

4.2 b. Development Permit with Variances Application No. 000441 for 1016 Southgate (Fairfield)

Committee received a report dated July 8, 2016, providing information and recommendations for a Development Permit Application for the property location at 1016 Southgate Street. The applicant is proposing to construct a low-rise three-storey multi-unit residential building containing six residential units. The variances are related to minimum lot size, site coverage, setbacks and parking.

Motion: It was moved by Councillor Coleman, seconded by Councillor Loveday, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00493, if it is approved, consider the following motion:

That Council authorize the issuance of a Development Permit for Application No. 000441 for 1016 Southgate Street, in accordance with:

1. Plans date stamped June 21, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Increase the site coverage from 33% to 38.70%;
 - ii. Reduce the minimum site area from 920m² to 678m²;
 - iii. Reduce the minimum required front yard setback from 7.50m to 5.67m;
 - iv. Reduce the east side yard setback from 5.20m to 3.04m for the principle building and 1.09m for the bike storage locker;
 - v. Reduce the west side yard setback from 5.20m to 3.04m for the principle building and 1.09m for the bike storage locker;
 - vi. Reduce the front yard projection setback for the steps from 3m to 2.34m;
 - vii. Required residential parking reduced from 1.2 spaces per dwelling unit to 1 space per dwelling unit;
 - viii. Schedule C, Section 7.2(b) - Reduce the distance of an off-street parking space from the street boundary (rear lane) from 1.0m to 0.64m;
 - ix. Schedule C, Section 7.2(h) - Reduce the landscape strip along the side yard from 0.60m to 0.50m;
 - x. Schedule F, Section 4(d) - Reduce the separation space between an accessory building and the principal building from 2.40m to 1.37m
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff;
4. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 16/COTW

REPORTS OF COMMITTEES

1. Committee of the Whole – July 21, 2016

5. Development Permit with Variances Application No. 000441 for 1016 Southgate Street:

It was moved by Councillor Coleman, seconded by Councillor Lucas, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00493, if it is approved, consider the following motion:

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3. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff;
4. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously



Committee of the Whole Report For the Meeting of July 21, 2016

To: Committee of the Whole **Date:** July 8, 2016

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 000441 for 1016 Southgate Street

RECOMMENDATION

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00493, if it is approved, consider the following motion:

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 - x. Schedule F, Section 4(d) – Reduce the separation space between an accessory building and the principal building from 2.40m to 1.37m
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4. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1016 Southgate Street. The proposal is to construct a three-storey multi-unit residential building containing six residential units. The variances are related to minimum lot size, site coverage, setbacks and parking.

The following points were considered in assessing these applications:

- the proposed building is subject to guidelines contained in Development Permit Area 16, General Form and character, and is consistent with the 'Urban Residential' Place Designation in the Official Community Plan
- the Application is generally consistent with the *Multi-Unit Residential, Commercial and Industrial* guidelines
- a parking reduction for residential use is being proposed, however, the results from the accompanying parking review conclude that the impacts on the surrounding neighbourhood would be minimal.

BACKGROUND

Description of Proposal

The proposal is to construct a three-storey multi-unit residential building containing six units. The proposed site plan, architecture and landscape design include the following details:

- low-rise three-storey building form with two units on each level a mixture of siding, including cementitious panels and shingles
- metal clad windows and doors
- fibreglass roof shingles
- a mixture of decorative concrete pavers, permeable pavers, shrubs and plants as detailed on the site plan
- surface parking for seven stalls at the rear of the property accessed off Harling Lane
- planting and landscaping around the perimeter of the rear surface parking area as shown on the landscape plan
- six class-one bicycle storage spaces (one per unit) located in storage lockers on the east and west of the proposed building and in the structure in the rear surface parking area
- two publicly accessible class-two bike racks for a total of six bikes located at the front of the building on Southgate Street.

The proposed variances are related to:

- reducing the minimum site area
- increasing the site coverage
- reducing the front and side yard setbacks
- reducing the landscape buffer around the surface parking at the rear
- reducing the separation space between the accessory building and the principle building
- reducing the amount of off-street surface parking.

Sustainability Features

As indicated in the architect's letter dated October 1, 2015 the following sustainability features are associated with this application:

- building constructed using the LEED rating system as a guideline (although it is not the intent to seek certification)
- high performance building envelope (rain screen) materials
- low-flow fixtures
- high performance windows
- concrete with high fly-ash content (reduced water demand and increased long-term durability)
- oil separator to reduce surface pollution from infiltrating into the storm system
- drought tolerant landscaping
- rainwater management through permeable pavers
- relocation or selective recycling of key components of the existing building.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- six secure bike racks located in storage lockers at the side of the proposed building and in the rear parking area
- two publicly accessible racks for a total of six bikes located at the front of the property on Southgate Street.

Existing Site Development and Development Potential

The existing site development, development potential and data table are provided in the concurrent rezoning report.

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 Community Association CALUC at a community meeting held on September 21, 2015. A letter received on September 24, 2015 is attached to this report.

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

Development Permit Area and Design Guidelines

The *Official Community Plan 2012* (OCP) Urban Place Designation for the subject property is Urban Residential, which supports low-rise and mid-rise multi-unit buildings of up to approximately six storeys. The OCP also identifies this property in Development Permit Area (DPA) 16 General Form and Character. The objectives of this DPA are to support multi-unit residential development that provides a sensitive transition to adjacent and nearby areas with built form that is often three storeys or lower. Ensuring high-quality architecture, landscape and urban design that responds to each distinct setting through sensitive and innovative interventions is also an important objective of this DPA. Buildings are encouraged to have human-scaled design with consideration of quality open spaces, privacy impacts, safety and accessibility. The proposal is consistent with these objectives.

Design guidelines that apply to DPA 16 are the *Multi-Unit Residential, Commercial and Industrial Guidelines*; *Advisory Design Guidelines for Buildings, Signs and Awnings* and the *Guidelines for Fences, Gates and Shutters*. As noted below, the Application is generally consistent with the Guidelines.

Multi-Unit Residential, Commercial and Industrial Guidelines

These Guidelines are applicable for multi-unit residential buildings of three or more units with the overall aim to result in design excellence, livability and contribution to sense of place within the Victoria context. Overall the proposal is consistent with the Guidelines. The use of rich and varied materials, front decks and a hipped roof compliment the character of the street and provide visual interest for pedestrians. Although the rear parking area is dominated with hard surfaces, efforts have been made to reduce surface runoff through the use of permeable pavers in the drive aisle and planted landscape strips along the east and west property lines. Low level lighting is detailed on the landscape plan and assists in mitigating the perceived fear of crime along the pedestrian walkways and rear surface parking area.

The Guidelines encourage multi-unit residential development to provide an appropriate transition to lower density building forms. The proposed building is flanked by an existing three-storey apartment block with a pitched roof to the west, and traditional single family house conversions to the east. Although the scale is more intensive than the properties to the east, the traditional building form and townhouse appearance helps to create an appropriate transition from the apartment block to the single family house conversions.

Advisory Design Guidelines for Buildings, Signs and Awnings

These Guidelines state that an acceptable application will include consideration of an attractive streetscape and that the architecture and landscaping of the immediate area be identified and acknowledged. In evaluating a design, particular emphasis will be placed on the solution to these general aspects: design approach, relevancy of expression, context, pedestrian access, massing, scale, roofline, street relationship and landscape plan. The Application is consistent with these Guidelines.

Guidelines for Fences, Gates and Shutters

These Guidelines state that fences, gates and shutters must compliment the character of the street and not result in a fortress-like appearance, integrate with building design, architectural

finishes and materials for a cohesive effect and not be the dominant feature of the building façade. The Application is consistent with these guidelines.

Regulatory Considerations

The R3-A1 Zone, Low Profile Multiple Dwelling District, is being proposed to be used as a base zone to create a new zone with a reduced density allowance. As a result a number of variances are proposed as part of this Application. This approach is recommended to ensure that reduced entitlements are not entrenched in a new custom zone and that any future alternative development proposals would need to again apply to Council to achieve these or different variances. These are discussed in more detail below.

Proposed Site Area Variance

A variance is being requested to reduce the required lot size from 960m² to 668.5m². Normally, a larger lot would be preferable and could accommodate a development of this type with fewer siting variances; however, in this case the design interventions discussed below help to mitigate the impact of the siting variances. In addition, the rear lane provides an opportunity to address parking provision without the need to compromise the continuous street frontage along Southgate Street.

Site Coverage

The site coverage for the proposal is 38.7%, while the Zone standard is 33%. The additional site coverage does create a larger building mass, which results in the request to reduce the minimum front and side yard setback requirements. However, since the minimum open site space has been met, and the building has been positioned appropriately on the lot (maintaining similar front yard setbacks as adjacent buildings) staff recommend that Council consider supporting this variance.

Proposed Setback Variances

The proposal requests the following setback variances:

- reduce the front setback from 7.5m to 5.67m
- reduce the front yard projection for the steps from 3m to 2.34m
- reduce the minimum east and west side yard setbacks from 5.2m to 3.04m for the principle building and 1.09m for the bike storage lockers
- reduce the separation space between an accessory building and the principle building from 2.4m to 1.37m.

A request to reduce the minimum front yard setback from 7.5m to 5.67m is being proposed. This projection would not interrupt the rhythm of the streetscape and the proposed building would be positioned centrally between the adjacent buildings, which are setback approximately 2.5m (429 Vancouver Street to the west) and 8m (1022/1024 Southgate Street to the east) from the front property line.

The side yard setbacks are required to be half the height of the building, which is 5.2m. In the event that the proposal was for a lower height building, this in turn would result in reduced setback requirements. The requested reduction to 1.09m is applicable to the bike storage lockers on the lower ground floor level only.

The principle building has greater setbacks and is positioned 3.04m from both east and west side yards. In addition, the side yard windows from habitable rooms include smaller elevated windows (for the living room) and opaque glazing (for the master bedroom and den) to reduce the privacy impacts on adjacent neighbours. Staff therefore recommend Council consider supporting these variances.

A variance is also being requested to reduce the separation space between an accessory building and the principle building from 2.4m to 1.37m. The reduced setback relates to the bicycle storage area and an electrical room on the lower ground floor level only. Since the principle building is compliant with the zoning regulations and adequate circulation space is provided, staff recommend that Council consider supporting this variance.

Parking Reduction

The applicant is proposing a parking ratio of one stall per unit, resulting in a parking variance of one stall when compared to the R3-A1 Zone (Low Profile Multiple Dwelling District), which requires 1.2 stalls per unit. A parking review has been provided and is attached to this report. The review compares vehicle ownership data within the Fairfield neighbourhood to determine residential and visitor parking demand. The review concludes that the provision of seven stalls will meet expected parking demand in the area. In addition, the proposal includes secure bicycle storage for six bicycles (one per unit) in storage lockers at the side and rear of the building as well as a publicly accessible rack at the front of the building, which is compliant with the requirements in Schedule C of the *Zoning Regulation Bylaw*.

The distance between a parking space and the rear property line is proposed to be reduced from 1m to 0.64m at the rear and from 0.6m to 0.5m on the east and west side yards. The intent of this requirement is to allow for appropriate landscape treatment and screening of the surface parking area from adjacent properties. Efforts have been made to enhance the side yard landscape buffer with ornamental shrubs and three new Katsura trees as detailed on the landscape plan. However, no planting is allowed within the Statutory Right-of-Way along the rear lane as this is required to meet the minimum standards for lane width.

CONCLUSIONS

The proposal for a six-unit multi-residential development is generally consistent with the applicable guidelines and includes high-quality building materials and landscape finishes. The traditional design is supportable and complimentary to the existing character along Southgate Street. The variances related to siting and setbacks are supportable through the provision of obscure glazing within habitable rooms, which mitigate any privacy impacts on adjacent buildings. The proposed parking variance is supportable based on vehicle ownership and demand within the surrounding area. Staff therefore recommend for Council's consideration that Council support the Application.

ALTERNATE MOTION

That Council decline Development Permit Application with Variances No. 000441 for the property located at 1016 Southgate Street.

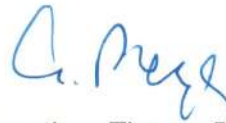
Respectfully submitted,



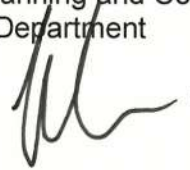
Charlotte Wain
Senior Planner – Urban Design
Development Services Division



Jonathan Tinney, Director
Sustainable Planning and Community
Development Department



Report accepted and recommended by the City Manager:



Date:

July 13, 2016

List of Attachments

- Zoning map
- Aerial photo
- Letter from applicant, dated May 17, 2016
- Letter from architect, dated June 28, 2016
- Letter from Fairfield Gonzales Community Association in response to the CALUC meeting held on September 21, 2015
- Parking Review by Boulevard Transportation, dated April 22, 2016
- Plans for Rezoning Application No. 00493 and Development Permit Application #000441, dated June 21, 2016

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