

### **3.2 Development Variance Permit No. 00174 for 1535 Davie Street (South Jubilee Neighbourhood)**

Committee received a report dated May 3, 2016, regarding an application to construct an addition to the existing triplex and convert into a single family dwelling secondary suite.

**Motion:** It was moved by Councillor Thornton-Joe, seconded by Councillor Alto, that Council and that after giving notice and after allowing opportunity for public comment that Council consider Development Variance Permit No. 00174 for 1535 Davie Street and that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00174 for 1535 Davie Street, in accordance with:

1. Plans date stamped April 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. R1-B Zone, Single Family Dwelling District, the floor area of the first and second storeys combined increased from 280m<sup>2</sup> to 284.4m<sup>2</sup>
  - ii. Schedule J, Secondary Suite Regulations, Exterior Changes, increase the maximum enclosed floor area added to a building when installing a secondary suite from 20m<sup>2</sup> to 115.1m<sup>2</sup>
3. Final plans to generally be in accordance with the plans identified above, subject to final approval of the suite entrance features (landscaping and lighting) to the satisfaction of staff.
4. The Permit will lapse two years from the date of the Council resolution."

CARRIED UNANIMOUSLY 16/COTW

## REPORTS OF THE COMMITTEES

### **1. Committee of the Whole – May 19, 2016**

#### **1. Development Variance Permit No. 00174 for 1535 Davie Street**

##### **Motion:**

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council and that after giving notice and after allowing opportunity for public comment that Council consider Development Variance Permit No. 00174 for 1535 Davie Street and that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00174 for 1535 Davie Street, in accordance with:

1. Plans date stamped April 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. R1-B Zone, Single Family Dwelling District, the floor area of the first and second storeys combined increased from 280m<sup>2</sup> to 284.4m<sup>2</sup>
  - ii. Schedule J, Secondary Suite Regulations, Exterior Changes, increase the maximum enclosed floor area added to a building when installing a secondary suite from 20m<sup>2</sup> to 115.1m<sup>2</sup>
3. Final plans to generally be in accordance with the plans identified above, subject to final approval of the suite entrance features (landscaping and lighting) to the satisfaction of staff.
4. The Permit will lapse two years from the date of the Council resolution."

**Carried Unanimously**



## Committee of the Whole Report

### For the Meeting of May 19, 2016

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**To:** Committee of the Whole **Date:** May 3, 2016

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

**Subject:** Development Variance Permit No. 00174 for 1535 Davie Street

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### RECOMMENDATION

That Council and that after giving notice and after allowing opportunity for public comment that Council consider Development Variance Permit No. 00174 for 1535 Davie Street and that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00174 for 1535 Davie Street, in accordance with:

1. Plans date stamped April 5, 2016.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. R1-B Zone, Single Family Dwelling District, the floor area of the first and second storeys combined increased from 280m<sup>2</sup> to 284.4m<sup>2</sup>
  - ii. Schedule J, Secondary Suite Regulations, Exterior Changes, increase the maximum enclosed floor area added to a building when installing a secondary suite from 20m<sup>2</sup> to 115.1m<sup>2</sup>
3. Final plans to generally be in accordance with the plans identified above, subject to final approval of the suite entrance features (landscaping and lighting) to the satisfaction of staff.
4. The Permit will lapse two years from the date of the Council resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1535 Davie Street.



The proposal is to convert an existing triplex to a single family dwelling with a secondary suite. Two variances are required, which would:

- increase the maximum floor area for the first and second storeys combined from 280m<sup>2</sup> to 284.4m<sup>2</sup>
- increase the maximum amount of added floor area from 20m<sup>2</sup> to 115.1m<sup>2</sup> to allow installation of a suite.

The following points were considered in assessing this Application:

- The proposed addition to the existing building is 115.1m<sup>2</sup> floor area, and a portion of this area will be allocated to the suite. The proposed suite does not exceed the maximum permitted size of a suite (maximum 90m<sup>2</sup>). The combined floor area for the first and second storeys is marginally exceeded with the additional floor area.
- The proposal is generally consistent with the *Secondary Suite Design Guidelines*. Minor refinements may be incorporated which will serve to define the suite entrance.
- The proposed variance to Schedule J, Secondary Suite Regulations, to increase the allowable new floor area to an existing building will facilitate the creation of a family home with a secondary suite without compromising the functionality of the rear-yard or creating a visual impact on Davie Street.

## BACKGROUND

### Description of Proposal

The proposal is to change the existing triplex into a single family dwelling with a suite. Specific details include:

- changes to the exterior of the dwelling include a two-storey addition to the rear of the building
- changes to the front façade include elimination of one door and façade improvements to the siding and refurbishment of the existing bay windows
- the main entrance of the suite is on the north elevation, which is accessed from the front-yard by a new path
- off-street parking requirements are satisfied for this parcel, with one surface stall located in the south side-yard.

Details of the proposed variances:

- R1-B Zone, Single Family Dwelling District, restricts the maximum floor area for the first and second storeys combined to 280m<sup>2</sup>. Currently this floor area is 169m<sup>2</sup>. As the proposed new floor area is being added to the first and second storey, the total floor area of the first and second storey will be 284.4m<sup>2</sup>, which exceeds the maximum allowance by approximately 4m<sup>2</sup>. It is noted that the combined total floor area of all storeys is within the allowable maximum (refer to data table).
- The Secondary Suite Regulations (Schedule J), restrict an extension to an existing building to 20m<sup>2</sup> of enclosed floor area to allow for the installation of a secondary suite. The request is for an addition of 115.1m<sup>2</sup>; however, as noted above, because the existing floor area is 169m<sup>2</sup> with the additional floor area, the building is exceeding the maximum total floor area for the combined first and second storey.

## Sustainability Features

As indicated in the applicant's letter dated April 5<sup>th</sup>, 2016, the following sustainability features are anticipated as a result of the general renovations:

- improved insulation
- restoration of original wood bay windows
- upgrades to hot water tank and appliances
- rain water collection for garden use
- removal of asphalt and replaced with lawn and garden area
- landscaping to include drought tolerant plants
- salvage of existing materials where possible.

## Existing Site Development and Development Potential

The subject property is within the R1-B Zone, Single Family Dwelling District. As the lot exceeds 669m<sup>2</sup>, the allowable total floor area of all floor areas combined is 420m<sup>2</sup>. A secondary suite is a permitted use.

### 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	R1-B Zone
Site area (m <sup>2</sup> ) - minimum	741	460
Total floor area (m <sup>2</sup> ) - maximum	363.58 (increased from 248.4m <sup>2</sup> )	420
Added floor area	115.1*	20
Combined 1 <sup>st</sup> and 2 <sup>nd</sup> floor area (m <sup>2</sup> ) - maximum	284.4*	280
Suite floor area (m <sup>2</sup> ) - maximum	89.93	90
Suite to total floor area ratio (%) - maximum	24.67	40
Height (m) - maximum	6.51	7.6
Storeys - maximum	3 (legal non-conforming)	2
Site coverage % - maximum	26.62	40
Setbacks (m) - minimum		
Front (Davie Street)	7.61	7.5
Rear (east)	10.7	10.3
Side (north)	1.84	1.8
Side (south)	4.61	3.0
Parking - minimum	1	1



## **Relevant History**

The house was constructed in 1908. In 1942, the dwelling was converted into a duplex and then in 1998 the existing duplex was converted into a triplex under the conversion guidelines.

## **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 4<sup>th</sup>, 2016 the Application was referred for a 30-day comment period to the South Jubilee Neighbourhood Association. Should a response be provided, it will be made available to Council.

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, is intended to regulate the timing and extent of changes to an existing dwelling to allow for a secondary suite to ensure changes to a dwelling represent gradual infill within the neighbourhood. With respect to exterior changes, the extension to a building to allow a secondary suite is limited to an additional 20m<sup>2</sup> of enclosed floor area.

In this instance, the applicant wishes to undertake a substantial renovation to this house, to make the main living area more functional and at the same time accommodate the installation of a secondary suite. The renovation will create more functional living space for the main dwelling and a two-storey addition that will (in part) accommodate the secondary suite with living area on the first storey and a bedroom on the second storey. While it is encouraged to have the secondary suite created within the existing floor plan or within a modest addition, the proposed addition is not visible from the street. The existing dwelling is three-storeys, and the proposed suite is a lower profile than the existing building, with the entrance at grade. Due to the placement of the adjacent dwellings, additional privacy concerns are minimal, and the proposed addition will generally overlook the rear and side-yards area of the adjacent properties. The setback from the north property line represents the closest placement of the existing building and the proposed addition to the neighbouring property (1539 Davie). On this elevation one new second storey window is proposed for the suite. A new 1.8m high fence is planned to provide screening.

As the lot size is large, the addition in the rear-yard still provides adequate private rear-yard space for the principal dwelling and the suite. Further, as the parking for the triplex will be removed, the rear-yard will be converted to more garden space.

### **Design Guidelines**

The proposal generally meets the Secondary Suite Design Guidelines. The front façade of the dwelling will be improved as a door will be eliminated and changes to windows and siding will be undertaken. The siding materials (which will be replaced) will extend to the addition, providing a seamless transition. The walkways to the suite will be enhanced to provide access to the suite.

In order to provide better visual identity for the suite entrance, staff recommend that Council request further details of the lighting and landscaping adjacent to the suite entrance. This landscaping may include soft and hard landscaping features, such as planters or pathway details defined by colour or materials. Details can be provided prior to the issuance of the building permit.

## CONCLUSIONS

The renovation of the existing building provides an opportunity to enhance the character of the building and to modify the floor plan to reflect current living requirements for a single family home. As extensive renovations are planned, the applicants are viewing this as an opportunity to install a secondary suite. The suite will provide functional living area with an opportunity for private outdoor space. Other changes to the existing structure will provide upgrades and the overall landscaping will be improved.


As the addition is in the rear-yard, the visual impact on Davie Street will be minimal. The additional overlook and privacy impacts on adjacent properties will be mitigated by building and window placement and privacy fencing.

## ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00174 for the property located at 1535 Davie Street.

Respectfully submitted,

  
Lucina Baryluk  
Senior Process Planner  
Development Services Division

  
Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: May 12, 2016

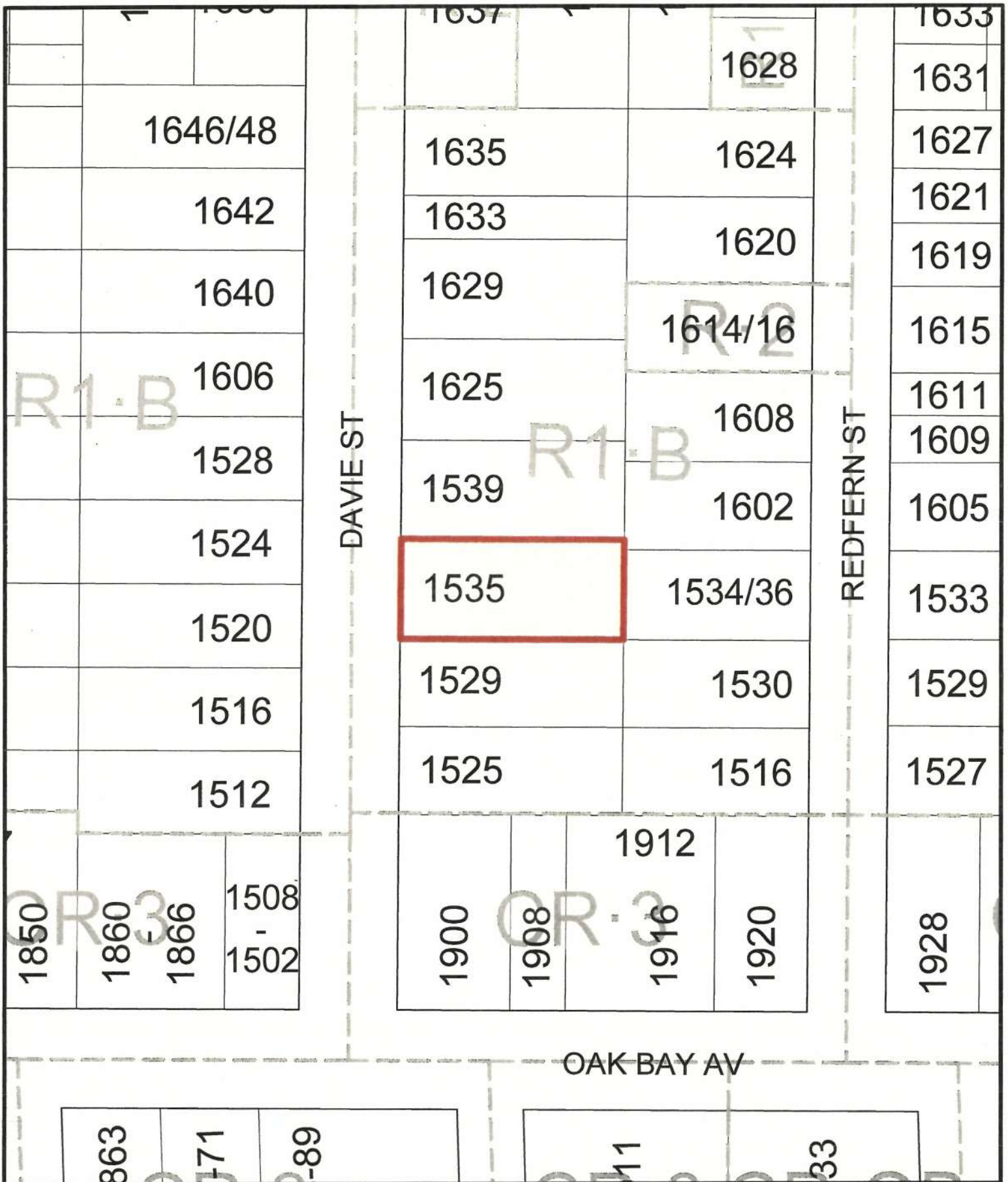
## List of Attachments

- Aerial map
- Zoning map
- Submission drawings
- Letter from applicant dated April 5, 2016









1535 Davie Street  
Development Variance Permit #00174





VIEW OF SUBJECT PROPERTY FROM DAVIE STREET



VIEW OF SUBJECT PROPERTY FROM DAVIE STREET



REAR VIEW OF SUBJECT PROPERTY



Proposed Addition - 1535 Davie Street

Date - April 4, 2016

Sheet 1 of 5

**Gerry Troesch**  
Residential Design  
3719 Ridge Pond Drive, Victoria BC V8C 4M8  
Phone - 250-695-6402 Email - gtroesch@telus.net Website



# BC LAND SURVEYORS SITE PLAN OF:

**Civic: 1535 Davie Street**

Legal Lot 17 & the Southerly 6 Feet of Lot 18,  
Block 3, Section 76, Victoria District, Plan 273

Parcel Identifiers: 009-192-954 & 009-193-031  
In the City of Victoria

## LEGEND

Elevations are to geodetic datum.

• + • denotes - existing elevation

Tree diameters are in centimetres.

Setbacks are derived from field survey.

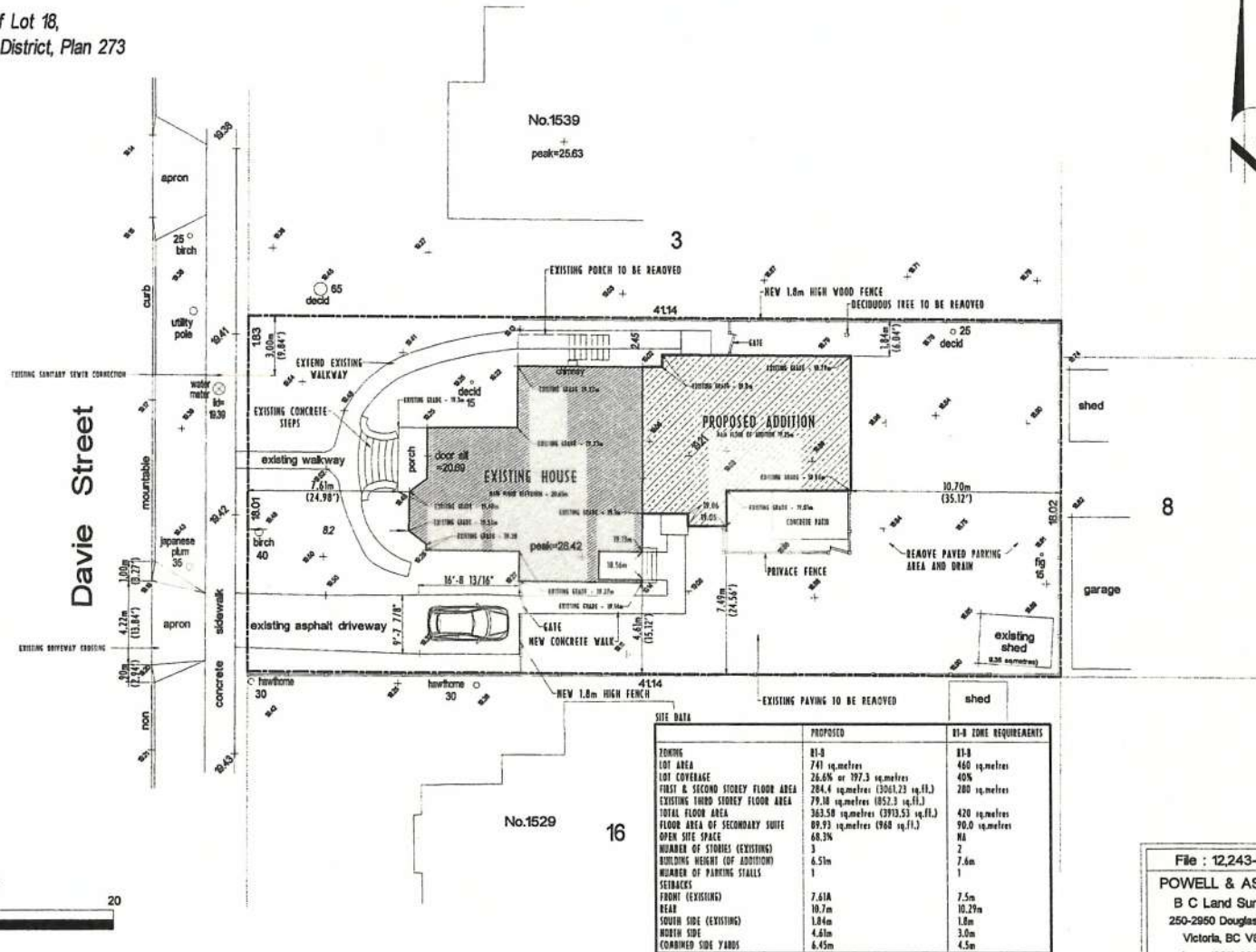
Parcel dimensions shown hereon are  
derived from Land Title Office records.

This document shows the relative location  
of the surveyed features and shall not be  
used to define property boundaries.

Total Site Area = 741 m<sup>2</sup>

Average Grade Elevation									
Front (West)									
19.22	19.23	2	3.1	58.5973					
19.23	19.3	2	6.05	516.5531					
19.3	19.48	2	3.28	63.5952					
19.48	19.43	2	0.6	11.588					
19.48	19.32	2	2	39.3					
19.32	19.28	2	1.1	21.23					
19.28	19.28	2	0.31	5.9768					
South Side									
19.28	19.27	2	4.72	95.078					
19.27	19.27	2	1.52	28.2004					
19.27	19.14	2	6.14	127.9187					
19.14	19.14	2	0.15	2.871					
19.15	18.56	2	1.4	25.984					
19.13	19.1	2	1.94	37.0331					
19.1	19.06	2	3.31	64.0746					
19.06	19.06	2	0.61	11.6266					
19.06	19.05	2	1.06	37.3478					
19.05	19.01	2	1.63	34.4249					
19.01	18.96	2	6.25	126.3436					
Rear (East)									
18.86	18.79	2	6.05	129.1395					
North Side									
18.79	19	2	9.51	178.6913					
19	19	2	0.61	11.39					
19	19.22	2	7.22	137.9742					
				55.67	1326.183				
Average Grade									
				19.02					

Scale - 1:100 Distances are in metres.



EXISTING	PROPOSED	R1-B ZONE REQUIREMENTS
LOT AREA	741 sq.metres	460 sq.metres
LOT COVERAGE	26.6% or 197.3 sq.metres	40%
FIRST & SECOND STOREY FLOOR AREA	284.4 sq.metres (3061.23 sq.ft.)	280 sq.metres
EXISTING THIRD STOREY FLOOR AREA	79.18 sq.metres (852.3 sq.ft.)	
TOTAL FLOOR AREA	363.58 sq.metres (3913.53 sq.ft.)	420 sq.metres
FLOOR AREA OF SECONDARY SUITE	89.73 sq.metres (968 sq.ft.)	90.0 sq.metres
OPEN SITE SPACE	68.3%	N/A
NUMBER OF STOREYS (EXISTING)	3	2
BUILDING HEIGHT (OF ADDITION)	6.51m	7.6m
NUMBER OF PARKING SPACES	1	1
SETBACKS		
FRONT (EXISTING)	7.61m	7.5m
REAR	10.7m	10.2m
SOUTH SIDE (EXISTING)	1.84m	1.8m
NORTH SIDE	4.81m	3.0m
COMBINED SIDE YARDS	6.45m	4.5m

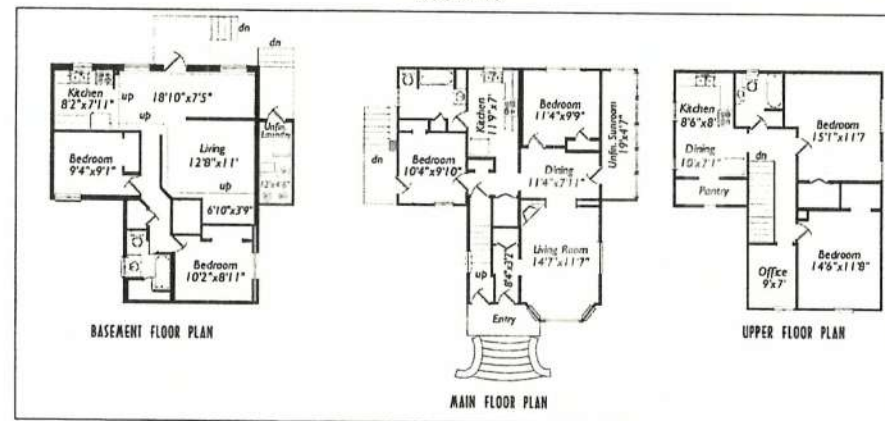
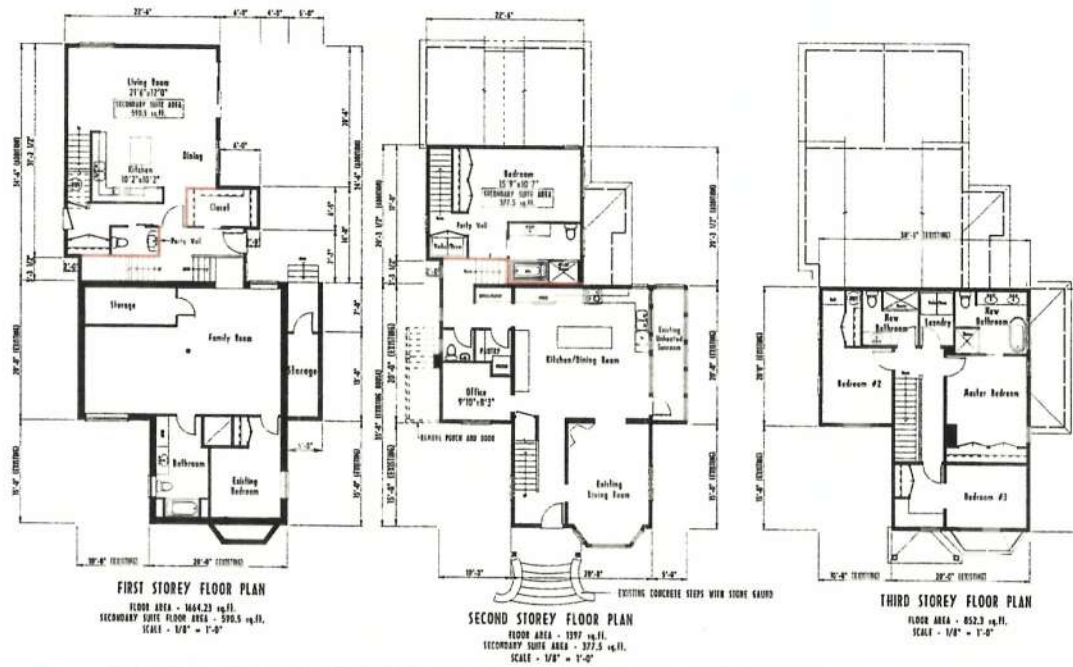
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POWELL & ASSOCIATES  
B C Land Surveyors  
250-2950 Douglas Street  
Victoria, BC V8T 4N4  
phone (250) 362-8855

Proposed Addition - 1535 Davie Street

Date - April 4, 2016

Sheet 2 of 5

**Gerry Troesch**  
Residential Design  
3719 Ridge Road Drive, Victoria BC V8C 4M6  
Phone - 250-995-8402 Email - gtroesch@shaw.ca Website



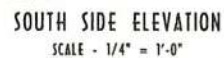
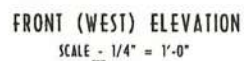
# EXISTING HOUSE FLOOR PLANS

Proposed Addition - 1535 Davie Street

Date - April 4, 2016  
 Sheet 3 of 5

**Gerry Troesch**  
 Residential Design  
 3719 Ridge Pond Drive, Victoria BC V8C 4M6  
 Phone - 250-955-8402 Email - gtroesch@telusnet Website





**Gerry Troesch**  
Residential Design  
3719 Ridge Pond Drive, Victoria BC V8C 4M8  
Phone - 250-895-8402 Email - gtroesch@shaw.net Website





TO: Mayor Helps and Council  
City of Victoria  
1 Centennial Square  
Victoria, BC, V8R 1P6

FROM: Danu and Nick Stinson, Owners  
1732 Carnegie Crescent, Victoria BC V8N 1P3  
Gail Anthony, Owner  
#305-240 Simcoe St., Victoria BC V8V 1K8

DATE: April 5, 2016

RE: Development Variance Permit Application  
PID: 009-192-964  
Lot 17, Block 3, Section 76, Victoria District, Plan 273  
PID: 009-193-031  
The Southerly 6 Feet of Lot 18, Block 3, Section 76, Victoria District  
(Application has been made to Land Title to amalgamate the two lots)  
1535 Davie St., Victoria, BC, V8R 3E2  
Zone: R1-B  
DPA 16



Dear Mayor and Council:

Description of Proposal:

We are requesting a variance permit allowing us to construct a 90 sq. meter addition to an existing house. The requested variance meets all regulations regarding set-backs, size of entire home, lot coverage and any other City by-laws regarding dwellings in the R1-B zone.

The house currently is a legal non-conforming triplex and will be converted to a single family dwelling with a secondary suite, which meets all code and by-law regulations. The house and suite will be occupied by our multi-generational family.

Project benefits and amenities:

We are applying for a Development Variance Permit allowing our family to restore a legal non-conforming triplex to its original single-family use. We would also like to renovate the property to better accommodate our multi-generational family by building a secondary suite extension, which will be occupied by the senior member of our family, allowing her to comfortably age-in-place while living with her daughter, son-in-law, and grandchildren.

Our family is excited to have found a suitable house in the family-friendly neighbourhood of South Jubilee that will allow us to fulfill our goals of creating a home to accommodate our three-generation family, so we can support each other throughout

the coming decades. This house is ideally located for the working members of our family, which will simplify their daily commutes to work. The construction of the addition will allow the senior member of our family to age-in-place in a light-filled home that is designed to meet her needs for many years to come. The grandchildren are especially excited to share their home with grandma. We have designed the proposed addition to maximize the garden and play areas of the lot, and we are looking forward to many happy years of shared enjoyment of the green space.

Design and Development Permit guidelines:

This proposal will not increase the density or number of dwelling units. The house is presently a legal non-conforming triplex, so our proposed renovation will bring the house back into conformity with the R1-B zoning.

The scale of the proposed building is well within allowable codes and will be of similar or even smaller size to most of the houses in the neighbourhood. Allowable lot coverage is 40% and the proposed lot coverage is only 26.4%. The allowable dwelling size is 420 sq. meters and the proposed house total is only 354.56 sq. meters.

The landscaping visible from the street will not be altered other than the continuation of the existing walkways to the rear of the house. The rear and side yard will have the majority of the asphalt that is now in place removed and converted to vegetable and flower gardens and lawn. Any walkways will be made of 'stepping stone' and gravel to increase permeability of the landscape.

The elimination of the decrepit porch on the north side of the house, the addition of a privacy fence along the north property line, the removal of most of the asphalt parking area in the rear yard, and the upgrading of the landscaping front and back will substantially improve the overall appearance of the property.

The house will be re-sided with a period-consistent material and the extension will be sided to match. The windows on the existing house are a mixture of vinyl and aluminum except the front bay window and the unheated sunporch windows, which are the original wood. These original wood windows will be restored and left in place. The other windows are all in failed condition and will be replaced. The new windows installed on the house and the addition will match, which will add to the appearance of continuity of structure.

All work will be done with the appropriate permits and to code.

Parking:

The proposed design meets code requirements for parking.

Status:

This dwelling is not Heritage or registered status.



### Green Features

We will be upgrading the heating system (currently very old electric baseboards), improving the insulation, and upgrading the hot water tanks and appliances to Energy Star. Any planned interior renovation demolition will be done in compliance with the highest standard available and salvageable materials will be re-used where possible.

There will be a new storm drainage system put in place for the entire dwelling. The current system drains into the sanitary system, but the new storm drains will be properly directed into the storm sewers. A rain-barrel collection system will be installed for roof run-off to provide water for the planned vegetable gardens.

Non-edible landscaping will be developed to maximize indigenous plants and xeriscaping low-water principles. Only one tree will be removed, and that is a small, old, non-productive plum tree that is in very neglected condition and impinges on the neighbours' yard. We plan to replace this with an apple variety in a more appropriate location on the property.

### Neighbourhood:

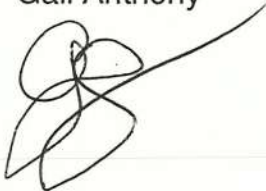
Our proposed plans for the house are in keeping with the appearance and size of the houses in the neighbourhood. Even with the addition, the size of the dwelling will be comparable or smaller than other homes in the area, especially regarding lot coverage. The proposed use as a single family dwelling with a secondary suite is in accordance with the neighbourhood zoning and in keeping with the use of other houses in the area.

The adjacent neighbours have been given copies of our plans and we have offered them the opportunity to provide feedback to us by email, phone, and when possible, in person. We have notified the South Jubilee Neighbourhood Association of our plans and a copy of our proposal will be given to them at their April 05 meeting.

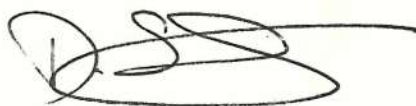
Thank you for considering our proposal, and please let us know if you have any questions,

Sincerely,

Gail Anthony



Danu Stinson



& Nick Stinson

