## REPORTS OF THE COMMITTEES

#### Committee of the Whole - April 7, 2016

#### 5. Development Variance Permit No. 00170 for 704 Robleda Crescent:

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, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00170 for 704 Robleda Crescent, in accordance with:

- 1. Plans date stamped February 10, 2016.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - i. Schedule J Section 2.a to increase the maximum floor area of an addition to a single family dwelling from 20m2 to 132m2 with the installation of a secondary suite
- 3. The Development Permit lapsing two years from the date of this resolution."

**Carried Unanimously** 

# 4.2 Development Variance Permit No. 00170 for 704 Robleda Crescent

Committee received a report dated March 24, 2016, regarding an application to install a secondary suite in a single family dwelling.

#### Motion:

It was moved by Councillor Lucas, seconded by Councillor Young, that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

That Council authorize the issuance of Development Variance Permit Application No. 00170 for 704 Robleda Crescent, in accordance with:

- 1. Plans date stamped February 10, 2016.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - Schedule J Section 2.a to increase the maximum floor area of an addition to a single family dwelling from 20m2 to 132m2 with the installation of a secondary suite
- 3. The Development Permit lapsing two years from the date of this resolution.

#### Committee discussed:

A possible review of the process policy.

CARRIED UNANIMOUSLY 16/COTW



# Committee of the Whole Report For the Meeting of April 7, 2016

To:

Committee of the Whole

Date:

March 24, 2016

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Variance Permit No. 00170 for 704 Robleda Crescent

## RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00170 for 704 Robleda Crescent, in accordance with:

- 1. Plans date stamped February 10, 2016.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. Schedule J Section 2.a to increase the maximum floor area of an addition to a single family dwelling from 20m² to 132m² with the installation of a secondary suite
- The Development Permit lapsing two years from the date of this 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 regarding a Development Variance Permit Application for the property located at 704 Robleda Crescent. The proposal is to install a secondary suite in a single family dwelling. The variance requested is to permit additions to the single family dwelling that increase its floor area by  $132\text{m}^2$ . This is greater than the maximum permitted floor area increase of  $20\text{m}^2$  with installation of a secondary suite. A waiting period of five years is required before the secondary suite can be installed when the additional floor area exceeds  $20\text{m}^2$ . The waiting period requirement is to discourage large additions in order to accommodate secondary suites. The over-arching intent is to maintain the appearance and stability of traditional residential areas while allowing for secondary suites and house conversions.

The following points were considered in assessing this Application:

- the creation of a secondary suite in a single family dwelling on a large lot is consistent with City policy
- the additions are in keeping with the existing character of the single family dwelling and are not required to accommodate the proposed secondary suite
- the secondary suite generally complies with the Secondary Suites Design Guidelines
- if not approved now, the secondary suite could be installed in five years' time
- without the secondary suite, the renovations currently underway are permitted under the zoning and do not require Council's approval.

#### BACKGROUND

# **Description of Proposal**

The proposal is for the installation of a secondary suite as part of the renovation, currently underway, of a single family dwelling. Specific details include:

- additions to enlarge the building by 132m<sup>2</sup> incorporating a two-car garage with an additional bedroom over it on the north side and additional dining and living space on the main floor at the front and on the south side
- a total floor area for the single family dwelling of 304m<sup>2</sup>
- installation of a one-bedroom lower-floor secondary suite of 50m<sup>2</sup> within the existing building footprint.

The proposed variances are related to:

- permitting a secondary suite when floor area is added to a single family dwelling exceeding 20m<sup>2</sup>
- a waiting period of five years is required before the secondary suite can be installed in a single family dwelling when floor area added to a single family dwelling exceeds 20m<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 896m² triangular-shaped lot is at the south end of Robleda Crescent and is in the R1-A Zone, Rockland Single Family Dwelling District. The existing single family dwelling was built in 1952. With the proposed additions, the single family dwelling will have a site coverage of 25% and a floor space ratio of 0.34:1.

Under the R1-A Zone, the property could be developed for a potentially larger, new single family dwelling with a floor area based on height, setback and site coverage regulations.

#### **Data Table**

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

Zoning Criteria	Proposal	Zone Standard R1-A
Site Area - minimum	895.71	740.00
Total floor area (m²) - maximum	304.62	N/A
Floor Space Ratio	0.34:1	N/A
Lot width (m) - minimum	31.00	24.00
Height (m) - maximum	7.56	7.60
Storeys - maximum	2.5	2.5
Site coverage % - maximum	25.96	40.00
Setbacks (m) - minimum Front Rear Side (north) Side (south)	10.57 8.1(addition)/0.55 (existing building) 3.00 6.00	10.5 8.06 3.00 3.00
Parking - minimum	3	1
Secondary Suite		
Added floor area - maximum	131.87*	20.00
Suite floor area – maximum	50.09	90.00

#### **Community Consultation**

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, on February 22, 2016, the Application was referred for a 30-day comment period to the Rockland CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes a variance, 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**

The Secondary Suite Design Guidelines recommend that the changes to the front façade of a house be minimized. The largest addition to the house is on the north side and the least visible from the street. It and the other additions are in keeping with the existing character of the house. The guidelines also recommend the retention of a single entrance on the front façade of the house as is shown in this proposal. The lot is sufficiently large for the provision of private open space for the secondary suite. The entrance to the secondary suite is an existing door next to an existing garage and its driveway. This makes the provision of a separate walkway to the entrance as recommended in the Guidelines impractical. However, should the garage be

converted to another use in the future, a walkway as well as a patio for the secondary suite would be feasible.

## CONCLUSIONS

The creation of a secondary suite in a single family dwelling on a large lot is consistent with City policy. The additions are in keeping with the existing character of the single family dwelling and are not required to accommodate the proposed secondary suite. The secondary suite generally complies with the *Secondary Suites Design Guidelines*. If not approved now, the secondary suite could be installed in five years' time. Without the secondary suite, the renovations currently underway are permitted under the zoning and do not require Council's approval. Staff recommend for Committee's consideration that the Application advance to an opportunity for public comment at a meeting of Council.

#### **ALTERNATE MOTION**

That Council decline Development Variance Permit Application No. 00170 for the property located at 704 Robleda Crescent.

Respectfully submitted,

Brian Sikstrom

Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date:

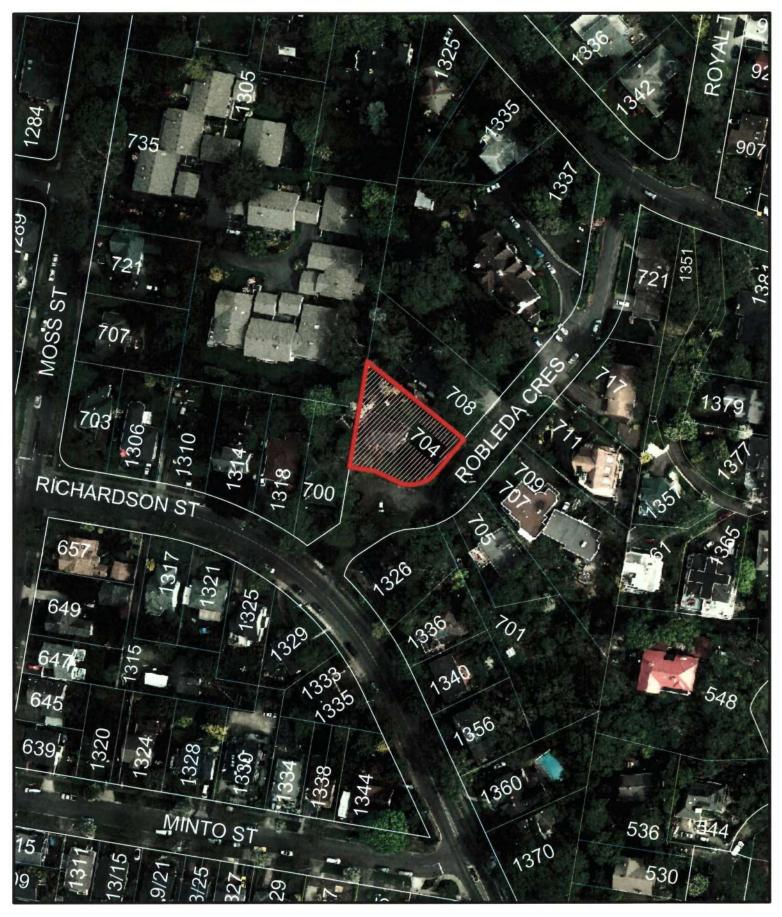
March 31,20/6

## **List of Attachments**

- Zoning map
- Aerial map
- Letter from applicant to Council dated November 24, 2015
- Plans dated February 10, 2016.

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704 Robleda Cres
Development Variance Permit #00170



SUBJECT PROPERTY: 704 Robleda Cr. LOT 6 (DD 2948331), FAIRFIELD FARM ESTATE, VICTORIA CITY, PLAN 8248.

November 24th, 2015

Mayor and Council City of Victoria City of Victoria Municipal Hall #1 Centennial Square, Victoria, BC V8W 1P6

Re: Application for Variance; Relief from the required 5-year wait for the application of a secondary suite

Your Honor and Honorable Council Members,

We hereby respectfully seek relief of and a variance for the required five-year wait, as defined under Schedule J – Secondary Suite Regulations, Item 2, Exterior Changes.

A building permit application has been submitted to develop the basement in and construct additions to our family home. This work is planned to accommodate our immediate family of 7, as well as the future inclusion of my parents. Mr. and Mrs. Vincent Monckton, aged 82 and 86, currently reside in Regina and are preparing to relocate to Victoria in the spring of 2016. At that time and on completion of renovations, we hope to move them into the proposed secondary suite. We have made the important decision that we - my wife, sons, and I - can provide better care for my parents in our home than that offered in an institutional care facility. The safety, stability and connectedness achieved in living together will create an inclusive and loving environment for the family as a whole.

The proposed suite, which falls outside the scope of approved renovations, does not impact the footprint of the house and will remain within the existing structure. The two existing driveways offer easy access to adequate off-street parking.

The variance we seek will relieve us from the long five-year wait, thereby enabling us to tend to the immediate needs of our family. Your consideration is greatly appreciated.

Sincerely,

Thaddeus Monckton and Brenda Scott

704 Robleda Crescent, Victoria, BC,

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Nov. 27, 2015

As Shown

J.S.K.

SITE PLAN

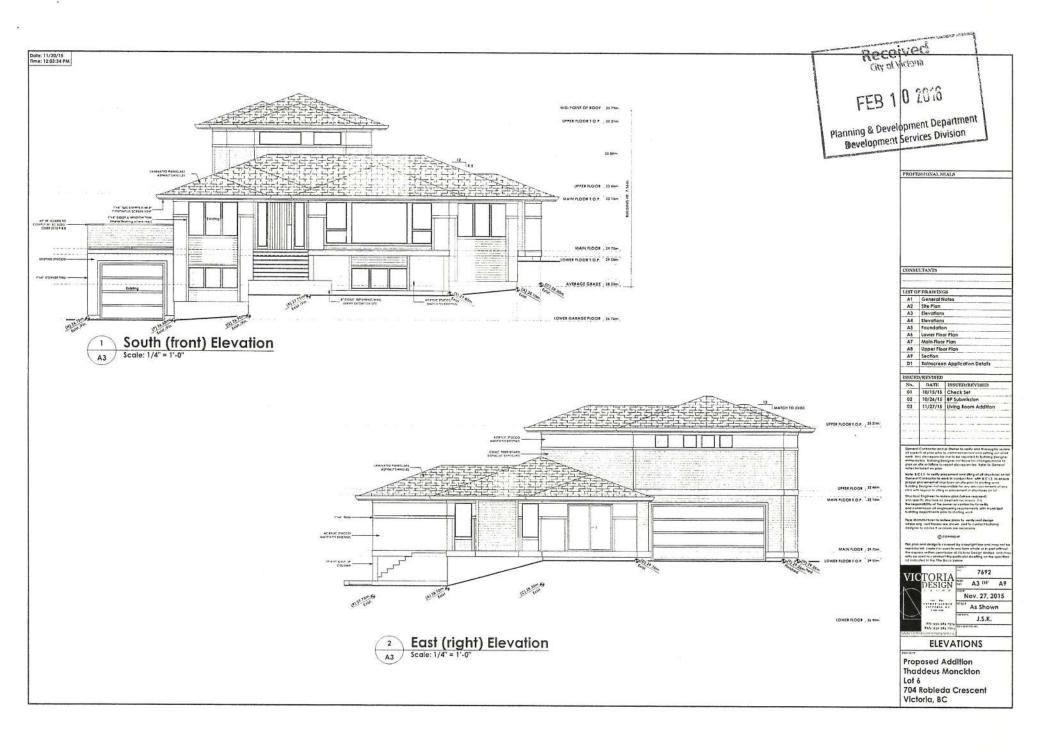
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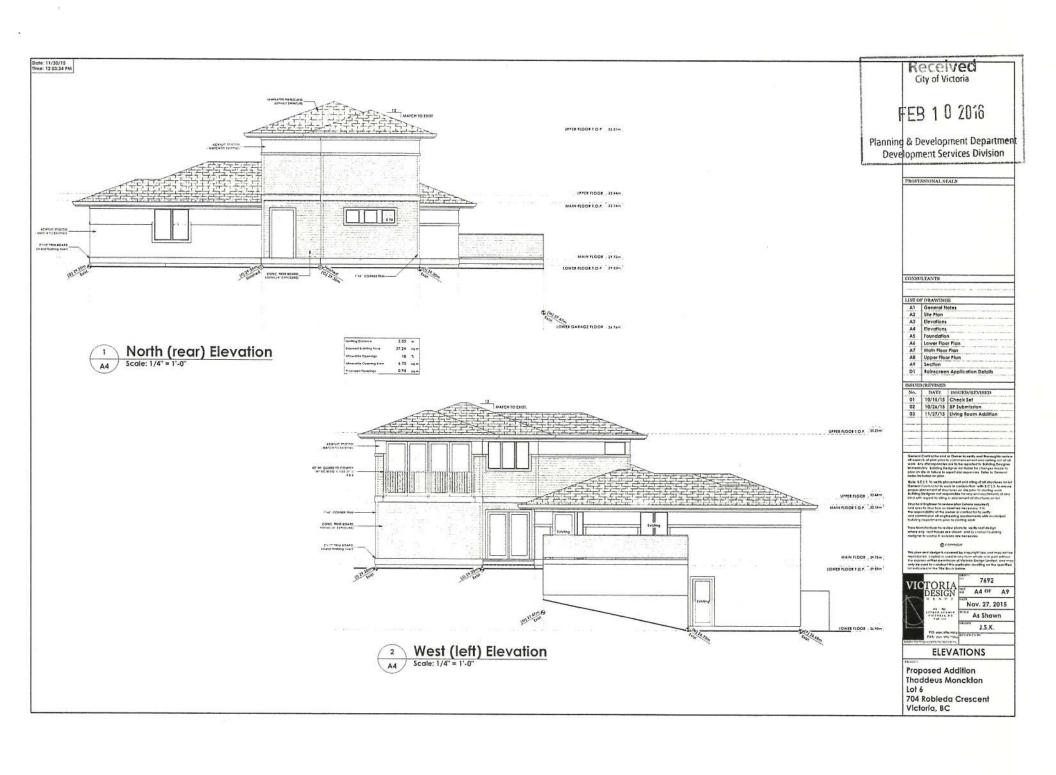
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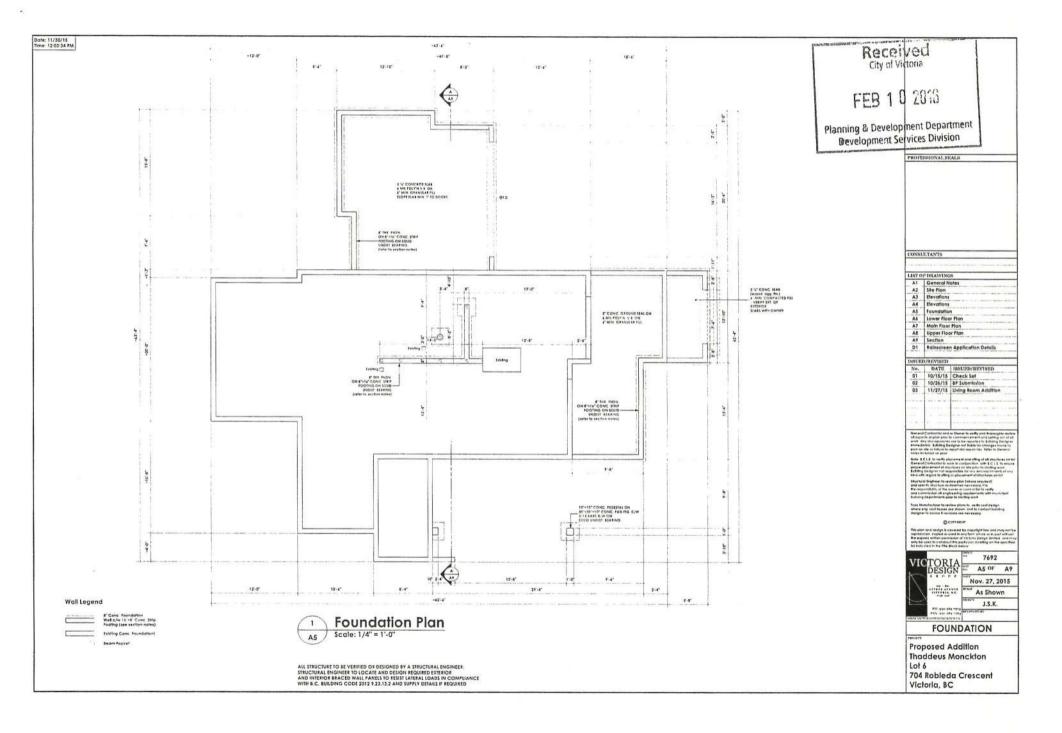
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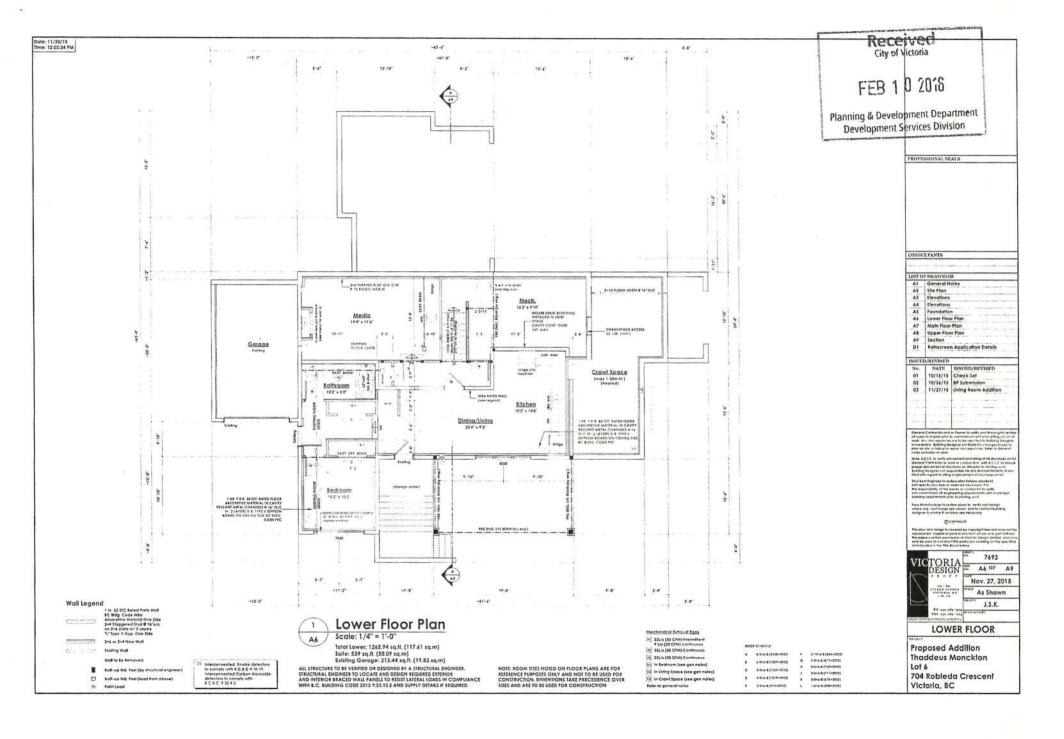
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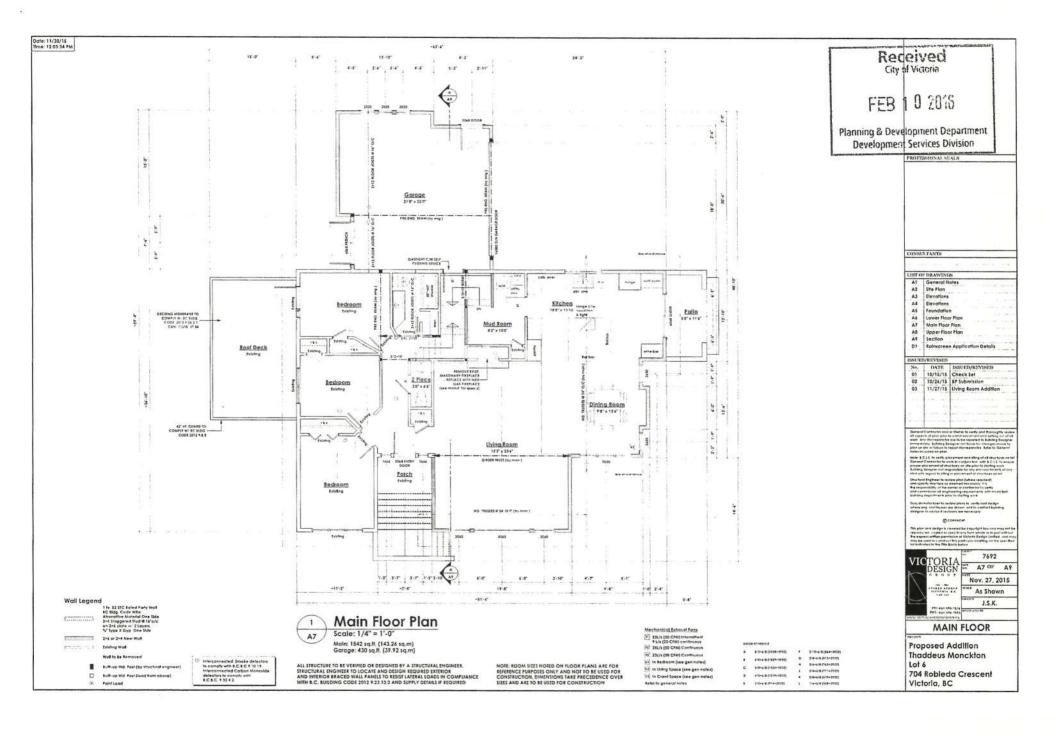
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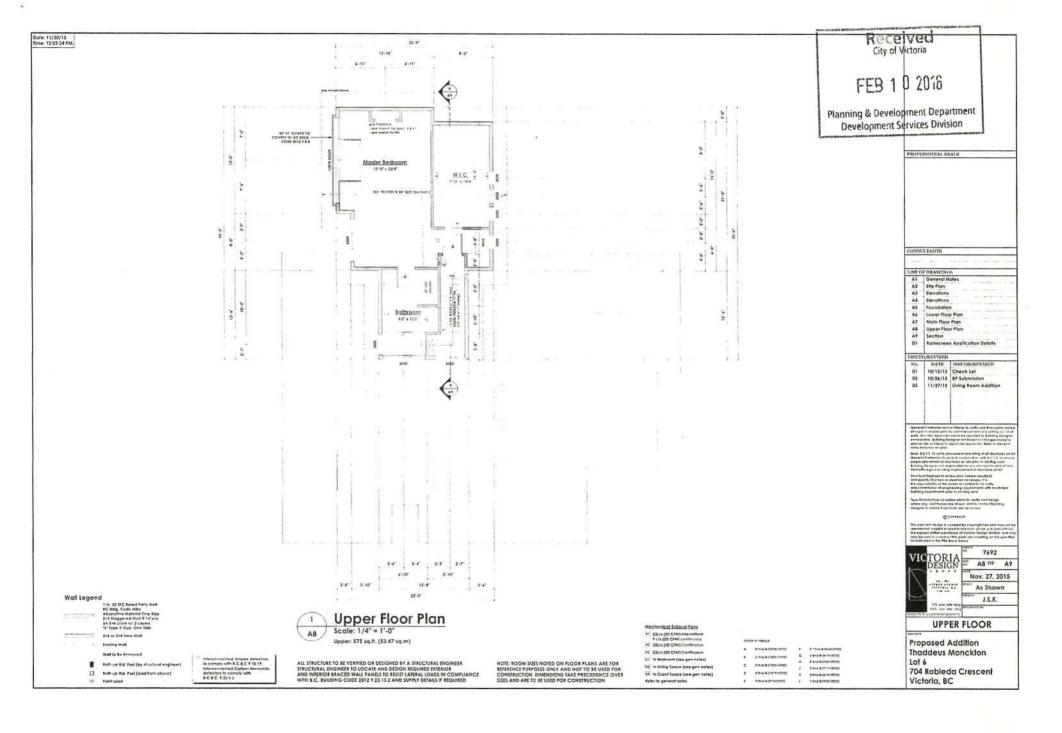


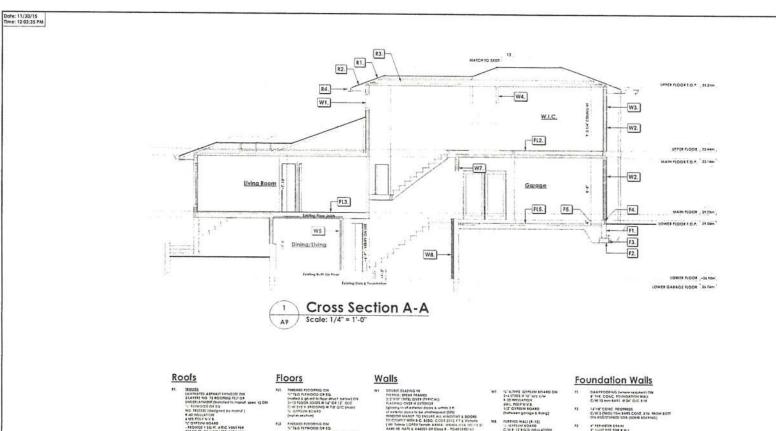












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Received City of Victoria

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Planning & Development Department Development Services Division

PROPESSIONAL SEALS

CONSULTANTS

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A2 She Plan

Elevations

DATE 10/15/15 Check Set 10/26/15 BP Submission 11/27/15 Living Room Addition

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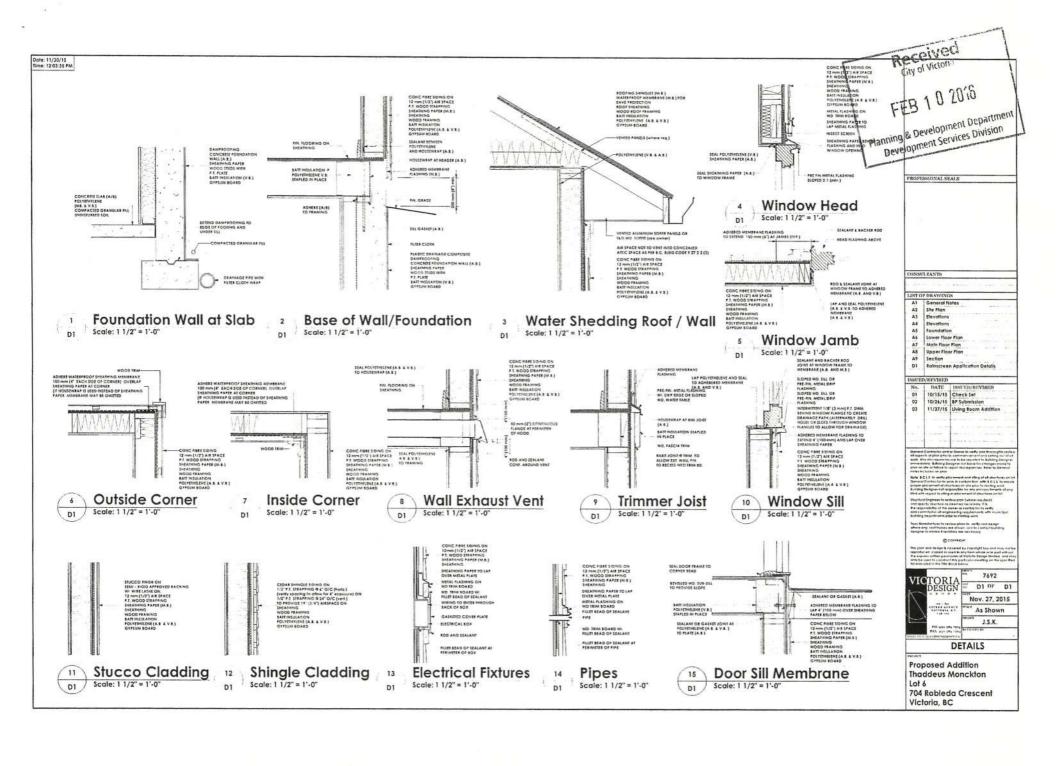
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J.S.K.

Proposed Addition Thaddeus Monckton Lot 6 704 Robleda Crescent Victoria, BC





Late Item#

# ROCKLAND NEIGHBOURHOOD ASSOCIATION

March 8, 2016

Mayor and Council Sustainable Planning and Community Development

At: caluc@victoria.ca

Re: DVP for 704 Robleda Crescent

The addition of a secondary suite to 704 Robleda Crescent in no way fulfills the spirit of the Secondary Suite Regulation. Schedule J allows for the addition of up to 20 m.2 of floor space to minimize exterior change and, according to the Secondary Suite Guidelines, minimize disruption of neighbours.

This renovation adds 132 m.2 of floor space, or for perspective, the equivalent of a 1,400 sq. ft. bungalow.

While the accommodation of aging parents is commendable, there is no mechanism in the Victoria bylaw to ensure that this continues to be the sole usage for the next five years. Indeed, there is no mechanism to insure that this is the actual use of the suite if occupancy is allowed.

A review of the documentation accompanying the request for a DVP shows this renovation was undertaken with consideration of suite tenancy, but the DVP application was not made until some months after building permits were issued. A DVP in this questionable circumstance would be ill advised as there may be a question of manipulating the system.

If the suite proposal is disallowed, consideration of the Secondary Suite Grant should also be discussed if applicable.

Sincerely,

Janet Simpson, President Rockland Neighbourhood Association