



Planning and Land Use Committee Report

For the Meeting of July 23, 2015

To: Planning and Land Use Committee **Date:** July 9, 2015

From: Brian Sikstrom, Senior Planner

Subject: Development Permit with Variances Application No. 000419 for 330 Irving Road

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000419 for 330 Irving Road, in accordance with:

1. Plans date stamped June 2, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Section 1.6.5 e. south side yard setback reduced from 3.21m to 1.61m;
 - ii. Section 1.6.5 f. combined side yard setbacks reduced from 5.4m to 3.61m;
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 Sections 920(8), 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, and the 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 Application for the property located at 330 Irving Road. The proposal is to construct a one-storey single family detached dwelling on a panhandle lot to the rear of the existing single family detached dwelling. The variances are related to a reduced side yard setback.

The following points were considered in assessing this application:

- the proposed development is consistent with the land use policies of the *Official Community Plan, 2012*
- the proposed development meets all of the panhandle lot regulations in the *Zoning Regulation Bylaw*
- the area of the new panhandle lot would be considered large by City standards and would be larger than many properties in the immediate area
- the requested variances for side yard setbacks are for the existing house and due to subdivision for the panhandle lot access to the street
- the design of the proposed single-family detached dwelling is consistent with the applicable design guidelines under Development Permit Area 15B: Intensive Residential – Panhandle Lot
- the proposed new house is in the rear yard of the existing house and meets the more stringent height, setback and site coverage standards for a panhandle lot. The proposed one-storey height, setbacks from the neighbouring properties, and the location of habitable rooms minimizes the impacts on privacy and overshadowing of yards.

BACKGROUND

Description of Proposal

The proposal is for a one-storey single family detached dwelling on a panhandle lot to the rear of the existing single family detached dwelling. The existing lot is large with a width of 24m and a depth of 73m. The lot areas for the existing house and the new house would be 831m² and 763m², respectively. The area of the new panhandle lot would be considered large by City standards and would be larger than many properties in the immediate area.

The proposed single family detached dwelling meets all the panhandle lot zoning requirements, including maximum floor area, building height, setbacks and site coverage.

Specific details include:

- total floor area of 197m²
- incorporation of a single car garage and front yard parking pad
- low retaining walls and grade to match neighbouring property to the south
- flat roof
- cladding materials include: smooth acrylic stucco, cultured stone, vinyl windows and stained wood.

Retention of existing landscaping is proposed with the exception of two willow trees in the proposed building envelope and the removal of a large fir tree at the panhandle driveway entrance. The fir tree will be replaced with two replanted trees as required in the Tree Preservation Bylaw. Some additional plantings and new fencing is also proposed.

The applicant has agreed to the provision of a 1.39m road dedication for future right-of-way improvements. Irving Road is identified as a People Priority Greenway in the *Greenways Plan, 2003*.

The proposed variances are related to:

- a reduced side yard setback for the existing house, which would be created with subdivision of the new panhandle lot and its access driveway. No change is proposed in the location of the existing house and its separation from its neighbour to the south.

Sustainability Features

As indicated in the applicant's letter dated March 19, 2015, sustainability features associated with this application include:

- permeable driveway and parking surfaces
- engineering for Hydro grid tie-in
- rain collection system
- raised beds for food production.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- bicycle parking area
- electric car charging outlet
- electric scooter plug in.

Public Realm Improvements

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

Existing Site Development and Development Potential

The 1783 m² lot is in the R1-G Zone, Gonzales Single Family Dwelling District. It is occupied by a two-storey single-family detached dwelling constructed in 1931. The house has sufficient habitable floor area for a secondary suite. The lot slopes downward to the west and has numerous trees and shrubs screening its boundaries.

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 depth of the lot meet the criteria for consideration of a rezoning for a duplex. Another possibility is narrow-lot subdivision for the construction of two single-family dwellings. This would require Council approval of a Development Variance Permit for lot width.

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. A double asterisk is used to identify existing legal non-conformities.

Zoning Criteria	Lot A Existing House	Zone Standard R1-G	Lot B New House on Panhandle Lot	Zone Standard Schedule H
Site area (m ²) - minimum	830.9	460	762.6 (not including panhandle)	600
Lot width (m) - minimum	21.4	15.0	24.4	18.0
Density (Floor Space Ratio) - maximum	0.23:1	0.50:1	0.28:1	0.50:1
Total floor area (m ²) - maximum	341.3**	300.0	196.7	280.0
Height (m) - maximum	6.3	7.6	4.7	5.0
Storeys - maximum	2	2	1	1
Site coverage % - maximum	27.4	30.0	24.8	25.0
Open site space % - minimum	64.2	50.0	51.2	n/a
Setbacks (m) - minimum				
Front (east)	8.0	7.5	7.5	7.5
Rear (west)	12.3	12.3	7.5	7.5
Side (north)	2.0**	3.2	4.0	4.0
Side (south)	1.6*	3.2	4.0	4.0
Combined side yard	3.6*	5.4	8.0	5.4
Parking - minimum	2	1	2	1

Relevant History

A Development Permit was approved by Council on December 12, 2013 to permit a panhandle lot with a new single family detached dwelling on the neighbouring property to the south.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on April 16, 2015 the Application was referred for a 30-day comment period to the Fairfield Gonzales CALUC. This notwithstanding, the applicant held a Community Meeting on February 16, 2015. The comments received at this meeting are attached in a letter from the Fairfield Gonzales CALUC.

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

In the *Official Community Plan* (OCP) panhandle lot developments are included in DPA #15B, Intensive Residential – Panhandle Lot. The applicable design guidelines are the *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981) as well as the *Small Lot House Design Guidelines* (2002).

The proposed house is consistent with the design guidelines and meets the more stringent height, setback and site coverage standards for a panhandle lot. The one-storey height and setbacks from the neighbouring properties as well as the location of habitable rooms minimizes the impacts on the privacy and overshadowing of yards.

The requested variances for the south side yard setback and combined side yard setbacks are for the existing house. These variances are due to the subdivision and the creation of the driveway access to the street on the panhandle portion of the proposed panhandle lot and do not create negative impacts for neighbouring properties.

Local Area Plans

The *Official Community Plan, 2012* designates the area as "Traditional Residential". The proposed development is consistent with the Plan's land use policies.

The *Gonzales Neighbourhood Plan, 2002* encourages the retention of single-family dwellings in established neighbourhoods. The proposed residential land use is consistent with the Plan.

Note: The Neighbourhood Plan includes a recommendation to exclude panhandle lot subdivisions and to retain the large lot character in the Queen Anne Heights/Foul Bay Road/Gonzales Hill area. This property is not in that area, which is to the west.

CONCLUSIONS

The proposed development is consistent with the land use policies of the *Official Community Plan, 2012* and is designed to meet the panhandle lot regulations in the *Zoning Regulation Bylaw* and minimize privacy and overshadowing impacts on neighbouring properties. The requested variances for side yard setback of the existing house are the result of the subdivision for access to the proposed house. Staff recommend that Council consider supporting the application.

ALTERNATE MOTION

That Council decline Development Permit Application No. 000419 for the property located at 330 Irving Road.

Respectfully submitted,


Brian Sikstrom
Senior Planner
Development Services Division


Alison Meyer
Assistant Director
Development Services Division


Jonathan Tinney
Director
Sustainable Planning and
Community Development

Report accepted and recommended by the City Manager: _____

Date: _____


Jason Johnson

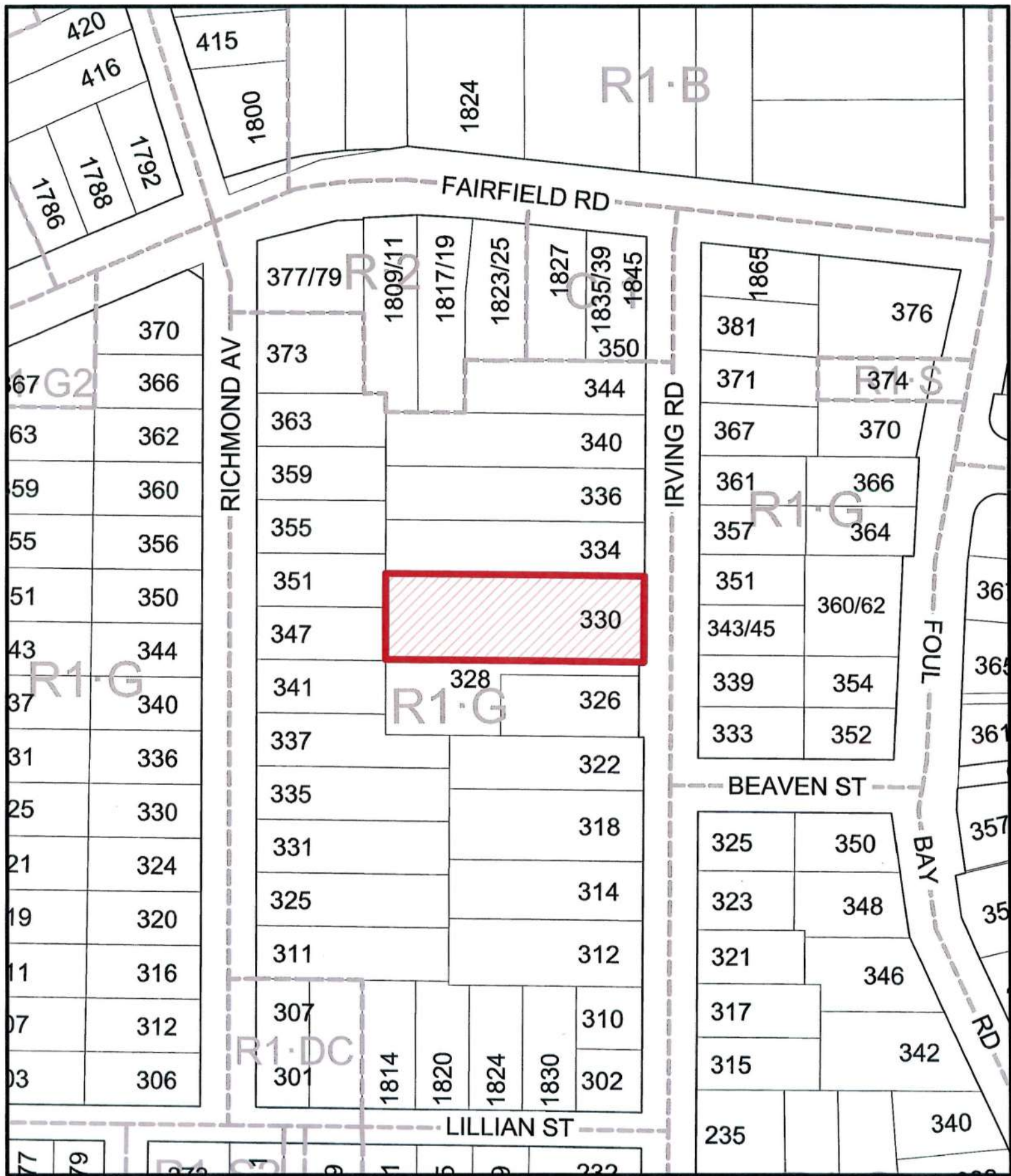
July 14, 2015

BMS:lw

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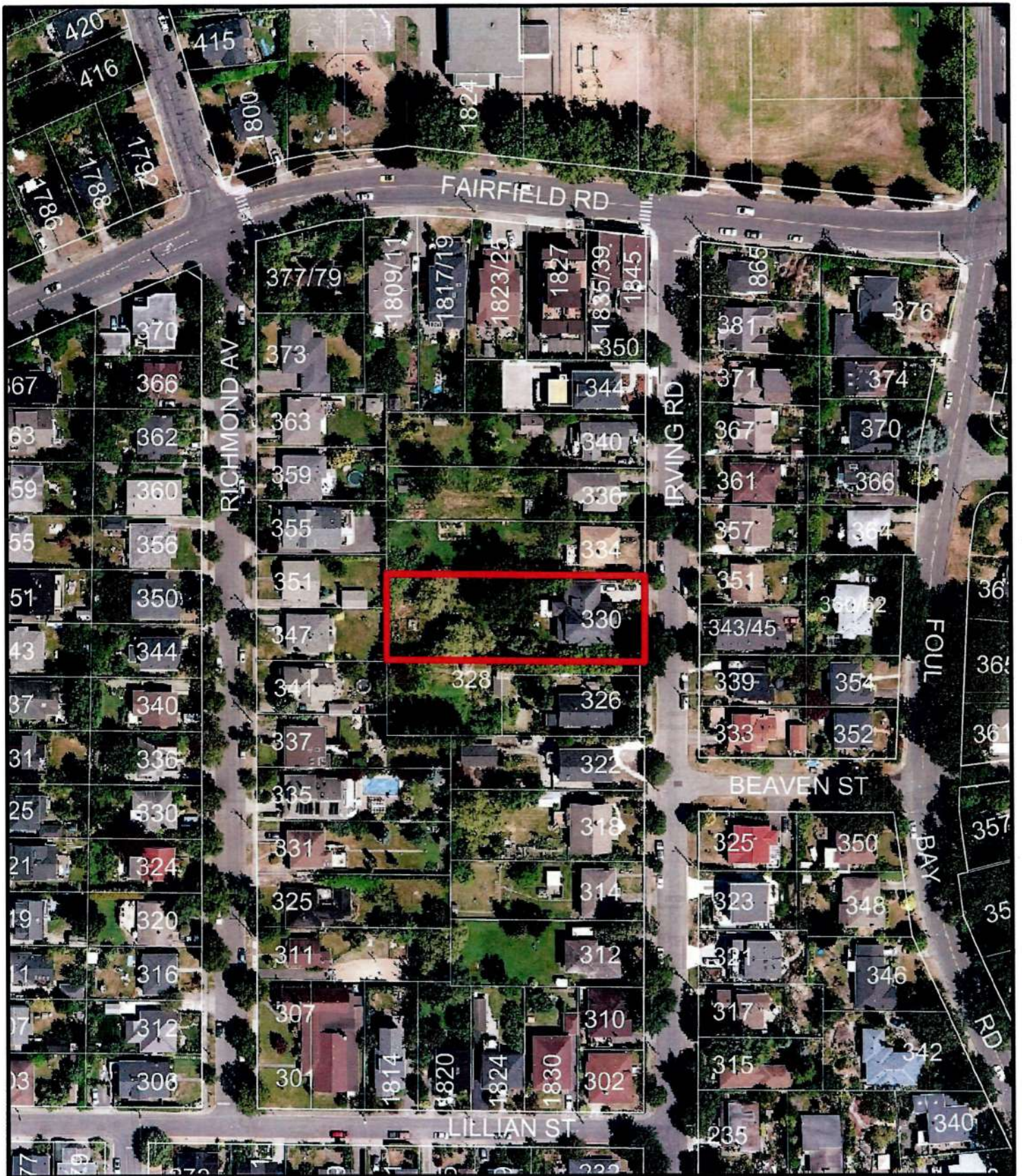
List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated March 19, 2015
- Letter from the Fairfield Gonzales Community Association dated February 16, 2015
- Plans dated June 2, 2015.



330 Irving Road
Development Permit #000419





330 Irving Road
Development Permit #000419



March 19, 2015



LETTER TO MAYOR AND COUNCIL

PROPOSAL TO DEVELOP 330 IRVING ROAD

DESCRIPTION OF PROPOSAL

To subdivide in order to create a panhandle lot in the rear yard.

330 Irving is located in the Gonzales Neighbourhood, 1 ½ blocks from the centre of Gonzales Beach. The lot is 80' wide by 240' deep, one of 5 lots in a row of this depth, and the largest in width. The existing home is a unique 1931 late-deco period bungalow with an addition designed by Eric Clarkson added ten years later. Many a passerby has remarked on its appeal. It has been well cared for, and has many years of life left. The proposed building is a modest 2 bedroom, 2 bath single storey on grade, sited on a 9887 sqft lot.

The proposal requires 2 variances for the existing lot, lot A. There are no variances required for the proposed lot, Lot B. Please refer to General Guidelines for more detail.

NEIGHBOURHOOD

Irving Road is 2 blocks long, and is comprised mostly of single family dwellings, although there are several duplexes and a 3-unit conversion. 2 of those SFD are on panhandle lots. Recently, there has been considerable redevelopment, with all new building expressing the modern vernacular. We feel that this proposal is in concert with the community guidelines, with the development of the underutilized land and the design of a modest and livable building, while retaining the character building and current streetscape.

The owner has lived in the Fairfield/Gonzales neighbourhood for 36 years, and moved to Irving in 1999. The owner is well thought of on the street, as evidenced by the number of letters of support, and the minutes of the CALUC meeting. Especially the adjacent property owners.

GENERAL GUIDELINES

We feel that a panhandle lot is an appropriate use of the land and is compatible with the area. The existing lot requires 2 variances, one related to the other: a interior side yard setback variance of 1.788m and a resulting total combined side yard setback variance of 1.446m. It is important for us to convey that we feel that one of the reasons for setbacks is to keep houses a good distance apart. As the setback is measure to the new access strip property line, in fact the actual appearance of the setbacks seperation is unchanged. The distance between the south adjacent house remains unchanged at approximately 49 feet. The proposed panhandle access acts as a separation between the houses, this allows for appealing streetscape, as the houses will never be close together.

The proposed rear panhandle lot requires no variances. Great care has been taken with the design to accommodate adjoining neighbours and the natural environment. The proposed height is below the maximum allowable height, and also as it is a flat roof is considerable lower then a sloped roof. This is because a flat roof is measured from the top of roof, where a sloped roof is measured from the mid point. A sloped roof ridge height would be much higher then a flat roof. This potential could shade neighbours backyards in winters day. The proposed site coverage and total floor are also under the allowable for a panhandle lot as per zoning. Careful consideration has been taken in window placement as not to reduce privacy of adjoining neighbours. And a smartly placed hedge in the parking area will keep any headlight pollution from annoying our nice adjoining neighbours.

The proposed lot, at 9887 sqft, is substantially larger than standard sized lots in Fairfield/Gonzales. There are 2 willow trees in the building envelope, which would need to be removed. They are decadent and show signs of decay. There is a Douglas Fir in the panhandle access, as well as several overgrown and untended cedars on the property line. These would be replaced according to the Tree Replacement Guidelines. The rest of the property is amply treed, including a very large, health, Birch tree.

STREETSCAPE

There will be no alteration to the Irving Road streetscape other than the new driveway for the panhandle access.

PARKING

Ample parking on site will make street parking unnecessary. The permeable driveway, hammerhead turn around and parking stalls will permit a vehicle a turnaround, allowing for forward ingress and egress via the panhandle access. This reduces and safety concerns when pulling out onto Irving Road.

We are proposing secure, lit, bicycle parking on the south side of our home, between the kitchen and much room.

GREEN BUILDING FEATURES

- Permeable driveway & parking surfaces
- Engineering for Hydro Grid Tie-in
- Rain collection system
- On-demand hot water and High mass heating system
- Thermal windows
- Bicycle parking area
- Electric car charging outlet
- Electric scooter plug in
- E-Bike charging area
- Acrylic stucco
- LED lighting
- Raised beds for food production

**Minutes of Community Meeting
Planning and Zoning Committee
Fairfield-Gonzales Community Association (FGCA)
February 16, 2015**

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

Subject property: 330 Irving Rd.; subdivision for panhandle lot (148 notices sent)
Proposal by Mr. Stephen Macrae
Presenter: Lindsay Justin Baker of Aspire Custom Designs

Attendance: 15 in person, 1 by proxy

Information given by presenter that the proposal needs no rezoning,
involves variances only.

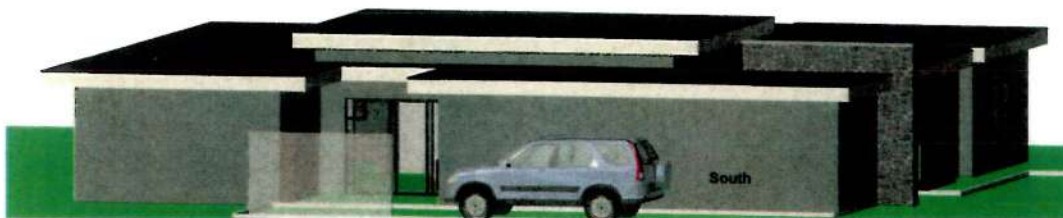
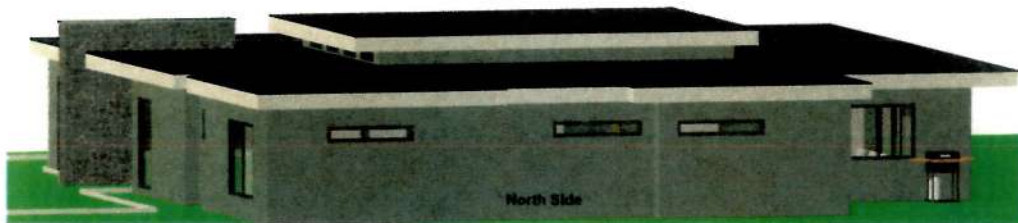
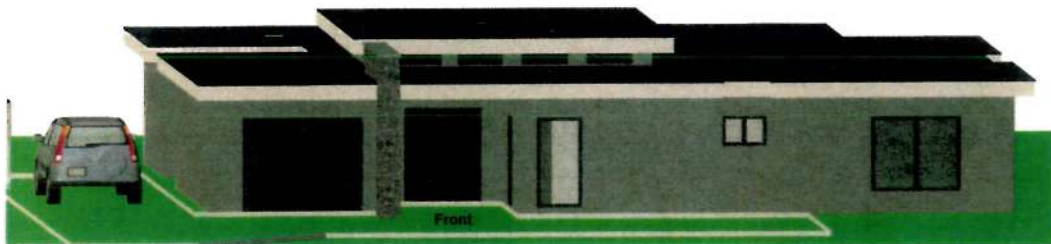
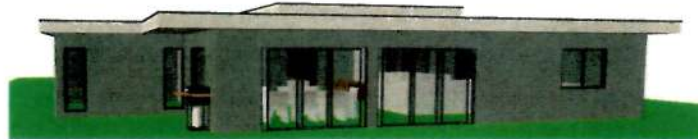
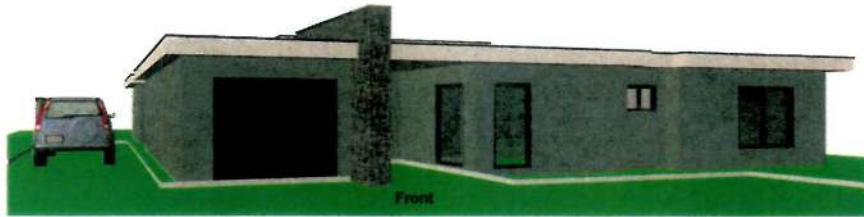
Attendee Questions and Comments:

- Large fir tree by entrance to be saved if possible.
- Concern by neighbour for having sufficiently wide access for emergency vehicles and to have a rock wall, or similar separation from his driveway at 326 Irving.
- Surface water pooling and drainage are significant issues for several attendees, suggest that gravity drainage may be insufficient, perhaps pumping needed.. Ensure that new building does not make the drainage problem worse.
- Concern about potential additional traffic on Irving Rd
- Several comments about existing trees and shrubs, favouring removal of blackberry bushes, retaining as many trees as possible on property
- Neighbour behind (347 Richmond) assured her hedge will not be removed.

Thirteen (13) of the attendees indicated to be favouring the project, subject to satisfying the comments made. Two attendees were neutral in their position. Lindsay Baker handed out business cards to all with invitation for dialogue about details of the project.

George Zador

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



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Scale 1 - 100 11/17 Sheet 3d Concept Elevations

330 IRVING ROAD PANHANDLE SUBDIVISION PROPOSAL



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Proposed panhandle lot B new home

Existing 330 Irving Rd Lot area 1905.1sq/ft (1782.17)

1 hc HsdCZncPanhandle site Lot B 9887 sq/ft (918.55m²) / With panhandle access(Max allowable) footprint-coverage 2471 sq/ft (229.65m²) 25%Proposed site footprint-coverage 2448 sq/ft (227.42m²) 24.75%Panhandle access - 1677 sq/ft (155.9m²)Site Area-Lot B 8208 sq/ft (762.65m²)

(Lot area without panhandle driveway area)

Proposed road dedication (1.39m)

Main dwelling main floor area 2117 sq/ft (196.67 m²)Main dwelling garage floor area 190 sq/ft (17.65 m²)Total dwelling floor area 2306 sq/ft (214.25 m²)

All habitable space w/ windows 7.5m minimum setbacks met.

All 4.0m building minimum setbacks met.

Allowable building height - 16'5" (5.0m)

Proposed building height - 15'6" (4.7244m)

Number of storeys 1

No basement

4 off street parking stalls

Bicycle parking

Proposed lot A existing home

R1-G Zone

Site Lot A 8944 sq/ft (830.92m²)Proposed site footprint-coverage 2452 sq/ft (227.79m²) 27.4%
(With attached deck)

Proposed road dedication (1.39m)

Existing 2 storeys

Height 6.3m (As per survey)

Main floor area 2085 sq/ft

Lower floor area 1256 sq/ft

Attached garage 555 sq/ft

Total floor area 3874 sq/ft (359.9m²)

Proposed front yard setback (8.967m)

Proposed rear yard setback (12.246m)

Existing North side yard setback (2.0m)

Proposed South side yard setback (1.612m)

South side yard setback variance relaxation of (1.445m)

Proposed total combined side yard setback (3.612m)

Combined side yard setback variance relaxation of (1.788m)

2 car attached garage

GRADE CALCULATION BUILDING B

GRADE POINTS	Grade Points	Average of Points	Distance between grade points	Totals
Grade Point A: 14.6	Points A-B	(A+B)/2	8.36m	121.63
Grade Point B: 14.5	Points B-C	(B+C)/2	3.5m	50.75
Grade Point C: 14.5	Points C-D	(C+D)/2	3.3m	47.85
Grade Point D: 14.5	Points D-E	(D+E)/2	3.5m	50.75
Grade Point E: 14.5	Points E-F	(E+F)/2	4.3m	62.56
Grade Point F: 14.6	Points F-G	(F+G)/2	12.6m	182.7
Grade Point G: 14.4	Points G-H	(G+H)/2	3.6m	51.84
Grade Point H: 14.4	Points H-I	(H+I)/2	3.8m	54.72
Grade Point I: 14.4	Points I-J	(I+J)/2	12.5m	178.65
Grade Point J: 14.65	Points J-K	(J+K)/2	10.5m	150.12
Grade Point K: 14.5	Points K-L	(K+L)/2	2.7m	39.15
Grade Point L: 14.5	Points L-M	(L+M)/2	2.5m	36.25
Grade Point M: 14.5	Points M-N	(M+N)/2	2.7m	39.15
Grade Point N: 14.5	Points N-A	(A+N)/2	3.6m	52.38
			77.06 m	1118.5

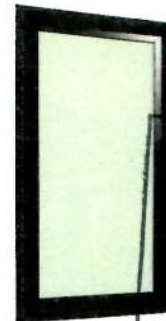
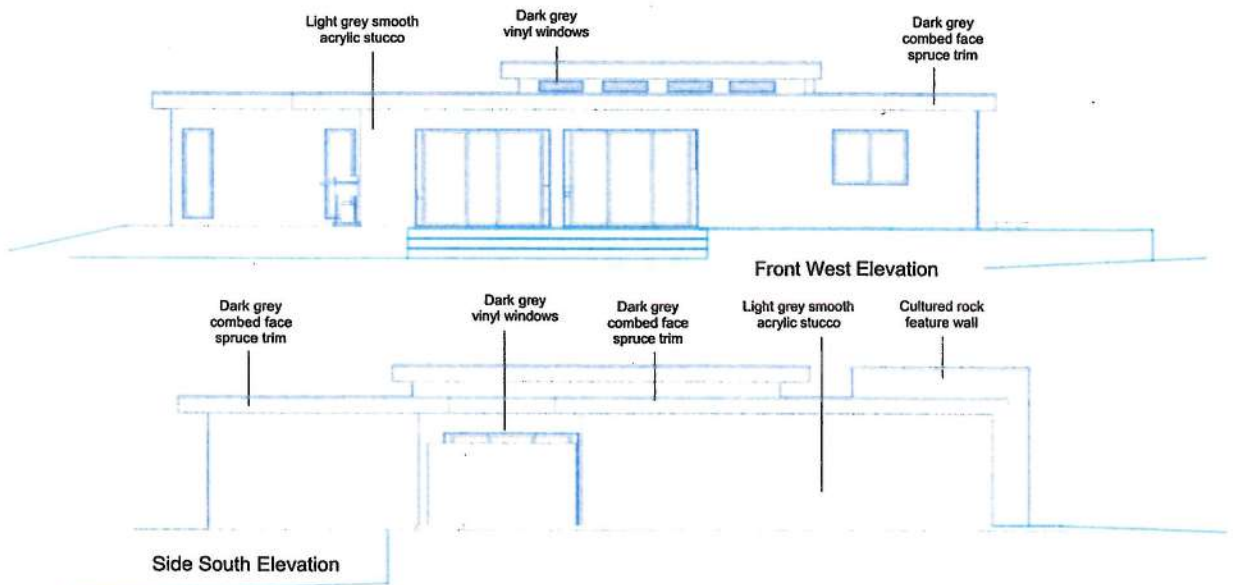
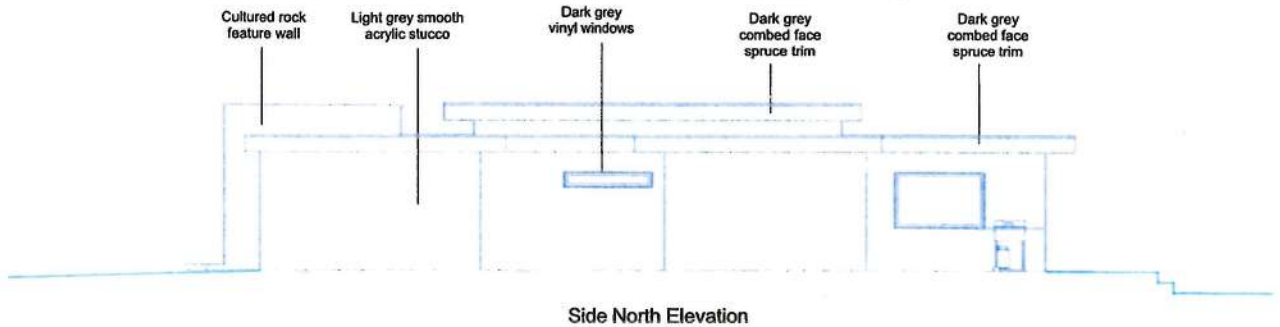
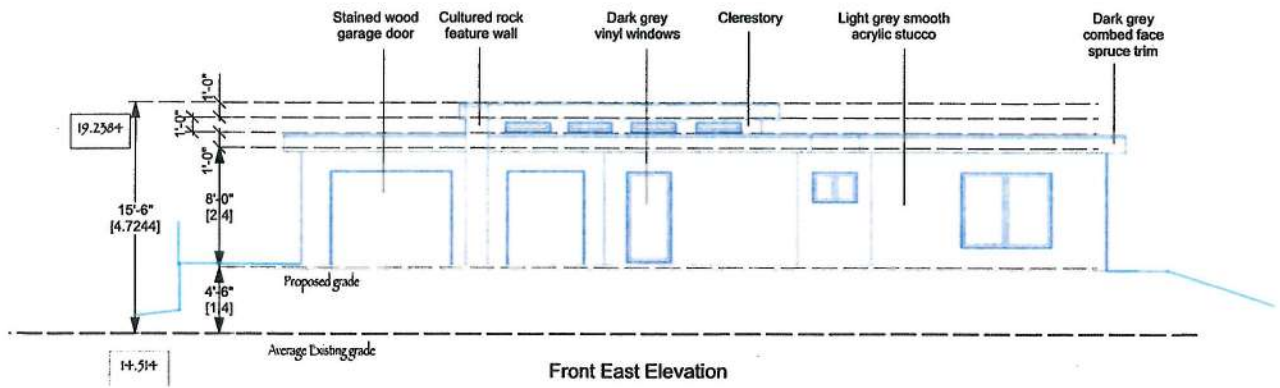
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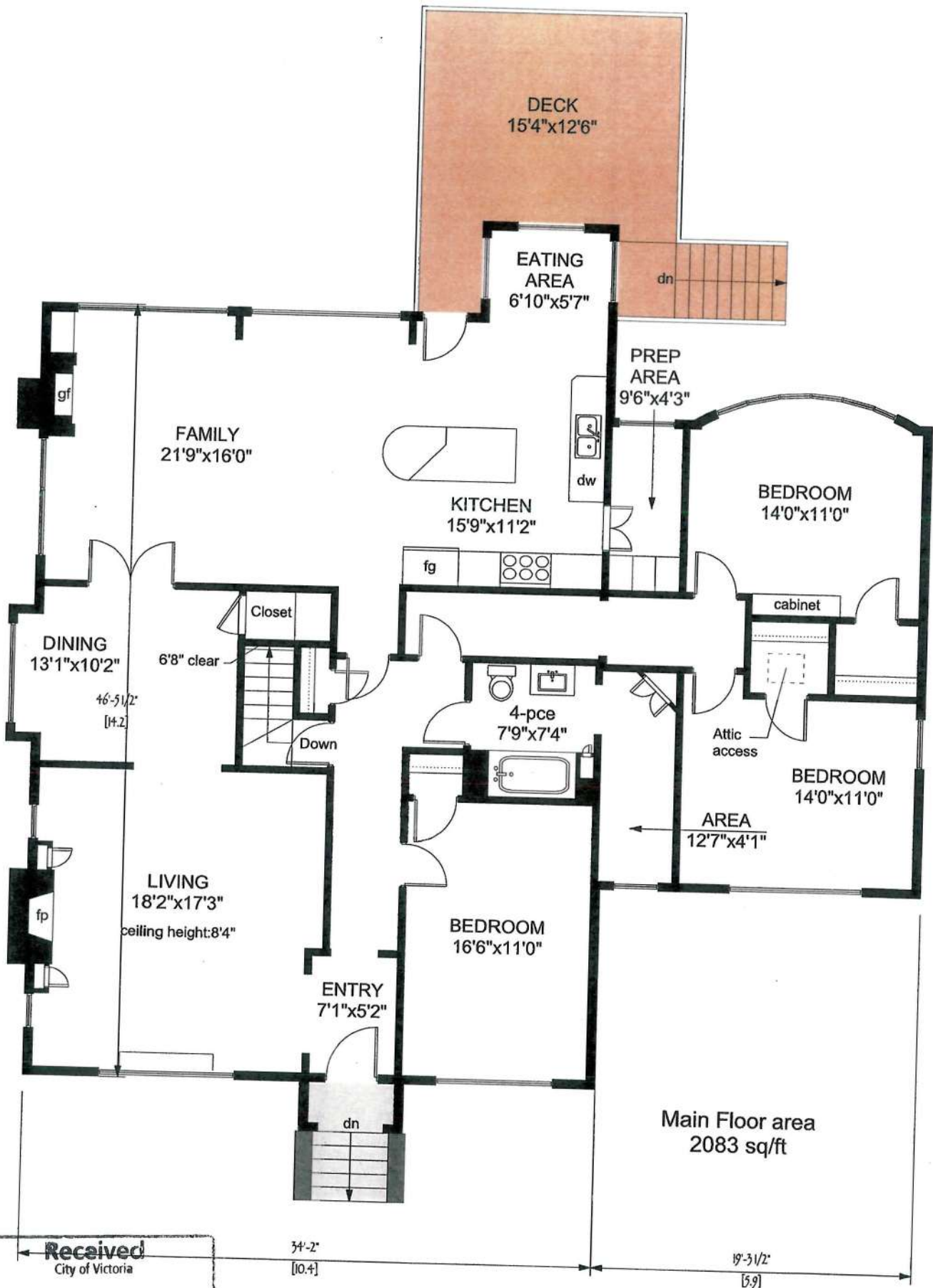
GRADE CALCULATION BUILDING A EXISTING BUILDING

GRADE POINTS	Grade Points	Average of Points	Distance between grade points	Totals
Grade Point A: 16.5	Points A-B	(A+B)/2	3.5m	57.57
Grade Point B: 16.4	Points B-C	(B+C)/2	.92m	15.08
Grade Point C: 16.4	Points C-D	(C+D)/2	1.9m	31.16
Grade Point D: 16.4	Points D-E	(D+E)/2	.92m	15.08
Grade Point E: 16.4	Points E-F	(E+F)/2	4.28m	70.19
Grade Point F: 16.4	Points F-G	(F+G)/2	14.15m	224.98
Grade Point G: 15.4	Points G-H	(G+H)/2	6.9m	106.6
Grade Point H: 15.5	Points H-I	(H+I)/2	5.5m	84.42
Grade Point I: 15.1	Points I-J	(I+J)/2	4.6m	69.69
Grade Point J: 15.1	Points J-K	(J+K)/2	4.4m	67.1
Grade Point K: 15.4	Points K-L	(K+L)/2	1m	15.4
Grade Point L: 15.4	Points L-M	(L+M)/2	2.9m	44.8
Grade Point M: 15.5	Points M-N	(M+N)/2	5.8m	89.9
Grade Point N: 15.5	Points N-O	(N+O)/2	8.62m	136.62
Grade Point O: 16.2	Points O-P	(O+P)/2	5.85m	91.82
Grade Point P: 15.3	Points P-Q	(P+Q)/2	3.66m	56.36
Grade Point Q: 15.5				
			74.88 m	1176.77

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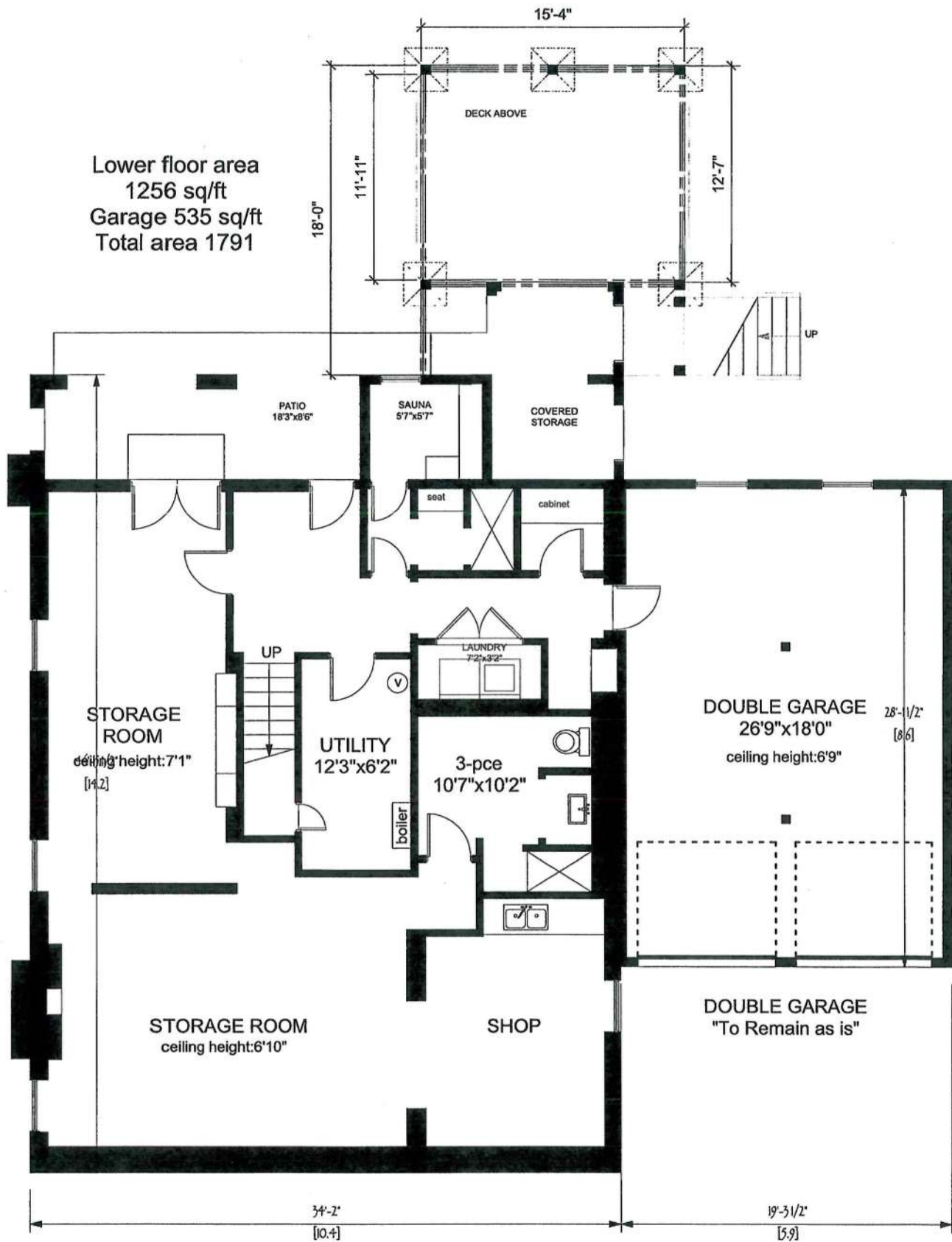


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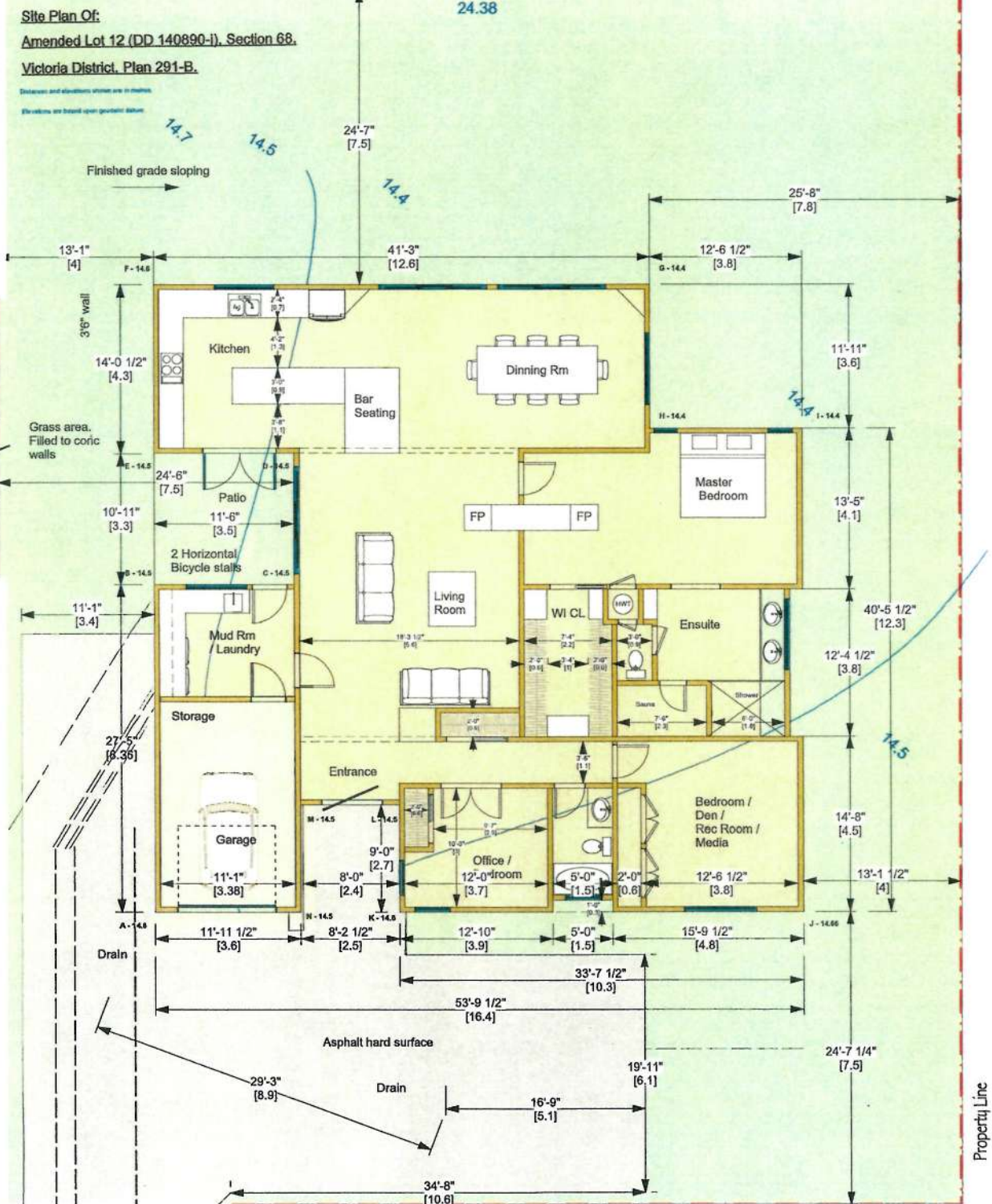
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Existing House Upper Floor Plan
Scale 1 - 100 11/17 Sheet Floor Plan



Existing House Lower Floor Plan
Scale 1 - 100 11/17 Sheet Floor Plan



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Proposed House Floor Plan
 Scale 1 - 100 11/17 Sheet Floor Plan

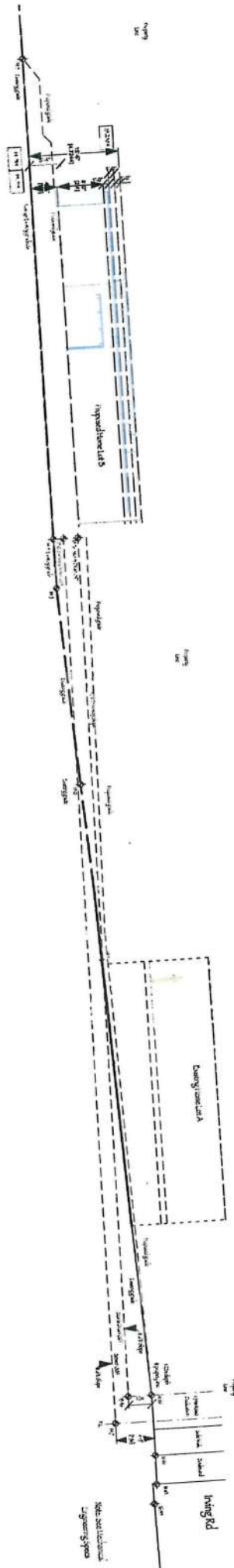


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Scale 1 - 200
11/17 Sheet
Site Plan Landscaping

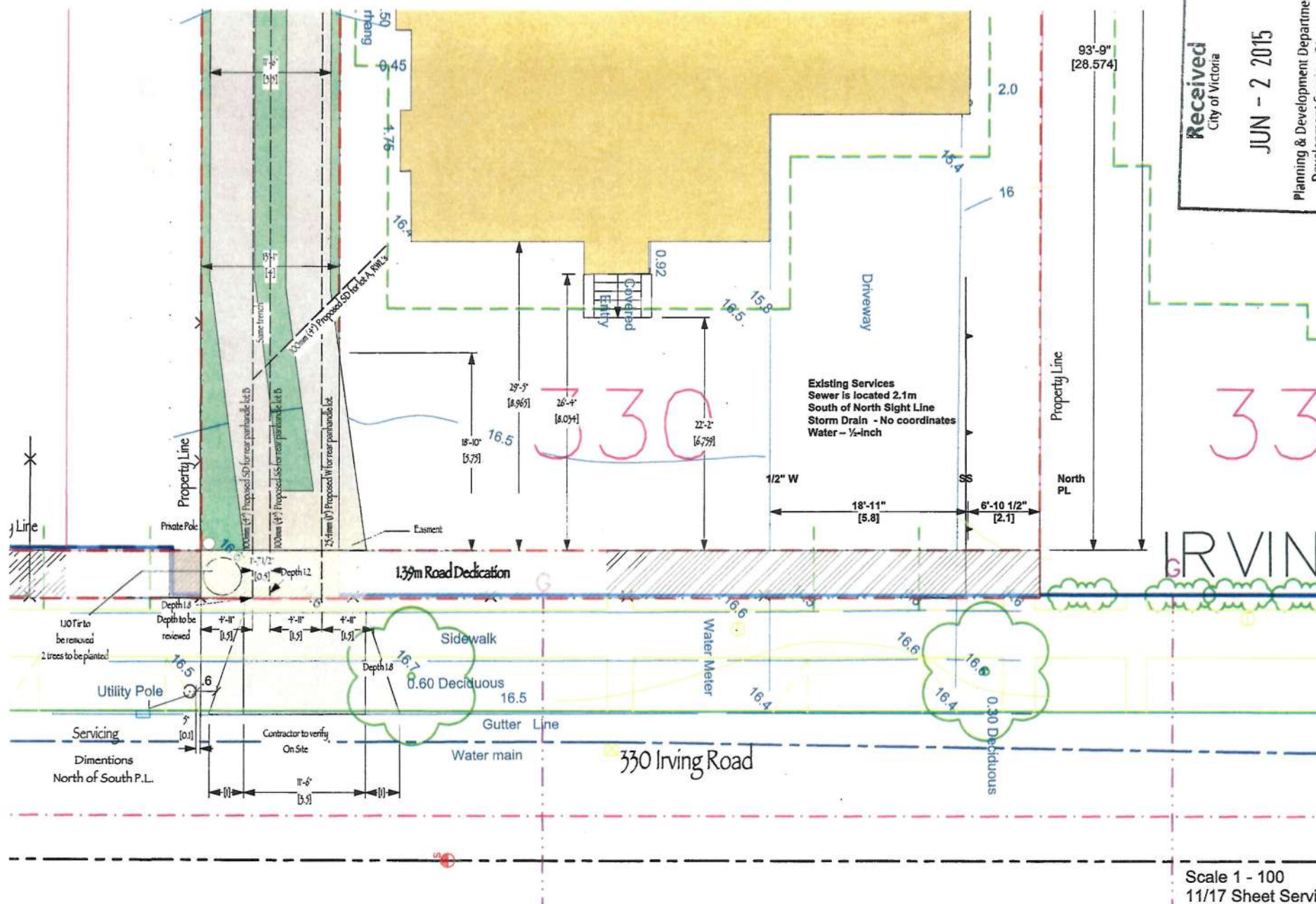


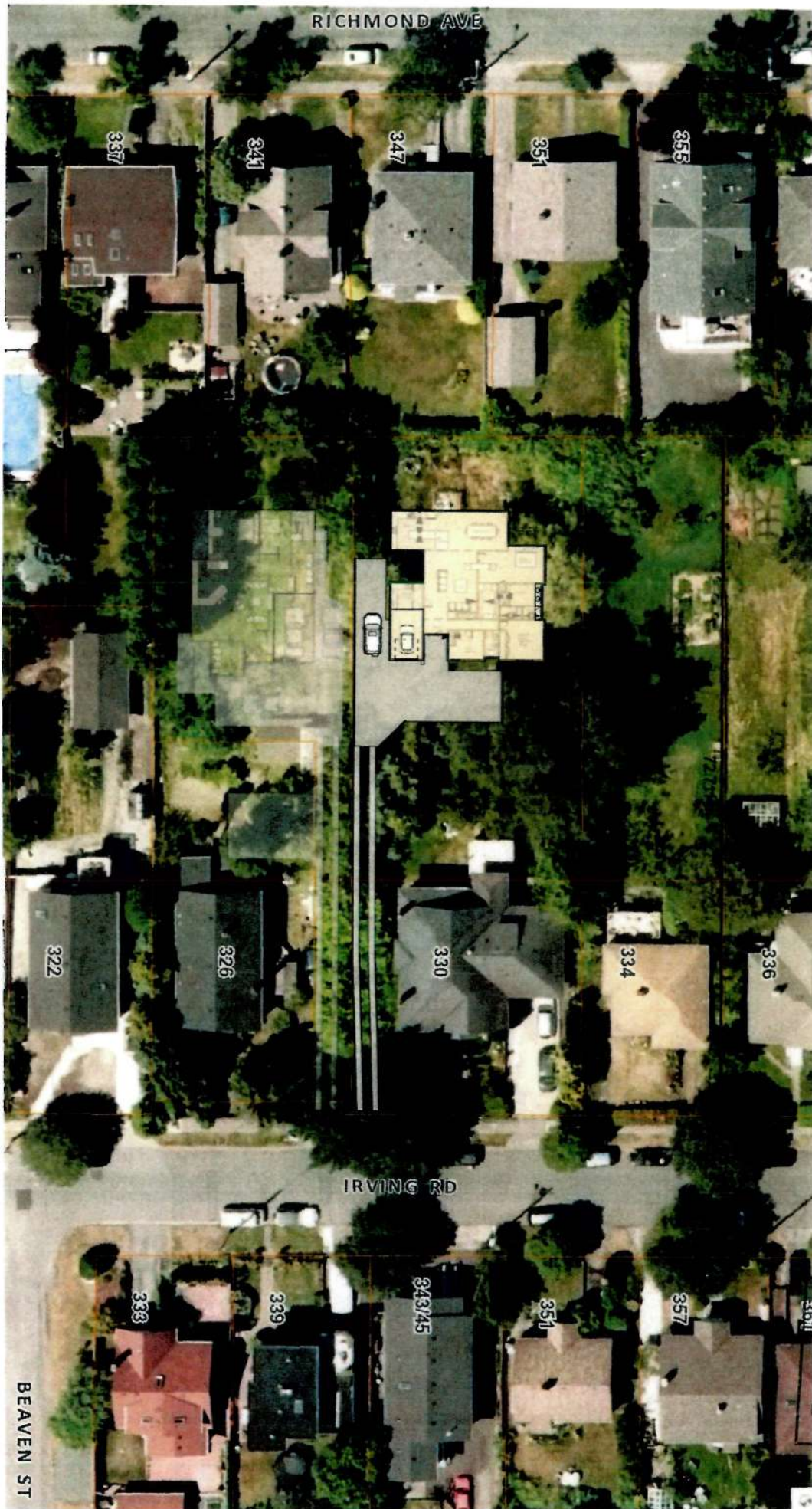
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Site Section

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Site Plan Of:
Amended Lot 12 (DD 140890-i), Section 68,
Victoria District, Plan 291-B.

Dated this 10th day of July, 2014.

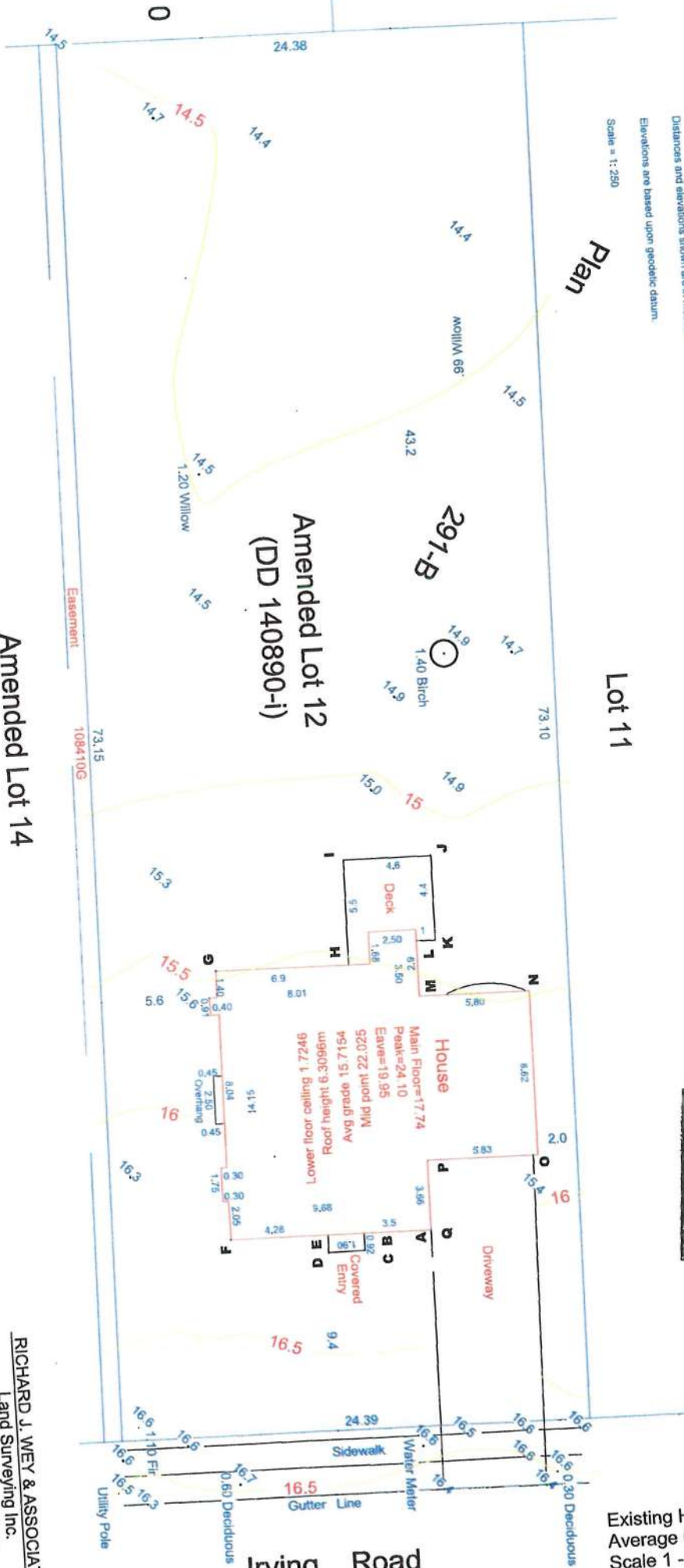
Distances and elevations shown are in metres.

Elevations are based upon geodetic datum.

Scale = 1: 250

Plan

Lot 11



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Existing House Survey
 Average Grade Site Plan
 Scale 1 - 100 11/17 Sheet Floor Plan

subject property is affected by
 following registered documents:
 L106

Amended Lot 14
(DD 140778i)

RICHARD J. WEY & ASSOCIATES
 Land Surveying Inc.
 www.weysurveyors.com
 #4-2227 James White Boulevard
 Sidney, BC V8L 1Z5
 Telephone (250) 856-5155
 Fax: 1401923111B/M