



Planning and Land Use Committee Report

For the Meeting of November 26, 2015

To: Planning and Land Use Committee **Date:** November 12, 2015

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

Subject: **Rezoning Application No. 00495 for 863 and 865 Villance Street**

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00495 for 863 and 865 Villance Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

LEGISLATIVE AUTHORITY

In accordance with Section 903(c) 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 863 and 865 Villance Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District to the R-2 Zone, Two Family Dwelling District in order to permit the existing legal non-conforming duplex to be strata titled and to alter and construct an addition to the building.

The following points were considered in assessing this Application:

- the proposal is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan (OCP) 2012*
- the property has an existing duplex on it that is considered a legal non-conforming use

BACKGROUND

Description of Proposal

The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District to the R-2 Zone, Two Family Dwelling District in order to permit the existing legal non-conforming duplex to be strata titled and to alter and construct an addition to the building. Two variances would be required to facilitate this development and will be discussed in relation to the concurrent Development Permit with Variances Application.

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 Application.

Public Realm Improvements

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

Land Use Context

The area is characterized by single family dwellings with some attached housing and commercial uses.

Existing Site Development and Development Potential

The site is presently a legal non-conforming duplex. Under the current R1-B Zone, the property could be developed as a single family house with secondary suite.

Relevant History

The existing duplex was built in 1946 preceding the adoption of the R1-B Zone. The duplex is therefore considered to be a legal non-conforming use.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Hillside Quadra CALUC at a Community Meeting held on October 13, 2015. A letter from the CALUC dated October 19, 2015 is attached to this report.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. The proposal is consistent with objectives of this Urban Place Designation by providing ground-oriented residential in the form of a duplex.

Regulatory Considerations

Strata Conversion of Existing Buildings

A strata conversion of the duplex would require approval of the Approving Officer as per Section 242 of the "Strata Property Act".

CONCLUSIONS

This proposal to rezone the property to allow the legal non-conforming duplex to be strata titled is consistent with OCP policy. The existing duplex use would continue however a strata conversion would allow the tenure to change from one owner to strata ownership for each of the two-dwelling units.

ALTERNATE MOTION

That Council decline Application No. 00495 for the property located at 863 and 865 Villance Street.

Respectfully submitted,



Rob Bateman, Planner
Development Services Division

JH.



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

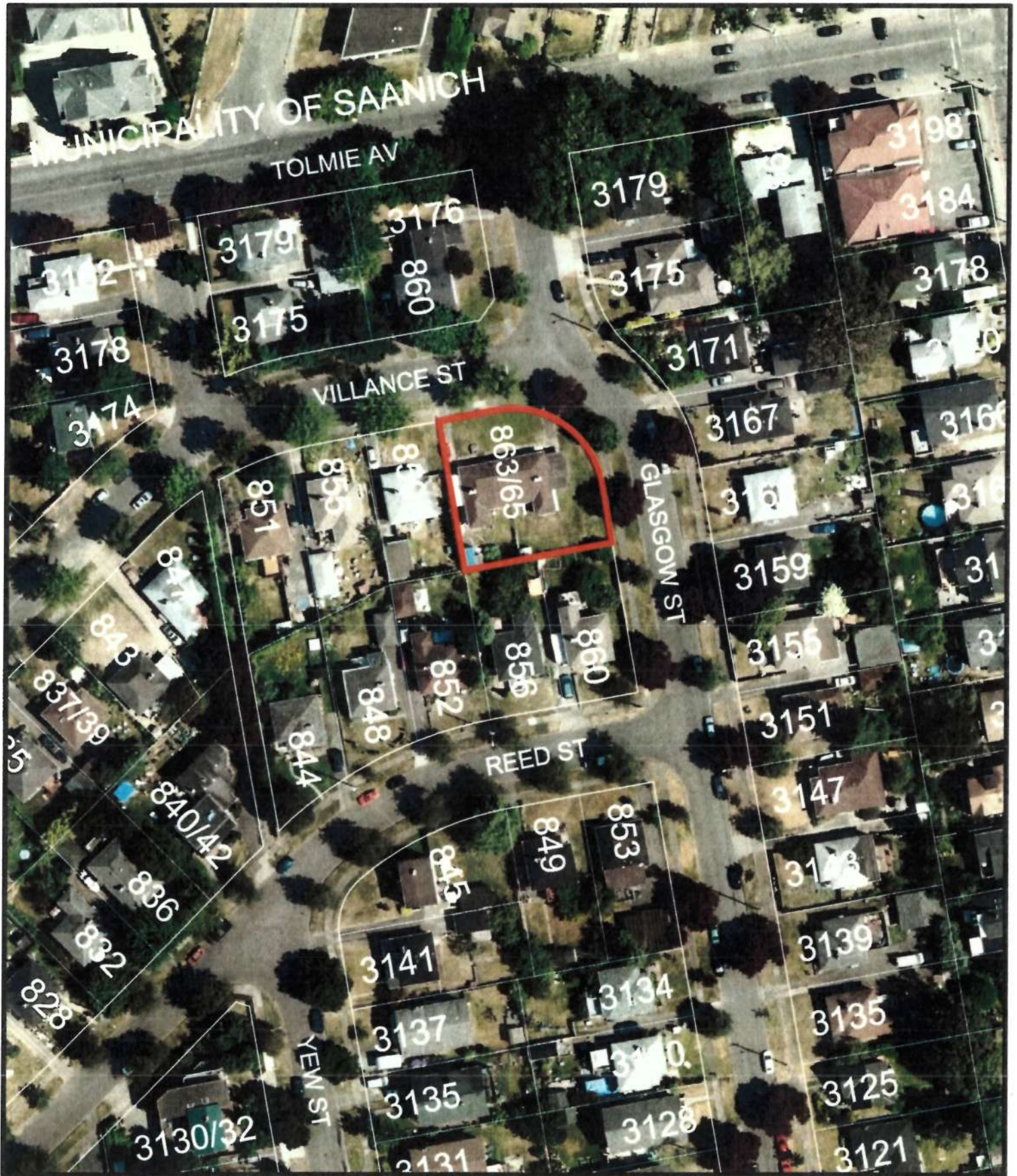


Date:

November 17, 2015

List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated October 20, 2015.
- Minutes of Community Meeting – Hillside Quadra Community Association dated October 19, 2015
- Submission drawings dated October 20, 2015.



863-865 Villance Street

Rezoning No. 00495

Bylaw No. ?

Rezone from R1-B Zone, Single Family Dwelling District
to R-2 Zone, Two Family Dwelling District



MUNICIPALITY OF SAANICH

TOLMIE AV

3182

3179

3176

3179

993

3178

3175

860

3175

3174

VILLANCE ST

3171

863/65

3167

851

855

859

3163

847

843

837/39

844

848

852

856

860

3159

3155

REED ST

3151

840/42

836

832

828

845

849

853

3147

3143

YEW ST

3141

3134

3137

3139

3130/32

3135

3130

3135

3131

3128

3125

3121

863-865 Villance Street
Rezoning No. 00495
Bylaw No. ?

Rezone from R1-B Zone, Single Family Dwelling District
to R-2 Zone, Two Family Dwelling District



CITY

To - Mayor and Council

OCT. 20. 2015

We are proposing to rezone the
property to strata title the existing
property

Thank you

Jack Chew



Rob Bateman

From: Jenny Fraser <jenfraser@islandnet.com>
Sent: Tuesday, October 20, 2015 10:11 PM
To: caluc@victoria.ca
Cc: Dan Potvin; Hillside Quadra Neighbourhood Action Group
Subject: 863-865 Villance Street Rezoning

19 October 2015

To Whom it May Concern:

Re: 863-865 Villance Street

This is to confirm that Jack Chen, the owner of the above property, met with community members on October 13th to present his proposal to rezone the property from single family to R-2. The current land use is a non-conforming duplex built in the 1970s.

Community members who attended this meeting indicated that they had no concerns about the proposed rezoning of the property.

This meeting illustrates the need for the Development Proposal Community Meeting Notice sent out by the City of Victoria to be written in plain language and to include more background. CALUC Chairs included this as a recommendation in their October 1st meeting with Mayor and Council.

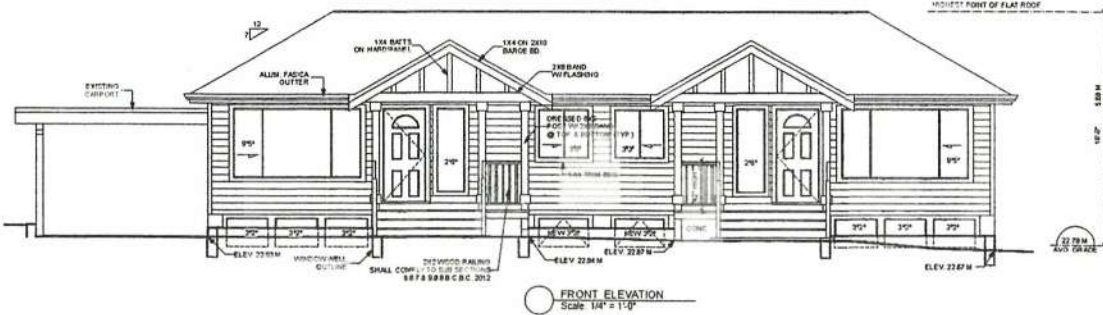
Community members who came to this meeting indicated that once they understand the proposal they had no concerns, and that they would not have come to the meeting had they understood beforehand the intent of the rezoning. This is an example of the CALUC process unnecessarily taking up the time of community volunteers – including the CALUC Chair, a note-taker, and at least eight members of the community.

Sincerely,

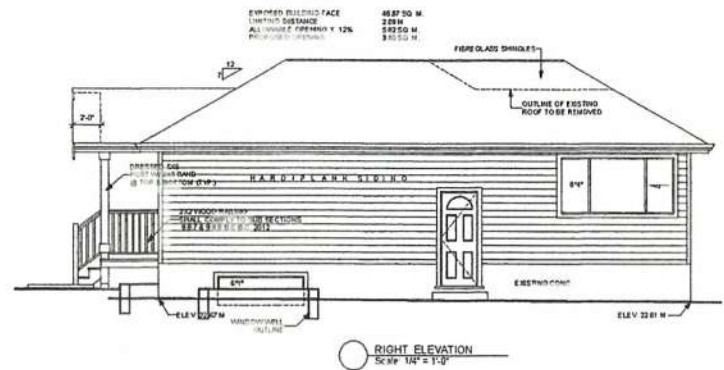
Jenny Fraser

CALUC Co-Chair, Hillside Quadra

cc. Dan Potvin for Jack Chen



FRONT ELEVATION
Scale 1/4" = 1'-0"

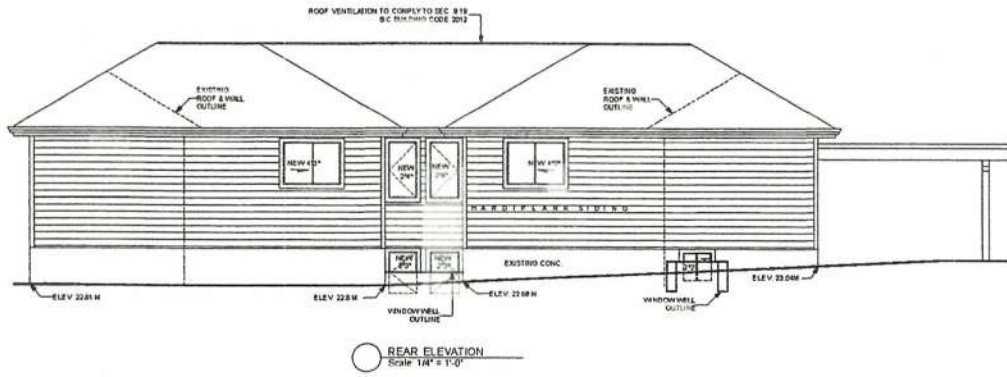


RIGHT ELEVATION
Scale 1/4" = 1'-0"

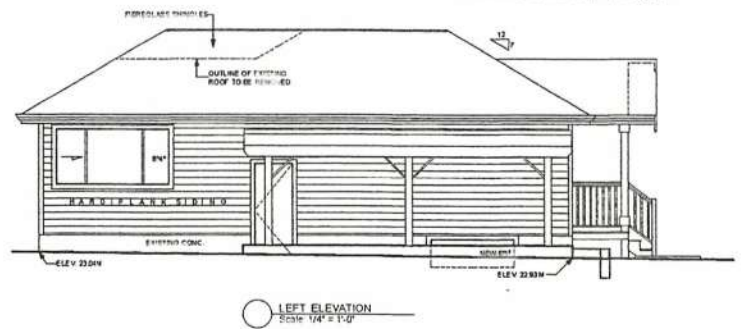
NOTE: FLASHING OVER ALL EXTERIOR WALL PENETRATIONS SHALL COMPLY TO ARTICLE 9.27.3.8 B.C. BUILDING CODE 2012. ALL LABELS TO BE 2 1/2\"/>

BRACKETS FOR RESISTANCE TO LATERAL LOADS SHALL BE DESIGNED BY A P.E.

Received
City of Victoria
OCT 20 2015
Planning & Development Department
Development Services Division



REAR ELEVATION
Scale 1/4" = 1'-0"



LEFT ELEVATION
Scale 1/4" = 1'-0"

GENERAL NOTES:
THIS PLAN TO BE BUILT IN ACCORDANCE WITH THE CURRENT B.C. BUILDING CODE.
BUILDING CONTRACTORS TO VERIFY ALL DIMENSIONS BEFORE COMMENCING CONSTRUCTION.
ANY DISCREPANCIES ARE TO BE REPORTED IMMEDIATELY.
ALL EXTERIOR WALL FINISHES/DETAILS ARE TO BE TO BE SHOWN ON PLAN.

ALL CONCRETE TO HAVE MINIMUM COMPRESSIVE STRENGTH OF 28 MPA (4000 PSI) AT 28 DAYS.
ALL STEEL FIXING CONNECTIONS TO COMPLY WITH B.C. BUILDING CODE 2012.

ALL INTERIOR WALLS TO BE 5/8\"/>

ALL FRAMING JOISTS TO BE SPACED ON CENTER AT 40\"/>

ROOF SHALL COMPLY WITH PERMEABLE MEMBRANE & 1 1/2\"/>

FRUITPLACES TO COMPLY WITH 905.4.3.2 B.C. BUILDING CODE 2012.
HARTMANN'S DESIGN SHALL NOT ASSUME LIABILITY FOR ANY ERRORS OR OMISSIONS ON THIS PLAN.

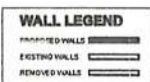
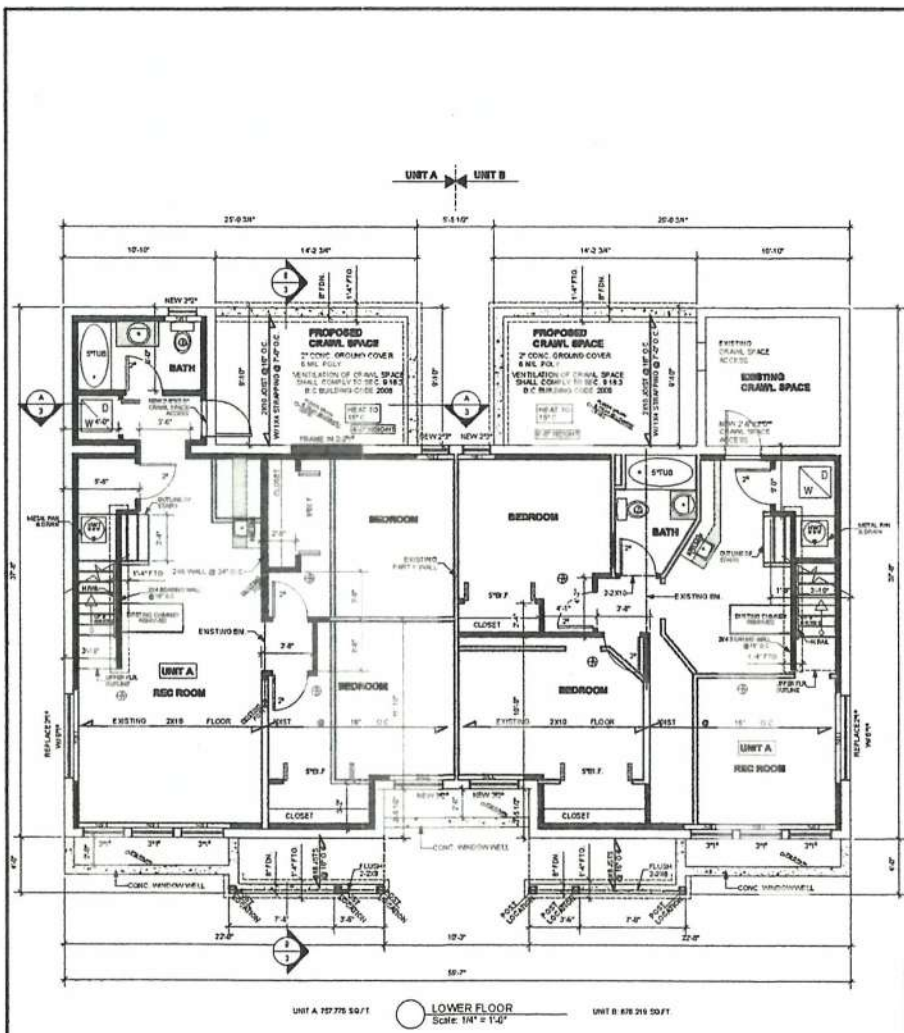
EXPLICIT RADIANT HEATED FLOORING SHALL BE PROVIDED.
THIS PLAN HAS BEEN PREPARED UNDER THE CANADIAN BUILDING CODE, "THE SPIN ROOM", 1998 EDITION.

HARTMANN'S
DESIGNERS & ENGINEERS
1000 BURNHAMTHORPE AVENUE, SUITE 100
VICTORIA, BC V8N 2P1
TEL: 250-363-1100

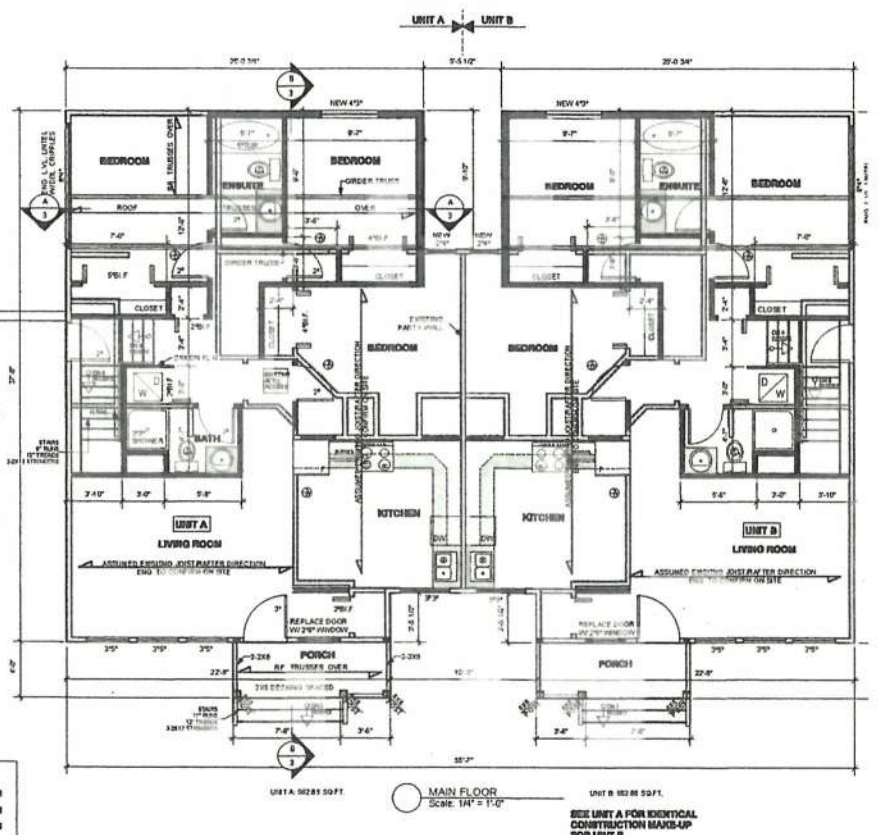
SCALE 1/4" = 1'-0"
DATE: OCT 2015
DRAWN BY: TMAK
CHECK BY: KSMAR
PLAN # 191

PROPOSED ADDITION FOR
YI TZU CHEN & YUAN HAO CHEN
863/865 VILLANCE ST.

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STRUCTURAL ENG. TO PROVIDE DETAILS FOR PROPOSED ADDITIONS & AMENDMENTS



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City of Victoria

OCT 20 2015

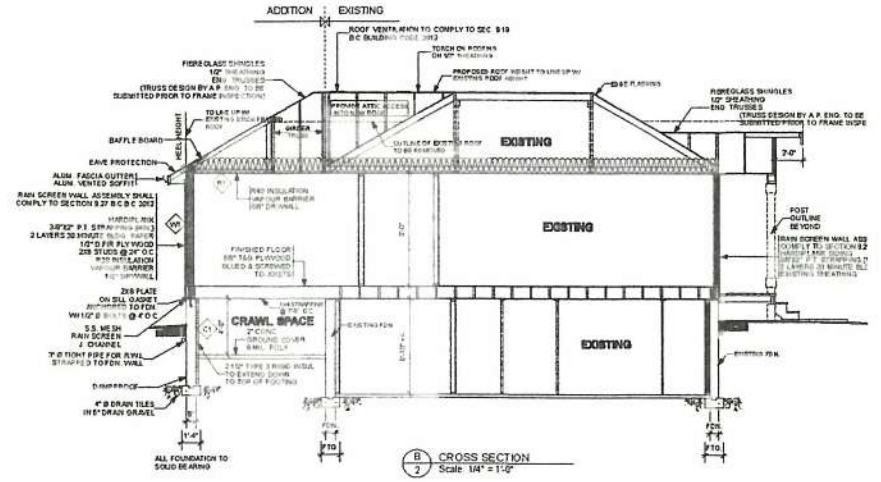
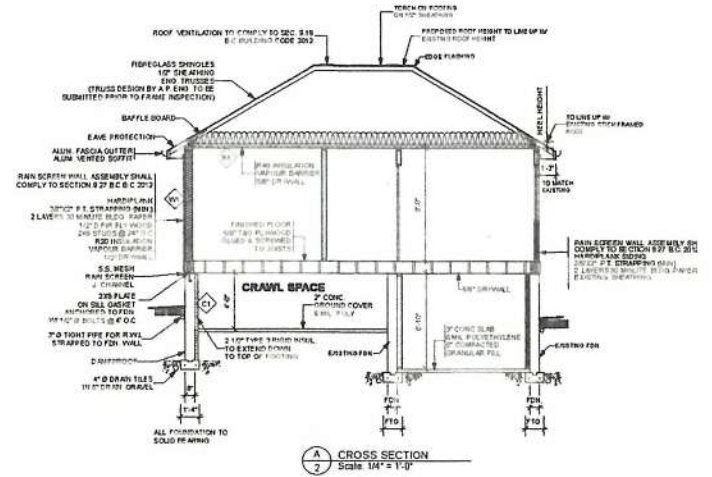
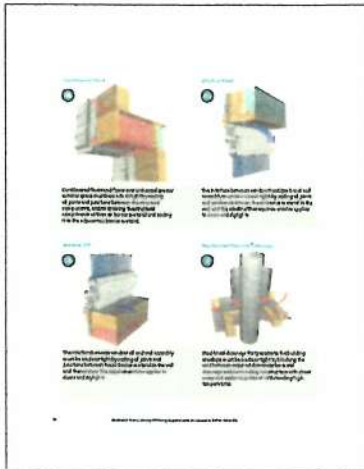
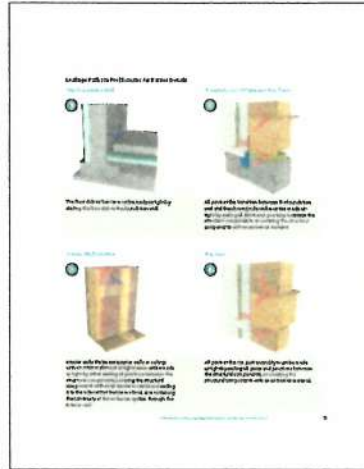
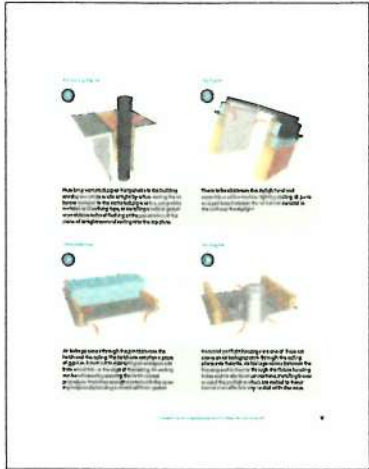
Planning & Development Department
Development Services Division



SCALE: 1/4" = 1'-0"
DATE: OCT 2015
DRAWN BY: TMMR
CHK BY: KSMR
PLAN # 181

PROPOSED ADDITION FOR
YI TZU CHEN & YUAN HAO CHEN
863/865 VILLANCE ST.

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Received
City of Victoria
OCT 29 2015
Planning & Development Department
Development Services Division

HARTMANN'S
DRAWERS & DESIGNERS
1000 UNIVERSITY AVENUE, SUITE 100
VICTORIA, BC V8W 2M2
TEL: (250) 383-3333
WWW.HARTMANNS.COM

SCALE 1/4" = 1'-0"
DATE OCT 2015
DRAWN BY TMBR
CHK BY TMBR
PLAN # 191

PROPOSED ADDITION FOR
YI TZU CHEN & YUAN HAO CHEN
863/865 VILLANCE ST.

3

ROOF TRUSS CEILING

RSI FINISH CALCULATION	
SP PLCE @ 0.000	
214.800 (14.00' x 15.30')	15.000 x 14.00' = 210.00
214.800 (14.00' x 15.30')	11.000 x 14.00' = 154.00
214.800 (14.00' x 15.30')	11.000 x 14.00' = 154.00

RSI GUTTY CALCULATION	
SP PLCE @ 0.000	
214.800 (14.00' x 15.30')	1.000
214.800 (14.00' x 15.30')	11.000 x 15.30' = 169.80

PARALLEL-PATH FLOW METHOD	
RSI PARALLEL =	100
14.50% AREA OF FRAMING + 83.20% AREA OF GUTTY	
100 + 87.9 = 187.9	

RSI FINISH CALCULATION	
214.800 (14.00' x 15.30')	1.000

CALCULATED EFFECTIVE R-VALUE	
DESCRIPTION	EFFECTIVE
214 BOTTOM CHORD @ 2" O.C.	1.47
WOOD GLASS FIBRE INSUL. (R19)	1.3078
11/16" HANG GLASS FIBRE INSUL. (R19)	0.228
WOOD GLASS FIBRE INSUL. (R19)	0.803
WOOD GLASS FIBRE INSUL. (R19)	0.803
TOTAL SYSTEMS	4.609
ZONE 4 MINIMUM REQ. EFFECTIVE	0.91

WALLS

RSI FINISH CALCULATION	
SP PLCE @ 0.000	
214.800 (14.00' x 15.30')	0.000 x 14.00' = 0.00
214.800 (14.00' x 15.30')	20.000 x 14.00' = 280.00

RSI GUTTY CALCULATION	
SP PLCE @ 0.000	
214.800 (14.00' x 15.30')	3.24
214.800 (14.00' x 15.30')	10.000 x 15.30' = 153.00

PARALLEL-PATH FLOW METHOD	
RSI PARALLEL =	100
11.00% AREA OF FRAMING + 23.50% AREA OF GUTTY	
100 + 40.75 = 140.75	

CALCULATED EFFECTIVE R-VALUE	
DESCRIPTION	EFFECTIVE
214 BOTTOM CHORD @ 2" O.C.	3.34
WOOD GLASS FIBRE INSUL. (R19)	2.45
11/16" HANG GLASS FIBRE INSUL. (R19)	0.542
WOOD GLASS FIBRE INSUL. (R19)	0.542
TOTAL SYSTEMS	6.874
ZONE 4 MINIMUM REQ. EFFECTIVE	0.91

STRAPPED FOUNDATION WALLS

CALCULATED EFFECTIVE R-VALUE	
DESCRIPTION	EFFECTIVE
R12 BRICK @ 2" O.C.	2.11
WOOD GLASS FIBRE INSUL. (R19)	1.71
INTERIOR AIR FILM	0.12
WOOD GLASS FIBRE INSUL. (R19)	0.2
WOOD GLASS FIBRE INSUL. (R19)	0.2
TOTAL SYSTEMS	4.34
ZONE 4 MINIMUM REQ. EFFECTIVE	0.91

FOUNDATION WALL (GRAVEL SPACE)

CALCULATED EFFECTIVE R-VALUE	
DESCRIPTION	EFFECTIVE
FOUNDATION WALL (GRAVEL SPACE)	2.11
WOOD GLASS FIBRE INSUL. (R19)	1.71
INTERIOR AIR FILM	0.12
WOOD GLASS FIBRE INSUL. (R19)	0.2
TOTAL SYSTEMS	4.14
ZONE 4 MINIMUM REQ. EFFECTIVE	0.91

PROPOSED GARAGE GRADE CALCULATIONS

$$(72.8 + 22.81) \times 2 \times 25.08 = 588.4$$

$$(22.81 + 22.87) \times 2 \times 37.88 = 652.8$$

$$(22.87 + 22.87) \times 2 \times 22.88 = 515.9$$

$$(72.87 + 22.87) \times 2 \times 9.45 = 78.9$$

$$(22.84 + 22.84) \times 2 \times 8.45 = 78.1$$

$$(72.84 + 22.83) \times 2 \times 22.88 = 518.7$$

$$(22.83 + 22.84) \times 2 \times 37.88 = 655.8$$

$$(22.84 + 22.88) \times 2 \times 25.08 = 577.8$$

$$(22.88 + 22.55) \times 2 \times 9.83 = 222.3$$

$$(22.55 + 22.55) \times 2 \times 6.45 = 122.8$$

$$(22.55 + 22.8) \times 2 \times 8.85 = 221.9$$

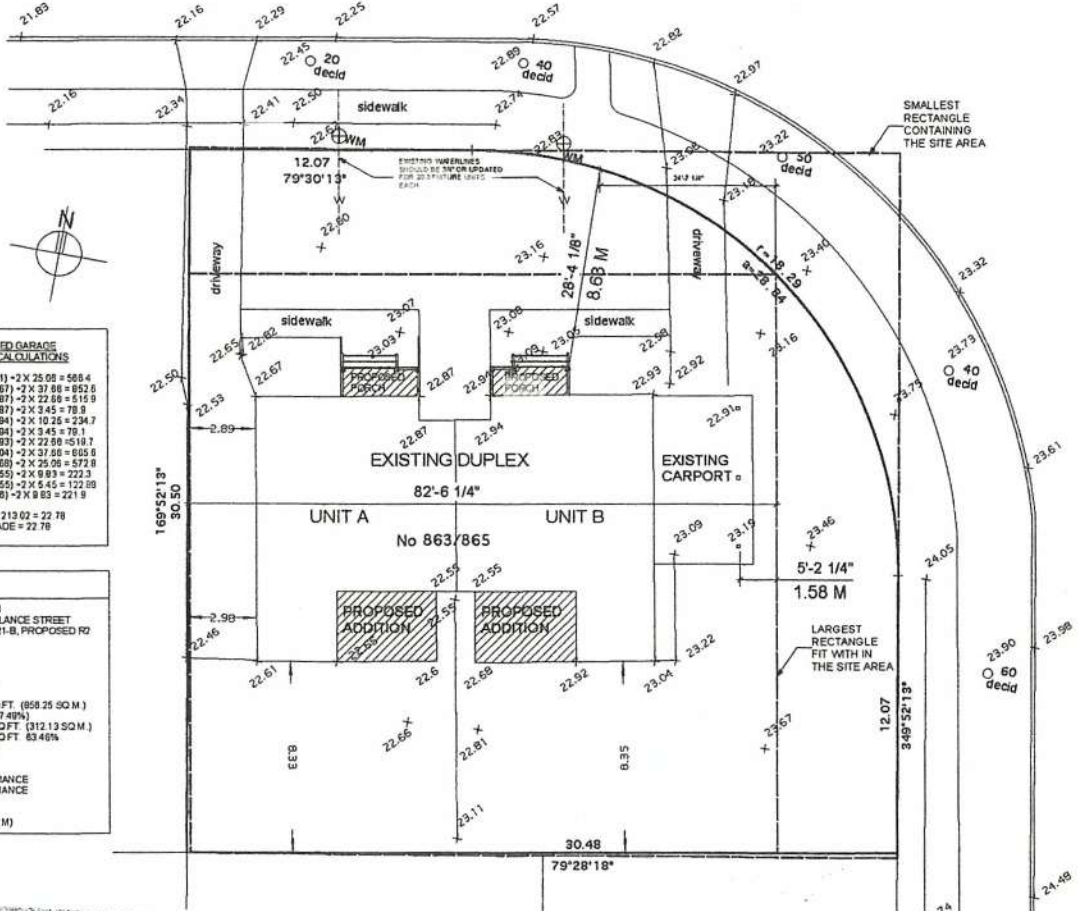
4652.70 = 213.02 = 22.70
AVG. GRADE = 22.70

SITE DATA

OWNER: JACK CHEN
ADDRESS: 863/865 VILLANCE STREET
ZONE: EXISTING R1-B, PROPOSED R2
LEGAL DESCRIPTION: LOT .65
PLAN: T282
SECTION: 4
DISTRICT: VICTORIA
RANGE: 2216 62 SQ FT. (858 25 SQ M.)
SITE AREA: 2534 023 (27.48%)
TOTAL FLOOR AREA: 3358 782 SQ FT. (312.13 SQ M.)
TOTAL OPEN SITE SPACE: 6540 258 SQ FT. 63.48%
REAR YARD OPEN SITE SPACE: VARIANCE

SETBACKS:
FRONT: 1.58 M VARIANCE
REAR: 2.89 M VARIANCE
SIDE: 3.33 M
EXT. SIDE: 8.83 M
BUILDING HEIGHT: 16'-0" (5.69 M)

Villance Street



SITE PLAN
Scale 1/8" = 1'-0"

Received
City of Victoria
OCT 20 2015
Planning & Development Department
Development Services Division



SCALE 1/8" = 1'-0"
DATE OCT 2015
DRAWN BY TSAR
CHK BY KIMAR
PLAN # 101

**PROPOSED ADDITION FOR
YI TZU CHEN & YUAN HAO CHEN
863/865 VILLANCE ST.**

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4