



Planning and Land Use Committee Report

Date: March 20, 2014 **From:** Lucina Baryluk, Senior Process Planner
Subject: Rezoning Application #00412 and Development Permit for 2740 Forbes Street - Application to construct a garden suite

Executive Summary

The purpose of this application is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit Application for the property located at 2740 Forbes Street. The application is to rezone the property from the R1-B Zone (Single Family Dwelling District) to the R1-B-GS2 Zone (Single Family Dwelling with a Garden Suite District) to permit the construction of a garden suite in the rear yard of an existing lot.

Based on the *Garden Suite Policy* (2011) the subject parcel qualifies as a "plus site" since it exceeds 557 m² in size. As such, the regulations would allow a garden suite with a floor area of up to 56 m². The proposal is for a 53 m² garden suite.

The following factors were considered in assessing this application:

- The proposal is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan 2012* (OCP) and related objectives for sensitive infill in Development Permit Area 15E: Intensive Residential - Garden Suites.
- The garden suite provides an alternative form of rental housing in an area that supports a variety of housing types.
- The subject property will be included within Development Permit Area 15 E: Intensive Residential - Garden Suites, regulating the exterior design, finish and landscaping. The proposal is consistent with the policies and design specifications of the *Garden Suite Policy* (2011).
- There are no variances associated with this application.

Staff recommend that Committee support this Rezoning Application and Development Permit Application, and that the Rezoning Application proceed to a Public Hearing.

Recommendation

1. That Rezoning Application #00412 for 2740 Forbes Street proceed to a Public Hearing.
2. Following consideration of Rezoning Application #00412, that Council authorize the issuance of a Development Permit in accordance with:
 - (a) Plans stamped dated October 9, 2013;
 - (b) Development meeting all *Zoning Regulation Bylaw* requirements;

- (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,



Lucina Baryluk
Senior Process Planner
Development Services Division

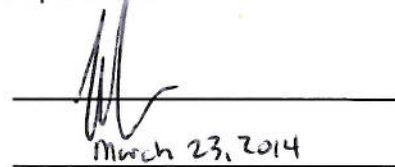
JH



Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:


March 23, 2014

LB:lw

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1.0 Purpose

The purpose of this application is to present Council with information, analysis and recommendations regarding a Rezoning Application and Development Permit Application for the property located at 2740 Forbes Street. The application is to rezone the property from the R1-B Zone (Single Family Dwelling District) to the R1-B-GS2 Zone (Single Family Dwelling with a Garden Suite District) to permit the construction of a garden suite in the rear yard of an existing lot.

2.0 Background

2.1 Description of Proposal

Details of the proposal are:

- The proposed garden suite will be located in the north-west corner of the rear yard.
- The suite layout shows a combined living, dining and kitchen area, a separate bedroom and a bathroom accessed from the bedroom. A small vestibule is available for storage, and concealed outdoor and bicycle storage.
- Siding materials include fibre-cement board and cedar shingles.
- The standing seam metal, pitched roof will facilitate rainwater collection, with a number of rain water tanks along the rear property boundary.
- A permeable paver walkway located along the northern property boundary will provide access to the garden suite from the street.
- Landscaping plant materials include a native plant shade garden along the rear property boundary and shared raised garden beds in the main garden area in the rear yard.
- New fences, gate, lattice screening and a patio area will complete the hard landscaping improvements.
- One off-street parking stall is provided for the main residence.

2.2 Existing Site Development and Development Potential

The subject property is 570 m² in area, which is a typical lot size for the neighbourhood. The existing dwelling was constructed in 1949. Although it is a two-storey home, the basement is under-height and therefore does not lend itself to accommodating a suite.

The current zoning for the property, R1-B Zone, Single Family Dwelling District, allows a single family dwelling with a secondary suite. Should the rezoning proceed in compliance with the *Garden Suite Policy*, a single family dwelling and a garden suite will be permitted, thus precluding the use of the main dwelling for the inclusion of a secondary suite.

2.3 Land Use Context

The immediate neighbourhood is characterized by single family homes, many with suites. The property is in close proximity to Oaklands Elementary School and faces David Spencer Park.

2.4 Legal Description

Lot 6, Block 13, Section 48, Victoria District, Plan 835.

2.5 Data Table

The following data table compares the proposal with the R1-B-GS2 Zone (Single Family Dwelling with a Garden Suite District). There are no variances associated with this application.

Zoning Criteria	Proposal	Zone Standard R1-B-GS2 "Plus site"
Site area (m ²) minimum	570	557
Floor area of single family dwelling for first and second storeys combined (m ²) maximum	215 (approx.)	280
Garden suite floor area (m ²) maximum	53	56
Total site coverage (%) maximum	37	40
Rear yard lot coverage (%) maximum	21	25
Height of garden suite (m) maximum	3.5	5.5
Number of storeys of garden suite maximum	1	1.5
Separation space between single family dwelling and garden suite (m) minimum	4.23	2.4
Parking stalls for single family dwelling	1	1
Bicycle storage for garden suite	1	1
Garden suite setbacks		
Side yard (north) (m) - minimum	2.13	0.6
Rear yard (west) (m) - minimum	1.83	0.6

2.6 Consistency with City Policy

2.6.1 Official Community Plan, 2012

The proposed development is consistent with the relevant land use policies of the *Official Community Plan 2012 (OCP)*. The property is designated as Traditional Residential in the OCP where garden suites are identified as appropriate forms of infill.

In accordance with the OCP, garden suites are subject to DPA 15E: Intensive Residential – Garden Suites. The objectives of DPA 15E are:

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 provide Victoria renters with small, ground-oriented rental housing as a rental housing option.*
- (c) *To integrate more intensive residential development in the form of garden suites, accessory to single-family dwellings, within existing Traditional Residential areas in a manner that is compatible with and respects the established character of neighbourhoods.*
- (d) *To achieve a high quality of architecture, landscape and urban design of properties with garden suites to enhance neighbourhoods and minimize conflicts with immediate neighbours.*

The proposal for 2740 Forbes Street is consistent with the objectives of DPA 15E to achieve new infill that is of high-quality design and that respects the established character in residential areas.

2.6.2 Garden Suite Policy

In September 2011, Council endorsed the *Garden Suite Policy* providing guidance for consideration of rezoning applications for garden suites. The Policy also contains requirements for the following components of garden suites: siting, building mass, access and design guidelines.

2.6.3 Neighbourhood Plan

The *Oaklands Neighbourhood Plan* (1993) makes provision for a range of housing types and sizes in the Oaklands Neighbourhood through limited infill, redevelopment and new housing. However, the garden suite as a type of infill was not considered an alternative within the context of the *Oaklands Neighbourhood Plan*. At the time of development of the Plan, garden suites were not anticipated, nor were any guidelines in place. However, an overarching principle in the Plan is to maintain a healthy neighbourhood which appeals to a wide range of people of different ages, income and lifestyles. In this context, garden suites would achieve this outcome.

2.7 Community Consultation

The Oaklands Community Association Land Use Committee hosted a meeting regarding this proposal on July 25, 2013. The summary of this meeting is attached.

3.0 Issue

The main issue is consistency with the Design Guidelines of the *Garden Suite Policy*.

4.0 Analysis

4.1 Consistency with the Design Guidelines of the *Garden Suite Policy*

This section describes and analyzes the application in relation to the Design Guidelines included in the *Garden Suite Policy*. The italicized text provides the Design Guidelines taken from the *Garden Suite Policy*.

4.1.1 Maximum Floor Area of the Garden Suite

Properties that meet the following criteria are considered 'plus sites': a corner lot, a lot with two street frontages, a lot with rear yard laneway access, or lots greater than 557 m² (6,000 ft²) in total area.

As the subject property is greater than 557 m², it qualifies as a "plus site". This "plus site" designation provides an opportunity for increased floor area, up to a maximum of 56 m². The proposal is for 53 m². The proposed floor area is constructed all on one level and due to the site size, it does not trigger any other variations to the regulations. Given the general fit of the suite on the property and the compliance with other density provisions, the additional floor area is supportable.

4.1.2 Character

Quality in design, high quality architectural expression and unique individual identity of a Garden Suite are encouraged.

The garden suite design complements the existing house by having a pitched roof, as well as using fibre-cement siding on portions of the suite that is similar in style to the wood siding of the main dwelling. The gables over the entry feature and on the east elevation provide attractive detailing to the most prominent elevations of the suite. This reference to the main dwelling is subtle but helps the garden suite to "fit" on its site without resulting in duplication or a miniature version of the main dwelling.

4.1.3 Respect Mature Landscape Elements and Other Landscape Elements

Siting should respect mature trees both on-site and on adjacent properties.

Placement of the garden suite does not conflict with existing trees. Additionally, the introduced landscaping will include a native plant shade garden along the rear property line and shared raised beds are also provided. The suite will have a south facing patio overlooking the garden that is protected from direct view of the main dwelling by a privacy lattice. Permeable pavers along the north (side) property boundary will be used to identify the walkway to the suite. New gates will serve to provide privacy and security.

4.1.4 Minimize Shading

Consideration should be given to minimize shading on adjacent private open space.

The proposed garden suite will create only a minimal amount of shading on the adjacent parcel (2744 Forbes); however, this is not a prime consideration due to the garage placement on the adjacent property, and as such, adjacent private open space is not impacted.

4.1.5 Windows

Windows should be maximized along those façades oriented to the interior of the site. Windows oriented towards adjacent properties are discouraged.

The number and placement of windows in the garden suite is driven by the interior layout and the desire to capture maximum sunlight and views into the garden. Most windows are on the

south side, facing the garden, which is supported by the *Garden Suite Policy*. There are no windows on the north elevation facing the neighbour's garage. The window on the west elevation is opaque and intended to provide light into the bathroom.

4.1.6 Siting

Where possible, the Garden Suite should be located to be at least partially visible from the street.

The garden suite will only be partially visible from the street. The east elevation that contains the storage area will be most visible from the street, as this is the most convenient area for storage placement. There is gable detailing, sconce lighting and cedar shingle siding that make the east elevation (facing the street) more interesting.

The main entry to the garden suite is from the interior of the garden to take full advantage of the garden views and solar penetration. However, the pathway and pavers provide directional cues to the entrance of the garden suite.

4.1.7 Usable Outdoor Space

A minimum of 15 m² of semi-private outdoor space should be clearly associated with the Garden Suite.

This main outdoor space for the suite is achieved by the creation of a grade level, south-facing patio that also serves as the main entrance to the suite. The material for the terrace is permeable pavers. Permeable pavers are highly encouraged over other hard surfaces for the visual appearance and the potential for slowing rain water run-off.

5.0 Resource Impacts

There are no resource impacts anticipated.

6.0 Options

Option One (Proceed to a Public Hearing)

1. That Rezoning Application #00412 for 2740 Forbes Street proceed to a Public Hearing.
2. Following consideration of Rezoning Application #00412, that Council authorize the issuance of a Development Permit in accordance with:
 - (a) Plans stamped dated October 9, 2013;
 - (b) Development meeting all *Zoning Regulation Bylaw* requirements;
 - (c) Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

Option Two (Decline Application)

That Rezoning Application #00412 be declined.

7.0 Conclusions

This proposal to construct a new garden suite at 2740 Forbes is consistent with the OCP objectives and guidelines for sensitive infill in the form of garden suites within established residential areas. The garden suite creates an opportunity for another form of rental housing. In this instance, the garden suite provides an option for the owners to create a rental unit as the existing house is not suited for a secondary suite due to the basement height.

Attention to views, privacy and sunlight have inspired the design of the garden suite and overall the proposal is consistent with the *Garden Suite Policy*. The garden suite will provide a livable environment for its occupants, with minimal infringement on the neighbouring dwellings. Both the main dwelling and the garden suite will enjoy use of the rear yard. Staff recommend that Committee support this application.

8.0 Recommendation

1. That Rezoning Application #00412 for 2740 Forbes Street proceed to a Public Hearing.
2. Following consideration of Rezoning Application #00412, that Council authorize the issuance of a Development Permit in accordance with:
 - (a) Plans stamped dated October 9, 2013;
 - (b) Development meeting all *Zoning Regulation Bylaw* requirements;
 - (c) Final plans to be in accordance with the plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development.

9.0 List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated September 23, 2013
- Submission drawings
- Oaklands Community Association Land Use Committee, July 25, 2013.



2740 Forbes Street
Rezoning #00412
Bylaw #



Melissa Ollsin, Charles Appleford
2740 Forbes St
250-370-0114
mollsin@telus.net



SEPTEMBER 23, 2013

Dear Mayor and Council,

We are proposing to rezone so we can add a garden suite to our current zoning R1B Zoning, which allows for single family dwellings. We have a plus size lot, and after careful review of your garden suite policy, we believe that our garden suite will meet all the required criteria.

Our neighborhood is a growing neighborhood, with a mix of retirees, and new families. There is a lack of affordable rentals in the area, and very few ground level suites. Our goal is to have an elderly family member live in the garden suite, so we will take care to widen doorways, as well as build in bars in the bathrooms, and other features that allow her to stay in the suite, even if she were to require a walker or wheelchair. We had found no suitable places for her that have these options within her budget, so feel like we would be creating a very desirable rental unit, especially suited for an elderly person, where usually apartments and townhouses are their only option. We are very close to a community center, mall and the jubilee hospital.

We have reviewed all the guidelines in the garden suite policy, and have taken care to incorporate the guidelines into our design, as follows.

As far as the location of the garden suite, it is located in the rear yard, it takes up 21% of the rear yard, and the maximum is 25%. We have followed all of the required setbacks, and have placed the suite to have the least impact on the neighbor's in regards to shading, and sightlines. We had consulted our neighbors prior to finalizing our design and placed the suite according to their feedback. We have still managed to make the entrance visible to the street for security, as well as placed it on the side of the house that has the widest setback. We will not have to remove any trees or shrubbery.

As far as zoning goes our current R1B zoning allows for garden suite. In addition we have a plus size lot, which allows us, with approval to go up to 56sq m. We have made the suite 53 sq m. We will meet height requirements, and site coverage, and have included a table with all the details.

We have placed the windows mostly towards the garden, where they will not look out onto other neighbor's. The only windows that face the neighbor's property will have obscure glass. The entrance will direct towards the street, and will be visible. We will put in a wide pathway of permeable pavers that lead directly to the suite.

As far as usable outdoor space and landscaping, we will give the suite its own patio area and will build a privacy lattice that gives the space definition. We will add garden beds for fruit and vegetables that will be shared. Other landscaping will be draught tolerant, and native plants. All new planting will have a built in watering system that will come from the rainwater collection tanks.

Our roof will be standing seam metal in dark brown or grey, so that we will be able to collect rainwater to use in the garden. We will have the roof solar ready, so solar panels can be put in, in the future. We have gone with a low pitched gable design, in order to keep sight lines open for the neighbor's behind us.

We are not a heritage designated property, our house was built in 1949. With that in mind we have designed the garden suite in keeping in character with the main house, but still having its own identity. It will have the feel of a backyard cottage.

There are no additional requirements for parking, but the city does require the main house to have 1 stall that is not in the front yard. We meet this requirement. We also have 2 street parking spots in front of our house, as well as a park across the street, with extra parking. We have added a covered bicycle parking stall, which is noted in our plans. We hope that our tenant will not have a car, as we are within walking distance of most amenities.

With regards to garbage and recycling, we have added a specific area for garbage and recycling, and will also take the tenants Styrofoam, soft plastic, and foil into the fernwood recycling depot on a monthly basis.


We have added many green features to our building, not limited to, but including the standing seam metal roof, which is a lifetime roof, that will also collect rainwater, and will be ready for future solar panels. We have collected building materials, and will reuse trusses, as well as windows from a neighbor on the street whose house is under renovation. We will meet and exceed BC building code, and will build ensuring the suite will have as little environmental impact as possible. We will register the garden suite with built green, and have attached the form with all of our environmental initiatives.

We have checked all of our servicing requirements, and do not need a water, sewer or storm upgrade. We have enough room on our existing electrical panel, and will run electrical underground to the suite.

In conclusion, I believe the garden suite will meet all of the requirements that the city had in mind when drafting "the garden suite policy". We have had excellent neighborhood support, and have taken care to adjust our design and sighting to address any concerns. We had a very successful neighborhood meeting, and we did not require any changes to be made to the plans presented.

Warm regards,

Melissa Ollsin, Charles Appleford

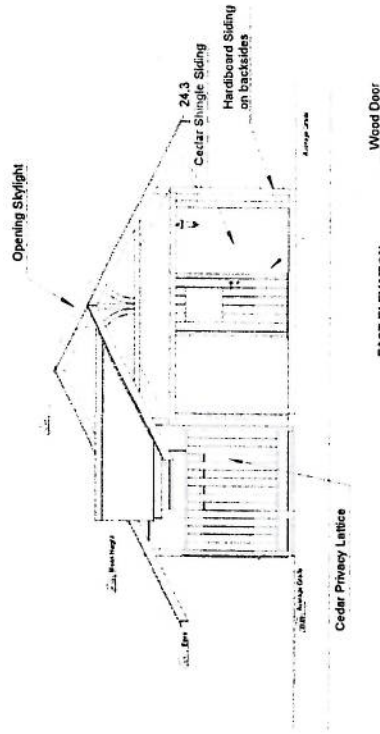
Handwritten signatures of Melissa Ollsin and Charles Appleford. The signature of Melissa Ollsin is written in a cursive script, and the signature of Charles Appleford is written in a more formal, blocky script.

Standing Seam
Metal Roof

Hardboard Siding

20.1

NORTH ELEVATION



EAST ELEVATION

Cedar Shingle Siding
Clear Stain

Fiberglass French Doors
Painted Cream

Fir Posts

SOUTH ELEVATION

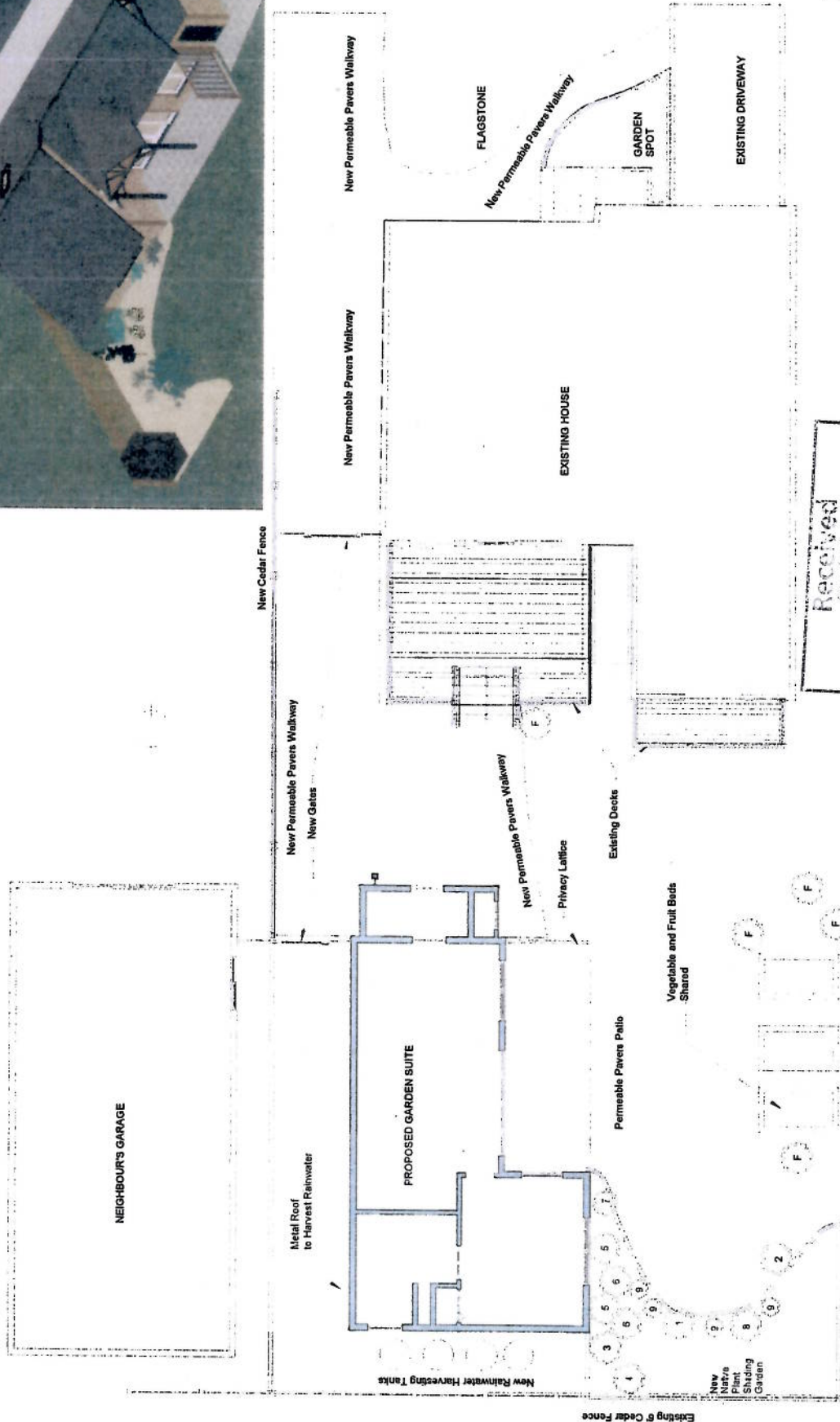
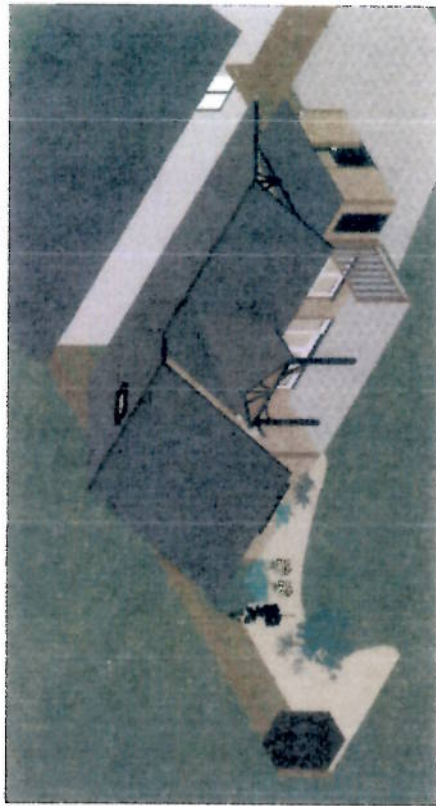
White Vinyl Windows

Received
City of Victoria

OCT - 9 2013

Planning & Development Department
Development Services Division

PROPOSED GARDEN SUITE
2240 FOREST STREET
VICTORIA, BC
ELEVATIONS
NOV 2012
DATE 2012/06/20
SCALE 1/2"



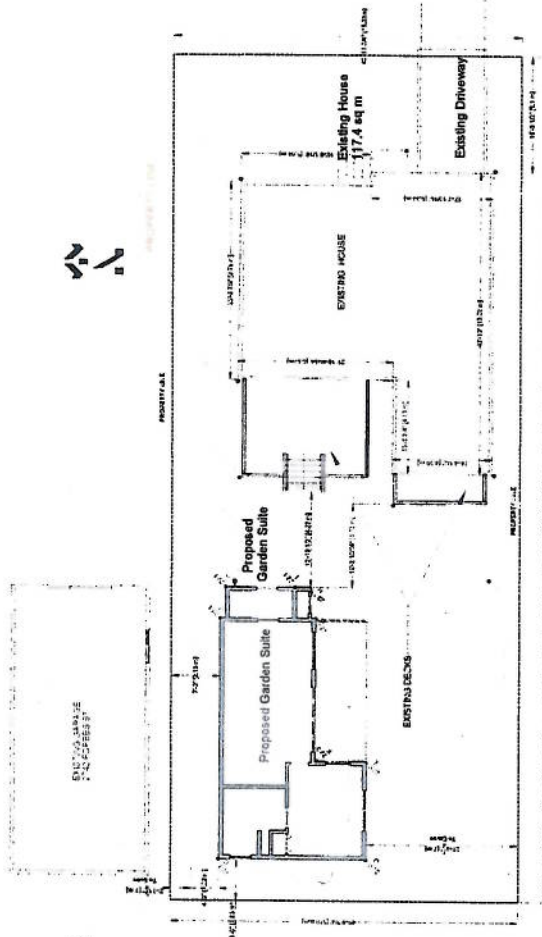
PROPOSED GARDEN SUITE
2740 FORBES STREET
VICTORIA, BC

LANDSCAPE PLAN
DATE: 27/05/2013
DRAWN BY: J. [illegible]
CHECKED BY: [illegible]
DATE: 14/02/13
SCALE: 1/50

Received
City of Victoria
OCT - 9 2013
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Development Services Division

1. Existing Evergreen
2. Existing Maple
3. Existing Redwood (Ceanothus laurifolius)
4. Existing Holly (Ilex aquifolium)
5. Oval leaf blueberry (Vaccinium ovatum)
6. New Dwarf Fruit Trees: Apple, Cherry, Plum
7. False Soliman's Seal (Smilax racemosa)
8. Red Columbine
9. Mock Orange (Philadelphus imbricatus)
10. Mr. Bleeding Heart, Shooting Star, Vanilla leaf, Twinflowers

PROPOSED SITE PLAN



AVERAGE ELEVATION (m)

X\Y	L	(g+q)/2L
AB	1.40	30.94
BC	10.67	235.61
CD	6.43	141.78
DE	4.35	95.70
EF	2.29	50.27
FG	6.32	133.04
GH	1.40	30.87
HI	0.88	15.03
IA	3.07	67.85
A/B	38.61	807.28
		22.05

PROJECT INFO

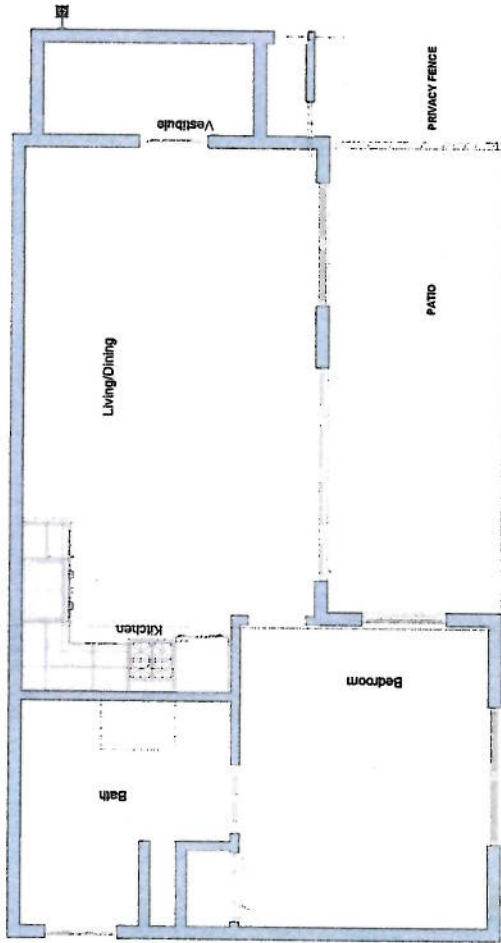
Current Zoning Proposed Zoning Project/Site Info		Part	
		1.108 R1-B-GS	
		569.06 m ²	
		275.11 m ²	
		117.4 m ²	
		49 m ²	
		59 m ²	
		4 m ²	
		31.8 m ²	
		37	
		1.108.3.a.	
		1.108.3.a.	
		1.108.3.b.	
		1.108.4.a.	
		1.108.4.a.	
		1.108.4.c.	
		1.108.4.d.	
		1.108.4.e.	
		0.6	
		0.6	
		3.5	
		2.4	
		3.5	
		1.83 m	
		2.13 m	
		7 m	
		3.73 m	
		3.28 m	

PROPOSED GARDEN SUITE
2740 FORBES STREET
VICTORIA BC
PROPOSED SITE PLAN
DWG # 274003-R21.1
Melissa Olin, (250) 370 6114
DATE rev 2 2014-01-09
SCALE 1:100



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City of Victoria
OCT - 9 2013
Planning & Development Department
Development Services Division

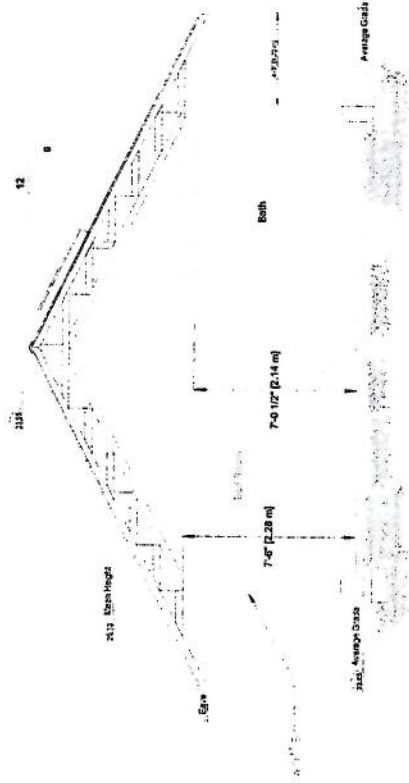
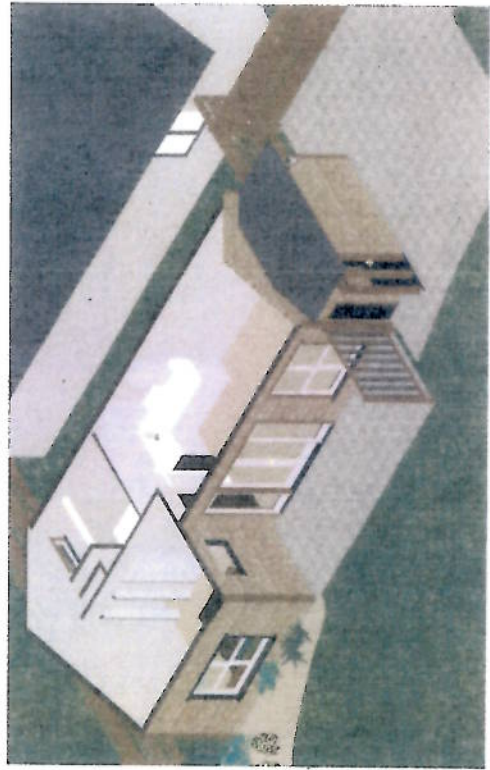
Section A



RAINFALL HARVESTING

Section A

AREA Living: 63 sq m heated
0.5 sq m unheated
Footprint: 59 sq m

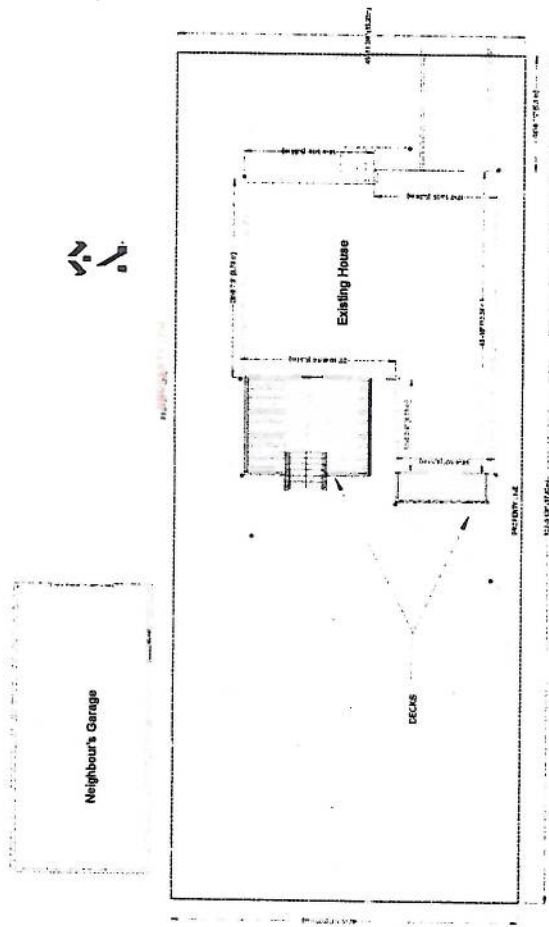


Section A

PROPOSED HOUSE
2140 NORTH STREET
VICTORIA, BC
FLOOR PLAN
L1008-2140-04-02-00-1
Issue Date: 010 10/21/14
DATE: 10/21/2014
SCALE: 1/32

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City of Victoria
OCT - 9 2013
Planning & Development Department
Development Services Division

EXISTING SITE PLAN



SITE CONTEXT



PROPOSED GARDEN SUITE
250 FORDS STREET
VICTORIA, BC

EXISTING SITE PLAN

DWG # 274005-R21.0

Melissa Olson (250) 370 0114

DATE rev 1: 2014-02-13

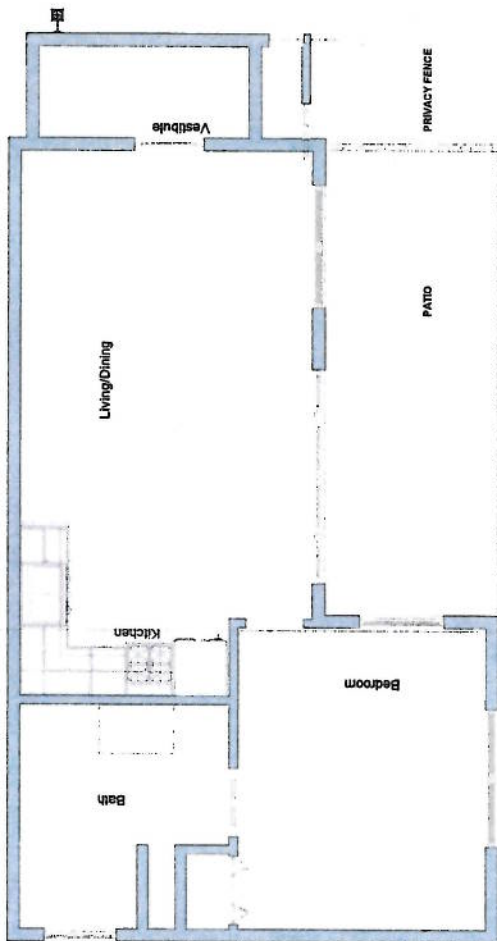
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City of Victoria

OCT - 9 2013

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Development Services Division

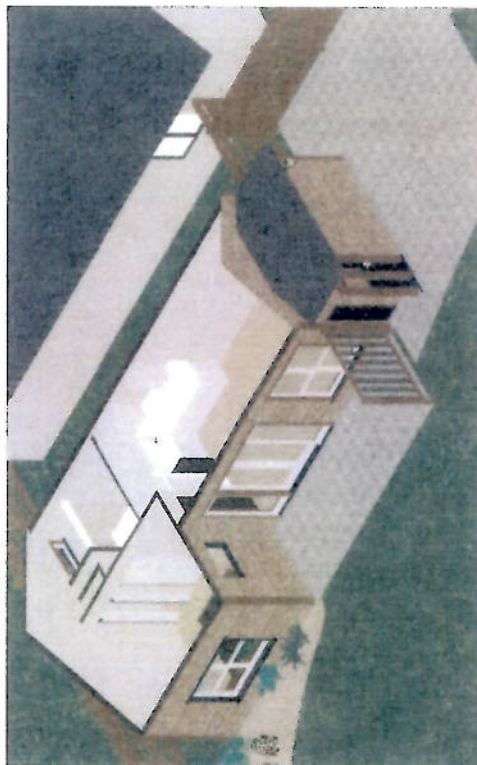
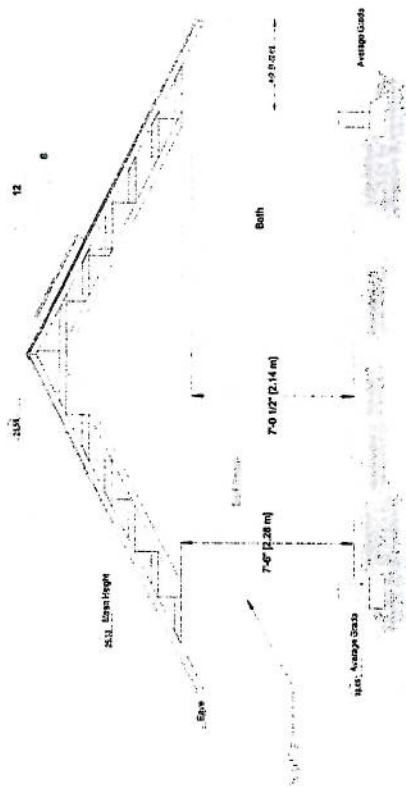
Section A



Section A

AREA Living: 53 sq m heated
0.5 sq m unheated
Footprint: 59 sq m

Section A



Received
City of Victoria

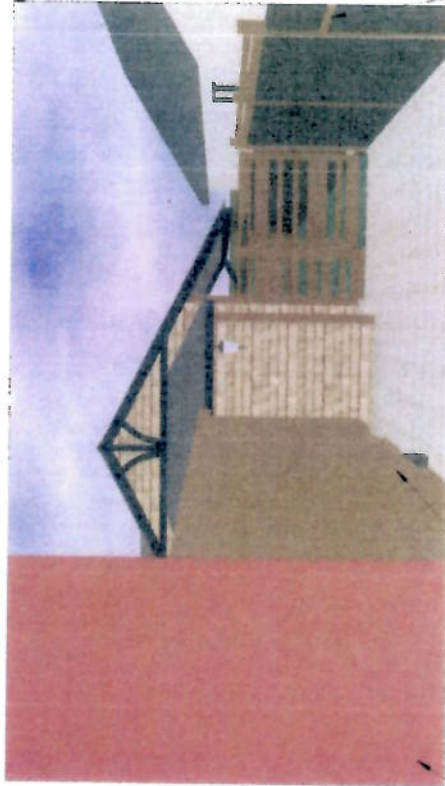
OCT - 9 2013

Planning & Development Department
Development Services Division

PROPOSED LAMBERTS
2702 CROSS STREET
MELBOURNE, VIC
VIC 3001
PROJECT NO: 1
SUBMITTER: 2702 CROSS STREET
DATE: 10/10/2013
PAGE: 133



VIEW LOOKING NORTH

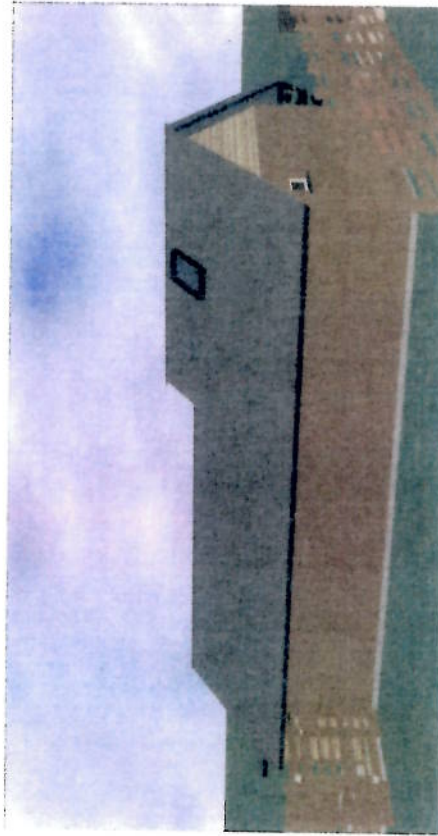


VIEW LOOKING WEST

Neighbor's Workshop
(not to scale)

Deck on Main House

Existing House



VIEW LOOKING SOUTH EAST NEIGHBOUR'S WORKSHOP NOT INCLUDED



VIEW LOOKING EAST

PROPOSED GARDEN SUITE
2740 FORBES STREET
VICTORIA, BC

RENDERINGS

OWN: 274035-422

Melissa O'Brien, (250) 370 0114

DATE rev'd: 2014-02-14

SCALE Perspective

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City of Victoria

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Development Services Division



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City of Victoria

OCT - 9 2013

Planning & Development Department
Development Services Division

PROPOSED GARAGE/SLUVE
11111 STREET
VICTORIA BC
STREET SCENE
DOCS 2005/02/10/1
MAYOR COUNCIL 023 00114
DATE 2013-09

2740 Forbes St

Oaklands Community Association Land Use Committee
July 25, 2013

2629 ~~Victor Street~~ for 2740 Forbes St.

In attendance: Jeff Lougheed, Land Use Chair, Clair Campbell Director
By Invitation: Melissa Ollsin, Property owner
7 Community Members attended

The Chair welcomed everyone and introduced the role of the committee, advising that this committee facilitates the meeting and introduces the proponent to the community in order to work together and exchange ideas on the proposed project. The Chair then called the meeting to order and requested that Melissa Ollsin make her presentation regarding the garden suite.

Melissa discussed the reasons for wanting to build the garden suite and discussed the personal benefits that it would have for her family. She then reviewed what a garden suite is and how the City of Victoria regulates them. She then discussed how the proposed garden suite fits within the City of Victoria's regulator frame work and compared it to city requirements.

Melissa also discussed additional design criteria such as the use of rain water tanks and how they would be used, suggested that some rain water would be used for toilets, and in the bath tub. She was unsure at this time as to the size of the rain water tanks that would be used.

She discussed how the consideration of neighbours view corridors was taken into account when planning the height of the building and its location on the site.

She went into some detail on the building process, materials used and green features.

Discussed timeline for construct: 6 to 8 months.

Questions from attendance:

Neighbour to the north asked about side yard setbacks, Melissa directed him to the City Garden suite document and pointed out that the proposed garden suite meet city setback criteria.

Question on the impact on parking in the neighbourhood. Melissa suggested that in this particular situation her mother in-law would not have a car but pointed out that the garden suite is a one bedroom accommodation and therefore even if future occupants had a car(s) the impact would be no more than a traditional basement suite. She also discussed how parking on the east side of Forbes is not typically used, and so the impact should be minimal.

Question about the rental of the suite and if that was a possibility, Melissa said that it is possible.

Question on if this proposed garden suite will cause others to do the same and how will this impact the neighbourhood. Melissa suggest that the process is harder than one would think, and suggest that the city regulations restricts which properties are eligible for garden suite.

Question about roof line and how it will impact neighbours. Melissa suggested that she would do some measuring with the neighbour who asked the questions so she would have a better feel of how the proposed structure would look.

Question on the impact on utilities, Melissa suggested their current power and water supply met city criteria.

Closing:

One attendant voice support for the project and felt as though it was a good proposal.

Others in the meeting showed general support for the concept, design, size and otherwise.