

#### **4.1 Rezoning Application No. 00506 for 406 & 408 Wilson Street (Victoria West Neighbourhood)**

Committee received a report dated May 12, 2016, from the Director of Sustainable Planning and Community Development providing information and recommendations for a Rezoning Application. The proposal is to rezone the property from the R-2 Zone, Two-Family Dwelling District, to a new zone in order to construct a duplex.

The Director of Sustainable Planning and Community Development, the Assistant Director of Development Services and the Senior Planner provided Committee with a presentation.

**Motion:** It was moved by Councillor Loveday, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00506 for 406 and 408 Wilson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 16/COTW

**2. Committee of the Whole – May 26, 2016**

**1. Rezoning Application No. 00506 for 406 & 408 Wilson Street**

**Motion:**

It was moved by Councillor Alto, seconded by Councillor Loveday, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00506 for 406 and 408 Wilson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

**Carried Unanimously**



## **Committee of the Whole Report**

### **For the Meeting of May 26, 2016**

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**To:** Committee of the Whole

**Date:** May 12, 2016

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

**Subject:** Rezoning Application No. 00506 for 406 and 408 Wilson Street

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### **RECOMMENDATION**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00506 for 406 and 408 Wilson Street, that first and second reading of the Zoning Regulation Bylaw Amendment 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.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

### **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 406 and 408 Wilson Street. The proposal is to rezone the property from the R-2 Zone, Two-Family Dwelling District, to a new zone in order to construct a duplex.

The following points were considered in assessing this application:

- The proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill in the *Official Community Plan, 2012* (OCP).
- The proposed lot area is 546m<sup>2</sup> and site area per dwelling unit is 273m<sup>2</sup>. A new zone would be required as the size of the lot is slightly less than the minimum site area of 555m<sup>2</sup> and site area of 277.5 m<sup>2</sup> per dwelling unit required in the R-2 Zone. Given that the subject property is a corner lot, the majority of properties in the neighbourhood are

zoned R-2 and the area is characterized by a mix of duplexes and single family homes, a slightly reduced site area for a duplex at this location is supportable.

- The proposal is consistent with the *Victoria West Plan* (1986) and the policy direction contained in the *Neighbourliness Guidelines for Duplexes*.
- The proposed duplex would be constructed to the International Passive House standard and incorporate other elements of sustainability.

## **BACKGROUND**

### **Description of Proposal**

This Rezoning Application is to rezone the subject property from the R-2 Zone, Two-Family Dwelling District, to a new zone in order to construct a duplex.

The following differences from the current R-2 Zone are being proposed and would be accommodated in the new zone:

- reduce the minimum site area from 555m<sup>2</sup> to 546m<sup>2</sup>
- reduce the minimum site area for each dwelling unit from 277.5m<sup>2</sup> to 273m<sup>2</sup>.

### **Affordable Housing Impacts**

The applicant proposes the creation of two new residential units which would increase the overall supply of housing in the area.

### **Sustainability Features**

The applicant has identified a number of sustainability features which will be reviewed in association with the concurrent Development Permit Application for this property.

### **Active Transportation Impacts**

The Application proposes a secure bicycle storage space in an accessory building which supports active transportation.

### **Public Realm Improvements**

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

### **Land Use Context**

The area is characterized by a mix of duplexes, single family uses and a three-storey multiple dwelling.

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

The site is presently occupied by a single family home. Under the current R-2 Zone, the property could be developed as a single family dwelling with a secondary suite. The existing lot area is slightly less than 555m<sup>2</sup> and therefore a new duplex would not be permitted under the existing R-2 Zone.

## Data Table

The following data table compares the proposal with the existing R-2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R-2 Zone
Site area (m <sup>2</sup> ) - minimum	546*	555
Site area per unit (m <sup>2</sup> ) - minimum	273*	277.5
Number of units - maximum	2	2
Density (Floor Space Ratio) - maximum	0.50:1	0.50:1
Total floor area (m <sup>2</sup> ) - maximum	273	280
Lot width (m) - minimum	18.27	15
Height (m) - maximum	7.60	7.60
Storeys - maximum	2	2
Site coverage % - maximum	37	40
Open site space % - minimum	52	30
Open site space (rear yard) % - minimum	52	30
Setbacks (m) - minimum Front (Wilson Street)  Rear Side (west) Side (Mary Street) Combined side yards	7.50 (building)/6.76(deck and stairs)  9.45* 2.25 2.45* 4.70	7.50 (building)/4.90 (deck and stairs) 10.70 1.82 3.50 4.50
Parking - minimum	2	2
<b>Accessory Building</b>		
Location	Rear Yard	Rear Yard
Combined floor area (m <sup>2</sup> ) – maximum	8.13	37.00
Height (m) – maximum	2.82	3.50
Setbacks (m) – minimum Rear Side (east) Side (west)	0.74 8.06 8.32	0.60 0.60 0.60

Zoning Criteria	Proposal	Zone Standard R-2 Zone
Separation distance between principle dwelling and accessory building	3.50	2.40
Rear yard site coverage (%) - maximum	6.00	25.00

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Victoria West CALUC at a Community Meeting held on January 14, 2016. A letter dated February 1, 2016 is attached to this report.

## ANALYSIS

### Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, duplexes are subject to Development Permit Area 15D: Duplexes. The proposal is consistent with the objectives of DPA 15D to integrate more intensive residential development in the form of duplexes in a manner that respects the established character of a neighbourhood with respect to architecture, privacy, landscaping, and parking.

### Neighbourliness Guidelines for Duplexes

The purpose of the *Neighbourliness Guidelines for Duplexes* is to foster and encourage a sense of neighbourliness by considering the character of buildings and properties that are adjacent to the subject property as well as those on the same block and street. The policy direction is to consider duplexes on lots that are at least 555m<sup>2</sup> with a lot width of 15m. The proposed lot area is slightly below the recommended site area at 546m<sup>2</sup> however, the lot width is 18.27m. Given that the subject property is a corner lot, the majority of properties in the neighbourhood are zoned R-2 and the area is characterized by a mix of duplexes and single family homes, a slightly reduced site area for a duplex at this location is supportable.

### Local Area Plans

The subject property is located in the area identified as the Traditional Community of the *Victoria West Plan (1986)*. The Plan acknowledges that *it may be necessary to accept some new development; e.g. modern housing, in order to reinforce the sound residential character of the neighbourhood*. It further recognizes that where new development is warranted, site-specific rezoning for duplexes at duplex densities may be considered. The proposal is consistent with the policy direction with respect to use, density and design objectives outlined in the Plan.

### Regulatory Considerations

To facilitate this development, a new zone would be required. The new zone would allow a minimum site area of 546m<sup>2</sup> and a minimum site area of 273m<sup>2</sup> per dwelling unit for a duplex lot. Other zoning regulations pertaining to height, density, setbacks, lot coverage and open space would be consistent with the R-2 Zone.

## CONCLUSIONS

This proposal to rezone the subject property to a new zone and construct a duplex is consistent with the objectives in the OCP and the *Victoria West Plan* for sensitive infill residential development. Staff recommend that Council consider supporting this Application.

## ALTERNATE MOTION

That Council decline Application No.00506 for the property located at 406 and 408 Wilson 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: May 13, 2016

## List of Attachments

- Zoning map
- Aerial photo
- Letter to Mayor and Council received February 2, 2016
- Updated Letter to Mayor and Council received May 5, 2016
- Letter from the Victoria West Land Use Committee received February 3, 2016
- Plans for Rezoning Application No. 00506 date stamped May 6, 2016.