

Planning and Land Use Committee Report For the Meeting of October 15, 2015

To:	Planning and Land Use Committee	Date:	October 1, 2015	
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development			
Subject:	Rezoning Application No. 00484 for 1510 Clawthorpe Avenue			

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. 00484 for 1510 Clawthorpe Avenue, 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, 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 1510 Clawthorpe Avenue. The proposal is to rezone the property from the R1-B Zone, Single Family District, to a new zone in order to permit the conversion of an existing accessory building into a Garden Suite.

The following points were considered in assessing this application:

- The proposal is consistent with the Urban Place Designation in the Official Community plan (OCP) 2012.
- The proposal is for a liveable form of rental housing, similar in size and scale to a typical garden suite.
- The design of the building incorporates design specification of the Garden Suite Policy (2011).
- The Application proposes the conversion of an existing accessory building, avoiding the need for new construction.

BACKGROUND

Description of Proposal

The proposal is to rezone the property from the R1-B Zone, Single Family District, to a new zone in order to allow the conversion of an existing accessory building into a Garden Suite. Due to the property's larger size, the standard zone to accommodate a Garden Suite would be the R1-B-GS2, Single Family Dwelling with Garden Suite for Plus Sites District.

The proposal is to increase the permitted maximum combined floor area in the zone standard from 56m² to 68m² in order to allow the existing accessory building to be converted for this use.

Sustainability Features

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

Active Transportation Impacts

The applicant proposes to install a bike rack which supports active transportation.

Land Use Context

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

Immediately adjacent land uses include:

North - Commercial South – Single Family Dwelling East – Single Family Dwelling West – Commercial and Single Family Dwelling.

Existing Site Development and Development Potential

The site is presently a single family dwelling. Under the current R1-B Zone, the property could be developed as a single-family house with secondary suite. Should the rezoning proceed, a single family dwelling and garden suite will be permitted, thus precluding the use of the main dwelling for the inclusion of a secondary suite.

Data Table

The following data table compares the proposal with the standard R1-B-GS2 Zone. The parcel would qualify as a "plus site" since it is larger than 557m² in area and the floor area of a garden suite may be increased to 56m². An asterisk is used to identify where the proposal is less stringent than the R1-B-GS2 Zone. A new zone would be required to increase the maximum combined floor area to permit the proposed size.

Zoning Criteria	Proposal	Zone Standard R1-B-GS2 "Plus Site"	
Primary Dwelling			
Site area (m²)	679.83	557	
Lot width (m) - minimum	16.61	7.5	
Combined floor area (m²) - maximum	105.00	300	
Height (m) - maximum	4.44	7.6	
Storeys - maximum	1.00	2	
Site coverage (%) - maximum	28.57	40	
Setbacks (m) - minimum Front (Clawthorpe Avenue) Rear (north) Side (west) Side (east) Combined side yards	7.60 19.40 3.14 2.42 5.56	7.5 10.24 3.00 1.66 4.5	
Parking - minimum	1	1	
Garden Suite			
Floor area (m²) – maximum	67.22 *	56	
Height (m) – maximum	3.60	5.5	
Storeys - maximum	1.00	1.5	
Rear yard setback (m) (north) – minimum	1.99	0.6	
Side yard setback (m) (east) – minimum	0.6	0.6	
Separation space between buildings (within the site) (m) – minimum	8.68	2.4	
Rear yard site coverage (%) - maximum	22.96	25	

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Oaklands CALUC at a Community Meeting held on April 30, 2015. The minutes from this meeting were received on May 29, 2015, and are attached to this report.

As supported in the *Garden Suite Design Guidelines*, the design improvements on the accessory building relate to the principal building on site in terms of materials, colour and general architectural expression. To address potential privacy concerns, windows would be added to the interior facing wall and windows on other walls would have a privacy film applied to them.

The proposed garden suite is not visible from the street as encouraged in the *Garden Suite Design Guidelines*. To help mitigate this, it is proposed that a gate be constructed with a residential address to help increase visibility from the street. It will also provide privacy and prevent the garden suite's usable outdoor area from being used as parking.

The proposed landscaping is similar to the existing site with some adjustments including use of potted plants and benches to improve the usable outdoor space on the existing concrete driveway.

CONCLUSIONS

This proposal to convert an existing accessory building into a garden suite is generally consistent with Development Permit Area 15E: Intensive Residential – Garden Suites. The garden suite creates an opportunity for another form of rental housing and will provide a liveable environment for its occupants with minimal infringement on the neighbouring dwellings. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit Application No. 00484 for the property located at 1510 Clawthorpe Avenue.

Respectfully submitted,

Rob Bateman, Planner Development Services Division

Jonathan Tinney, Director Sustainable Planning and Community Development Department

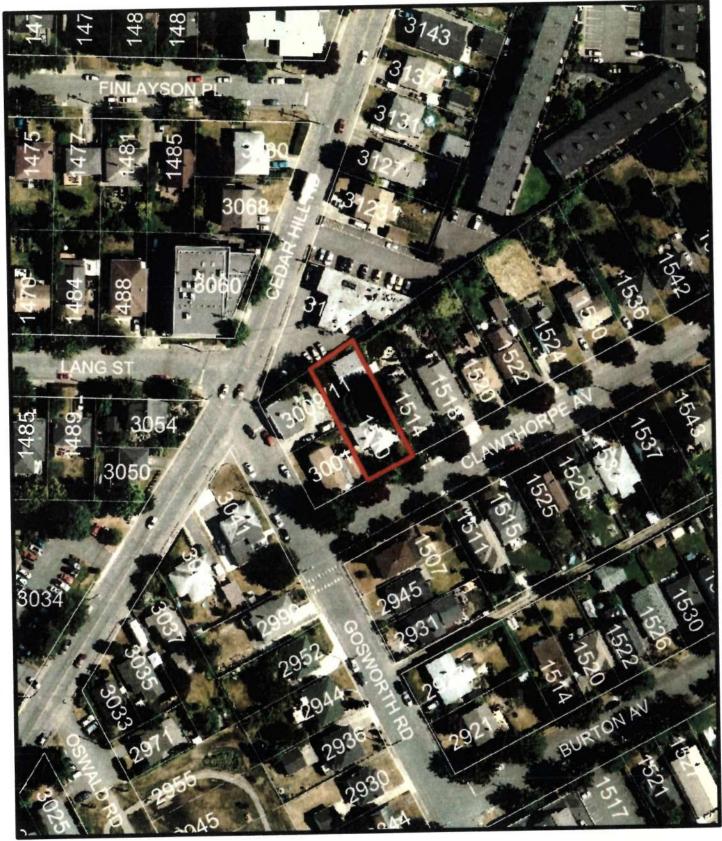
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Report accepted and recommended by the City Manager:

Date:

List of Attachments

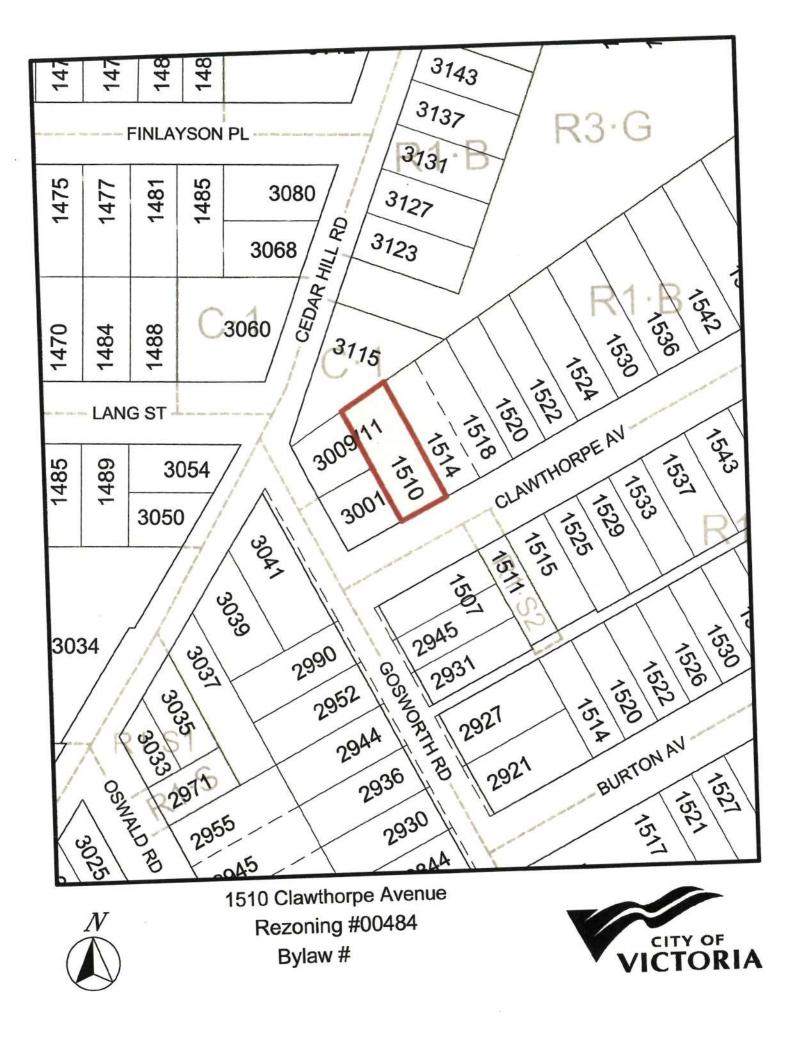
- Air photo
- Zoning map
- Applicant's letter to Council dated September 1, 2015
- Minutes of Community Meeting Oaklands Community Association dated April 30, 2015
- Submission drawings dated September 8, 2015.





1510 Clawthorpe Avenue Rezoning #00484 Bylaw #





Meghan & Doug Paterson 1510 Clawthorpe Ave Victoria, BC V8T 2R7 September 1, 2015 City of Visionia SEP 3 0 2015 Planning & Development Department Development Services Division

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

To Mayor and Council of the City of Victoria,

APPLICATION FOR REZONING OF 1510 CLAWTHORPE AVE TO ALLOW FOR A GARDEN SUITE

Thank you for reviewing our application to rezone our property at Clawthorpe Avenue for the purpose of converting our existing outbuilding to a garden suite. We intend to convert the existing workshop in the rear of the property to a two bedroom rental garden suite, with the existing hardscape courtyard provided for the exclusive use of the suite. We will be maintaining the existing foot print and shell of the outbuilding, the interior will be updated with modern finishing's. The exterior will be updated to maintain a cohesive appearance with the existing single family dwelling and to make the garden suit feel like a home. To facilitate our conversion, we propose changing the land use from its current zoning of R1-B to a new zone based on the R1-B-GS2 standard except with an increased maximum floor area.

The proposal conforms to the existing Official Community Plan (July 2012) insofar as it is the intent of the community to increase urban density. Conversion to a garden suite would benefit the neighbourhood economically and socially by contributing needed density and rental housing availability. Conversion of the existing outbuilding within its original footprint would also minimize the impact on the environment and neighbours. The addition of the garden suite would also benefit us as new homeowners by allowing affordable homeownership.

The garden suit policy allows for structures at an upset of 56m², the existing 32 year old structure is slightly larger at 67m². In the policy when lots reach 557m² in size, the allowable size for the garden suit increases from 37m² to 56m². At this 557m² threshold a 56m² garden suit would take up 10.05% of the lot. Given that our lot is 686m², our existing 67m² building only takes up 9.77% of the lot; which is still under the 10.05% in the policy. Further, we understand that part of the intent of the policy restricting size is so that overly large structures are not built to take over the lot and intrude upon neighbouring properties. The building is only one story that has existed for over 30 years. No changes will be made to the existing structure that increases the buildings footprint. Of the four adjacent properties two are commercial

properties. These two commercial properties happen to be next to the garden suit so impact on residential properties will be minimal. As the garden suit policy allows for exemptions for existing structures we are requesting a new zone be created based on the R1-B-GS2 standard except with an increased maximum combined floor area for the increased size.

The conversion fits within Oakland's neighbourhood plan providing ground-oriented, family oriented housing and increasing residential densities within walking distance of the Hillside transit corridor (OCP Neighbourhood Direction – Oaklands 21.22.2). Ample public infrastructure is present in the neighbourhood, including a community recreation centre, shopping facilities, transit and parks. The existing conditions of the neighbourhood would remain relatively unchanged as the outbuilding to be converted was built and has existed since 1983. We anticipate little or no impact to the immediate neighbours, especially considering two of the immediate neighbours are commercial properties. The property will comply with schedule C parking requirements by providing one parking spot for the primary dwelling, no additional parking requirements are in place for the creation of a Garden Suite as per the policy.

Design and rezoning guidelines for the conversion at 1510 Clawthorpe were taken from the existing Garden Suit Policy. As this rezoning application is for an existing structure, every effort was made to comply with the Garden Suit Policy. Green building design features will include energy efficient appliances, water fixtures and LED lighting. Conversion will include hardscaping that will not require watering to help meet the request for drought-tolerant landscaping. The unit will also have water and hydro independence from the primary dwelling.

Enclosed with this letter is our rezoning application, thank you once again for your consideration of our application. We have endeavored to include all pertinent information herein and look forward to working with you in the rezoning process moving forward.

Sincerely,

Doug & Meghan Paterson Home Owners

OCA LUC April 30, 2015 Oaklands Neighbourhood House – 2629 Victor St

Ben Clark (Land Use Committee Rep) – opens with an overview of the evening agenda and CALUC process – 1) 1510 Clawthorpe Garden Suite Rezoning Application.

1. Clawthorpe

In attendance was the applicant, one neighbour from 1514 Clawthorpe, and one neighbour representing the Kiwanis Pavilion.

The applicant presented their plan to convert an existing building on their property into a garden suite. The building was built in 1983 and has primarily been used as a workshop since then. It was also used as a recording studio before the current owners purchased the property. The current owners purchased this property last year and want to turn the workshop into a two bedroom garden suite for rental income.

The resident from 1514 Clawthorpe expressed two main concerns: the size of the building and the exterior design of the finished garden suite.

The applicant said that they are only converting an existing building and not increasing the size of that building. They also said that when complete the exterior of the garden suite will be updated to match the current colour of the main house.

The representative from Kiwanis Pavilion did not have any concerns and said that he supported the garden suite.

Meeting was adjourned at 7:30pm.

Additional correspondence received on May 1:

I couldn't be at the meeting but I was wondering if there's more information than what was in the notice.

Was there any provision for parking, for instance. It can be chock a block on Burton and is filling up on Gosworth – had a dispute on Gosworth the other day, which was a first.

Two bedrooms will likely mean two cars at a minimum, plus visitors from time to time.

Thanks for your help with this.

Lee Porteous

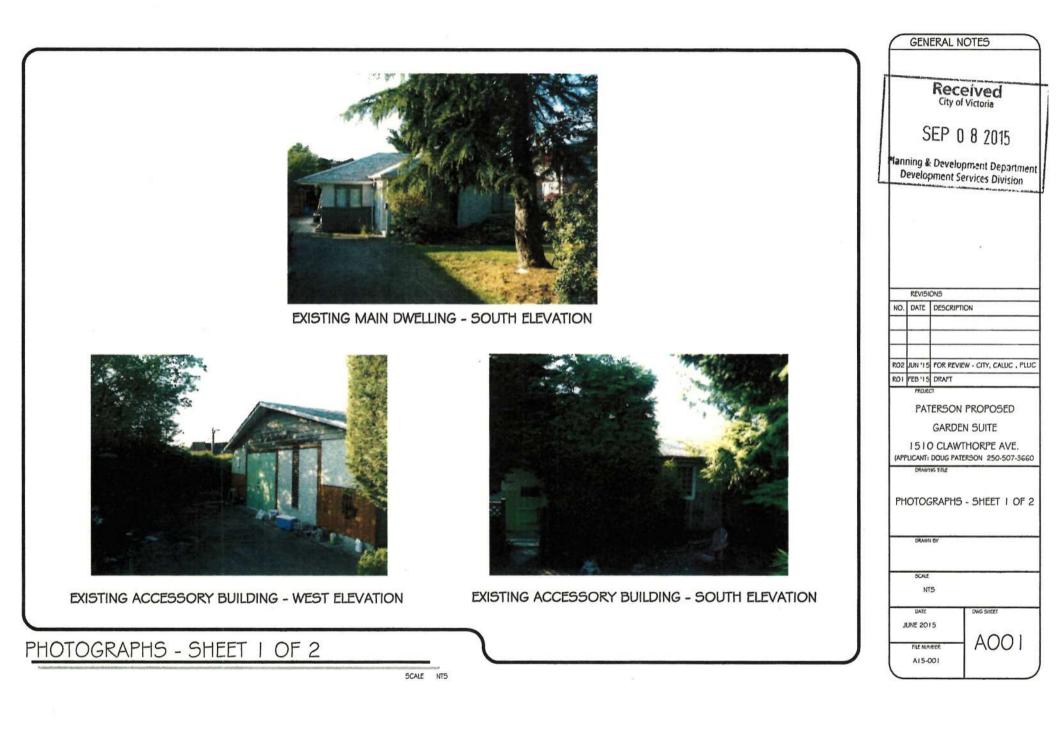
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PATERSON PROPOSED

GARDEN SUITE

1510 CLAWTHORPE AVE.





EXISTING ACCESSORY BUILDING - EAST ELEVATION (1)



EXISTING ACCESSORY BUILDING - EAST ELEVATION (2)

SCALE

PHOTOGRAPHS - SHEET 2 OF 2



EXISTING ACCESSORY BUILDING - WEST ELEVATION



EXISTING ACCESSORY BUILDING - NORTH ELEVATION

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