



Planning and Land Use Committee Report

For the Meeting of January 8, 2015

To: Planning and Land Use Committee **Date:** December 12, 2014
From: Leanne Taylor, Planner, Development Services Division
Subject: Rezoning Application #00462 for 2208 Lydia Street

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 #00462 for 2208 Lydia Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

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 2208 Lydia Street. The proposal is to allow a garden suite in the rear yard of the property.

The following points were considered in assessing this Application:

- The proposal is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan (OCP)* 2012.
- The proposal is consistent with the policies and design specifications of the *Garden Suite Policy* (2011).

Staff recommend that the Planning and Land Use Committee advance this Rezoning Application to a Public Hearing as the proposal is consistent with the OCP and the garden suite policy.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the property to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite District, to permit the construction of a garden suite in the rear yard of the subject property.

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.

Land Use Context

The immediate neighbourhood is characterized by single-family houses and all the adjacent properties are utilized for single-family dwelling units and accessory buildings.

Existing Site Development and Development Potential

The site is presently a single-family house. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single-family house with a secondary suite. Should the rezoning proceed in compliance with the *Garden Suite Policy*, a single family dwelling and a 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 R1-B-GS2 Zone. The parcel qualifies as a "plus site" since it is over 557 m² in size and, therefore, the floor area of a garden suite may be increased to 56 m². An asterisk is used to identify where the proposal is less stringent than the proposed Zone. A variance to reduce the separation space between the main dwelling unit and the garden suite would be required. Two asterisks are used to indicate existing non-conformities.

| Zoning Criteria | Proposal | Zone Standard R1-B-GS2 "Plus site" |
|---|----------|--|
| Existing House | | |
| Site area (m ²) – minimum site area for a "Plus Site" in the <i>Garden Suite Policy</i> | 563.4 | 557 |
| 1 st and 2 nd Storey floor area (m ²) - maximum | 239 | 280 |
| Combined floor area (m ²) - maximum | 332** | 300 |
| Lot width (m) - minimum | 13.7 | 7.5 |
| Height (m) - maximum | 6.96 | 7.6 |
| Storeys - maximum | 1.5 | 2 |
| Site coverage % - maximum | 34 | 40 |
| Setbacks (m) - minimum | | |
| Front (Shelbourne Street) | 8.27 | 7.5 |
| Rear | 15.51 | 10.3 |
| Side (north) | 1.28** | 1.5 |
| Side (south) | 4.3 | 3 |
| Combined side yards | 5.58 | 4.5 |
| Parking - minimum | 1 | 1 |
| Garden Suite | | |
| Combined floor area (m ²) – maximum | 43.38 | 56 |
| Height (m) – maximum | 3.78 | 5.5 |
| Storeys – maximum | 1 | 1.5 |

| Zoning Criteria | Proposal | Zone Standard R1-B-GS2 "Plus site" |
|---|-----------------|---|
| Rear setback (west) (m) – minimum | 1.66 | 0.6 |
| Side setback (south) (m) – minimum | 1.66 | 0.6 |
| Separation space between buildings (within the site) (m) - minimum | 2* | 2.4 |
| Rear yard site coverage (%) - maximum | 23.81 | 25 |

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 June 4, 2014. A letter dated June 12, 2014, is attached to this report.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, garden suites are subject to DPA 15E: Intensive Residential – Garden Suites. The proposal is consistent with the objectives of DPA 15E to achieve new infill that respects the established character in residential areas.

Garden Suite Policy

The proposed development is consistent with the relevant land use policies of the *Garden Suite Policy*. Other than the variance to reduce the separation space between the main house and the proposed new garden suite, all the siting criteria are met.


CONCLUSIONS

This proposal to construct a new garden suite is consistent with the OCP objectives and guidelines for sensitive infill in the form of garden suites within established residential areas. The garden suite creates an opportunity for another form of rental housing and it 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 Rezoning Application #00462 for the property located at 2208 Lydia Street.

Respectfully submitted,



Leanne Taylor
Planner
Development Services Division



Alison Meyer, Assistant Director
Development Services Division
Sustainable Planning and
Community Development Department

Report accepted and recommended by the City Manager:



Jason Johnson

Date:

December 31, 2014

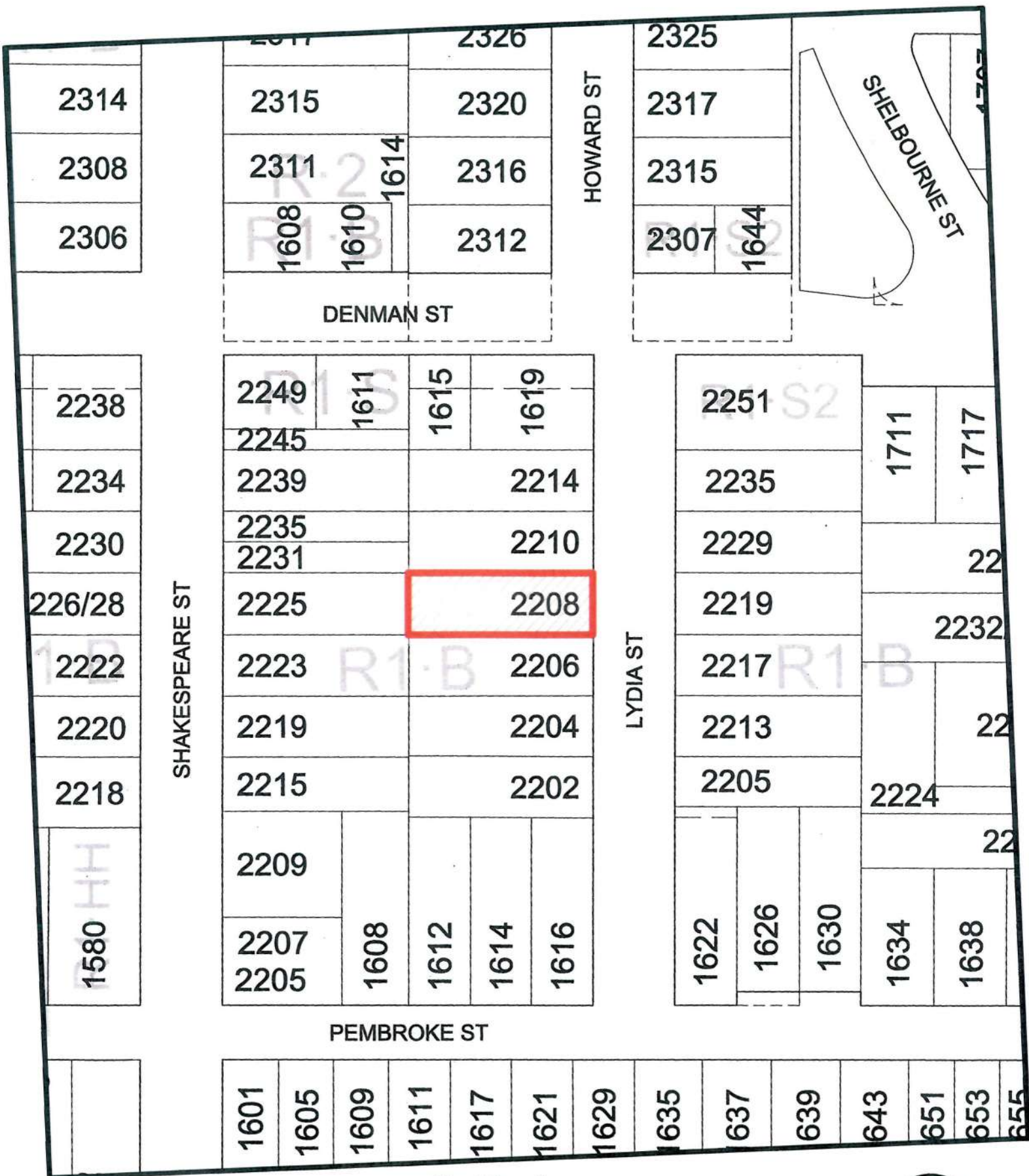
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S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00462\REZONING PLUC REPORT - 2208 LYDIA ST.DOC

List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated September 3, 2014
- Submission drawings dated November 13, 2014
- Fernwood Community Association, June 16, 2014
- Green Building Features.





John Pearce and Christy Pham
2208 Lydia St.
Victoria, B.C.
V8R 4K5

July 28, 2014

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



To Mayor Dean Fortin and Council:

RE: Garden Suite Application

I am writing you today so that you may understand why my wife Christy and I are planning to build a garden suite, and the steps we have taken to accommodate any concerns that may arise. Thank you very much for considering our Garden Suite Application

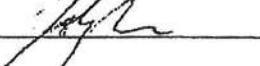
Though I have grown up in Victoria, I was not always sure I could afford buying a home here. However, we felt a rental unit would allow us to settle and in September 2013, we became new homeowners in Fernwood. We quickly considered our options for building a rental suite: raising the house, digging down, or building a garden suite. After reviewing all the pros and cons, we felt a garden suite offered the best course of action.

In addition to making home ownership more financially viable for my wife and I, my parents live in Victoria and they are getting older, so we would like to have the option of having them live next to us in the event they require assistance during their later years. We also believe a garden suite provides more privacy for everyone on the property, and provides a better quality of life for the tenant who would have direct sunlight through skylights and open yard access.

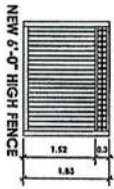
From the very outset, we have consulted with our neighbours to get feedback on the garden suite option. Most of our neighbours have been very supportive. To address concerns over privacy we have agreed to build a higher fence line around the perimeter of our property, use glazed windows where appropriate, and implement a landscape plan that will include an arbour beside a small patio.

After many meetings with the Victoria Design Group, we feel we have submitted a garden suite plan that offers a high quality of life for a tenant, while maintaining privacy concerns for neighbours. Thank you very much for your consideration and we look forward to answering any questions that may arise. We would welcome the opportunity to arrange for you to visit our property to see the proposed building site and discuss the steps we propose to take to ensure privacy on adjacent and nearby neighbours.

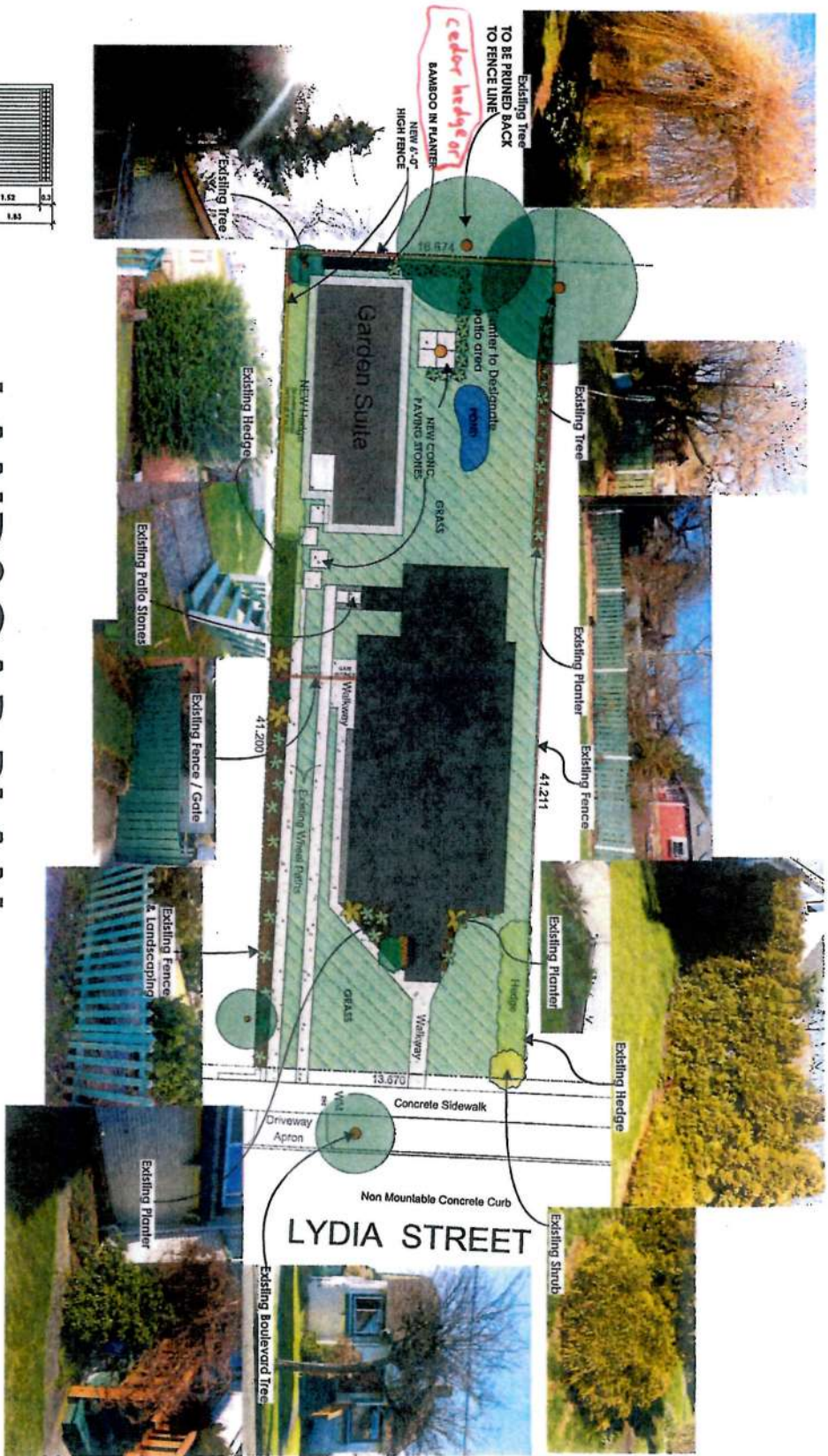
Sincerely,

John Pearce 

Christy Pham 



LANDSCAP PLAN



2208 LYDIA STREET
PRESENTATION LAYOUT

~~AGV 13~~

proposed
rezoning
2208 LYDIA
STREET
VICTORIA B.C.

17

drawing #
7430

scale
1:100

drawn by
JDF

VICTORIA
DESIGN
GROUP

Date: 12/11/14

SKETCH PLAN OF:

LOT 7, BLOCK 1, SECTION 75,
VICTORIA DISTRICT, PLAN 509

SCALE = 1 : 200

All distances are in metres AND decimals thereof.

LEGEND

Elevations are geodetic based on The City of Victoria
Integrated Survey Monument 15-29 (Elev. = 24.391m)

Grade shot are taken at the point marked x,
grade shots at a curb line are in gutter.

Tree bases and canopies approximately to scale.
Where tree location is critical, tree species
and canopy should be confirmed by qualified arborist.

WM = denotes Water Meter

SITE AREA

567.5 |
6109 s.f.

MUNICIPALITY

Victoria

ZONING

R1-B

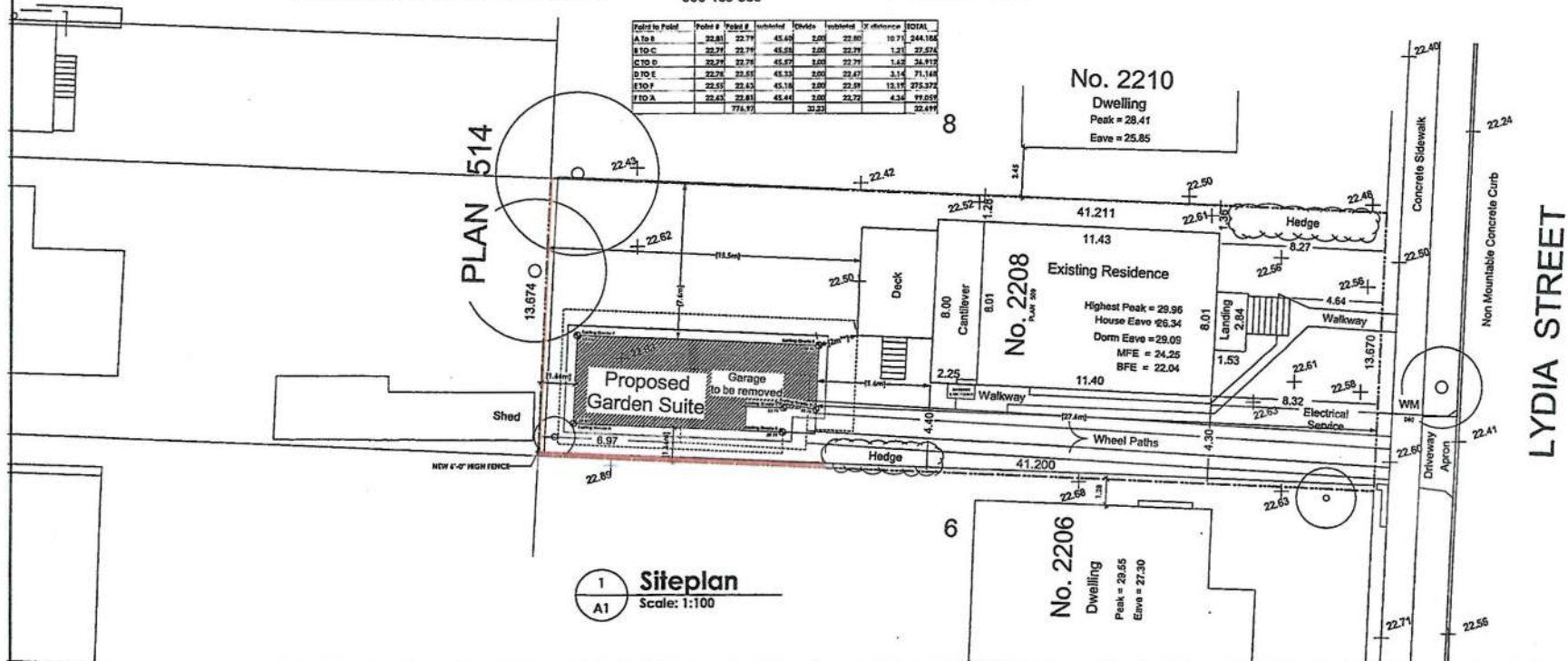
PID No.

000-168-360

| Proposed Garden Suite | | |
|--|--------------|--------------|
| PROJECT INFORMATION TABLE | | |
| | Required | Proposed |
| Zone (existing) | R1-B-GS2 | R1-B-GS2 |
| Site Area (sq.m.) | 245.00 sq.m. | 245.00 sq.m. |
| Total floor area (sq.m.) | 56.00 sq.m. | 43.37 sq.m. |
| Rear Yard Site Coverage % | 25% | 24.16% |
| Height of building (m) | 5.50 m. | 3.78 m. |
| Number of storeys | 1.5 | 1 |
| Parking stalls (number) on site | 1 | 1 |
| Bicycle parking number (storage and rack) | 0.00 | 0.00 |
| Building setbacks (m) | | |
| Separation between Garden suite and Single family Dwelling | 2.4 m. | 2 m.** |
| Front yard | 4 m. | 27.4 m. |
| Rear yard | 6 m. | 1.66 m. |
| Side yard (north) | 1.5 m. | 7.65 m. |
| Side yard (south) | 1.5 m. | 1.66 m. |
| Combined side yards | 3 m. | 9.31 m. |
| Residential Use Details | | |
| Total number of units | 1 | 1 |
| Unit type, e.g., 1 bedroom | | 1 bedroom |
| Ground-orientated units | 1 | 1 |
| Main floor | | 43.37 sq.m. |

** VARIANCE REQUIRED

| Point to Point | Point # | Point # | Horizontal | Vertical | Horizontal | Vertical | TOTAL |
|----------------|---------|---------|------------|----------|------------|----------|---------|
| A to B | 22.81 | 22.79 | 45.40 | 2.00 | 22.80 | 10.71 | 244.166 |
| B to C | 22.79 | 22.74 | 45.40 | 2.00 | 22.77 | 1.21 | 87.525 |
| C to D | 22.74 | 22.71 | 45.40 | 2.00 | 22.71 | 1.42 | 24.112 |
| D to E | 22.71 | 22.55 | 45.33 | 2.00 | 22.47 | 3.14 | 71.144 |
| E to F | 22.55 | 22.42 | 45.16 | 2.00 | 22.39 | 13.15 | 275.272 |
| F to A | 22.42 | 22.81 | 45.44 | 2.00 | 22.72 | 4.34 | 97.656 |
| | | | 776.92 | | 30.23 | | 20.671 |



proposed
rezoning
2208 LYDIA
STREET
VICTORIA B.C.

R1

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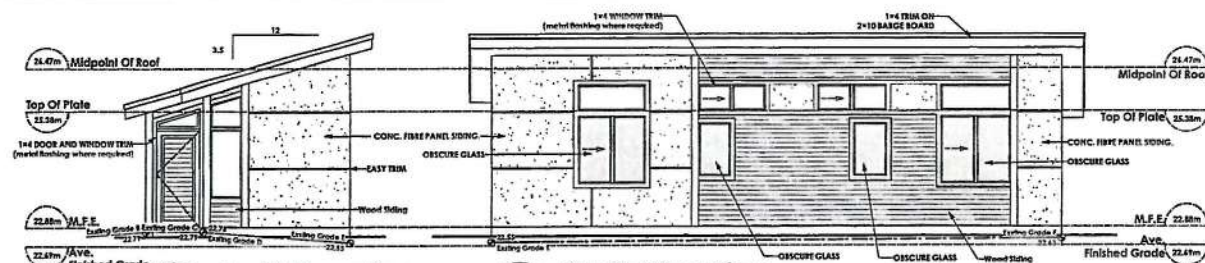
Date: 12/11/14

2208 LYDIA STREET
PRESENTATION LAYOUT

#103 891
ATTREE AVENUE
VICTORIA B.C.
V8B 0A6
PH: 250.382.7374
FAX: 250.382.7344

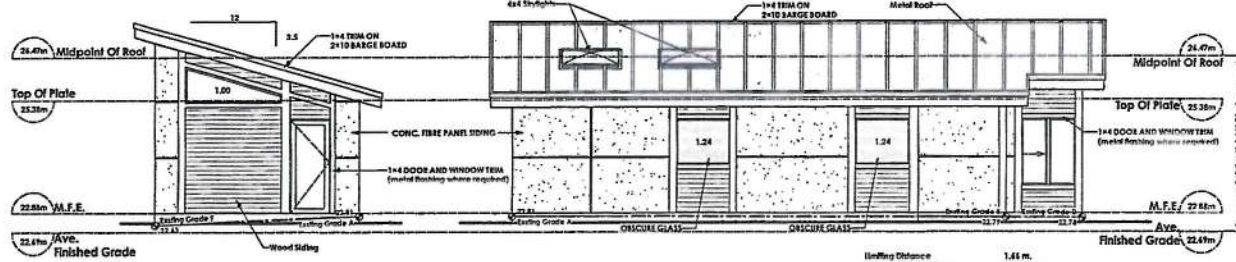
NOV 13 2014

Planning & Design Department
1 - 1000 - 1000 - 1000



1 East Elevation
A2 Scale: 3/16" = 1'-0"

2 North Elevation
A2 Scale: 3/16" = 1'-0"

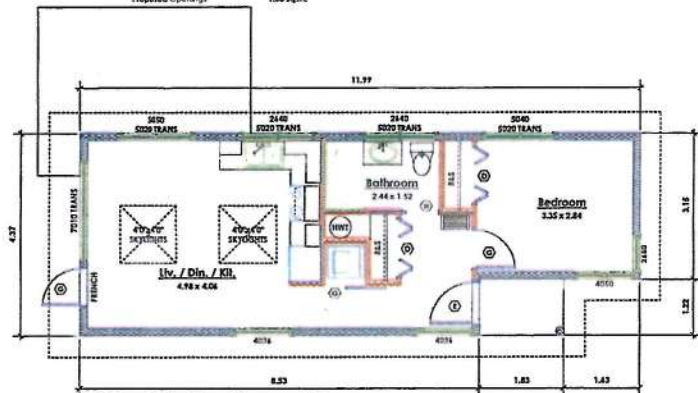


3 West Elevation
A2 Scale: 3/16" = 1'-0"

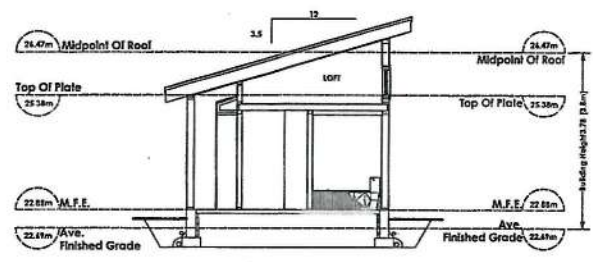
4 South Elevation
A2 Scale: 3/16" = 1'-0"

Uniting Distance
Exposed Building Face
Allowable Openings
Allowable Opening Area
Proposed Coverings

1.65 m.
28.18 sq.m.
9.0 %
2.62 sq.m.
2.62 sq.m.



1 Main Floor Plan
A4 Scale: 1/4" = 1'-0" 466.88 sq.ft. (43.37 sq.m.)



1 Section A-A
A6 Scale: 1/4" = 1'-0"

DOOR SCHEDULE

| | | | |
|---|---------------------------|---|---------------------------|
| A | 6'0" X 6'0" (1830 X 1830) | F | 5'0" X 6'0" (1524 X 1830) |
| B | 4'0" X 6'0" (1219 X 1830) | G | 3'0" X 6'0" (914 X 1830) |
| C | 6'0" X 6'0" (1830 X 1830) | H | 2'0" X 6'0" (610 X 1830) |
| D | 6'0" X 6'0" (1830 X 1830) | I | 2'0" X 6'0" (610 X 1830) |
| E | 6'0" X 6'0" (1830 X 1830) | J | 2'0" X 6'0" (610 X 1830) |
| K | 6'0" X 6'0" (1830 X 1830) | L | 2'0" X 6'0" (610 X 1830) |

GARDEN SUITE

2208 LYDIA STREET PRESENTATION LAYOUT

proposed
rezoning
2208 LYDIA
STREET
VICTORIA B.C.

R2
drawing #
7430
scale
AS SHOWN
drawn by
JDF



Date: 12/11/14

#102 891
ATREE AVENUE
VICTORIA, B.C.
V9B 0A6

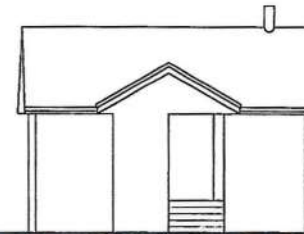
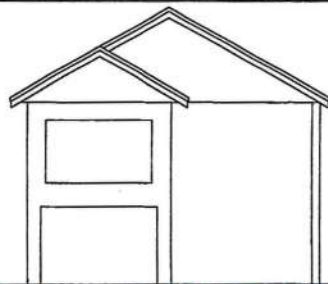
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7430: PROPOSED REZONING: 2208 LYDIA STREET VICTORIA B.C.



2208 Lydia Street



proposed
rezoning
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STREET
VICTORIA B.C.

R3

drawing #
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3/16"=1'0"

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V9B 0A6

PH: 250.382.7374
FAX: 250.382.7364

City of Victoria

2208 LYDIA STREET
PRESENTATION LAYOUT

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NOV 13 2014

Planning Services Unit
Professional Services Branch



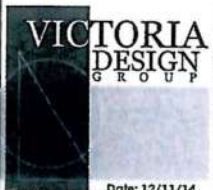
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rezoning
2208 LYDIA
STREET
VICTORIA B.C.

R4

drawing #
7430

scale
1/4"=1'0"

drawn by
JDF



Date: 12/11/14

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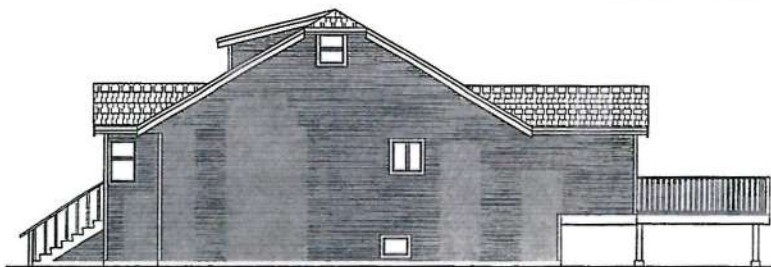
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1 Front Elevation
Scale: 1/4" = 1'-0"

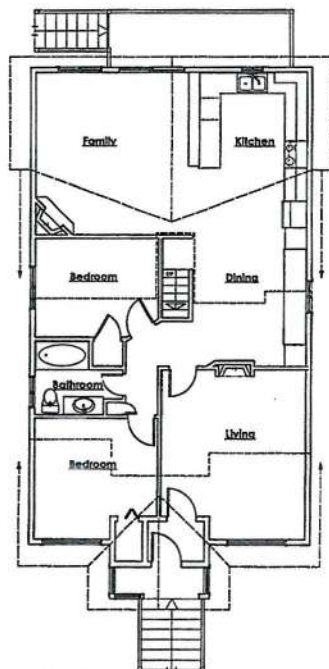


2 Right Side Elevation
Scale: 1/4" = 1'-0"

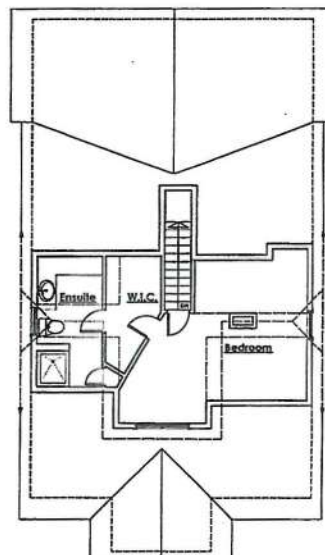


3 Rear Elevation
Scale: 1/4" = 1'-0"

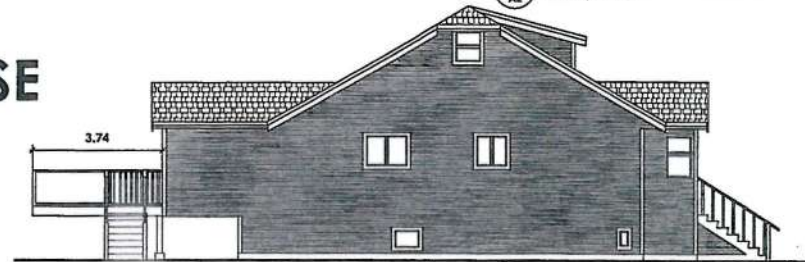
EXISTING HOUSE



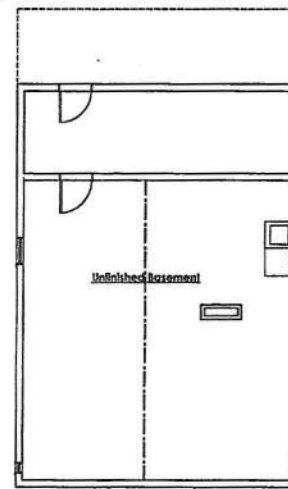
1 Main Floor Plan
Scale: 1/4" = 1'-0"



2 Upper Floor Plan
Scale: 1/4" = 1'-0"



4 Left Side Elevation
Scale: 1/4" = 1'-0"



3 Lower Floor Plan
Scale: 1/4" = 1'-0"

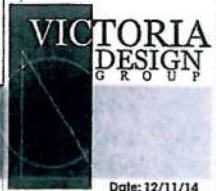
| DOOR TYPES | | | |
|------------|---------------------------|---|--------------------------|
| A | 6'0" X 8'0" (1524 X 2032) | F | 3'0" X 6'0" (844 X 2032) |
| B | 6'0" X 8'0" (1524 X 2032) | G | 3'0" X 6'0" (813 X 2032) |
| C | 6'0" X 8'0" (1524 X 2032) | H | 3'0" X 6'0" (743 X 2032) |
| D | 6'0" X 8'0" (1524 X 2032) | J | 3'0" X 6'0" (711 X 2032) |
| E | 6'0" X 8'0" (1514 X 2032) | K | 3'0" X 6'0" (679 X 2032) |
| F | 6'0" X 8'0" (1514 X 2032) | L | 3'0" X 6'0" (609 X 2032) |

| WALL LEGEND | |
|--|--|
| 2" x 4" EXTERIOR WALL | |
| 2" x 4" INTERIOR PARTITION | |
| 8" THK. CONC. FOUNDATION WALL | |
| 14" x 8" CONC. STEEP FOOTING | |
| BUILT-UP WD. POST | |
| BUILT-UP WD. POST TO SUPPORT LOAD FROM ABOVE | |
| POINT LOAD ON BEAM FROM ABOVE | |
| 90 cfm ventilation fan | |
| 90 cfm ventilation fan | |

proposed
rezoning
2208 LYDIA
STREET
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R5

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scale
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7430-PROPOSED REVONING-2208 LYDIA STREET VICTORIA B.C.



Fernwood Community Association

1923 Fernwood Road,
Victoria, B.C., V8T 2Y6
(250) 384-7441

Email: landuse@fernwoodvic.ca

Web: www.fernwoodvic.ca

June 12, 2014

Planning Department
City of Victoria
#1 Centennial Square
Victoria, B.C. V8W 1P6



Re: 2208 Lydia

This is to let you know on June 4, 2014 the proposal for garden suite at 2208 Lydia was presented to the Fernwood Community Association Land Use Committee for its Official Community Meeting.

The consultant for the proponent presented the plans for a garden suite located in the rear left corner of 2208 Lydia. General comments from the neighbours included a request to have fencing to the maximum height permitted for screening purposes. One person indicated they felt it was appropriate infill. Another neighbour felt they would rather see basement suites than garden suites. A question was asked re: having the garden suite and a basement suite and it was confirmed that you cannot have both. Councillor Madoff was in attendance and iterated that Council had wished to give the public a number of options for creating rental accommodation not just basement suites. A question was raised with regard to the increased site coverage and the loss of future gardening land and it was pointed out that the net increase of covered ground was only 200 ft² with the removal of the existing shed. A comment was made by an adjacent owner that the contrast of the modern architecture of the garden suite to the surrounding homes was a bit stark.

No strong objection was raised by immediate neighbours most of whom were in attendance.

Sincerely,

Stephanie Hill
Acting Chair - Land Use Committee
Fernwood Community Association

Green Building Features

NOV 13 2014

Garden Suite at 2208 Lydia Street
Applicant: John Pearce, 250-891-2370

| Category | Feature |
|------------------|--|
| Landscaping | Planting extensive cedar trees / hedge (native species and drought-tolerant plants) Increase the number of trees on the lot |
| Water | Install faucets and shower Heads with flow rate of 8l/min Or less. Install dual flush toilet with Ultra-low flow (4.5 L/flush) |
| Renewable Energy | Southern facing flat roof, to provide opportunity for potential solar power or water heating. (at future date when we can afford it) |

John Pearce
2208 Lydia St.
Victoria, B.C.
V8R 4K5

Dec 16, 2014



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

To Mayor Lisa Helps and Council:

RE: Improved Landscape Features for Garden Suite Application

I am writing you today to highlight a recent change we have made to our original submission. This landscape change will further enhance the privacy for our neighbours on the south side, while increasing native tree species on the property.

From the outset of the garden suite application process, my wife and I have talked with many of our neighbours to inform them of our intentions and to hear any concerns they may have, in order to mitigate any potential issues.

Our neighbour, Susan, on the North side has always been a strong supporter of our garden suite application, our neighbour Alice on the west side has been satisfied with our plan, and all other neighbours in the near vicinity that we have spoken with have been supportive. Initially, our neighbours Claire and Gabe on our south side, expressed concerns for their privacy; however, several weeks ago they informed us that they were happy with our recent landscape changes:

In addition to a 6' fence to be built around the perimeter of our property, we have now included a cedar hedge to be planted between the new fence and the garden suite along the south property line. The cedar trees, starting at an 8' height, will grow into a thicker and taller hedge blocking sightlines from Claire and Gabe's property. Their stated wish for "out of sight, out of mind" will be satisfied with this new amendment to our landscaping plan.

After much consultation with neighbours and meetings with the Victoria Design Group, we feel our garden suite plan offers a high quality of life for a tenant, with a high degree of privacy for surrounding property owners. Thank you very much for your consideration and we look forward to answering any questions that may arise during the public hearing.

Sincerely,

John Pearce