



Planning and Land Use Committee Report

For the Meeting on September 18, 2014

To: Planning and Land Use Committee **Date:** September 4, 2014
From: Helen Cain, Senior Planner
Subject: Development Permit Application with Variances #000359 for 1479 Fort Street

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 1479 Fort Street. The applicant is requesting variances to reduce off-street parking requirements and setbacks for a bike shelter.

The following points were considered in assessing this application:

- The applicant wishes to undertake interior improvements to increase the number of suites in the apartment from eight to nine self-contained dwelling units, which would require 12 parking stalls to comply with the zoning regulations in Schedule C.
- Six on-site parking stalls would be retained and a new, covered bike rack structure ("bike shelter") would be located within the side yard setback.
- Staff have no concerns about the proposed reduction in vehicle parking because the property is located on a major transit route along Fort Street and the proposed bike shelter would provide double the required spaces.
- The variances related to the accessory structure will have little impact on the neighbouring properties and have partially arisen from the applicant working with staff to ensure protection of a mature Cedar tree.


Staff recommend that the Planning and Land Use Committee support the Development Permit Application with Variances advancing to a Hearing.

Recommendations

1. That Council schedule a Hearing to consider Development Permit Application with Variances #000359 for 1479 Fort Street.
2. Following the Hearing, that Council consider authorizing the issuance of the Development Permit with Variances for 1479 Fort Street, in accordance with:
 - a. plans for Development Permit Application with Variances #000359, stamped August 28, 2014;
 - b. development meeting all *Zoning Regulation Bylaw* requirements, except for the following:
 - Part 3.10 – R3-AM-2 Zone, Mid-Rise Multiple Dwelling District
 - minimum off-street parking requirements reduced from 12 to six stalls for a multiple dwelling with not more than nine rental units

- o minimum setback from the street for an accessory building reduced from 7.50 m to 6.46 m
 - o minimum separation distance between an accessory building and principal building reduced from 2.40 m to 1.50 m; and,
- c. final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,



Helen Cain
Senior Planner
Development Services Division





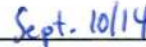
Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager: _____



Jason Johnson

Date: _____



HC:aw/ljm

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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 1479 Fort Street.

2.0 Background

2.1 Description of Proposal

The applicant wishes to undertake interior improvements to increase the number of suites in an existing apartment building from eight to nine rental units, which would require 12 parking stalls to comply with the Schedule C (Parking Requirements) of the *Zoning Regulation Bylaw*. Six parking stalls on the subject site would be retained and a new covered bike rack ("bike shelter") would be located within the south side yard setback. Three variances are requested to reduce the minimum number of parking stalls and the distance of the bike shelter from the street and between the bike shelter and apartment building.

In an early version of the proposal, the bike shelter was sited in the front yard near a Bylaw-Protected Cedar tree in the northeast corner of the lot. Following staff direction to ensure tree retention, the applicant shifted the bike shelter to the south side yard, near the side entrance of the apartment building.

2.1.1 Sustainability Features

To offset impacts of the shortfall in parking stalls on surrounding streets, the applicant also proposes to install two bicycle racks (12 spaces) whereas the regulations only require one rack. The proposal also includes some new trees and plantings in the front and south side yards.

2.2 Existing Site Development and Development Potential

The data table (below) compares the proposal with the R3-AM-2 Zone (Mid-Rise Multiple Dwelling District). The proposal is less stringent than zone standards for the criteria identified with an asterisk (*) and a double asterisk (**) identifies legal non-conforming existing conditions.

Zoning Criteria	Proposal	Zone Standard R3-AM-2
Site area (m ²) – minimum	741.00**	920.00
Total floor area (m ²) – maximum	578.00	n/a
Density (Floor Space Ratio) – maximum	0.56:1	0.6:1
Height (m) – maximum	8.50	12.00
Storeys – maximum	2	4
Site coverage of main building (%) – maximum	32.80*	30.00
Open site space (%) – minimum	30.50	30.00
Setbacks (m) – minimum		
Front (principal building)	3.48**	7.50
Rear (principal building)	20.00	4.26
East side (principal building)	1.54**	4.26
West side (principal building)	1.01**	4.26

Zoning Criteria	Proposal	Zone Standard R3-AM-2
From street (accessory building)	6.47*	7.50
Separation space between accessory building and principal building	1.51*	2.40
Vehicle parking – minimum	6*	12
Bicycle rack – minimum	2 (12 spaces)	1 (6 spaces)
Bicycle storage - minimum	0**	9

2.3 Land Use Context

The immediately adjacent land uses are:

- North: commercial offices and one self-contained dwelling unit
- South: three single-family dwellings
- West: apartment building
- East: apartment building.

2.4 Legal Description

Lot 4, Section 74, Victoria District, Plan 309, except that part outlined in red on Plan 127 BL

2.5 Consistency with City Policy

2.5.1 Official Community Plan, 2012

The *Official Community Plan, 2012* (OCP) designation for the subject property is Urban Residential, where the OCP envisions housing growth along major public transit routes. It should also be noted that the OCP provides direction in Policy 7.11 to support transportation development management measures, including reduced parking requirements.

2.6 Consistency with Design Guidelines

The proposed bike shelter, which is an accessory structure, and new landscaping are subject to OCP Development Permit Area 7B Corridors Heritage. In DPA 7B, the form, character, finishes and landscaping details for new development are controlled and regulated in relation to the *Advisory Design Guidelines for Buildings, Signs and Awnings 1981*. Staff have no concerns about the appearance or siting of the bike shelter and the new landscaping would improve the current site conditions.

2.7 Community Consultation

In accordance with Council's *Community Association Land Use Committee (CALUC) Procedures* for processing Development Permit Applications with Variances, staff referred this application to the Fernwood CALUC. No comments were received prior to this report.

This Development Permit Application has variances; therefore, consistent with the City's *Land Use Procedures Bylaw*, it requires notification, sign posting and a Hearing.

3.0 Issues

The key issues related to this application are:

- vehicle parking shortfall
- bike shelter siting.

4.0 Analysis

4.1 Vehicle Parking Shortfall

Staff consider the requested variance for reduced parking to be acceptable. Alternate modes of transportation would be available given that the subject property is located along the Fort Street transit corridor. The applicant would install two bicycle racks to promote bicycle usage as an alternate mode of transportation.

4.2 Bike Shelter Siting

While the bike shelter would require variances to reduce the setback from the street and the separation distance between the accessory building and the apartment, the choice of location next to the side entrance would be convenient for residents and visitors. This siting would also help to ensure personal safety as the bike racks would be relatively visible from Fort Street. Moreover, the construction of the bike shelter in the south side yard would not impact the Bylaw-Protected Cedar tree.

5.0 Resource Impacts

There are no resource impacts associated with this development.

6.0. Conclusions

Staff recommend that the Planning and Land Use Committee consider supporting this Development Permit Application with Variances advancing to a Hearing. The requested shortfall in parking stalls would be offset with the provision of twice the required amount of bicycle racks, and the subject property is located near public transit. The bike shelter would comply with design guidelines.

7.0 Recommendation

7.1 Staff Recommendations

1. That Council schedule a Hearing to consider Development Permit Application with Variances #000359 for 1479 Fort Street.
2. Following the Hearing, that Council consider authorizing the issuance of the Development Permit with Variances for 1479 Fort Street, in accordance with:
 - a. plans for Development Permit Application with Variances #000359, stamped August 28, 2014;
 - b. development meeting all *Zoning Regulation Bylaw* requirements, except for the following:
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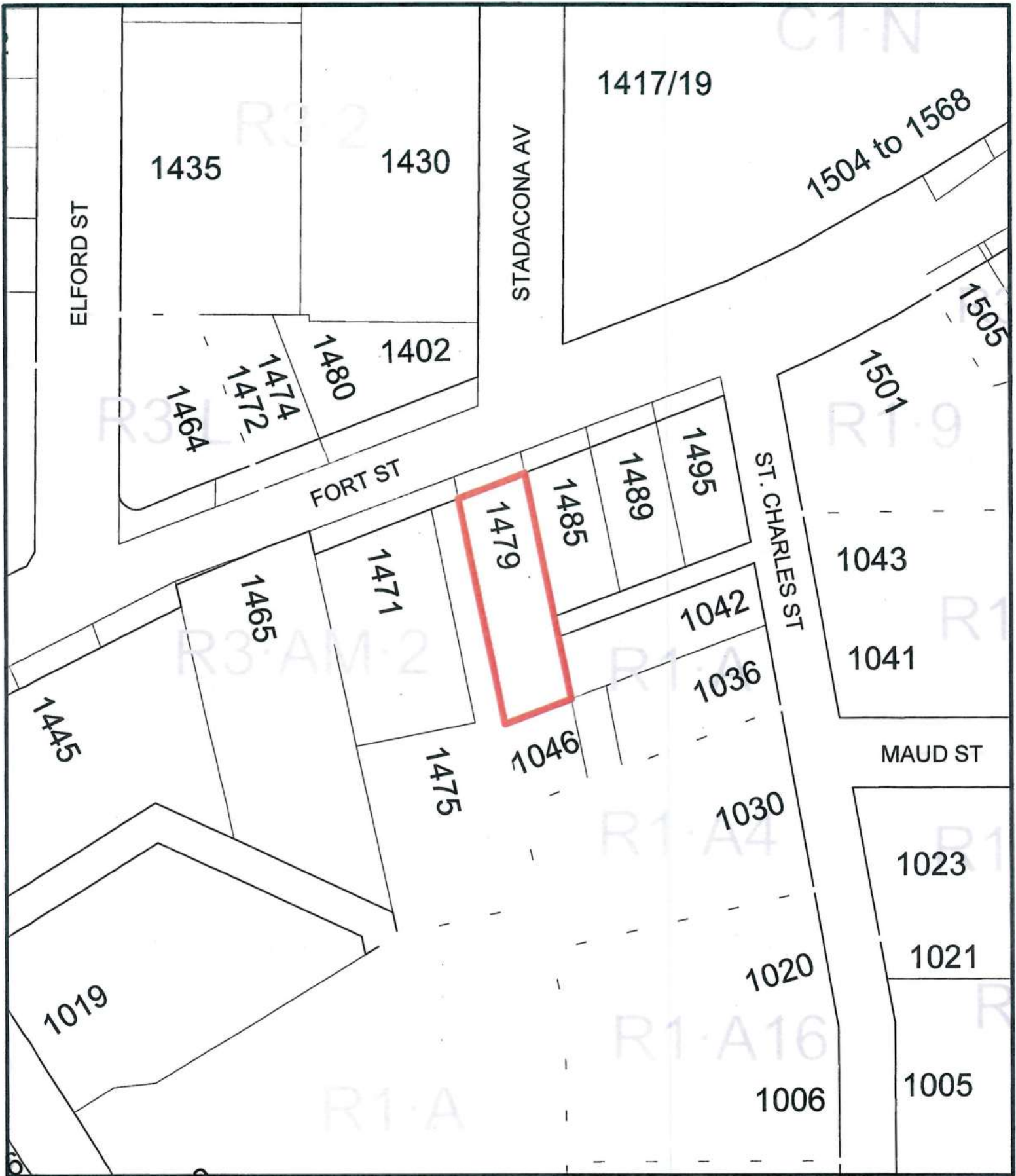
- minimum setback from the street for an accessory building reduced from 7.50 m to 6.46 m
 - minimum separation distance between an accessory building and principal building reduced from 2.40 m to 1.50 m; and,
- c. final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

7.2 Alternate Recommendation (decline)

That Council decline Development Permit Application with Variances #000359 for the property located at 1479 Fort Street.

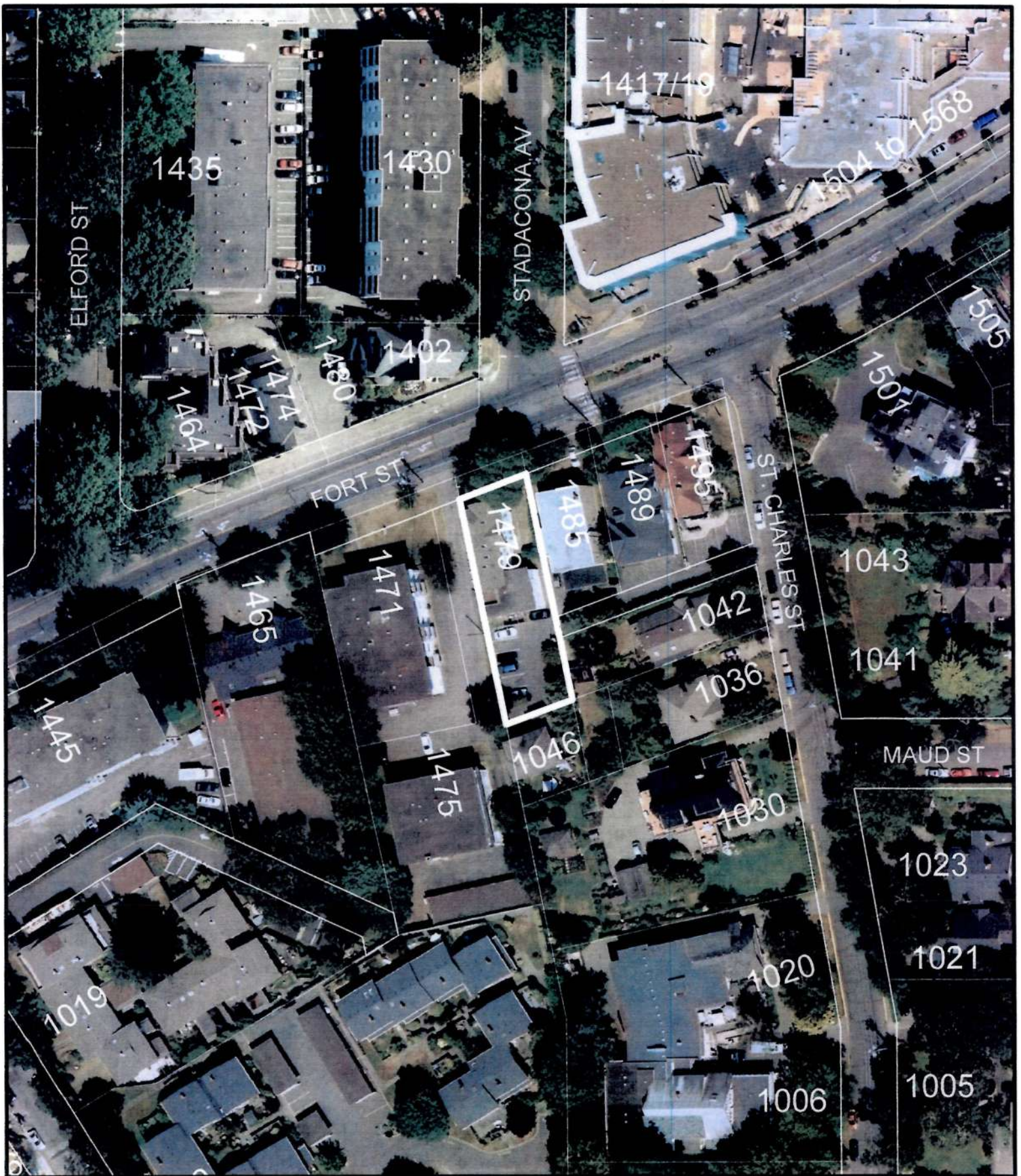
8.0 List of Attachments

- Zoning map
- Aerial photo
- Letters from Eric Barker, stamped August 28, 2014 and March 31, 2014
- Plans for Development Permit Application with Variances #000359, stamped August 28, 2014.



1479 Fort Street
Development Permit #000359





1479 Fort Street
Development Permit #000359



March 27, 2014

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, B.C.
V8W 1P6



Re: 1479 Fort Street

Dear Mayor and Council,

We are applying for a development variance permit approval to add 1 suite to the existing 8 suites currently in the house. The suite is being added into the basement and therefore does not change the building footprint or appearance other than adding windows in the basement wall. The variance is required because the current house with 8 suites and 6 parking stalls doesn't meet schedule 'C' of the Zoning By-law and the addition of our suite adds to the variance.

The argument for this variance is that the house, in its central location, serves young singles and couples working in the downtown area. This is an important component to supporting the vitality of the working population downtown. Unusual to most houses like this, there are 6 parking stalls behind the house accessible by a lane off St. Charles. The addition of the suite in this context will not create additional pressure for parking on site nor in the neighbourhood.

Regards,
Eric Barker Architect Inc.

A handwritten signature in black ink, appearing to be "Eric Barker", written over a large, stylized "E" that also serves as a signature element.

Eric Barker, Architect AIBC, LEED AP

EJB/ab

ERIC BARKER, MAIBC
ARCHITECT inc.

August 28, 2014

Mayor and Council
City of Victoria
1 Centennial Square
Victoria, B.C.
V8W 1P6



Re: 1479 Fort Street

Dear Mayor and Council,

We are applying for a development variance permit approval to add 1 suite to the existing 8 suites currently in the house. The suite is being added into the basement and therefore does not change the building footprint or appearance other than adding windows in the basement wall. The variance is required because the current house with 8 suites and 6 parking stalls doesn't meet schedule 'C' of the Zoning By-law and the addition of our suite adds to the variance.

The argument for this variance is that the house, in its central location, provides rental accommodation for young singles and couples working in the downtown area. This is an important component to supporting the viability of the working population downtown. Unusual to most houses like this, there are 6 parking stalls behind the house accessible by a lane off St. Charles. The addition of the suite in this context will not create additional pressure for parking on site nor in the neighbourhood.

ERIC BARKER, MAIBC
ARCHITECT inc.

We also request the granting of five variance to bring the structure into compliance with zoning regulations. The site coverage and vehicle parking are pre existing conditions

The variances requested are as follows:

Vehicle parking

11 required 6 provided

Bicycle storage (Class 1 facility)

req'd 9 class 1 plus 6 class 2, provided 10 class 2

Site coverage

req'd 30%, provided 27.8%

Setback from the street for the accessory building

Req'd 7.5m, provided 6.47m

Separation distance between the accessory building and the principal building

Req'd 2.4m, provided 1.51m

Regards,
Eric Barker Architect Inc.

A handwritten signature in black ink, appearing to be 'EB', with a stylized flourish at the end.

Eric Barker, Architect AIBC, LEED AP

EJB/ab

ERIC BARKER, MAIBC
ARCHITECT inc.

727 pandora avenue victoria, bc v8w 1n9 p: 250-385-4565 f: 250-385-4566



FORT STREET FACADE

REAR YARD FACADE



Sheet List			
Sheet Number	Sheet Name	Sheet Issue Date	Revised
A100	Cover Sheet	06/26/2014	
A101	Site Plan	06/26/2014	
A102	Basement and L1 & L2	10/06/2013	
A104	Elevations	11/07/13	
A105	Building Section	11/12/13	

Basement Proposed Unit

Unit #	Type	Size	Occupants	Car
9	1 Bedroom	503 sf	N/A	0
Total Areas		503 sf		0

Level 1 Existing Units

Unit #	Type	Size	Occupants	Car
1	1 bachelor	316 sf	Business owner	1
2	2 bedrooms	674 sf	Self employed	1
3	2 bedrooms	924 sf	Students	0
Corridors		280 sf		
Total Areas		2,224 sf		2

Level 2 Existing Units

Unit #	Type	Size	Occupants	Car
4	1 bachelor	318 sf	Self employed	0
5	1 bedroom	455 sf	Student	1
6	1 bedroom	448 sf	Student	1
7	1 bedroom	367 sf	Student	0
8	1 bedroom	332 sf	Students	0
Corridors		343 sf		
Total Areas		1,971 sf		2

RELATION OF PROJECT TO OCP:

The building meets the criteria of the Urban Residential zone in the OCP which foresees buildings detached or attached up to 3 stories as well as multi-unit buildings up to 6 stories.

- Variable setbacks with primary downways facing the street.
- Front yard landscaping and street tree planting
- on street parking and collective driveway to the rear yard.
- ground oriented multi-unit residential.
- FSR up to 1.2

Project description:

Currently the house has 8 approved suites providing rental accommodations for younger single and two person households, either attending educational institutions or working downtown. The house is well located, being on a major bus route and within a block of a commercial centre.

It is proposed to add 1 (one) additional 1 Bedroom Suite, in the basement, to an existing 8 Unit apartment building.

Total number of proposed units: 9
 1 Bedroom: 5 Units (5, 6, 7, 8 & 9)
 2 Bedrooms: 2 Units (2 & 3)
 Bachelor: 2 Units (1 & 4)

DATA:

Zone: R3-AM-2

Building Footprint approx.: 222 sm

Min. Allowable Site Area: 920 sm

Current Site Area: 741 sm

Current Floor Area: 389.7 sm

FSR: (Not including added Suite)
 Floor area / Lot Area =
 389.7 sm / 741 sm = 0.52

FSR Allowable: 0.6:1 (2 Storeys)

Max. Allowable Site Coverage: 30%

Current Site Coverage: 32.8%
 (243 sm of 741sm)

Min. Req'd open Site Space: 30%
 (222.3 sm of 741 sm)

Current Open Site Space: 27.8 %
 (534.69 sm non-open leaves
 206.31 sm of 741 sm open)

Required Parking: 12 stalls

Parking on Site: 6 stalls

Bicycle Parking: 10

Building Height approx. 10.49m (34'-6")
 Midpoint of roof. 8.52m (28'-0")

Existing: 8 units
 Proposed: 9 units

CURRENT SETBACKS:
 Front setback: 3.48 m
 Side setbacks (East): 1.54 m
 Side setbacks (West): 1.01 m

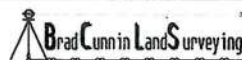
ALLOWABLE SETBACKS:
 All sides: 9m

REQUIRED VARIANCES:

Parking Variance
 Required: 12 (1.3 stalls per Dwelling Unit)
 Current: 6

Site Coverage Variance: 31.8 %

Open Site Space Variance: 28%



c100 - 407 Swift Street
 Victoria, BC V8W 1S2
 Phone: 381-8255/2257
 Facsimile: 381 - 2209
 File: 6367 - 15

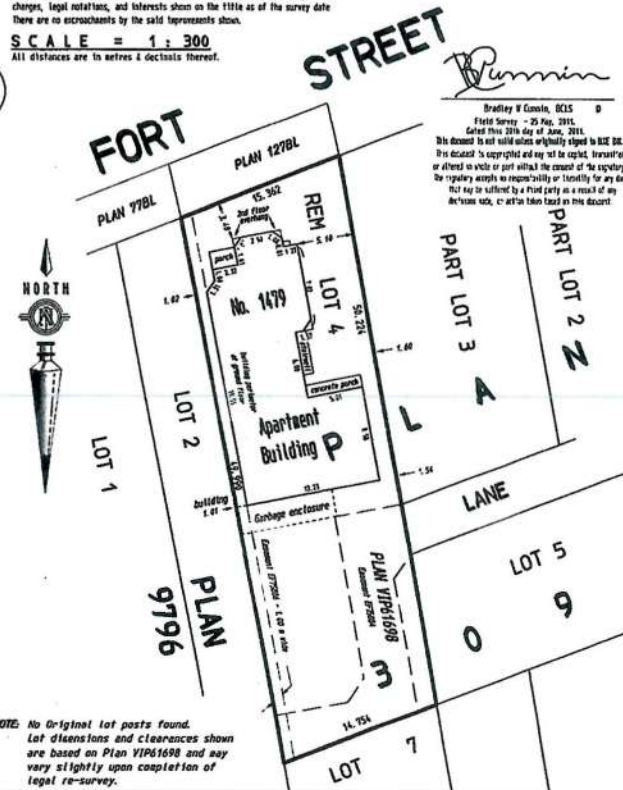
B. C. Land Surveyor's Certificate of Location for:
LOT 4, SECTION 74, VICTORIA DISTRICT, PLAN 309.
EXCEPT THAT PART OUTLINED IN RED ON PLAN 127 BL

Parcel Identifier: 000-099-996
 In the City of Victoria

Prepared For: Apartments R Us

I have inspected the residential premises shown at 1479 Fort Street and hereby certify that the said structure is situated with respect to nearby boundaries as shown on this sketch. This document is prepared for the use of the stated party and their interests, and is for inspection purposes only. This document does not represent any form of boundary or lot redefinition, and should not be used in a manner which would assume so. The property is subject to charges, legal notices, and interests shown on the title as of the survey date. There are no encroachments by the said improvements shown.

SCALE = 1 : 300
 All distances are in metres & decimals thereof.



NOTE: No Original lot posts found.
 Lot dimensions and clearances shown are based on Plan V1961608 and may vary slightly upon completion of legal re-survey.

09/02/2014 12:27:10 PM

ERIC BARKER
 ARCHITECT Inc.
 1570 AVONDA AVENUE VICTORIA B.C.
 V8M 1A5
 250-585-0000 FAX 250-585-0001

Civic Address:

1479 Fort Street
 Victoria, BC
 V8S 1Z4

Legal Address:

Lot 4, Section 74
 Victoria District, Plan 309

Project Owner:

Apartments R Us

By	Date	For
15/03/2014	15/03/2014	Site Consultation
15/03/2014	15/03/2014	Prepared Drawings
15/03/2014	15/03/2014	Re-Consulted Floor Plans

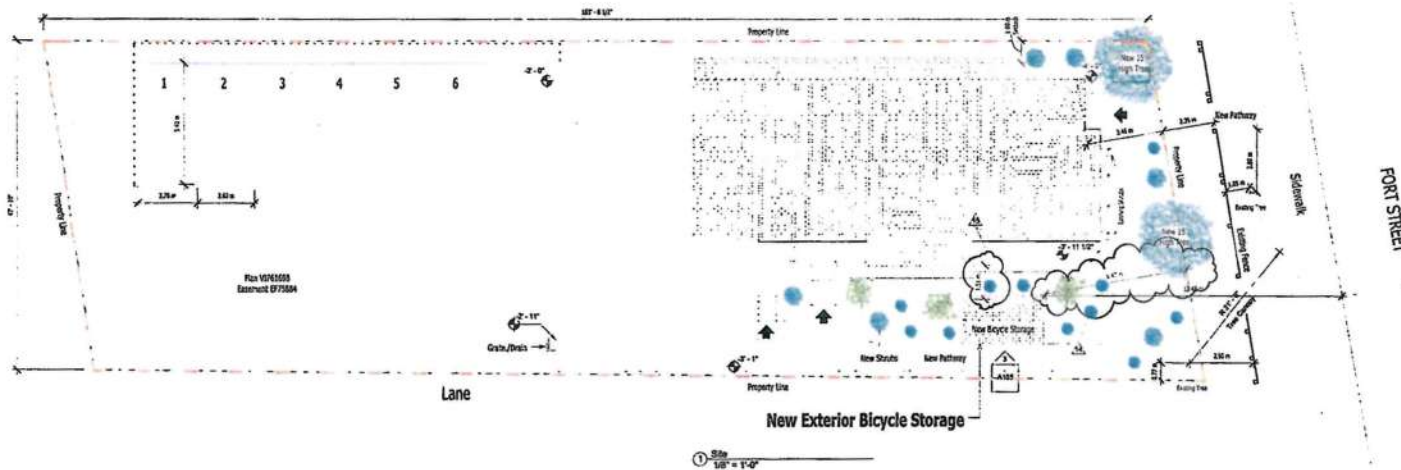
Act/Current drawings/21005 Apartments R Us - 1479 Fort Street Drawings/1479 Fort St BP Revisions MAY 08 2014 and

Development Permit

1479 Fort St.
 Victoria, B.C.

Cover Sheet

Project number	211055
Date	09/02/2014
Drawn by	JB
Checked by	Checker
Scale	A100



Aerial Site Capture



3D Perspective

Received
City of Victoria
AUG 28 2014
Planning & Development Department
Development Services Division

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ERIC BARKER
ARCHITECT inc.
107 PANDORA AVENUE, VICTORIA, B.C.
250.553.4555 Fax 250.410.9191

Landscaping Legend

Redwood 2.5m

Star Magnolia 1.2m

Defiance Azalea 0.75m

Rhododendron 0.6m

Existing Cherry Tree

Existing Cedar Tree

Existing Shrub

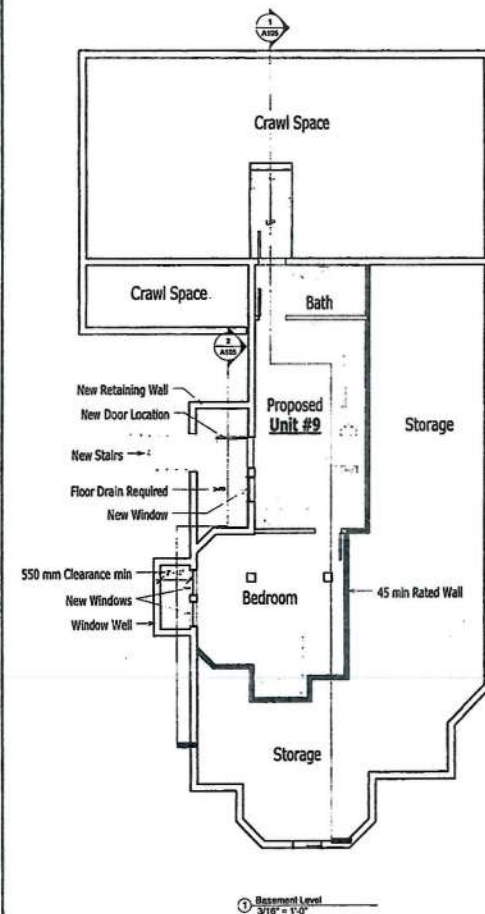
15	04/24/2014	Supervision activities in principal building
14	04/24/2014	Supervision activities in principal building
13	14/08/2014	Final landscape details
12	14/08/2014	Final landscape details
11	14/08/2014	Final landscape details
10	14/08/2014	Final landscape details
9	14/08/2014	Final landscape details
8	14/08/2014	Final landscape details
7	14/08/2014	Final landscape details
6	14/08/2014	Final landscape details
5	14/08/2014	Final landscape details
4	14/08/2014	Final landscape details
3	14/08/2014	Final landscape details
2	14/08/2014	Final landscape details
1	14/08/2014	Final landscape details

Development Permit

1479 Fort St.
Victoria, B.C.

Site Plan

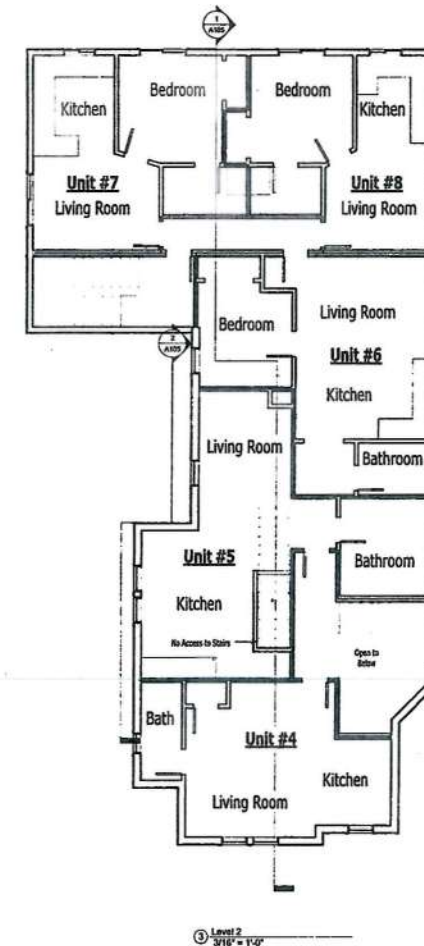
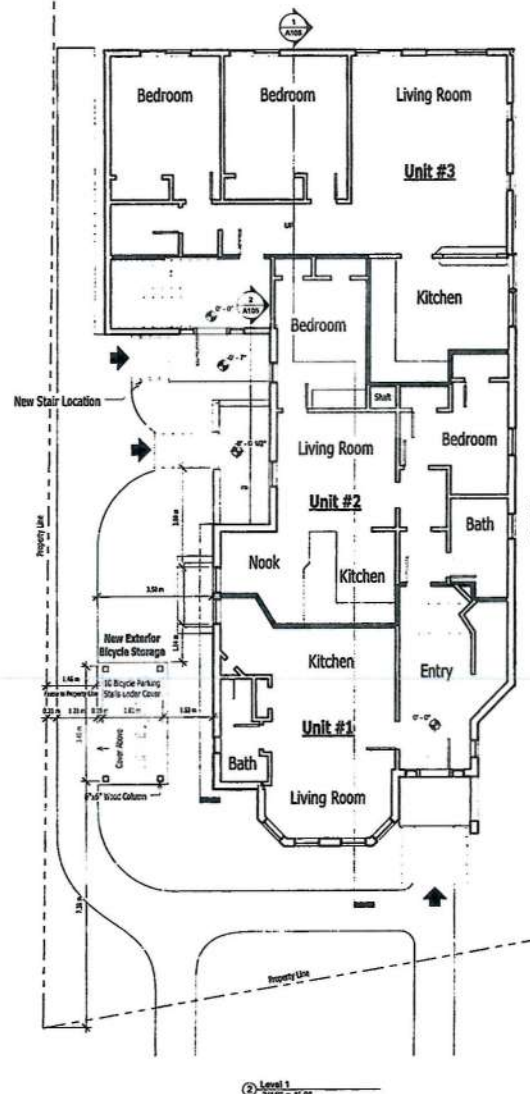
Appraiser	211205
Date	09/04/2014
Drawn by	JD
Checked by	Checker
Scale	A101



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City of Victoria

AUG 28 2014

Planning & Development Department
Development Services Division



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ERIC BARKER ARCHITECT INC.
137 PAVILION AVENUE, VICTORIA B.C.
250 548-4055 Fax 250-4905 1371 110

18/05/2014 No Local Authority Stamp

Development Permit

1479 Fort St.
Victoria, B.C.

Basement and L1 & L2

Project Number: 211895
Date: 18/05/2013
Drawn by: Author
Checked by: Checker

A102

Date: 3/17/14



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AUG 28 2014

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Development Services Division

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ERIC BARKER
ARCHITECT INC.
127 PALOMAR AVENUE VICTORIA B.C.
250 585-4467 Fax 250-455-1304



1	18-05-2014	Added Existing Trees
2	18-05-2014	Revised driveway gate
No.	Date	Description

A:\Current_dwg\1479 Fort St 2D Rev0001.dwg 1479
FortSt.dwg Drawing\1479 Fort St 2D Rev0001.dwg 1479 08/28/14

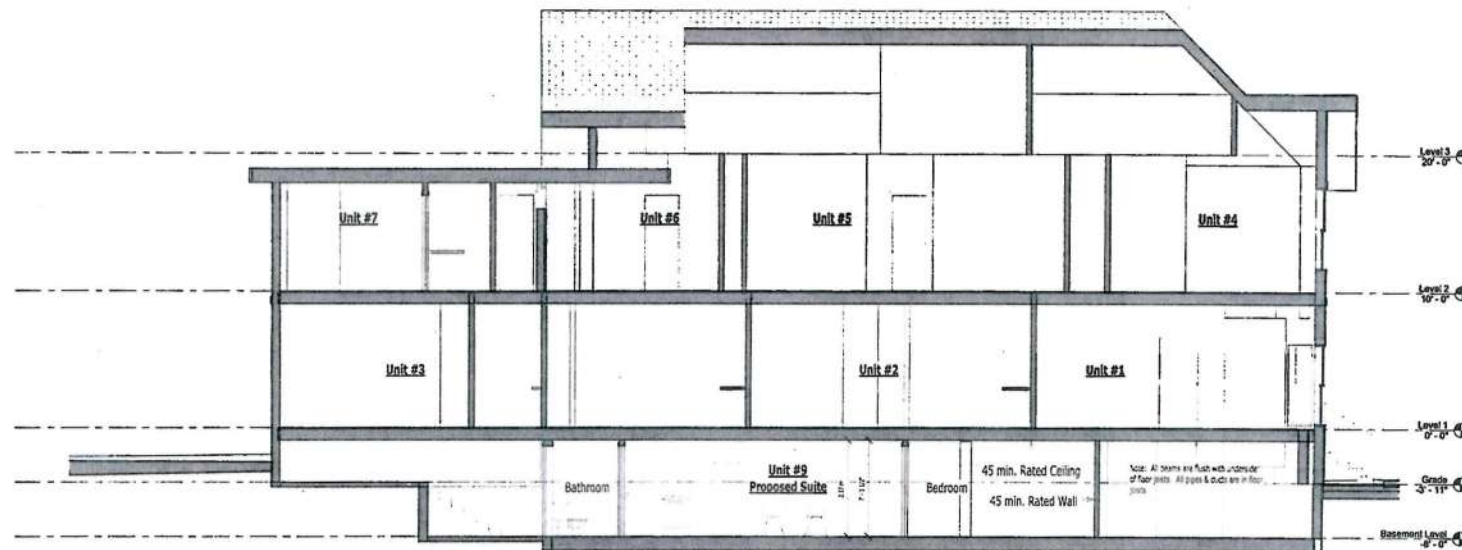
Development Permit

1479 Fort St.
Victoria, B.C.

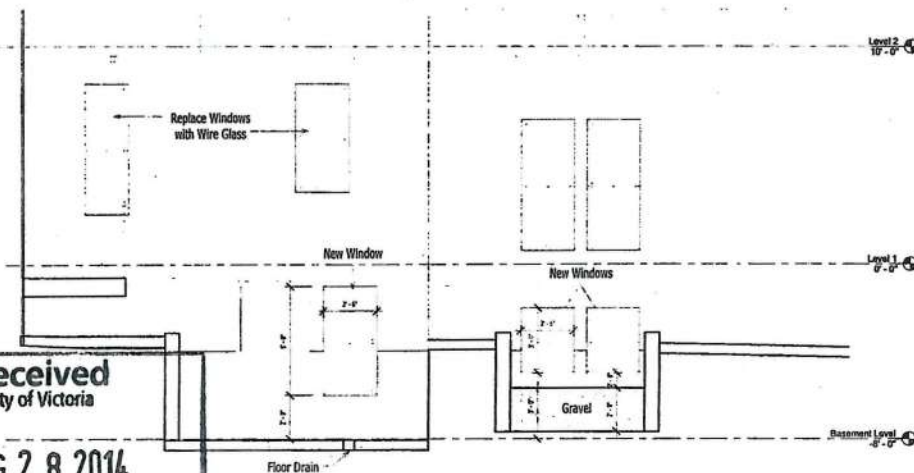
Elevations

Project number	211005
Date	18/07/13
Drawn by	Aut/ur
Checked by	Checker

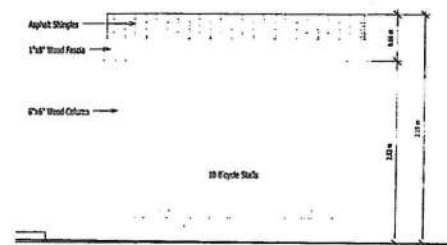
A104



① Building Section
1/4" = 1'-0"



② Basement Section
1:30



③ NEW BICYCLE STORAGE ELEVATION
1:30

8/28/2014 12:27:34 PM

ERIC BARKER
ARCHITECT INC.
187 FAUCON AVENUE VICTORIA B.C.
250.355.4505 Fax 250.455.1501



Rev	Date	Description
1	08/28/2014	Confirmed Ceiling Height Measurements

Development Permit

1479 Fort St.
Victoria, B.C.

Building Section

Project number	211205
Date	11/12/13
Drawn by	Author
Checked by	Checker

A105

Sub

Received
City of Victoria

AUG 28 2014

Planning & Development Department
Development Services Division