



Planning and Land Use Committee Report

Date: April 17, 2014 **From:** Helen Cain, Senior Planner
Development Services

Subject: **Update on Rezoning Application #00389 and Development Permit for 1235 McKenzie Street.** Application to rezone from the R1-B Zone to a new zone to permit a duplex with two variances for rear yard setbacks and site coverage

Executive Summary

The purpose of this report is to present Council with updated information and recommendations regarding a Rezoning Application for the property located at 1235 McKenzie Street. The applicant proposes to construct a duplex that will comply with the R-2 Zone, Two Family Dwelling District, criteria except for the rear yard setback.

At the December 5, 2013 meeting, the Planning and Land Use Standing Committee (PLUSC) considered an earlier staff report (attached with Minutes), and recommended to Council that this Rezoning Application proceed to a Public Hearing. However, the Development Permit with Variance was subject to design refinements to the satisfaction of the Director of Sustainable Planning and Community Development. Council ratified the PLUSC motion on December 12, 2013 (Minutes attached).

The staff report, dated November 20, 2013, described the proposal in detail. While many aspects of the design were generally consistent with the applicable guidelines, staff were concerned about a garage proposed for the front elevation of the west side of the duplex. Subsequent to the December 2013 PLUSC meeting, the applicant has revised the design to improve the street presence of the duplex. Specifically, the garage has been recessed back from the street frontage, a second entrance column is added to emphasize the front door, and exterior finishes around the garage door have been changed to help blend the garage entrance with the façade.

It should be noted that recessing the built-in garage has resulted in new variances from R-2 Zone standards for rear yard setback and site coverage. Originally, this proposal included a relaxation from the required rear yard setback of 15.03 m to 15 m from the building and 13.4 m from rear stairs. The revised proposal includes rear yard setbacks of 13.11 m from the building and 11.33 m from the rear stairs. There is also a new variance for maximum site coverage. Compared with the standard of 40%, the proposed site coverage is 41.43%. Staff consider these variances to be minor and recommend support, given the latter arise from design revisions to improve the street presence of the duplex.

The design refinements as presented in the attached plans, dated April 9, 2014, comply with the applicable guidelines to the satisfaction of the Director of Sustainable Planning and Community Development.


Staff recommend that Council support the Development Permit with Variances following Council's consideration of this Rezoning Application.

Recommendation

That Committee recommend to Council:

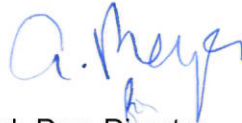
1. That following consideration of Rezoning Application #00389, that Council authorize the issuance of a Development Permit with Variances for 1235 McKenzie Street, in accordance with:
 - (a) plans stamped dated April 9, 2014;
 - (b) development meeting all *Zoning Regulation Bylaw* requirements except:
Part 2.1, R-2 Zone, Two Family Dwelling District
 - minimum rear yard setback from the building is relaxed from 15.03 m to 13.11 m
 - minimum rear yard setback from the stairs is relaxed from 15.03 m to 11.33 m
 - maximum site coverage is relaxed from 40% to 41.43%
 - (c) 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,



Helen Cain
Senior Planner
Development Services Division





Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

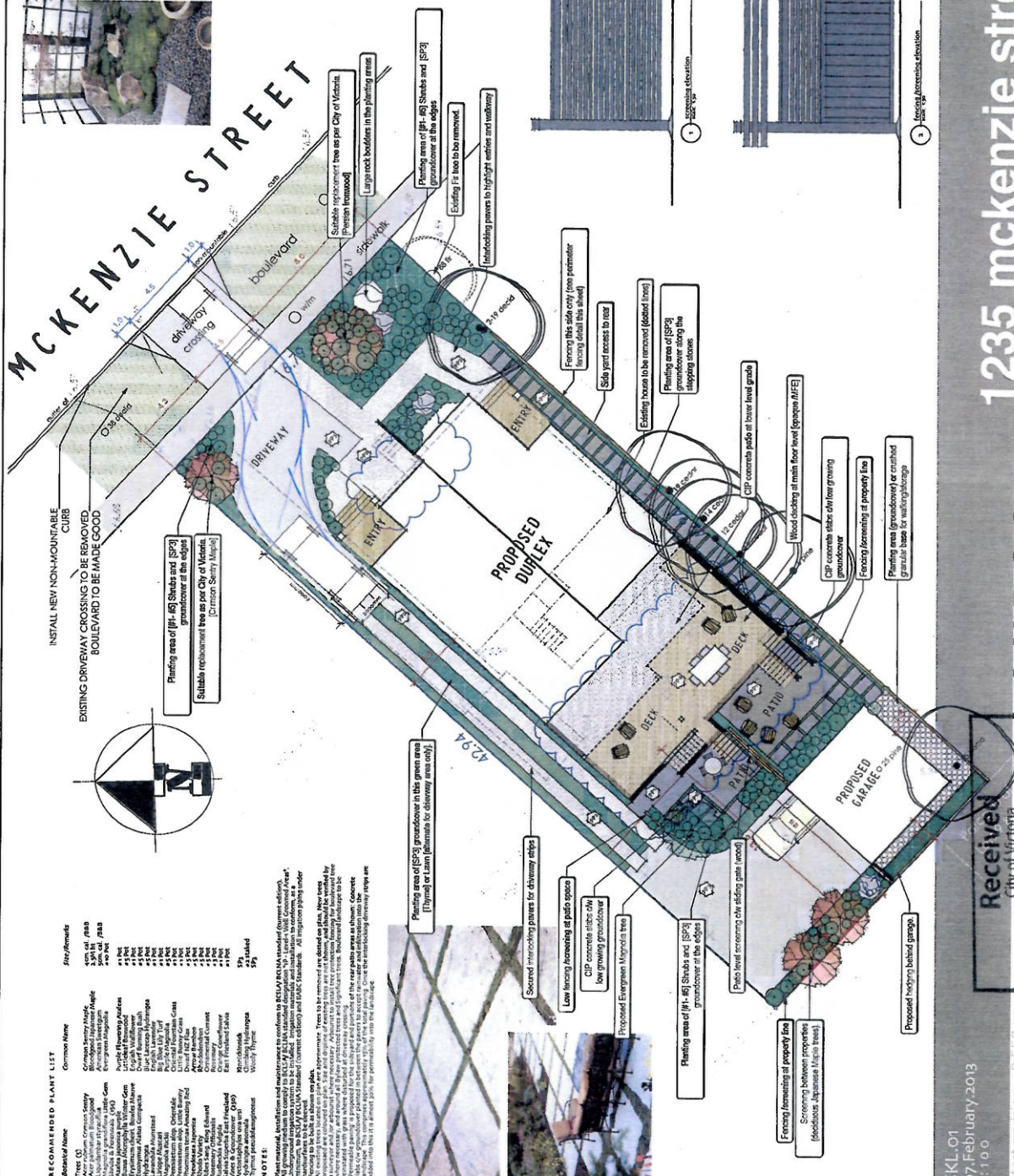

Jason Johnson

HC:lw

Date: April 22, 2014

List of Attachments

- Plans for Rezoning Application #00389, stamped April 9, 2014
- Council Minutes from December 12, 2013
- Planning and Land Use Standing Committee Minutes from December 5, 2013
Planning and Land Use Standing Committee report, dated November 20, 2013
with appended:
 - Zoning map
 - Aerial map
 - Letter from Joan and Craig Wharf Higgins, stamped October 15, 2013, August 13, 2013 and May 17, 2013
 - Plans for Rezoning Application #00389, stamped November 19, 2013
 - Correspondence from Fairfield Gonzales Community Association Land Use Committee, dated November 19, 2012.

[illegible][illegible]

LEGEND

pp1	QIP coloured concrete, Charcoal; mag float finish
pp1b	A 'permeable' application of separated concrete, dry groundcover planting in gaps between pavers
pp2	Concrete rain pavers, QIP Country Shadow, all sizes
pp3	QIP concrete, Natural colour; mag float finish
pp4	Wood or vinyl decking

SOFTWARE:

MISCELLANEOUS:

 <p>Wooden privacy screening approx. 1500-2400mm height</p>	 <p>Large rock boulders approx 3' x 5' dia.</p>	 <p>Concrete or masonry rock retaining/landscape walls; heights vary.</p>
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OTES:

All building layout information and setbacks dimensions supplied by Victoria Design Group Ltd. All survey information supplied by Powell and Coker. This drawing must not be scaled. The General contractor shall verify all dimensions, datums and levels prior to commencement of work. All errors and omissions must be reported immediately to the Designer. This is the exclusive property of the Designer and can be reproduced only with the permission of the Designer. In which case the reproduction must bear the Designer's name.

SKL.01
07.February.2013
1:109

latest revision: 28.FEB.2014

APR - 9 2014

**Planning & Development Department
Development Services Division**

1235 mckenzie street
LANDSCAPE CONCEPT PLAN

ALL RIGHTS RESERVED. THESE PLANS AND DESIGNS ARE AT ALL TIMES THE PROPERTY OF THE DESIGNER TO BE USED FOR THE PROJECT SHOWN. WRITTEN CONSENT IS REQUIRED FROM THE DESIGNER BEFORE ANY REPRODUCTION.

duane ensing
landscape design

REZONING PROJECT :: 1235 MCKENZIE STREET :: SKL.01 :: landscape layout ::

Date: 9/1/14
Time: 11:01:56 AM

Sketch Plan of 1235 McKenzie Street

Legal - Lot 17, Fairfield Farm Estate, Victoria City, Plan 1055

Scale - 1:200

All distances are shown in metres.
Tree diameters are in centimetres.

Geodetic elevations shown (in metres)

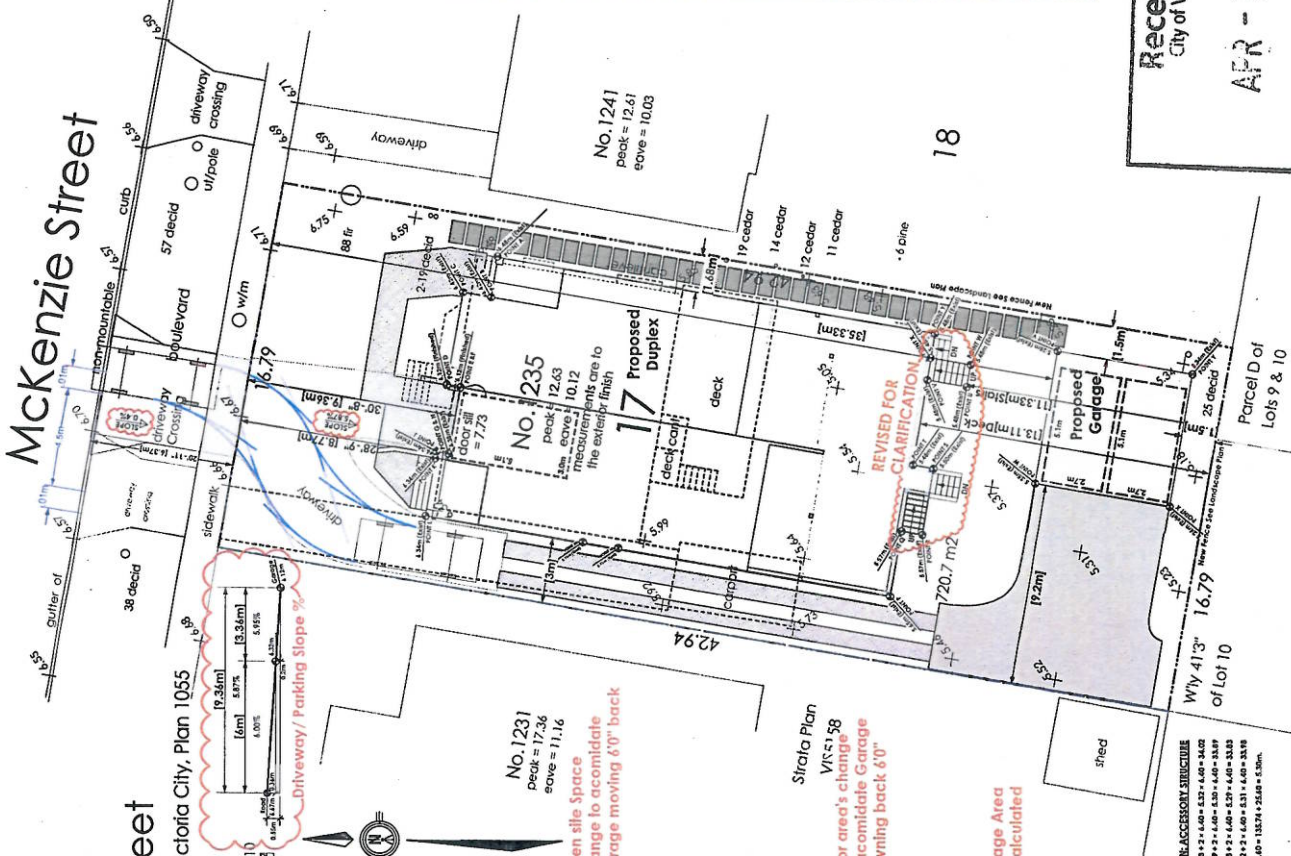
Site Area = 720.7 m²

PROJECT INFORMATION TABLE	
Zone (existing)	R-1B
Site (N50°)	6.2
Site area (sq.m.)	720.7
Total floor area (sq.m.)	379.4
Commercial floor area (sq.m.)	NA
Residential floor area (sq.m.)	0.5 to 1.0
Site coverage % (FPA 42 sq.m.)	41.45%
Open site space %	39.07%
Open site space (sq.m.)	284.45
Open site space (sq.m.)	284.45
Number of trees	15
Parking stalls (number) on site	3
Bicycle parking number (storage and rack)	In garage
Front yard	8.77 m.
Side yard (East)	1.13 m.
Side yard (West)	1.60 m.
Side yard (North)	3 m.
Side yard (South)	4.48 m.
Combined side yards	
Residential Use Details	
Total number of units	2
Unit type, e.g., 1 bedroom	
Ground-attached units	
Plot floor area	152.78 sq.m.
Garage	122.86 sq.m.
Total of floor area (excluding garage)	279.78 sq.m.
Garage area	100.14 sq.m.
Total building floor area (including garage)	379.92 sq.m.
PROPOSED GARAGE	
Height of building (m)	3.13 m.
Front yard (North)	36.33 m.
Front yard (South)	1.6 m.
Side yard (East)	1.6 m.
Side yard (West)	7.2 m.
Garage Area	35.30 sq.m.

* VARIANCES REQUIRED

1 Siteplan
Scale: 1:100

AVERAGE GRADE CALCULATION: ACCESSORY STRUCTURE
VTOE (6.51 + 5.29) ÷ 2 = 6.00 + 10.03 ÷ 2 = 6.00 + 5.07 = 6.00 + 34.02
WTOE (6.51 + 5.29) ÷ 2 = 6.00 + 10.03 ÷ 2 = 6.00 + 5.07 = 6.00 + 34.02
XTOE (6.51 + 5.29) ÷ 2 = 6.00 + 10.03 ÷ 2 = 6.00 + 5.07 = 6.00 + 34.02
YTOE (6.51 + 5.29) ÷ 2 = 6.00 + 10.03 ÷ 2 = 6.00 + 5.07 = 6.00 + 34.02
34.02 + 33.89 + 33.89 + 33.89 = 135.74 + 25.08 = 160.82



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Mckenzie Street

PROFESSIONAL SEAL

Consultants

- 51. Siteplan
- 52. Street Scope
- 53. Elevation / Floor Plans
- 54. Garage Elevations / Floor Plans
- 55. Color Elevations

REVISIONS

NO.	DATE	DESCRIPTION
1	04/07/14	Revised Submission

General Conditions and Notes to Owners and Designers:
This set of drawings is prepared for the purpose of obtaining a building permit for the proposed development. It is not to be used for any other purpose without the written consent of the architect.
The architect is not responsible for the accuracy of the information provided by the client or for the results of the design process. The architect is not responsible for the construction of the building or for the results of the design process.
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VICTORIA DESIGN
7167
R1 OF R4
April 09, 2014
As Shown
J.D.F.

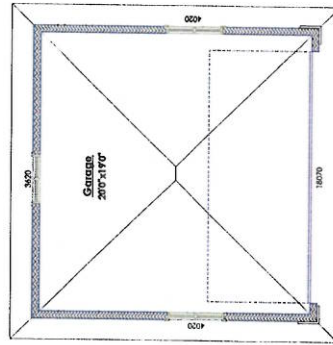
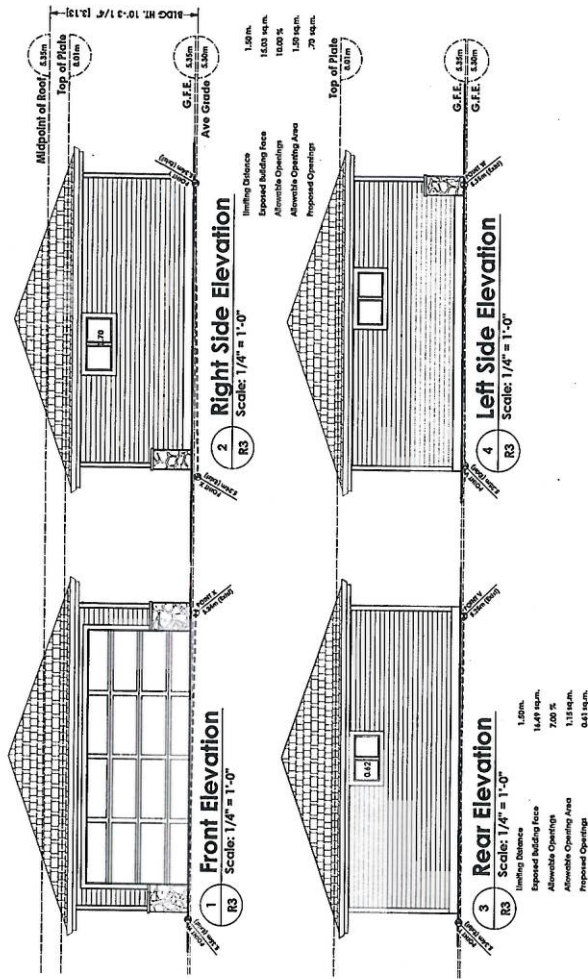
Received
City of Victoria

APR - 9 2014

Proposed Duplex
Craig Higgins & Joan Wharf
Marilyn Callaghan
1235 McKenzie St

Planning & Development Department
Development Services Division

Date: 11/11/14
Time: 11:03:17 AM



Received
City of Victoria
APR - 9 2014

Planning & Development Department
Development Services Division

Proposed Duplex
Craig Higgins & Joan Wharf
Marilyn Callaghan
1235 McKenzie St

VICTORIA
DESIGN
7167
R3 OF R4
April 09, 2014
As Shown
J.D.F.

PROFESSIONAL SEAL

LIST OF DRAWINGS

NO.	DATE	DESCRIPTION
1	04/07/14	Issuing Jounal

ISSUED/REVIEWED

NO. DATE DESCRIPTION

1 04/07/14 Issuing Jounal

1.00m
14.41 sq.m.
7.00 sq.m.
1.11 sq.m.
0.41 sq.m.

1.00m
14.41 sq.m.
7.00 sq.m.
1.11 sq.m.
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1.00m
14.41 sq.m.
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0.41 sq.m.

1.00m
14.41 sq.m.
7.00 sq.m.
1.11 sq.m.
0.41 sq.m.

PROJECT	Proposed Duplex Craig Higgins & Joan Wharf Marilyn Callahan 1235 McKenzie St
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REPORTS OF THE COMMITTEE

3. Planning and Land Use Standing Committee – December 05, 2013

Councillor Young withdrew from Council Chambers at 9:45 p.m. due to a non-pecuniary conflict of interest in the following item as it is the next street away from his residence.

3. Rezoning Application # 00389 for 1235 McKenzie Street

It was moved by Councillor Helps, seconded by Councillor Coleman, that Council authorize that Rezoning Application # 00389 for 1235 McKenzie Street proceed for consideration at a Public Hearing, subject to preparation of a *Zoning Regulation Bylaw* amendment. Carried Unanimously

Councillor Young returned to Council Chambers at 9:46 p.m.

3.1 Rezoning Application # 00389 and Development Permit with Variance for 1235 McKenzie Street

Committee received a report dated November 30, 2013, regarding a Rezoning Application and Development Permit with Variance Application for the property located at 1235 McKenzie Street. The applicant proposes to construct a duplex that will comply with the R-2 Zone, Two Family Dwelling District criteria except for the rear setback. Specifically, the request is to relax the minimum rear setback from the building face from 15.03m to 15m and from 15.03m to 13.4m for the rear stairs.

The proposed rezoning and development is broadly consistent with the Traditional Residential Urban Place Designation and *Fairfield Strategic Directions* in the *Official Community Plan, 2012*.

With respect to the Rezoning Application, staff had no concerns with respect to the requested variance from the rear setback standard for duplex developments.

With respect to the Development Permit Application, the new duplex is subject to DPA 15D Intensive Residential Duplex and the proposal is consistent with the objectives for infill in residential areas with an established character. It is recommended that the Rezoning Application move forward for consideration at a Public Hearing subject to design refinements that improve the street presence of the duplex.

Action:

- Councillor Helps moved that Committee recommends that Council authorize:
1. That Rezoning Application # 00389 for 1235 McKenzie Street proceed for consideration at a Public Hearing, subject to preparation of a *Zoning Regulation Bylaw* amendment.
 2. Subject to adoption of the *Zoning Regulation Bylaw* amendment, that Council authorize the issuance of a Development Permit with Variances for a duplex, in accordance with:
 - a. Plans stamped November 19, 2013.
 - b. Plan revisions for design refinements to improve street presence, to the satisfaction of the Director of Sustainable Planning and Community Development.
 - c. Development meeting all *Zoning Regulation Bylaw* requirements; except for rear setback.
 - Part 2.1, R-2 Zone, Two Family Dwelling District
 - Minimum rear setback from building relaxed from 15.03m to 15m, and
 - Final plans to be in accordance with plans identified above.

CARRIED UNANIMOUSLY 13/PLUSC0185

PLUSC meeting
December 5, 2013

Planning and Land Use Standing Committee Report

Date: November 20, 2013 **From:** Helen Cain, Senior Planner
Subject: **Rezoning Application #00389 and Development Permit with Variance for 1235 McKenzie Street** - Application to rezone from the R1-B Zone to a new zone to permit the construction of a duplex with one variance for the rear setback from the standards in the R-2 Zone

Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit with Variance Application for the property located at 1235 McKenzie Street. The applicant proposes to construct a duplex that will comply with the R-2 Zone, Two Family Dwelling District, criteria except for the rear setback. Specifically, the request is to relax the minimum rear setback from the building face from 15.03 m to 15 m and from 15.03 m to 13.4 m for the rear stairs.

The following points were considered in assessing this application:

- The proposed rezoning and development is broadly consistent with the Traditional Residential Urban Place Designation and *Fairfield Strategic Directions* in the *Official Community Plan, 2012*.
- With respect to the Rezoning Application, staff have no concerns with respect to the requested variance from the rear setback standard for duplex developments.
- With respect to the Development Permit Application, the new duplex is subject to DPA 15D Intensive Residential Duplex. The proposal is consistent with DPA 15D objectives for infill in residential areas with an established character. However, staff are concerned that the proposed design does not adequately comply with applicable guidelines. The main outstanding issue is related to ensuring a positive street presence.

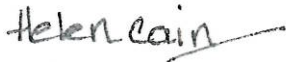
This request to rezone is supportable because this proposal to permit a duplex is generally consistent with land use policy in the *Official Community Plan (OCP), 2012*. However, staff recommend that the Rezoning Application move forward for consideration at a Public Hearing, subject to design refinements that improve the street presence of the duplex.

Recommendations

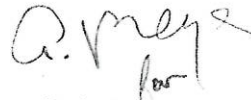
1. That Rezoning Application #00389 for 1235 McKenzie Street proceed for consideration at a Public Hearing, subject to preparation of a *Zoning Regulation Bylaw* amendment.
2. Subject to adoption of the *Zoning Regulation Bylaw* amendment, that Council authorize the issuance of a Development Permit with Variances for a duplex, in accordance with:
 - a. plans date stamped November 19, 2013;
 - b. plan revisions for design refinements to improve street presence, to the satisfaction of the Director of Sustainable Planning and Community Development;

- c. development meeting all *Zoning Regulation Bylaw* requirements; except for rear setback:
- Part 2.1, R-2 Zone, Two Family Dwelling District
 - minimum rear setback from building relaxed from 15.03 m to 15 m and minimum rear setback from stairs relaxed from 15.03 m to 13.4 m;
- d. final plans to be in accordance with plans identified above.

Respectfully submitted,



Helen Cain
Senior Planner
Development Services



Deb Day, Director
Sustainable Planning and
Community Development

Report accepted and recommended by the City Manager:

HC:aw

Jocelyn Jenkyns

1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit with Variance Application for the property located at 1235 McKenzie Street.

2.0 Background

2.1 Description of Proposal

The applicant proposes to rezone the property located at 1235 McKenzie Street for the construction of a new duplex. All components of the proposal are consistent with the R-2 Zone (Two Family Dwelling District) standards except for a minor variance to the rear yard setback. One single family dwelling on the subject site will be demolished.

The site plan, design and landscaping for the small lot house include:

- siding: mix of concrete fiber board, cedar shingles and Eldorado Stone veneer
- windows and entrances: wood casings, doors and front entry columns
- balcony and deck railings: aluminum with inset glazed panels
- one-stall garage in the front elevation of the west duplex unit and rear garage with two stalls
- driveway, paths and rear patios: concrete driveway broken up with landscaping strips within the west side setback and concrete pavers for the pathway within the east side setback and finished concrete with wood or vinyl deck for both outdoor patios
- trees and plantings: retention of eight trees along the east property line, two new trees and plantings in the front yard and three new trees and shrubs located at the rear property line.

Along the east property line of the duplex there is one bylaw-protected Douglas Fir which would be removed because it has been assessed as unhealthy. Two new trees are proposed to be planted in the front yard and would replace the Douglas Fir.

2.2 Land Use Context

The immediate surrounding land use context is R1-B Zone, Single Family Dwelling District, to the north, south, east and west of the subject property. This site is located one block north of Chapman Park and one block to the south of Robert J. Porter Park and Five Points Village, where there is a cluster of shops, services and facilities, including the Fairfield Community Centre. New infill that is low-density, ground-oriented housing is well-suited to this section of central Fairfield, which has an established place character of predominantly single-family dwellings.

2.3 Community Consultation

The applicant consulted with the Fairfield Gonzales Community Association Land Use Committee (CALUC) on November 19, 2012. Correspondence from Fairfield Gonzales CALUC is attached to report.

2.4 Existing Site Development and Development Potential

The data table (below) compares the proposal with the R-2 Zone (Two Family Dwelling District). The proposal meets all zoning criteria except for the rear yard setback requirement as marked by an asterisk (*) and exceeds the required number of vehicle parking stalls, as indicated by a double "plus sign" (++).

Zoning Criteria	Proposal	Zone Standard R-2
Site area (m ²) – minimum	720.7	555
Lot width (m)	16.79	15.00
Total floor area (m ²) – maximum	378.86	380
Density (Floor Space Ratio) – maximum	0.39	0.50
Height (m) – maximum	7.6	7.6
Storeys – maximum	1.5+basement	1.5+basement
Site coverage (%) – maximum	39.4	40
Open site space (%) – minimum	30.3	30
Setbacks (m) – min.		
North (front)	7.60	7.50
Rear (south)	15.00 (building face)* 13.40 (stairs)*	15.03
West (side)	3.00	3.00
East (side)	1.68	1.68
Parking – minimum	3++	2

2.5 Legal Description

Lot 17, Fairfield Farm Estate, Victoria City, Plan 1055.

2.6 Consistency with City Policy

2.6.1 Regional Growth Strategy

The proposal contributes to the *Regional Growth Strategy* goal by adding to the supply of housing within the boundaries of the City.

2.6.2 Official Community Plan, 2012

The proposed development is consistent with the relevant land use policies of the *Official Community Plan 2012* (OCP). The property at 1235 McKenzie Street is designated as Traditional Residential in the OCP, which envisions ground-oriented housing and multi-unit residential buildings up to three storeys and density generally up to 1:1 FSR. Given that the new duplex is proposed at 0.39:1 FSR, it is consistent with land use policy.

In accordance with the OCP, the proposal is subject to DPA15D: Intensive Residential Duplex, where the objectives include:

4. (a) *To accommodate 10% of Victoria's anticipated population growth and associated housing growth in Small Urban Villages, and residential areas, to encourage and support future and existing commercial and community services.*
- (b) *To integrate more intensive residential development in the form of two-family dwellings (duplexes) within existing Traditional Residential areas in a manner that respects the established character of the neighbourhoods.*
- (c) *To accommodate housing growth in Traditional Residential areas in a manner that is gradual, of a compatible scale and adaptive to the local contexts.*
- (d) *To achieve a high quality of architecture, landscape and urban design to enhance neighbourhoods.*
- (e) *To integrate infill development in Traditional Residential that is compatible with existing neighbourhoods through considerations for privacy, landscaping and parking.*

The proposed development at 1235 McKenzie Street adequately complies with DPA 15D objectives for new infill in low-density residential areas but the design should be revised to comply with relevant guidelines as assessed in Section 4 of the report.

2.7 Consistency with Design Guidelines

The proposal is subject to review under DPA 15D Intensive Residential Duplex. The building form, massing, character, finishes and landscaping details are controlled and regulated in relation to the *City of Victoria Neighbourliness Guidelines for Duplexes, 1996*. Staff assessment of this duplex proposal for compliance with the applicable design guidelines is summarized below.

2.7.1 Streetscape Context and Character

The subject property is a narrow and deep lot on a block where the majority of parcels have a similar configuration. The existing character consists of single-family dwellings on both sides of this 1200-block of McKenzie Street. The adjacent house to the east is small and one-storey and to the west is a relatively large two-and-a-half storey house. The proposed duplex will be set back from the public street in alignment with these neighbouring buildings.

2.7.2 Building Layout, Size, Height and Features

The proposed layout of this one-storey, side-by-side duplex is consistent with the relevant guidelines and its overall design is well-suited to the surrounding streetscape. It is a good fit with respect to the proposed scale and height, and some building features, such as a wood gable and finial on the second storey, are references to historic Craftsman houses that are predominant on the north side of this street. In addition, the choice of palette is neutral colours in a variety of materials and textures that include concrete fibre siding with cedar shingle and Eldorado Stone features, wood windows, trim and front entry columns and rear balcony and deck metal railings with inset glazed panels. However, the garage built into the street elevation of the west side of the building is contrary to the design guidelines for duplexes with respect to "street appearance" as assessed in Section 2.7.4, below.

2.7.3 Site Planning and Landscape

The proposed landscaping in the front yard will include two new trees and extensive plantings on the east side of the duplex. Eight existing trees will be retained along the east property line with a landscape strip of groundcover to break up the concrete pathway. Similarly, landscape strips will also be used along the driveway within the west side setback. Two new trees and a hedge will be introduced along the south property line for privacy screening between the duplex yards and the adjacent lot that fronts onto Oxford Street. Both rear yards will have private outdoor patios that will be screened from the driveway pad and two-vehicle garage by a wood fencing.

2.7.4 Street Appearance

The proposed design complies with the relevant guidelines with respect to the side-by-side layout and visible front entrances flanked by entry columns. However, the garage in the front elevation of the west duplex unit is inconsistent with the duplex guideline that *"the street appearance should be dominated by 'people features such as windows, doors and porches. Car features, e.g. garage doors and carports, should be minimized."* The visual dominance of the built-in garage and entrance will significantly impact the pedestrian experience of the street.

3.0 Issues

The main outstanding issue related to this application is the street dominance of "car features".

4.0 Analysis

4.1 Street Dominance of "Car Features"

In addition to the architectural design that is well suited to each unique context, sensitive infill in established areas should provide a positive street presence from a pedestrian point-of-view. The main entrances facing McKenzie Street will help to create a welcoming appearance, but the design choice to have a garage integrated into the west duplex frontage will result in a visual emphasis "on the car" rather than "people" when viewed from the street. Both the architectural programme and site plan should be revised to create a positive street presence through replacing the built-in garage with habitable space and retaining the rear garage. Such a revision is feasible given that the R-2 Zone, Two Family Dwelling District, permits a density of up to 0.5:1 floor space ratio (FSR), whereas the proposal as currently presented is 0.39:1 FSR. Also, the proposed front garage will be surplus to the *Zoning Regulation Bylaw* Schedule "C" requirements for two parking stalls that will be provided in the double garage in the rear yard.

5.0 Resource Impacts

There are no resource impacts that are associated with this proposal.

6.0 Options

Option One (Proceed to a Public Hearing Subject to Design Refinements)

1. That Rezoning Application #00389 for 1235 McKenzie Street proceed for consideration at a Public Hearing, subject to preparation of a *Zoning Regulation Bylaw* amendment.

2. Subject to adoption of the *Zoning Regulation Bylaw* amendment, that Council authorize the issuance of a Development Permit with Variances for a duplex, in accordance with:
 - a. plans date stamped November 19, 2013;
 - b. plan revisions for design refinements to improve street presence, to the satisfaction of the Director of Sustainable Planning and Community Development;
 - c. development meeting all *Zoning Regulation Bylaw* requirements, except for rear setback:
 - Part 2.1, R-2 Zone, Two Family Dwelling District
 - minimum rear setback from building relaxed from 15.03 m to 15 m and minimum rear setback from stairs relaxed from 15.03 m to 13.4 m;
 - d. final plans to be in accordance with plans identified above.

Option Two (Proposal as Presented by Applicant)

1. That Rezoning Application #00389 for 1235 McKenzie Street proceed for consideration at a Public Hearing, subject to preparation of a *Zoning Regulation Bylaw* amendment.
2. Subject to adoption of the *Zoning Regulation Bylaw* amendment, that Council authorize the issuance of a Development Permit with Variances for a duplex, in accordance with:
 - a. plans date stamped November 19, 2013;
 - b. development meeting all *Zoning Regulation Bylaw* requirements, except for rear setback:
 - Part 2.1, R-2 Zone, Two Family Dwelling District
 - minimum rear setback from building relaxed from 15.03 m to 15 m and minimum rear setback from stairs relaxed from 15.03 m to 13.4 m;
 - c. final plans to be in accordance with plans identified above.

Option Three (Decline Application)

That Council decline Rezoning Application #00389 and the issuance of a Development Permit with Variance.

7.0 Conclusion

This proposal to construct a new duplex on the property is supportable based on the OCP land use policy for new infill in Traditional Residential areas. In addition, the proposed design will adequately comply with the applicable OCP guidelines related to established character, site plan, building form and landscaping. However, the garage feature in the elevation of the west duplex is contrary to the design guideline for street presence and should be removed.

8.0 Recommendation

1. That Rezoning Application #00389 for 1235 McKenzie Street proceed for consideration at a Public Hearing, subject to preparation of a *Zoning Regulation Bylaw* amendment.

2. Subject to adoption of the *Zoning Regulation Bylaw* amendment, that Council authorize the issuance of a Development Permit with Variances for a duplex, in accordance with:
 - a. plans date stamped November 19, 2013;
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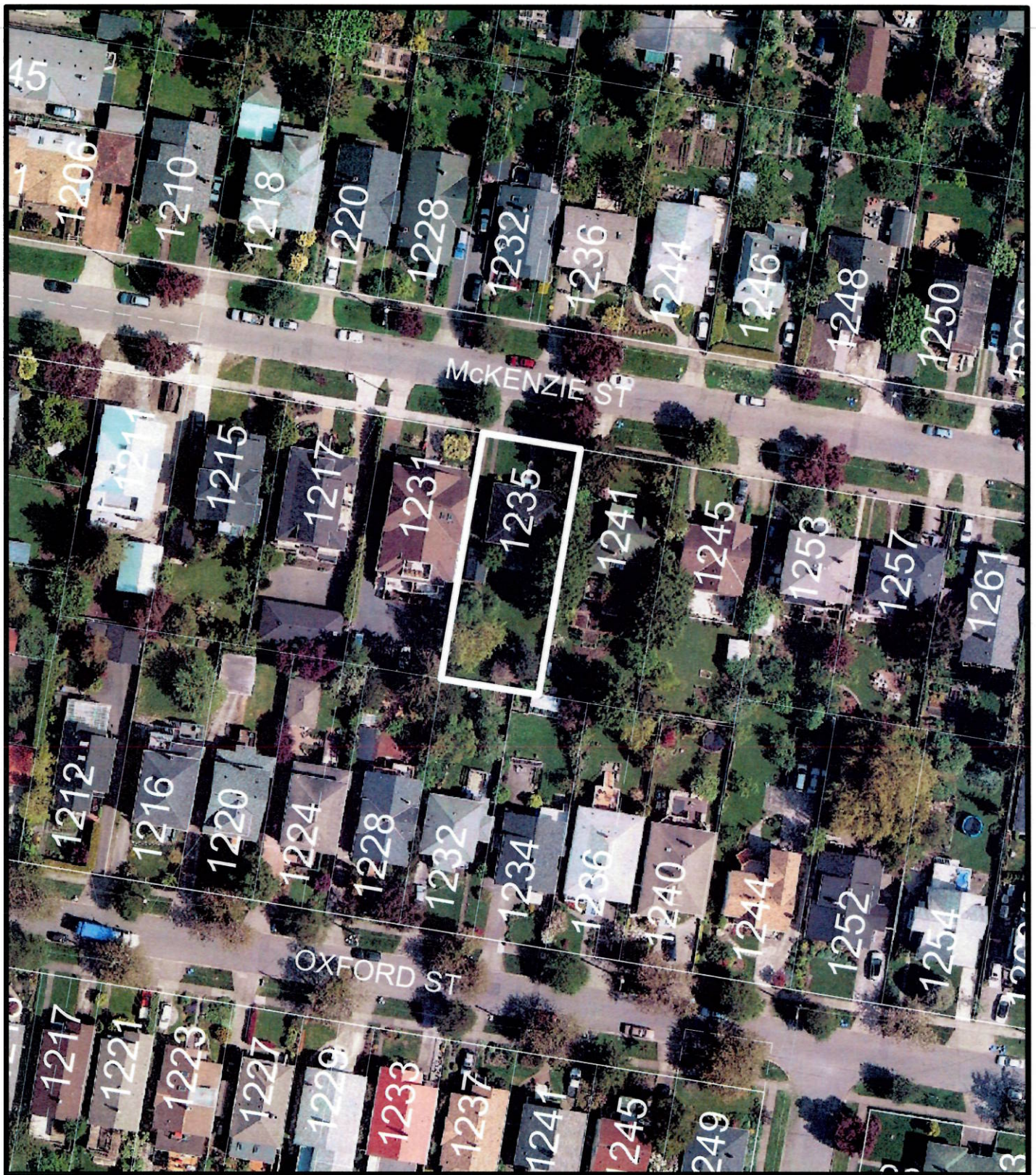
9.0 List of Attachments

- Zoning map
- Aerial photo
- Letters from Joan and Craig Wharf Higgins, date stamped October 15, 2013, August 13, 2013, and May 17, 2013
- Plans for Rezoning Application #00389, date stamped November 19, 2013
- Correspondence from Fairfield Gonzales Community Association Land Use Committee, dated November 19, 2012.



1235 McKenzie Street
Rezoning #00389
Bylaw #





1235 McKenzie Street
Rezoning #00389
Bylaw #





October 14, 2013

Mayor and Council:

Re: 1235 McKenzie St. Victoria, B.C. (Lot 17, Fairfield Farm Estate, Victoria Plan 1055)

Dear Mayor and Council

We are requesting approval for a change in zoning for the above named property to alter the zone from R-1 to R-2 and to obtain a development permit to replace the existing pre war bungalow with a duplex.

We intend to live in one side of the duplex as our principal residence. We have lived nearby (on the same street) in a large old home for the past 16 years. As a couple looking towards retirement, we wish to downsize our present arrangements and live more simply and inexpensively while remaining in the same neighbourhood. Rather than build a large home on this property with a rental suite, something permitted within the present zoning, we require only half ownership to meet our goals. It is likely that our stepmother, who also requires less accommodation, will purchase the other half of the duplex. A duplex offers us the opportunity to live together as a family while retaining our own residences and investments.

Our proposal meets the policies for a duplex (R-2 Zone two family dwelling): size of lot, building size, height and so forth. We are not requesting any variances from the R-2 Zone requirements. Our designer, Wil Peereboom from Victoria Design Group, has completed several homes in this neighbourhood, one next door and one a few houses away from the proposed duplex. He is very familiar with the parameters of such a project and has ensured that our proposal meets these requirements.

This proposal fits with the neighbourhood/precinct plan for the Fairfield Community. No changes to the Victoria Official Community Plan are required and this proposal is consistent with its aim to "integrate more intensive residential development in the form of two-family dwellings (duplexes) within existing Traditional Residential areas in a manner that respects the established character of the neighbourhoods" (VOCP, 2012).

At the initial stages of our planning we consulted with city planning staff and designed our project to respect the "Neighbourliness Guidelines for Duplex". We developed a preliminary design, a pamphlet and a website and took our ideas to the surrounding neighbours for their feedback. All were very supportive so we proceeded further.

We focussed on compatibility, selecting an arts and crafts style with one and a half stories, reflecting the appearance of many surrounding homes. While it is a side-by-side duplex, the façade facing the street does not give the appearance of a duplex with different features on each side including off set front entrances and a garage tucked inside one residence.

Landscaping screens the east entrance from the street. A gable on the front roof line joins the two units as if they were a single residence.

Our only variation from the Neighbourliness Guidelines for Duplex is the placement of a garage in the front of the residence but built in to it and screened in part by landscaping. The driveway to this garage will be composed of decorative pavers rather than solid blacktop. We chose to include three parking places (a double garage in the rear) because of the problems with parking on McKenzie Street where parking is only permitted on one side of the street. We are well aware of the challenges of parking on this street as present residents, given our proximity to both Cook St. Village to the east, and Sir James Douglas Elementary school (and site of the Moss St. market from May to October), and Fairfield United Church to the west. Our neighbours applauded this feature of our proposal as they too face parking problems on a regular basis.

We have chosen stone cladding for the front of the house with some wood and shingle siding in muted colours for the remainder. We have a full landscaping plan that focuses on privacy for neighbours and from the street and a balance between paved and natural areas to help ensure ground water absorption. Paved areas will be brick or textured concrete and pavers combined with ground cover.

As the streetscape picture indicates, the house on the west side of the proposed duplex is a large sixplex that presently overpowers the small bungalow on our lot. Our proposed duplex is smaller and lower than the sixplex but will soften its prominence on the street. Next door on the east is a semi bungalow well shielded from the proposed duplex by a column of mature evergreens. The roof design reflects the neighbourliness guidelines as it has the "single storey portions closer to the property line and two storey portions confined to the central part" (p. 2).

A walk around the blocks surrounding the proposed duplex indicates how well it fits with the evolving neighbourhood. Like our present house a few doors away, most of the others are large and built in the early part of the 20th century. Over time most have been modified to include multi units. There will be little noticeable change on the street after the duplex is constructed as it replaces an existing home and does not affect public space on the sidewalk or boulevard.

Inside, each unit features a main floor, two upstairs bedrooms and a basement, and a double garage in the back of the second unit. Each unit has two decks in the back and a small garden.

We presented our plans to the Fairfield Neighbourhood Association (November 19, 2012) to discuss the implications of the project. We are well known in the area and no one raised any concerns about noise or increased activity. We received some minor suggestions such as including a screen of greenery at the back in our landscape plan. Existing trees on the east side of the property provide considerable seclusion already. Proper drainage systems will help mitigate ground water problems, a feature of most lots along the street. While some shading will occur for the neighbours to the west, they concur that the benefits outweigh this impact. In fact, through our discussions it became apparent that the project would largely enhance their

properties and the neighbourhood. We have received a great deal of support for the project from neighbours at the community association meeting, through our website, a pamphlet, e-mails and face-to-face meetings.

The property is not located in a Heritage Conservation Area as defined by the Victoria Official Community Plan.

The new duplex will provide considerable improvement to the existing home in terms of green building features. It will be built to present standards of energy efficiency. We are exploring the possibilities of contracting to lock up stage with Pacific Homes where the house is largely constructed off site and erected in a matter of days on site, thereby minimizing the noise and congestion of construction. Pacific Homes, a member of *Built Green Canada* and the *Canadian Green Building Council*, has experience in building *LEED*, *Built Green* and *EnerGuide 80* accredited homes. We plan to incorporate as many energy and material saving features as possible.

We are also asking for one small variance as the back steps will be slightly (1.6M) closer to the back fence than the zone standard. The building complies.

The neighbourhood of Fairfield is well established with a variety of community services nearby, a primary reason why we wish to remain there. An additional residence in the neighbourhood will put no stress on these services. Thank you for your review of our application. We look forward to the opportunity to have our application in front of Mayor and Council in the near future.

Sincerely,



Joan and Craig Wharf Higgins

1271 McKenzie St.; [REDACTED]
[REDACTED]
[REDACTED]

August 1, 2013

Mayor and Council:

Re: 1235 McKenzie St. Victoria, B.C. (Lot 17, Fairfield Farm Estate, Victoria Plan 1055)

Dear Mayor and Council



We are requesting approval for a change in zoning for the above named property to alter the zone from R-1 to R-2 and to obtain a development permit to replace the existing pre war bungalow with a duplex.

We intend to live in one side of the duplex as our principal residence. We have lived nearby (on the same street) in a large old home for the past 16 years. As a couple looking towards retirement, we wish to downsize our present arrangements and live more simply and inexpensively while remaining in the same neighbourhood. Rather than build a large home on this property with a rental suite, something permitted within the present zoning, we require only half ownership to meet our goals. It is likely that our stepmother, who also requires less accommodation, will purchase the other half of the duplex. A duplex offers us the opportunity to live together as a family while retaining our own residences and investments.

Our proposal meets the policies for a duplex (R-2 Zone two family dwelling): size of lot, building size, height and so forth. We are not requesting any variances from the R-2 Zone requirements. Our designer, Wil Peereboom from Victoria Design Group, has completed several homes in this neighbourhood, one next door and one a few houses away from the proposed duplex. He is very familiar with the parameters of such a project and has ensured that our proposal meets these requirements.

This proposal fits with the neighbourhood/precinct plan for the Fairfield Community. No changes to the Victoria Official Community Plan are required and this proposal is consistent with its aim to "integrate more intensive residential development in the form of two-family dwellings (duplexes) within existing Traditional Residential areas in a manner that respects the established character of the neighbourhoods" (VOCP, 2012).

At the initial stages of our planning we consulted with city planning staff and designed our project to respect the "Neighbourliness Guidelines for Duplex". We developed a preliminary design, a pamphlet and a website and took our ideas to the surrounding neighbours for their feedback. All were very supportive so we proceeded further.

We focussed on compatibility, selecting an arts and crafts style with one and a half stories, reflecting the appearance of many surrounding homes. While it is a side-by-side duplex, the façade facing the street does not give the appearance of a duplex with different features on each side including off set front entrances and a garage tucked inside one residence.

Landscaping screens the east entrance from the street. A gable on the front roof line joins the two units as if they were a single residence.

Our only variation from the Neighbourliness Guidelines for Duplex is the placement of a garage in the front of the residence but built in to it and screened in part by landscaping. The driveway to this garage will be composed of decorative pavers rather than solid blacktop. We chose to include three parking places (a double garage in the rear) because of the problems with parking on McKenzie Street where parking is only permitted on one side of the street. We are well aware of the challenges of parking on this street as present residents, given our proximity to both Cook St. Village to the east, and Sir James Douglas Elementary school (and site of the Moss St. market from May to October), and Fairfield United Church to the west. Our neighbours applauded this feature of our proposal as they too face parking problems on a regular basis.

We have chosen stone cladding for the front of the house with some wood and shingle siding in muted colours for the remainder. We have a full landscaping plan that focuses on privacy for neighbours and from the street and a balance between paved and natural areas to help ensure ground water absorption. Paved areas will be brick or textured concrete and pavers combined with ground cover.

As the streetscape picture indicates, the house on the west side of the proposed duplex is a large sixplex that presently overpowers the small bungalow on our lot. Our proposed duplex is smaller and lower than the sixplex but will soften its prominence on the street. Next door on the east is a semi bungalow well shielded from the proposed duplex by a column of mature evergreens. The roof design reflects the neighbourliness guidelines as it has the "single storey portions closer to the property line and two storey portions confined to the central part" (p. 2).

A walk around the blocks surrounding the proposed duplex indicates how well it fits with the evolving neighbourhood. Like our present house a few doors away, most of the others are large and built in the early part of the 20th century. Over time most have been modified to include multi units. There will be little noticeable change on the street after the duplex is constructed as it replaces an existing home and does not affect public space on the sidewalk or boulevard.

Inside, each unit features a main floor, two upstairs bedrooms and a basement, and a double garage in the back of the second unit. Each unit has two decks in the back and a small garden.

We presented our plans to the Fairfield Neighbourhood Association (November 19, 2012) to discuss the implications of the project. We are well known in the area and no one raised any concerns about noise or increased activity. We received some minor suggestions such as including a screen of greenery at the back in our landscape plan. Existing trees on the east side of the property provide considerable seclusion already. Proper drainage systems will help mitigate ground water problems, a feature of most lots along the street. While some shading will occur for the neighbours to the west, they concur that the benefits outweigh this impact. In fact, through our discussions it became apparent that the project would largely enhance their

properties and the neighbourhood. We have received a great deal of support for the project from neighbours at the community association meeting, through our website, a pamphlet, e-mails and face-to-face meetings.

The property is not located in a Heritage Conservation Area as defined by the Victoria Official Community Plan.

The new duplex will provide considerable improvement to the existing home in terms of green building features. It will be built to present standards of energy efficiency. We are exploring the possibilities of contracting to lock up stage with Pacific Homes where the house is largely constructed off site and erected in a matter of days on site, thereby minimizing the noise and congestion of construction. Pacific Homes, a member of *Built Green Canada* and the *Canadian Green Building Council*, has experience in building *LEED*, *Built Green* and *EnerGuide 80* accredited homes. We plan to incorporate as many energy and material saving features as possible.

The neighbourhood of Fairfield is well established with a variety of community services nearby, a primary reason why we wish to remain there. An additional residence in the neighbourhood will put no stress on these services. Thank you for your review of our application. We look forward to the opportunity to have our application in front of Mayor and Council in the near future.

Sincerely,



Joan and Craig Wharf Higgins
1271 McKenzie St.; [REDACTED]
[REDACTED]

Mayor and Council

May 13, 2013

Dear Mayor Fortin and Council



Re: Application for re-zoning and development - 1235 McKenzie St. Victoria, B.C. (Lot 17, Fairfield Farm Estate, Victoria Plan 1055)

We are requesting approval for a change in zoning for the above named property to alter the zone from R-1 to R-2 and to obtain a development permit to replace the existing pre war bungalow with a duplex. We intend to live in one side of the duplex as our principal residence. We have lived nearby (on the same street) in a large old home for the past 16 years. As a couple looking towards retirement, we wish to downsize our present arrangements and live more simply and inexpensively while remaining in the same neighbourhood. Rather than build a large home on this property with a rental suite, something permitted within the present zoning, we require only half ownership to meet our goals. It is likely that our stepmother, who also requires less accommodation, will purchase the other half of the duplex. A duplex offers us the opportunity to live together as a family while retaining our own residences and investments.

Our proposal meets the policies for a duplex (R-2 Zone two family dwelling): size of lot, building size, height and so forth. We are not requesting any variances from the R-2 Zone requirements. Our designer, Wil Peereboom from Victoria Design Group, has completed several homes in this neighbourhood, one next door and one a few houses away from the proposed duplex. He is very familiar with the parameters of such a project and has ensured that our proposal meets these requirements.

This proposal fits with the neighbourhood/precinct plan for the Fairfield Community. No changes to the Victoria Official Community Plan are required and this proposal is consistent with its aim to "integrate more intensive residential development in the form of two-family dwellings (duplexes) within existing Traditional Residential areas in a manner that respects the established character of the neighbourhoods" (VOCP, 2012).

At the initial stages of our planning we consulted with city planning staff and designed our project to respect the "Neighbourliness Guidelines for Duplex". We developed a preliminary design, a pamphlet and a website and took our ideas to the surrounding neighbours for their feedback. All were very supportive so we proceeded further.

We focussed on compatibility, selecting an arts and crafts style with one and a half stories, that reflects the appearance of many surrounding homes. While it is a side-by-side duplex, the façade facing the street does not give the appearance of a duplex with different features on each side including off set front entrances and a garage tucked inside one residence. Landscaping screens the east entrance from the street. A gable on the front roof line joins the two units as if they were a single residence.

We have chosen stone cladding for the front of the house with some concrete and cedar fibre siding in muted colours for the remainder. We have a full landscaping plan that focuses on privacy for neighbours and from the street and a balance between paved and natural areas to help ensure ground water absorption. Paved areas will be brick or textured concrete and pavers combined with ground cover.

As the streetscape picture indicates, the house on the west side of the proposed duplex is a large six plex that presently overpowers the small bungalow on our lot. Our proposed duplex is smaller and lower than

the six plex but will soften its prominence on the street. Next door on the east is a semi bungalow well shielded from the proposed duplex by a column of mature evergreens. The roof design reflects the neighbourliness guidelines as it has the "single storey portions closer to the property line and two storey portions confined to the central part" (p 2). Our immediate neighbour's house to the rear (1232 Oxford St.) is situated back from our property line so that our proposed back yard is adjacent to their backyard and will not impose on their interior living space.

A walk around the blocks surrounding the proposed duplex indicates how well it fits with the evolving neighbourhood. Like our present house, most of the others are large and built in the early part of the 20th century. Over time most have been modified to include multi units.

There will be little noticeable change on the street after the duplex is constructed as it replaces an existing home and does not affect public space on the sidewalk or boulevard. As parking is at a premium, we included three garage spaces as well as a full driveway, surpassing the requirements. Inside, each unit features a main floor, two upstairs bedrooms and a basement, and a double garage in the back of the second unit. Each unit has two decks in the back and a small garden.

We presented our plans to the Fairfield Neighbourhood Association (November 19, 2012) to discuss the implications of the project. We are well known in the area and no one raised any concerns about noise or increased activity. We received some minor suggestions such as including a screen of greenery at the back in our landscape plan. Existing trees on the east side of the property provide considerable seclusion already. Proper drainage systems will help mitigate ground water problems, a feature of most lots along the street. While some shading will occur for the neighbours to the west, they concur that the benefits outweigh this impact. In fact, through our discussions it became apparent that the project would largely enhance their properties and the neighbourhood. We have received a great deal of support for the project from neighbours at the community association meeting, through our website, a pamphlet, e-mails and face-to-face meetings. The property is not located in a Heritage Conservation Area as defined by the Victoria Official Community Plan.

The new duplex will provide considerable improvement to the existing home in terms of green building features. It will be built to present standards of energy efficiency. We are exploring the possibilities of contracting to lock up stage with Pacific Homes where the house is largely constructed off site and erected in a matter of days on site, thereby minimizing the noise and congestion of construction. Pacific Homes, a member of *Built Green Canada* and the *Canadian Green Building Council*, has experience in building *LEED*, *Built Green* and *EnerGuide 80* accredited homes. We plan to incorporate as many energy and material saving features as possible.

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Sincerely,



Joan and Craig Wharf Higgins
1271 McKenzie St.; [REDACTED]
[REDACTED]

Date: 14/11/13
Time: 3:38:57 PM

Sketch Plan of
1235 McKenzie Street

Legal - Lot 17, Fairfield Farm Estate, Victoria City, Plan 1055

Scale-1:200

All distances are shown in metres.

Tree diameters are in centimetres.

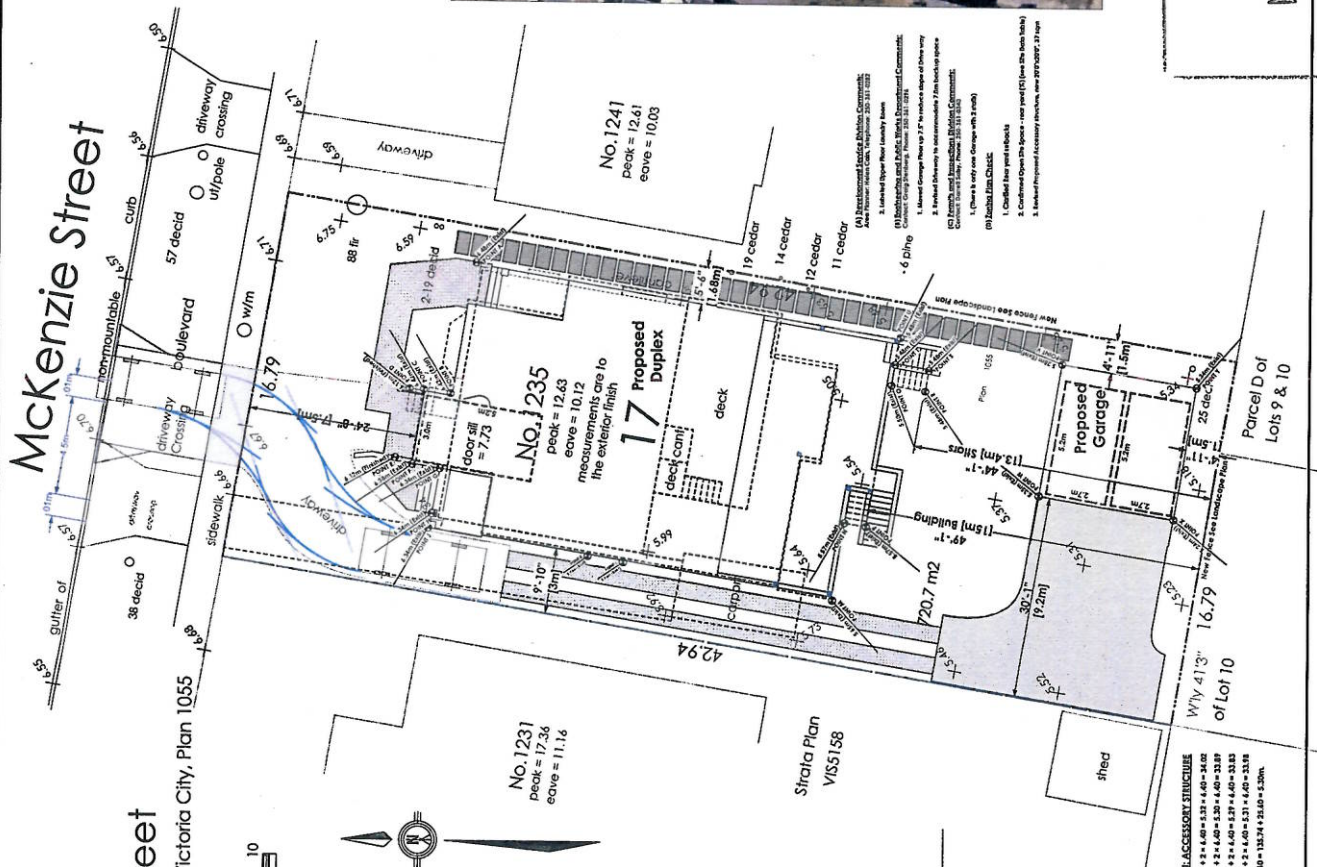
Geodetic elevations shown (in METRES)

Site Area = 720.7 m²

PROJECT INFORMATION TABLE	
Zone (existing)	R-10
Zone (new)	R-2
Site Area (sq.m)	720.70 sq.m.
Site Area (sq.ft)	378.65 sq.m.
Total floor area (sq.m)	NA
Commercial floor area (sq.m)	0.63 sq.m.
Site coverage % (284.2 sq.m.)	31.47%
Open area %	30.30%
Open area space near yield %	70.44%
Height of building (m)	7.45 m.
Number of stories	3
Number of parking spaces based on the bicycle parking norm (Storage end rack)	5
Building setbacks (m)	In garage
Front yard	7.5 m.
Rear yard	15 m.
Side yard (sideline which side)	1.48 m.
Side yard (sideline which side)	1.48 m.
Combined side yards	4.83 m.
Residential Use Details	
Total number of units	2
Unit type, e.g. 1 bedroom	2 bedroom
Ground-orientated units	2
First floor area	157.20 sq.m.
Garage	15.68 sq.m.
Other story area	12.80 sq.m.
Total floor area (including garage)	185.68 sq.m.
Basement area	19.64 sq.m.
Total building floor area (excluding garage)	378.65 sq.m.

1
Siteplan
Scale: 1:100

AVERAGE GRADE CALCULATION: ACCESSORY STRUCTURE



AVERAGE GRANT CALCULATION: FINANCIALS



LIST OF DRAWINGS		REVISIONS		DESCRIPTION
NO.	DATE	NO.	DATE	
R1	Sheet Scope			
R2	Staircase			
R3	Elevations / Floor Plans			
R4	Garage Elevations / Floor Plans			
	Color Elevations			

[illegible]

 VICTORIA DESIGN GROUP 1000 W. 1st Ave. Suite 100 Portland, OR 97201 503.228.7777 FAX: 503.228.7774	DATE	7/16/2
	TIME	\$1 OF \$1
	DATE	May 17, 2013
	NOCK	As Shown
	MEASUREMENT	J.D.F
PROJECT Proposed Duplex Craig & Joan Wharf Marilyn Callahan 1235 McKenzie St		



McKenzie Street

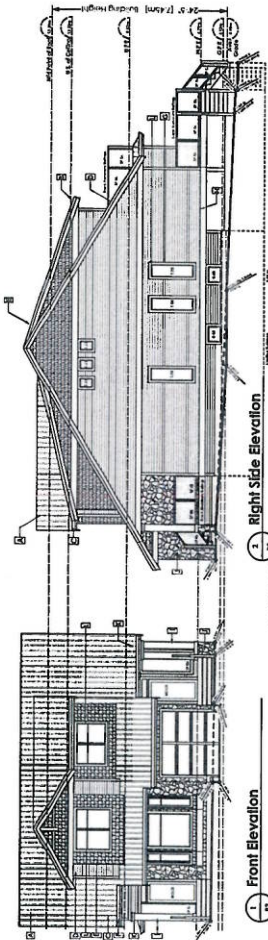
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City of Victoria

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Planning & Development Department
Development Services Division

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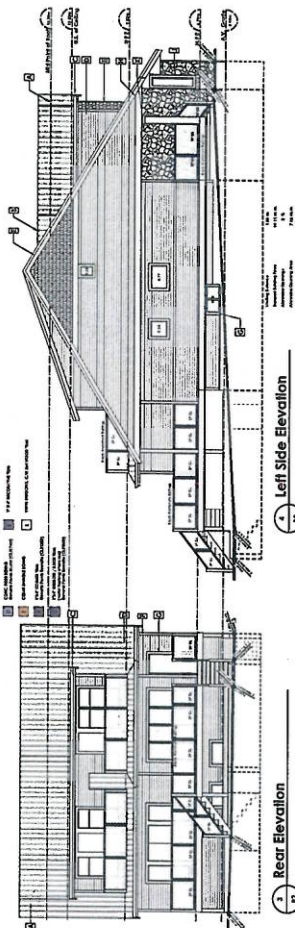
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1 Front Elevation

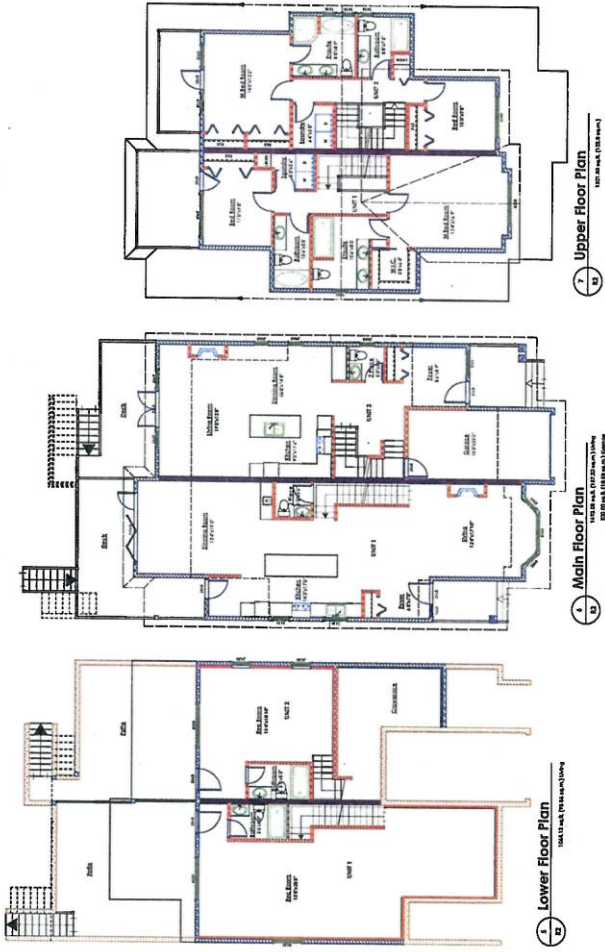
2 Right Side Elevation

- EXTERIOR FINISHES**
- 1. Brickwork
 - 2. Render
 - 3. Asphalt
 - 4. Concrete
 - 5. Timber
 - 6. Glass
 - 7. Metal
 - 8. Paint
 - 9. Stucco
 - 10. Slate
 - 11. Tiles
 - 12. Stone
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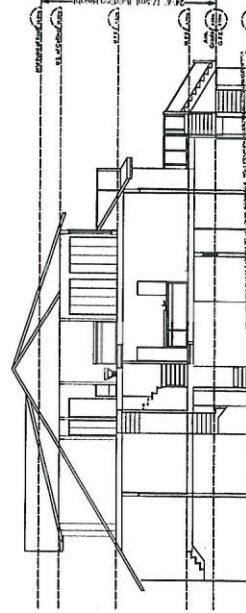


3 Left Side Elevation

4 Rear Elevation



Section A-A



Received
City of Victoria

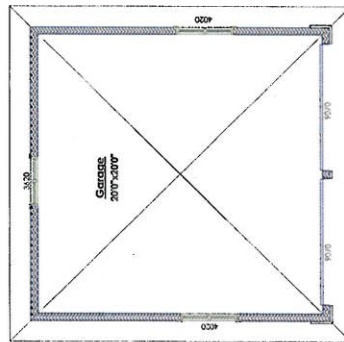
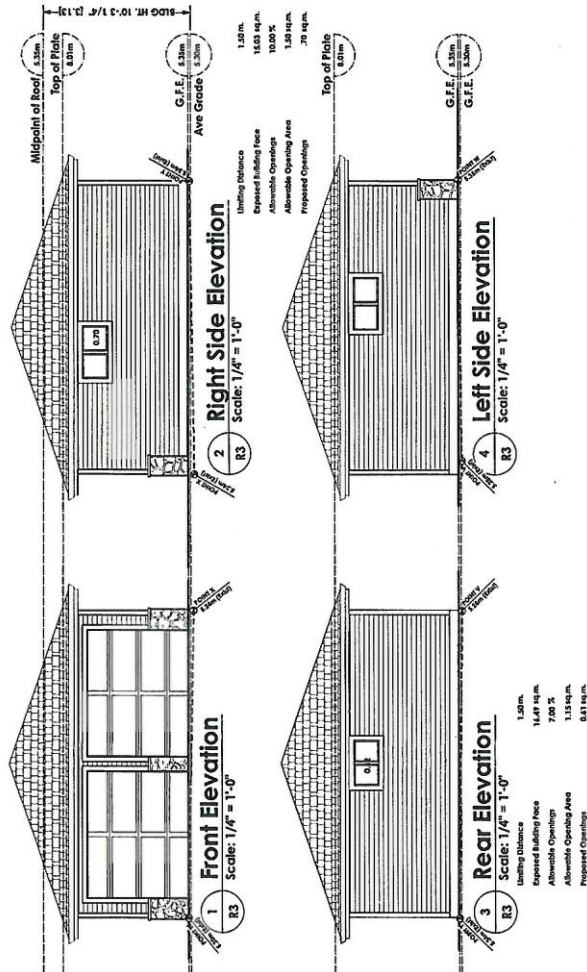
NOV 19 2013

Planning & Development Department
Development Services Division

Proposed Duplex
Craig & Joan Wharf
Marilyn Callahan
1235 McKenzie St

VICTORIA DESIGN
7167
R2 OF R4
May 17, 2013
As Shown
J.D.F.
J.T.E.

NOTES:
1. All dimensions are in millimeters unless otherwise stated.
2. All dimensions are to the centerline of the building unless otherwise stated.
3. All dimensions are to the finished surface unless otherwise stated.
4. All dimensions are to the centerline of the building unless otherwise stated.
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23.



Received
 City of Victoria
 NOV 19 2013
 Planning & Development Department
 Development Services Division

VICTORIA DESIGN GROUP
 7167
 May 17, 2013
 SCALE As Shown
 J.D.F.
 J.I.E.

Proposed Duplex
 Craig & Joan Wharf
 Marilyn Callahan
 1235 McKenzie St

PROFESSIONAL SEALS

DESCRIPTION	DATE	REVISION
1. Initial Design	12/28/13	1
2. Final Design	12/28/13	2
3. Construction Documents	12/28/13	3
4. Final Construction Documents	12/28/13	4

General Conditions for use of these drawings shall be as follows: These drawings are prepared for the purpose of obtaining a building permit and are not to be used for any other purpose. The drawings are the property of the designer and shall not be reproduced or used in any way without the written consent of the designer. The drawings are to be used in accordance with the building code and the local ordinance. The drawings are to be used in accordance with the building code and the local ordinance. The drawings are to be used in accordance with the building code and the local ordinance.

Fairfield Planning and Zoning Meeting
November 19, 2012
Chaired by Paul Brown
Attendees: 9

1235 Mackenzie

- Owner presented plans to build a house requiring zoning change from R1B to R2 with no variances
- Home owner on Oscar expressed concern that what is proposed to be built, particularly regarding height, will be what Council considers and, if approved, is built with no changes. Owner assured the meeting that that will be the case.
- Home owner adjacent to site expressed concern that garage might not present the most agreeable view from her property. Owner assured her that he will do his best to make it amenable to her and the setbacks from the property line were what are called for.
- Question regarding whether garage will have a flat or pitched roof. Owner indicated design had not reached that point yet.
- Neighbour suggested that the building of a new house with storm tiles may make a positive difference in drainage for surrounding lots during heavy rains.
- Consensus of those attending was the design fit with the neighbourhood.