



Planning and Land Use Committee Report

For the Meeting of January 8, 2015

To: Planning and Land Use Committee **Date:** December 23, 2014
From: Leanne Taylor, Planner, Development Services Division
Subject: Development Permit with Variance Application #00462 for 2208 Lydia Street

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that, after the Public Hearing for Rezoning Application #00462, if it is approved, Council convene a Hearing for the proposed variances associated with Development Permit with Variance Application #00462 for 2208 Lydia Street and consider the following motion:

"That Council authorize the issuance of Development Permit Application #00462 for 2208 Lydia Street, in accordance with:

1. Plans date stamped November 13, 2014;
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 1.113, Section 1.113.5(d): Reduce the separation space between a garden suite and a single family dwelling from 2.4 m to 2 m.
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."

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 2208 Lydia Street. The proposal is to construct a garden suite in the rear yard of the subject property. The variance is related to the separation space between a garden suite and the main dwelling unit.

The following points were considered in assessing this Application:

- The proposal is consistent with the objectives for sensitive infill in Development Permit Area 15E: Intensive Residential - Garden Suites of the *Official Community Plan 2012 (OCP)*.
- The proposal is consistent with the policies and design specifications of the *Garden Suite Policy (2011)*.

- The variance to reduce the separation space between the garden suite and the main dwelling unit would be required as a result of an existing deck that is attached to the main dwelling unit. If the deck is removed, the garden suite would exceed the minimum separation space requirement.

BACKGROUND

Description of Proposal

The proposal is for a garden suite in the rear yard of the subject property. Specific details include:

- The proposed garden suite is a modern-design and demonstrates a unique individual identity with contrasting materials, roof form and general architectural expression. The design complements the architectural diversity of the neighbourhood.
- Siding materials include concrete fibre panel, wood siding and a metal roof.
- New hard and soft landscaping would be introduced.

The proposed variance is related to reducing the separation space between the garden suite and main dwelling unit from 2.4 m to 2m. All other criteria of the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite District, as detailed in the report associated with the concurrent Rezoning Application, are met.

Sustainability Features

As indicated in the applicant's green building features summary dated November 13, 2014, the following sustainability features are associated with this Application:

- water conservation
- energy efficiency
- drought-resistant landscaping.

Existing Site Development and Development Potential

The site is presently a single family home.

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. This is a requirement associated with Rezoning Applications.

ANALYSIS

Development Permit Area and Design Guidelines

The OCP identifies this property within Development Permit Area 15E: Intensive Residential - Garden Suites.

The *Garden Suite Design Guidelines* encourage garden suites to relate to the principal building in terms of materials, roof form and general architectural expression. The proposed garden suite is a modern building with a flat, sloping roof and is finished with natural materials. The roofline of the principal dwelling unit is hip-shaped, the exterior cladding is vinyl siding and a covered porch and gable form the entryway. Even though the garden suite and main dwelling unit have some architectural differences, the garden suite does fit in with the overall character and architectural diversity of the neighbourhood.

The proposed windows and entryway for the garden suite, the outdoor space and landscaping are consistent with the policies and design specifications of the *Garden Suite Policy* (2011).

The applicant is requesting a variance to reduce the separation space between the garden suite and the main dwelling unit from 2.4m to 2m. The reduction in the separation space is due to an existing deck on the rear side of the main dwelling unit. There are no Building Code issues associated with this reduction and any impacts associated with this requested reduction would be limited to the subject site.

CONCLUSIONS

This proposal to construct a new garden suite is consistent with Development Permit Area 15E: Intensive Residential - Garden Suites. 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 Development Permit Application #00462 for the property located at 2208 Lydia Street.

Respectfully submitted,

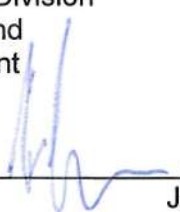


Leanne Taylor
Planner
Development Services Division



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

Report accepted and recommended by the City Manager: _____



Jason Johnson

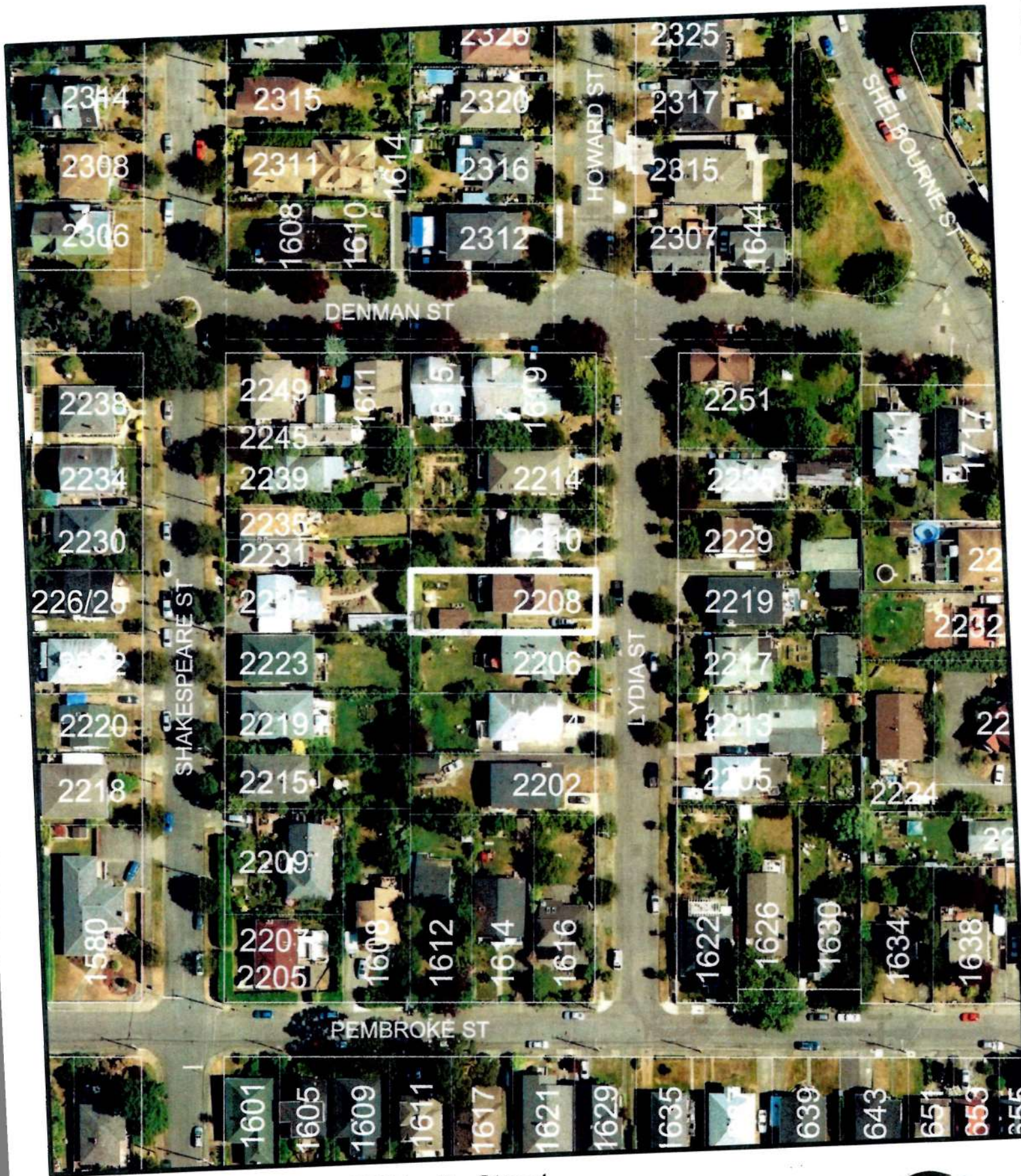
Date: December 31, 2014

LT/ljm

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\IREZ\IREZ00462\DP PLUG 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.



2208 Lydia Street
 Rezoning #00462
 Bylaw #





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

A handwritten signature in dark ink, appearing to be "John Pearce", written over a horizontal line.

Christy Pham

A handwritten signature in dark ink, appearing to be "Christy Pham", written over a horizontal line.



PROPOSED
REVONING
2208 LYDIA
STREET
VICTORIA B.C.

L1

drawing #
7430

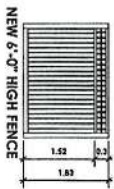
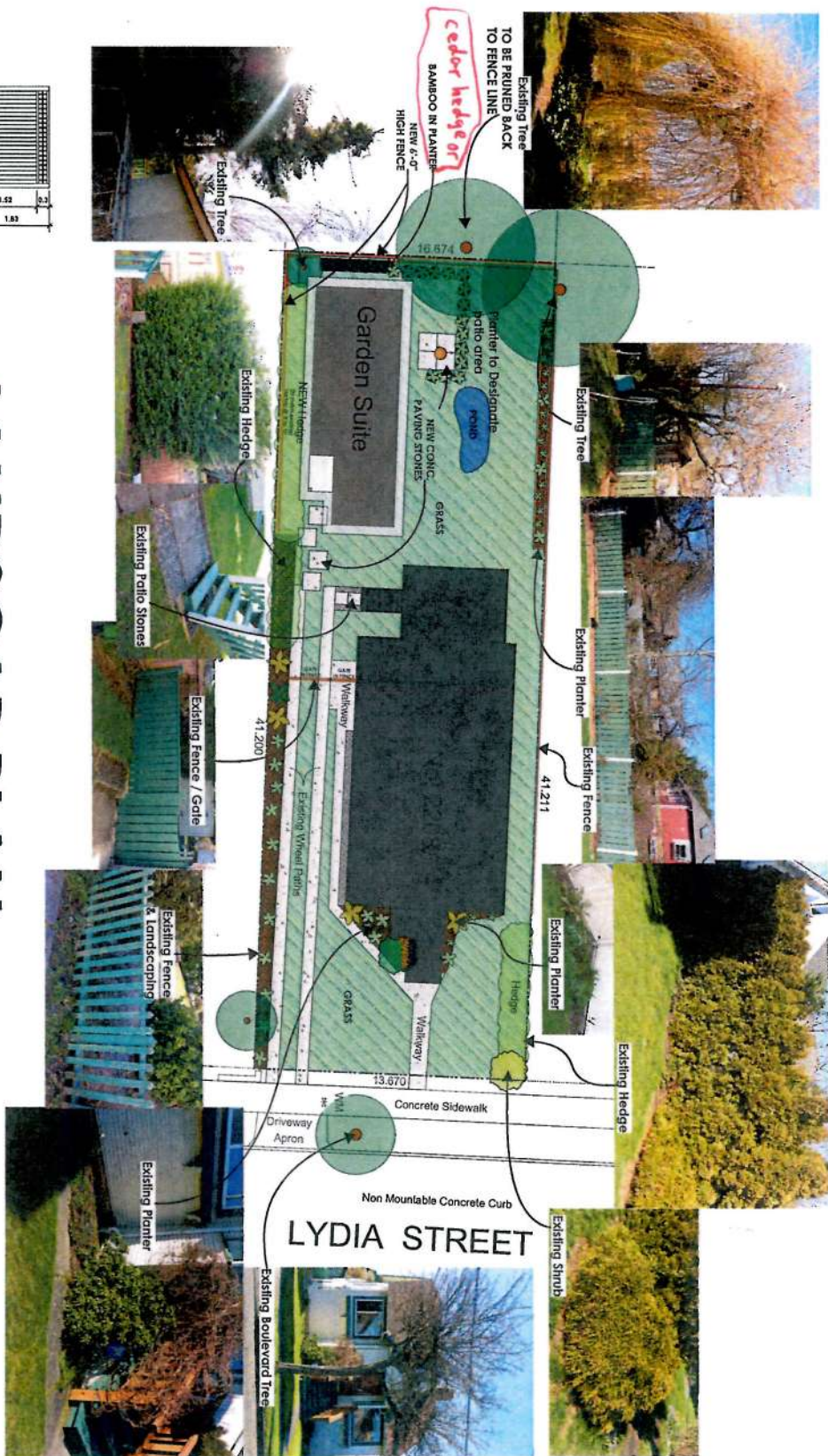
scale
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drawn by
JDF

VICTORIA
DESIGN
GROUP

Date: 12/11/14

LANDSCAP PLAN



#103 891
OTTRE AVENUE
VICTORIA, B.C.
V8S 0A6
PH: 250-382-7374
FAX: 250-382-7364

NOV 13

2208 LYDIA STREET PRESENTATION LAYOUT

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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

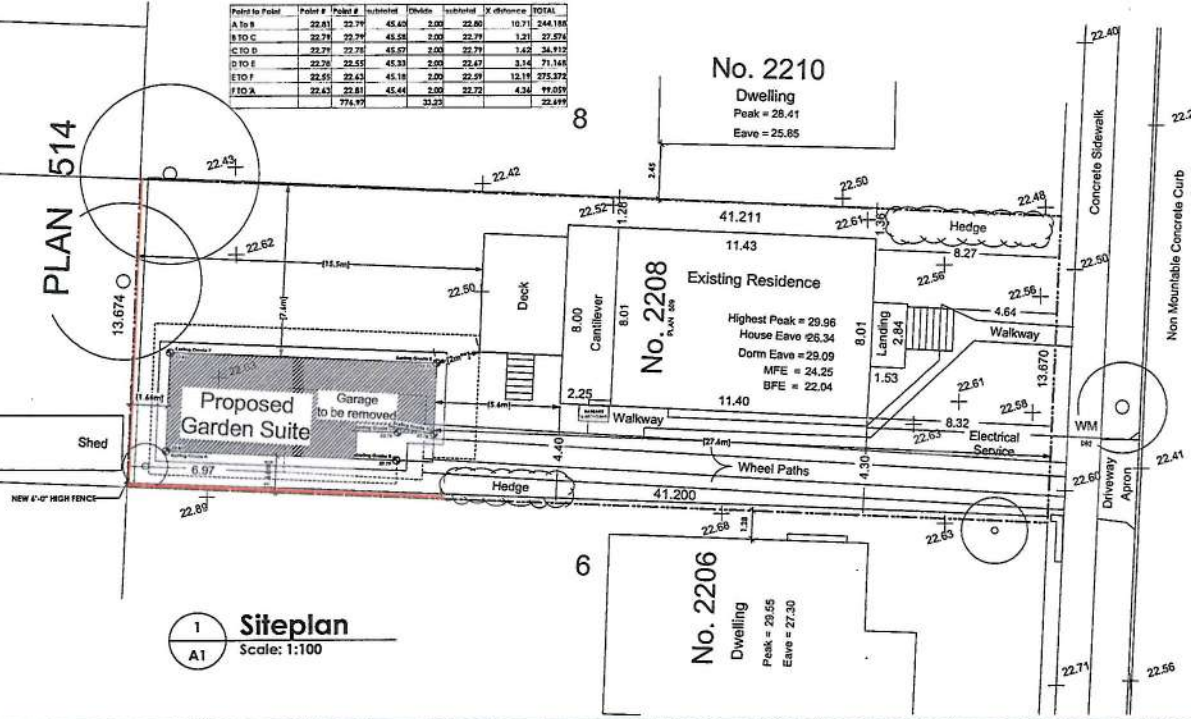
Proposed Garden Suite

PROJECT INFORMATION TABLE	Required	Proposed
Zone (existing)	R1-B-GS2	R1-B-GS2
Site Area (sq.m.)	240.00 sq.m.	245.00 sq.m.
Total floor area (sq.m.)	54.00 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	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	6 m.	27.6 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
Main Floor		43.37 sq.m.

** VARIANCE REQUIRED

Point to Point	Point #	Point #	Subtotal	Subtotal	X distance	TOTAL
A to B	22.81	22.79	45.43	2.00	22.80	10.71
B to C	22.79	22.79	45.58	2.00	22.79	1.21
C to D	22.79	22.79	45.67	2.00	22.79	1.62
D to E	22.79	22.81	45.91	2.00	22.81	3.14
E to F	22.81	22.81	45.91	2.00	22.81	12.11
F to G	22.81	22.81	45.91	2.00	22.81	4.34
G to H	22.81	22.81	45.91	2.00	22.81	22.49

PLAN 514



1 Siteplan
A1 Scale: 1:100



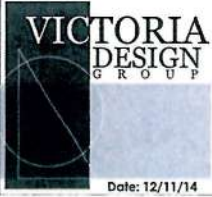
proposed
rezoning
2208 LYDIA
STREET
VICTORIA B.C.

R1

drawing #
7430

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JDF



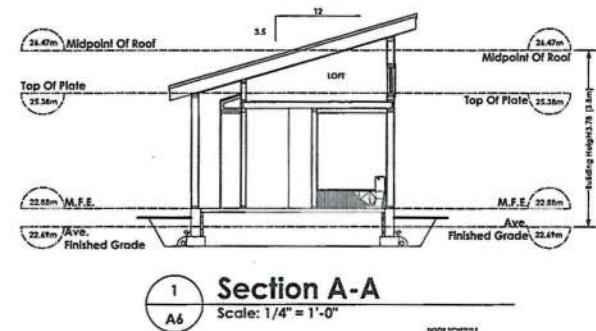
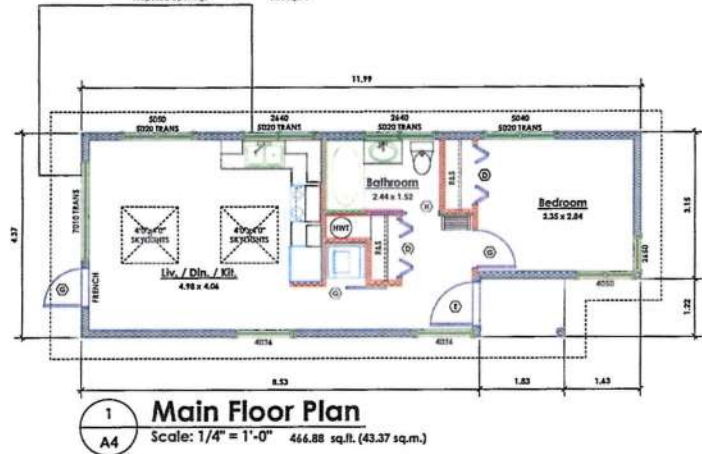
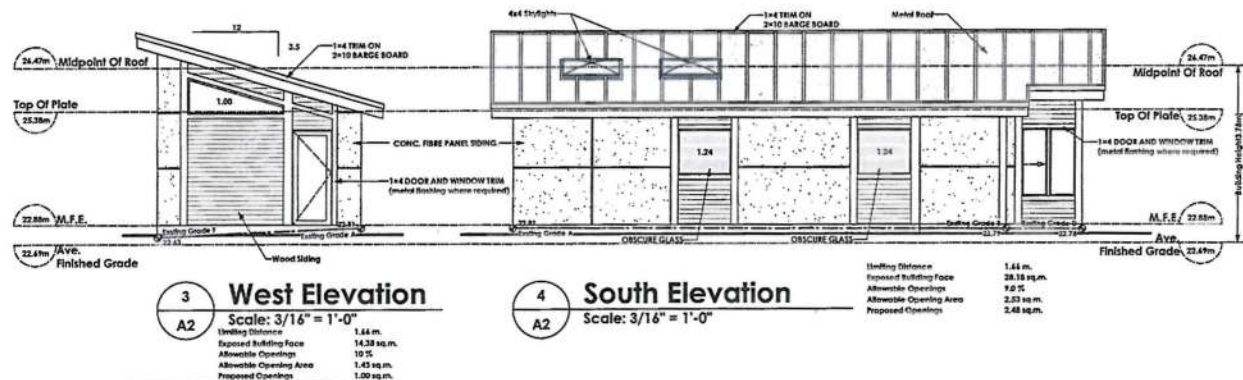
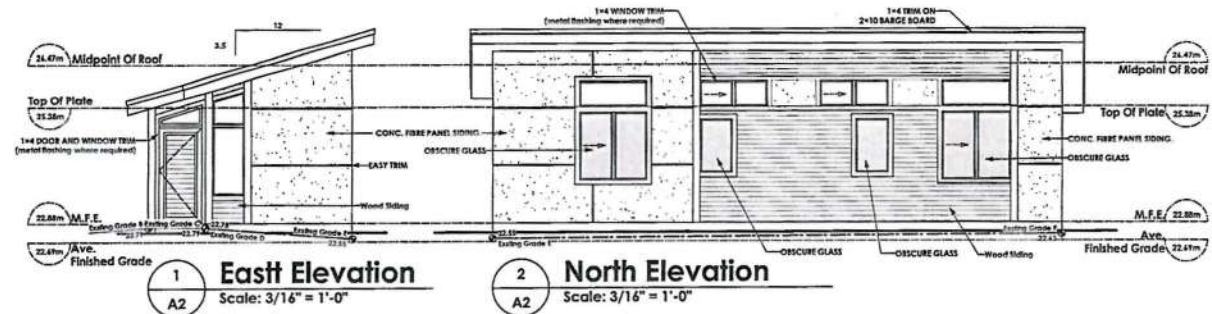
Date: 12/11/14

2208 LYDIA STREET
PRESENTATION LAYOUT

#103 891
ATTREE AVENUE
VICTORIA, B.C.
V9B 0A6
PH: 250.382.7374
FAX: 250.382.7364

NOV 13 2014

Planning & Development
Department
Development Services Division



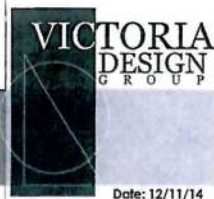
GARDEN SUITE

2208 LYDIA STREET

PRESENTATION LAYOUT

proposed
rezoning
2208 LYDIA
STREET
VICTORIA B.C.

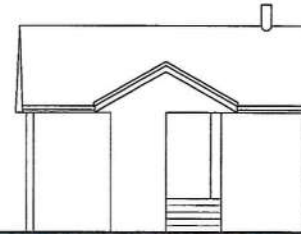
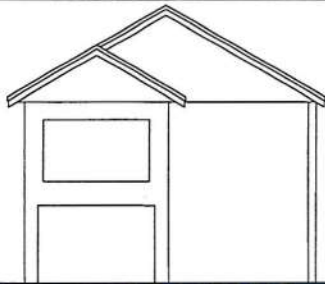
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drawn by
JDF



Date: 12/11/14

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V9B 0A6
PH: 250.382.7374
FAX: 250.382.7364

NOV 13 2014
City of Victoria
Development Department
2208 Lydia Street
VICTORIA, B.C. V8T 2C2



2208 Lydia Street



proposed
rezoning
2208 LYDIA
STREET
VICTORIA B.C.

R3

drawing #
7430

scale
3/16"=1'0"

drawn by
JDF

**VICTORIA
DESIGN
GROUP**

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City of Victoria

**2208 LYDIA STREET
PRESENTATION LAYOUT**

NOV 13 2014

Planning & Development
City of Victoria



AREA	COLOR	COLOR/FINISH INFO
CONC. FIBER BOARD SIDING		Benjamin Moore OC-115 Cream Silk
TRIM & FASCIA BOARD		Benjamin Moore OC-66 Snow White
WOOD PANNELS		STAIN
ROOFING		



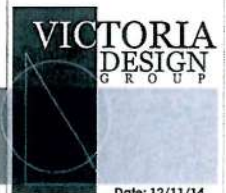
proposed
rezoning
2208 LYDIA
STREET
VICTORIA B.C.

R4

drawing #
7430

scale
1/4"=1'0"

drawn by
JDF



Date: 12/11/14

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City of Victoria

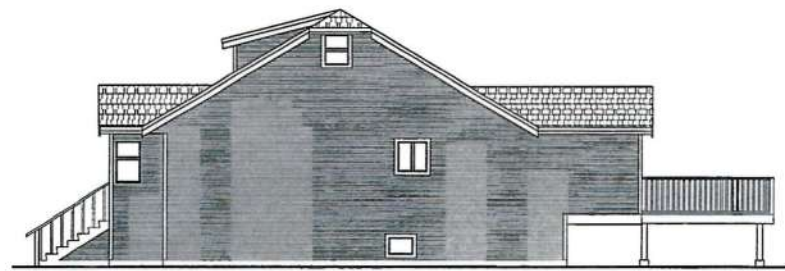
2208 LYDIA STREET
PRESENTATION LAYOUT

NOV 13 2014

1000 1000 1000 1000
1000 1000 1000 1000
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1 Front Elevation
Scale: 1/4" = 1'-0"

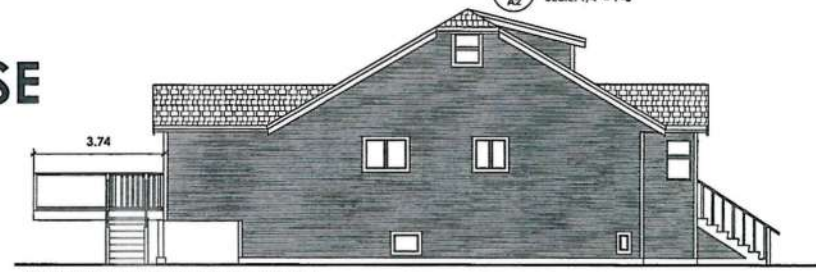


2 Right Side Elevation
Scale: 1/4" = 1'-0"

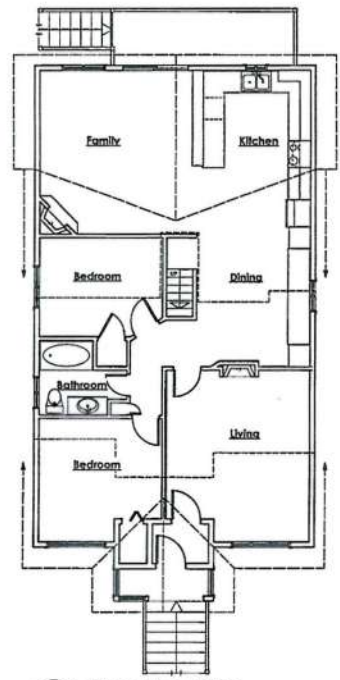


3 Rear Elevation
Scale: 1/4" = 1'-0"

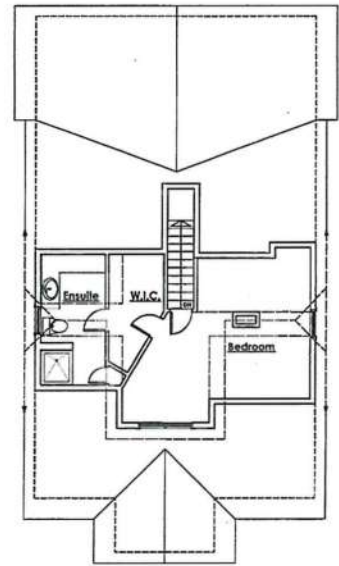
EXISTING HOUSE



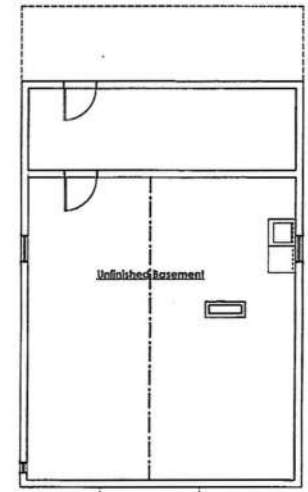
4 Left Side Elevation
Scale: 1/4" = 1'-0"



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



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



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

DOOR SCHEDULE			
A	4/0 X 6/0 (2119 X 2032)	F	3/0 X 4/0 (2041 X 2032)
B	4/0 X 6/0 (2119 X 2032)	G	3/0 X 4/0 (2041 X 2032)
C	4/0 X 6/0 (2119 X 2032)	H	3/0 X 4/0 (2041 X 2032)
D	4/0 X 6/0 (2119 X 2032)	I	3/0 X 4/0 (2041 X 2032)
E	4/0 X 6/0 (2119 X 2032)	J	3/0 X 4/0 (2041 X 2032)
F	3/0 X 4/0 (2041 X 2032)	K	3/0 X 4/0 (2041 X 2032)
G	3/0 X 4/0 (2041 X 2032)	L	3/0 X 4/0 (2041 X 2032)

Wall Legend	
	2' X 4' EXTERIOR WALL
	2' X 4' INTERIOR PARTITION
	8" THICK CONC. FOUNDATION WALL
	16" X 8" CONC. STRIP FOOTING
	BUILT-UP WD. POST
	BUILT-UP WD. POST TO SUPPORT LOAD FROM ABOVE
	POINT LOAD ON BEAM FROM ABOVE
	90 c.f.m. ventilation fan w/ intermittent control
	90 c.f.m. ventilation fan

refer to general notes for door/door size

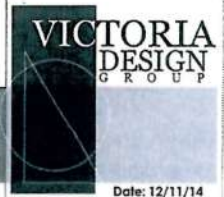
proposed
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2208 LYDIA
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R5

drawing #
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scale
3/16"=1'0"

drawn by
JDF



Date: 12/11/14

2208 LYDIA STREET PRESENTATION LAYOUT

#103 - 891
ATREE AVENUE
VICTORIA, B.C.
V9B 0A6
PH: 250.382.7374
FAX: 250.382.7364

NOV 13 2014



Fernwood Community Association

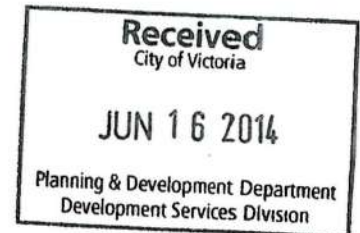
1923 Fernwood Road,
Victoria, B.C., V8T 2Y6
(250) 384-7441

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 81/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