#### **REPORTS OF COMMITTEES**

#### 1. Committee of the Whole – April 6, 2017

## 1. Rezoning Application No. 00542 for 141 Cambridge Street - Update on Signage

#### Motion:

It was moved by Councillor Alto, seconded by Councillor Lucas, that Council advance Rezoning Application No. 00542 to first and second reading of the Zoning Regulation Amendment Bylaw and a Public Hearing date be set.

#### Carried Unanimously

### 3. CONSENT AGENDA

## 3.5 Rezoning Application No. 00542 for 141 Cambridge Street - Update on Signage

Committee received a report dated March 24, 2017, from the Director of Sustainable Planning and Community Development regarding an error in which the required signage was not erected on the property, by the applicant, for an application that was previously heard by Committee of the Whole.

Motion: It was moved by Councillor Alto, seconded by Councillor Coleman, that Council advance Rezoning Application No. 00542 to first and second reading of the Zoning Regulation Amendment Bylaw and a Public Hearing date be set.

CARRIED UNANIMOUSLY 17/COTW

#### REPORTS OF COMMITTEES

#### 2. <u>Committee of the Whole – March 23, 2017</u>

#### 1. Rezoning Application No. 00542 for 141 Cambridge Street (Fairfield)

#### Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00542 for 141 Cambridge Street, that first and second reading of the Zoning Regulation Amendment Bylaw be considered by Council and a Public Hearing date be set.

#### Carried Unanimously

Council Meeting Minutes March 23, 2017

## 3. CONSENT AGENDA

## 3.1 Rezoning Application No. 00542 for 141 Cambridge Street (Fairfield)

Committee received a report dated March 8, 2017, from the Director of Sustainable Planning and Community Development regarding an application to increase the maximum floor area of the principal building and permit a roof deck.

**Motion:** It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council instruct staff to prepare the necessary Zoning Regulation Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00542 for 141 Cambridge Street, that first and second reading of the Zoning Regulation Amendment Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 17/COTW



# Committee of the Whole Report For the Meeting of April 06, 2017

То:	Committee of the Whole	Date:	March 24, 2017
From:	Jonathan Tinney, Director, Sustainable	Planning and	Community Development
Subject:	Rezoning Application No. 00542 for 1 Signage	41 Cambride	ge Street - Update on

## RECOMMENDATION

That Council advance Rezoning Application No. 00542 to first and second reading of the Zoning Regulation Amendment Bylaw and a Public Hearing date be set.

## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis, and recommendations regarding an error in which the required signage was not erected on the property, by the applicant, for an application that was previously heard by Committee of the Whole. The Land Use Procedures Bylaw requires the applicant to post the sign or signs on the subject property for a minimum of 10 days prior to the initial Committee meeting.

The following points were considered in assessing this Application:

- the applicants remedied the situation by contacting Staff about the error and immediately erecting the correct signage on the property
- the signage has remained on the site for 10 days prior to this Committee of the Whole meeting, fulfilling the intent of the Land Use Procedures Bylaw.

## BACKGROUND

On March 23, 2017, Council directed Staff to prepare the required bylaws and advance the proposed development outlined in Rezoning Application No. 00542 for 141 Cambridge Street, that first and second reading of the Zoning Regulation Amendment Bylaw be considered by Council and a Public Hearing date be set. The Rezoning Application is to increase the allowable floor area for a single-family dwelling and permit a roof deck on the primary building.

The following differences from the standard zone are being proposed and would be accommodated in the new zone:

- increase the maximum floor area from 300m<sup>2</sup> to 385m<sup>2</sup>
- permit a roof deck.

It was later brought to Staff's attention that the applicants neglected to post the required signage as set out in the Land Use Procedures Bylaw (see attached letter, dated March 23, 2017, from the applicant). Signage has since been posted on the site for the required 10 days. At the time

of writing this report no additional correspondence has been received; however, if new correspondence is received it will be paired with the application through the normal process.

## CONCLUSIONS

By not erecting a sign on the property at 141 Cambridge Street, the application became inconsistent with the *Land Use Procedures Bylaw*. The applicants have since corrected the situation by erecting a sign 10 days prior to the April 06, 2017 Committee of the Whole meeting. Any comments received during this period have been attached to this report.

# ALTERNATE MOTION

That Council decline to advance Rezoning Application No. 00542 to first and second reading of the Zoning Regulation Amendment Bylaw and a Public Hearing.

Respectfully submitted,

Michaél Angrove Planner Development Services

Jonathan Tinney, Director Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager:

JH

nwoh 29,2017 Date:

# List of Attachments

- Letter from applicant, dated March 23, 2017
- Committee of the Whole Report, for the meeting of March 23, 2017

From: Info @ Zebra Group [mailto:info@zebragroup.ca]
Sent: March 23, 2017 10:39 AM
To: Michael Angrove <mangrove@victoria.ca>
Cc: Alison Meyer <ameyer@victoria.ca>; 'Lorne Duncan' <lorne.duncan@petroglyph.ca>
Subject: FW: Rezoning Sign Template-141 Cambridge St, REZ00542

Dear Mike and Alison,

My sincere apologies about the lack of signage on site for the 141 Cambridge Street rezoning application, it is my fault that the information did not get passed along to the homeowners and the task delegated between us, I'm embarrassed to say.

I neglected to forward this information to our clients when the information came to us in December. I remember being very pleased to get the Plan Summary Review before the end of the year, but obviously the site sign information got lost in the bustle just before and after the holiday break.

Mr. Duncan has already contacted a signmaker since the Committee of the Whole meeting this morning, and has ordered the sign; we will get it erected on site as soon as humanly possible and forward a photo of the installed sign to you, Michael.

Again, very sorry for the oversight. I hope that it does not impede the progress of the application but understand that it might have to be delayed to the next COW meeting in two weeks.

Sincerely, Kristin

ZEBRA DESIGN 1161 NEWPORT AVENUE VICTORIA, B.C. V8S 5E6 Phone 250.360.2144 Ext.0# Fax 250.360.2115 Email info@zebragroup.ca Website www.zebragroup.ca



# **Committee of the Whole Report** For the Meeting of March 23, 2017

То:	Committee of the Whole		Date:	March 8, 2017
From:	Jonathan Tinney, Director,	Sustainable Planning	and Comm	unity Development

Subject: Rezoning Application No. 00542 for 141 Cambridge Street

# RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Amendment Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00542 for 141 Cambridge Street, that first and second reading of the Zoning Regulation Amendment Bylaw be considered by Council and a Public Hearing date be set.

# LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as, the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

## **EXECUTIVE SUMMARY**

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 141 Cambridge Street. The proposal is to rezone from the current R1-B Zone, Single Family Dwelling District, to a site-specific zone in order to increase the maximum floor area of the principal building and permit a roof deck.

The following points were considered in assessing this Application:

- the proposal is consistent with the Traditional Residential urban place designation in the Official Community Plan, 2012
- the proposal is consistent with the Conservation and General Residential Areas designation within the Fairfield excerpts in the *Suburban Neighbourhoods* 1984 plan.

# BACKGROUND

## Description of Proposal

This Rezoning Application is to increase the allowable floor area for a single-family dwelling and permit a roof deck on the primary building.

The following differences from the standard zone are being proposed and would be accommodated in the new zone:

- increase the maximum floor area from 300m<sup>2</sup> to 385m<sup>2</sup>
- permit a roof deck.

# Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

# **Active Transportation Impacts**

The applicant has not identified any active transportation impacts associated with this Application.

# Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

# Land Use Context

The area is characterized by single-family dwellings with a variety of architectural styles. There is one heritage-registered property on the same block frontage.

# **Existing Site Development and Development Potential**

The site is presently developed as a single-family dwelling. Under the current R1-B Zone, the property could be developed as a single-family dwelling with a maximum height of 7.6m. Roof decks are prohibited in the current zone.

# Data Table

The following data table compares the proposal with the existing R1-B Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R1-B Zone, Single Family Dwelling District
Site area (m²) - minimum	613.19	460
1st & 2nd storey floor area (m <sup>2</sup> ) (max)	249.11	280.00
Total floor area (including basement) (m²) - maximum	385*	300.00
Lot width (m) - minimum	15.24	15 <sup>-</sup>
Height (m) - maximum	7.55	7.60
Storeys - maximum	2	2
Site coverage % - maximum	39.74	40.00
Roof deck	Yes*	Not Permitted

Zoning Criteria	Proposal	Zone Standard R1-B Zone, Single Family Dwelling District
Setbacks (m) - minimum:		
Front	7.58	7.50
Rear	12.54	10.06
Side (north)	1.52	1.52
Side (south)	3.66	3.00
Combined side yards	5.18	4.50
Parking - minimum	1	1

# Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield-Gonzales CALUC at a Community Meeting held on September 26, 2016. The minutes from the meeting are attached to this report.

In addition to the CALUC meeting, the applicant has obtained signatures from adjacent residents, all of whom appear to be in support of the Application to increase the maximum floor area and permit a roof deck.

## ANALYSIS

## **Official Community Plan**

The *Official Community Plan* identifies the property as within the Traditional Residential urban place designation, within which single-family dwellings are an envisioned use.

## Local Area Plans

The Fairfield excerpts within the *Suburban Neighbourhoods* plan identify the property as within the Conservation and General Residential Area. This area aims to conserve the traditional residential streetscapes and permits rezoning in instances of deteriorated housing. The proposal is consistent with the plan by maintaining the traditional single-family dwelling streetscape and by architecturally designing the dwelling to be sensitive to the character of the surrounding buildings. A report conducted by Maximilian Huxley Corporation in 2015 noted the cost of renovating the existing dwelling would be significantly higher than the cost of building a new dwelling.

## **Regulatory Considerations**

The proposal's combined first and second-storey floor area is compliant with the zone standard; however, the calculation for the maximum floor area includes the basement and thus the proposal is non-compliant with the maximum floor area. In the R1-B Zone, the maximum floor area acts as density and can only be increased through rezoning the property.

Roof decks are not permitted within the R1-B Zone; however, the applicant has undertaken consultation with immediate neighbours and has noted that there are no privacy concerns voiced by the adjacent residents.

## CONCLUSIONS

This proposal to increase the maximum floor area and permit a roof deck is consistent with both the *Official Community Plan* and the *Suburban Neighbourhoods* plan in maintaining the traditional low density character of the neighbourhood. The proposed variations to the standard zone are minimal in nature and adjacent residents have no objections to the proposal.

## ALTERNATE MOTION

That Council decline Rezoning Application No. 00542 for the property located at 141 Cambridge Street.

Respectfully submitted,

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Michael Angrove Planner Development Services

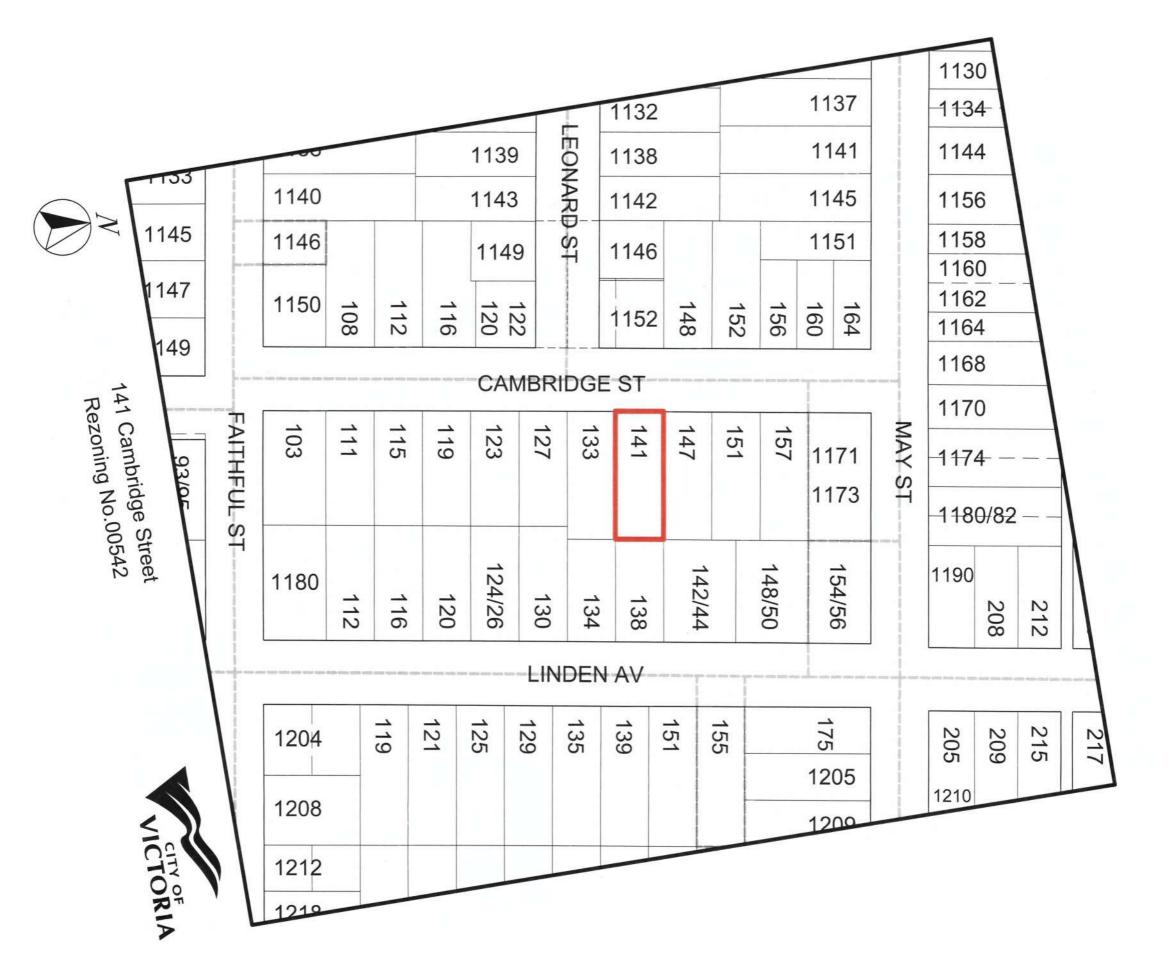
Jonathan Tinney, Director Sustainable Planning and Community Development Department

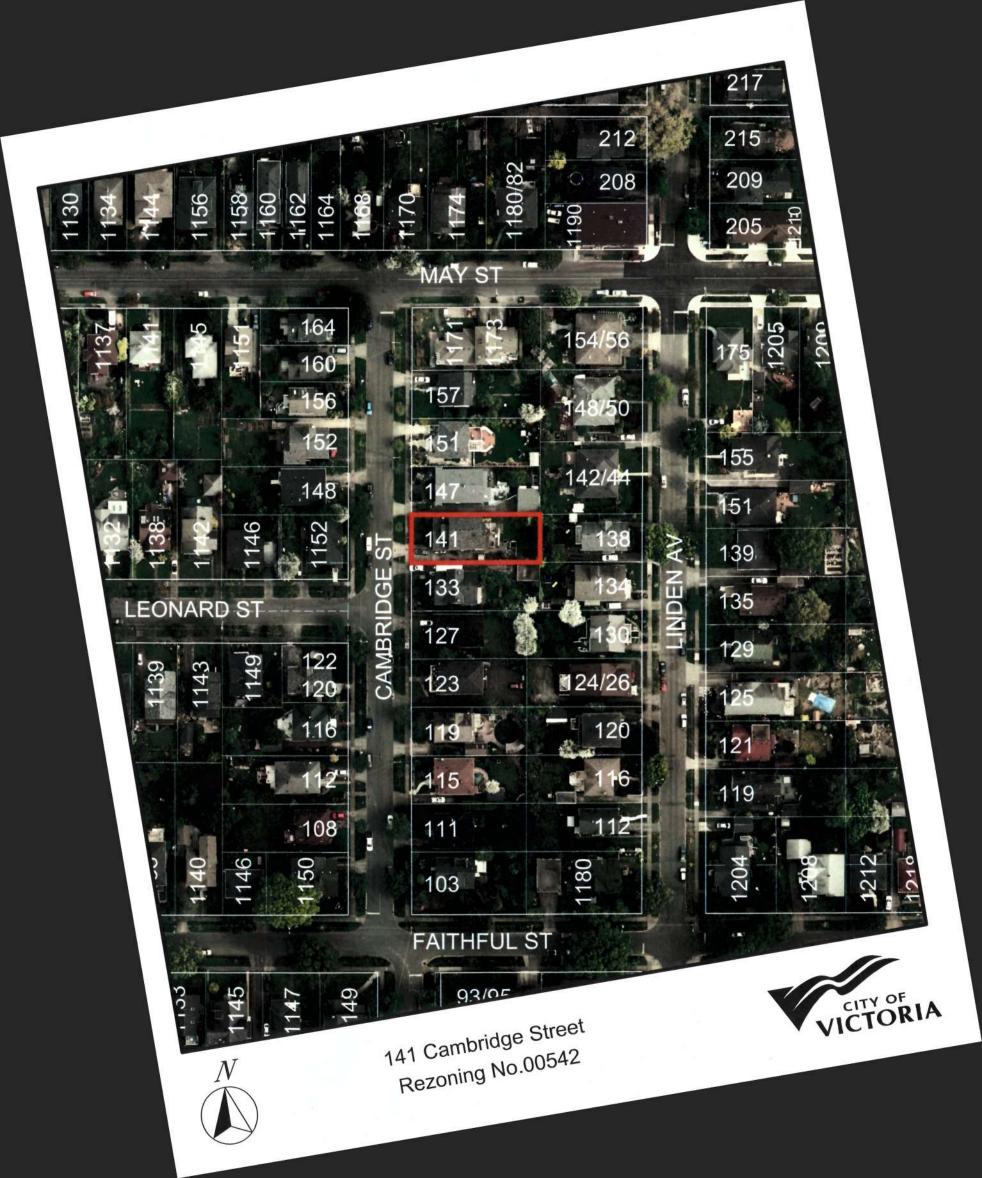
Report accepted and recommended by the City Manager:

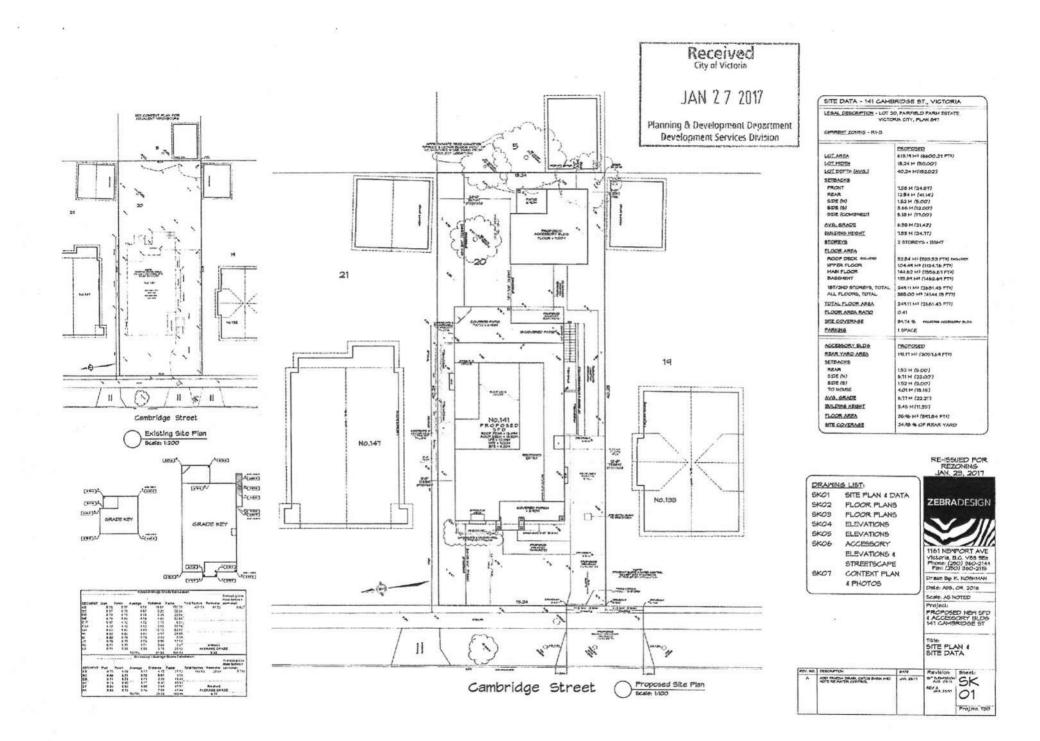
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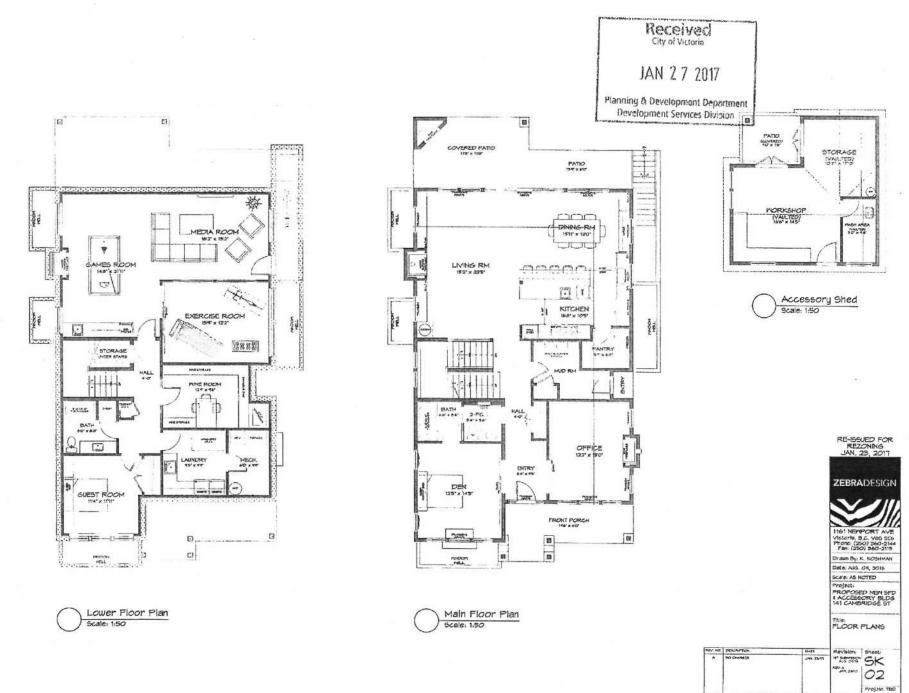
# List of Attachments

- Subject Map
- Aerial Map
- Plans, dated/date stamped January 27, 2017
- Letter from applicant to Mayor and Council, dated March 7, 2017
- Community Association Land Use Committee Minutes, dated September 26, 2016
- Survey of neighbours regarding proposal.

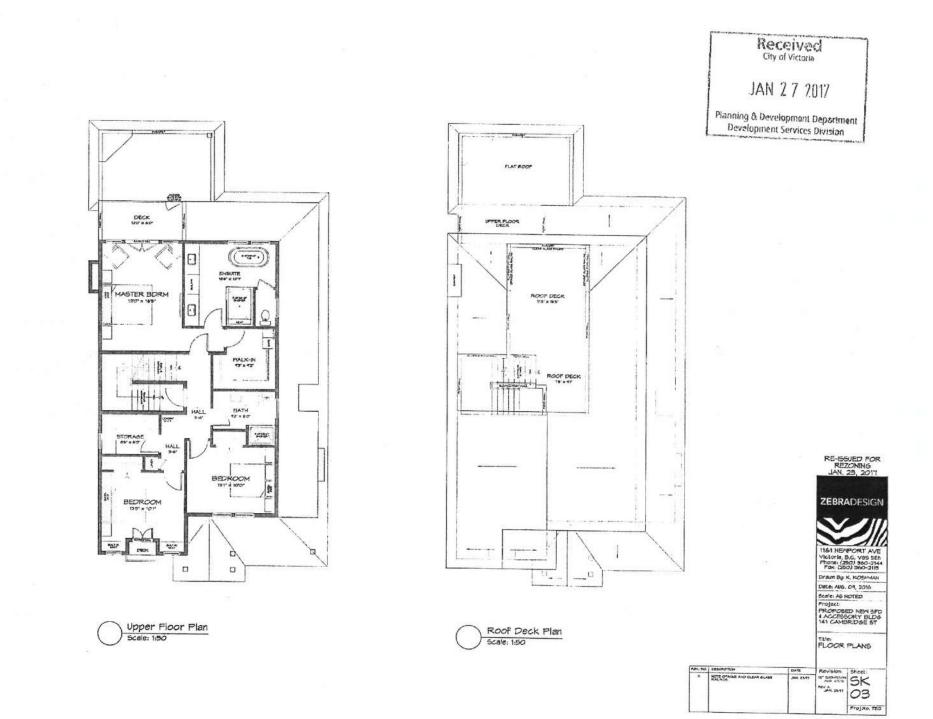






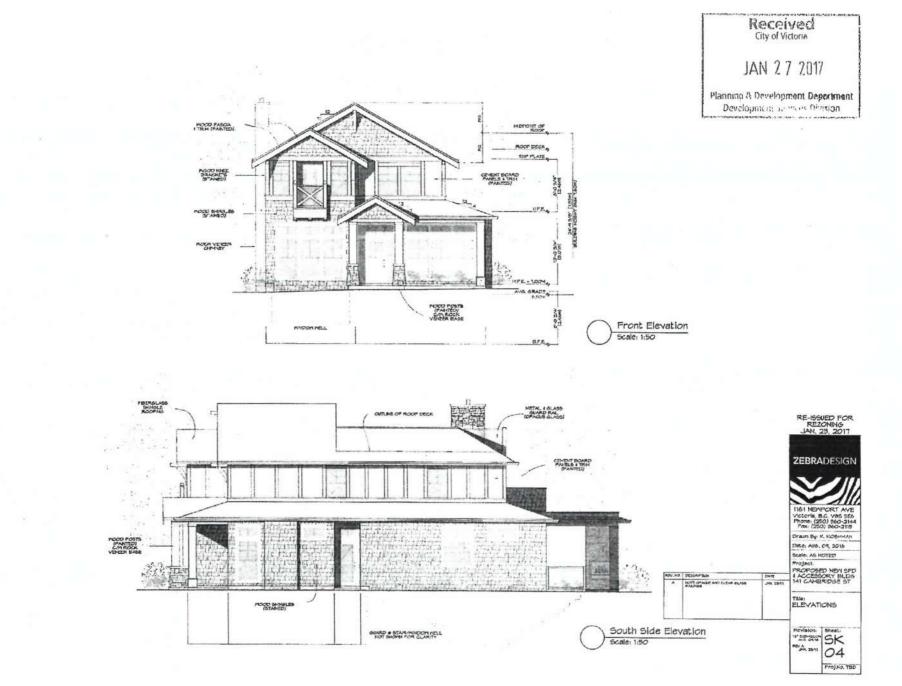


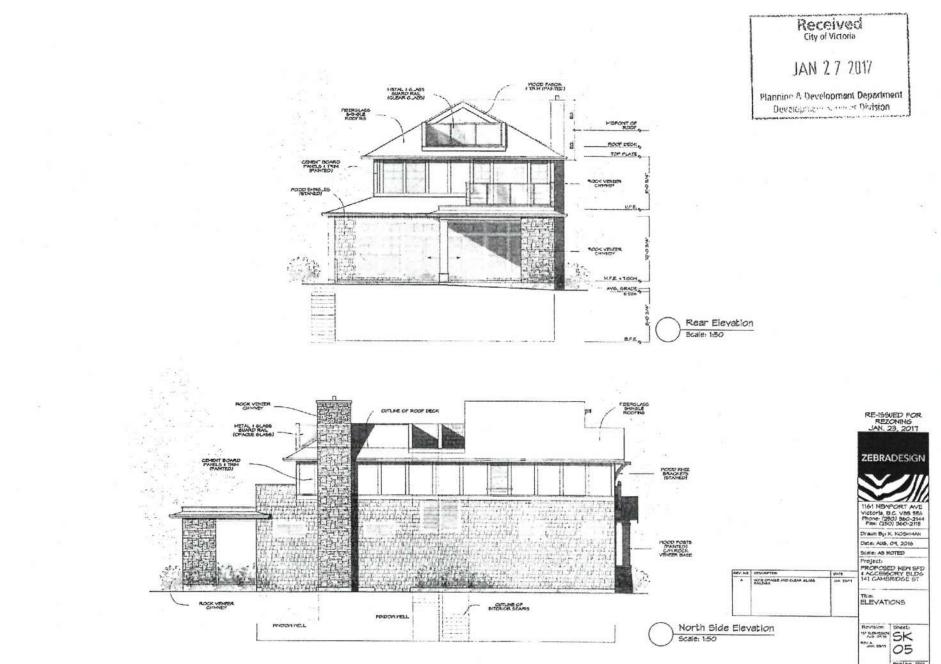
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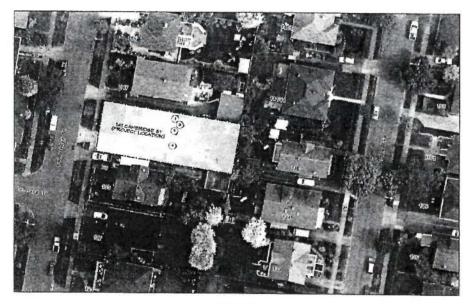




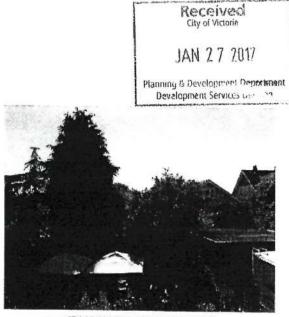
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CONTEXT PLAN



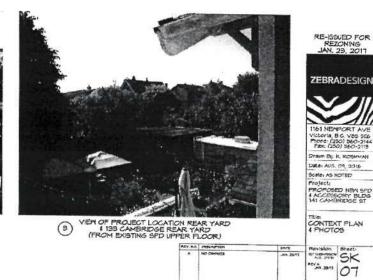
(4) VIEW OF PROJECT LOCATION REAR YARD 4 138 LINDEN AVE (FROM EXISTING SFD UPPER FLOOR)



() VIEW OF 147 CAMBRIDGE REAR YARD (FROM EXISTING SPD UPPER FLOOR)



(2) VIEW OF PROJECT LOCATION REAR YARD 4 135 LINDEN AVE (FROM EXISTING SFD UPPER FLOOR)



Projika, TBD



March 7, 2017

#1 Centennial Square Victoria, B.C. V8W 1P6

Re: Rezoning application for 141 Cambridge Street, Victoria B.C.

Dear Mayor and Council,

We would like to summarize points from the two previous letters that accompanied our original submission and the revision package per departmental review comments.

When purchasing the property at 141 Cambridge Street, owners Jody MacLeod and Lorne Duncan at first pursued the option of renovating the existing home. When investigation proved that a satisfactory renovation would be prohibitively expensive, they revised their plan and hired Zebra Design to develop the design of a new home that would fit in with the character of neighbouring homes and also incorporated salvaged elements such as cabinetry, flooring and light fixtures from the existing home.

After discussion with the City, it was determined that their desire to have a full basement to house elderly parents or possibly add a future suite, would require a variance application. In anticipation of that application, Lorne and Jody canvassed their neighbours and received full support for the plans. However upon further investigation by the City, it was determined that a site-specific rezoning would be required in order to achieve the additional floor area in the basement, as floor area cannot be varied in the R1-B zone. This is why we are applying to rezone the property. Due to the location of the property, Lorne and Jody also have a great desire for a private roof deck. In anticipation of the requirement for a variance for a roof deck, canvassing of neighbours also included the proposed roof deck. We have now received confirmation from the Development Services division that a Development Variance Permit will not be separately required for the roof deck, should the site-specific rezoning be approved.

The "extra" floor area in the lower level of the home that would be allowed by this rezoning request would not alter the footprint of the house design, nor would it change the exterior appearance of the home from the street. We would have exactly the same building height and same massing, and the increase in basement floor area would not impact any of the neighbours. The only difference would be having a full basement, as compared to a partial basement with partial crawlspace (as would be permitted with the current zoning). We feel it would be a huge detriment to the house if we were not to be able to finish the basement, and it is our

ZEBRA DESIGN & INTERIORS GROUP INC. • 1161 NEWPORT AVENUE, VICTORIA BC VBS 5E6 PHONE: (250) 360-2144 FAX: (250) 360-2115 Email: info@zebragroup.ca Website: www.zebragroup.ca understanding that there is a shortage of rental units in the City of Victoria, not likely to be soon resolved.

Regarding the roof deck, maintaining maximum privacy for both the neighbours and the property owners our clients has been of paramount concern throughout the design process. Overlook has been minimized by multiple efforts.

The proposed roof deck has been designed with utmost concealment, set well back from all sides of the house and not directly overlooking adjacent houses and nearby neighbours. The roof deck is nested into the pitched roofline on three sides, effectively obscuring between 60 - 70% of the perimeter of the deck area. The sight lines of the proposed roof deck to the side property lines are obscured by the shapes of the roof on the front and both sides of the new home. We have changed the deck enclosure glass at the sides to be obscured/opaque glass but we think that the rear yard privacy will be very well protected, enough to support using the clear glass on the rear (East facing) panel.

Please note that the photos that we included to augment our application package were taken from the existing home's upper floor, at the top of arm's reach - physically as high as we could safely get the camera without installing a scaffold - and as you can see the privacy to the rear is really very good – one cannot see through the trees to the property behind. It is quite a distance from the roof deck to the rear property line (a little over 58 feet). Sight lines are also blocked by the rear neighbour's garage and additionally by our proposed accessory building, so even in winter, privacy will be protected back there. Additionally the roof deck will not likely be utilized in winter, but in the summer when the foliage is on the trees. Furthermore, we have canvassed the neighbours in person and the roof deck application is supported by all. Please see enclosed signatures of support gathered in person by Lorne and Jody.

Thank you for your time in review of the revised application.

Sincerely,

Rus Collins Zebra Design & Interiors Group Inc.

ZEBRA DESIGN & INTERIORS GROUP INC. • 1161 NEWPORT AVENUE, VICTORIA BC VBS 5E6 PHONE: (250) 360-2144 FAX: (250) 360-2115 Email: info@zebragroup.ca Website: www.zebragroup.ca



# Minutes of Sept 26, 2016 Fairfield-Gonzales Community Association Land Use Committee.

Attendees: David Biltek (Vice Chair), Don Monsour (Chair & President of FGCA), Corey Burger, Heather Murphy

#### 141 Cambridge Aves

The developer and the applicants introduced the project including the two major variances:

- 1. Allow the house to have a full basement
- 2. Allow a roof deck

#### Questions from the community:

Q - Purpose of space in basement? Can it be a suite? Is the entrance to the basement legal?

The basement is currently designed to be extra living space; it could be suited without a rezoning but the plan isn't to be suited right now. The entrance is legal.

Q – Where is the deck facing?

The deck faces the back yard

Q-Is the accessory building a garden suite? What plumbing does it have?

No. That would require a rezoning. The accessory building has plumbing for water only

Q - How much parking?

There is one parking stall in the front of the property in front of the house

Q-Is this a single family house?

Yes

Q - What is the footprint? How tall is the building?

The footprint is the same as the current building, while the height is lower than existing house

Q - Have you spoken with neighbours?

#### • •

1330 FAIRFIELD RD. VICTORIA, BC V8S 5J1 Tel. 250.382.4604 Fax 250.382.4613 www.fairfieldcommunity.ca place@fairfieldcommunity.ca

#### Yes, and we have canvassed for support

Q - How many days can a roof deck be used?

That has been considered and the design looks at sun angle to maximize usage

Q-Are there any plans for AirBnB?

No

#### Comments from community

- Felt it was good as it was a single family house. They felt that the banning of roof decks
  was extreme and like how the applicant designed a deck that ensures privacy and felt it
  was a good compromise
- Not concerned about roof deck
- Like how design conforms
- One neighbour mentioned that the zoning that considers basement as first floor is painful & curious

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June/July 2016

City of Victoria Building and Development 1 Centennial Square Victoria, B.C. V8W 1P6

Re: 141 Cambridge Street - Application for Development Variance Permit

After reviewing the plans and elevations for the proposal at 141 Cambridge Street, we the undersigned have no objections to the proposed variance application.

SIGNATURE/ PRINT NAME	ADDRESS	DATE
Richard Moulton	138 Linden Vidoria	July 5,2016
Kelly Jones	142 Linden Ave Victoria	July 6, 2016
Elea & Paul Plastin	victoria	July 6/2016
3 rigitle + Por Tort Dury	134 Linden Aor	July 6/2016
Durino Kristiina Aytr	yl 157 Cambridge St.	Sept. 19/2016

June/July 2016

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City of Victoria Building and Development 1 Centennial Square Victoria, B.C. V8W 1P6

Re: 141 Cambridge Street - Application for Development Variance Permit

After reviewing the plans and elevations for the proposal at 141 Cambridge Street, we the undersigned have no objections to the proposed variance application.

SIGNATURE/ PRINT NAME	ADDRESS	DATE
pp.ph.	133 Cambridge St.	July 2,2016
Justine Hunter		
Atol	1152 Leonard St.	July 4,2016.
SHERRY HUKST		
Cotonul 4 TEPATRICIC	147 CAMBRIDGE ST.	July 4, 20/16
Jen Borber		1
Jen Barber	151 Combridge St-	July 4, 2016
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George Fitzpatrick	12-11-10-57	5 1 1
A Bac Staphanie Bacon	148 CAMBRIDGE ST.	VULY 4, 2016
Wahlon Dorris		

# Rezoning Application for 141 Cambridge St.



