



Planning and Land Use Committee Report For the meeting on July 3, 2014

Date: June 11, 2014 **From:** Lucina Baryluk, Senior Process Planner

Subject: **Development Permit #000363 for 1498 Myrtle Avenue**
Application to allow the construction of an accessory building

Executive Summary

The purpose of this report is to provide Council with information, analysis and recommendations regarding a Development Permit Application to allow the construction of an accessory building on a property that is subject to Development Permit Area 15A, Intensive Residential, Small Lot. The current proposal is to construct a 7.4 m² accessory building (garden shed) in the rear yard of an existing lot.

The following points were taken into consideration in assessing this application:

- The application is consistent with the *Small Lot House Design Guidelines* (2002) that are referenced in Development Permit Area 15A. The proposed siting, size, design, finishes and colour of the accessory building will be complementary to the existing dwelling and will be a good fit on the property, with minimal impacts on the adjacent properties.
- The R1-S2 Zone, Restricted Small Lot (Two Storey) District, has standards for the size and siting of accessory buildings. The proposed accessory building meets these requirements and there are no variances associated with the application.

A hearing is not required for this application. Staff recommends that the Planning and Land Use Committee approve this application. The Development Permit will be issued following the endorsement of the Report of the Planning and Land Use Committee.

Recommendations

That Council authorize the issuance of Development Permit #000363 for 1498 Myrtle Avenue in accordance with:

1. Plans stamped June 11, 2014.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,

Lucina Baryluk
Senior Process Planner
Development Services Division

Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager: _____

Date: _____

Jason Johnson

1.0 Purpose

The purpose of this report is to provide Council with information, analysis and recommendations regarding a Development Permit Application to allow the construction of an accessory building on a property that is subject to Development Permit Area 15A, Intensive Residential, Small Lot. The current proposal is to construct a 7.4 m² accessory building (garden shed) in the rear yard of an existing lot.

2.0 Background

In 2011 the subject property was part of a two-lot rezoning application to allow a small lot subdivision. In essence, the rear yards of 1498 Myrtle Avenue and the adjacent lot at 1492 Myrtle Avenue were consolidated to create a new small lot fronting Belmont Street. As a result of the reduction of parcel size for the two parent parcels, all of the lots and the existing houses were placed in the R1-S2 Zone, Restricted Small Lot (Two Storey) District. As part of this redevelopment of the rear yards, the garage on the subject property was removed.

2.1 Description of Proposal

The proposal is to construct a 7.4 m² accessory building, to be used as a garden shed. The design incorporates board and batten siding, a row of three clerestory windows on the front elevation along with windows on the front and east elevations. The roofing material is asphalt shingles. The owner has indicated that the wood surfaces will be stained to match the pergola, fencing and front porch. The parking will be maintained as a surface parking stall in the rear yard.

In terms of placement and overlook, the accessory building will be located in the northwest corner of the lot and has no windows on the sides facing the adjacent neighbours. In addition, the lot to the west has a garage adjacent to the shed, so the impact on the neighbouring properties will be minimal.

2.2 Existing Site Development and Development Potential

The existing house is relatively small, with a total floor area of 107 m². Potentially this house could be reconstructed to allow for a larger home (up to 190 m²) within the current zoning provisions of the R1-S2 Zone, provided that a Development Permit is obtained.

2.3 Data Table

The following data table compares the proposal with the current small lot zoning of the property, R1-S2 Zone. There are no variances associated with this application.

Zoning Criteria For Accessory Buildings	Subject property 1498 Myrtle Ave.	Zone Standard R1-S2
Location	Rear yard	Rear yard
Combined floor area (m ²) maximum	7.4	37
Height (m) maximum	3.2	4.0

Separation space between an accessory building and principal building (m) minimum	2.5	2.4
Rear yard site coverage (%) maximum	10.4	30
Setbacks (m) minimum		
Front - from Myrtle Avenue	23	18
Rear	0.6	0.6
Side (east)	0.6	0.6
Flanking street (west)	10.7	6.0

2.4 Land Use Context

Most of the surrounding properties are single family residences, with many dwellings built more than 50 years ago. The main exception is, of course, the new small lot house located at 2958 Belmont Avenue, which shares a common boundary with the subject parcel.

Opposite on Myrtle Avenue, to the south, is a restaurant. There are a number of higher density multi-family apartment buildings and offices along Hillside Avenue.

2.5 Legal Description

Lot B, Sections 29 and 30, Victoria District, Plan EPP28260.

2.6 Consistency with Design Guidelines and Regulations

The *Small Lot House Design Guidelines* (2002) do not specifically address the placement or design of an accessory building, other than noting that a tool shed or carport should appear as an integral part of the design. In this case, the applicant has taken care to present an attractive design with finishes and colour that will complement the existing house.

The *Zoning Regulation Bylaw* allows for an accessory building up to 37 m² in floor area, and as the proposed building has 7.4 m² in floor area, it is a modest proposal that fits with the scale of the house. All other siting requirements for the accessory building are satisfied.

2.7 Community Consultation

In accordance with Council's *Community Association Land Use Committee (CALUC) Procedures for Processing Development Permit Applications*, public consultation is not required as no variances are requested.

3.0 Issues

There are no issues associated with this application.

4.0 Resource Impacts

There are no resource impacts anticipated.

5.0 Conclusions

The proposed siting, size, design, finishes and colour of the accessory building are compatible with the existing dwelling and will be a good fit on the property. The siting of the accessory building will have minimal impacts on the adjacent property owners. The scale of the accessory building is modest (less than 10m²) and will not overwhelm the rear yard. The *Zoning Regulation Bylaw* requirements within the R1-S2 Zone, Restricted Small Lot (Two Storey) District, are satisfied. Given the application's consistency with the relevant policies and regulations, staff recommend that the Planning and Land Use Committee approve this application.

6.0 Recommendations

6.1 Staff Recommendations

That Council authorize the issuance of Development Permit #000363 for 1498 Myrtle Avenue in accordance with:

1. Plans stamped June 11, 2012.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

6.2 Alternate Recommendation

That Council decline Development Permit #000363 for 1498 Myrtle Avenue.

7.0 List of Attachments

- Zoning map
- Aerial map
- Letter from applicant dated May 21, 2014
- Plans dated June 11, 2014.



1498 Myrtle Avenue
Development Permit #000363





CITY OF
VICTORIA

Debi LaHaise
1498 Myrtle Avenue
Victoria BC V8W 2Z6
250.388.3691



May 21, 2014

His Worship Dean Fortin and Council
City of Victoria
1 Centennial Square
Victoria BC V8W 1P6

Dear Mayor Fortin and Council:

Re: Accessory Building at 1498 Myrtle Avenue
Development Permit #00363

We respectfully submit application for a development permit to build an accessory building in the rear yard of our home at 1498 Myrtle Avenue. We are requesting an 8x12' garden shed to house garden tools, bicycles, etc.

During the recent rezoning of 1492 & 1498 Myrtle Avenue, and the subdivision of the rear portion of these properties, the existing garage for 1498 was demolished as it was situated on the proposed new lot. The original agreement between the owners of 1498 & 1492 called for a building to replace the garage, which was 16' x 20', although somehow the building was not included in the original development plan.

The new building will be tucked into the back corner of the rear yard, as far from the house as will allow access around the building for cleaning, etc. between the building and the fence. Two sides will face the rear yard of 1498 Myrtle, one will face the wall of the garage of 1492 and one will face the fence between 1498 and the new lot that was created by the subdivision.

The exterior will be boards and cedar siding stained to match the pergola, fencing & front porch. The roof will be done with the same shingles as the house, which had a new roof installed this spring. Technically 1 ½ stories, the building itself will be one story, but with clerestory windows facing south to provide a unique design and maximize the natural light.

No building permit will be required for the accessory building as it is under the minimum size requirement for a permit. Your support for this small building for garden storage purposes is greatly appreciated. We welcome any comments or concerns you may have.

Respectfully submitted,

A handwritten signature in cursive script that reads "Debi LaHaise".

Debi LaHaise

A handwritten signature in cursive script that reads "Debi LaHaise per:".

Kelda Sholdice

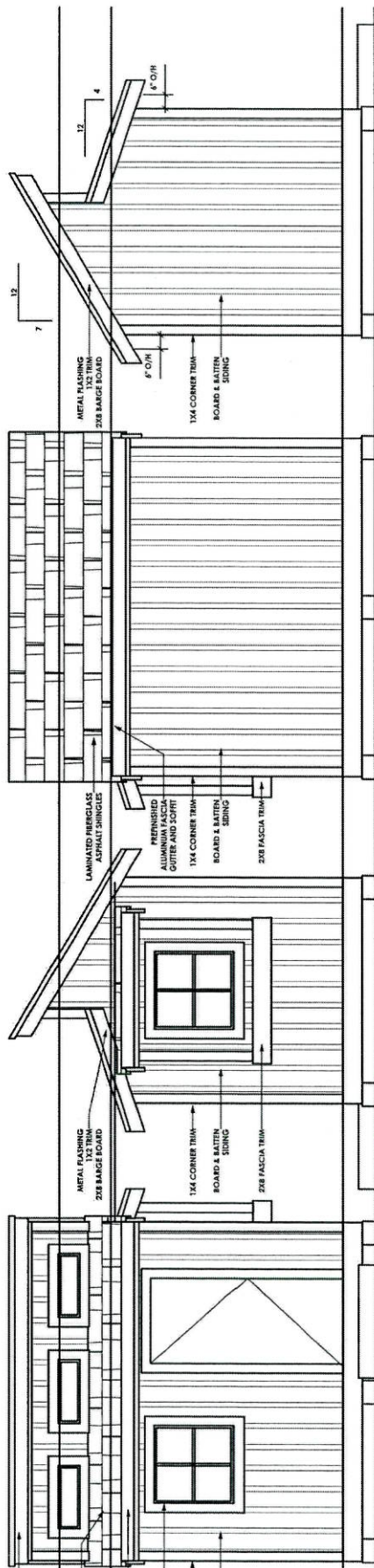
Scale 1: 150 (metric) All distances are in metres
Civic address: 1498 Myrtle Avenue



Siteplan
Scale: 1:150

Date: 10/6/14
Time: 4:29:03 PM

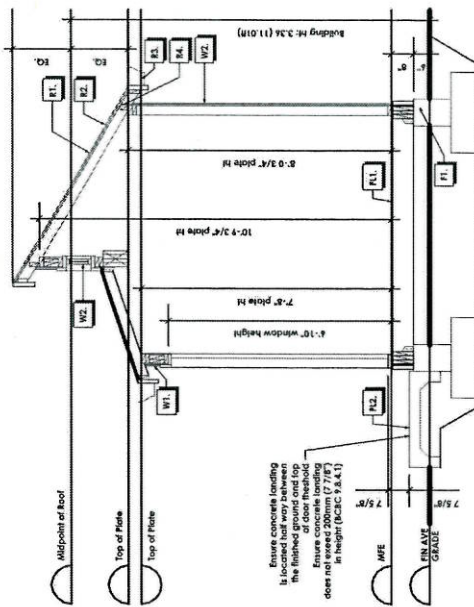
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A2

Left Elevation

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Section
Scale: 1/4" = 1'-0"

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| LAMINATED ASPHALT MEMBRULES | | 1/8" DIA. CONC. POSTING ON 3/8" DIA. 1/4" CONC. C/W 3/16" M.BARS BOTH WAYS |
| 1. | 1/2" LAMINATED ASPHALT OR EQUAL | |
| 2. | 1/2" WOOD STRAPPING | |
| 3. | 1/2" PLYWOOD OR EQUAL | |
| 4. | 2X4 STUDS @ 16" O/C | |
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- | DOOR SCHEDULE | |
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| F | 2/10 X 4/8 (844 X 2032) |
| G | 2/8 X 4/8 (913 X 2032) |
| H | 2/4 X 4/8 (742 X 2032) |
| I | 2/4 X 4/8 (711 X 2032) |
| J | 2/0 X 4/8 (610 X 2032) |
| K | 1/8 X 4/8 (508 X 2032) |

WALL LEGEND

	214 st exterior
	214 st exterior with B (refer)
	SOLID

Received
City of Victoria
JUN 11 2014
Planning & Development Department
Development Services Division

**Proposed Access
For Debi Lahaise
1498 Myrtle Ave
Victoria B.C.**

Date: 10/6/14
Time: 4:30:07 PM

**VICTORIA
DESIGN**
GROUP
INC. - Bldg.
17700 AVENUE
VICTORIA, B.C.
V8N 4G6
TEL: 250-388-7274
FAX: 250-388-7244