



Planning and Land Use Committee Report

For the meeting of December 11, 2014

To: Planning and Land Use Committee **Date:** December 4, 2014
From: Adrian Brett, Heritage Planner, Community Planning Division
Subject: **Heritage Alteration Permit with Variance Application #00193 for 23 Paddon Avenue**

RECOMMENDATION

That Council convene a Hearing for the proposed variance associated with Heritage Alteration Permit Application #00193 for 23 Paddon Avenue and, following the Hearing, that Council consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit with Variance Application #00193 for 23 Paddon Avenue, in accordance with:

1. Revised plans date stamped November 27, 2014;
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Part 1.2.5 Section (b): Relaxation of the minimum rear yard setback from 8.43m to 6.8m for the rear dormer;
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 regarding a Heritage Alteration Permit (HAP) with Variance Application for the property located at 23 Paddon Avenue. The proposal is to add a dormer to the section of the roof facing the rear yard in order to allow enough headspace above an existing staircase to meet the *British Columbia Building Code* (BC Building Code). In order to construct the new dormer, it is proposed that a portion of the existing rear wall be continued up another level. The existing rear-yard setback is 6.86m and the current zoning requires a minimum setback of 8.43m, thus the proposed dormer requires a variance to the required rear-yard setback.

The following points were considered in assessing this application:

- general consistency with the Official Community Plan (OCP)
- consistency with the relevant guidelines of Development Permit Area (DPA) 16: General Form and Character.

BACKGROUND

Description of Proposal

The proposal is to add a dormer to the rear section of the building's roof in order to allow enough headspace above an existing staircase to meet the BC Building Code requirements. Alterations to the exterior and interior are outlined in the letter from the applicant, dated August 25, 2014, and depicted in the drawings dated November 27, 2014.

The Application was reviewed by the Heritage Advisory Panel at its meeting of November 18, 2014, and it was recommended that Council authorize the issuance of Heritage Alteration Permit with Variance Application #00193 for 23 Paddon Avenue, subject to the coordination of the drawings and confirmation of the necessary dormer height to the satisfaction of staff. The revised drawings of November 27, 2014, are now deemed satisfactory by staff.

There are two aspects to this proposal. Firstly, the addition of a dormer to the rear-facing roof of the home is being proposed to allow an existing internal stairway to meet the BC Building Code. The existing headspace at the top of the stairs is 1.82m and the BC Building Code requires a minimum of 2.03m. Secondly, the existing rear-yard setback of the house is 6.86m from the rear lot line, which is non-conforming to zoning requirements. The current R-2 Zone requires a minimum 8.43m rear yard setback. In order to construct the new dormer, it is proposed that a portion of the rear wall be extended upwards from its current placement at 6.86m from the rear lot line.

ANALYSIS

The following sections provide a summary of the Application's consistency with the relevant City policies and guidelines.

Official Community Plan

The *Official Community Plan* (OCP) identifies this property within Development Permit Area (DPA) 16: General Form and Character, which includes a requirement to consider the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Standards and Guidelines). The proposal is generally consistent with the OCP because it continues to conserve the heritage property and is consistent with the Standards and Guidelines.

The dormer addition is compatible with the exterior form of the existing Heritage-Designated property and its setting with respect to its materials and placement. The applicant intends to use materials that are compatible with the existing materials of the house, which this is a best practice as outlined by the Standards and Guidelines. Also, the peak of the dormer addition is to be kept below the peak of the main roof, thus being subordinate to the original roof.

Staff has considered the potential effects of the requested rear-yard variance on neighbouring properties and its impact on the heritage character of the building. Based on staff review, the impact of constructing the rear dormer at a rear setback of 6.68m instead of 8.43m is considered to be relatively minor. Staff recommend that Council support the requested setback variance.

CONCLUSIONS

The impact of constructing the rear dormer at a rear setback of 6.68m is considered to be a relatively minor impact and supports the construction of an addition that is consistent with the character of the Heritage-Designated property. The proposed dormer will also result in a new addition that is compatible with the materials and massing of the exterior form of the existing Heritage-Designated property.

ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application #00193 for the property located at 23 Paddon Avenue.

Respectfully submitted,



Adrian Brett
Heritage Planner
Community Planning Division



Andrea Hudson, Assistant Director
Community Planning Division
Sustainable Planning and
Community Development Department

Report accepted and recommended by the City Manager: _____



Jason Johnson

Date: _____

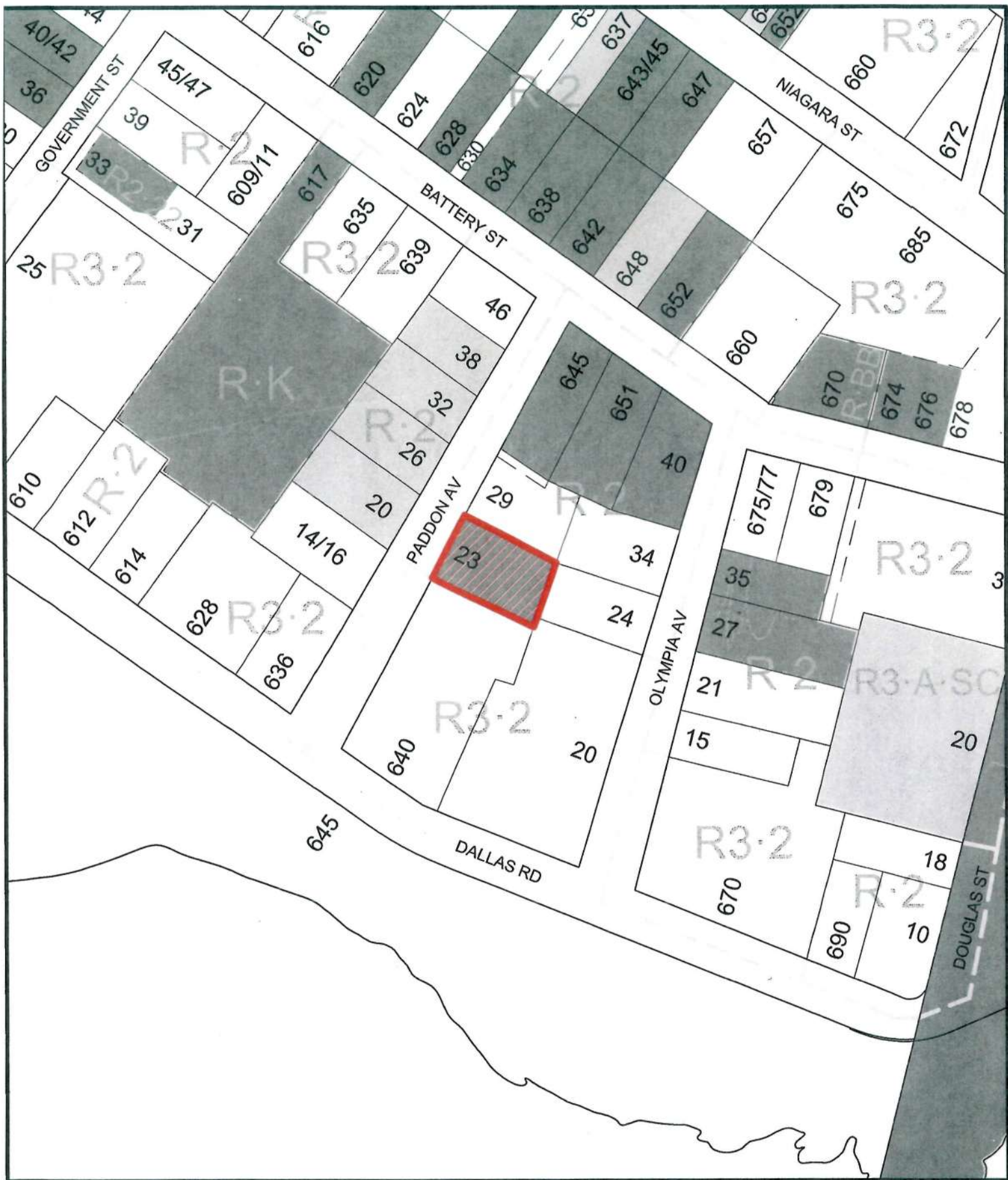
December 4, 2014

AB:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\HAP\HAP00193\PLUC REPORT 23 PADDON AVE HAP NOV 27 2014.DOC

List of Attachments

- Subject map
- Letter from the applicant, dated August 25, 2014
- Letter from the architect, dated November 27, 2014
- Revised plans and elevations, dated November 27, 2014.



23 Paddon Avenue

Heritage Alteration Permit #00193

Designated Registered



August 25, 2014

John and Theresa Gillan
23 Paddon Avenue
Victoria, BC V8V 2M6
250 516-8139



ATTENTION: MR. MURRAY MILLER

APPLICATION TO VICTORIA HERITAGE ASSOCIATION TO ADD DORMER TO REAR OF DWELLING

Please find attached pictures of 23 Paddon Avenue, showing side view and rear view.

Our intention is to build a dormer on the rear of the house, as per our drawing. There is a skylight there now. There are existing dormers on the remaining 3 sides.

A rear dormer will allow us the necessary headroom to bring staircase to code.

We understand that once we have Heritage permission we will proceed for a City of Victoria Permit, and include architectural elevation drawings, as well as floor plan drawings.

I hope we have provided you with enough information so the review process may begin.

Please contact us at the above phone number for any questions.

Thank you,

John and Theresa Gillan

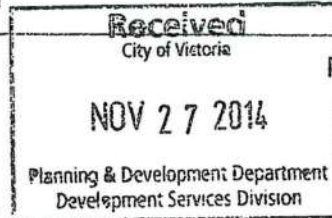


Peter McCutcheon <pmc.vic@gmail.com>

Heritage Alteration Permit for 23 Paddon**Peter McCutcheon** <pmc.vic@gmail.com>

To: "abrett@victoria.ca" <abrett@victoria.ca>

Cc: "terry.gillan@hotmail.com" <terry.gillan@hotmail.com>



Mon, Nov 24, 2014 at 3:19 PM

Hello Adrian:

As requested, here is the response to your query regarding the height of the proposed gable:

The gable roof over the stairway that is the subject of this Request for Variance is proposed and drawn at the minimum height required by the B.C. Building Code, i.e., 6'8". The cross-section shown on Dwg. A5 of the applicants submission is taken through the ridge of the proposed gable along the centre line of the reverse stair. The interior spring line of the gable, measured vertically from the top-most riser of the staircase on the south wall of the stairway is 6' 8" above the nosing of that stair, as required by code.

Since a gable roof was deemed more in keeping with the existing architecture rather than a shed roof, and the proposed gable roof-slope matches the existing roof slopes, the resulting ridge line of the new dormer resides slightly below the top-most ridge line of the existing structure. This is compatible with the other existing gables in the house.

I trust that this explanation is satisfactory for your purposes.

Cheers,



Request for Variance
23 Paddon Avenue, Victoria

Amd. Lot 5 (DD 2085811)
Plan 767
R2 Zone

Theresa & John Gillan
250-516-8139

Nature of Variance

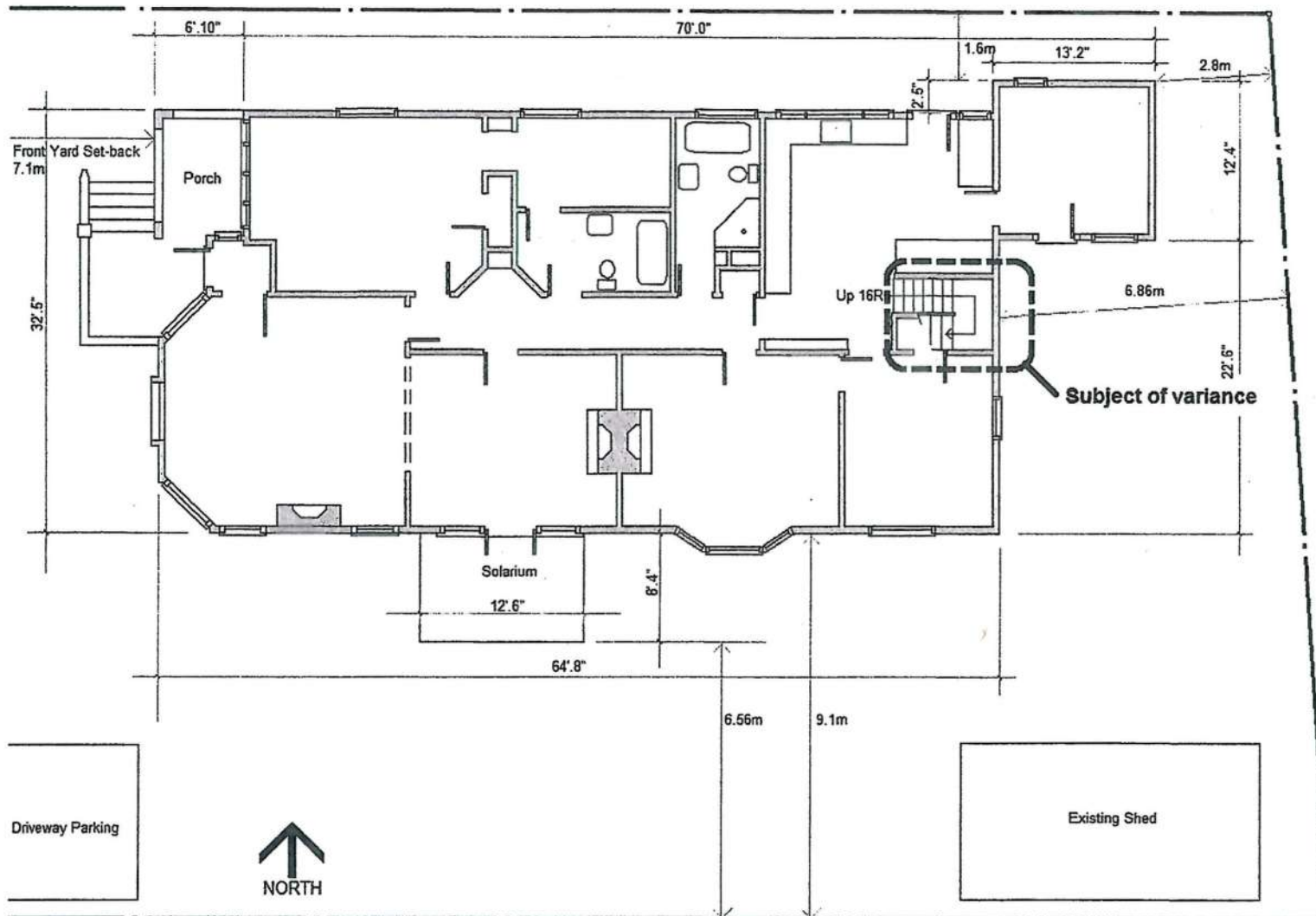
The building inspection department of City of Victoria has requested that the existing staircase access to the upper half-storey be brought to compliance with the Building Code. The existing configuration provides for 6 ft. headroom above the stair nosing and the code requires 6' 8". The proposed solution is the addition of a gable above the stairs which are located at the rear of the property. The existing rear yard setback is 6.86m and the current zoning requires 7.5m.

The variance requested is to allow the addition of the gable above the existing rear wall of the residence as shown on the enclosed drawings.

Site Plan

A1

Nov. 21, 2014



Request for Variance
23 Paddon Avenue, Victoria

Amd. Lot 5 (DD 208581I)
Plan 767
R2 Zone

Theresa & John Gillan
250-516-8139

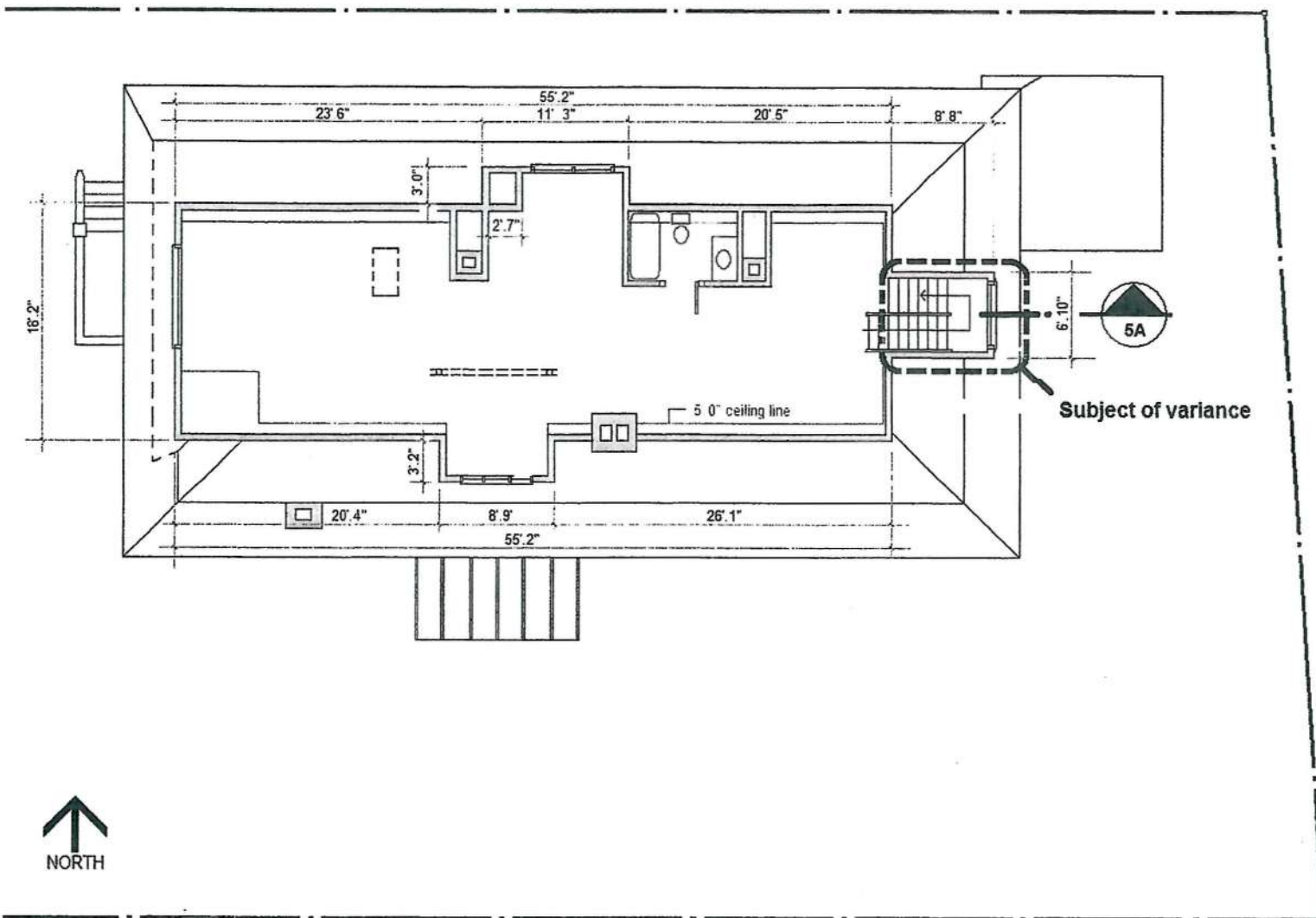
Statistics

| | |
|--|---------------|
| Zone | R1-B |
| Lot Area | 7,700 sq. ft. |
| Footprint | |
| Residence | 2,256 sq.ft. |
| Shed | 276 sq.ft. |
| Solarium | 108 sq.ft. |
| Total Structures | 2,640 sq.ft. |
| Site Coverage | 34.3% |
| Habitable Area | |
| Main Floor | 1,968 sq.ft. |
| Half Storey | 1,027 sq.ft. |
| Total Area | 2,995 sq.ft. |
| Maximum Area Permitted (280 m ²) | 3,013 sq.ft. |
| Open Site Space | 62.5% |
| Structures | 2,640 sq.ft. |
| Parking | 250 sq.ft. |
| Total | 2,890 sq.ft. |

Existing
Main Floor Plan
Scale 1/8" = 1'. 0"

A2
Nov. 21, 2014

Revision: Solarium dimension and
 set-back from south property line.



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| Open Site Space | 62.5% |
| Structures | 2,640 sq.ft. |
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| Total | 2,890 sq.ft. |

**Existing
Half Storey
Second Floor**
Scale 1/8" = 1'. 0"

A3

Nov. 21, 2014

Request for Variance
23 Paddon Avenue, Victoria

Amd. Lot 5 (DD 208581I)
Plan 767
R2 Zone

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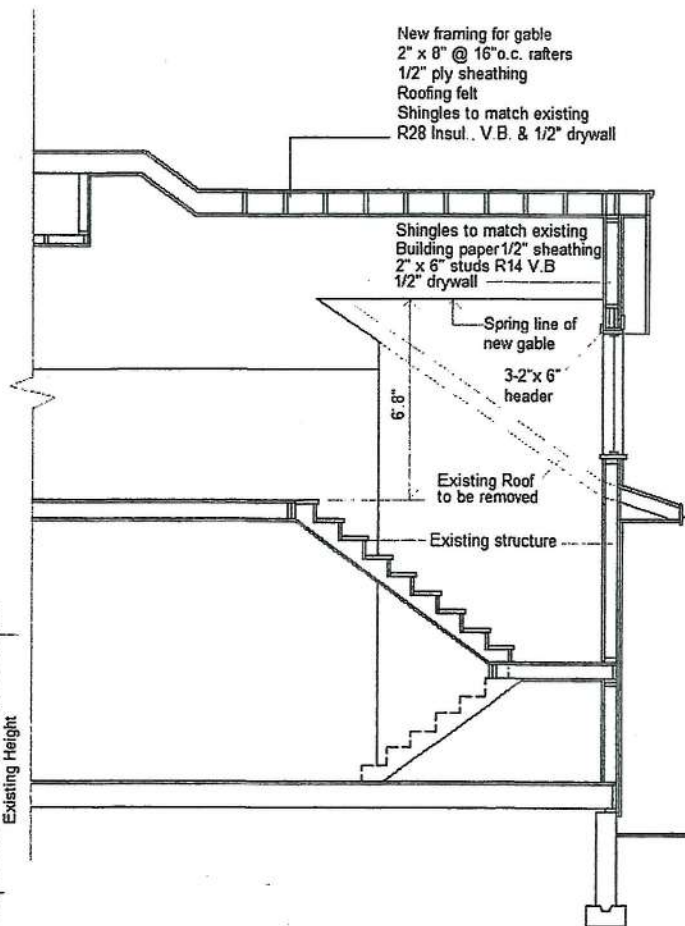
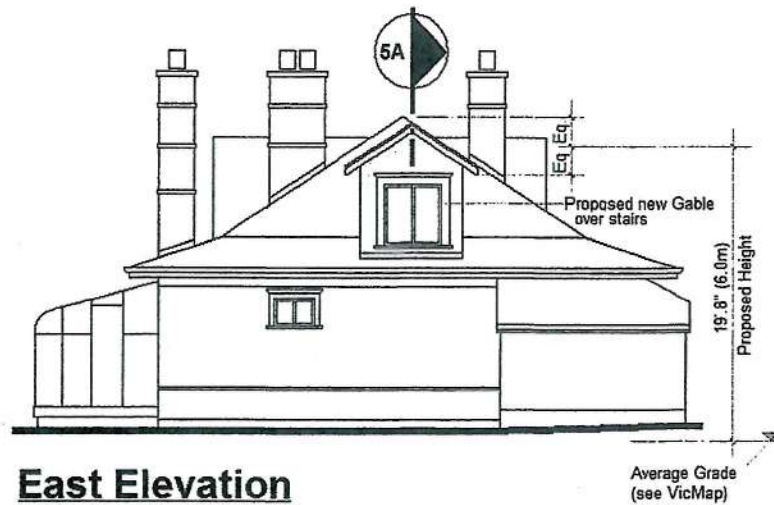
North Elevation



South Elevation

Elevations
Scale 1/8" = 1'. 0"

A4
Nov. 21, 2014



Request for Variance
23 Paddon Avenue, Victoria

Amd. Lot 5 (DD 208581)
Plan 767
R2 Zone

Theresa & John Gillan
250-516-8139

Elevations and Sections

A5

Nov 12, 2014

Revision. Height dimension

Proposed and Existing

Re-drawn for clarification Nov. 26



Printed from VicMap (Internal Version)

| Reference | Average Grade Calculator | | Average | Distance | Calculated |
|-----------|--------------------------|--------------|---------|----------|------------|
| | First Point | Second Point | | | |
| A B | 20.75 | 21.10 | 20.93 | 11.70 | 244.82 |
| B C | 21.10 | 21.75 | 21.43 | 23.40 | 501.35 |
| C D | 21.75 | 21.65 | 21.70 | 3.40 | 73.73 |
| D E | 21.65 | 21.60 | 21.63 | 2.70 | 58.39 |
| E F | 21.60 | 21.50 | 21.55 | 7.60 | 163.73 |
| F G | 21.50 | 21.70 | 21.35 | 9.80 | 209.23 |
| G H | 21.70 | 21.00 | 21.10 | 1.90 | 40.09 |
| H I | 21.00 | 21.00 | 21.00 | 4.70 | 98.73 |
| I J | 21.00 | 21.10 | 21.05 | 1.90 | 40.03 |
| J A | 21.10 | 20.75 | 20.93 | 6.30 | 131.83 |
| | | | | 73.4 | 1561.9575 |

Average Grade 21.28

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Grade
Calculations

A6
Nov. 21, 2014

