

Planning and Land Use Committee Report

For the meeting of November 6, 2014

To: Planning and Land Use Committee **Date:** October 21, 2014
From: Charlotte Wain – Senior Planner, Urban Design
Subject: **Development Permit with Variances #000333 for 2005 Cook Street**
Application to demolish a workshop addition of an existing legally non-conforming commercial building and construct a two-storey addition.

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application with Variances for the property located at 2005 Cook Street. The Application is to construct a two-storey addition to an existing legally non-conforming commercial building.

The following factors were considered in reviewing this Application:

- The proposal is considered generally consistent with DPA 16 (General Form and Character).
- A variance to the parking standard is being requested, reducing the requirement from four to three stalls. The reduction is considered supportable since the reconfigured access on Pembroke Street will provide a safer parking solution for customers with the removal of the drive aisle on Cook Street.
- The proposed addition will increase the commercial frontage and particularly the number of windows at the intersection of Cook Street and Pembroke Street.

For the above reasons, staff recommend that the Committee support this Application.

In accordance with the City's *Land Use Procedures Bylaw*, this Development Permit Application has variances, therefore, it requires notification, sign posting and a hearing.

Recommendations

1. That Council schedule a Hearing to consider Development Permit Application with Variances #000333 for 2005 Cook Street.
2. Following the Hearing, that Council consider authorizing the issuance of the Development Permit with Variances #000333, in accordance with:
 - a. plans dated 31 July, 2014;
 - b. development meeting all Zoning Regulation Bylaw requirements, except for the following:
 - i. Schedule C, Section 7.2(b) - decrease the distance of an off-street parking space from the street boundary from 1.0 m to 0.55 m,
 - ii. Schedule C - Section 16.C.4 & 5 - decrease the number of off-street parking spaces from 4 (3 Retail, 1 Office) to 3,

- iii. Schedule C - Section 17(2) - decrease the number of Class 1 bicycle spaces (rack) from 3 to 2;
- c. final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,



Charlotte Wain
Senior Planner – Urban Design
Development Services



Deb Day, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager:

Jason Johnson

Date: October 30, 2014

CW:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000333\PLUSC PLANNING REPORT TEMPLATE DP & DVP3.DOC

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application with Variances for the property located at 2005 Cook Street.

2.0 Background

2.1 Description of Proposal

The Application is to construct a two-storey addition to an existing legal non-conforming commercial building, currently occupied by the Electric Mobility Store. The total floor area of the existing building and proposed addition will be 126.90 m².

The exterior materials include a combination of pine tongue and groove and concrete fiberboard with prefinished aluminum flashing along the roof edge.

The landscape treatment will consist of:

- unit paving laid out in a manner to distinguish pedestrian access from vehicular access and parking
- a landscape strip along the north and east extents of the rear parking area
- planting along the south property line adjoining Pembroke Street
- a landscape strip and raised planters between the Cook Street property boundary and the forecourt to the addition.

2.11 Sustainability Features

The proposal includes the reuse of an existing building and provision of bicycle parking for staff and members of the public, in addition to the retention of the municipal boulevard tree. No other green building features are proposed.

2.2 Existing Site Development and Development Potential

The site has an area of 267.7 m² and is currently occupied by an existing non-conforming commercial building in the R-2 Zone (Two Family Dwelling District). The building is legal non-conforming with regards to its use, therefore, structural alterations or additions may be considered at the Board of Variance. To this end, on June 25, 2014, the Board of Variance approved a building addition and a number of associated setback variances, which are identified in the data table below. However, the Board of Variance is not empowered to consider parking variances, location of parking stalls, number of bicycle stalls or Development Permit Applications, therefore, this Application addresses these items.

2.3 Data Table

The following data table compares the proposal with the existing R-2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk identifies an existing legally non-conforming condition. The acronym "BOV" identifies the setbacks that have been approved by the Board of Variance.

Zoning Criteria	Proposal	R- 2 Zone Standard
Site area (m ²) – minimum	267.70	230.00
1 st and 2 nd storey floor area (m ²) – maximum	126.90	280.00
Total floor area (m ²) – maximum	126.90	300.00
Density (Floor Space Ratio) – maximum	0.47:1	n/a
Height (m) – maximum	7.26	7.60
Site coverage (%) – maximum	39.60	40.0
Storeys – maximum	2	2
Setbacks (m) – minimum North (side)	0.25** (existing lower) 6.05 (proposed upper)	1.50
South (side – Pembroke St)	3.25* (proposed lower) (BOV)	3.50
East (rear)	7.23* (BOV)	7.50
West (front – Cook St)	Nil** (existing lower) 5.96* (proposed upper) (BOV)	7.50
Combined side yards (m) – minimum	3.50* (BOV)	4.50
Parking – minimum	3*	4 (3 Retail, 1 Office)
Separation space between the street boundary and a parking space (m) – minimum	0.55*	1.00
Driveway/parking material	Concrete unit pavers	Non-permeable
Bicycle rack – minimum		
Class 1	2*	3
Class 2	6	3

2.4 Land Use Context

The immediate land use context includes:

- to the north (side) is a three-unit residential building to the south (across Pembroke Street) is an office building
- to the immediate east (along Pembroke Street) is a property containing four residential units
- to the west (across Cook Street) is a single family dwelling with basement suite.

2.5 Legal Description

Parcel A (DD 144704I) of Lots 1 and 2, Block 4, Section 3, Victoria District, Plan 62.

2.6 Consistency with City Policy

2.6.1 Official Community Plan (OCP)

The property located at 2005 Cook Street is covered by Development Permit Area 16, General Form and Character. The proposed alterations to the existing legal non-conforming commercial building are exempt from DPA 16 guidelines, however, the new addition is not exempt. The new addition portion of the proposed development has, therefore, been assessed against the objectives of DPA 16 and the *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* (2012) in relation to its exterior design and landscaping.

The subject property is prominently visible from Cook Street, a busy arterial road, and from the established residential neighbourhood to the east.

The objectives of DPA 16 include the integration of commercial buildings into a neighbourhood as well as enhancing the place character of established areas and their streetscapes through high quality architecture, landscape and urban design that respond to each distinctive setting through sensitive and innovative interventions.

2.6.2 Design Guidelines

The *Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development* are applicable and the proposal complies with the Guidelines, as follows:

- the proposed development adds interest to the streetscape through variations in rooflines
- the proposed development is on a corner site, with the building addition being designed to address both Cook Street and Pembroke Street
- a variety of architectural building materials have been provided and are continued around the building from the Cook Street façade to the Pembroke Street façade
- parking is located at the rear or side of the building, with planting being used to screen the parking from public view
- bike racks have been provided.

2.7 Community Consultation

In compliance with the *Community Association Land Use Committee (CALUC) Procedures for Processing Variances*, the Application was referred to the Fernwood CALUC on November 4 2013, and July 21, 2014 (revisions), for a 30-day comment period. No comments were received at the time of writing this report.

In accordance with the *City's Land Use Procedures Bylaw*, since this Development Permit Application has Variances, it requires notification, sign posting and a hearing.

3.0 Issues

The structural alteration to the existing non-conforming building and resulting variances associated with front, rear and side yard plus the combined setbacks have already been approved by the Board of Variance at a hearing held on June 25, 2014. The key issues associated with this Application are therefore limited to:

- consistency with design guidelines
- parking variance.

4.0 Analysis

4.1 Consistency with Design Guidelines

The current building is a modest and older single-storey building with a flat roof. The proposed addition would increase the extent of the building fronting the intersection of Cook Street and Pembroke Street, through additional windows along both elevations. While the predominant character of adjacent residences is traditional single-family residences with pitched roofs, the proposed shed roof is lower than the adjacent buildings and allows for a sensitive transition from the existing flat roof to the neighbouring properties. Window placement on the new addition will have a minimal impact on the adjacent neighbour at 1110 Pembroke Street as the rear parking provides an adequate buffer between the two buildings.

The applicant states in the cover letter that the choice of exterior finishes is a key component of integrating the proposed addition into the established neighbourhood. HardiePanel with metal reveals are proposed on the main floor, which are considered complementary to the commercial use. The upper floor is clad in horizontal pine siding and complements the adjacent property at 1110 Pembroke Street.

4.2 Parking Variance

A parking variance of one stall is being requested. Staff recommend that this is supportable since the proposed addition will allow for a reconfigured parking layout with two stalls located at the rear and one at the side accessed off Pembroke Street, which will enhance the streetscape presence along Cook Street. This is considered preferable and safer than the current access off Cook Street. As this one stall shortfall will have a relatively minor impact on neighbouring residents and businesses, staff recommend that Council support the proposed parking variance.

The distance between a parking space and the property line is proposed to be reduced from 1 m to 0.55 m. The intent of this requirement is to allow for appropriate landscape treatment, which in this case will result in limited screening of the parking stall adjacent to Pembroke Street. Although this is not preferable, the existing vegetation that would remain would help to soften the visual impact of this stall.

A variance of one secure bicycle stall, located inside the building, is also being requested. The applicant has informed staff that only three members of staff work at the premises at any given time, therefore, given the nature of the business as a mobility store, staff recommend that Council support the proposed bicycle parking variance.

5.0 Resource Impacts

There are no resource impacts anticipated with this Application.

6.0 Conclusions

The proposed addition is consistent with City policies and applicable design guidelines and will provide an enhanced building edge along Cook Street and Pembroke Street. The variance requested in relation to the one stall shortfall and distance between the parking stall and property line will not significantly affect the neighbouring residents and businesses.

Staff recommend that the Planning and Land Use Committee support this Application and advance it to a Hearing.

7.0 Recommendations

7.1 Staff Recommendations

1. That Council schedule a Hearing to consider Development Permit Application with Variances #000333 for 2005 Cook Street.
2. Following the Hearing, that Council consider authorizing the issuance of the Development Permit with Variances #000333, in accordance with:
 - a. plans dated 31 July, 2014;
 - b. development meeting all Zoning Regulation Bylaw requirements, except for the following:
 - i. Schedule C, Section 7.2(b) - decrease the distance of an off-street parking space from the street boundary from 1.0 m to 0.55 m,
 - ii. Schedule C - Section 16.C.4 & 5 - decrease the number of off-street parking spaces from 4 (3 Retail, 1 Office) to 3,
 - iii. Schedule C - Section 17(2) - decrease the number of Class 1 bicycle spaces (rack) from 3 to 2;
 - c. final plans to be generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternate Recommendation (decline)

That Council decline Development Permit with Variances #000333 for 2005 Cook Street.

8.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated April 16, 2014
- Architectural plans dated 31 July, 2014
- Landscape plan dated 2 October 2014.

PEMBROKE ST

COOK ST

**ROYAL
ATHLETIC
PARK**





2005 Cook Street
Development Permit #000333





VICTORIA DESIGN G R O U P

103 – 891 Attree Ave. Phone. 250.382.7374
Victoria, B.C. V9B 0A6 Fax. 250.382.7364
Website: www.victoriadesigngroup.ca
Email: info@victoriadesigngroup.ca



April 16, 2014

Development Services Division
City of Victoria
1 Centennial Square
Victoria, BC
V8W 1P6

SUBJECT: 2005 COOK STREET – DEVELOPMENT PERMIT APPLICATION

Mayor and Council,

We are proposing to renovate the existing building, as shown in the attached drawings. The renovation will necessitate demolition of the old work shop portion at the rear of the building, and construction of a new addition to the south side of the existing building. This will allow for rear access parking.

RATIONALE

The current building is a modest and dated single storey with a flat roof. We are proposing a two-storey addition to the south, with a sloped pitch roof that will help transition the proposed addition to the neighbouring homes to the existing flat roof commercial building. The addition overall height will be lower than the immediate neighbours' homes, providing a sensitive evolution to the adjacent properties.

The choice of exterior finishes is key in integrating this building into this established neighbourhood. We are proposing the use of Hardy Panel with metal reveals on the main floor, complementary to its commercial use. The upper floor-- while maintaining its contemporary architectural form-- would transition to horizontal pine siding to echo the use of interrelated colour and texture in the surrounding homes.

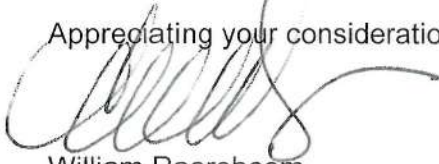
The proposed renovation and addition will necessitate the demolition of the old workshop at the rear of the building. This will allow for rear access parking, entering off Pembroke Street. This is preferable and safer than the current access off Cook Street where patrons are required to back out onto a very busy street. The removal of this structure will increase the building setback to the neighbouring buildings to the East and South side yards flanking Pembroke. A more enhanced streetscape would be naturally achieved.

The courtyard is proposed on the Southwest corner of the property where Cook and Pembroke connect. The surrounding landscape, featuring shrubbery, potted greenery and foliage, would lend itself well to the natural environment of the neighbourhood. Rear fencing and parking would create a continuum of the community vibe.

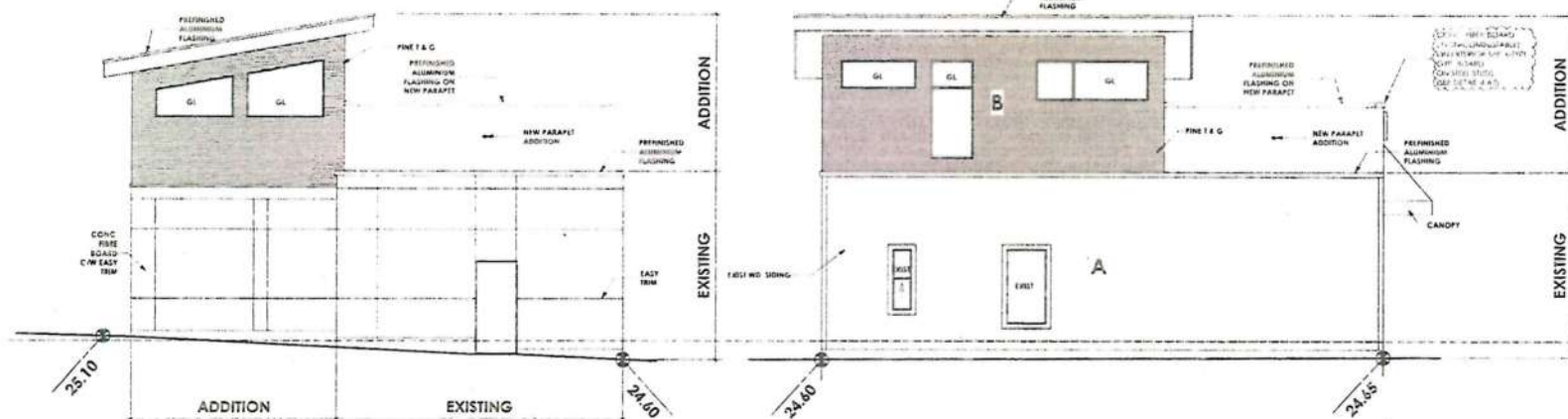
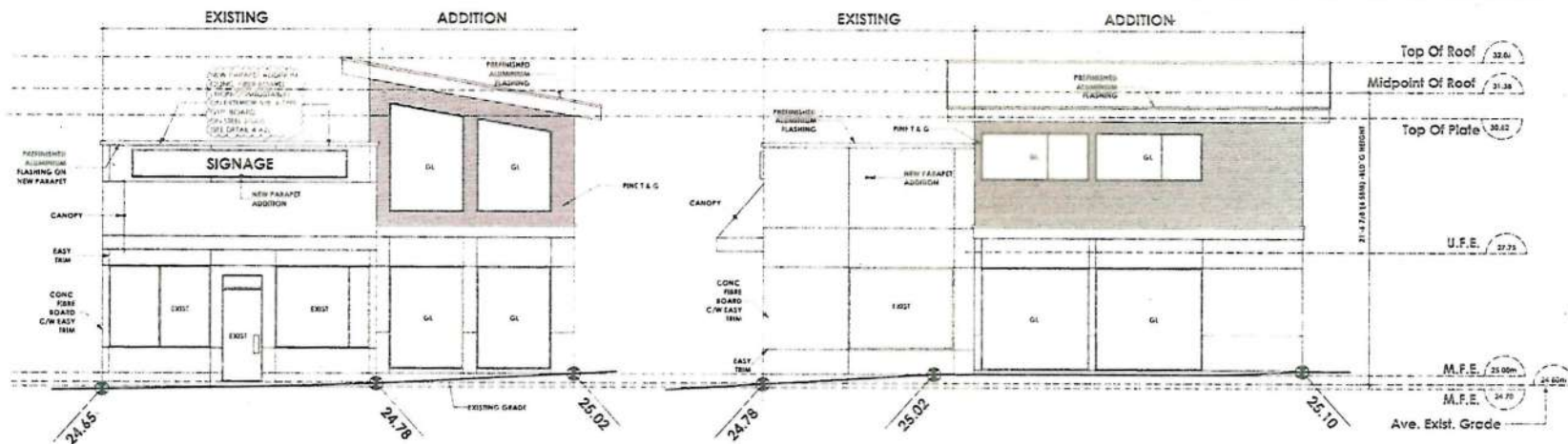
SUMMARY

Aesthetically, the proposed renovation and addition will contribute a bright and clean composition, contemporary lines, dynamic form, and richness of materials and finish, thereby strengthening the existing streetscape. In terms of safety, the Pembroke Street access will provide staff and customers with secure parking navigability.

Appreciating your consideration,

A handwritten signature in black ink, appearing to read 'William Peereboom', with a long, sweeping horizontal line extending to the right.

William Peereboom,
Owner, Victoria Design Group



A
LIMITING DISTANCE - 0.25 M
EXISTING NON-CONFORMING

B

Limiting Distance	0.25	m
Exposure Building Face	23.0	sq m
Allowable Openings	11	%
Allowable Opening Area	22.5	sq m
Proposed Openings	5.1	sq m

PROFESSIONAL SEALS

Consentants

List of Drawings

NO.	DATE	DESCRIPTION
01	04/10/13	95% Complete
02	04/10/13	Third Party: SHS Added
03	09/14/13	City Comments
04	09/24/14	City Comments
05	04/22/14	City Comments
06	04/24/14	Bicycle Parking
07	07/24/14	Bicycle Parking & Bldg Mt.

ISSUES/REVISED

General Contractor and/or Owner to verify and thoroughly review all aspects of this plan for compliance with all applicable codes and standards. Any discrepancies must be reported to Building Department or other authority responsible for enforcement of applicable codes and standards. Building Department not liable for changes made to plans or other information to report discrepancies. Refer to current codes included on plan.

Under B.C. 1.1 to verify plan and other information and all other plans do not constitute a contract with a contractor. With B.C. 1.1 to ensure proper placement of dimensions on the plan to verify work. Building Department not responsible for any discrepancies of any kind with regard to plan or other information or dimensions on plan.

Should Engineer or contractor (where required) need specific direction or detailed information, it is the responsibility of the architect or contractor to seek and obtain all engineering requirements with necessary building department plans to starting work.

Uses dimensions to review plans to verify that design when using, confirm and correct, and to confirm building program to ensure it complies with requirements.

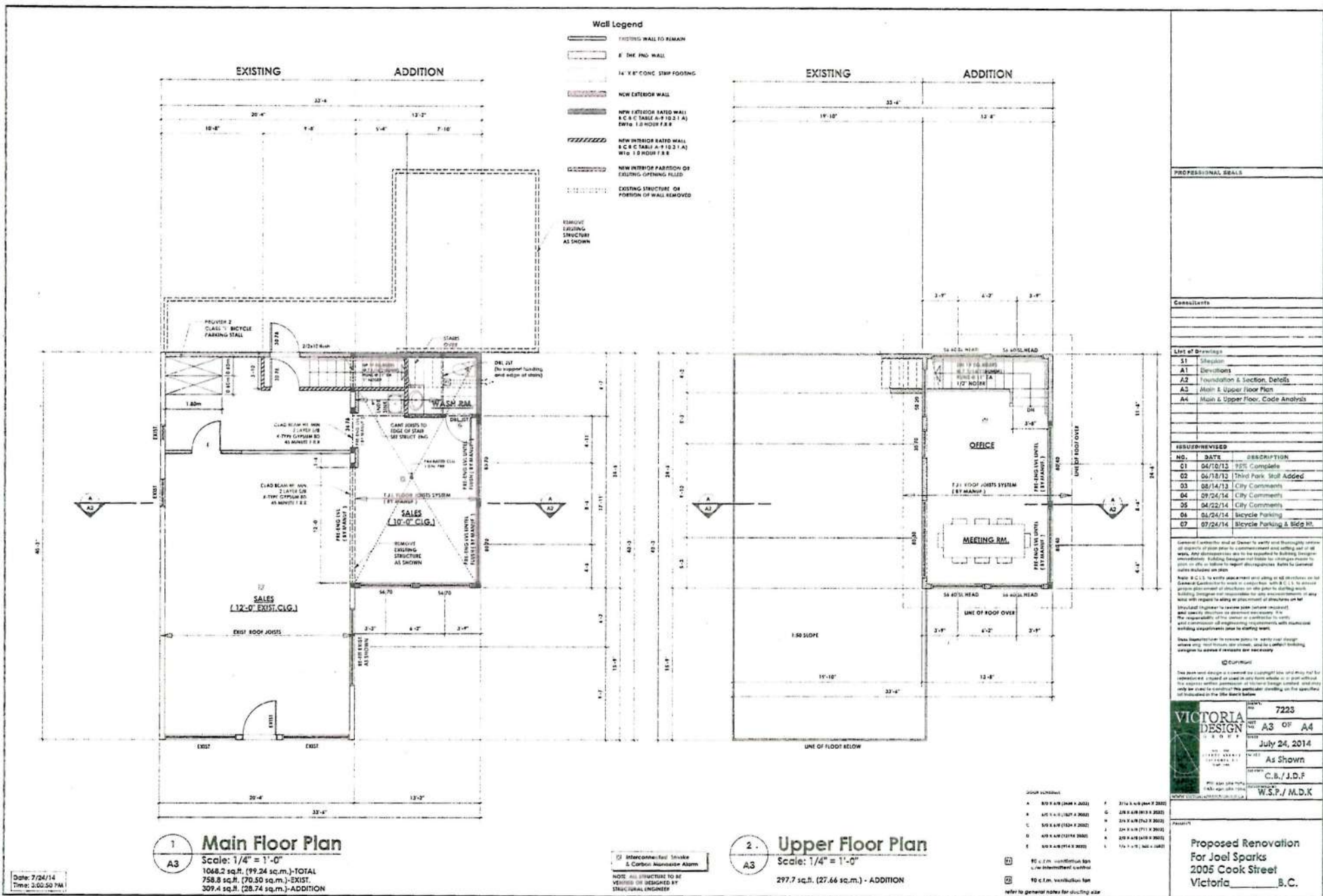
Copyright

This plan and design is created by copyright law and may not be reproduced, stored or used in any form without the prior written consent of the architect or engineer. This plan and design may be used for other projects only with the prior written consent of the architect or engineer.

VICTORIA DESIGN GROUP

7223
A1 OF A4
July 24, 2014
As Shown
C.B./J.D.F.
W.S.P./M.D.K.

**Proposed Renovation
For Joel Sparks
2005 Cook Street
Victoria, B.C.**



Date: 7/24/14
Time: 3:00:50 PM

[illegible][illegible]

2005 *cook street*
LANDSCAPE LAYOUT

the 1990s and
after the 2000s (Chen 2011)

[illegible]

NOTES:

- [illegible]



LEGEND

HARDSCAPE FINISHES:

- | | | | |
|--|--|--|--|
| <p>PP1</p>  <p>Concrete and paving. Old Country Stone, Thermal, Tiger 1 and 2, Boulder</p> | <p>PP2</p>  <p>Concrete and paving. Old Country Stone, Thermal, Tiger 1 and 2, Boulder</p> | <p>PP3</p>  <p>Concrete and paving. Old Country Stone, Thermal, Tiger 1 and 2, Boulder</p> | <p>PP4</p>  <p>Concrete and paving. Old Country Stone, Thermal, Tiger 1 and 2, Boulder</p> |
|--|--|--|--|

SOFTSCAPE

- 

MISCELLANEOUS

- Wynne's break is usually about 150 days, to match existing

NOTES:

- [illegible]

