



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. 00482 for 2542 Fernwood Road

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. 00482 for 2542 Fernwood Road, 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.

In accordance with Section 904(1) of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

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 2542 Fernwood Road. The proposal is to rezone from the R-2 Zone, Two Family Dwelling District, to a new zone in order to add an additional dwelling unit to an existing duplex (attached dwelling).

The following points were considered in assessing this Application:

- The proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill in the *Official Community Plan, 2012* (OCP).
- The proposal is consistent with the *Fernwood Neighbourhood Plan* to encourage infill development, which maintains the integrity, look and character of the single family duplex housing stock.
- The existing duplex is currently rental housing and will remain rental.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the subject property from the R-2 Zone, Two Family Dwelling District, to a new zone. The proposal is to add an additional dwelling unit to the existing duplex (attached dwelling).

Sustainability Features

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

Active Transportation Impacts

The Application proposes the following features which support active transportation:

- three Class 1 bicycle parking spaces in the building
- one Class 2 bicycle rack.

Public Realm Improvements

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

Land Use Context

The neighbourhood is characterized by a mix of single family houses and duplexes.

Existing Site Development and Development Potential

The subject property is presently a duplex. Under the current R-2 Zone, the property could be developed as a two-family dwelling. The new zone would allow for three self-contained dwelling units.

Data Table

The following data table compares the proposal with the existing R-2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisks is used to identify existing non-conforming conditions. The term "n/a" is used to identify where the proposal is not applicable.

Zoning Criteria	Proposal	Zone Standard R-2 Zone	OCP Policy Traditional Residential
Site area (m ²) - minimum	599.33	555.00	n/a
Number of units (under House Conversion Regulations – maximum	3	3 or 4	n/a

Zoning Criteria	Proposal	Zone Standard R-2 Zone	OCP Policy Traditional Residential
Density (Floor Space Ratio) - maximum	0.54:1	0.50:1	1:1
Total floor area (m ²) - maximum	320.89*	299.67	n/a
Lot width (m) - minimum	15.25	15.00	n/a
Height (m) - maximum	8.60* (existing) 6.80 (addition)	7.60	n/a
Storeys - maximum	3.50** (existing) 2 (proposed)	2	2
Site coverage % - maximum	37.47	40.00	n/a
Open site space % - minimum	55.33	30.00	n/a
Number of dwellings units in an attached dwelling	3*	2	n/a
Setbacks (m) – minimum			
Front (Fernwood)	8.80/2.53(projection)	7.50/3.50(projection)	
Rear (east)	5.40*	13.76	
Side (south)	2.00	1.53	n/a
Side (north)	1.14(addition)/ 2.55* (existing)	3.50	
Combined side yards	3.14(proposed)/ 5.45(existing)	4.50	
Parking - minimum	3 (1 tandem)	2	n/a
Bicycle parking stalls	3 Class 1 2 Class 2	n/a	n/a

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fernwood CALUC at a Community Meeting held on May 6, 2015. A letter dated July 2, 2015, is attached to this report.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. The OCP supports ground-oriented buildings up to two storeys, including attached dwellings, at a floor space ratio (density) of 1:1. The applicant is proposing a density of 0.54:1. The proposal is to retain the existing rental (non-strata) duplex and add a third self-contained dwelling unit. This proposal is consistent with the policies on increasing rental housing stock in the community for various household needs.

The OCP includes the subject properties in Development Permit Area (DPA) 16 where the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* are applicable.

Fernwood Neighbourhood Plan

The *Fernwood Neighbourhood Plan* encourages future neighbourhood housing development in Fernwood, which maintains the integrity, look and character of the single family and duplex housing. The existing duplex fronting Fernwood Road will remain. The applicant has indicated in the proposal that no exterior changes to the building are being proposed, therefore, there would be no changes to the existing Fernwood Road streetscape. The proposed dwelling unit fronting Haultain Street maintains the character of a single family dwelling.

Regulatory Considerations

The applicant will retain the services of a Certified Arborist at the time of Building Permit to develop a construction impact mitigation plan to assist in the retention of the large fruit tree at the southwest corner of the lot.

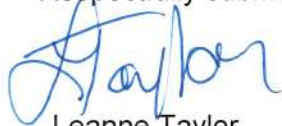
CONCLUSIONS

The proposed attached dwelling is consistent with the policies for land use and density outlined in the OCP and DPA 16. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Rezoning Application No.00482 for the property located at 2542 Fernwood Road.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



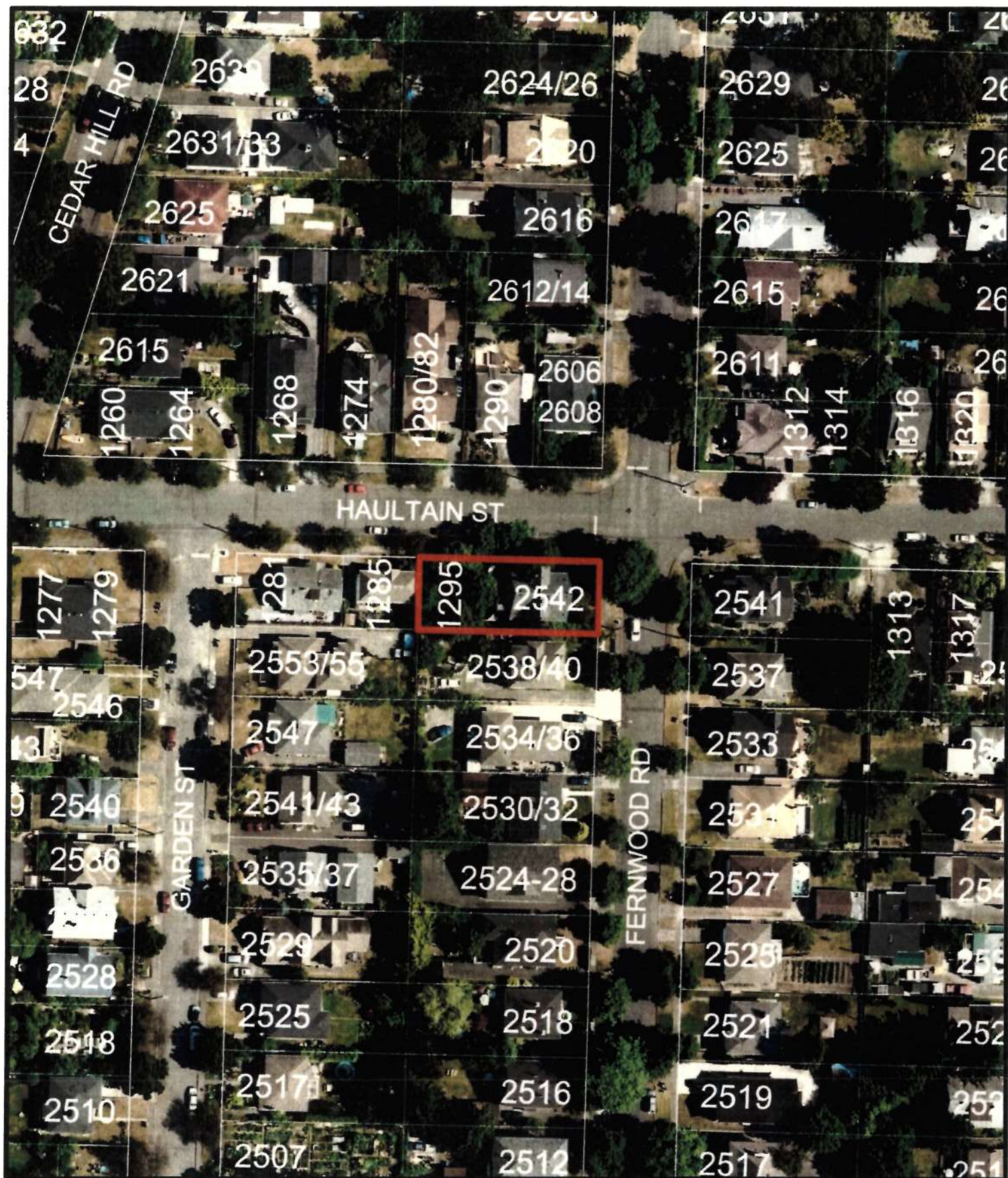
Date: October 1, 2015

List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated September 9, 2015
- Letter from the CALUC dated July 2, 2015
- Plans dated October 1, 2015.

2542 Fernwood Road
Rezoning #00482
Bylaw #





2542 Fernwood Road
 Rezoning #00482
 Bylaw #



KORS Development Services Inc.
250-544-4017 [fax: 250-544-4053]



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

Sept 9, 2015

Re: Rezoning of 2542 Fernwood Road

Dear Mayor and Council,

An application has been submitted to the City of Victoria requesting a rezoning of 2542 Fernwood Road. The lot is currently zoned R-2 and has an existing two unit duplex (upper and lower) occupied by the owner and a tenant. We are requesting a rezoning of the lot to a new zone which will permit the addition of a third unit on the lot. The existing duplex building (upper and lower) will be retained on the lot and a third dwelling unit will be added to the west wall. The existing NW garage will be removed and replaced by a parking stall. The proposed design plans and a streetscape for Haultain St are attached. There will be no change to the Fernwood Streetscape. No strata subdivision is proposed. The owner is intending to live in the new unit and retain the two units in the existing building for rental accommodation.

Community Consultation

In preparation for this application, we attended a Community Meeting on May 6, 2014. David Maxwell of the Fernwood Community Association assisted us in setting up this meeting and city staff mailed out invitations to surrounding home owners. The meeting was attended by members of the Community Association and the owners of the adjacent property to the west. At this meeting we provided background information (including elevations and site plans), answered questions and provided contact information to the neighbours for any future questions or comments. The Community Association members noted concerns about parking and the neighbour had questions about tree retention. All attendees supported continuing the application process.

Neighbourhood Context and Design Guidelines

In consideration of the community meeting comments, neighbourhood context, and to comply with the City's *Design Guidelines for Multi-Unit Residential, Commercial and Residential Development, 2012*, we have adopted a number of design features which are summarized below;

- The large lot area of 599.33 m² provides 199.78 m² per unit and results in a lower proposed FSR and higher proposed landscape area.

- The proposed FSR is 0.53 to 1 and is only slightly higher than the existing R-2 zone FSR of 0.50.
- Retention of the existing building will assist in preserving the neighbourhood character and minimize impacts to adjacent properties.
- The new building design provides reasonable setbacks and features variations in roof height and proportions along the Haultain frontage and in relation to the existing adjacent house to the west.
- The new unit front door and steps face Haultain.
- A streetscape of Haultain Street showing the proposed additional unit is provided at the top of the attached site plan. No streetscape of Fernwood was provided since no changes will be made to the existing building and the new addition will not be visible from that frontage.
- Massing of the proposed additional unit is broken up by preserving the upper deck at the west side of the existing building, locating the new garage between the existing building and the new unit and varying the roof line between the existing building and the new unit. These features also allow more sunlight penetration.
- Preservation of privacy for the adjacent homes to the south and west will be provided by;
 - the preservation of fences, landscaping and all but one tree on Haultain,
 - location of the garbage and recycling storage area adjacent to the Haultain frontage and screened by existing vegetation and a fence,
 - maintaining existing setbacks at the south interior lot line,
 - the new NW parking stall will be screened by the fence and cedars,
 - providing a rear setback of 5.4m to the upper storey and 6.04m to the main level,
 - maintaining and enhancing trees and shrubs along the west property line adjacent to the existing house to the west;
 - there are no upper storey windows facing the south property except for the bathroom window, and
 - the upper bedroom windows facing the west property line are set back 5.4m and screened by existing trees and shrubs. There are no windows facing this lot on the house to the west.
- The new unit will be a 1 ½ storey building with no basement to reduce the height in relation to the existing building to the east and the house to the west.
- The existing and proposed unit entrances provide a direct connection to both street frontages and provide level entry for all three units. Decks are provided for both the existing duplex units to provide them with rear outdoor spaces. The new unit will have a patio outdoor space in the rear yard.
- The design provided is consistent with the existing house and neighbourhood character in terms of height, colour and massing as shown in the streetscape.
- Retention of the existing building will mean there is no change to the Fernwood frontage or streetscape.

- The new unit will extend the continuity of colour, roofing and building materials of the existing building as shown in the photos at the end of this letter.

Parking

Parking options were discussed with staff. Three on-site parking stalls are proposed with one in the garage of the new unit, one in tandem behind the garage and one where the existing garage is at the NW corner of the lot. The following information is provided as justification for this parking arrangement;

- The proposed on-site parking utilizes the two existing driveway crossings so that there is no additional impact to the sidewalk or the existing on-street parking fronting this lot.
- It is noted that the existing duplex occupants have one car each, one of which currently parks on the road. With the proposed parking arrangement and addition of one more stall, there will be no net increase in the on-street parking.
- This site has good proximity to services and amenities. There is a transit stop on Fernwood Road in front of this house and the lot is in close proximity to cycling routes, schools, shopping, parks and other amenities. It is noted that the owner walks to work in downtown Victoria daily.
- Secure resident bike parking is provided in the new garage and in the enclosed area under the laundry room of the existing duplex building. In addition, a visitor bike parking rack is also provided as noted on the landscape plan.

Tree Retention

Early in the design process, all the trees on the property and in the boulevard were reviewed. The following is the result of this review and is noted on the landscape plan;

- The two large boulevard trees on Haultain and Fernwood will not be impacted due to their location adjacent to the existing building where no construction is proposed. The third deciduous boulevard tree on Haultain is 3m from property line, 4.14m from the steps and 5.62m from the proposed new foundation which is well beyond the drip line.
- On site, one tree would be impacted which is the 55cm deciduous tree near the NW corner of the property. This tree is not a protected tree. A new Maple tree is proposed to be planted in the front yard to replace the tree removed. The small cedar shrub in front of the new steps will be relocated in the rear yard.
- A construction impact mitigation plan will be provided at the time of Building Permit application to assist in the retention of the large fruit tree at the southwest corner of the lot.
- Preservation of all of the boulevard trees will ensure that both frontages will retain their existing appearance following construction.

Landscaping

The attached landscape plan provides the location of the trees, driveways and parking stalls.

- The west patio, the NW parking stall and the driveway to the garage will be finished with permeable pavers.
- Tree retention and removal is noted on the Site Plan and Landscape Plan and discussed in the previous section. All boulevard trees are to be retained.
- A maple tree is proposed to be planted in the front yard to replace the one tree being removed. The small cedar in front of the new steps will be moved to the rear yard.
- Outdoor areas are provided for all 3 of the proposed units. The upper unit has an upper deck on the west side. The lower unit has a deck at the SW corner of the existing building. The new unit has the patio area west of the new building.
- A row of cedars are proposed for the north half of the west property line to provide screening adjacent to the proposed parking stall. As noted on the attached drawings, the existing trees and shrubs along the west property line are being retained south of the proposed NW parking stall for additional screening.

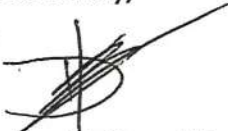
Sustainable Buildings

A number of sustainability features are proposed for the new unit as described here;

- The retention of the existing building;
- The new addition will be built to Energuide 80 standards or higher;
- The new addition will be pre-plumbed to be solar hot water ready;
- The new addition will have radiant in-floor heating;
- Permeable pavers are proposed for the NW parking stall and the driveway to the new garage;
- Low flow water fixtures are proposed

Thank you for your consideration of this application. We have worked hard to ensure that this design will fit in well with the neighbourhood context and with the City's Design Guidelines. We are pleased with the resulting design and features outlined in this letter and look forward to continuing the rezoning process with staff, the neighbourhood and Council.

Yours truly,



L. Denise Kors, PEng, LEED Ap
Land Development Manager
Kors Development Services Inc.



View of location of new dwelling unit as seen from Haultain Street



View of the existing dwelling from Fernwood Road

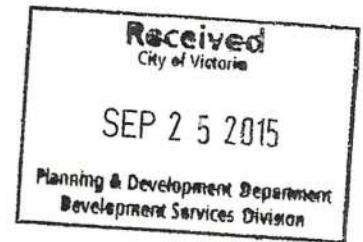


Fernwood Community Association

1923 Fernwood Road,
Victoria, B.C., V8T 2Y6

(250) 384-7441

Email: landuse@thefcaca



July 2, 2015

Sustainable Planning and Community Development Department
City of Victoria
#1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2542 Fernwood Road

The proposal to rezone 2542 Fernwood Road from R-2 (Two Family Dwelling District) to the R-K zone (Medium Density Attached Dwelling District) to permit the attachment of a new self contained unit was formally presented at the Fernwood Community Association Land Use Committee meeting of May 6, 2015.

Attending the meeting were two neighbours and the registered owner of the property. The general tone of the meeting was accepting of the development.

The owner along with her representative made a presentation showing the proposed changes to the property and provided details about the proposed new unit. Variances concerning site coverage and parking were identified and discussed.

The owner's representative circulated her contact information and invited people to discuss any thoughts or concerns about this proposal with her.

The FCA Land Use Committee supports the preservation and restoration of existing structures and generally supports small variances to achieve that goal.

Sincerely,

David Maxwell
Chair, Land Use Committee
Fernwood Community Association

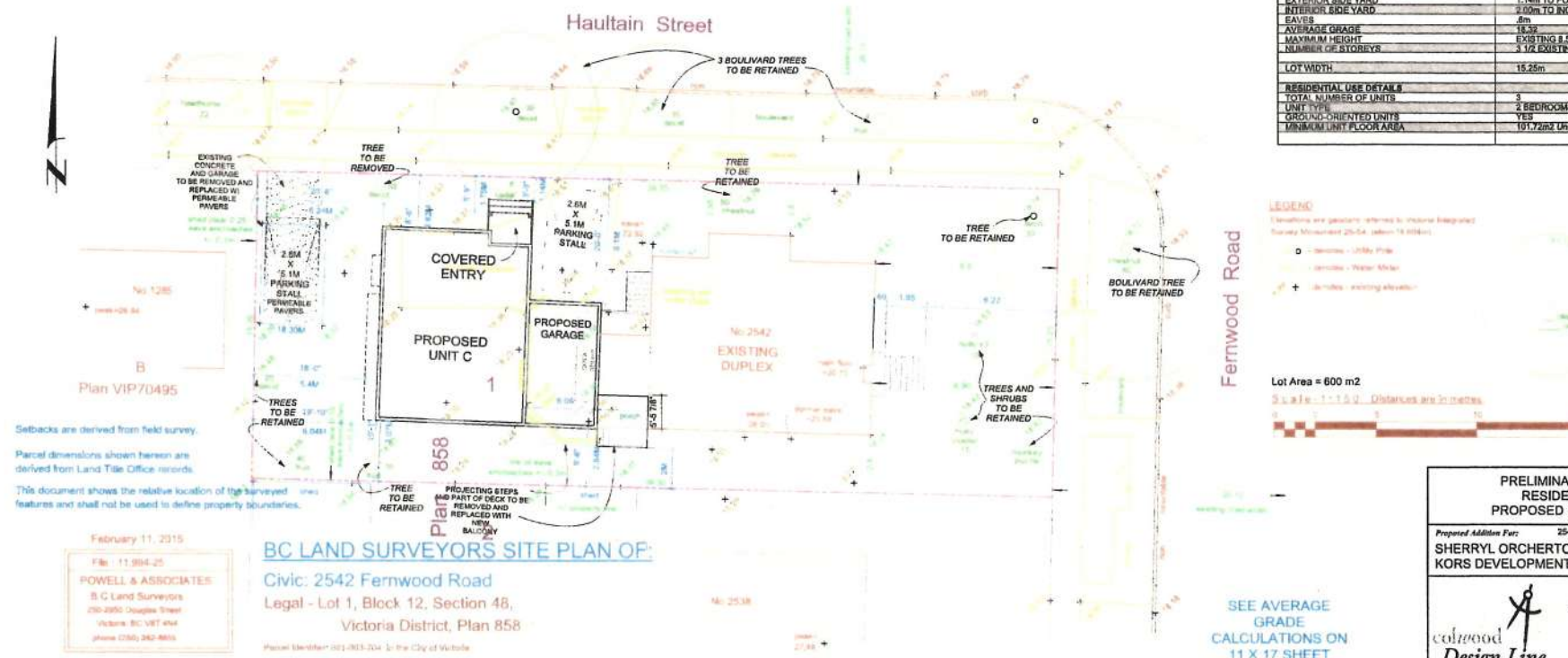
OCT 01 2015

Planning & Development Department
Development Services Division



STREETSCAPE ALONG HAULTAIN STREET LOOKING SOUTH

PROJECT INFORMATION TABLE	
ZONE (EXISTING)	R-2
PROPOSED ZONE	C-D (TO BE DETERMINED)
SITE AREA	599.33m ²
LOWER FLOOR (BASEMENT)	85.66
MAIN FLOOR	168.90
SECOND FLOOR	124.21
HALF STOREY LOFT	27.78
COMBINED FLOOR AREA	406.55
TOTAL FLOOR AREA	592.89
FLOOR SPACE RATIO	0.54 to 1
SITE COVERAGE	27.47
OPEN SPACE	65.33%
FRONT YARD COVERAGE	0%
PARKING STALLS	3
TANDEM PARKING	1/3 TANDEM PARKING MAX
YARD SETBACKS	
FRONT TO STEPS EXISTING	6.27m
FRONT TO WALL EXISTING	8.3m
REAR YARD	6.4m
EXTERIOR SIDE YARD	1.14m TO PORCH STEPS - 2.62m TO WALL
INTERIOR SIDE YARD	2.50m TO INCREASED BALCONY - 2.84m TO WALL
EAVES	.6m
AVERAGE GRADE	18.39
MAXIMUM HEIGHT	EXISTING 8.55m PROPOSED 6.795m +/-
NUMBER OF STOREYS	3 1/2 EXISTING - 2 PROPOSED
LOT WIDTH	15.25m
RESIDENTIAL USE DETAILS	
TOTAL NUMBER OF UNITS	3
UNIT TYPE	2 BEDROOMS
GROUND-ORIENTED UNITS	YES
MINIMUM UNIT FLOOR AREA	101.72m ² Unit A smallest unit



PRELIMINARY DRAWINGS FOR
RESIDENTIAL ADDITION
PROPOSED REZONING FROM R-2

Proposed Addition For: 2542 FERNWOOD ROAD AND HAULTAIN STREET
SHERRYL ORCHERTON - OWNER
KORS DEVELOPMENT SERVICES INC. - APPLICANT

colwood
Design Line

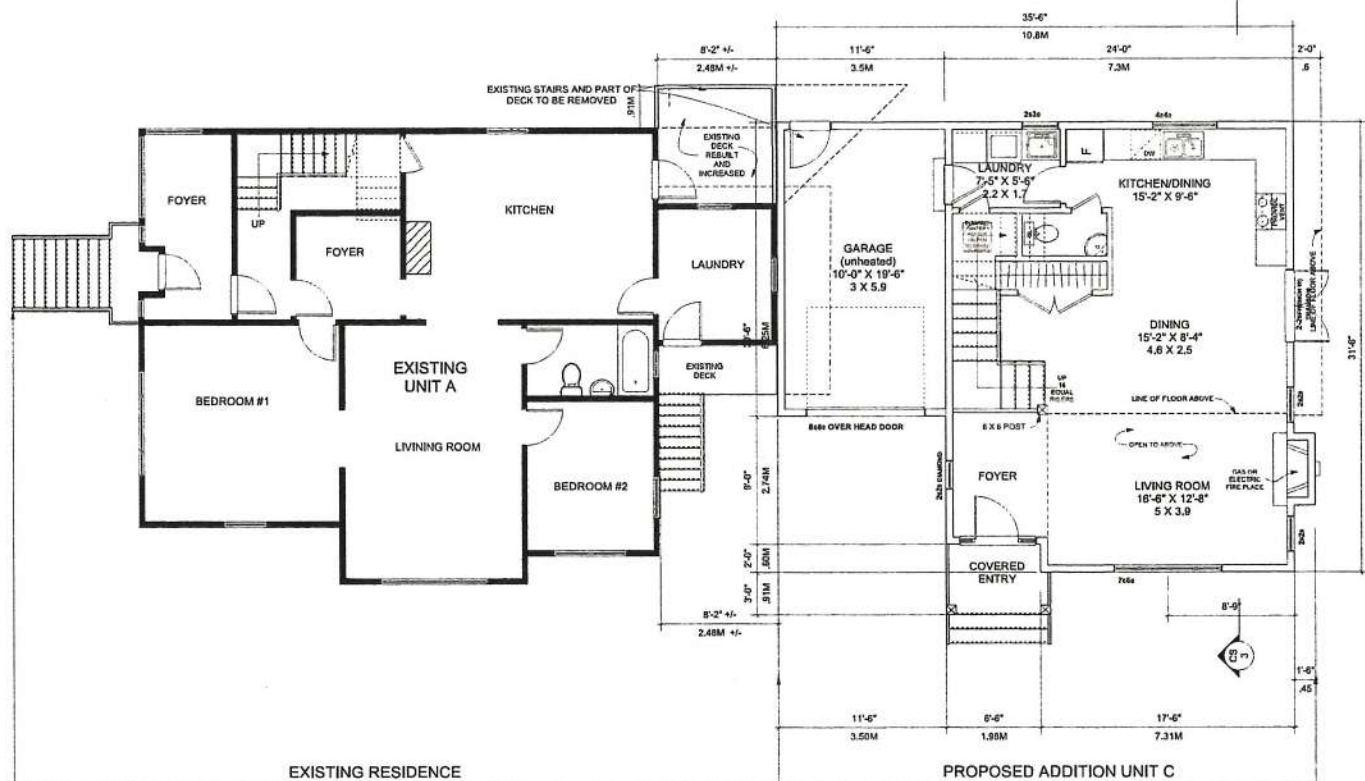
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Date: OCTOBER 1ST 2015

Page: 1 OF 5

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MAIN FLOOR PLAN
SCALE: 1/4" = 10'

PRELIMINARY DRAWINGS FOR
RESIDENTIAL ADDITION
PROPOSED REZONING FROM R-2

Proposed Addition For: 2542 FERNWOOD ROAD AND HAULTAIN STREET
SHERRYL ORCHERTON - OWNER
KORS DEVELOPMENT SERVICES INC. - APPLICANT



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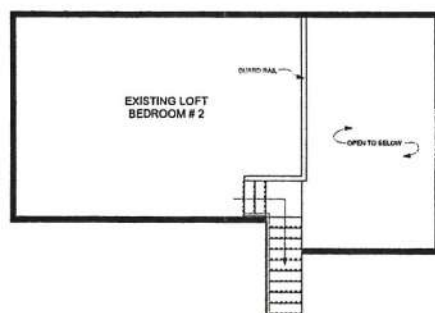
Date: OCTOBER 1ST 2015

Page: 2 OF 5

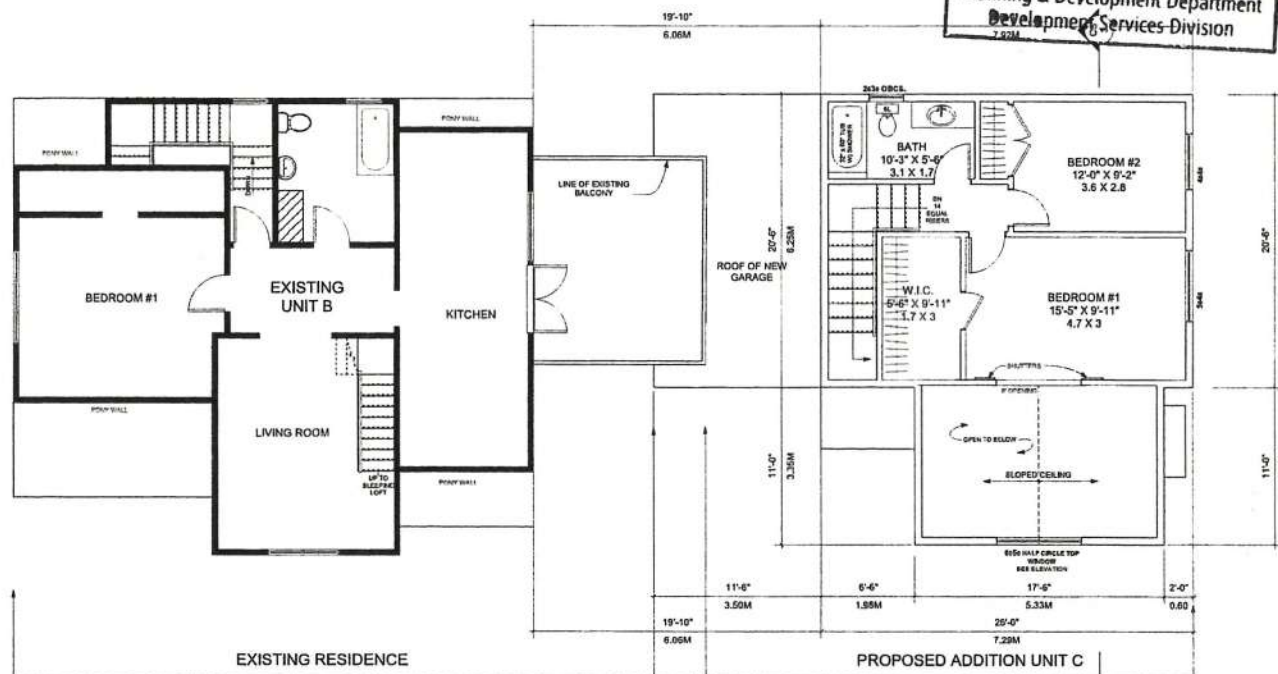
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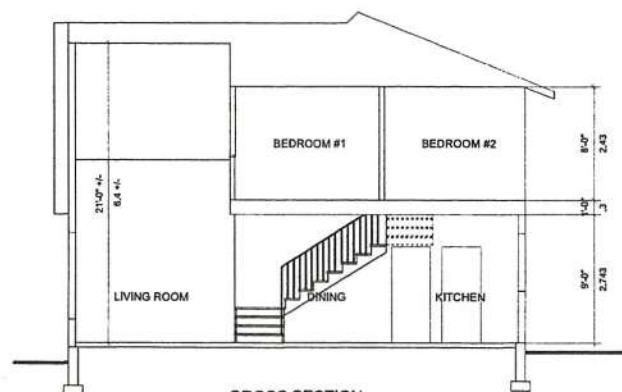
LOFT FLOOR PLAN
SCALE: 1/4" = 1'-0"



UPPER FLOOR PLAN
SCALE: 1/4" = 1'-0"



BASEMENT FLOOR PLAN
SCALE: 1/4" = 1'-0"



CROSS SECTION
SCALE: 1/4" = 1'-0"

PRELIMINARY DRAWINGS FOR
RESIDENTIAL ADDITION
PROPOSED REZONING FROM R-2

Proposed Addition For: 2542 FERNWOOD ROAD AND HAULTAIN STREET
SHERRYL ORCHERTON - OWNER
KORS DEVELOPMENT SERVICES INC. - APPLICANT

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Page: 3 OF 5

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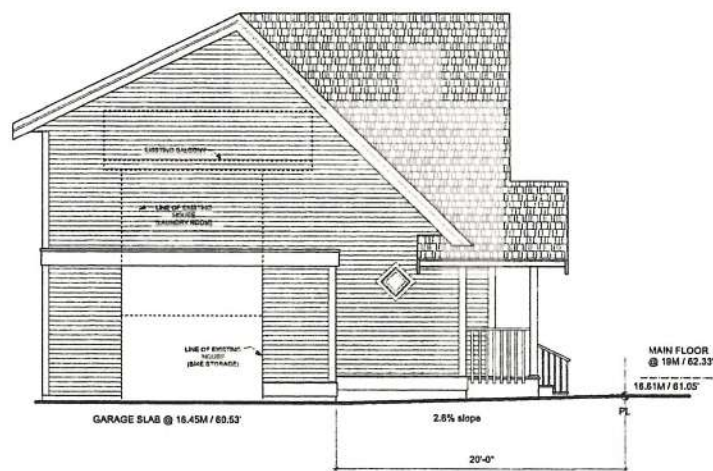
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RIGHT ELEVATION EXISTING
SCALE: 1/4"=1'-0"

FRONT ELEVATION PROPOSED
SCALE: 1/4"=1'-0"

NORTH ELEVATION



ELEVATION LEFT OF PROPOSED (CONNECTED)
SCALE: 1/4"=1'-0"



LEFT ELEVATION PROPOSED
SCALE: 1/4"=1'-0"

WEST ELEVATION

FINISHING MATERIALS
EXISTING
NO CHANGE
PROPOSED
HARDIE PLANK SIDING (OR SIMILAR)
HARDIE SHINGLES
TO BE PAINTED IN THE SAME COLOUR
SCHEME AS EXISTING
ROOF ASPHALT SHINGLES TO MATCH

PRELIMINARY DRAWINGS FOR
RESIDENTIAL ADDITION
PROPOSED REZONING FROM R-2

Proposed Addition Part: 2542 FERNWOOD ROAD AND HAULTAIN STREET
SHERRYL ORCHERTON - OWNER
KORS DEVELOPMENT SERVICES INC. - APPLICANT

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Page: 4 OF 5

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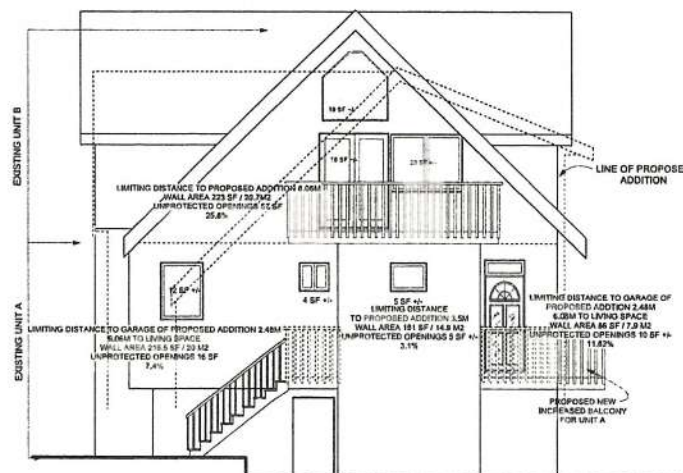


SOUTH ELEVATION



FRONT ELEVATION UNIT A & B
SCALE: 1/4"=1'-0"

EAST ELEVATION



REAR ELEVATION OF EXISTING (CONNECTED)
SCALE: 1/4"=1'-0"

PRELIMINARY DRAWINGS FOR
RESIDENTIAL ADDITION
PROPOSED REZONING FROM R-2

Proposed Addition For: 2542 FERNWOOD ROAD AND HAULTAIN STREET
SHERRYL ORCHERTON - OWNER
KORS DEVELOPMENT SERVICES INC. - APPLICANT

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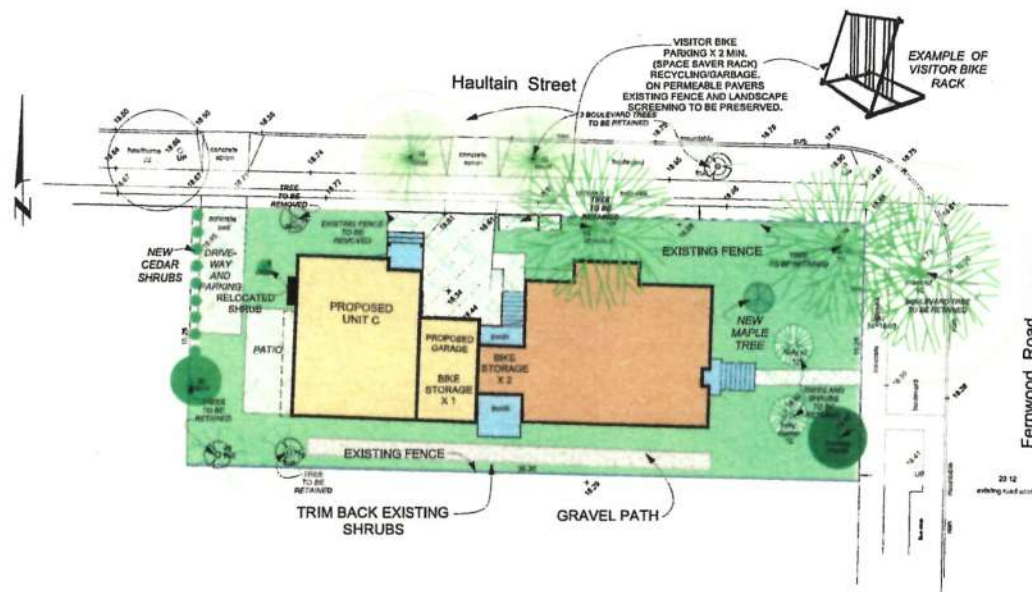
Page: 5 OF 5

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TO BE REMOVED		EXISTING DECID 55 TO BE REMOVED.
TO BE ADDED		CEDAR SHRUBS
		MAPLE
TO BE RETAINED		EXISTING DECIDS 30 AND 35 BOULEVARD
		EXISTING FRUIT BOULEVARD AND ON PROPERTY
		EXISTING CHESTNUTS X2 AND LARCH X1
		EXISTING HOLLY
		EXISTING MONKEY PUZZLE
		DECID
AREA LANDSCAPING		8 CEDAR (SHRUB) RELOCATED
		EXISTING CONCRETE
		LAWN
		PERMEABLE PAVERS



LANDSCAPE PLAN

SCALE: 1:100

PRELIMINARY DRAWINGS FOR RESIDENTIAL ADDITION PROPOSED REZONING FROM R-2

Proposed Addition For: 2542 FERNWOOD ROAD AND HAULTAIN STREET
SHERRYL ORCHERTON ~ OWNER
KORS DEVELOPMENT SERVICES INC. ~ APPLICANT



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Date: SEPTEMBER 8TH 2015

Page: 1 OF 1