

### 3. CONSENT AGENDA

**Motion:** It was moved by Councillor Alto, seconded by Councillor Lucas, that the following items be approved without further debate:

#### 3.1 Development Variance Permit No. 00179 for 1328 Vining Street (Fernwood)

Committee received a report dated November 10, 2016, from the Director of Sustainable Planning and Community Development providing information and recommendations regarding an application for a to add a secondary suite in an existing single family dwelling.

**Motion:** It was moved by Councillor Alto, seconded by Councillor Lucas, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council on December 8, 2016, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00179 for 1328 Vining Street, in accordance with:

1. Plans date stamped November 2, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. Schedule J, Secondary Suite Regulations, Section 2 Exterior Changes:  
increase the maximum enclosed floor area added within five years of installing a secondary suite from 20m<sup>2</sup> to 106.98m<sup>2</sup>;
3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 16/COTW

## REPORTS OF COMMITTEES

### **2. Committee of the Whole – November 24, 2016**

#### **1. Development Variance Permit No. 00179 for 1328 Vining Street (Fernwood)**

**Motion:**

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, Council after giving notice and allowing an opportunity for public comment at a meeting of Council on December 8, 2016, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00179 for 1328 Vining Street, in accordance with:

1. Plans date stamped November 2, 2016.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. Schedule J, Secondary Suite Regulations, Section 2 Exterior Changes:  
increase the maximum enclosed floor area added within five years of installing a secondary suite from 20m<sup>2</sup> to 106.98m<sup>2</sup>;
3. The Development Permit lapsing two years from the date of this resolution.

**Carried Unanimously**





- the lower level of the existing dwelling is slightly above 6ft and therefore, not suitable for a secondary suite.
- the combined floor area of the house does not exceed the maximum allowed in the R1-B, Single Family Dwelling District Zone (maximum is 420m<sup>2</sup>).
- the variance to increase the maximum floor area added to a building within five years of installing a secondary suite from 20m<sup>2</sup> to 106.98m<sup>2</sup> is supportable as there would be no exterior changes to the front façade and the addition would have minimal visual impact from the street. The proposed windows and doors forming part of the new addition would match the design and style of the existing windows and doors. Adequate rear yard open space would be retained on the lot.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to add a secondary suite to an existing single family dwelling. Specific details include:

- an existing two-storey single family dwelling
- enclosing the existing sundeck to accommodate an addition for a secondary suite
- retaining the existing stucco siding of the existing dwelling unit
- exterior finishes of the new addition include hardi-plank siding and asphalt shingles
- adding an accessible outdoor patio (permeable) for the secondary suite.

The proposed variance is related to increasing the maximum floor area added to a building within five years of installing a secondary suite from 20m<sup>2</sup> to 106.98m<sup>2</sup>.

### **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 Development Variance Permit Application.

### **Existing Site Development and Development Potential**

The site is presently occupied by a single family dwelling.

### **Data Table**

The following data table compares the proposal with the existing R1-B, Single Family Dwelling District, 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
Site area (m <sup>2</sup> ) - minimum	675.10	460.00
Lot width (m) - minimum	15.24	15.00
1 <sup>st</sup> and 2 <sup>nd</sup> storey floor area (m <sup>2</sup> ) - maximum	267.30	280.00
Combined floor area (m <sup>2</sup> ) - maximum	285.32	420.00
Height (m) – maximum	5.37 – existing 4.84 - new	7.60
Storeys – maximum	2.00	2.00
Site coverage % - maximum	27.70	40.00
Setbacks (m) – minimum		
Front	8.10	7.50
Rear	12.00	10.45
Side (east)	2.30	1.52
Side (west)	3.10	3.00
Combined side yards	5.40	4.50
Parking – minimum	1	1
<b>Secondary Suite</b>		
Added floor area (m <sup>2</sup> ) – maximum	106.98* (88.38 (new addition) and 18.60 – enclosed garage)	20.00
Overall floor area (m <sup>2</sup> ) – minimum	285.32	150.00
Added building height (m) – maximum	0.00	0.60
Suite floor area (m <sup>2</sup> ) – maximum	71.20	90.00
Suite/floor area ratio (%) – maximum	24.95	40.00

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on September 20, 2016 the application was referred for a 30-day comment period to the Fernwood CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.



## **ANALYSIS**

### **Regulatory Considerations**

Schedule J, Regulations for Secondary Suites, includes regulations intended to ensure exterior changes to a single family dwelling represent gradual infill within the neighbourhood, and limits the extension to an existing building within a five year period when a secondary suite is to be installed in the building. This proposal is to increase the allowable enclosed floor area from 20.00m<sup>2</sup> to 106.98m<sup>2</sup>, which includes the floor area of a garage recently converted to habitable space and the proposed new addition. Parking is currently provided in the side yard, which complies with Schedule C – Off-street Parking Regulations. There would be no exterior changes to the front façade and the addition would have minimal visual impact from the street. The same proposed plans could be built without variances or Council approval if the existing home was demolished and rebuilt as a new single family dwelling with a secondary suite. Staff recommend that Council consider supporting this variance.

### **Design Considerations**

The proposal generally meets the *Secondary Suite Design Guidelines*. The existing stucco siding would be retained; however, the proposed exterior material for the new addition would be hardie-plank siding. Using the stucco on the new addition was not feasible, and the owner's intention is to replace the existing stucco with hardie-plank siding in the future. This contrast in siding materials is not consistent with the *Secondary Suite Design Guidelines* with respect to providing a seamless transition between the existing and proposed portions of the building. However, given the minimal impact from the street, the change in siding materials is recommended as supportable over the alternative of replacing the existing stucco with hardie-plank at this time.

The proposed windows and doors forming part of the new addition would match the design and style of the existing windows and doors. Windows would be carefully placed to minimize overlook and impact on neighbouring properties. The suite would have a separate main entrance along the west side of the building accessed by an existing driveway. A private outdoor patio space by the rear door would be provided for the suite.

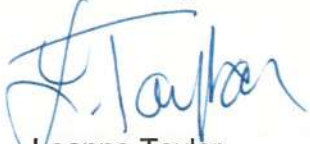
## **CONCLUSIONS**

The creation of a secondary suite in an existing single family dwelling is consistent with City policy. The proposed addition would have minimal visual impact on the streetscape and neighbouring properties. Staff recommend that Council consider supporting this application and schedule an opportunity for public comment for the next meeting of Council on December 8, 2016.

## **ALTERNATE MOTION**

That Council decline DVP Application No. 00179 for the property located at 1328 Vining Street.

Respectfully submitted,



Leanne Taylor  
Senior Planner  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



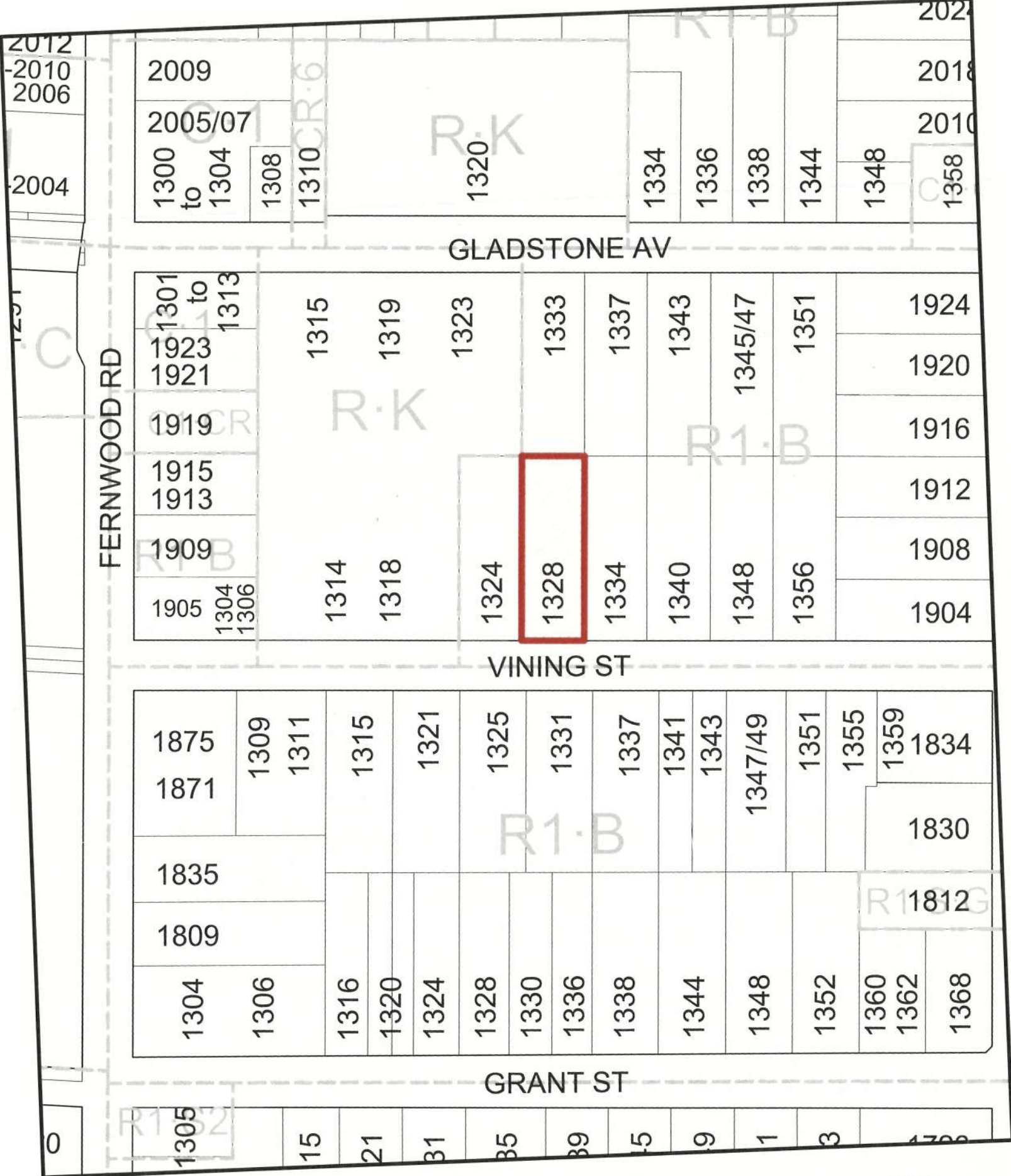
Date:

November 14, 2016

#### List of Attachments

- Zoning Map
- Aerial Map
- Letter from applicant dated November 4, 2016
- Photographs of site dated October 11, 2016
- Plans dated November 2, 2016.





1328 Vining Street  
Development Variance Permit #00179





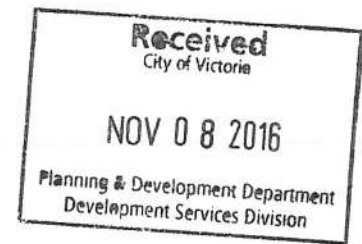




1328 Vining street

Victoria BC

V8R 1P6



## **Variances Application**

Reference: 1328 Vining Street, Victoria

Lot 11, Plan VIP518, Section 75, Victoria

PID: 009-023-551

Dear Mayor and City Council:

Please accept my application for the proposal to build a secondary suite in the above address.

My family owned and lived in this house since 1982. Unfortunately, my late father passed away in June, 2011. My 81 years old mother moved to Vancouver in May 2012, to live with my older brother because she could not take care herself and the house. This house was mostly empty from April 2012 to April 2016.

I am the new owner of this property since Jan. 2016, and have been living in the house since April 2016.

Please refer to the email from Property Assessment Review office. The BC Assessment's 2016 record was incorrect. This email is to conform that their record has been revised to reflect the detail of the house information. I have also provided detail site and floor plan of the house in this application.

My 81 years old mother, who lived in Vancouver for the last four years would like to move back to Victoria and live with my family in this house. My issue is that the existing house only has two bedrooms and one bathroom on the second floor. The first floor(basement) is mostly for utility use only, such as fire pit, hot water tank, chimney, internal stairs, and storage space only. The basement with limited height (6 feet, 3 inch), has no kitchen, and only has one bedroom. There is an internal stairway from the first floor to the second floor for access to the kitchen. The main entrance to the house is 5 feet above the ground level and the first floor entrance is 2



below the ground level, with a steep ramp in the front and stairs in the rear. This house is definitely not designed for people with disable or mobility issues.

I have three children. Two grown up and temporary moved out of the city for work and university studies. One still lives at home.

Due to the limited floor space in the existing house, with only two bedrooms and one bathroom on the main floor and one bedroom on the basement floor. I am propose to convert my sundeck into a living space, and a second bathroom in the main floor. Also to build a secondary suite in the property, to accommodate and care the needs of my immediate family members.

This proposed one level, one bedroom suite, with no stairs or step, will be build to accommodate my elderly and disable mother (with mobility problem and medical issues). This ground level suite is wheel chair accessible and with driveway right to the entrance for emergency vehicles.

I thank you for your time and attention for my proposal. Please contact me if you have any question.

Yours sincerely

A handwritten signature in black ink, appearing to be 'L. Young', with a long, sweeping horizontal line extending to the right.

Lawrence Young

04 Nov. 2016



View toward  
North

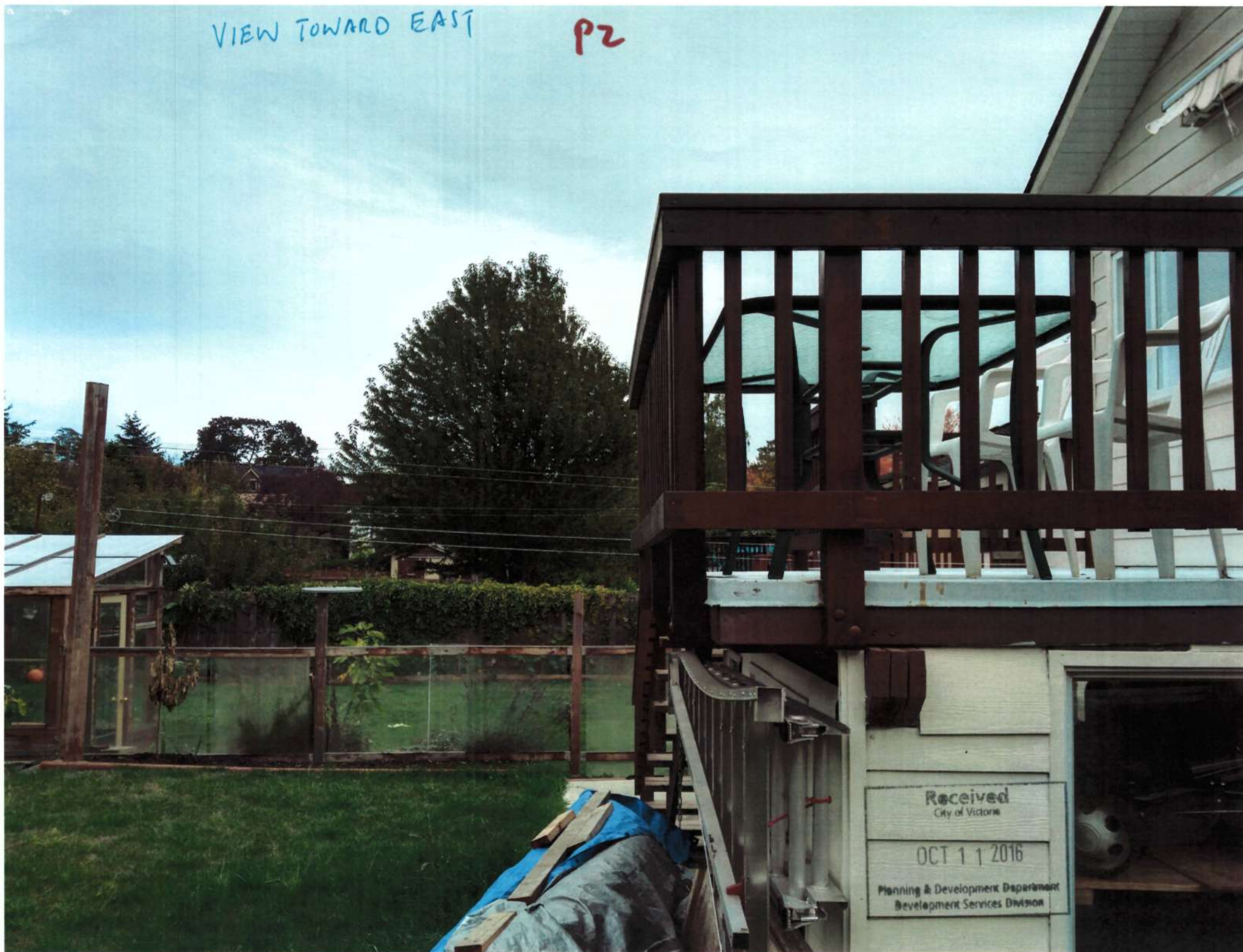
P1





VIEW TOWARD EAST

P2





VIEW TOWARD SOUTH P3

Looking toward the  
existing house (1328 VINING ST)





TO WEST

P4





West side fence  
front front

PS





View from front room  
East side

P6





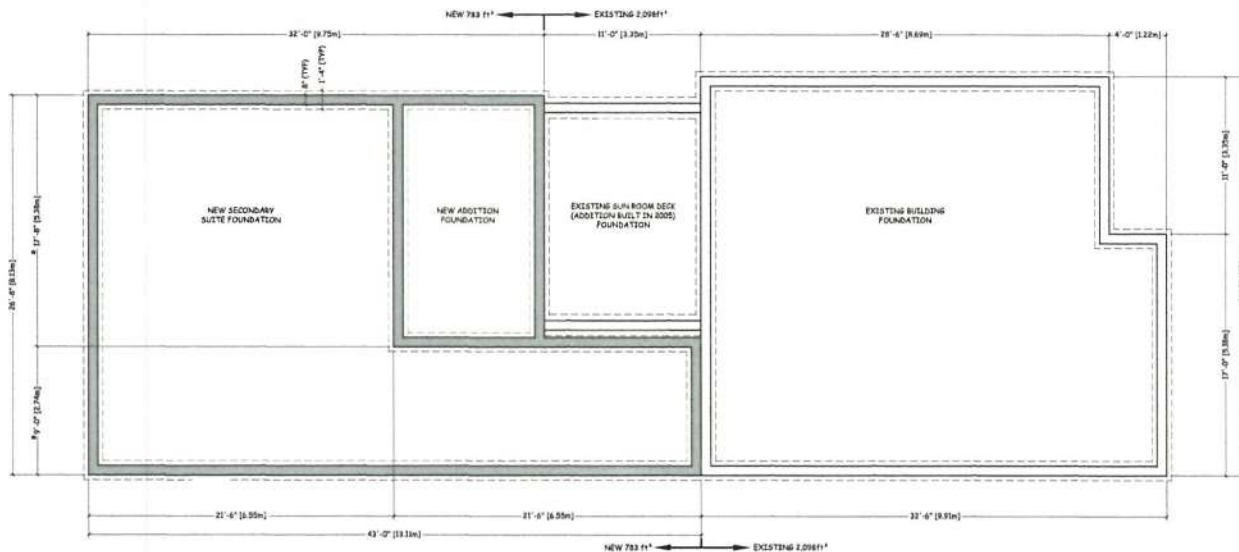
Received  
City of Victoria  
OCT 11 2016  
Planning & Development Department  
Development Services Division

Main Extension Wall

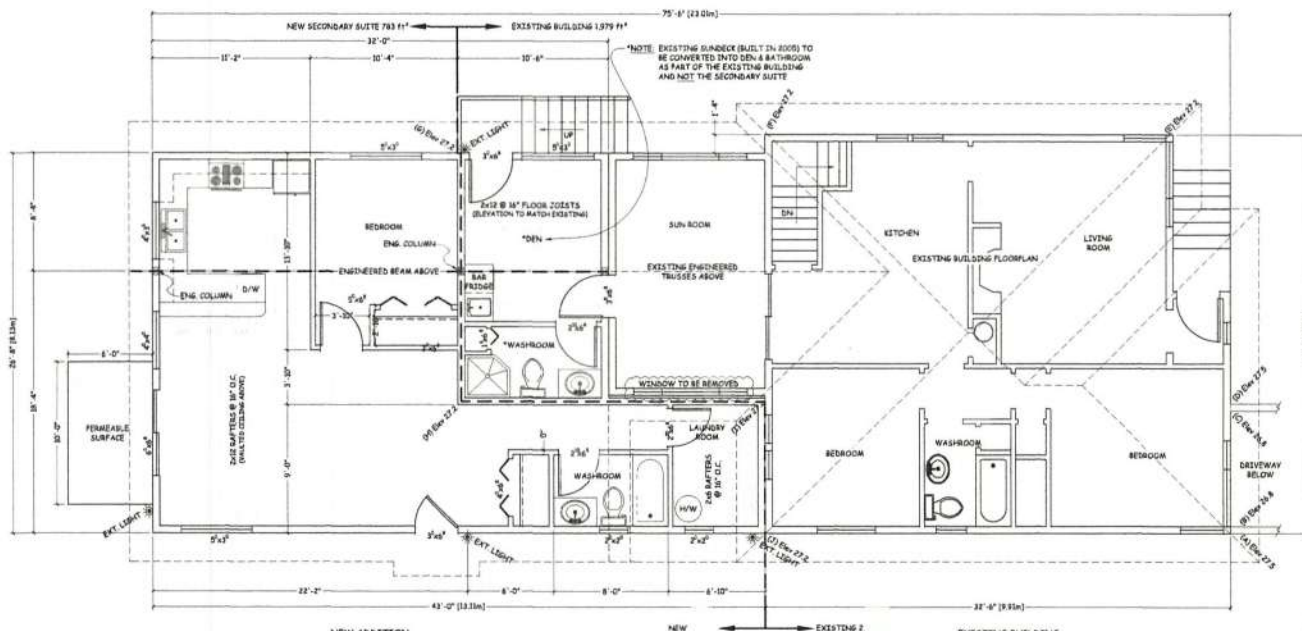
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P7





FOUNDATION PLAN  
SCALE: 1/4"=1'-0"



FLOOR & ROOF PLAN  
SCALE: 1/4"=1'-0"

# GENERAL NOTES

- Contractor to verify all dimensions prior to commencement of work and shall notify the owner and designer of any errors and discrepancies.
- Noted dimensions shall take precedence over scaled drawings.
- Exterior dimensions are to face of concrete/heating, interior dimensions are to center-line of partition.
- Any alternative structural plan to be approved and verified by certified structural engineer. Submit engineered drawings to designer for review.
- All work shall be equal in all respects to good construction practice and shall conform to current zoning bylaws of the authority having jurisdiction and the British Columbia building code (B.C.B.C. 2012).
- It is the responsibility of the owner and contractor to have site soil conditions inspected and advise designer of any soil conditions which may require special foundation design.
- Provide attic and crawl spaces with ventilation and access in accordance with B.C.B.C. 2012, Part 9.
- All structural wood framing to be Douglas Fir or Architectural 2 or better unless otherwise noted. All framing is to be in accordance with good construction practices and the B.C.B.C. 2012.
- Locate 4 install smoke detectors in accordance with B.C.B.C. Part 9. Install not less than 5m (16'-6") from 21. Any bedroom door.
- All roof trusses must be engineered and installed in accordance with manufacturer details and specifications.
- Wood sill plates to be separated from concrete by water-proof sill gasket.
- All wood in contact with concrete must be pressure treated or separated with approved material.
- Provide heating, mechanical ventilation and air conditioning where required by owner and in accordance with B.C.B.C. 2012.
- Provide electrical engineering by approved and certified contractor. Owner shall approve receptacle and appliance locations.
- Any alternative structural engineering to be approved and verified by certified structural engineer. Submit engineered drawings to designer.
- Conform to all fire and life safety provisions of the B.C.B.C. 2012, Part 9.
- Verify existing and proposed grades prior to setting out. Cut, Fill and compact according to building elevations. Verify maximum allowable building heights in the local jurisdiction zoning bylaws and ensure the building is located to suit where not otherwise indicated.
- Provide stepped footing where existing or future grades. U/S of bottom plate of framed walls shall be not less than 8" above adjacent grade.
- Provide minimum 8" clearance from grade to wood cladding materials per B.C.B.C. 2012 S212.2. Exterior foundation walls shall extend not less than 6" above grade.
20. 20 Mpa concrete foundation wall 8" thick max. Ht. 2.30 m (7'-6"). Finished grade to basement floor if laterally supported. 12 m if 20 Mpa 8" wall laterally unsupported at the top. Refer to B.C.B.C. 2012 S.9.4.1. All other concrete walls to be engineered.
- All window types, interior casings and millwork to owner's approval.
- Install guardrails at all balconies, decks and porches greater than 2'-0" above adjacent grade. Install guardrail at 42" above deck. Install pickets where indicated at max. 36" spacing between each. Guard to resist loads per B.C.B.C. 2012, 4.1.10.1. Install per B.C.B.C. 2012.
- PVC (polyvinyl chloride) roof membranes shall conform to material standard CGSB 31-GM-54-M. "Sealing and waterproofing membrane sheet applied, flexible polyvinyl chloride", and installed per B.C.B.C. 2012 subsection S26.16. "Polyvinyl chloride sheet roofing".

Received  
City of Victoria  
NOV 08 2016  
Planning & Development Department  
Development Services Division

CITY OF VICTORIA

RECEIVED

NOV 08 2016

DEEMED

NOV 02 2016

<b>CompuCAD</b> CONSULTING TECHNOLOGISTS 2000 - 10000 ROAD VICTORIA BC V8N 4K4		DESIGNED APPROVED BY: 	
TITLE: <b>FOUNDATION, FLOOR AND ROOF PLAN</b>		Project No.: 15-1046 Drawn by: L. SCHMITZ Scale: AS NOTED Sheet: 1 OF 4	



<b>CompuCAD</b> CONSULTING TECHNOLOGISTS 1111 11th St. N. Suite 100 Grand Rapids, MI 49503		DESIGNED/ APPROVED BY:	
TITLE: ELEVATIONS		NO. 10-10-10	
PROPOSED LOCATION FOR: 1111 11th St. N. Suite 100 Grand Rapids, MI 49503	DESIGNED BY: J. J. J. DRAWN BY: J. J. J. SCALE: AS NOTED SHEET: 1 OF 1	DATE: 10-10-10 REV: 1	3

**CITY OF VICTORIA**

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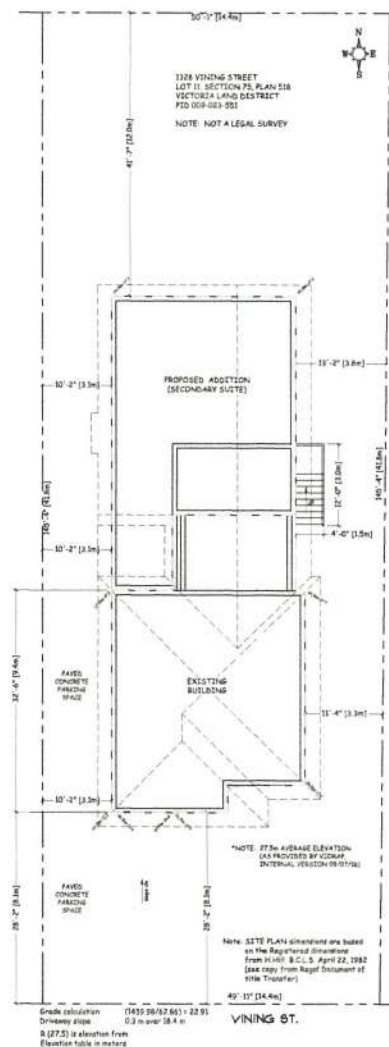
**NOV 08 2016**

**NOV 02 2016**





Project Data Table	
Project	
Address	
1328 Vining St	
Legal description	
LOT 11, SECTION 75, VICTORIA, PLAN 518	
Current use	Zoning
Single Family Dwelling	R1-B
Proposed use Single Family Dwelling w/ Secondary Suite	Proposed zone Unchanged
Zoning Criteria	
Proposed	
Site area (m <sup>2</sup> )	875.10
Lot width (m)	15.24
1st storey floor area (m <sup>2</sup> )	80.45
2nd storey floor area (m <sup>2</sup> )	90.47
Combined floor area (m <sup>2</sup> )	170.92
Height (m) (max)	5.09 - Existing 4.75 - New
Average Grade (%)	27.20
Storeys	2
Basement	0
Setbacks	
Front (m)	6.10
Rear (m) (min)	12.60
Side (m) (min)	2.30
Side (m) (max)	3.10
Combined side yards (m)	5.40
Site coverage (%)	27.70
Parking	1
Parking location	Exterior side
Driveway/parking slope (%)	3.00
Driveway/parking material	Concrete
Secondary Suite	
Existing floor area (m <sup>2</sup> )	170.92
Added floor area Existing (m <sup>2</sup> )	17.18
Secondary Suite (m <sup>2</sup> )	71.20
Total (m <sup>2</sup> )	88.38
Existing floor area (m <sup>2</sup> )	170.92
Overall floor area (m <sup>2</sup> )	207.30
Suite floor area (m <sup>2</sup> )	71.20
Suite floor area ratio (%)	26.64



Grade point	Average point	Dist. between Point	Total
Point B & C	(26.8+26.8)/2	3.3 m	88.44
Point D & E	(27.5+27.2)/2	5.23 m	143.04
Point F & G	(27.2+27.2)/2	9.00 m	209.28
Point F & G	(27.2+27.2)/2	11.00 m	353.60
Point G & H	(27.2+27.2)/2	8.53 m	232.02
Point H & I	(27.2+27.2)/2	11.00 m	353.60
Point I & A	(27.2+27.5)/2	9.0	270.77
Sum			1710.75
Total Perimeter			62.86

SITE PLAN  
SCALE: 1:100

CITY OF VICTORIA  
RECEIVED  
NOV 08 2016

DEEMED  
NOV 02 2016

<b>CompuCAD</b> CONSULTING TECHNOLOGISTS 2001 CANTER ROAD VANCOUVER, BC V6M 4L4		DESIGNED APPROVED BY:	
TITLE: SITE PLAN + ZONING CHECK		Phone (604) 361-8881	
PROPOSED ADDITION FOR: Ms. Lawrence Young 1328 Vining Street Victoria B.C. V8M 4G6	Designed by: J. Young Drawn by: M. Schmitt Scale: AS NOTED Sheet: 4 OF 4	Date: 10/1/2016 Rev: 3	