



Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Leanne Taylor, Development Services Division
Subject: Development Permit with Variances Application #00456 for 1330 Ivy Place.

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application #00456, if it is approved, Council consider the following motion:

"That Council authorize the issuance of Development Permit Application #00456 for 1330 Ivy Place, in accordance with:

1. Plans date stamped November 4, 2014.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Existing House

- i. Part 1.2, Section 1.2.5(a): Reduce the front yard setback from 7.5m to 4.16m;
- ii. Part 1.2, Section 1.2.5(b): Reduce the rear yard setback from 7.5m to 6.71m;
- iii. Part 1.2, Section 1.2.5(c): Reduce the side yard (north east) setback from 3m to 1.51m;
- iv. Part 1.2, Section 1.2.5(d): Reduce the combined side yard setback from 4.5m to 2.98m;

Small Lot House

- v. Part 1.23, Section 8(a): Reduce the front yard setback from 6m to 4.6m;
 - vi. Part 1.23, Section 8(b): Reduce the rear yard setback from 6m to 3.89m;
 - vii. Part 1.23, Section 13(a): Reduce the front yard setback for an accessory building from 18m to 13.71m.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development Department."

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 Official Community Plan. A Development Permit may vary or supplement the rezoning 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 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 with Variances Application for the property located at 1330 Ivy Place. The proposal is to create one new small lot in order to permit construction of a new small lot house and accessory building.

The following points were considered in assessing this application:

- The proposal is consistent with the objectives for sensitive infill Development Permit Area 15A: Intensive Residential – Small Lot of the *Official Community Plan 2012* (OCP).
- The proposed design is consistent with the *Design Guidelines for Small Lot House (2002)*. The traditional design and massing for the new house fits in with the existing older houses in the neighbourhood.
- The requested variances for front, rear and side yard setbacks are in part due to the road dedication requirements, existing lot depth of the parent parcel and legal non-conformities of the existing dwelling unit.
- The proposed rear yard of the existing house would provide adequate green space, landscaping and privacy for residents and the neighbouring properties. The proposed rear yard of the new small lot is just under 4m, however, there is adequate area for a patio, accessory building and some privacy screening.

BACKGROUND

Description of Proposal

The proposal is for a small lot house. Specific details include:

- The proposed small lot house is a traditional, two-storey building. There is no consistent streetscape or apparent patterns to the roof forms of neighbouring buildings. The proposed design maintains a pitched roofline and a gabled entryway.
- Siding materials include horizontal siding, wood panel and battens, and fibreglass/asphalt shingles.
- New hard and soft landscaping would be introduced.

The proposed variances are related to:

- reducing the front, side and rear yard setbacks of the existing house
- reducing the front and rear yard setbacks of the proposed new small lot house
- reducing the front yard setback of the proposed accessory building on the small lot.

Sustainability Features

The applicant is proposing to use pervious pavers for the driveways. There are no other sustainability features associated with this application.

Existing Site Development and Development Potential

The site is presently a single family home.

Data Table

The following data table compares the proposal with the existing R1-B and R1-S2 Zones. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify the existing non-conformities. An accessory building is being proposed on the small lot (Lot B) only; therefore, "n/a" is used to indicate that the requirements are not applicable to the proposed R1-B lot.

Zoning Criteria	Proposal – Lot A (Existing house)	Zone Standard R1-B	Proposal – Lot B (New Small House)	Zone Standard R1-S2
Site area (m ²) - minimum	460.5	460	290	260
Density (Floor Space Ratio) - maximum	n/a	n/a	0.55:1	0.6:1
1 st and 2 nd storey floor area (m ²) - maximum	189.32	280	n/a	n/a
Combined floor area (m ²) - maximum	189.32	300	158.96	190
Lot width (m) - minimum	18.28	15	18.29	10
Height (m) - maximum	4.91	7.6	7	7.5
Storeys - maximum	2	2	2	2
Site coverage % - maximum	35.01	40	33.5	40
Setbacks (m) - minimum				
Front	4.16*	7.5	4.6*	6
Rear	6.71*	7.5	3.89*	6
Side	1.51* (NE)	3	1.5 (SE)	1.5
Side	1.47** (SW)	1.83	3.07 (SW)	1.5
Combined side yards	2.98*	4.5	n/a	n/a

Parking - minimum	1	1	1	1
Accessory Building				
Combined floor area (m ²) – maximum	n/a	n/a	9.1	37
Height (m) – maximum	n/a	n/a	2.97	4
Setbacks (m) – minimum				
Front	n/a	n/a	13.71*	18
Rear			0.6	0.6
Side			0.6	0.6
Separation space between an accessory building and principal building (m) - minimum	n/a	n/a	2.4	2.4
Rear yard site coverage %	n/a	n/a	13.94	30

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Oaklands CALUC at a Community Meeting held on May 15, 2014. At the time of writing this report, a letter from the CALUC had not been received.

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property within Development Permit Area 15A: Intensive Residential – Small Lot.

The small lot house would be adjacent to an existing traditional rancher and a two-storey art-deco house. The design of the small lot house incorporates traditional architectural elements similar to the rancher. Some overshadowing of neighbouring properties may occur as a result of a two-storey building with no step back in the design for the portions closest to the side property lines. However, existing Garry Oak trees on the subject property and in the Right-of-Way also creates some shadowing on the properties. Windows are being proposed on the front and rear elevations. There are no windows on the side elevations facing the existing neighbours. Overall, the architectural elements of the building, such as the roofline, massing and entryways, are consistent with the policies and design specifications of the *Small Lot House Rezoning Policy (2002)*.

Regulatory Considerations

Proposed Variances – Existing House

A front yard setback variance would be required for the existing house due to the road dedication requirement of 1.25m on Hespler Place and the relocation of the front entrance. The proposal is to reduce the front yard setback from 7.50m to 4.16m. The garage door and driveway would also be relocated and accessed off of Hespler Place. Staff recommend that Council support the variance, given that the proposed front yard setback of the existing house is similar to the adjacent property and, therefore, would not alter the overall rhythm of front yard setbacks.

The side yard setback on the east side of the existing house is legally non-conforming due to a covered deck projecting into the setback resulting in an existing side yard setback of 1.55m instead of 3m. The applicant would like to construct a greenhouse in front of the covered deck and attach it to the existing house. With the addition, the proposal is to reduce the side yard setback to 1.51m. This is a minor change from the existing siting and staff recommend that Council consider supporting it.

Proposed Variances – Small Lot House

The applicant is proposing to reduce the front yard setback of the small lot house from 6m to 4.6m due to the road dedication requirement of 1.404m. The adjacent houses have similar front yard setbacks; therefore, the location of the small lot house would not disrupt the existing streetscape pattern.

A rear yard setback variance would also be required for the small lot house. The rear property line of the small lot would be in line with the rear side of the adjacent houses and, as a result, the small lot house would not project into the rear yard beyond the established pattern of the existing structures. The design guidelines for small lot houses encourage a rear yard setback to be 25% of the lot depth. The proposal is approximately 23-25% of the lot depth.

Proposed Variance – Accessory Building

The applicant is proposing to reduce the front yard setback of the proposed accessory building on the small lot from 18m to 13.7m. However, the accessory building would still be located behind the small lot house and meet the minimum separation distance required in the R1-S2 Zone. The pitched roofline of the accessory building is similar to the proposed roofline of the small lot house.

CONCLUSIONS

The proposal to construct a small lot house is consistent with Development Permit Area 15A: Intensive Residential – Small Lot. The small lot house is a form of sensitive infill development and fits in with the existing neighbourhood. Staff recommend that Council consider supporting this Application.


ALTERNATE MOTION

That Council decline Development Permit with Variance Application #00456 for the property located at 1330 Ivy Place.

Respectfully submitted,

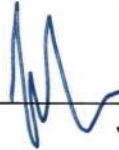


Leanne Taylor, Planner
Development Services Division



Alison Meyer, Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:



Jason Johnson

Date:



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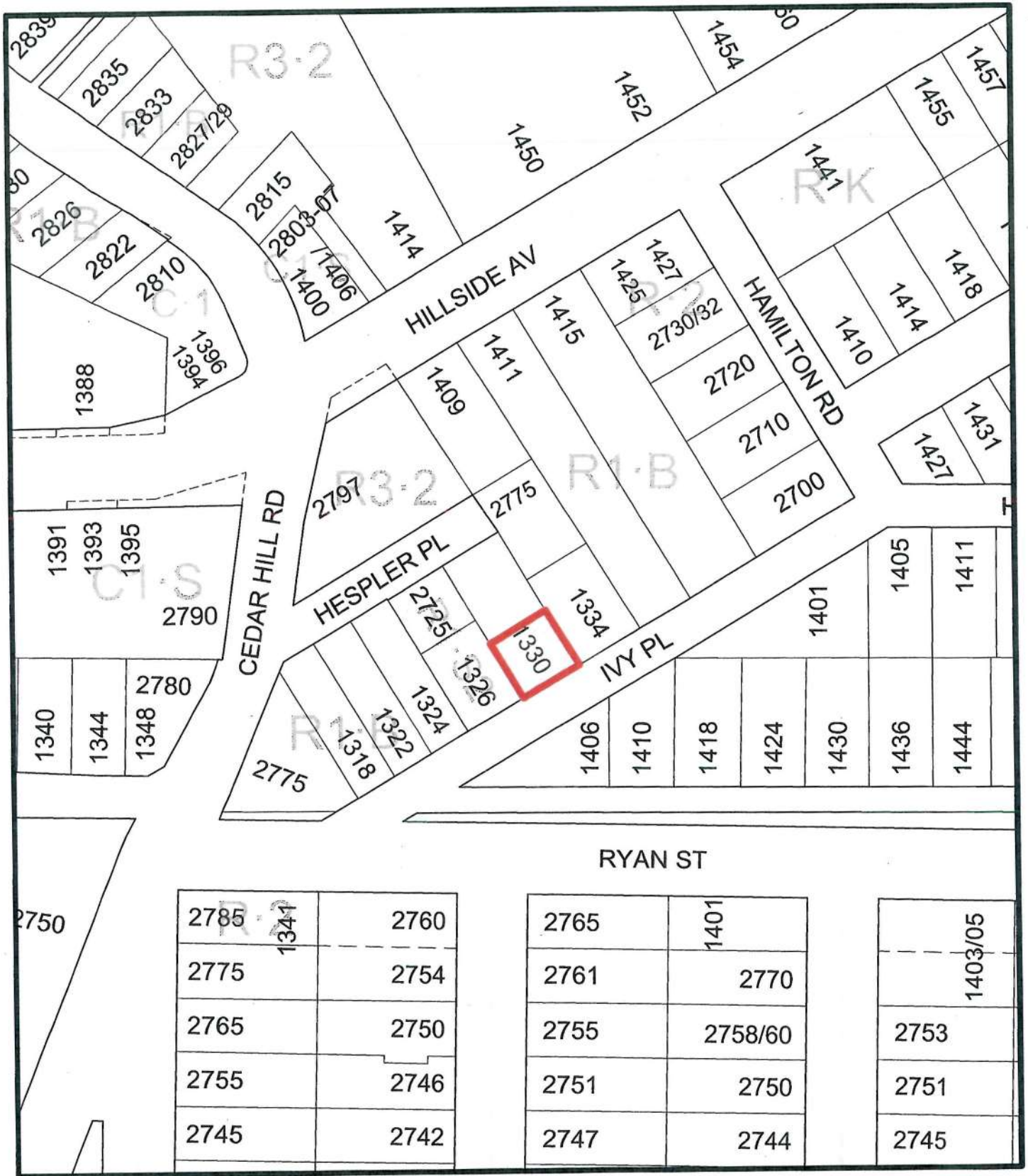
List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated January 13, 2015
- Submission drawings dated November 4, 2014.



1330 Ivy Place
Rezoning #00456
Bylaw #





1330 Ivy Place
 Rezoning #00456
 Bylaw #



Received
City of Victoria

JAN 13 2015

Planning & Development Department
Development Services Division

13-Jan-15

Mayor Lisa Helps and Councillors,
Corporation of the City of Victoria,
1 Centennial Square,
Victoria, B.C. V8W 1P6

RE: Proposed subdivision and rezoning to create a new R1S2 lot
at 1330 Ivy Place and retain an R1B Lot facing Hespeler Place,
Lot 2, Sections 29-30, Victoria District, , Plan 6352

Dear Mayor Helps and Councillors:

We are pleased to submit our revised application for the above noted property, to permit the construction of a new small single family dwelling, generally in accordance with the City's policy and guidelines for infill housing. As noted in our earlier correspondence, the double frontage lot, with the existing house sited far to the rear of the lot affords an ideal opportunity to retain the existing house. From the owners' discussions of the concept with neighbours over several months, and the generally positive response from the Oaklands Community Association land use committee at our mandated public meeting on May 15, 2014, we submitted our original application, believing that the project was a very good fit under the policy and guidelines. There were and are concerns from one adjacent neighbour and one across the road, the other neighbours are supportive of the application.

The original application has been reviewed by staff, and the requirement from land development to acquire additional right of way on both frontages has had the effect of generating 7 siting variances where we previously had only existing non conformities related to the siting of the original house.

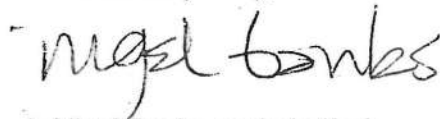
The natural advantages of the site include a topography that permits a new small house which does not overlook adjacent properties, existing trees which can remain, with one exception, on the subject site and adjacent municipal property. The exception, in the building footprint, has been determined by our arborist to be diseased and unsafe. The proposed new house takes on more traditional form that will fit with the eclectic mix of neighbouring properties, and its' finish materials will reflect that approach. The site has two existing driveways, one on each frontage, and the fact that it is the last but one property on two very short streets should preclude any traffic problems.



Despite the reduced lot sizes, we still believe that this proposal affords the opportunity to provide an additional new family home, while preserving the existing. The application is in keeping with a policy that supports infill where appropriate, and preserves the single family character of the neighbourhood. This project also maintains a large percentage of open space by utilizing existing parking and drives, on lots that, even after the road dedication still represent a total area in excess of those mandated by the zoning regulation. The proposal will also preserve neighbourhood amenity through proper attention to the issues of tree health, with minimal disruption to existing streetscapes.

Thank you for your consideration of this revised application.

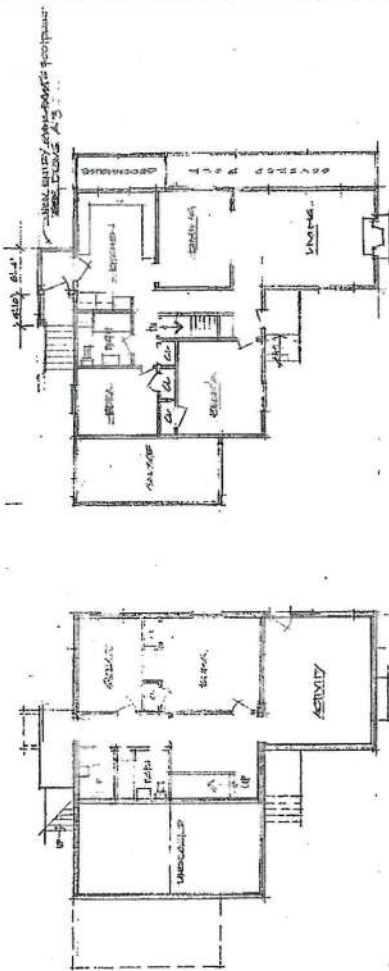
Yours Very Truly,

A handwritten signature in black ink that reads "Nigel Banks". The signature is written in a cursive, flowing style.

Nigel Banks, on behalf of
June and Brian Harrold

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2. Please place plant materials in (135.06.02) 1101 of
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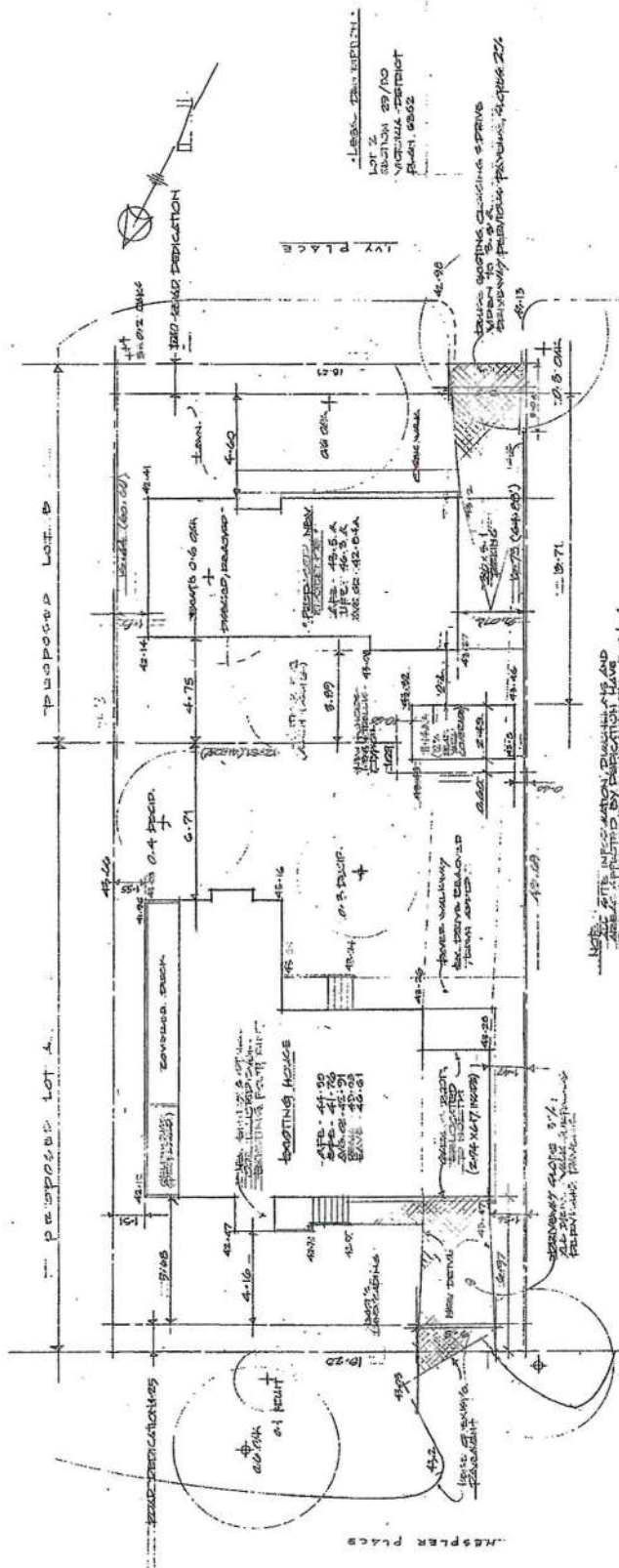
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DATE: 13/05/2014

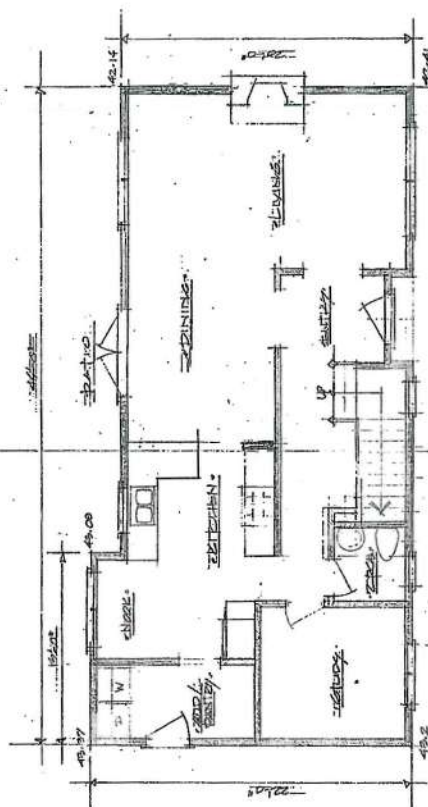
banks
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Victoria 386-3331

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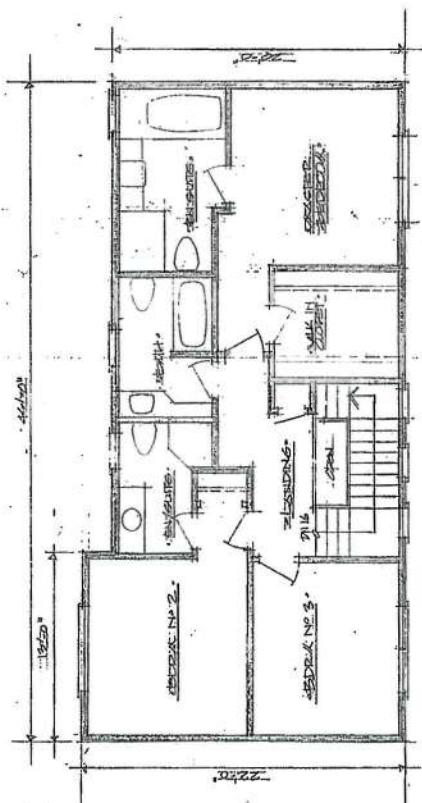


NOTE: ALL INFORMATION DISCLOSED AND
NOT AFFECTED BY DISSECTION HAVE
BEEN VERIFIED BY SEAN MURPHY, B.C.L.S.

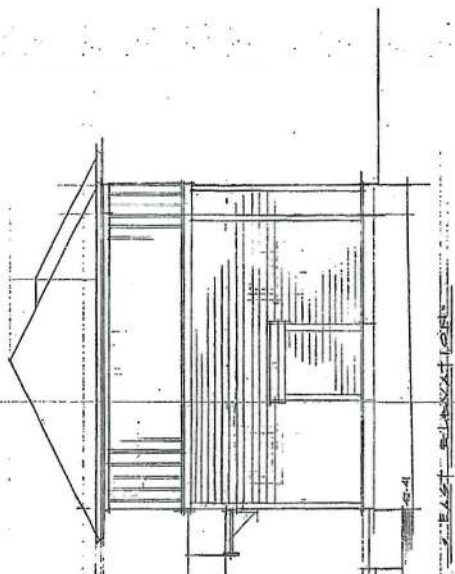
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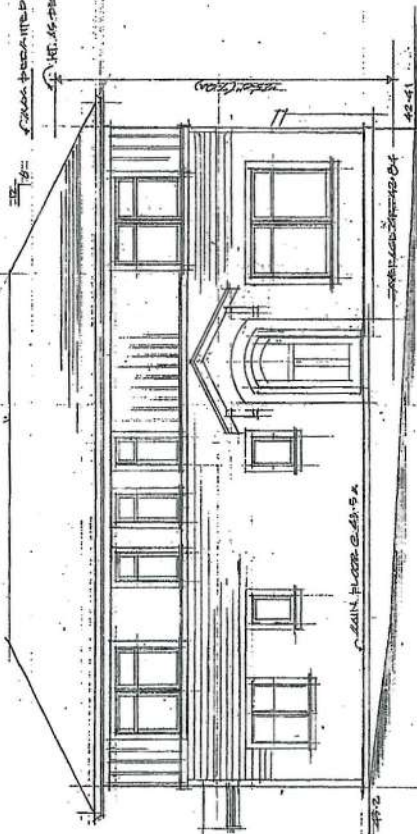
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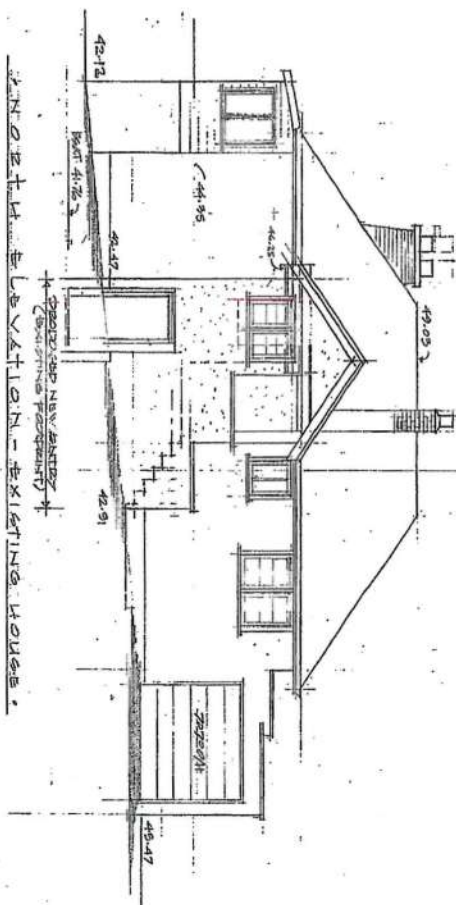
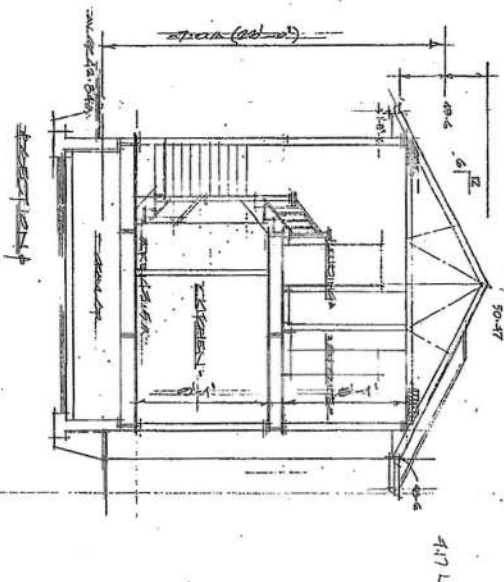
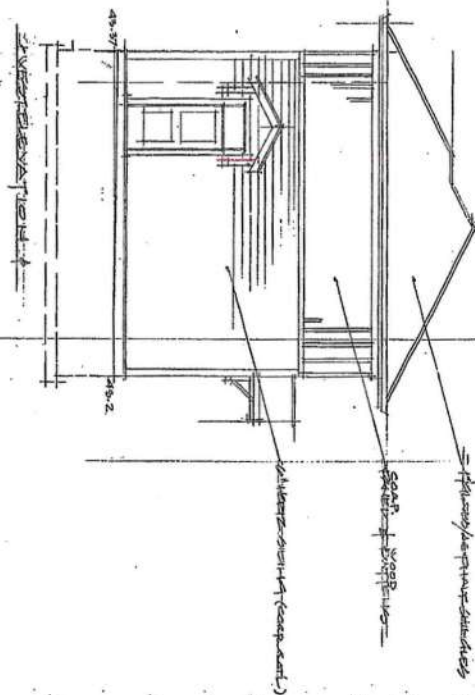
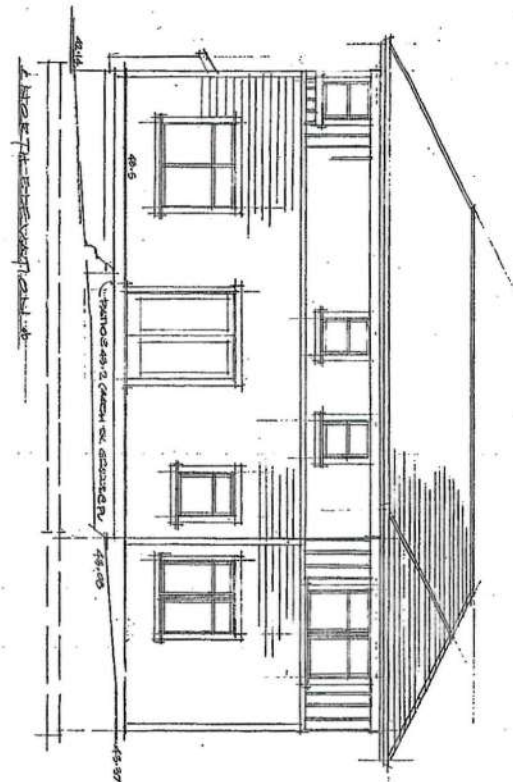
2122 PPEE FLOOR PLAN 2122 6F



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FROM PERSONNEL AT 7.54.
CONFIDENTIAL



NOTE: ELEVATION - EXISTING HOUSE.

REVISIONS: 29/10/14



**banks
design**

victoria 290-388-3331

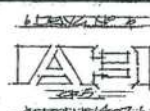
1200-100-100-100

PROPOSED REDEVELOPMENT

JUNE & BRIAN HARROLD

ELEVATIONS & SECTION

VICTORIA, BC



**banks
design**

victoria 290-388-3331

1200-100-100-100



banks
design

Victoria 950-388-0331

PROPOSED RENOVATION & IMPROVEMENTS

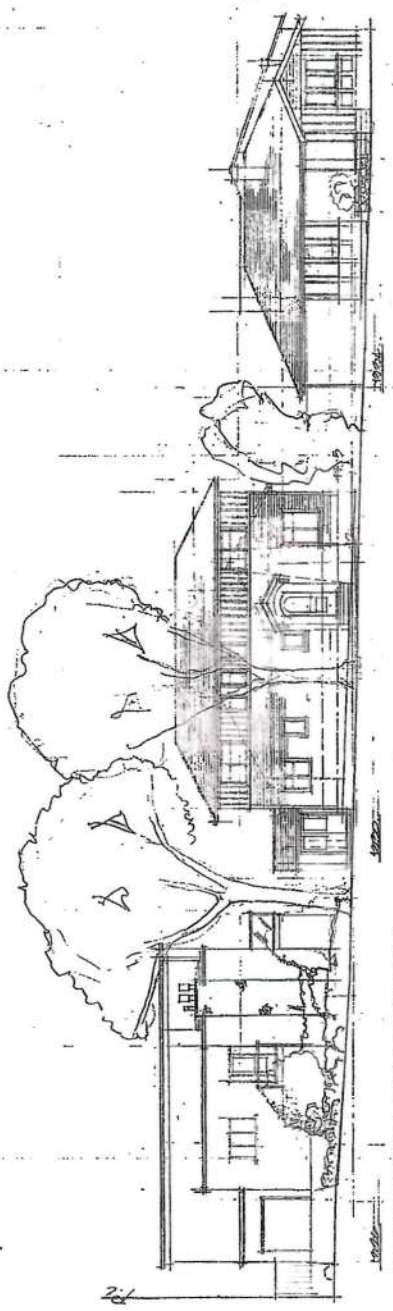
for

THUR & BRIAN HAROLD

1350 LAY PLACE

VICTORIA, BC

REVISED 1350 LAY PLACE (HOSPITAL) 22/10/14



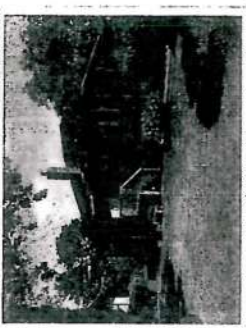
PLAN - 1350 LAY PLACE - 22/10/14

1350 LAY PLACE

1350 LAY PLACE

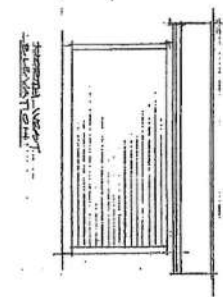
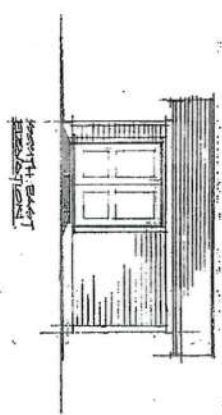
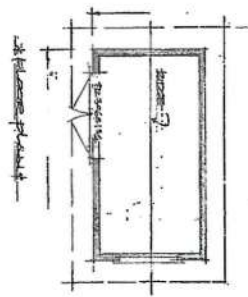
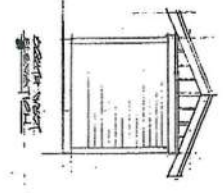
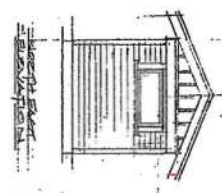
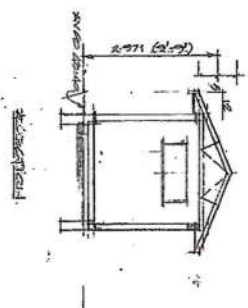
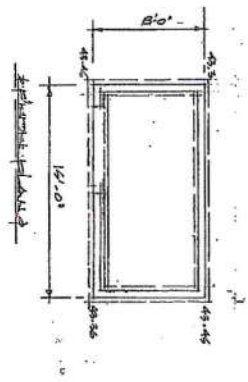
1350 LAY PLACE

1350 LAY PLACE



banks
design

Victoria 950-388-0331



PROPOSED ACCESSORY BUILDING



**banks
design**

victoria 250-386-3331

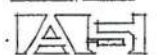
1200 WYHILL

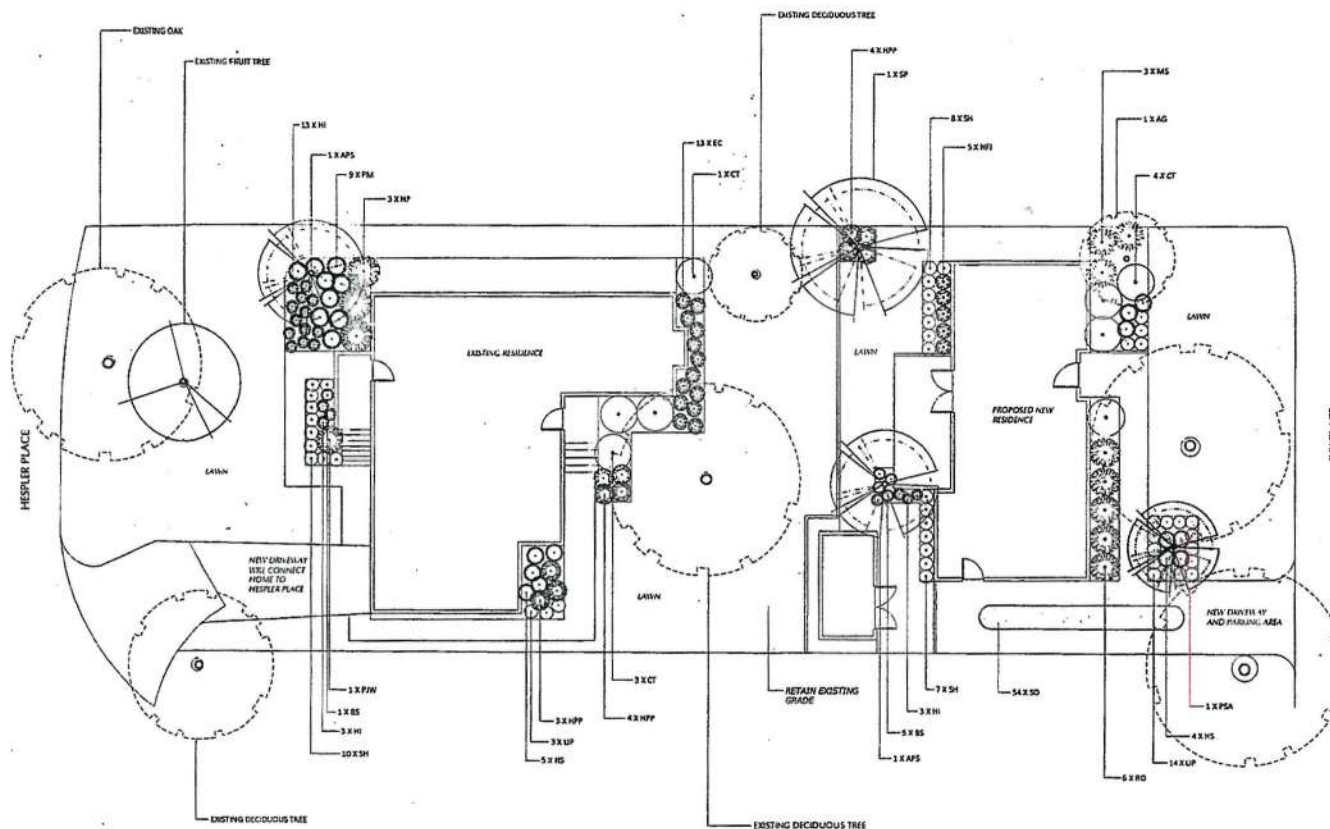
PROPOSED ACCESSORY BUILDING
FOR
JUNE & BRIAN HARBOLD
1 PLAN & SECTION ELEVATIONS

ARCHITECT

DESIGNED BY
BANKS DESIGN
DATE: 10/14/2014

PROJECT NO. 1
1200 WYHILL
JUNE & BRIAN HARBOLD





PLANT LIST

ADD.	QTY.	SIZE	BOTANICAL NAME	COMMON NAME
TREES				
AG	1	SCM	ACER GISEUM	PAPERBARK MAPLE
APS	2	#7	ACER PALMATUM 'SEBRU'	SEBRU JAPANESE MAPLE
PSA	1	#7	PRUNUS SERULATA 'AMANOGAWA'	AMANOGAWA FLOWERING CHERRY
SP	1	SCM	STEWARTIA PSEUDOCAMELLIA	JAPANESE STEWARTIA
SHRUBS				
CT	8	#5	CHOISYA TERNATA	MEXICAN MOCK ORANGE
EC	13	#1	ERICA CARNEA 'SPRINGWOOD PINK'	PINK WINTER FLOWERING HEATHER
HP	3	#5	HYDRANGEA PANNICULATA 'WINGS RED'	WINGS RED PEDICEE HYDRANGEA
LUP	21	#1	LAVANDULA X INTERMEDIA 'PROVENCE'	FRENCH LAVENDER
PIW	1	#5	PERIS JAPONICA 'WHITE PEARL'	WHITE PEARL DWARF PERIS
RO	5	#3	ROSEMARY OFFICINALIS	ROSEMARY
SH	25	#1	SARCOCODON HOCKEYIANA HUMILIS	DWARF SWEETBOX
PERENNIALS, GRASSES AND FERNS				
BS	6	#1	BLECHNUM SPICAT	DEER FERN
HS	12	#3	HELIOTROPIS ION SEMPERVIRENS	BLUE DAT GRASS
HE	10	#1	HELIODORUS 'VIOY PRINCE'	PRINCE VIOY HELIOBORE
HPP	11	#1	HEMEROCALLIS 'PINK PLAYMATE'	PINK PLAYMATE DAYLILY
HPI	5	#1	HOSTA 'FROSTED JADE'	FROSTED JADE HOSTA
MS	3	#3	MISCANTHUS SINENSIS 'MORNING LIGHT'	MORNING LIGHT SILVER GRASS
PM	9	#3	POUSTICARIA MENTHUM	SWEET FERN
SO	54	4"	SEDUM OREGANUM	OREGON STONECROP

GREENSPACE DESIGNS

sustainable landscape design

PROJECT TITLE =
PROPOSED RESIDENTIAL REDEVELOPMENT for
JUNE AND BRIAN HARROLD
1350 IVY PLACE

PAGE TITLE =
LANDSCAPE PLANTING PLAN: 2 OF 2

DATE = JANUARY 12, 2015
SCALE = 1:96