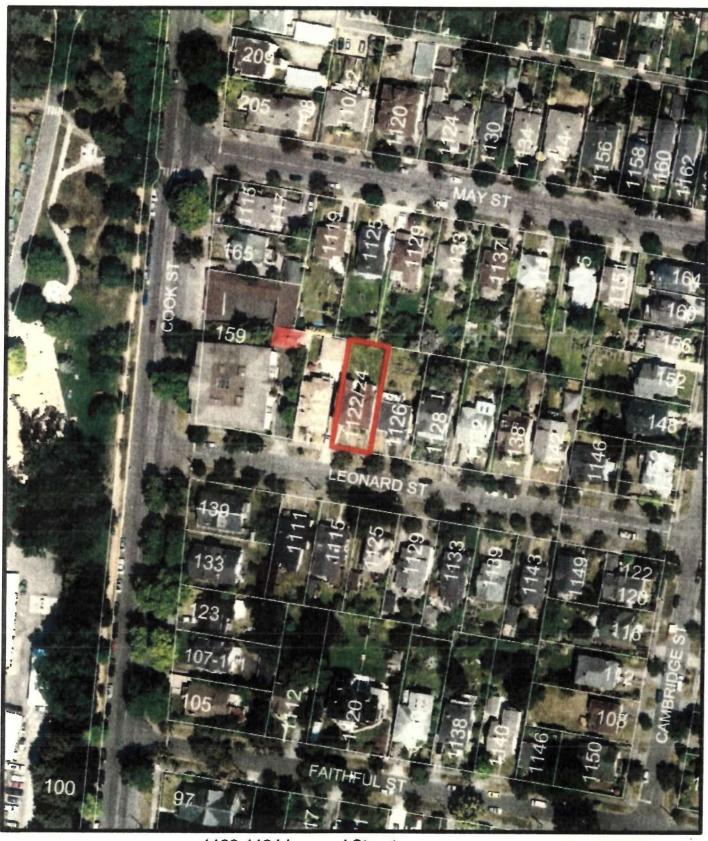
Development Department

Report accepted and recommended by the City Manager:

Date: December 30, 7015

List of Attachments

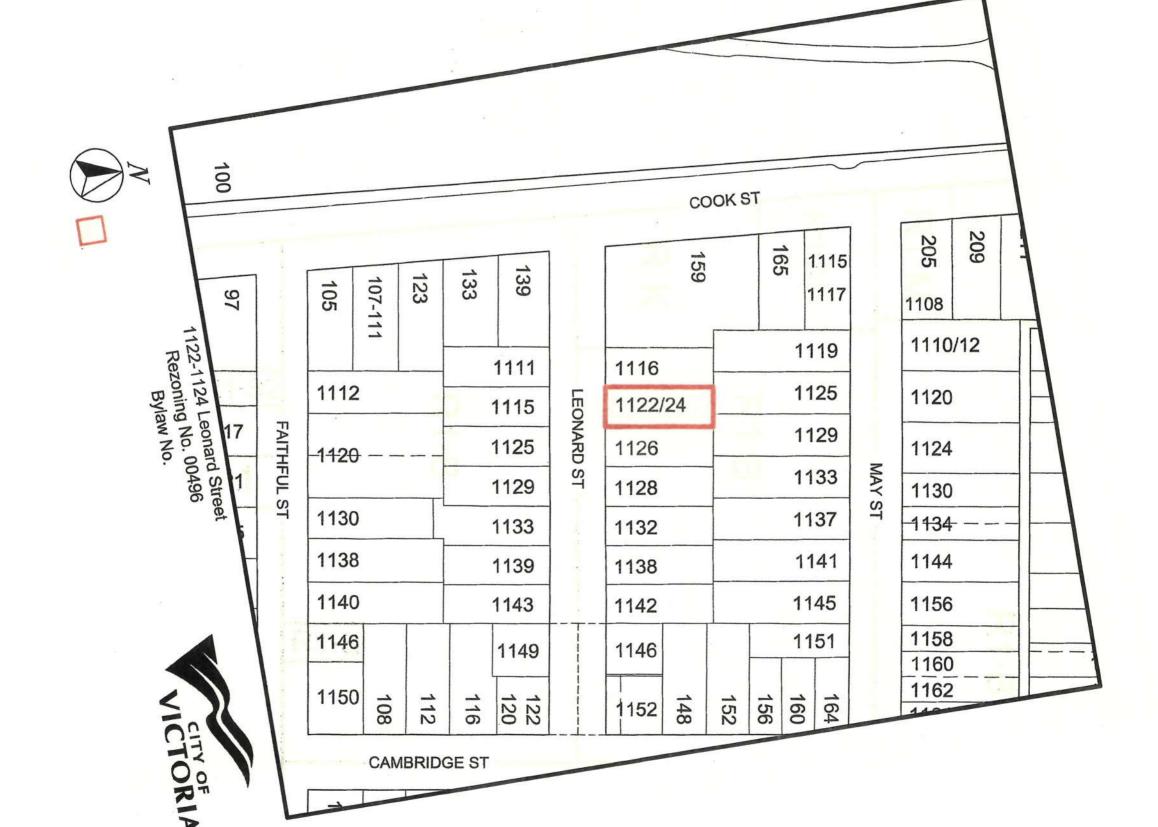
- Air photo
- Zoning map
- Applicant's letter to Council dated November 6, 2015
- Minutes of Community Meeting of the Fairfield-Gonzales Community Association dated July 20, 2015
- Submission drawings dated November 6, 2015.





1122-1124 Leonard Street Rezoning No. 00496 Bylaw No.





November 6, 2015

Mayor and Council Victoria City Hall 1 Centennial Square Victoria, BC V8W 1P6

Dear Mayor and Council:

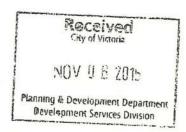
Re: 1122/1124 Leonard Street – Rezoning to Permit a Strata Titling of an Existing Duplex

I am the owner of the duplex located at 1122 and 1124 Leonard Street ("1122/1124 Leonard" or the "Property"). The Property is an existing, side by side duplex that was constructed in approximately 1912. I am making application to rezone 1122/1124 Leonard from R-1B to a Site Specific Zone or R2 with variances.

The purpose of the rezoning is to permit a strata titling of this existing duplex. The strata titling will not change the Property's current configuration; it will only change the ownership tenure from one title to two strata units. The rezoning will make the property conforming and the strata titling will contribute significantly to the feasibility of completing a full renovation and renewal of the unique character of 1122/1124 Leonard. The proposal conforms to the Traditional Residential Urban Place designation in the Official Community Plan.

The following materials and plans are in enclosed in support my rezoning application:

- A Landscape Plan drafted by LADR Landscaping Ltd.
- 2. Photographs of 1122/1124 Leonard and the Leonard St. streetscape, as well as perspective images of the proposed renovations to the Property
- 3. Complete renovation plans drafted by Step One Design for the proposed upgrade of the interior and renewal of the exterior of the Property
- 4. "Turning Template" plans drafted by Westbrook Consulting Ltd.
- 5. Engineering drawings drafted by RJC
- 6. Photographs of the front yard parking at the duplex located at 154 and 156 Linden Ave.
- 7. Copies of written support for the proposal signed by Leonard Street neighbours



The proposal includes a wide range of green building features and concepts including the following:

- The building will be renovated and renewed as opposed to being torn-down and hauled to the dump - saving dump truck loads of waste.
- The building envelop was historically very poor with numerous areas of free air flow to
 the outdoors (you could actual see daylight coming through the outside wall in some
 areas). The renovation of the building will include a new, energy efficient, sealed and
 insulated building envelope.
- All windows and exterior doors will be replaced with energy efficient, double glazed windows and exterior swing doors with thermally broken, vinyl frames.
- The interior renovation will include a number green building features including:
 - dual flush toilets;
 - low VOC paints; and
 - Energy Star® appliances.

Due to an existing none conformance, the proposal does not meet the vehicle parking standards of Schedule C – Off-Street Parking. As is show by the enclosed plans and photographs, the side setbacks of the duplex are not wide enough to provide a driveway to the backyard. Consequently, it is not possible provide off street parking in the backyard of the property. As a result of this existing condition, the proposal includes a plan to provide parking off the street in the front yard of the property.

The enclosed Landscape Plan illustrates the design for the proposed front yard parking included in the proposal. The plan draws from the guidelines for front yard parking that is permitted in the Gonzales neighbourhood of Fairfield and is enhanced by extensive landscaping. I engage Westbrook Consulting Ltd. to complete the enclosed "Turning Template" study which demonstrates that the front yard parking plan provide safe parking in accordance to the relevant guidelines. Steve Hutchison, Transportation Planner, City of Victoria Engineering has reviewed and supports this front yard parking plan.

The front yard parking fits in well with the Leonard St. streetscape and is strongly support by the majority of the Leonard Street neighbours. It is similar to parking at many properties on the street where owners park their cars in the front driveways to their garages. I also note that similar front yard parking was permitted at nearby duplex located at 154 and 156 Linden Ave. (see attached photos). In addition to the front yard parking I also plan to build accessory buildings in the backyards of both duplex units that will be ideal for bicycle parking.

1122/1124 Leonard has operated as a duplex since it was constructed in 1912. Over its life minimal investment has been made into the repair, maintenance and renewal of the property.

The condition of the property is very poor and not at the high standard of the homes on Leonard Street and the Cook Street Village neighbourhood.

In spite of its very poor condition, 1122/1124 Leonard has "good bones" and distinctive character. It also has historical significance as it is one of the first and few homes in the city to be constructed with unique masonry block construction. The architect and builder of the duplex utilized this construction technique in the early 1900s for only a few architecturally significant homes in the area, most notably 97 Cook Street and 139 Cook Street. As shown by the enclosed plans, my proposed renovation will completely revitalize the property while preserving the original side by side duplex configuration, form and character of the exterior of the building and Leonard Street's historic streetscape.

I have met with the vast majority of the Leonard Street neighbours, including those who are nearest to 1122/1124 Leonard, and discussed strata titling of and front yard parking at the Property. I received enthusiastic, written support for strata titling from all of these neighbours. Copies of this written support are enclosed for reference. The most predominant feedback that I received during my dialogue with these neighbours is as follows:

- 1. There is strong support for the proposed front yard parking at 1122/1124 Leonard
- 2. Parking demands on Leonard St. have increased since the construction of the new children's park on the West side of Cook St., at Cook and Leonard. Front yard parking at 1122/1122 Leonard would be positive as it would reduce congestion on the street
- 1122/1124 Leonard has been neglected and in very poor condition for a very long time.
 The upgrade and renewal of the property would have a very significant, positive impact on the neighbourhood
- 4. Preserving the 1122/1124 Leonard duplex building instead of demolishing and replacing it with a new building that might not fit in with the neighbourhood is desirable

Thank you for your consideration of my 1122/1124 Leonard St. rezoning application. I look forward to making a formal presentation related to my proposal in the near future.

Yours Truly,

Michael Cronquist

Minutes of Community Meeting Planning and Zoning Committee Fairfield-Gonzales Community Association (FGCA) July 20, 2015

Facilitators for the FGCA: George Zador (Chair)
Susan Snell
Ken Roueche

Subject property: 1122 -1124 Leonard St. duplex; application for strata conversion.

Proponent/owner: Mike Cronquist. 123 notices sent

This property in vacant and derelict condition for the past several years is proposed to be fully rehabilitated and rezoned to permit strata titling. The project had previously been submitted and approved in 2014, however the proponent failed to proceed and after 1 year, the application lapsed.

Attendance: 20 people (not all involved with project)

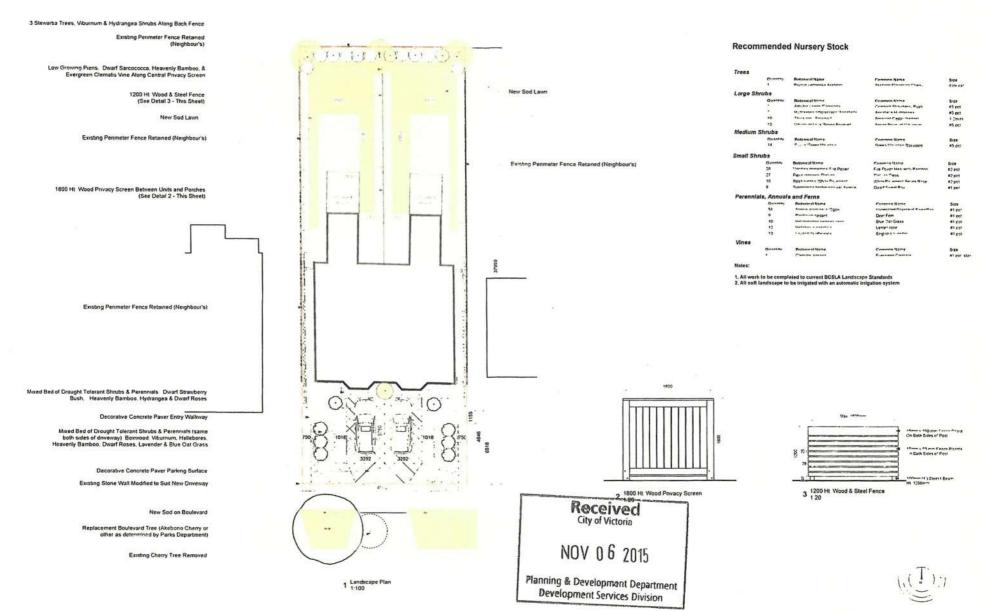
Attendee Questions and Comments:

- Concern expressed about City recommended site specific rezoning as most efficient, but granting the more conventional R-2 zoning would have issues in an R-1 area as well
- Parking for 2 cars provided at the front requires removal of a boulevard tree; arborist
 may be engaged to recommend suitable replacement.
- Are there any plans to further subdivide the two units? Absolutely none.
- Any plans to develop the basement area? Absolutely none.
- Water weeping in backyard.....it will be managed with new drain tiles.
- Covered patio in the rear will not obstruct neighbour's sightline.
- Project timeline? Will proceed immediately upon approvel by City.

The neighbourhood would welcome the reconditioning of this unsightly building.

George Zador

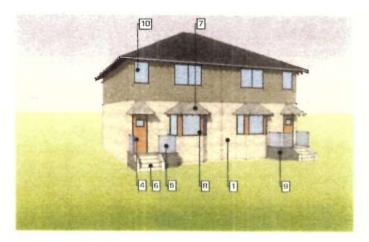
Planning and Zoning Chair Fairfield Gonzales Community Association 1330 Fairfield Rd. Victoria, BC V8S 5J1 planandzone@fairfieldcommunity.ca www.fairfieldcommunity.ca Facebook

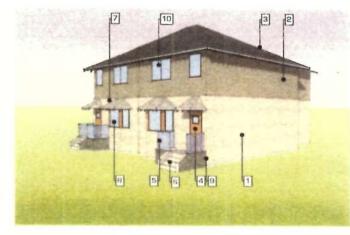


1122 Leonard Street - Landscape Concept (Rezoning)



LADR







- 1. REFURBISHED CONCRETE BLOCK
- 2. ORIGINAL STUCCO REMOVED AND REPLACED WITH NEW STUCCO
- 3 NEW ROOFING
- 4 NEW SOLID WOOD EXTERIOR DOOR
- 5 GLASS GUARD
- 6 NEW CONCRETE STAIRS
- 7 NEW ROOFING
- B WOOD TRIM WITH CLEAR SEALER
- 9 MASONRY STONE VENEER
- 10 NEW WINDOWS

















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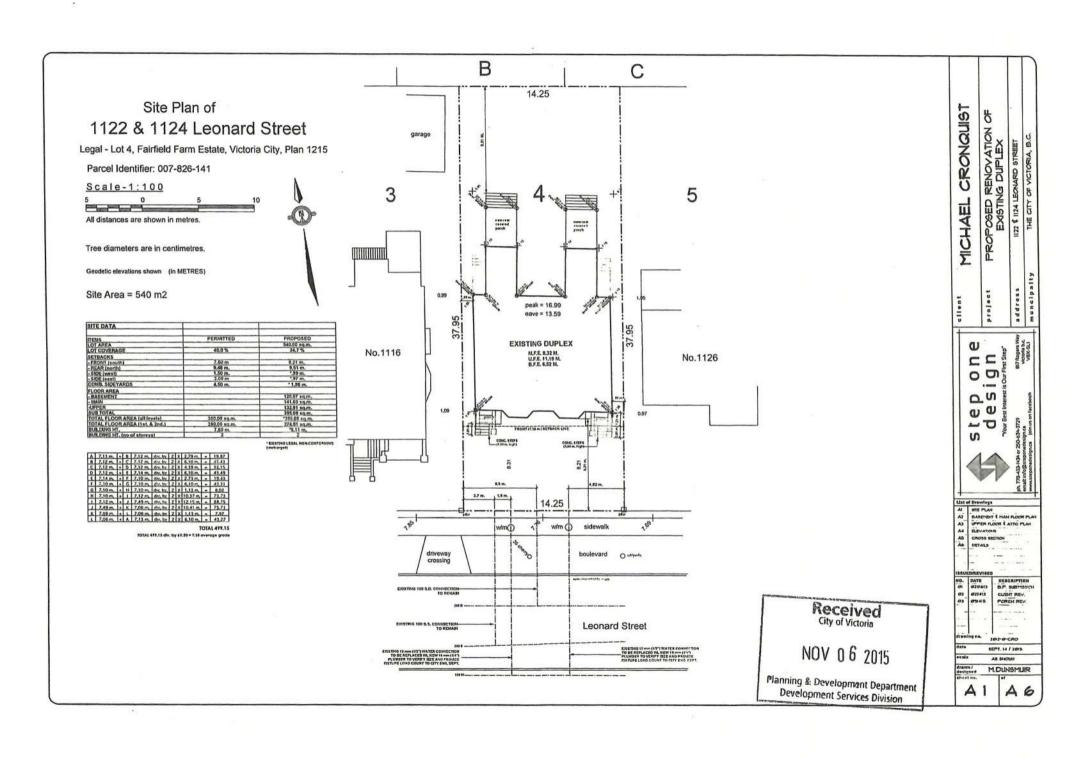
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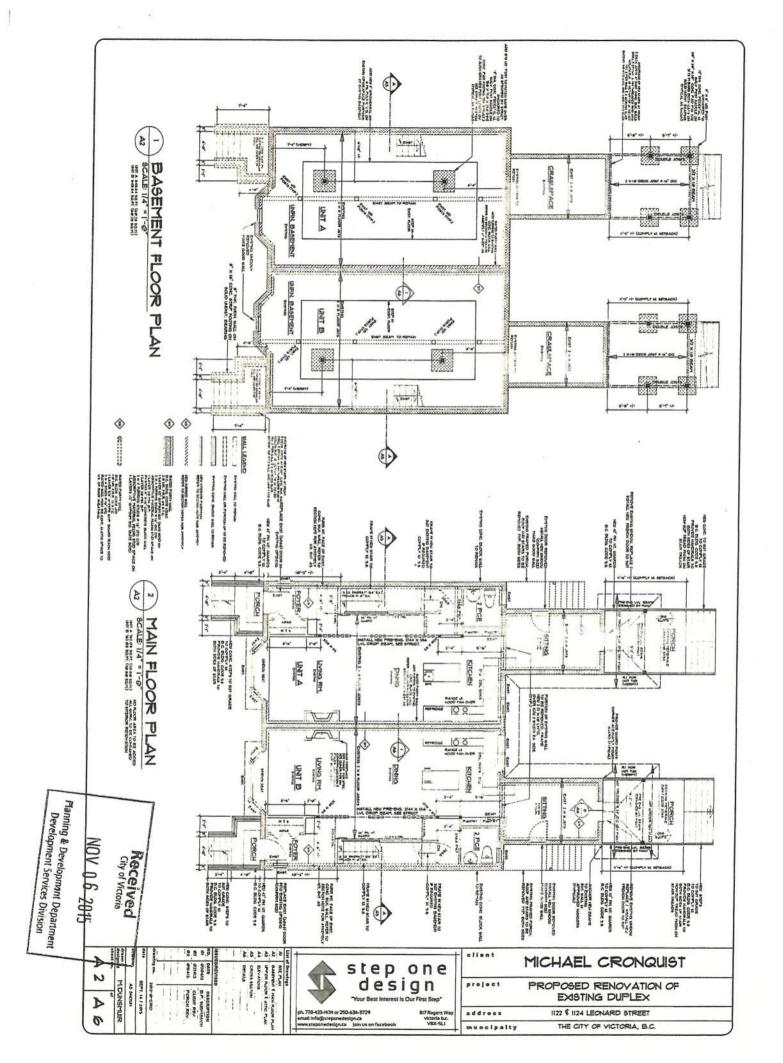
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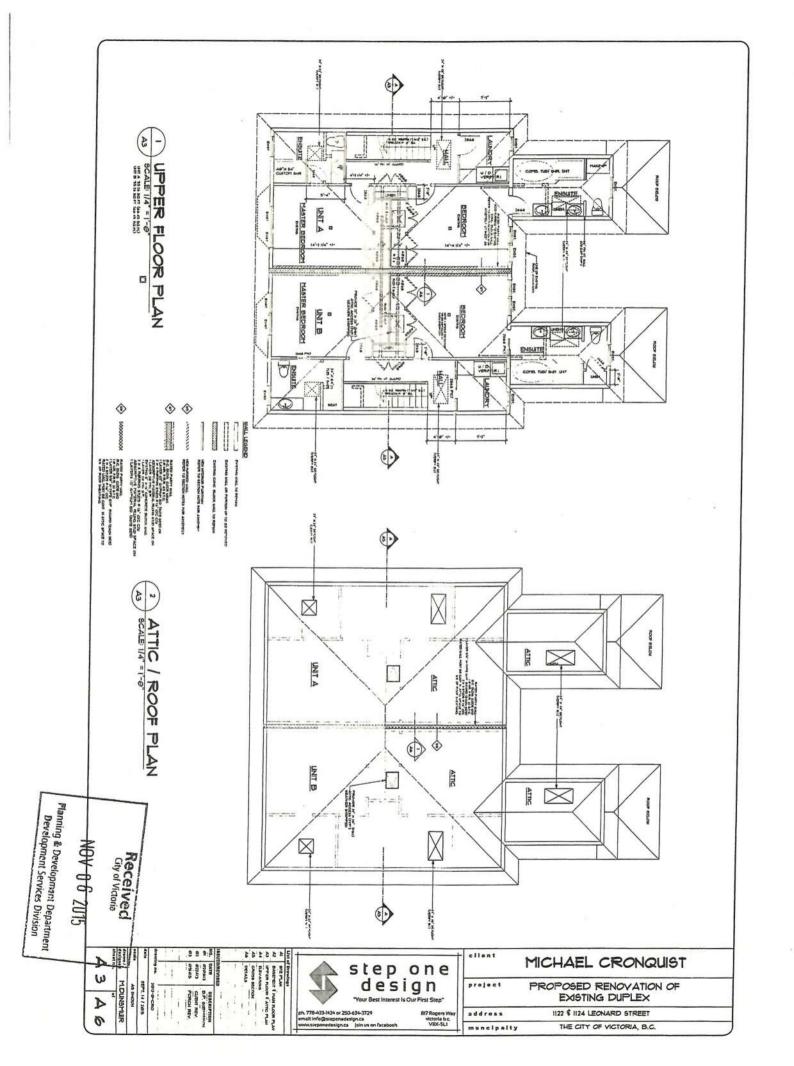
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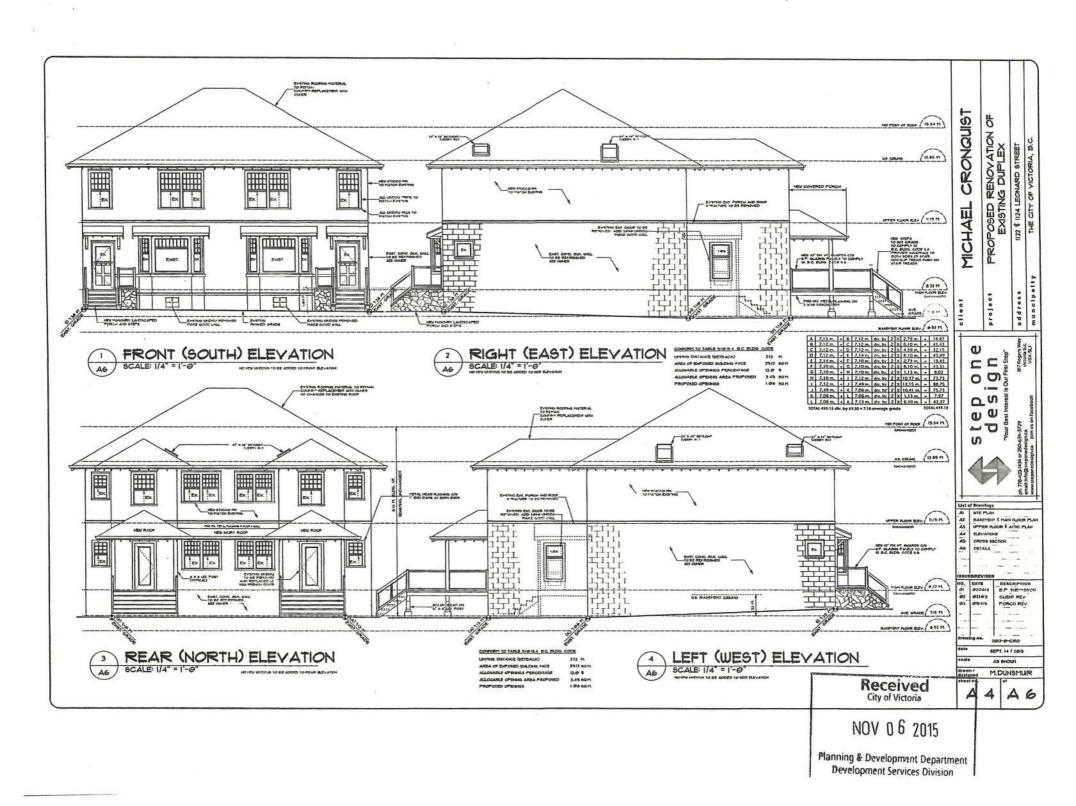
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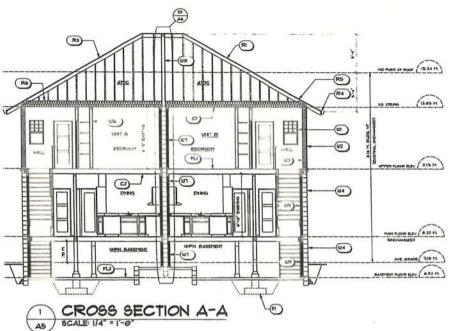
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SECTION NOTES

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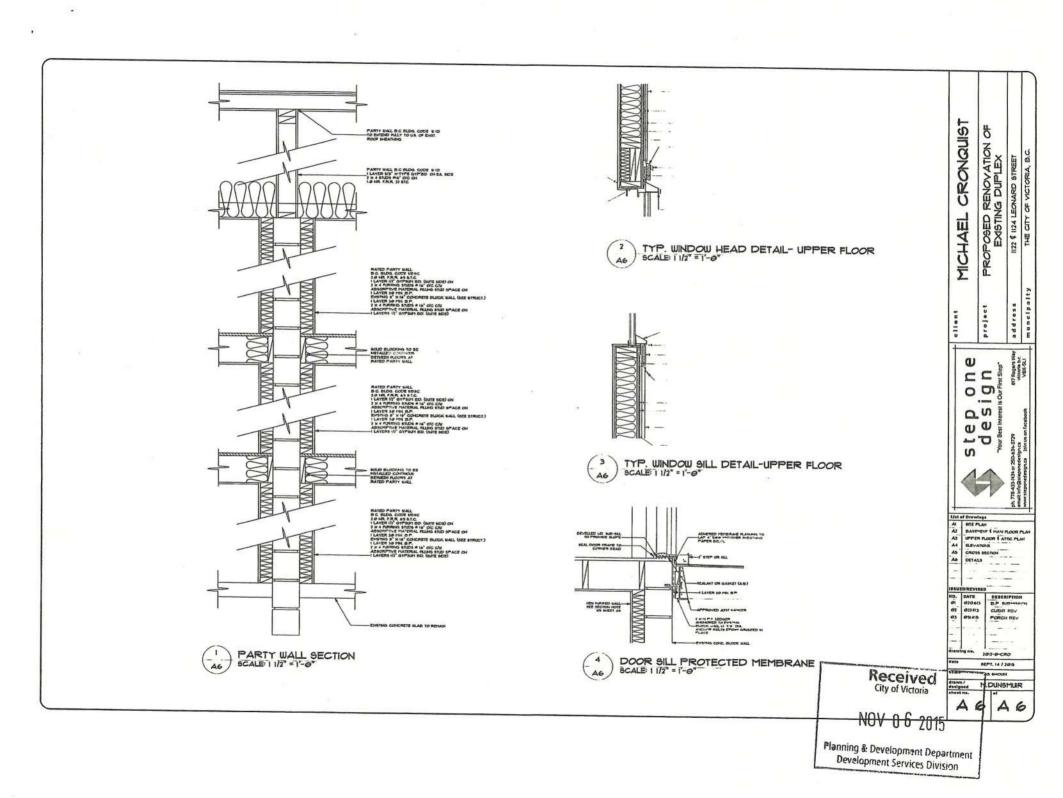
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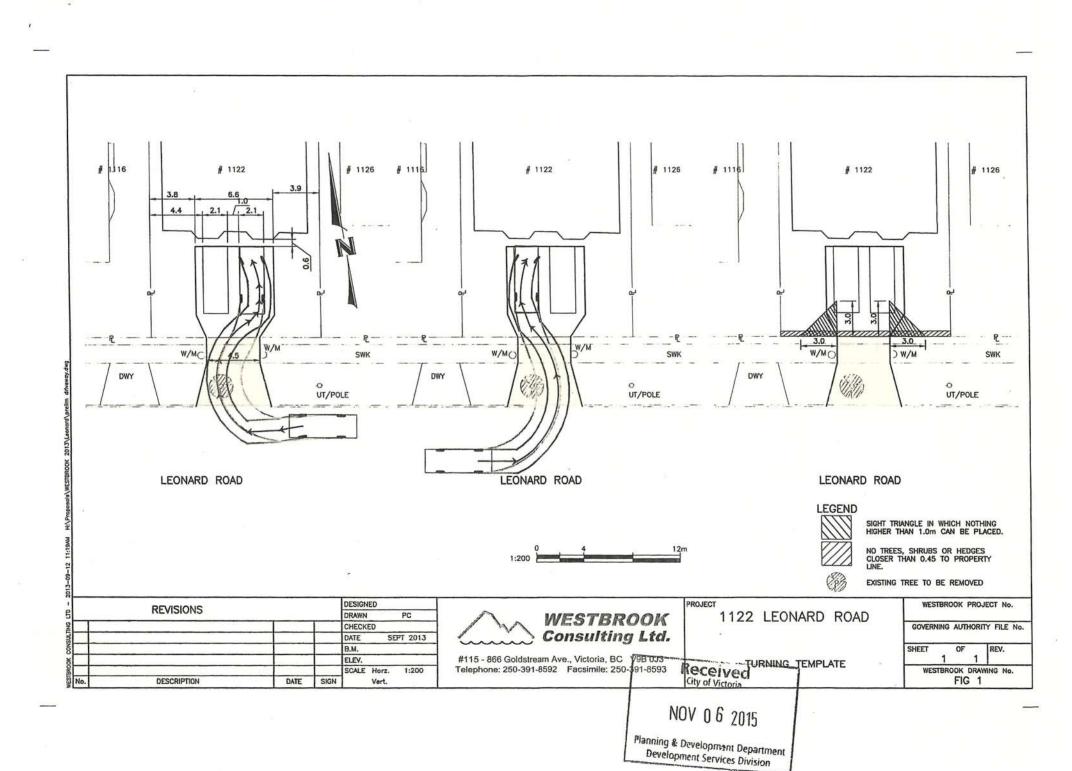
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-ALL STRUCTURAL COMPONENTS TO COMPONENT TO THE APPLICABLE SECTIONS OF THE D.C. BLDG. CODE AND HAY BE SUBJECT TO ENGAGERATED. DESIGN LIVE AND DEAD LOADS TO COMPONENT TO





General Notes:

All work to conform to the British Columbia Building Code (BCBC) 2006 and referenced documents. Wood framing to BCBC 2006 - Part 9 as a minimum.

Renovations have been designed to maintain the structural capacity of the original base structure.

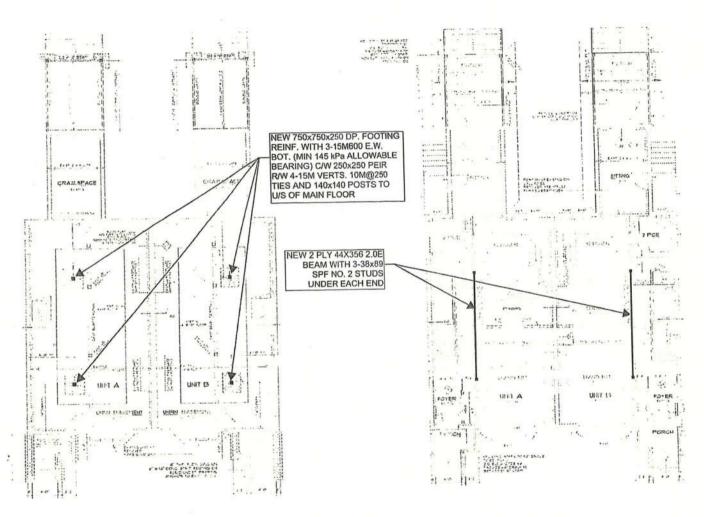
Material Notes:

Wood framing to be SPF No. 2 Grade unless noted otherwise.

The structural drawings are based on assumed as-built conditions for the existing structure. The actual conditions may vary and the contractor shall immediately inform the consultant of any variations from the assumed conditions. New openings in existing structure to be marked out by the contractor and reviewed by RJC prior to any cutting. No overcutting is permitted. The contractor is responsible for safety in and about the jobsite during construction, and the design and erection of all temporary formwork and shoring required to complete the work.

RJC to review the existing structure and framing, and all deficiencies are to be repaired by the owner's contractor as per RJC's instructions.





BASEMENT FLOOR PLAN

MAIN FLOOR PLAN

Received City of Victoria

NOV 06 2015

Planning & Development Department **Development Services Division**



Read Jones Christofferson Consulting Engineers

Sulte 220, 645 Tyee Road Victoria, BC V9A 6X5 Canada Office 250 386-7794 Fax 250 381-7900 Project Name

1122 LEONARD STREET

MAIN / BASEMENT FLOOR

Dwg. Ref.

Scale NTS JAN 24, 2013 Project No. VIC,108134,001 Sketch Number

SSK-01