



Planning and Land Use Committee Report

For the Meeting of July 3, 2014

Date: June 19, 2014 **From:** Lucina Baryluk, Senior Process Planner
Subject: **Development Permit with Variances #000350 for 2810 Shelbourne Street**
Application for a Development Permit for five dwelling units (associated with Rezoning Application #00379)

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit with Variances for the property located at 2810 Shelbourne Street. The application involves the repositioning and renovation of the existing single family dwelling on the lot to create three units and to relocate a single family dwelling from 1705 Haultain Street onto this lot and renovating it as well, to create two more residential units. The Rezoning Application for this property has been previously reviewed by Council.

The outstanding issues associated with this development are as follows:

- The design and layout of the proposal do not create a strong street presence. The stacked units do not relate directly to the street as compared to the attached multi-family units (townhouses) that have been the more common built form in the Shelbourne Street corridor.
- There are a number of setback reductions for the placement of the two buildings associated with the application.
- The proposal is dominated by surface parking stalls, including a stall along the Ryan Street frontage, limiting the individual useable outdoor private space for the occupants.
- The City requires a Right-of-Way of 7.0 m along the west side of Shelbourne Street as part of a staged improvement strategy. The setback standard from Shelbourne Street is 10.7 m to provide for a larger front yard setback in consideration of this Right-of-Way. The proposed setback is 9.0 m resulting in a 2.0 m front yard setback as opposed to a 3.7 m setback if the policy is followed. This results in a reduced separation space between the Right-of-Way and the outdoor living space of the units, impacting the overall livability of these units.
- The proposal results in the isolation or "orphaning" of the adjacent properties located at 2816 Shelbourne Street and 1650 Ryan Street. The *Official Community Plan* encourages the logical assembly of development sites that enable the best realization of permitted development potential for an area. Therefore the proposal should take into account the adjacent lots, ideally through lot consolidation or through some form of easement for access to the adjacent lots in order to allow for a more coordinated approach to site planning at a later date.

In light of the above, staff are recommending that these applications be declined.

Recommendation

Staff recommend that Rezoning Application #00379 and Development Permit Application #000350 for 2810 Shelbourne Street be declined.

Respectfully submitted,



Lucina Baryluk
Senior Process Planner
Development Services



Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Jason Johnson

Date: June 24, 2014

LB:aw

S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\DP\DP000350\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 with Variances for the property located at 2810 Shelbourne Street. The application involves the repositioning and renovation of the existing single family dwelling on the lot to create three units and to relocate a single family dwelling from 1705 Haultain Street onto this lot and renovating it as well, to create two more residential units. The Rezoning Application for this property has been previously reviewed by Council (staff report attached).

2.0 Background

The Rezoning Application has been before Council a number of times, with the following outcomes:

At its meeting of March 7, 2013, the Planning and Land Use Committee passed the following motion:

"Councillor Helps moved that the Committee recommends that Rezoning Application #00379 for 2810 Shelbourne Street be postponed pending:

- 1. The applicant reconsidering the proposal to explore opportunities for taking a more coordinated site planning approach with the adjacent properties*
 - 2. That the proposal meet the policy objectives related to the setback standards from Shelbourne Street.*
- Carried Unanimously 13/PLUSC035"*

On September 26, 2013, the Planning and Land Use Committee considered the applicant's response to the above concerns (see applicant's letter dated August 16, 2013) which noted that a coordinated approach with adjacent lots had not been achieved between the owners. The Committee recommended that this application be declined.

At the Council Meeting of October 10, 2013, the developer made a presentation to Council and the decision was to refer this application to the Planning and Land Use Committee when the new Committee structure was in place.

At its meeting of January 23, 2014, the Planning and Land Use Committee in its new form reviewed the application and recommended that Rezoning Application #000379 for 2810 Shelbourne Street proceed to a Public Hearing, subject to:

- submission of a Development Permit Application, as the site falls within Development Permit Area 7A, Corridors, at which time refinements to the design, siting and landscaping could be further considered
- consideration by the applicant of transportation demand management strategies to justify the parking reduction
- prior to a Public Hearing, the applicant provide a registered Statutory Right-of-Way of 7.0 m along Shelbourne Street.

2.1 Proposal Update

Arising from the direction provided by Council in January 2014, the applicant has provided the Development Permit Application. As there have been no substantial changes to the development concept from the initial application, the original report to the Planning and Land Use Standing Committee dated February 13, 2013, is provided for the Committee's reference. The remainder of this report will address the outstanding issues, including compliance with the Development Permit requirements.

3.0 Issues

The following key issues are associated with this application:

- compliance with Development Permit Guidelines
- setback from Shelbourne Street
- lot consolidation
- Transportation Demand Management.

4.0 Analysis

4.1 Compliance with Development Permit Guidelines

The Development Permit submission does not include any further refinements to the design, siting and landscaping, therefore, the initial concerns put forward by staff remain unaddressed.

The stacked units do not create an individual connection to the street. Two of the five units have entry doors that are directly visible from the street while the remainder of the unit entrances are less visible from the street. The double doors on the Ryan Street and Shelbourne Street elevations are bicycle storage closets and not entrances to units.

There are a number of setback reductions associated with the application which are, in part, related to the lot area being below the minimum required in the standard comparative zone and the reuse of existing buildings. The layout is dominated by surface parking stalls, including a stall along the Ryan Street frontage, limiting the individual useable outdoor private space for the occupiers.

The property is within Development Permit 7A, Corridors, Shelbourne Street, which provides guidance to the form and character of the multi-family residential development. The main objective of this Development Permit Area is to ensure that development along corridors is compatible with adjacent and nearby lower-density residential neighbourhoods through human-scaled urban design and a sensitive transition in building form and character. The relationship and transition of the proposal to the immediate context is difficult to assess as the adjacent properties could be redeveloped in the future. In the wider context, most of the recent redevelopment in the Shelbourne Street corridor has been townhouses.

4.2 Setback from Shelbourne Street

The City requires a Right-of-Way of 7.0 m along the west side of Shelbourne Street as part of a staged improvement strategy. This Right-of-Way is required to preserve space for the future transportation needs of the corridor, while respecting the significant boulevard trees. The setback standard from Shelbourne Street that has been established in the standard zone is 10.7 m to provide for a larger front yard setback in anticipation of the Right-of-Way improvements.

The site plan shows a setback of 9.0 m from Shelbourne Street for Building #1. This would result in a 2.0 m front yard setback for this building as opposed to a 3.7 m setback. The main concern is the diminished separation space between the Right-of-Way and the outdoor living space of the units, impacting on the overall livability of these units.

The applicant's response to this requirement (letter dated June 11, 2014) is that the implementation of the Right-of-Way improvements may not be realized in the near future. The other argument that the applicant puts forward is that the patio space should be allowed to project 1.7 m into the Right-of-Way, thereby providing a larger patio area. The City's policy is that no permanent structures are permitted within a Right-of-Way. The other issue is that by defining the area with a fence, the purchasers may have the sense that the entire patio enclosure is part of their holdings and it would be difficult to ask future owners to remove the fence and have the enclosed patio area reduced to 2 m in depth.

For comparison, the townhouse projects at 2918 Shelbourne Street and 2828 Shelbourne Street have satisfied the 10.7 m setback requirement in this block of Shelbourne Street.

4.3 Lot Consolidation

The proposal results in the isolation or "orphaning" of the adjacent properties located at 2816 Shelbourne Street and 1650 Ryan Street. The *Official Community Plan* encourages the logical assembly of development sites that enable the best realization of permitted development potential for an area. This issue is still unresolved as the applicant and the owner of the adjacent properties have not come to an agreement for a coordinated redevelopment of the three properties. The applicant's response is that the adjacent property can be redeveloped in the same manner as the subject property. In addition, the applicant does not want to consider an easement through the property to provide more redevelopment options for this adjacent lot.

Staff feel that redevelopment should include the adjacent lots for a more comprehensive approach, which would provide additional options for housing types and site layout as well as reducing the number of driveways onto Shelbourne Street.

4.4 Transportation Demand Management

The *Zoning Regulation Bylaw*, Schedule C, has a requirement of 1.5 parking stalls per unit so eight parking stalls are required but only five are provided (one per unit). In addition, the Schedule C requirement for visitor parking is one for the development and none are provided.

The applicant has committed to the following Transportation Demand Management strategies:

- two enclosed bike storage units providing storage for a total of five bikes
- two bicycle racks providing bike parking for a total of six bikes outside
- a Victoria Car Share membership for each unit. It is noted that the closest Car Share vehicle location is 900 m from the site, so the effectiveness of this measure may be diminished by the distance from the car location; this Car Share membership agreement will be secured prior to Public Hearing
- option for the first purchasers to have two new bikes or two annual bus passes; however, it is noted that this option cannot be secured by the City as this sort of agreement cannot be registered on title.

The City's Transportation Planner has reviewed these Transportation Demand Management strategies and has indicated that five parking stalls would be sufficient on the site with these measures, further noting that the area is well-served by transit and within walking distance to Hillside Centre.

5.0 Conclusions

While the proposal is consistent with the *Oaklands Neighbourhood Plan* and OCP Designation of Traditional Residential policies, the development of this property restricts redevelopment of the adjacent properties (2816 Shelbourne and 1650 Ryan) for higher density use as anticipated by the OCP. The built form and building siting do not create a strong street presence. The setback from Shelbourne Street varies from the established policies and precedents and does not give due consideration to the long-term vision for the Shelbourne Street corridor. As very minor changes from the initial submission have been put forward by the applicant, the key issues have not been satisfactorily addressed therefore staff recommend that the application be declined.

6.0 Recommendation

Staff recommend that Rezoning Application #00379 and Development Permit Application #000350 for 2810 Shelbourne Street be declined.

6.1 Alternate Recommendation (Advance to a Public Hearing)

1. That Council instructs the City staff to prepare the necessary *Zoning Regulation Bylaw* amendments that would authorize the proposed development outlined in Rezoning Application #00379 for 2810 Shelbourne Street.
2. That Council considers giving first and second reading to the *Zoning Regulation Bylaw* amendment.
3. That Council schedules a Public Hearing after the *Zoning Regulation Bylaw* amendment receives second reading, subject to:
 - a. registration of a 7.0 m Statutory Right-of-Way along Shelbourne Street;
 - b. the applicant providing confirmation of participation in Victoria Car Share by way of security deposited with the Victoria Car Share Cooperative to the satisfaction of the City Solicitor.
4. That Council schedule a Hearing to consider the Development Permit with variances to consider Development Permit #000350 for 2810 Shelbourne Street concurrently with Rezoning Application #00379.
5. Following the Hearing and subject to the adoption of the Bylaw amendment for 2810 Shelbourne Street that Council considers passing the resolution to authorize the Development Permit for 2810 Shelbourne Street, subject to development meeting all *Zoning Regulation Bylaw* requirements of the RK-3 Zone, except for the following variances:
 - a. site area reduced from 1125 m² to 740 m²;
 - b. front setback from Shelbourne Street reduced from 10.7 m to 9.0 m;
 - c. rear (west) setback reduced from 7.5 m to 2.06 m;
 - d. side (north) setback reduced from 4 m to 1.65 m;
 - e. side (south) setback from Ryan Street reduced from 7.5 m to 2.13 m;
 - f. separation space between buildings reduced from 6 m to 4.5 m;
 - g. Schedule C, number of parking stalls reduced from 8 stalls to 5 stalls;
 - h. Schedule C, visitor parking stalls reduced from one to nil.

6. Plans date stamped February 27, 2014.
7. Final plans generally in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

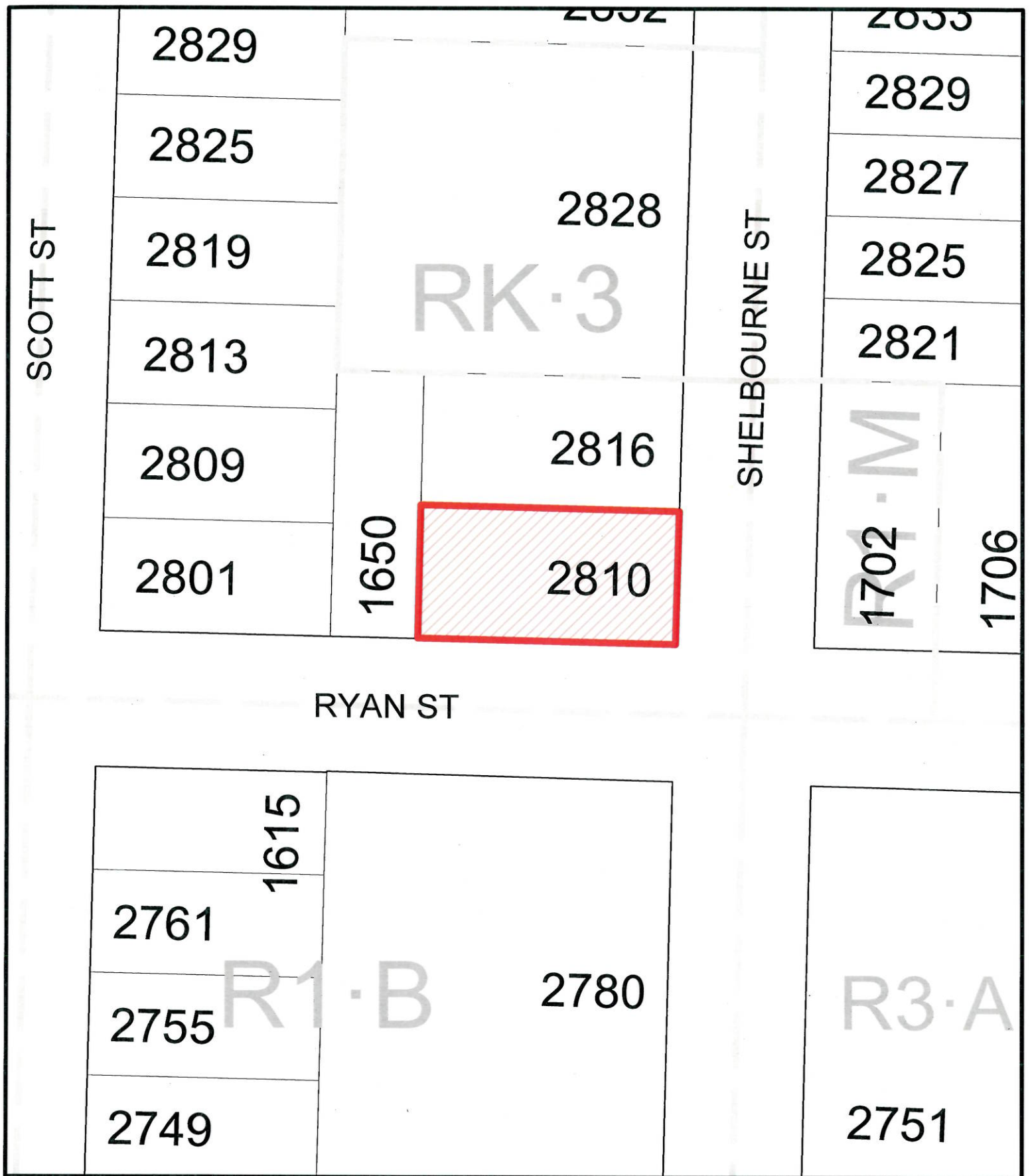
9.0 List of Attachments

- Zoning map
- Aerial map
- Planning and Land Use Standing Committee Report dated February 13, 2013, excluding attachments
- Plans dated February 27, 2014
- Letters from applicant dated June 11, 2014; February 25, 2014; October 3, 2013.



2810 Shelbourne Street
Development Permit #000350





2810 Shelbourne Street
Development Permit #000350





SUBJECT PROPERTY VIEWED FROM SHELBOURNE STREET



ADJACENT PROPERTY TO THE NORTH OF SUBJECT PROPERTY



SUBJECT PROPERTY VIEWED FROM RYAN STREET



BACK OF SUBJECT PROPERTY VIEWED FROM RYAN STREET



ADJACENT PROPERTY TO THE WEST OF SUBJECT PROPERTY

LARGE & CO.

Land Development
3111 Hwy 101, Suite 101
Victoria, BC V8N 1A1
Phone: 250-363-1111
Fax: 250-363-1112

Gerry Treesch
Residential Design

For Review Only - Not for Construction

Drawn By: G. TREESCH

Date:

Scale: AS SHOWN

Project:

Proposed Development:

Location: 1010 Ryan Street
Victoria, BC

Drawn:

Site Photos

Revisions:

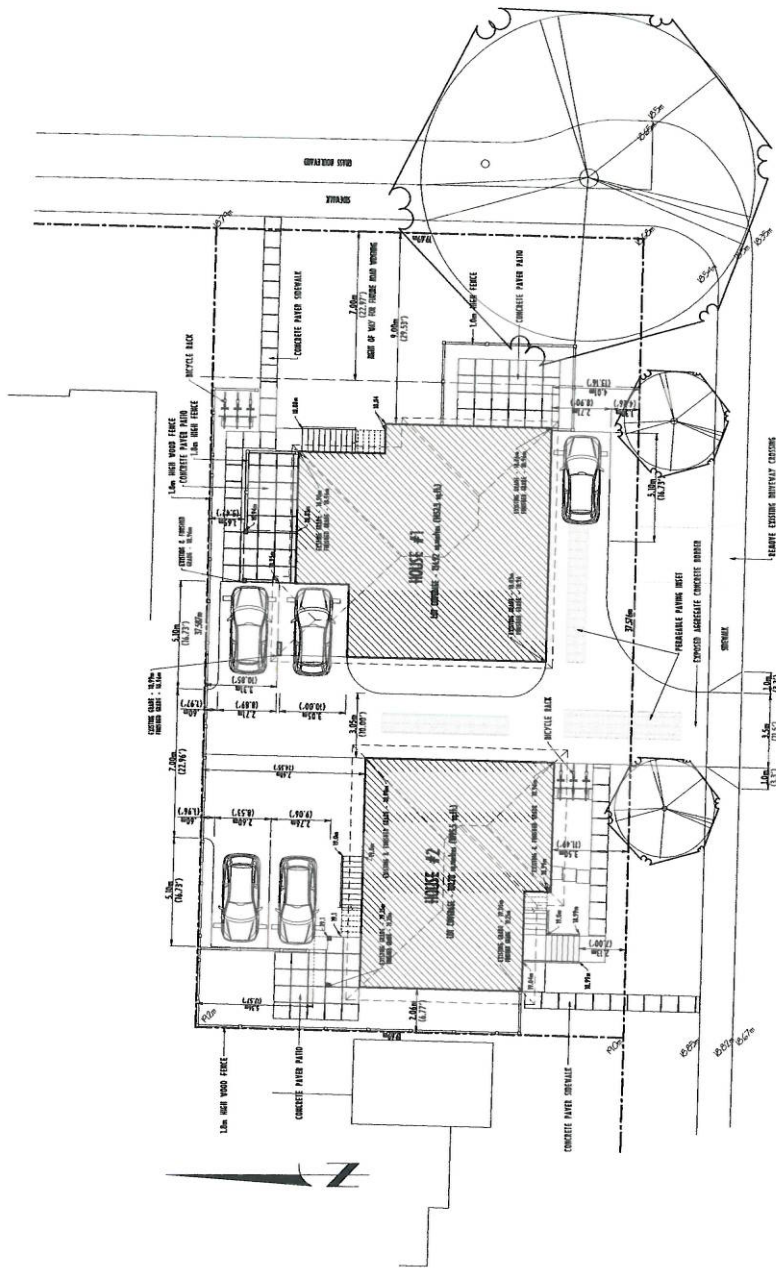
REVISED - NOVEMBER 22, 2012

Sheet 1 of 6

Plan No.

Received
City of Victoria
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Planning & Development Department
Development Services Division

HOUSE BY AVERAGE GRADE CALCULATION				
SOUTH SIDE				
18.83	18.76	2	11	206.745
EAST SIDE				
18.75	18.84	2	246	14.658
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18.84	18.88	2	3.81	71.8466
18.80	18.84	2	3.07	56.2111
18.83	18.8	2	0.52	9.7218
NORTH SIDE				
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EAST SIDE				
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NORTH SIDE				
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18.91	19.1	2	1.27	23.708
18.92	19.1	2	1.27	23.708
18.93	19.09	2	2.02	38.5595
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18.97	18.96	2	6.1	113.7475
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EAST SIDE				
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18.99	18.99	2	0.17	3.0843
18.99	18.96	2	6.1	113.7475
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FRONT				
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18.99	18.96	2	6.1	113.7475
EAST SIDE				
18.86	18.98	2	8.7	163.039
NORTH SIDE				
18.86	19			



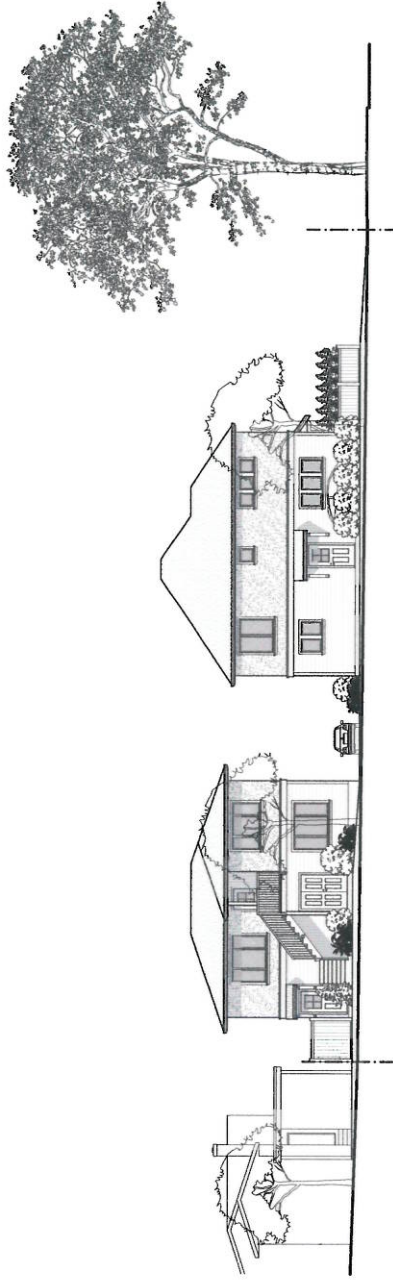
SITE PLAN

SCALE - 1:100
CIVIC ADDRESS - 2810 SHELBOURNE STREET
LEGAL DESCRIPTION - LOT 2, SECTION 8A, VICTORIA DISTRICT PLAN 9957

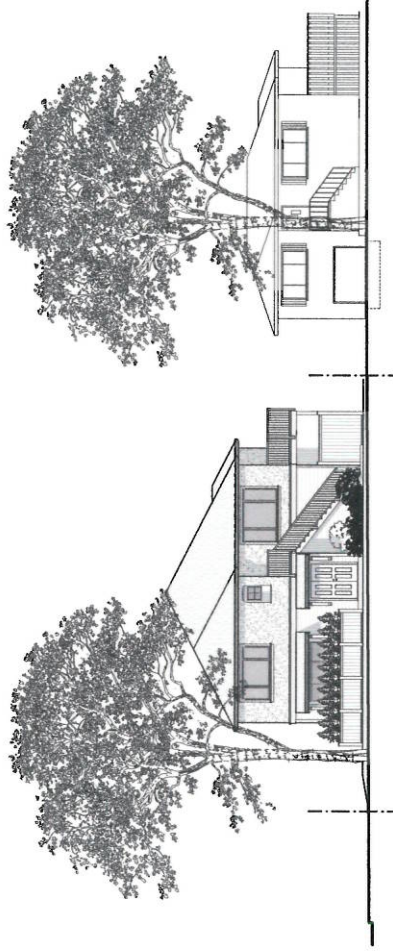
LARGE & CO.
Land Development
407 Vancouver Street
Victoria, BC V8V 3T9
Phone : 250-430-2184
Fax : 250-480-2195

Gerry Treesch Residential Design 1410 West 14th Street, Suite 200 Seattle, WA 98119 206-461-1111	Drawn By: A. TROESCH Date: _____ Project: Suite A5 347-11N Proposed Development 2280 Shiloh Street Victoria, BC	Drawing MYC PLAN	Revision: REVISED - NOVEMBER 22, 2007	Sheet 2 of 6 Plan No. _____
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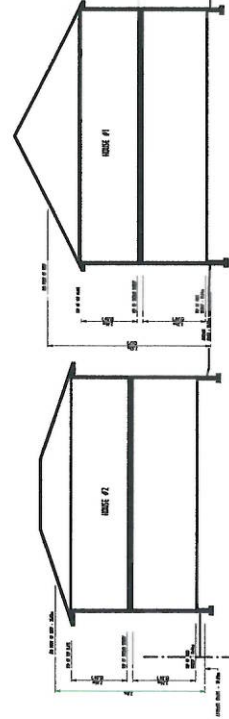
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RYAN STREET STREETSCAPE



SHELBOURNE STREET STREETSCAPE



SITE SECTION
1/8" = 1'0" - 1/4"

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LARGE & CO.

1000 West 10th Avenue
Suite 100
Vancouver, BC V6H 1A1
Phone: 604.681.1234
Fax: 604.681.1235

Gerry Treesch
Residential Design
www.gerrytreesch.com

Drawn By: G. TREESCH

Date: 10/20/13

Project: 150000

Project: 150000

Project: 150000

Project: 150000

Project: 150000

Project: 150000

Project: 150000

Project: 150000

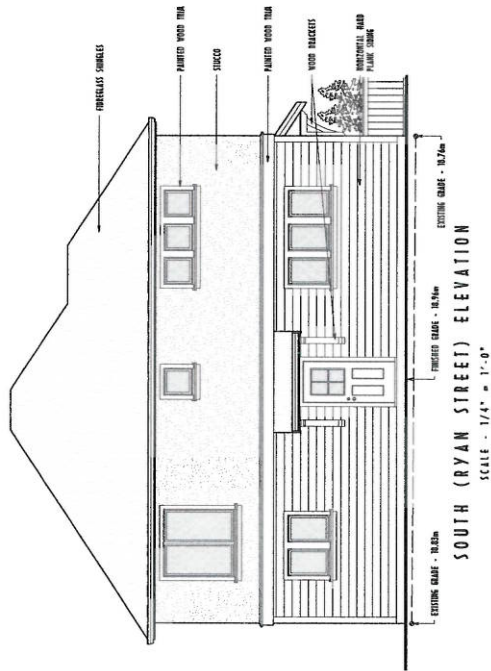
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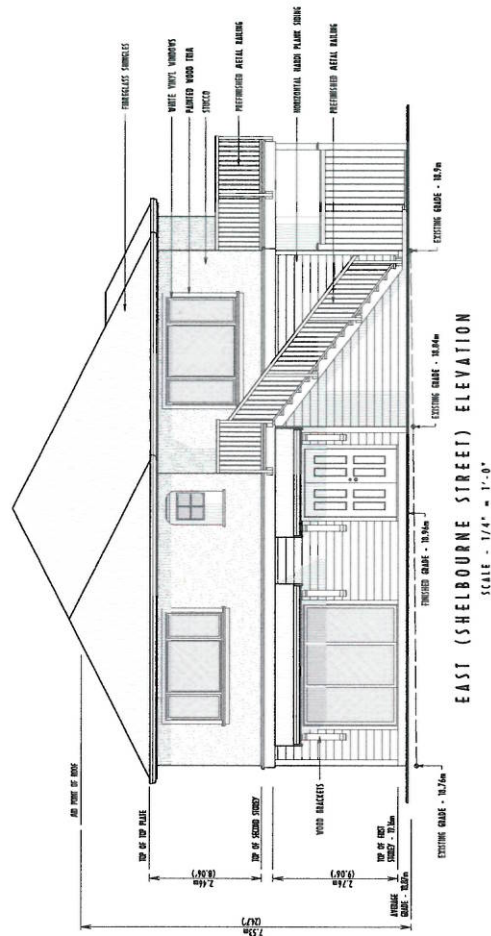
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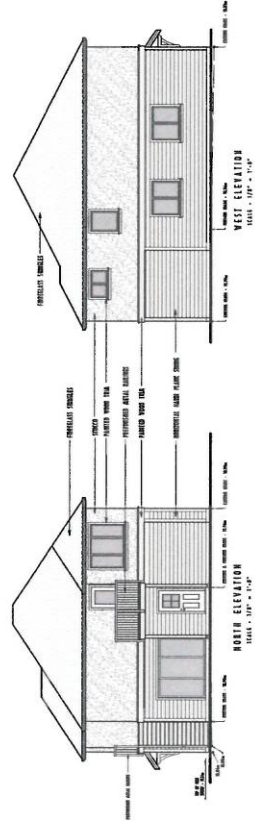
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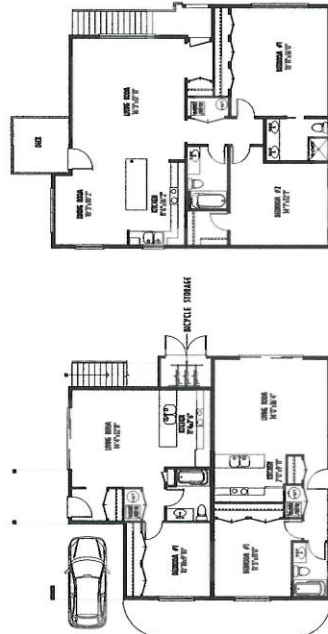
SOUTH (RYAN STREET) ELEVATION
SCALE - 1/4" = 1'-0"



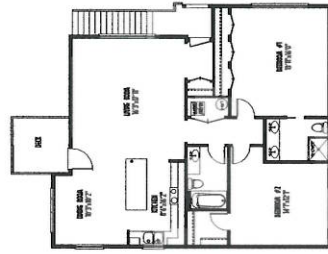
EAST (SHELBOURNE STREET) ELEVATION
SCALE - 1/4" = 1'-0"



WEST ELEVATION
SCALE - 1/4" = 1'-0"



FIRST STOREY FLOOR PLAN - 1155.75 sq. ft.
SCALE - 1/8" = 1'-0"



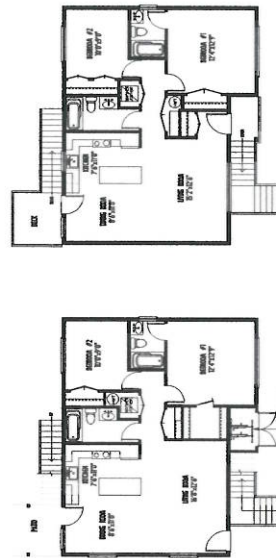
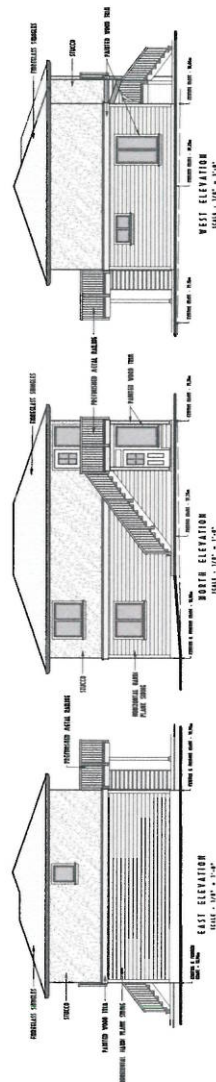
SECOND STOREY FLOOR PLAN - 1231 sq. ft.
SCALE - 1/8" = 1'-0"

HOUSE #1

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Development Services Division

LARGE & CO.
Land Development
1000 West 10th Avenue
Victoria, BC V8M 2Y7
Tel: 250-460-2001

Gerry Treesch Residential Design	DATE: 10/10/2013
Drawn By: & TREVESCH	DATE: 10/10/2013
Scale: AS SHOWN	DATE: 10/10/2013
Project: 1000 West 10th Avenue 2000 Shelbourne Street Victoria, BC	DATE: 10/10/2013
Drawn By: JAP AND ELEVATIONS	DATE: 10/10/2013
Revisions:	DATE: 10/10/2013
REVISED - NOVEMBER 22, 2013	DATE: 10/10/2013
Sheet: 4 of 6	DATE: 10/10/2013
Plan No.	DATE: 10/10/2013



SECOND STOREY FLOOR PLAN - 658.25 sq. ft.
SCALE - 1/8" = 1'-0"

LAKE STORAGE

FIRST STOREY FLOOR PLAN - 886.5 sq. ft.

HOUSE #2

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Development Services Division

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Land Development
1607 Vancouver Street
Victoria, BC V8V 3T9
Phone - 250-480-2894
Fax - 250-480-2895

Gorry Troesch
Residential Design

THE UNIVERSITY OF CHICAGO

2000-01-01

Date:	
Printed by: A. H. H. H. H.	

Scale: AS SHOWN

Project: Personnel Development

2010 Stubbins Street
Victoria, BC

10

[illegible]HOUSE #2 PLANS
AND ELEVATIONS

240114Z JAN 68

Reviews:

REVISED - NOVEMBER 22, 2012

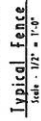
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Sheet 5 of 6

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NOTE: ALL LANDSCAPE WORK TO CONFORM WITH DCA-1A AND DCA-1A ST-1. ALL AREAS TO BE IRRIGATED WITH AN AUTOMATIC IRRIGATION SYSTEM.

SCALE - 1:100



Typical fence
Scale = 1/2" = 1'-0"

Planning & Development Department
Development Services Division

Land Development
607 Vancouver Street
Victoria, BC V8V 3T9
Phone: 360-489-2884

Drawn By: A. TROESCH
Phone: (303) 440-3333
Email: giveword@comcast.net

Project	Proposed Development
	Proposed Development

Drawing

Revisions:

Sheet 0 of 0
Page No.



Planning and Land Use Standing Committee Report

Date: February 13, 2013 **From:** Lucina Baryluk, Senior Process Planner
Subject: **Rezoning Application #000379 for 2810 Shelbourne Street**
Application to rezone the subject lot from the R1-B Zone, Single Family Dwelling District, to a new zone, to allow the redevelopment of the property with five dwelling units

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application for the property located at 2810 Shelbourne Street. The application involves the repositioning and renovation of the existing single family dwelling on the lot to create three units and to relocate a single family dwelling from 1705 Haultain Street onto this lot and renovating it as well, to create two more residential units.

The following points were considered in assessing this application:

- The *Official Community Plan 2012* (OCP) designates the parcel as Traditional Residential. As Shelbourne Street is designated as a secondary arterial, the anticipated built form for residential uses ranges from ground-oriented buildings to multi-family buildings, including attached residential (townhouses) and apartments. The corresponding density is up to a Floor Space Ratio (FSR) of 1.0:1.
- The project introduces a variety of housing types in the area and is, therefore, compliant with the OCP. However, the density of 0.6:1 could be considered lower than the OCP objectives for the Shelbourne Corridor. The proposal is to use two existing structures, which supports the OCP objective of building retention and reuse.
- The development of this project will limit the potential redevelopment of the two adjacent properties. The OCP encourages the logical assembly of development sites that enable the best realization of permitted development potential for the area.
- The *Oaklands Neighbourhood Plan* designates the Shelbourne Corridor between Myrtle Avenue and Haultain Street as suitable for townhouse development.
- There are a number of setback reductions associated with this application which are in part related to the lot area being below the minimum required in the standard comparative zone.
- A reduced parking requirement is requested. This will likely create a further demand for on-street parking. The applicant has not provided a technical justification for this request nor a Transportation Demand Management Strategy.

While the land use and density advanced in this application meet the intent of the direction of the *Official Community Plan*, the issue of restricting further development on the adjacent parcels is a larger long-term land use issue that requires careful consideration. Should this project proceed, the future redevelopment of the adjacent sites will be very challenging.

A Development Permit Application is required as the site falls within Development Permit Area 7A Corridors, at which time refinements to the design, siting and landscaping should be considered.

Recommendation

That Rezoning Application #00379 for 2810 Shelbourne Street be declined.

If Council wishes to proceed with this application, an alternative recommendation is provided in the Options Section of this Report.

Respectfully submitted,



Lucina Baryluk
Senior Process Planner
Development Services



Deb Day
Director
Planning and Development



Peter Sparanese
General Manager
Operations

Report accepted and recommended by the City Manager:



Gail Stephens

LB:aw

1. Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application for the property located at 2810 Shelbourne Street. The application involves the repositioning and renovation of the existing single family dwelling on the lot to create three units and to relocate a single family dwelling from 1705 Haultain Street onto this lot and renovating it as well, to create two more residential units.

2. Background

2.1 Description of Proposal

The subject property is located on the northwest corner of Shelbourne Street and Ryan Street. The single family dwelling currently located on the subject property was built in 1954 (noted as House #1 on the applicant's submission). This house would be moved and lifted and two units would be created on the first storey and one unit would be created on the second storey. House #2, which will be moved from 1705 Haultain Street, would be redeveloped for two units, one on each level. Both units will be approximately 80 m² and have two bedrooms.

One surface parking stall is provided for each of the five units. The required parking for the project is eight stalls; therefore, a reduced parking standard is being requested.

As the subject property is within Development Permit Area 7A- Corridors, the form and character and the landscaping plan are more appropriately dealt with at the development permit stage. It is noted that the landscaping along Shelbourne Street may require revisions so as not to conflict with the Statutory Right-of-Way requirements

2.2 Existing Site Development and Development Potential

The R1-B Zone, Single Family Dwelling District, would allow construction of a house with a secondary suite up to 300 m² in size. If construction takes place under the existing zoning and a secondary suite were provided, it would provide a rental unit in addition to the principal unit.

The standard townhouse zoning (RK-3) applied along Shelbourne Street requires a specific site area of 225 m² for each townhouse unit, which has the effect of limiting the number of units per parcel. The application proposes a ratio of only 148 m² of site area per unit, therefore, a site-specific zone would be required (representing a 34% reduction). However, the floor space ratio for the development is in keeping with the RK-3 Zone.

2.3 Legal Description

Lot 2, Section 8-A, Victoria District, Plan 9957.

2.4 Data Table

The following data table compares the proposal with the RK-3 Zone, Shelbourne Townhouse District, which has been the commonly applied zone along the Shelbourne Corridor. An asterisk is used to identify where the proposal is less stringent than the proposed comparative zone.

Zoning Criteria	Proposal	Zone Standard RK3
Site area (m ²) – min.	740*	1125 Based on 225 m ² per unit
Total floor area (m ²) – max.	420	444
Site coverage (%) – max.	32	33
Open site space (%) – min.	45	45
Density (Floor Space Ratio) – max.	0.6:1	0.6:1
Height (m) – max.	Building 1 - 7.53 Building 2 - 7.0	8.5 Measured from ceiling in upper floor
Storeys – max.	Building 1 - 2.5 Building 2 - 2	2.5
Setbacks (m) – min.		
Front – Shelbourne Street	9.0*	10.7
Rear – west	2.06*	4 (habitable room)
Side – north	1.65*	4 (habitable room)
Side – Ryan Street	2.13*	7.5 (living room)
Separation Space Between Buildings (m) – min.	4.5*	6
Parking – min.	5*	8
Visitor parking – min.	Nil*	1 (included in the total 8 stall requirement)
Bicycle storage – min.	6	6
Bicycle rack – min.	6	6

2.5 Land Use Context

The Shelbourne Corridor has seen significant changes over the last decade. In the immediate neighbourhood, the Jehovah Witness Kingdom Hall has been constructed on the southwest corner of Shelbourne Street and Ryan Street. Some older single family homes have been replaced by a number of new duplexes and townhouse projects, however, there are also pockets of single family homes. In essence, Shelbourne Street is an area in transition.

2.6 City Policies and Regulations

2.6.1 Official Community Plan (OCP) 2012 and Oaklands Neighbourhood Plan

The *Official Community Plan 2012* (OCP) designates the parcel as Traditional Residential. As Shelbourne Street is designated as a secondary arterial, the anticipated built form for residential uses ranges from ground-oriented to multi-family buildings, including attached residential and apartments. The corresponding density is up to 1:1 FSR. The proposed project does not

exceed the density ceiling, with a proposed density of 0.6:1. The retention and reuse of two existing buildings is in compliance with the OCP policies that support such actions related to housing stock.

The *Oaklands Neighbourhood Plan* recognizes this parcel within an area of potential change (Shelbourne Street corridor between Myrtle Avenue and Haultain Street) and consideration of rezonings for townhouses with up to 18 units per acre with a 2.5 storey limit. In many cases, lot consolidation has been required to achieve adequate site area for redevelopment. The Neighbourhood Plan favours townhouses over apartments as the built form, with the focus on retaining and enhancing housing suitable for families.

2.6.2 Design Guidelines

The property is within Development Permit Area 7A Corridors, Shelbourne Street, which provides guidelines related to general form and character. If the Rezoning Application proceeds, a concurrent or subsequent Development Permit Application will be required.

The main objective of this Development Permit Area, as it relates to this development, is to ensure corridors are compatible with adjacent and nearby lower-density residential neighbourhoods through human-scaled urban design and a sensitive transition in building form and place character. Although a Development Permit Application has not been received at this stage, the proposed buildings will require significant design refinements to ensure consistency. Although the reuse of two existing buildings advances the OCP objectives related to recycling and reuse of existing housing stock, the development may not represent the best design option for the site.

2.7 Community Consultation

The Oaklands Community Association hosted a meeting regarding this application on July 19, 2012. The attached record provides details of this discussion.

Petitions and letters regarding this application have also been submitted.

3. Issues

The main issues associated with this project are:

- limiting development on adjacent parcels
- requested reductions for setbacks and parking.

4. Analysis

4.1 Limiting Development on Adjacent Parcels

The *Official Community Plan 2012* (OCP) and the *Oaklands Community Plan* recognize the Shelbourne Street corridor as suitable for higher densities. This development potential (subject to rezoning) also applies to the adjacent properties at 1650 Ryan Street and 2816 Shelbourne Street. The current proposal for 2810 Shelbourne Street limits the development potential of these adjacent properties, essentially orphaning them and making future development on those sites very challenging. In Section 6, Land Management and Development, the OCP encourages the logical assembly of development sites that enable the best realization of permitted development potential for the area. (Policy 6.8)

Since the proposal at 2810 Shelbourne Street would ultimately involve strata-titling the five units, redevelopment of this site in a more comprehensive fashion is not likely to occur in the foreseeable future. Lot consolidation would provide more options for improved site planning and overall design, as well as consolidating access and egress points to one location within the site. Additionally, there would likely be fewer variances required if the development could be accommodated on a larger site.

It is noted that the age and condition of the adjacent dwelling at 2816 Shelbourne Street is very similar to the existing house on the subject property and the house located at 1650 Ryan Street is in good condition and was built in the mid 1960's. A letter, dated November 5, 2012, is provided from the owner of two adjacent properties.

4.2 Requested Reductions for Setbacks and Parking

4.2.1 Shelbourne Street Setback

The 1989 Shelbourne Corridor Study, as endorsed by Council, recommended securing a widened right-of-way of 7.0 m along the west side of Shelbourne Street as part of a staged improvement strategy. The right-of-way is required to preserve space for future transportation needs on the corridor, while respecting the significant boulevard trees planted along Shelbourne Street. This right-of-way has been achieved on a number of properties in the area as a result of redevelopment. The RK-3 Zone, Shelbourne Townhouse District, was created in response to the Corridor Study. It stipulates a 10.7 m setback requirement from Shelbourne Street to ensure a larger front yard setback in the event that right-of-way improvements are made along Shelbourne Street.

The site plan shows a setback of 9.0 m from Shelbourne Street for Building #1. Should the right-of-way be reconfigured, this would result in a 2.0 m front yard for the three units within this building (as opposed to a 3.7 m setback). (For reference the existing house is 8.0 m from Shelbourne Street.) This is not an ideal situation as it further diminishes the separation space between the right-of-way and the living units.

4.2.2 Other Setbacks

The setbacks from the other lot lines are also reduced as the surface parking and drive aisles force the buildings to be placed closer to streets. With adequate landscaping and screening, the impact to the adjacent properties can be mitigated, however, the issue of the closeness of the living units to the street remains.

4.2.3 Parking

With respect to the parking reduction requested, a total of eight parking stalls are required for the five units and only five are provided. This is a shortfall of three stalls. In addition, no parking has been designated for visitor parking (which forms part of the total eight stall requirement).

The applicant has not provided a technical justification for this requested reduction. However, the applicant has provided a rationale stating that Shelbourne Street is a transit corridor and many services are within walking distances. Any on-site shortfall for residents and their guests will likely have an impact on-street parking availability.

5. Resource Impacts

There are no resource impacts anticipated with this application.

6. Options

Option 1 (recommended)

That Rezoning Application #00379 for 2810 Shelbourne Street be declined.

Option 2

That prior to Rezoning Application #00379 for 2810 Shelbourne Street proceeding, that the applicant address the following issues and a report be provided to Council:

1. Submission and review of a Development Permit Application that addresses the concerns raised in this report, including options for redevelopment that do not restrict potential development on the adjacent properties.
2. Consideration by the applicant of transportation demand management strategies to justify the parking reduction.
3. Prior to Public Hearing, the applicant provide a registered Statutory Right-of-Way of 7.0 m along Shelbourne Street.

7. Conclusions

Although this application is generally consistent with the *Official Community Plan (OCP)* objectives related to use and density, there are a number of issues associated with the application. In order to facilitate a comprehensive and coherent redevelopment of the Shelbourne Street Corridor, lot consolidation and redevelopment with the adjoining two lots would be the preferable scenario consistent with the OCP objectives for logical assembly of development sites to enable optimum development potential. Additionally, although the reuse of two existing buildings advances the OCP objectives related to green building objectives, it may not represent the best design option for the site. Staff, therefore, does not support this application.

8. Recommendation

That Rezoning Application #00379 for 2810 Shelbourne Street be declined.

9. List of Attachments

- Subject map
- Air photo
- Letter from the applicant
- Submission drawings dated September 24, 2012 and November 23, 2012
- Oaklands Community Association Minutes
- Petitions and letters.

June 11, 2014

His Worship Mayor Dean Fortin and Councillors
Corporation of the City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6

RE: Rezoning Application #000379, Development Permit #000350
for 2810 Shelbourne Street

Our original application on this property was September 2012. We are grateful to Council for reactivating it and suggesting that there is good reason to put it forward to Public Hearing.

There is considerable support for the concept of this proposal in the O.C.P. and, of course, when the O.C.P. was released we as developers then consider it our "playbook".

Of significant importance is the fact that when we canvassed the neighbourhood absolutely everyone who had an opinion (including the contiguous neighbour) is in support of this application, and equally important, totally against townhouses. We have never had 100% support before and probably no one else has either.

The concept of providing affordable housing is a major goal of Council. These five homes will be about half the price of townhouses. In order to achieve this, some relaxation by Council is necessary. We cannot create affordable housing on the basis of old rules.

The two main objections by the Planning Department are as follows:

1. The two contiguous properties will be "orphaned": The owner of those properties supports this application and in due course will pursue the creation of six similar affordable units as shown on the rendering previously provided to Planning.

In total then, 11 affordable homes (half of townhouse price) will be created within walking distance to the Royal Jubilee Hospital. This is a much better outcome than 8 – 10 townhouses in the \$500K – \$700K range.

Also, to consolidate the properties and build townhouses requires access from Ryan St. resulting in Shelbourne St. having side building profiles – a less than desirable streetscape. This is because a property with side street access, by law, loses their Shelbourne St. access.

2. Incursion into the setback area of 1.7m: The long range plan for this portion of the SRW is to build a bike lane from Mt. Tolmie to Begbie. To acquire this property over the many years will require concessions in order to continue to “bank” this strip that is free to the City. I concede that 50 years from now we will still be waiting for this bike lane. Are we to give up the need for affordable housing for such an improbable outcome?


The additional 1.7m allows us to provide a small yard to everyone – why deny this greenspace for affordable housing? It seems that this loss of so much land results in making “affordable housing” difficult.

3. Precedent Setting: Council may be concerned that approving our proposal will set a precedent. It will not. Our plan provides for saving existing structures (a sustainable goal of Council) and cannot be compared or used as a precedent for new developments.

The Planning Department has just recently raised some minor design considerations. We will speak to these concerns at the Public Hearing as required, but a review of the Shelbourne St. Corridor Guidelines (DP area 7A) indicates that this project is very compatible with the Guidelines.

For your convenience, we have attached copies of all our various letters wherein these issues are covered in far greater detail. Should Council favour our application by putting it forward to Public Hearing, we will support our concept in great detail at that time.

Thank you for your consideration,



Earl Large
Large and Co. Developers
(250) 885-0434

February 25, 2014

His Worship Mayor Dean Fortin and Councillors
Corporation of the City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6

RE: Rezoning Application #000379 for 2810 Shelbourne Street

At the January 30, 2014 Council meeting, Council passed the following resolution:

That Council authorize that Rezoning Application # 00379 for 2810 Shelbourne Street processed to a Public Hearing subject to:

1. *Submission of a Development Permit Application, as the site falls within Development Permit Area 7A, Corridors, at which time refinements to the design siting and landscaping could be further considered.*
2. *Prior to Public Hearing, the applicant provide a registered Statutory Right-of-Way of 7.0m along Shelbourne Street.*
3. *Consideration by the application of transportation demand management strategies to justify the parking reduction.*

1 Development Permit

The Development Permit has been submitted to the Zoning/Planning Departments.

2 Statutory Right-of-Way (SROW)

The SROW will be prepared when the application is moved to Public Hearing and has not been further addressed at this time, as instructed by Planning.

3 Transportation Demand Management (TDM) Strategy

Our TDM strategy for this proposal includes:

1. Five (5) car stalls - once each unit.
2. Provision of a Car Share membership for each *unit*. This membership is attached to the strata unit and not to an individual and will therefore remain with the unit when owners move.
3. Enhanced bicycle parking on site.
 - Five (5) - Class 1 (secure and weather protected bicycle parking)
 - Six (6) - Class 2 (short-term visitor bicycle parking)
4. Two (2) annual bus passes or two (2) bicycles per unit for new owners.

3.1 Official Community Plan (OCP)

In developing a TDM strategy I first reviewed the OCP. With regard to Transportation and Mobility, the OCP *"seeks to manage transportation infrastructure and services to give priority to the pedestrian, cycling and transit modes."* Future development is to consider *"transportation options that reduce fossil fuel dependence, help conserve energy and produce low greenhouse gas emissions and other air contaminants."* Within 10 minutes, residents at this property can walk to Hillside Mall, a Car Share lot, dental, medical, and other shopping amenities. Right outside their door is a bus stop. All alternative transportation options (other than a car) are available at this location.

As well, the OCP Housing and Homelessness vision is to ensure *"all residents have access to appropriate, secure, affordable housing."* Our TDM strategy provides a car stall for each unit – recognizing this is still a real need. However, we have not sacrificed yet more land to the car when this can be used to provide much needed affordable housing.

3.2 Traffic Engineering

To ensure our strategy was viable, I spoke with Steve Hutchison, Traffic Engineer. His comments are:

"If significant TDM measures including car share memberships for each unit, enhanced bicycle parking beyond those required by Schedule C, and 2 annual transit passes or 2 bicycles per unit it may be possible the demand for parking could be reduced to approximately 5 spaces. The development is in a relatively good area for encouraging a lower motor vehicle ownership rate."

Mr. Hutchison did comment that *"The closest vehicles in the Victoria Car Share Coop are located about 900m from the site making this TDM measure less effective than developments closer to the downtown core."* Distances to Car Share for residents in the downtown core can be up to 600m. For a property outside the downtown core, 900m is a reasonable distance and is walkable in about 10 minutes.

4 Summary

This property is in the perfect area to encourage lower car ownership rates and to promote the Transportation and Mobility as well as Housing goals of the OCP. Our TDM strategy supports these OCP initiatives, and I trust satisfies any questions or concerns Council may have in this regard.

Earl Large
Large and Co. Developers
(250) 885-0434

October 03, 2013

His Worship Mayor Dean Fortin and Councillors
Corporation of the City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6

RE: Rezoning Application #000379 for 2810 Shelbourne Street

Large & Co. Developers have been doing development work in the region for over 40 years. We have never, until now, requested special process, and now find we have two issues coming before you to consider. To us, they are compelling or we wouldn't proceed, and of course, the rules allow these requests. This letter addresses one of our issues and references the property at 2810 Shelbourne.

Our rezoning application for this property was halted at the Planning and Land Use Committee (PLUSC), and ratification of their decision is coming before you at the October 10, 2013 Council meeting. Briefly, this property, and two contiguous lots are designated for townhouses. Our project however, takes a more sustainable approach and involves converting the existing unit into 3 strata homes and moving a house from the corner of Haultain and Shelbourne to this property and converting it to 2 homes - 5 in total providing increased density for this site. I have shown this plan to most of you on an informal basis and it appeared there was support in going forward.

With regard to neighbour support, whenever we do a project, in addition to the required neighbourhood meeting, we always go door to door and see everyone in the area. In this case, in addition to showing our plans for the property, we carefully explained the 'townhouse' designation. Never before have we received 100% support from neighbours who had an opinion – no one wanted townhouses.

The issues discussed at the PLUSC were:

1. **Planning wants townhouses.** What is the definition of a townhouse? There is a crying demand for affordable housing, no matter what the description, and there are few if any, projects coming forward. The hospital, which is Victoria's largest employer (5000 workers) is within walking distance of this property. Townhouse prices range from \$500,000 - \$700,000. Our strata houses are in the \$190,000- \$390,000 price range. Who speaks for the cooks and support staff at RJH?
2. **The two contiguous properties are being orphaned.** Not so. We presented a plan showing that an additional 6 units can be created on those properties. As a matter of fact, the owner of those properties supports our application if he can have similar design for his property. There is no need for these separate projects to come to Council at the same time as shown by the plans we prepared.
3. **Setback on Shelbourne.** We requested an incursion into this setback of 1.7m which the PLUSC feels could adversely affect the long term plan for a bike lane on Shelbourne from Mt. Douglas

to Begbie. However, the church adjacent to us has an approved setback similar to what we are requesting. For some reason this is OK. Planning has indicated the church has a different zoning designation but it doesn't change the fact our development would have that same setback. Could it be a safety concern for residents fronting onto Shelbourne? We don't believe so since the church has hundreds of members coming and going from the front as part of their utilization of the property.

With regard to the bike lane, in order to achieve this goal every property owner on the west side of Shelbourne must **GIVE 7m** off their property. For the City to acquire all this property will require many, many, many concessions over the years and the chances of this happening in our lifetime is remote.

The Victoria Foundation has just released their 2013 Vital Signs report for Greater Victoria which revealed, the **cost of living, including affordable housing, is the most important issue** facing Victoria residents – mental health ranked second. Experts feel that some of these mental health issues are a direct result of the stress residents experience in trying to make ends meet. Surely, this current affordable housing crisis outweighs the bike lane dream and focus on expensive townhomes.

Our understanding is that a Councillor may request our application be brought forward at the ratification meeting on October 10, 2013. Since we are unable to present at the PLUSC level, and because this is such a unique and different application, it requires a detailed presentation. We respectfully request our application be forwarded to Public Hearing where there will be an opportunity to demonstrate more fully to Council all aspects of our proposal.

Should you wish to contact me directly, I can be reached at the number below.

Sincerely,

Earl Large
Large and Co. Developers
(250) 885-0434

SEPT 2012

LARGE & CO. DEVELOPERS



Dear Mayor and Council

Introduction

Large and Co is pleased to provide the City with this development proposal for 2810 Shelbourne Ave. We believe this project to be a great fit for the Shelbourne Corridor. The enclosed plans were developed after reviewing Victoria's new *Official Community Plan: April 2012* (from here forward referenced as "OCP") that has been compiled to offer builders and government the new direction for urban planning in the Victoria region. This extensive document notes specifically the need for densification and multiunit residential developments to house the estimated 20 000 new people that will move to the area in the next 30 years (Figure 3.3). In this proposal, we will detail how this development is congruent with the OCP and will reference key points that support our project. This project will increase density from a single occupancy home to a five unit strata development.

Victoria is consistently rated as one the best cities in the world to live. However, it also carries some of the most expensive real estate in the nation. In order to make Victoria more affordable for families and better use the land that is available, innovative building and planning practices are necessary. This development would convert a single family home in a premier location into a 5 unit strata complex. Our plans use existing buildings that will be renewed and retrofitted into new homes of various sizes to accommodate residents no matter where they are in their home buying lifecycle. This projects promotes modernized use of existing buildings an environmentally sustainable practice that is directly supported by the OCP (12.20)

The Shelbourne Corridor- A Major Artery for the City

The site in question is at the corner of Shelbourne Ave and Ryan St, directly in the centre of what the OCP has designated the Shelbourne Corridor. Shelbourne is an arterial road (7.2) that is a major public transit route and falls into development permit area 7A. This area currently has "urban design that is incoherent and in need of revitalization" (DPA7A-3b). However, it also notes that given the traditional residential nature of this neighborhood that it is "requiring a sensitive transition in building form" (DPA7A-3c). Our project achieves these objectives perfectly by maintaining the outward appearance of two single family dwellings but housing 5 units that contribute to the desired density for the area. This sentiment has been echoed by the surrounding households as they see it a great compromise instead of larger and taller townhouse developments. This development explicitly meets the goals set out by (DPA7A-5vi).

DPA7A 5. (vi) Shelbourne Avenue corridor:

(a) The scale and massing of buildings should relate to adjacent buildings and provide a sensitive transition between a proposed development and its neighbors.

(b) The location, height and form of buildings should be in keeping with the topography.

(c) The shape, siting, roof lines and exterior finishes of buildings should be sufficiently varied to avoid a monotonous appearance.

(d) Exterior lighting and signs should be unobtrusive and be in scale with their surroundings.

Other specific benefits to the site in question are its proximity to commercial and community services. Within 500m of this site there is three parks, the community centre, a middle school, an elementary school and of the commercial hub of Hillside Mall. This reduces the need for transport and encourages walking and biking.

Traffic and Transportation

Shelbourne is noted as one the major arteries around Victoria. This means that any developments that front it will have a negligible impact on local side streets and lanes. To further diminish any increase in traffic is the proximity of services (noted above). A key component of the OCP is the need to encourage green transit and make it easy for people to get around the city without their cars. Shelbourne is a primary bus route that can take someone from 2810 Shelbourne to Downtown or to UVIC in only 7 minutes (as per google maps). Any other amenities are easily within walking distance.

For each unit, a parking space is provided off-street, although the area does allow residential parking along Ryan St. Schedule C requires that 1.4 spaces per unit be provided. However given the excellent local transit setting, the proximity of essential amenities and the presence of on street parking for residents, we believe that an exception for this requirement can be made. A setback of 7.5m from Shelbourne Ave is included should the road need to be widened in the future. Both the design and location of this development means that impact on local traffic will be minimal and could contribute to increased alternate transport use and a transit ridership.

Exterior design and Landscaping

The current site at 2810 Shelbourne is sparsely vegetated and appears aged. Our proposal will completely makeover the property with new plantings and renewed facades that will add polish and contribute to pride in the neighborhood. Each unit will have its own parcel of yard so that each resident will get to enjoy the landscaping. The 7.5M setback from Shelbourne means that the view from the street will be lush and will help distance the road noise for the homeowners. The driveway provides a parking stall for each unit and with the bulk of the stalls towards the rear or the yard, added security as well. Although there are no heritage implications for the project, the re-used nature of the homes will maintain the outward appearance and roofline that is present in the neighborhood. In regards to CPTED, we believe the amount of open space and simply its location adjacent to a busy street, provides a high degree of natural surveillance to help reduce instances of crime. Landscaping and pathways will be such that clear lines of ownership and property are maintained to both the public, and the other strata title holders.

Interior Layout and Demographic Appeal

One of the great attributes of this project is that it has homes for a variety of demographics. The square footage of the units are 495, 720, two 858, and the largest being 1213. This goes a long way to create the "multi-generational neighborhood" called for by the OCP. The range of units will naturally offer a range of prices as well. The result will be a diverse yet small "strata community" for people

Summary

This project is exactly what is called for by the OCP. Its appearance fits in beautifully with surrounding structures. Its re-use of existing buildings promotes environmentally sustainable development. The human scale of the design is appealing to all demographics promoting the desired multi-generational communities. The site is ideally located to encourage alternative transport and increase the use of transit. The impact to traffic in the area will be negligible and serves the interest of developing the Shelbourne corridor pursuant to the development permit area 7A for increasing density and revitalizing the area. Large and Co submits that construction for this project be approved by council.

Doug Surtees

Large and Co Developments