

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

To:

Planning and Land Use Committee

Date:

December 30, 2015

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Variance Permit No. 00161 for 1000 Chamberlain 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, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00161 for 1000 Chamberlain Street, in accordance with:

- 1. Plans date-stamped November 25, 2015.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - Section 1.6.4.a Relaxation to increase the maximum building height from 7.60m to 10.68m
 - ii. Section 1.6.5.a Relaxation to reduce the front yard setback from 7.50m to 4.70m (Cantilever) and 4.96m for the building façade
 - iii. Section 1.6.5.b Relaxation to reduce the rear yard setback from 9.10m to 3.39m
 - iv. Schedule F, Section 1 Relaxation to permit an accessory building within the side yard (west) and the front yard instead of the rear yard
 - v. Schedule F, Section 2.a Relaxation to increase the maximum floor area of an accessory building from 37.00m² to 40.30m²
 - vi. Schedule J, Section 2.a Relaxation to permit an increase in the enclosed floor area of an addition to a building from 20.00m² to 47.25m² with the installation of a secondary suite.
- 3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 922 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 1000 Chamberlain Street. The proposal is to construct a $47.25m^2$ addition to the existing house as part of its renovation with the installation of a secondary suite and the relocation of an existing accessory (workshop) building currently encroaching on a neighbour's property. The variances are related to the floor area of the addition to the single family dwelling as well as its height and setbacks and the location and floor area of the existing accessory building.

The following points were considered in assessing this application:

- the design of the proposed addition is in keeping with the existing house
- the requested variances are largely technical in nature and due to the siting and size of the existing house and accessory building will have minimal impacts on adjacent properties and the surrounding neighbourhood.

BACKGROUND

Description of Proposal

The proposal is to construct a 47.25m² rear addition and deck on an existing house as part of its renovation with the installation of a secondary suite. Relocation of an existing accessory (workshop) building is proposed to remove its encroachment on the neighbouring property to the west. Specific details include:

- installation of the two-bedroom, 81m² secondary suite on the lower floor
- a storage area and workshop on the lower floor of the addition with a deck and mudroom above
- new lower floor windows and an entrance to the secondary suite
- exterior siding on the addition to match siding on the existing house
- new vehicle parking pad and sidewalks on the site with permeable pavers.

The proposed variances are related to:

Main House

- A building addition exceeding 20m² with the installation of a secondary suite.
- Front and rear setbacks less than the required minimum due to the Zoning Regulation Bylaw definition of front yard.
- A small increase in building height due to a change in average grade.

Accessory Building

- A location in front yard and side yard due to the Zoning Regulation Bylaw definition of front yard.
- A floor area slightly greater than the maximum permitted.

Sustainability Features

As indicated in the applicant's letter date-stamped November 25, 2015 the following sustainability features are associated with this application:

- upgraded weather stripping/caulking installed on doors and windows
- · high-efficiency in-floor heating
- solar hot water system with associated mechanical room.

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 Variance Permit Application.

Existing Site Development and Development Potential

The site is a large corner lot currently occupied by a single family dwelling built in 1911. While the front of the house faces Chamberlain Street, the front yard as defined in the *Zoning Regulation Bylaw* is on Brighton Avenue.

Under the existing R1-G Zone, the house could be replaced with a new single family detached dwelling with a maximum floor area of 300 m², which could include a secondary suite. The size and corner location of the lot meet the criteria for consideration of a rezoning for a duplex.

Data Table

The following data table compares the proposal with the existing R1-G Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

| Zoning Criteria | Proposal | Zone Standard R1-G | | |
|---------------------------------------|----------|-----------------------|--|--|
| Site area (m²) - minimum | 667.06 | 460.00 | | |
| Density (Floor Space Ratio) - maximum | 0.43:1 | 0.5:1 | | |
| Total floor area (m²) - maximum | 290.00 | 300.00 | | |
| Secondary suite floor area | 80.93 | 90.00 | | |
| Lot width (m) - minimum | 18.30 | 15.00 | | |
| Height (m) - maximum | 10.68* | 7.60 | | |
| Storeys - maximum | 3* | 2 | | |
| Site coverage % - maximum | 29.30 | 30.00 | | |
| Open site space % - minimum | 70.70 | 50.00 | | |

| Zoning Criteria | Proposal | Zone Standard R1-G | | |
|---------------------------|----------------------|--|--|--|
| Setbacks (m) – minimum | | VIII III - | | |
| Front (Brighton Ave.) | 4.70* | 7.50 | | |
| Rear (north) | 3.39* | 9.00 | | |
| Side (west) | 10.43 | 2.75 | | |
| Side (Chamberlain St.) | 7.92 | 3.5 | | |
| Combined Side Yards | 18.35 | 5.40 | | |
| Parking – minimum | 1 | 1 | | |
| Accessory Building | | | | |
| Location | Front and side yard* | Rear yard | | |
| Floor area - maximum | 40.30* | 37.00 | | |
| Height – maximum | 3.50 | 3.50 | | |
| Setbacks (m) – minimum | | | | |
| East (separation space) | 4.91 | 2.40 | | |
| Rear (north) | 7.85 | 0.60 | | |
| West | 0.91 | 0.60 | | |
| Rear yard site coverage % | n/a | 25 | | |

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on December 2, 2015 the application was referred for a 30-day comment period to the CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

ANALYSIS

Proposed Variances

The requested setback variances for the existing house and the locational variance for the existing accessory building are largely technical and the result of existing front and rear yards that differ in location from the definitions in the *Zoning Regulation Bylaw*. The requested height relaxation for the existing house reflects its existing height with an adjustment to the average grade. The requested variance for the floor area of the accessory building reflects its existing floor area. Staff recommend that Council consider the requested variance to permit an addition to the existing house with a greater floor area than permitted when a secondary suite is installed, as its design is in keeping with the existing house.

CONCLUSIONS

Staff have reviewed the proposal and the proposed variances will have minimal impacts on adjacent properties and the surrounding neighbourhood and the design of the proposed addition is in keeping with the existing building. Staff, therefore, recommend that Council consider supporting the proposal and the requested variances.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00161 for the property located at 1000 Chamberlain Street.

Respectfully submitted,

Brian Sikstrom Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date:

December 30, 2015

List of Attachments

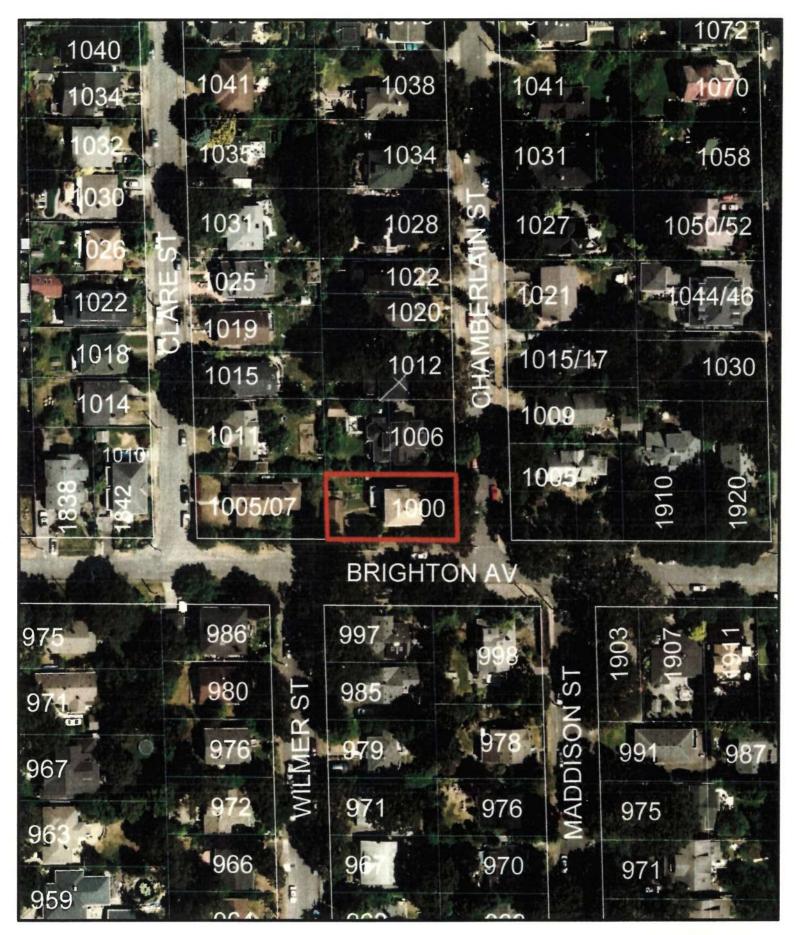
- Zoning map
- Aerial map
- Letter from applicant date-stamped November 25, 2015
- Plans date-stamped November 25, 2015.

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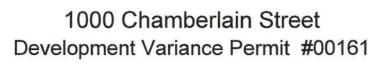


1000 Chamberlain Street
Development Variance Permit #00161











Leonard Weaver 1000 Chamberlain Street Victoria, BC V8S 4B9 l.weaver@me.com 205-8121-1013

Mayor Lisa Helps and the Victoria City Council 1 Centennial Square Victoria, BCV8W 1P6

November 20, 2015

Dear Ms. Help and Members of the Victoria City Council,

Received
City of Victoria

NOV 2 5 2015

Planning & Development Department

Development Services Division

RE: Development Variance Permit Application #00161

The house at 1000 Chamberlain Street is a grand old Victorian built in the early 1900s. My wife and I would like to see it stand proud among its neighbours; to do that it will need major renovation. Our application for a development permit aims to achieve five goals.

- Restore and improve the character features of the home and improve the aesthetics of the house and lot for the enjoyment of the occupants and for enhancement of the neighbourhood.
- 2. Reduce our carbon footprint and augment the home's thermal efficiency.
- 3. Improve the functionality of the home's interior to better align with modern living.
- 4. Install a high-end, income-earning suite to assist with financing the costs of the upgrades and the mortgage.
- 5. Eliminate the encroachment of the garage onto the neighbour's property.

The manner in which the proposed plan meets these goals is discussed below.

Variances Requested

The city plan considers Brighton Street to be the fronting street despite the home's address and obvious orientation to Chamberlain Street. This poses a hardship with regards to meeting flanking and fronting street setback requirements. Accordingly, the following 6 variances are requested.

1. Section 1.6.4.a - Relaxation for the maximum building height from 7.60m to 10.68m due the proposed average grade change. The existing building height is 10.47m.

- 2. Section 1.6.5.a Relaxation for the front yard setback from 7.50m to 4.96m. The existing front yard setback is 4.70m (Cantilever).
- 3. Section 1.6.5.b Relaxation for the rear yard setback from 9.10m to 3.39m. The existing rear yard setback is 4.24m
- 4. Schedule F, Section 1 Relaxation for the location of an accessory building from the rear yard to partially within the side yard (west) and the front yard.
- 5. Schedule F, Section 2 Relaxation for the maximum size of an accessory building form 37.00 meters squared to 40.30 meters squared
- Schedule J, Section 2.a Relaxation to permit an extension to a building that creates more than 20.00 meters squared of enclosed floor area to 47.25 meters squared of enclosed floor area.

The Addition and Deck

To bring the home up to modern standards and increase resale value, we feel it is important to have the following.

- a main-floor bathroom
- a mudroom, coat closet, and pantry storage off of the kitchen
- · a deck for enjoying outdoor space and a BBQ

There is currently a bathroom in the front foyer that was installed without permit and compromises the character of the entryway and staircase. We plan to restore the front entry and move the powder room to the addition. Relinquishing the basement to build the suite necessitates that the freezer move to the main floor addition. The current back entrance to the house offers nowhere to remove and store wet coats and muddy shoes. The addition satisfies all of these concerns.

The Storage Areas Beneath the Addition and Deck

The on-site garage is my workshop. The space is adequate but leaves no room for storing gardening equipment, outdoor furniture, or personal items. Giving up the basement furthers the need for an alternate storage space. The area beneath the addition will serve as a gardening shed with room to organize tools, bin space for over-wintering bulbs and tubers, and cold storage for vegetables. It will also provide dry, secure storage for camping gear and bikes and winter storage for patio furniture.

My wife was a renter for 17 years and now works for a property management firm. One chief complaint among residential tenants is a lack of storage space. To attract quality, long-term tenants, we plan to offer a dedicated storage space with the suite. The area beneath the deck will provide a secure, indoor space for tenants to store bicycles, sporting equipment, case-lot shopping, and household items used infrequently, such as Christmas decorations.

Our Carbon Footprint

As expected with a home built in 1911, the following energy efficiency issues must be addressed.

- Poor insulation.
- · Drafty doors and windows.
- Under-efficient, forced air heating.
- Inefficient electric hot water tank.

Insulation will be upgraded and weather-stripping/caulking installed on doors and windows. The furnace will be replaced with high-efficient, radiant, in-floor heating. Radiant heat reduces energy consumption. Heat molecules are absorbed by floors, furniture, and other surfaces. Because occupants are not dependent on the warm air currents, they experience a greater feeling of warmth and comfort at lower air temperatures. The most significant upgrade to the efficiency of the home will be the installation of the CamoSun solar hot water system (see http://www.camosunsolar.ca). The planned mechanical room plays an important part in the solar hot water plans for the house.

The Mechanical Room

The mechanical room placement was purposefully designed using my expertise as a professional plumbing and heating contractor and solar installer trained to NABCEP standards. The tubing that carries heated water, or glycol, from the solar panels on the roof to the storage tanks must be graded downward 1/4 inch for every foot of horizontal run. In our home, the distance from where the piping must exit the attic to the rear of the house prohibits installing the solar hot water tank at the rear of the house in the area beneath the addition. Doing so would require drilling through the floor joists from the centre of the house to the back, compromising structural integrity. The addition of the mechanical room allows me to run the tubing parallel to the floor joists and to achieve the proper grade. Another consideration is the installation of two gas boilers for the in-floor heating. The following gas installation code requirements are all satisfied by the mechanical room placement.

- outdoor venting with a minimum of elbows.
- · maximum exhaust-vent lengths.
- minimum vertical and horizontal distances from opening windows.

The 1.5 foot variance requested for the mechanical room still allows for a side-yard setback in excess of requirements. The room also improves the aesthetics of the exterior as the current bump-out design is not particularly attractive.

Neighbourhood Improvement

Finally, I would like to speak to the importance of neighbourhood improvement in this plan. We have strong ties and close friendships in our neighbourhood. Brighton Avenue, which runs along the south side of our home, has been identified as a People Priority Greenway. The rundown nature of the fencing, yard, and exterior of the home is a source of concern for us. Painting and restoring the original siding and window trim, replacing and/or repairing fences

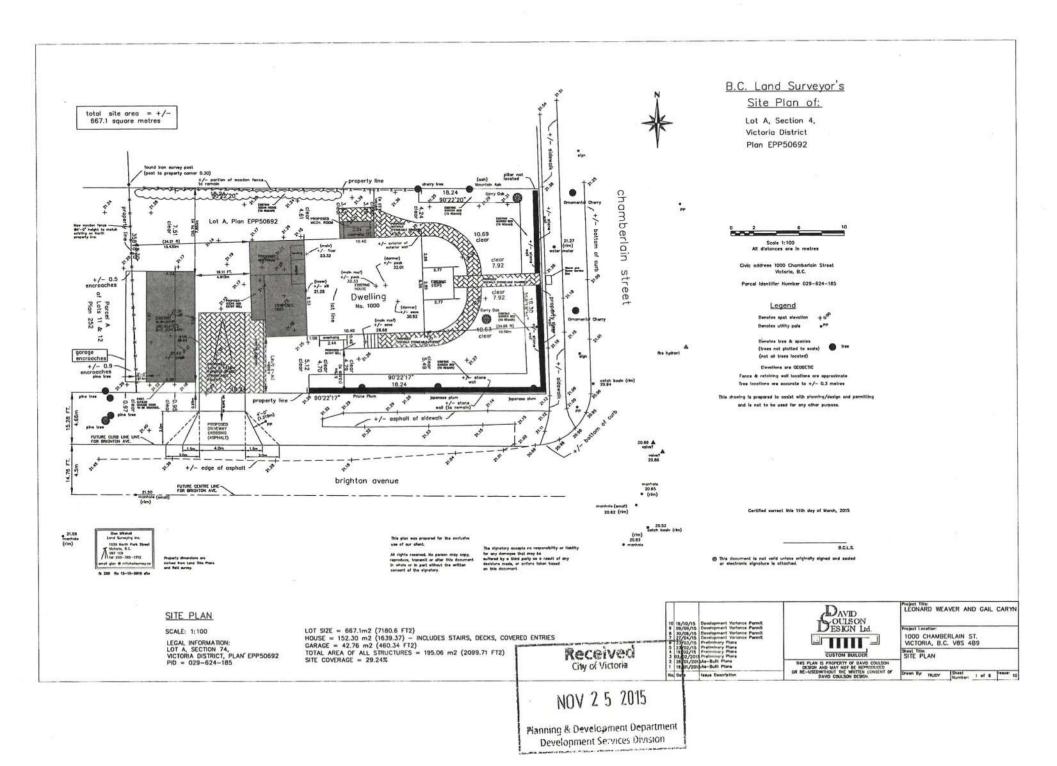
and gates, and creating off-street parking area are all part of the plan to beautify the property and improve the Brighton Walkway.

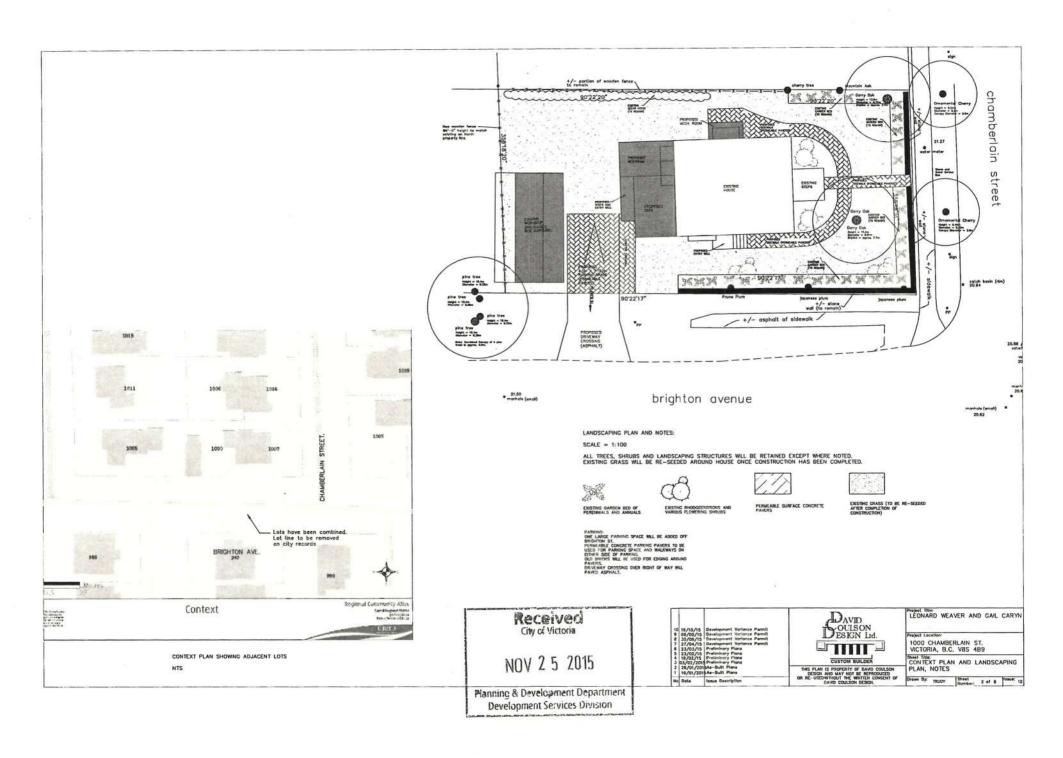
The existing garage encroaches on the adjacent property to the west, known as 1005 Clare Street. The owner of this property, Mr. Michael Velletta, requested on April 27th, 2015, that the garage be removed from his property. The proposed plan relocates the garage fully onto our property eliminating the encroachment.

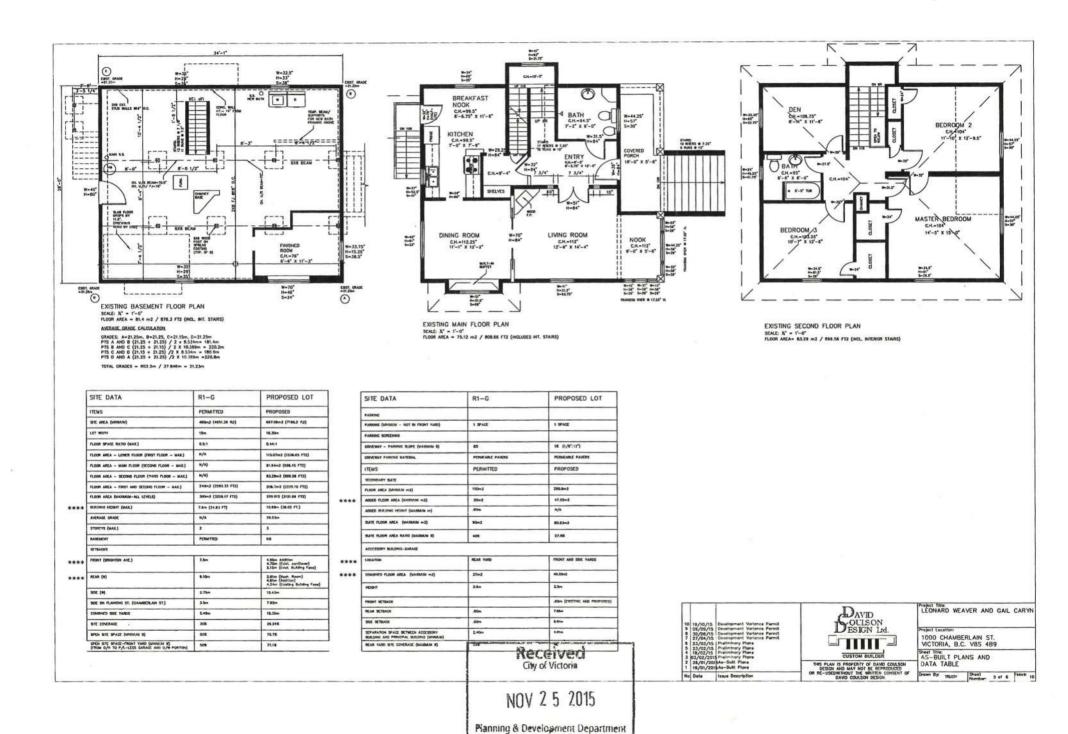
In closing, my wife and I thank you for your time in considering this development plan. The renovation will make this house a wonderful home, provide quality rental living space, and improve the neighbourhood. The plan is good for us, and it's good for the city.

Sincerely,

Leonard Weaver

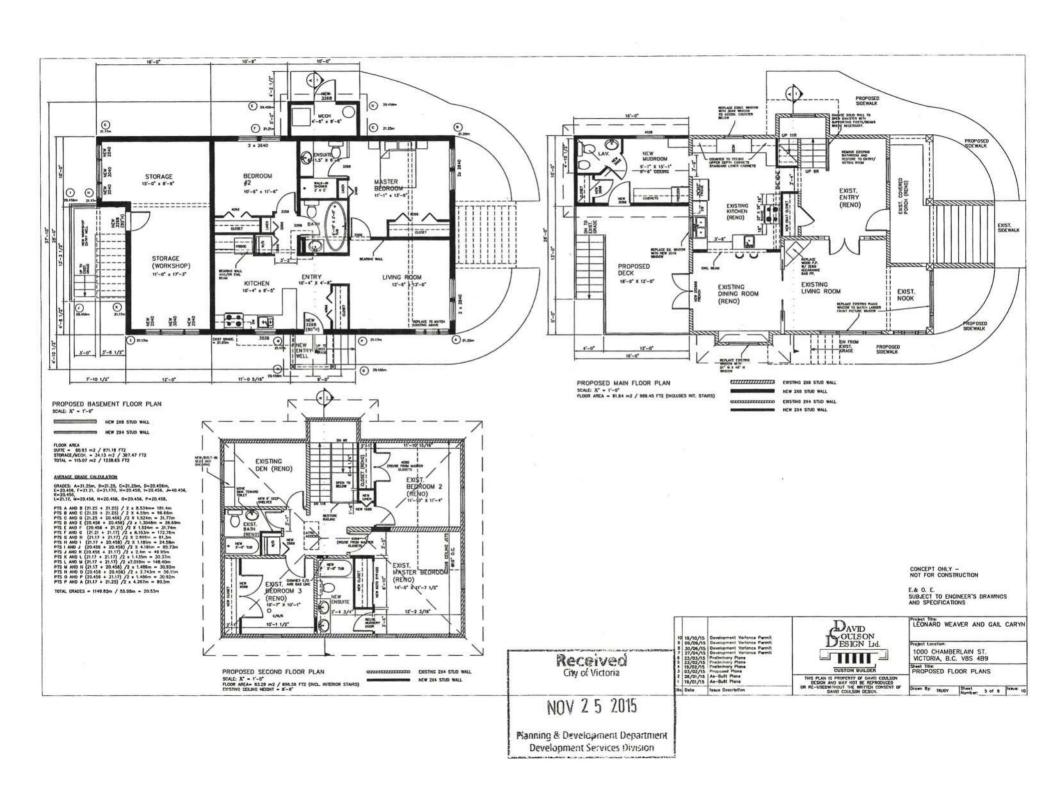


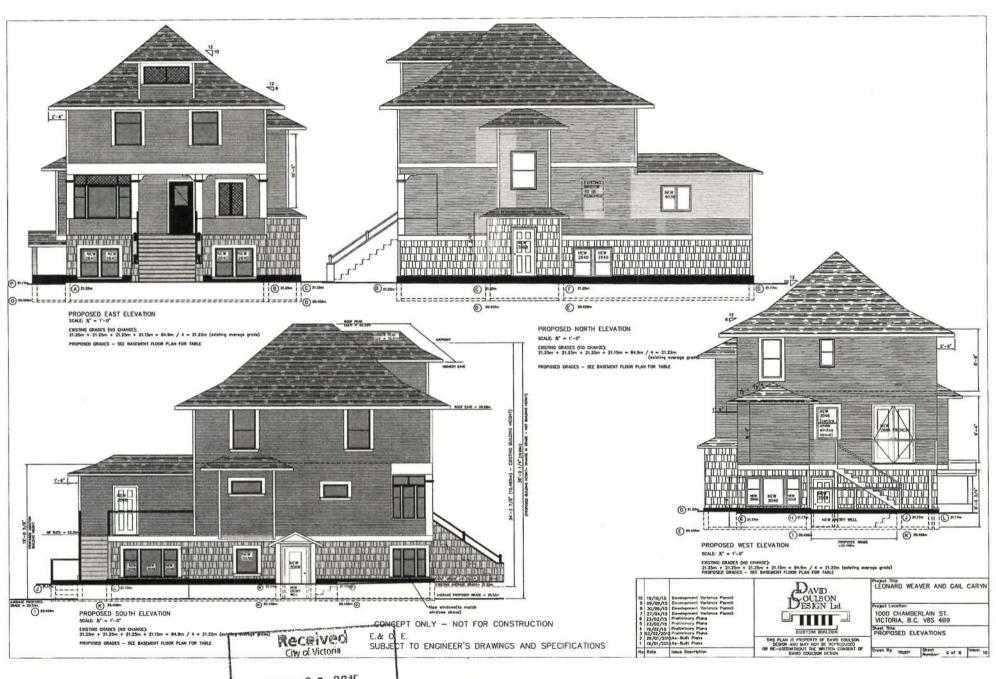




Development Services Division







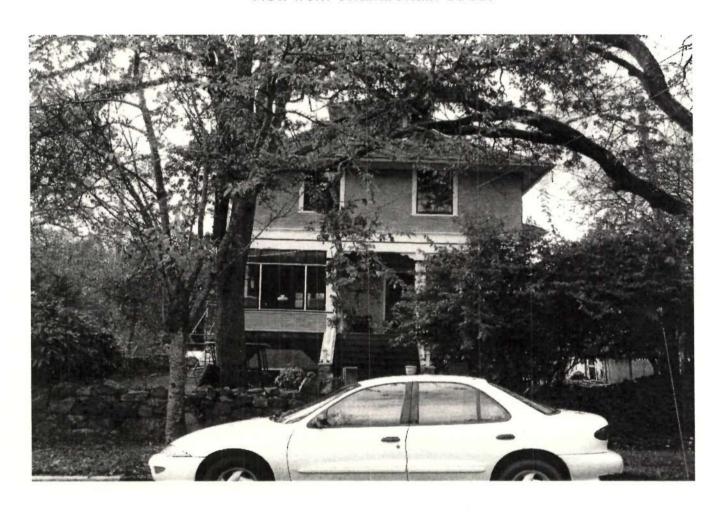
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Planning & Development Department Development Services Division

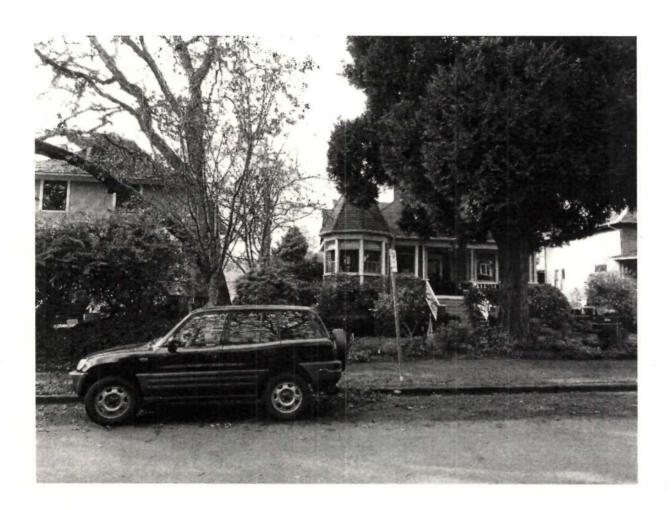


1000 Chamberlain Street - Development Permit Application # 00161

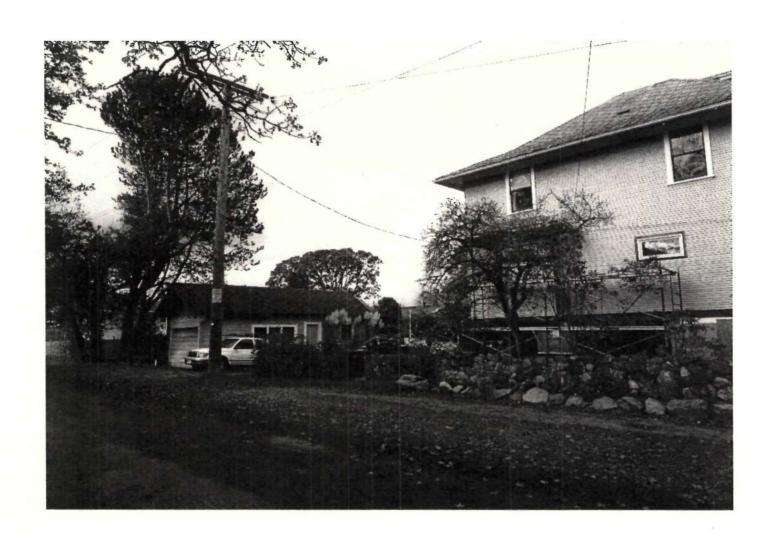
View from Chamberlain Street



Chamberlain Street - Neighbouring House to the North



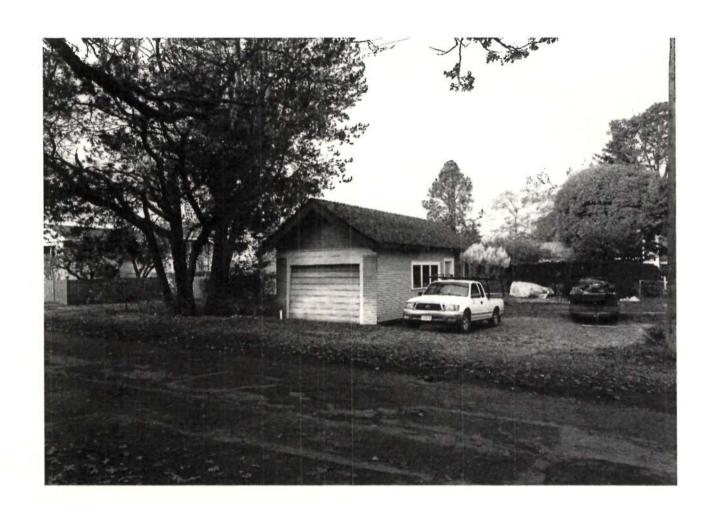
Brighton Avenue



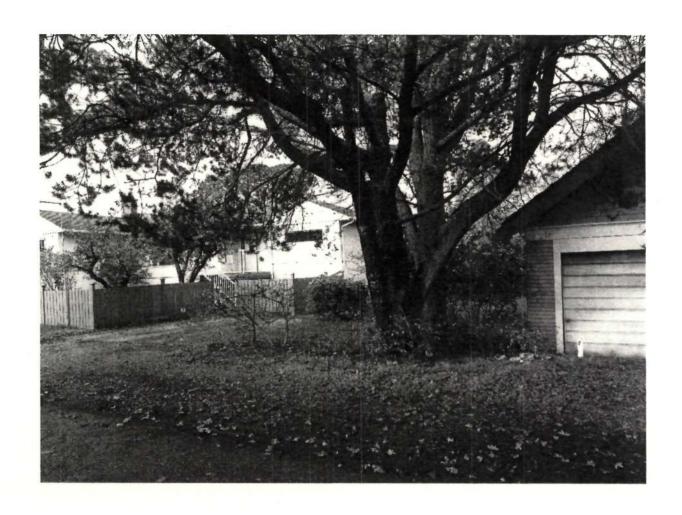
Brighton Avenue



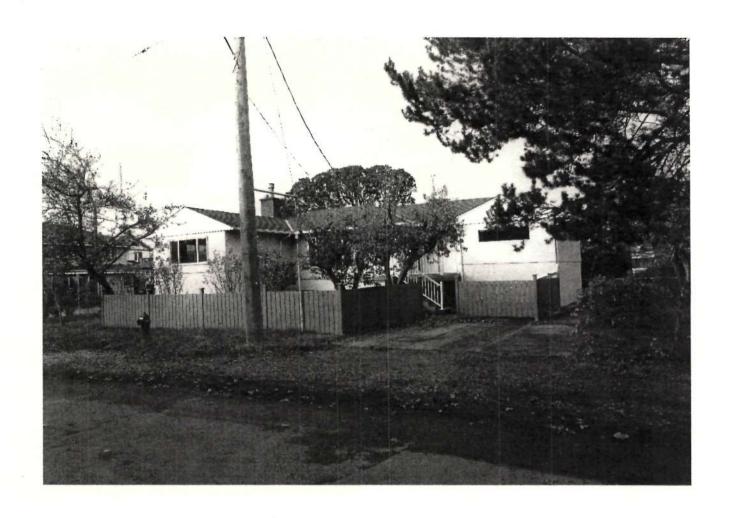
Brighton Avenue - Garage



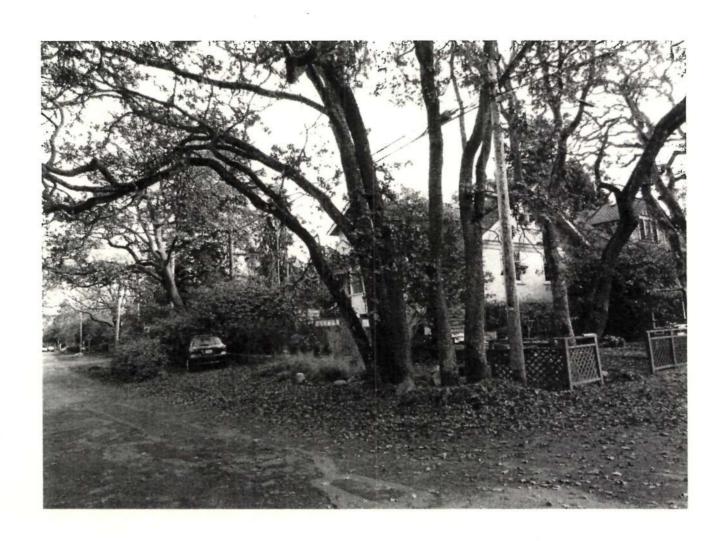
Brighton Avenue - Garage and Neighbouring House



Brighton Avenue – Neighbouring House to the West

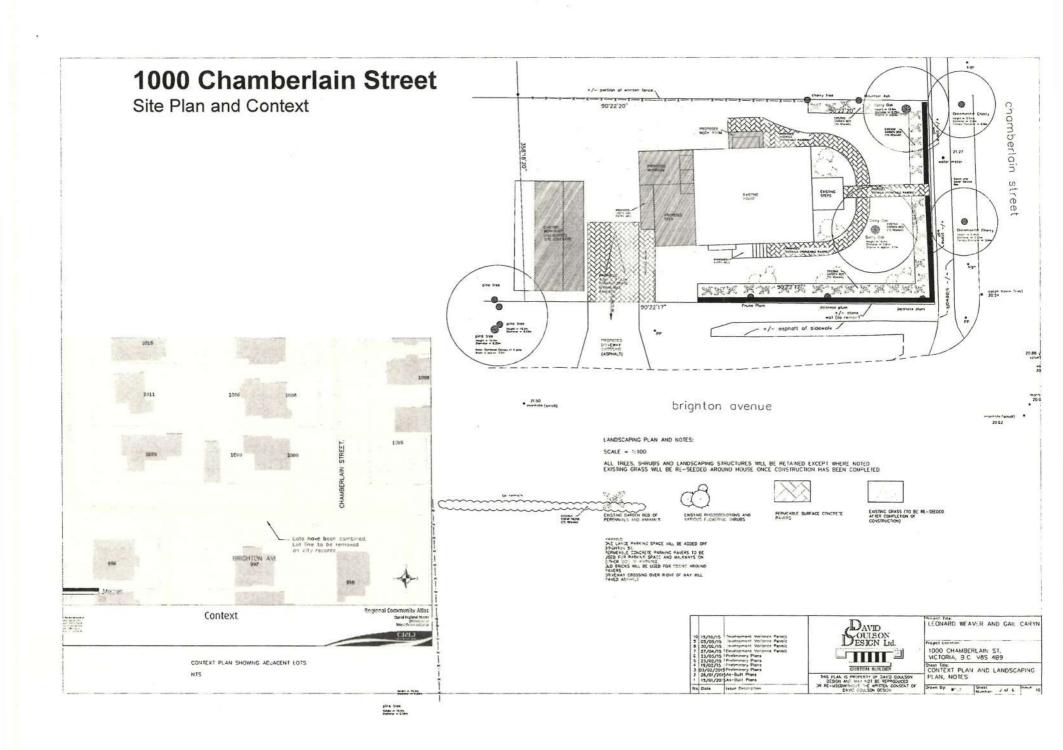


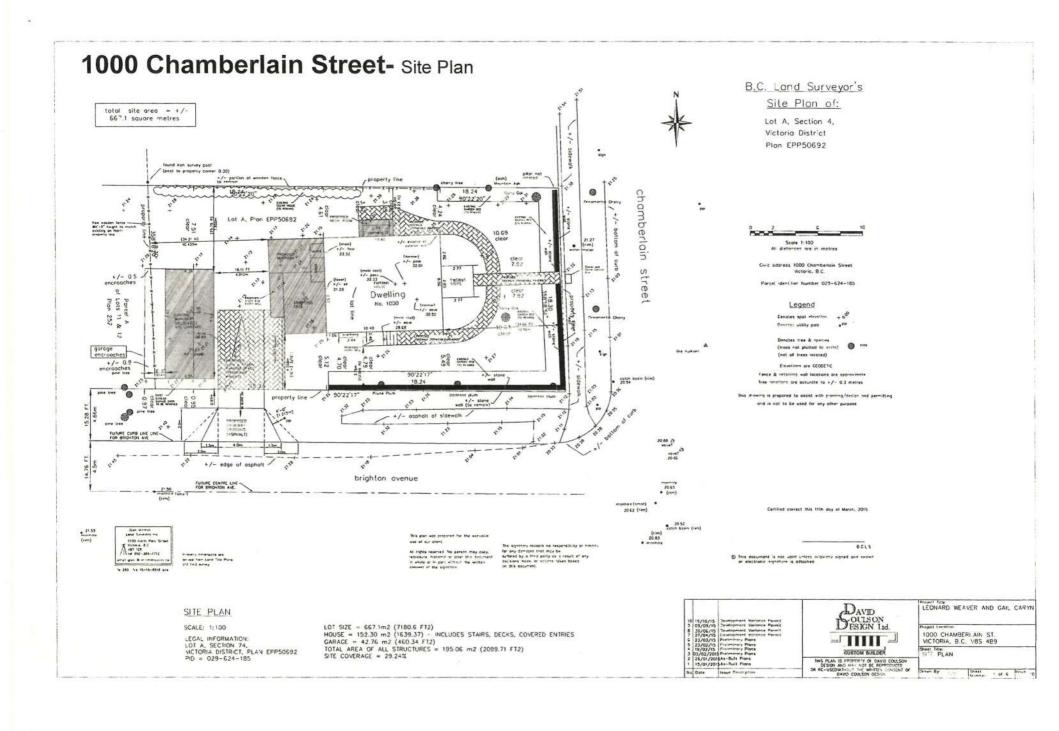
Brighton Avenue - South side

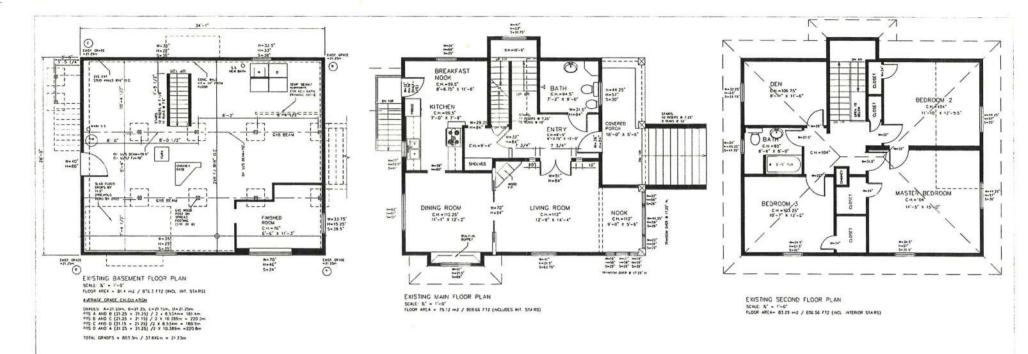


Brighton Avenue - South Side









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Existing Floor Plan



