

## Planning and Land Use Committee Report

For the Meeting of December 11, 2014

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**To:** Planning and Land Use Committee **Date:** November 27, 2014  
**From:** Brian Sikstrom, Senior Planner  
**Subject:** **Development Variance Permit #00143 for 1637 Hollywood Crescent**

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### RECOMMENDATIONS

Staff recommend that Committee forward this report to Council and that Council convene a Hearing for the proposed variances associated with Development Variance Permit Application #00143 for 1637 Hollywood Crescent and, following the Hearing, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application #00143 for 1637 Hollywood Crescent, in accordance with:

1. Plans date stamped September 8, 2014.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - a. Part 1.6, Section 1.6.3. c.: Floor area of all floor levels combined (maximum) varied from 300m<sup>2</sup> to 359m<sup>2</sup>.
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development."

### 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 1637 Hollywood Crescent. The proposal is to replace an existing single family detached dwelling with a new single family detached dwelling having a total floor area of 359.3m<sup>2</sup> on all levels. A variance is required for this floor area which is above the maximum permitted total floor area of 300m<sup>2</sup>.

The following points were considered in assessing these Applications:

- While the increased total floor area is above that permitted under the existing R1-G Zone, Single Family Dwelling (Gonzales) District, it will not affect its height or massing and will not adversely impact the neighbouring properties.
- The proposed single family detached dwelling meets all other zoning regulations.

## BACKGROUND

### Description of Proposal

The proposal is to replace an existing single family detached dwelling with a new single family detached dwelling having a total floor area of 359.3m<sup>2</sup> on all levels. The R1-G Zone, Single Family Dwelling (Gonzales) District, permits a maximum total floor area on all levels of 300m<sup>2</sup>. The increased floor area would permit the full excavation of the basement and allow an extra guest bedroom and exercise area. The proposed 1½ storey house conforms to all other zoning regulations, including having a maximum floor area on the ground and upper floors that does not exceed 240m<sup>2</sup>. The house has four bedrooms and incorporates a single vehicle garage.

### Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

### Existing Site Development and Development Potential

The 774m<sup>2</sup> waterfront lot is in the R1-G Zone and currently occupied by a two-storey single family detached dwelling constructed in 1929. The house has a total floor area (including a basement and unfinished attic) of 380m<sup>2</sup> which is sufficient habitable floor area for a secondary suite.

Under the existing R1-G Zone, the house could be replaced with a new single family detached dwelling with a maximum floor area of 300m<sup>2</sup> which could include a secondary suite. The size of the lot meets the criteria for consideration of a rezoning for a duplex.

### 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.

Zoning Criteria	Proposal	R1-G Zone Standard
Site area (m <sup>2</sup> ) – minimum	774.3	460
Total floor area (m <sup>2</sup> ) – maximum	359.3*	300
1 <sup>st</sup> and 2 <sup>nd</sup> storey floor area – maximum	239.2	240
Density (Floor Space Ratio) – maximum	0.31:1	0.5:1
Height (m) – maximum	7.4	7.6
Storeys – maximum	1.5 w/Basement	1.5 w/Basement
Site coverage (%) – maximum	25.1	30
Open site space (%) – minimum	70	50
Setbacks (m)		
Front (Hollywood Crescent) - minimum	8.6	7.5
Rear (maximum distance of buildings from front property line)	33.6	36.5

Zoning Criteria	Proposal	R1-G Zone Standard
Side (East) - minimum	3.23	2.17
Side (West) - minimum	2.19	2.17
Combined Side Yards - minimum	5.42	5.4
Parking – minimum	1	1

### Relevant History

On June 26, 2014, following a Hearing, Council unanimously approved a Development Variance Permit for the same increase in total floor area as requested in this Application. However, the applicant subsequently requested an amendment in the placement of the house on the site by shifting it 2.2m closer to the ocean side of the property. The neighbourhood consultation for the previous Application was based on the location being further back from the ocean. In addition, Council's approval was based on these original plans, notwithstanding the setback in the existing zoning would permit the proposed new location for the house.

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on September 18, 2014, the Application was referred for a 30-day comment period to the Fairfield Gonzales CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This is a Development Variance Permit Application, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a Hearing.

### ANALYSIS

The following provides a summary of the Application's consistency with the relevant City regulations.

- The proposed density or floor space ratio (FSR) of the single family detached dwelling is 0.3:1, which is below the maximum density of 0.5:1 permitted in the R1-G Zone and is due to a larger than average lot size.
- In addition, the proposed house complies with the building height, number of storeys, setbacks and landscaping regulations.
- The additional 59m<sup>2</sup> of floor area is located within the basement and would not be visible from the street.
- While the total floor area is above that permitted in the R1-G Zone, this floor area is less than that of the existing house, therefore, staff recommend that Council support this Application.

### Other Considerations

The proposed new location is within the permitted rear setback and in line with the adjacent house to the east.

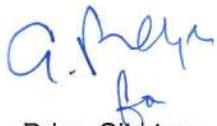
## CONCLUSIONS

While the increased total floor area is above that permitted under the existing R1-G Zone, it will not affect the height or massing of the house nor will it adversely impact neighbouring properties. The proposed single family detached dwelling meets all other zoning regulations.

## ALTERNATE MOTION

That Council decline Application #00143 for the property located at 1637 Hollywood Crescent.

Respectfully submitted,



Brian Sikstrom,  
Senior Planner  
Development Services Division



Deb Day  
Director,  
Sustainable Planning and Community Development

Report accepted and recommended by the City Manager:

  
\_\_\_\_\_  
Jason Johnson

Date:

\_\_\_\_\_  
December 3, 2014

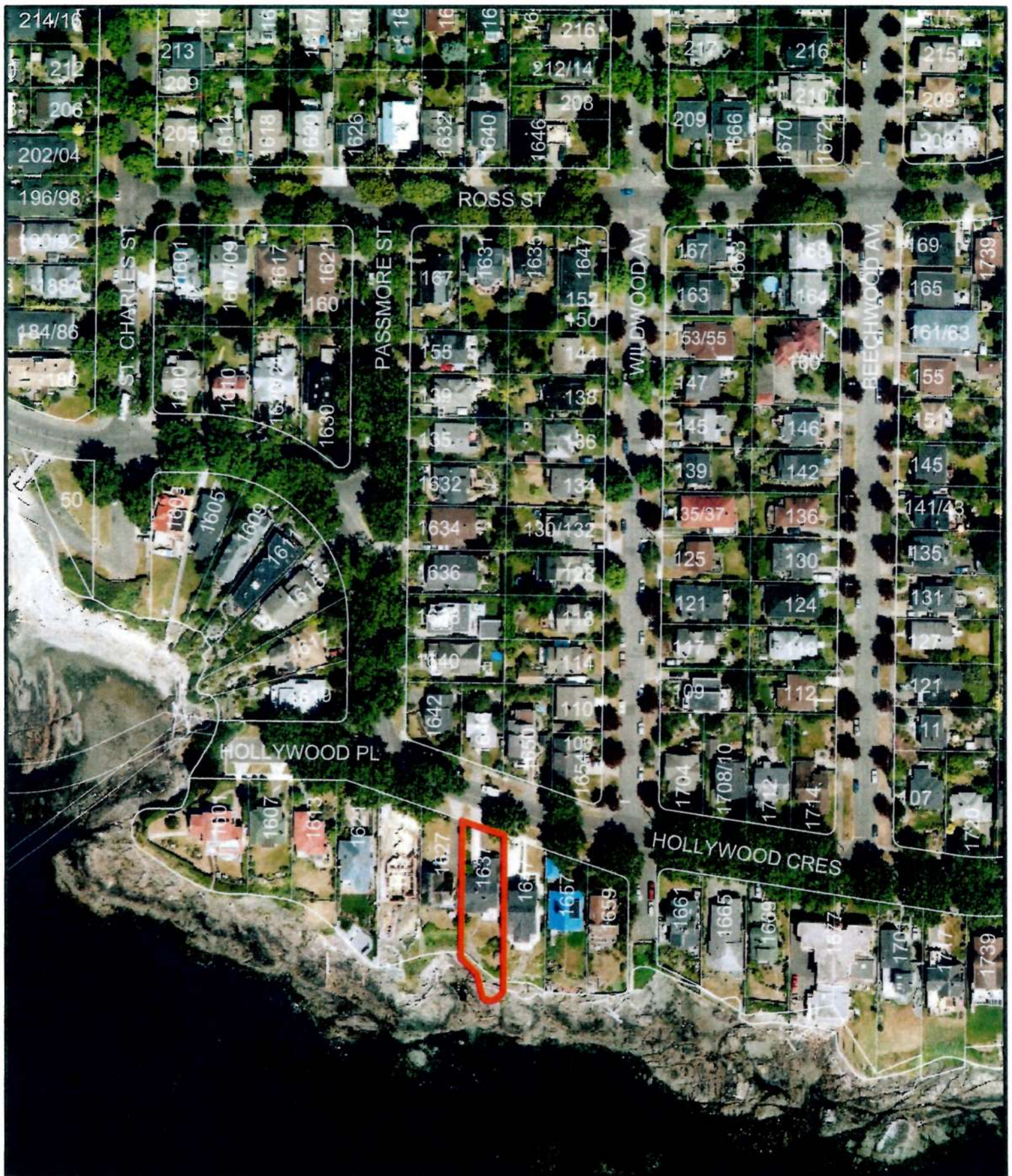
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S:\TEMPEST\_ATTACHMENTS\PROSPERO\PL\DVP\DVP00143\1637 HOLLYWOOD REDUX DVP APPLICATION.DOC

## List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated October 10, 2014
- Plans dated September 8, 2014.





1637 Hollywood Crescent  
Development Variance Permit #00143





October 10, 2014

City of Victoria, Planning and Developing Department  
Development Services Division  
#1 Centennial Square  
Victoria, B.C. V8W 1P6

Re: 1637 Hollywood Crescent – Application for a Variance

We have designed a home for our client, Cynthia Roorda, which meets all the criteria of the R1 – G zoning bylaw, including the first and second floor area maximums, and floor area ratio maximum. In order to meet Total Floor Area, the house was initially designed with crawl spaces and only a partial basement.

Our client has applied for and been granted variance permission on June 26<sup>th</sup>, 2014 to convert the difficult to access crawl space area to be the full height of the rest of the basement. Due to changes in house siting our client is herewith reapplying for the variance to allow crawl spaces to be converted full height areas. The principal benefits of the full basement would be a bedroom and an exercise area. This floor plan change would increase the total floor area of the home to 359.3 m<sup>2</sup> (300 m<sup>2</sup> is allowed per the zoning). The house would still be under the maximum Floor Area Ratio of 0.5 – our proposed design would have a FAR of 0.46.

The site plan change, which necessitates the variance reapplication, is advancing the house towards the water by 2.2 meters. It should be noted that this move is still within the allowable footprint.

We would also like it noted that prior to coming to a final design to move the house 2.2 meters forward toward the water, our clients consulted with the neighbours on both sides of their property. The house at 1627 to the west of our client's home is an older house and if the trend in the neighbourhood continues, will eventually be replaced. Our client offered to not relocate their house, maintaining the position as proposed in the original 2014 variance, if the owner of 1627 Hollywood could come to an agreement to put a restrictive covenant on our clients' property at 1637 and the neighbour's property at 1627, in order to maintain and protect future views for both parties. This potential covenant could also have protected the views of the neighbour to the east, at 1647 Hollywood Crescent. Unfortunately, despite the communication between the parties, an agreement could not be reached.

If our client's house was to remain in the original variance location, the risk is high that the views to the west would be blocked if the potential new house at 1627 were to be located as close to the high water line as the zoning bylaw would allow. Since the value of any of these houses is defined by their views, our clients feel that it is in their interest to at least move their house 2.2 meters forward, "in line" with the neighbour to the east (1647). This would mitigate some of the potential view loss if and when the house to the west is replaced. Our clients are choosing NOT to push out beyond the neighbour's house to the maximum allowable location because that would substantially change their easterly (1647) neighbour's views and not promote a good, friendly result for anyone.

In relation to the east side neighbour (1647), we have now revised the placement of the 1637 residence so that the south walls are aligned with theirs. Nevertheless, the east neighbour's deck and roof protrude further towards the south than our proposed design at 1637.

Additionally, our proposed design protrudes out in line with 1647 only on the main floor level; the upper floor of our proposal is intentionally set back 5.31 M (from the southernmost wall of our main floor) so that it does not obstruct the views from the upper level of 1647.

The proposed siting change does not bear on the appearance of the house which remains the same, no matter where the house is located. The proposed variance (basement development) would in no way impact the neighbours or passersby as there are no privacy issues, nor does it affect the appearance of the house from the road or the water, as the massing of the house is absolutely unchanged.

We feel that this 2.2 M adjustment is a minor change that still protects the views of the neighbours and the result has the minimal impact on all the concerned parties. In summary, both neighbours interests have been respected with the proposed design for 1637 Hollywood Crescent.

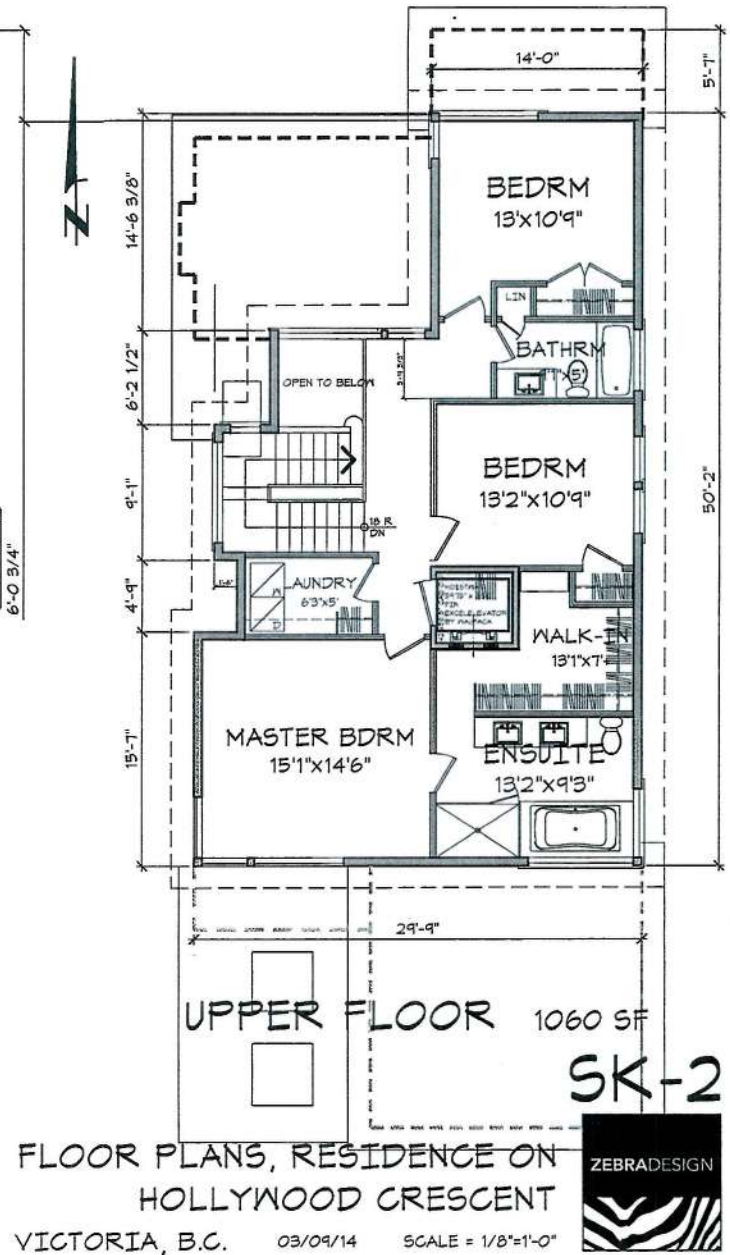
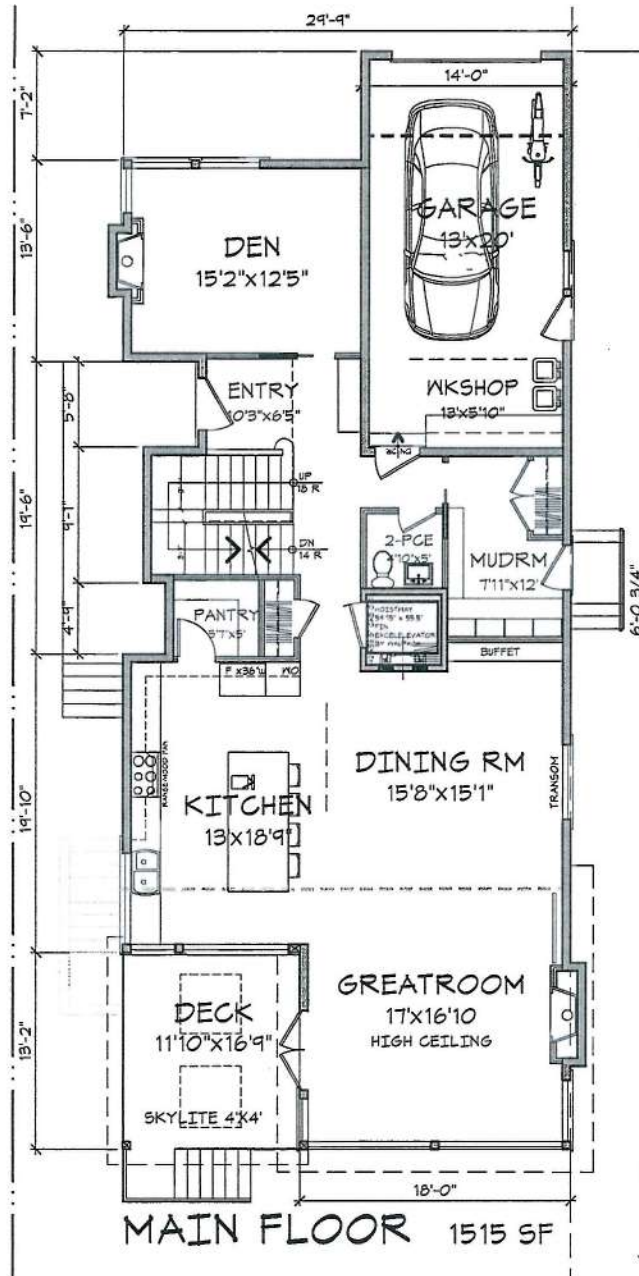
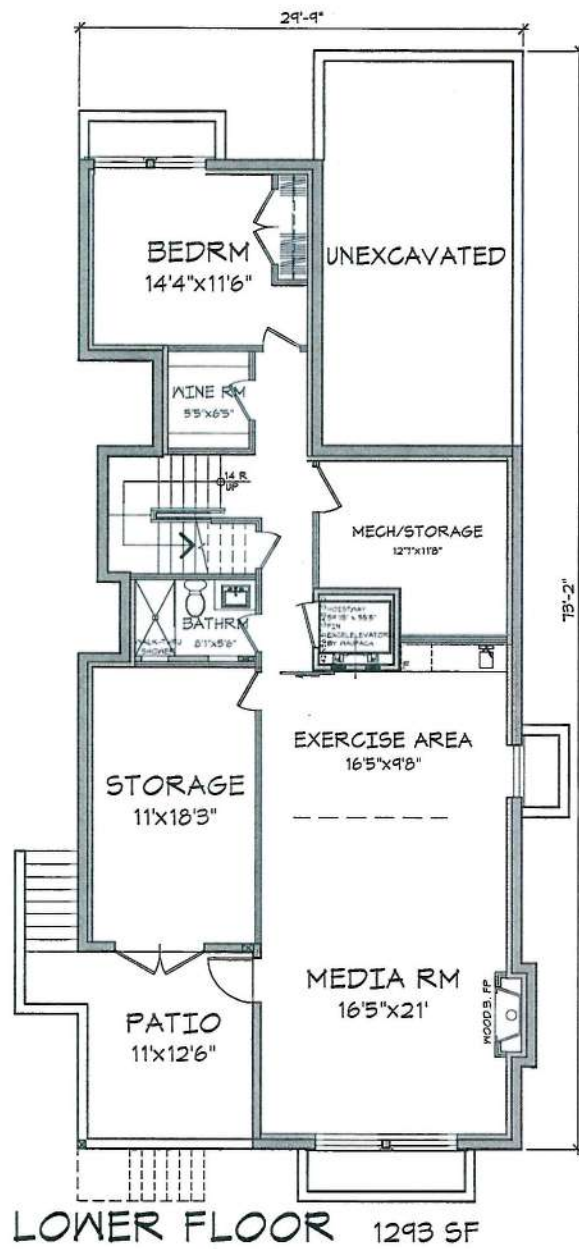
We appreciate your time in considering our application.

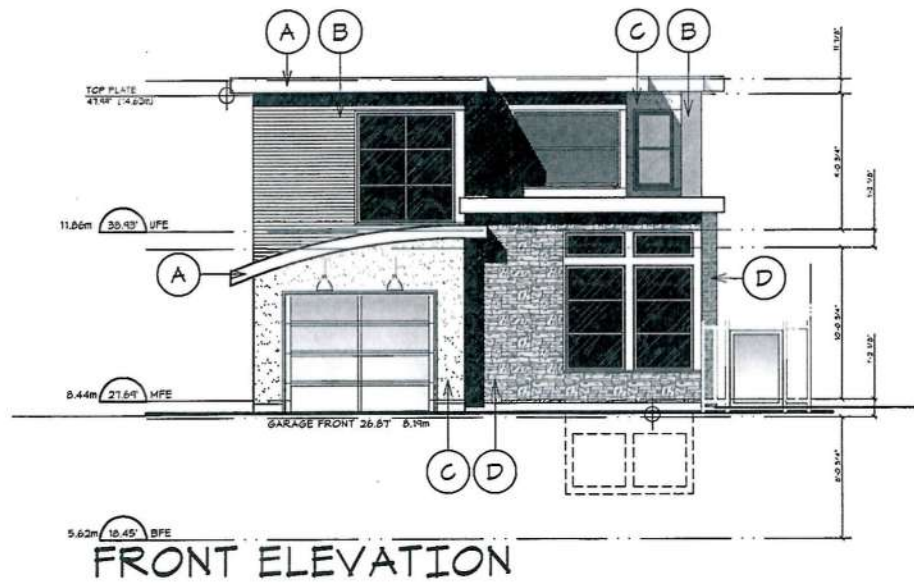
Sincerely,

A handwritten signature in black ink, appearing to read 'Rus Collins', with a stylized, flowing script.

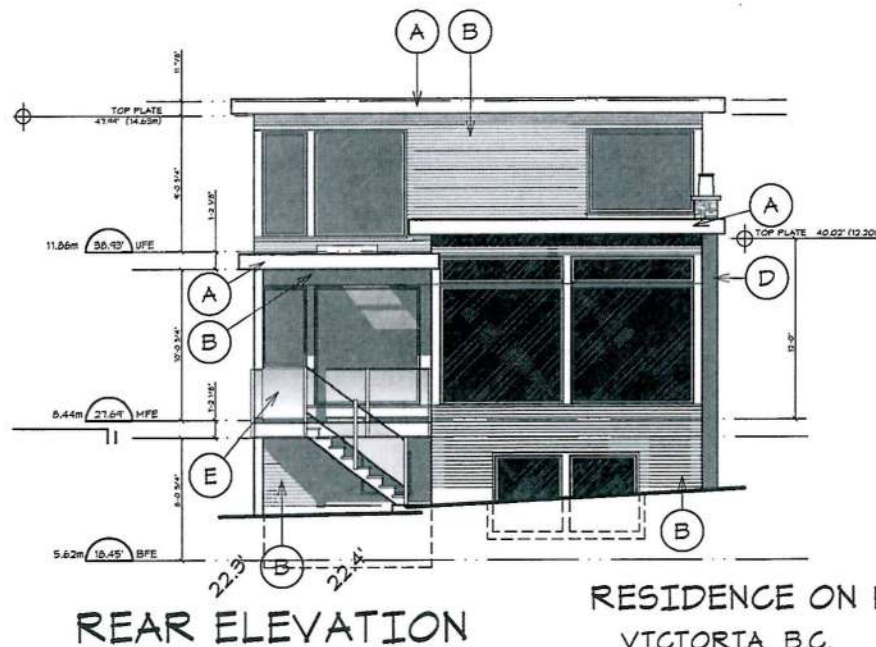
Rus Collins  
Zebra Design & Interiors Group, Inc.







FINISH SCHEDULE	
A	MDO FASCIA BD
B	HORIZONTAL CEDAR SIDING
C	STUCCO
D	THIN STONE VENEER
E	PRE-ENG GLAZED RAILING SYSTEM C/W PREFIN. SUPPORT POSTS
F	SBS ROOF MEMBRANE

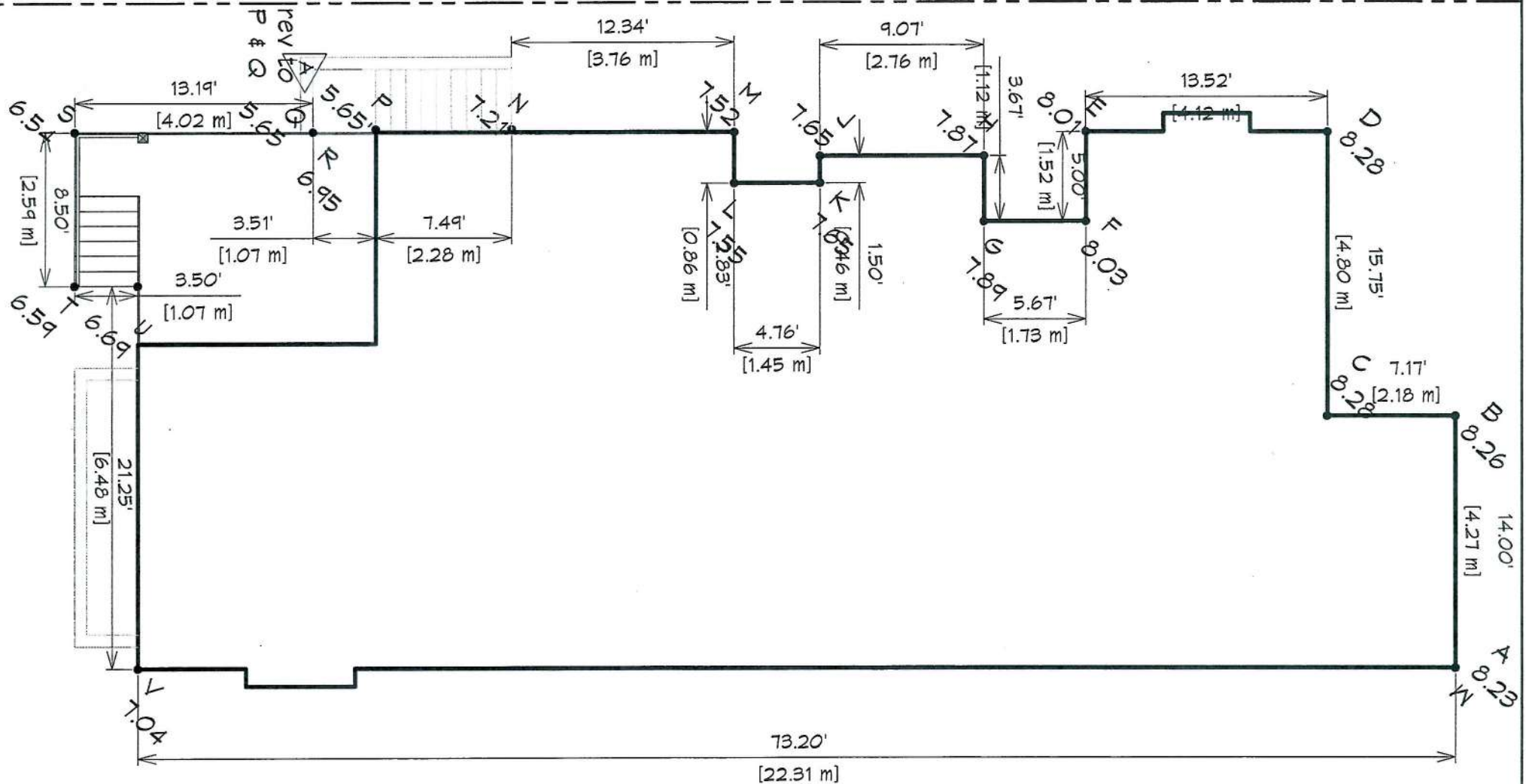


ELEVATIONS  
RESIDENCE ON HOLLYWOOD CRESCENT  
VICTORIA, B.C. 03/09/14 SCALE = 1/8"=1'-0"

SK-3







# AVERAGE GRADE CALCULATION GRADES & DISTANCES DIAGRAM RESIDENCE ON HOLLYWOOD CRESCENT

VICTORIA, B.C.

29/08/14

SCALE = 1/8"=1'-0"

ZEBRADESIGN

SK-5