



Planning and Land Use Committee Report

For the Meeting of January 29, 2015

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Lucina Baryluk, Senior Process Planner, Development Services Division
Subject: Development Variance Permit #00145 for 1726 Albert Avenue

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and after allowing opportunity for public comment that Council consider Development Variance Permit #00145 for 1726 Albert Avenue and that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application #00145 for 1726 Albert Avenue, in accordance with:

1. Plans date stamped November 13, 2014.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Schedule J, Secondary Suite Regulations, 1.a Minimum Required Floor Area reduced from 150m² to 140m².
3. Final plans to be generally in accordance with the plans identified above, subject to final approval of the suite entrance features (landscaping and lighting) to the satisfaction of the Assistant Director, Development Services, Sustainable Planning and Community Development."

LEGISLATIVE AUTHORITY

In accordance with Section 922 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a rezoning regulation bylaw provided the permit does not vary the use or density of land from that specified in the zoning regulation bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1726 Albert Avenue. The proposal is to allow the conversion of a single family dwelling to include a secondary suite. A variance is required to reduce the minimum required floor area to permit a secondary suite.

The following points were considered in assessing this Application:

- The proposal is generally consistent with the *Secondary Suite Design Guidelines*.
- The proposed variance to Schedule J, Secondary Suite Regulations, to reduce the minimum size of a dwelling unit from 150m² to 140m² in order to allow the inclusion of a secondary suite, will allow the creation of a functional bachelor suite without compromising the functionality of the main dwelling.

BACKGROUND

Description of Proposal

The proposal is to allow construction of a secondary suite within an existing single family dwelling. Specific details include:

- A portion of the unfinished first storey will be renovated to create a 38m² secondary suite which will be accessed via a side door on the west elevation.
- The remainder of the first storey will be part of the main house with a bedroom and utility area accessed by a new rear stairwell.
- Changes to the exterior of the dwelling include an addition to the rear of the building to provide access from the second storey to the lower floor. On the west elevation, a window will be replaced by a door and stairwell to provide access to the suite. There are no changes to the front façade.
- The suite will be accessed from the road by a new path (shown as pavers) along the west property line.
- Off-street parking requirements are satisfied for this parcel, as a garage is located in the rear yard.

Details of the proposed variance:

- The Secondary Suite Regulations (Schedule J) require a minimum floor area of 150m² in an existing dwelling to allow the inclusion of a secondary suite. As the existing floor area of this dwelling is 140m², a variance is required to relax this standard.

Sustainability Features

The applicant has not identified any specific sustainability features associated with this proposal, however, the proposal will maintain and renovate an existing home.

Existing Site Development and Development Potential

The subject property and existing dwelling conforms to the existing R1-B Zone, Single Family Dwelling District for single family dwellings. The existing two-storey dwelling was constructed in 1949. The total floor area of the dwelling is 140m² (which includes the 6m² addition for the stairwell). The R1-B Zone allows up to 300m² in total floor area.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on November 19, 2014 the application was referred for a 30-day comment period to the North Jubilee Neighbourhood Association. A letter from the CALUC, dated January 7, 2015, is attached to this report.

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

Regulatory Considerations

The intent of the regulation related to the minimum floor area requirement needed for a dwelling unit to include a secondary suite is to ensure that the liveability of the unit in terms of size is satisfied for both the main dwelling unit and the suite. In this case, the main dwelling layout shows a two-bedroom home while the suite layout has a combined living/bedroom area, with a full kitchen and four-piece bathroom with in-suite laundry facilities. So, in this instance, the principle of livability is maintained for both units.

Design Guidelines

The proposal generally meets the Secondary Suite Design Guidelines. In order to provide better visual identity and privacy for the suite entrance, staff recommend that Council request that further details of the lighting and landscaping adjacent to the suite entrance be required. This landscaping may include soft and hard landscaping features, such as planters or privacy screening. Details can be provided prior to the issuance of the building permit.

CONCLUSIONS

Albert Avenue is characterized by relatively small single family dwellings. In keeping with the scale of the adjacent dwellings, it is appropriate to consider a secondary suite within a dwelling unit that does not meet the minimum floor area required to allow a secondary suite. The proposed suite will be a functional unit, while at the same time the principal dwelling with two bedrooms will remain suitable for family use.

ALTERNATE MOTION

That Council decline Development Variance Permit Application #00145 for the property located at 1726 Albert Avenue.

Respectfully submitted,

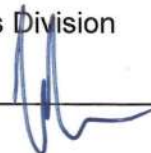


Lucina Baryluk
Senior Process Planner
Development Services Division



Alison Meyer,
Assistant Director
Development Services Division

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

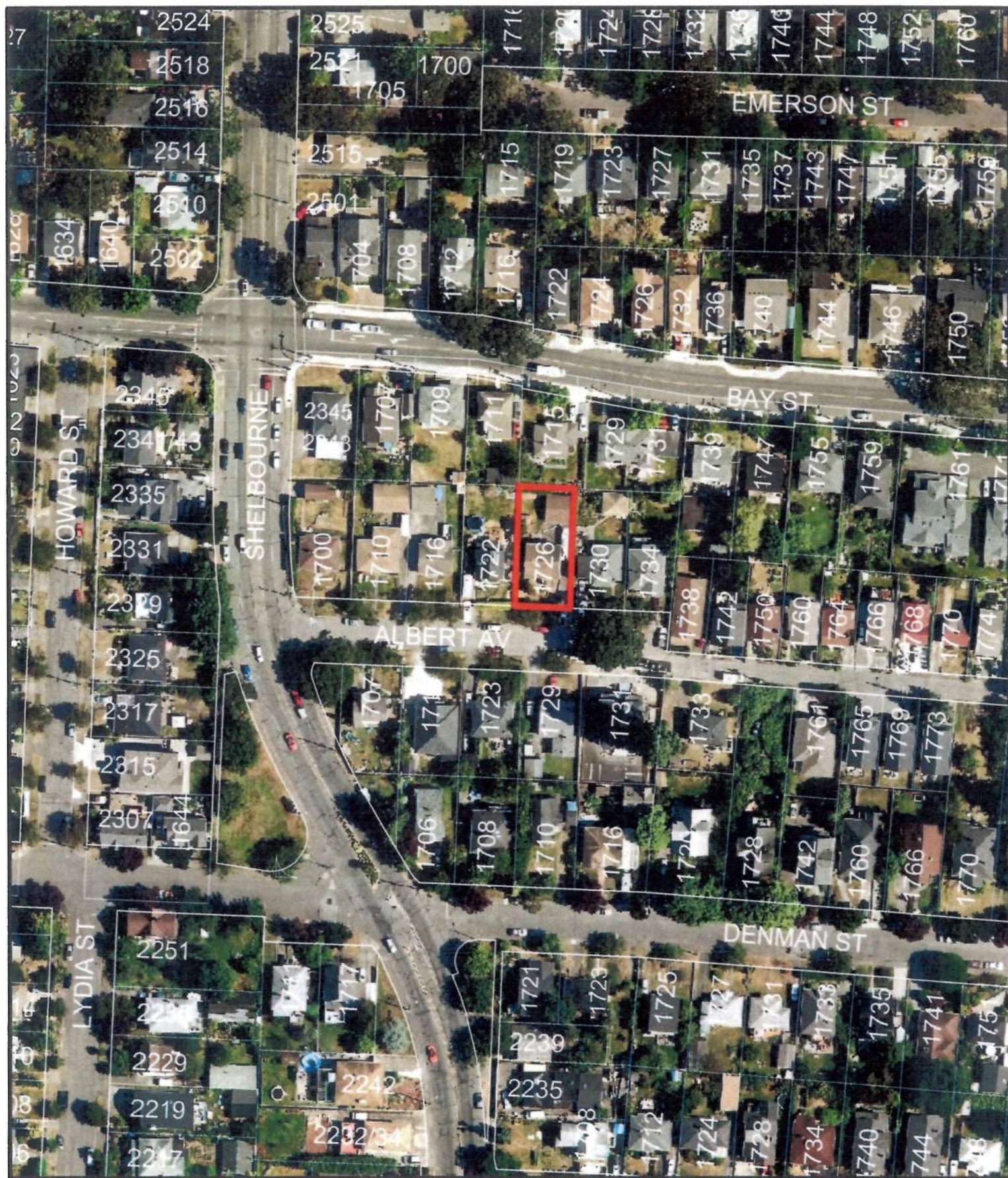
January 20, 2015

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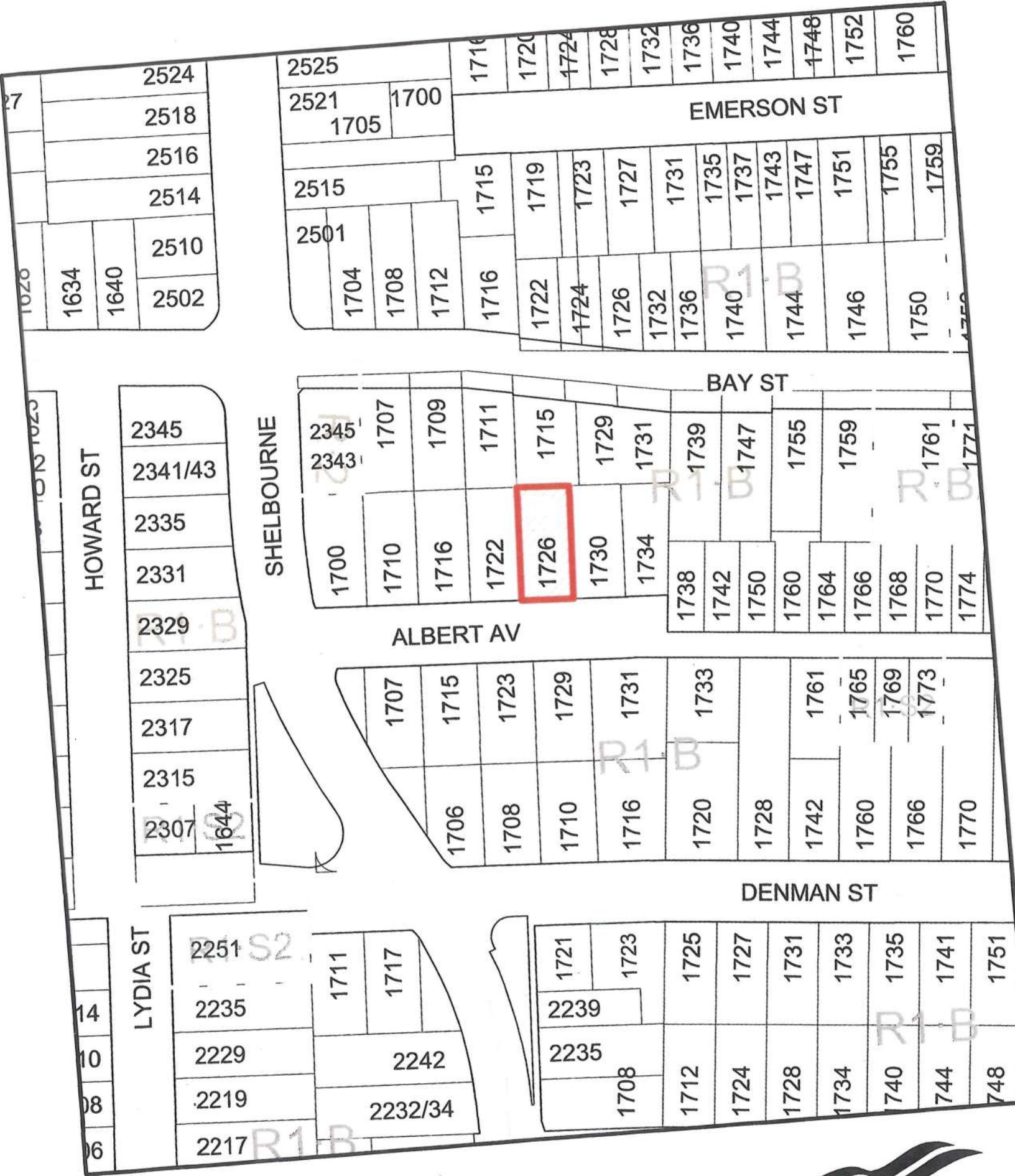
List of Attachments

- Air photo
- Zoning map
- Submission drawings
- Letter from applicant dated November 12, 2014
- North Jubilee Neighbourhood Association letter dated January 7, 2015.



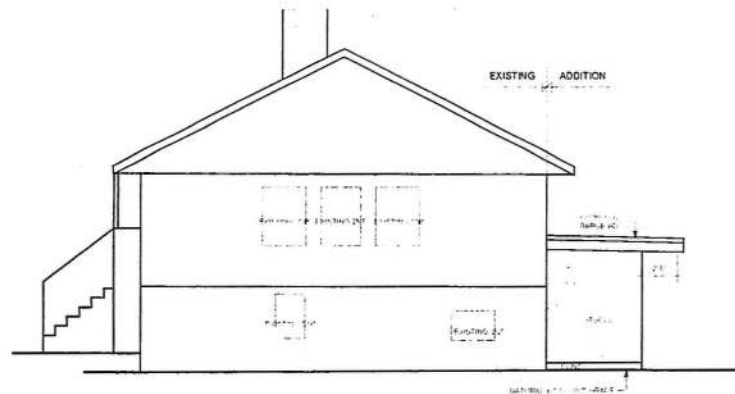
1726 Albert Avenue
Development Variance Permit #00145



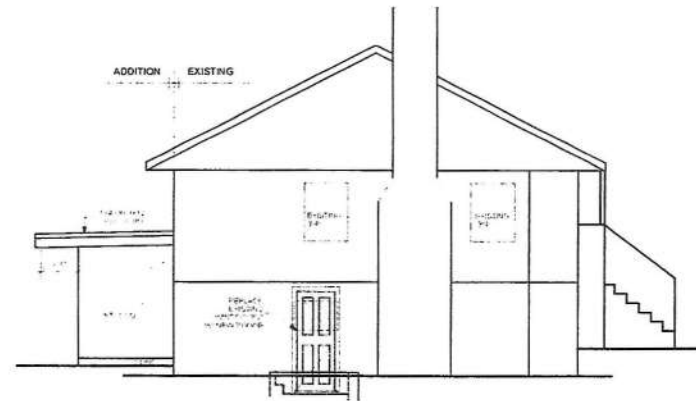


1726 Albert Avenue
Development Variance Permit #00145

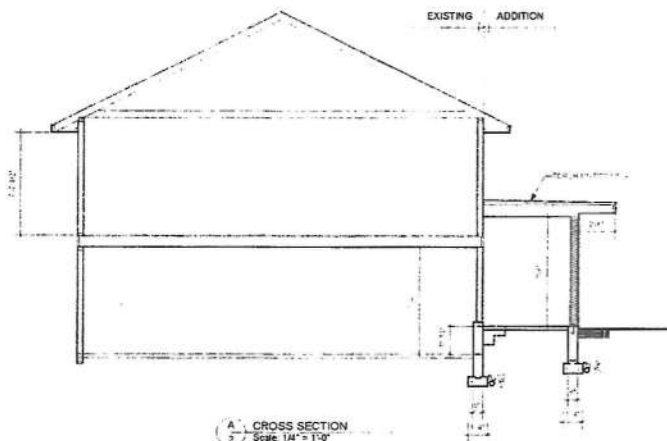




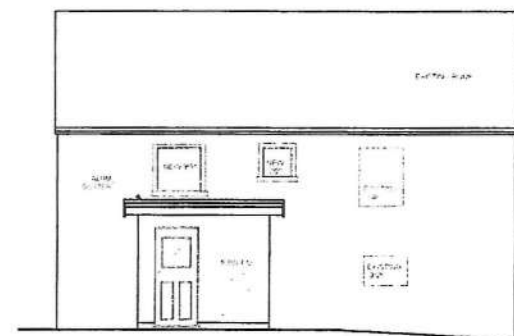
RIGHT ELEVATION (EAST)
Scale 1/4" = 1'-0"



LEFT ELEVATION (WEST)
Scale 1/4" = 1'-0"



CROSS SECTION
Scale 1/4" = 1'-0"



REAR ELEVATION (NORTH)
Scale 1/4" = 1'-0"

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City of Victoria

NOV 13 2014

Planning & Development Department
Development Services Division

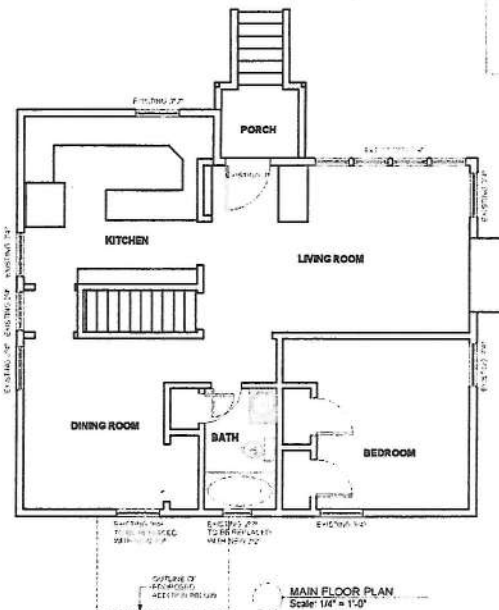
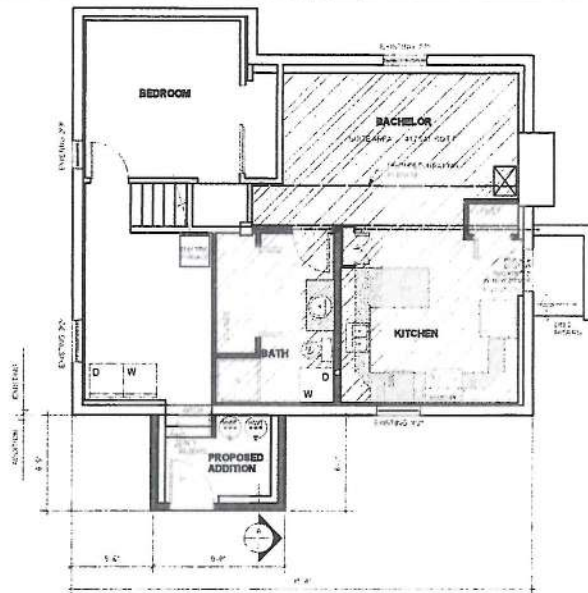


HARTMANN'S
DRAFTING & DESIGN
2880 HARTMANN ROAD, VICTORIA, B.C.
V8N 1H1 TEL: 253-1100

SCALE 1/4" = 1'-0"
DATE MAY 2014
DRAWN BY TMMR
CHK BY KMMR
PLAN # 155

PROPOSED SECONDARY SUITE
& ADDITION
FOR MR. MICHAEL COOPER

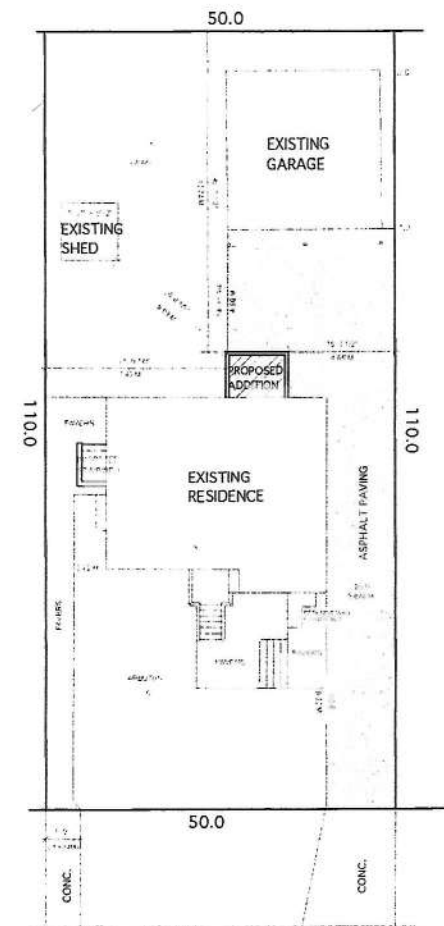
SHEET
1



WALL LEGEND	
PROPOSED WALL	---
EXISTING WALL	---

SITE DATA

OWNER	MICHAEL COOPER
ADDRESS	1726 ALBERT STREET
ZONE	R1-B ZONING
LEGAL DESCRIPTION	
LOT	3
SECTION	420
DISTRICT	75
RANGE	VICTORIA
SITE AREA	5500 SQ. FT. (510.9 SQ. M.)
EXISTING SITE COVERAGE	1417.91 SQ. FT. (131.72 SQ. M.) 25.78%
PROPOSED SITE COVERAGE	58.85 SQ. FT. (5.43 SQ. M.) 1.06%
TOTAL SITE COVERAGE	1476.76 SQ. FT. (137.16 SQ. M.) 26.84%
EXISTING FLR. AREA	1417.91 SQ. FT. (131.72 SQ. M.)
PROPOSED FLR. AREA	58.85 SQ. FT. (5.43 SQ. M.)
TOTAL FLR. AREA	1476.76 SQ. FT. (137.16 SQ. M.)
SUITE FLOOR AREA	1509.532 SQ. FT. (140.24 SQ. M.) 27.60%
SETBACKS	
TO EXISTING GARAGE	14'-11 3/4" (4.56 M.)
PROPOSED REAR	45'-1 1/8" (13.74 M.)
PROPOSED SIDE	15'-3 1/2" (4.66 M.)
PROPOSED SIDE	25'-8 1/2" (7.83 M.)
EXISTING SIDE	6'-3 3/16" (2.02 M.)
EXISTING SIDE	10'-0" (3.048 M.)



NOV 13 2014

City of Victoria

Planning & Development



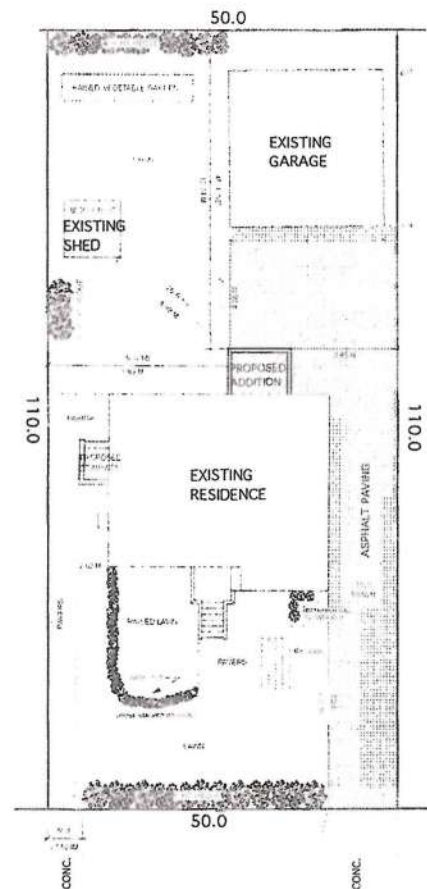
SCALE 1/4" = 1'-0"
DATE MAY 2014
DRAWN BY TMAW
CHK BY TMAW
PLAN # 156

**PROPOSED SECONDARY SUITE
& ADDITION
FOR MR. MICHAEL COOPER**

SHEET
2

SITE DATA

OWNER	MICHAEL COOPER
ADDRESS	1726 ALBERT STREET
ZONE	R1-B ZONING
LEGAL DESCRIPTION	
LOT	3
PLAN	420
SECTION	76
DISTRICT	VICTORIA
RANGE	
SITE AREA	5500 SQ. FT. (510.9 SQ. M.)
EXISTING SITE COVERAGE	1417.918 SQ. FT. (131.72 SQ. M.) 25.78%
PROPOSED SITE COVERAGE	58.5 SQ. FT. (5.43 SQ. M.) 1.06%
TOTAL SITE COVERAGE	1476.418 SQ. FT. (137.16 SQ. M.) 26.84%
EXISTING FLR. AREA	1440.978 SQ. FT. (134.67 SQ. M.)
PROPOSED FLR. AREA	59.854 SQ. FT. (5.56 SQ. M.)
TOTAL FLR. AREA	1500.832 SQ. FT. (140.24 SQ. M.)
SUITE FLOOR AREA	417.541 SQ. FT. (38.79 SQ. M.) 27.66%
SETBACKS	
TO EXISTING GARAGE	14'-11 3/4" (4.56 M)
PROPOSED REAR	45'-1 1/8" (13.74 M)
PROPOSED SIDE	15'-3 1/2" (4.66 M)
PROPOSED SIDE	25'-8 1/2" (7.83 M)
EXISTING SIDE	8'-7 3/16" (2.62 M)
EXISTING SIDE	19'-0" (5.64 M)



ALBERT AVENUE

LANDSCAPE PLAN
Scale: 1"=10'



HARTMANN'S
DRAFTING & DESIGN
NEW BRANZBURGH BLVD. VICTORIA, BC
V8P 2G2 PHONE: 250-533-1111

SCALE 1/8" = 1'-0"
DATE MAY 2014
DRAWN BY TMMR
CHK BY KOIAR
PLAN # 156

**PROPOSED SECONDARY SUITE
& ADDITION
FOR MR. MICHAEL COOPER**

SHEET
3

NOV 13 2014

Michael Cooper
1726 Albert Avenue
Victoria, BC, V8R 1Z1

12 November 2014

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

Dear Mayor and Council

Re: Development Variance Permit Application
Schedule J - Secondary Suite Regulations 1 a. - Minimum Required Floor Area
1726 Albert Ave. - Lot 3, Block 1, Section 76, Victoria District

This letter is in support of my request for a variance with respect to the minimum required building floor area for a secondary suite.

The relevant regulation reads: "A building containing a secondary suite must have a floor area of at least 150 m² of all floor levels combined." The floor area of the existing building is about 134.5 m².

I believe the variance is justified in light of the relatively small amount by which the building falls short of the floor area specified in the regulation.

The house is located about a block from the Royal Jubilee Hospital and I understand that there is a strong demand in the area for single-person accommodation along the lines of the proposed suite.

The location is very convenient for transit; it is a very short walk to each of Shelbourne St., Bay St. and Richmond Rd., and no more than three blocks from Fort St. As well, it is intended that the existing 8' by 8' shed in the backyard be made available to the suite tenant and it would be suitable for storing a bicycle. Further, although off-street parking is not required for a secondary suite, the single driveway along the side of the house can readily accommodate three vehicles and it is possible that a suite tenant could park a vehicle in the driveway.

The proposed changes to the exterior of the house - the new side entrance and the addition at the rear entrance - are modest and will not appreciably alter the character of the house or its appearance from the street.

Although the house is not large by modern standards, the proposed design will result in two quite functional living spaces: a main two-bedroom living space and a bachelor suite. Each living space will have its own washer and dryer (stacking in the case of the bachelor suite). Each living space will have plenty of available additional storage; the garage in the case of the main

living space and the 8' by 8' shed in the case of the bachelor suite.

The bachelor suite will have a separate side entrance with its own walkway to the street, enabling the tenant to come and go with a degree of privacy. The distance between the side of the house where the entrance to the suite will be and the six-foot fence at the property line, is about 8 feet, providing a small semi-private outdoor sitting area.

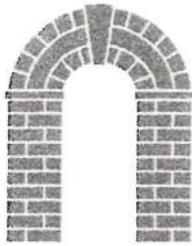
I have consulted with my adjacent neighbours and have met with the North Jubilee Neighbourhood Association Land Use Committee. No one expressed any objection to the proposed secondary suite.

Please let me know if you have any questions.

Yours truly,

A handwritten signature in black ink, appearing to read "MD Cooper". The letters are cursive and fluid.

Michael Cooper



North Jubilee
Neighbourhood
Association

c/o 1766 Haultain Street

Victoria, B.C., V8R2L2

January 7, 2015

Mayor Lisa Helps and City Councillors

1 Centennial Square

Victoria, B.C., V8W1P6

Re: Development Variance Permit #00145...1726 Albert Street

Dear Mayor Helps and City Councillors:

On November 5, 2014 the North Jubilee Neighbourhood Association Land Use Committee met with the applicant, Michael Cooper, re the proposed development variance permit for 1726 Albert Street. Mr. Cooper advised that he had talked to his neighbours on either side of his property and that they did not have any objections to his proposal.

The LUC agreed that this proposal for a secondary suite and small addition would fit in with the current housing in that area. This residence currently has a long driveway to a separate garage and on-site parking is not required for the proposed secondary suite.

When this DVP goes to public hearing, residents are given the opportunity to speak to Council. Therefore, the LUC decided that a CALUC meeting was not necessary.

Yours very truly,

Jean Johnson, Land Use Committee Chairman

On behalf of Pat May, Wilma Peters, Janice Stewart and Heather Fox

Cc: Lucina Baryluk