#### **MOTIONS**

To Set Public Hearings for the Council Meeting of Thursday, February 25, 2016

It was moved by Councillor Madoff, seconded by Councillor Alto, that the following Public Hearings be held in Council Chambers, City Hall, on THURSDAY, FEBRUARY 25, 2016, at 6:30 p.m.:

1. Rezoning Application No. 00496, for 1122 and 1124 Leonard Street. 1.

**Carried Unanimously** 

#### REPORTS OF THE COMMITTEE

#### Planning and Land Use Committee - January 14, 2016

## 5. Rezoning Application No. 00496 for 1122 and 1124 Leonard Street:

It was moved by Councillor Madoff, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00496 for 1122 and 1124 Leonard 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

## 5.2 Rezoning Application No. 00496 for 1122 and 1124 Leonard Street

Committee received a report dated December 18, 2015, regarding a rezoning application for 1122 and 1124 Leonard Street. The proposal is to alter and stratatitle the existing non-conforming duplex.

#### Action:

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the Committee recommends that, Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00496 for 1122 and 1124 Leonard Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

#### Committee discussed:

 There are minimal variances and the proposal will be good from a community point of view.

CARRIED UNANIMOUSLY 16/PLUC010



# Planning and Land Use Committee Report For the Meeting of January 14, 2016

To:

Planning and Land Use Committee

Date:

December 18, 2015

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No. 00496 for 1122 and 1124 Leonard Street

#### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00496 for 1122 and 1124 Leonard 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 903 (c) 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, the location of uses on the land and within buildings and other structures.

#### **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 1122 and 1124 Leonard Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new zone in order to permit the existing non-conforming duplex to be strata titled and to alter the building.

The following points were considered in assessing this Application:

- the proposal is consistent with the Traditional Residential Urban Place Designation in the Official Community Plan (OCP) 2012
- the proposal does not meet the minimum site area and lot width of the *Neighbourliness Guidelines for Duplexes* 1996
- the property has an existing duplex on it that is considered a non-conforming use
- the property is in an area that is characterized by a mix of dwelling unit types and is located close to Cook Street Village and Beacon Hill Park.

#### BACKGROUND

#### **Description of Proposal**

The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District, to a new zone in order to permit the existing non-conforming duplex to be strata titled and to alter the building. The following differences from the standard R-2 Zone, Two Family Dwelling District, are being proposed and would be accommodated in the new zone.

- reduce the site area (minimum) from 555m² to 540m²
- reduce the site area for each dwelling unit (minimum) from 277.5m<sup>2</sup> to 270m<sup>2</sup>
- reduce the lot width (minimum) from 15m to 14.25m
- increase the floor space ratio (maximum) from 0.50:1 to 0.51:1.

In addition, eight variances would be required to facilitate this development and will be discussed in relation to the concurrent Development Permit with Variances Application.

#### **Affordable Housing Impacts**

The applicant is not proposing to create new residential units. The rezoning would permit the applicant to strata title the two existing residential units.

## Sustainability Features

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

#### 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 Rezoning Application.

#### **Land Use Context**

The area is characterized by single family dwellings with some attached housing and apartments. Beacon Hill Park is less than 100m away and the Cook Street Village is approximately 200m away.

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

The site is presently a non-conforming duplex. Under the current R1-B Zone, the property could be redeveloped as a single family house with a secondary suite.

#### **Data Table**

The following data table compares the proposal with the standard R-2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. The aspects that would be incorporated into the new zone relate to the density of the existing duplex and size

and width of the lot. The remaining eight relaxations from the R-2 Zone would require variances, which will be addressed through the concurrent Development Permit with Variances Application.

Zoning Criteria	Proposal	Zone Standard R-2
Site area (m²) - minimum	540*	555
Site area per unit (m²) - minimum	270*	277.5
Density (Floor Space Ratio) - maximum	0.51:1*	0.50:1
Lot width (m) - minimum	14.25*	15
1 <sup>st</sup> & 2 <sup>nd</sup> storey floor area (m²) - maximum	274.51	280
Combined floor area (m²) - maximum	395.08*	380
Height (m) - maximum	8.16*	7.60
Storeys - maximum	2 w/basement*	1.5 w/basement
Site coverage % - maximum	34.70	40.00
Open site space % (lot)- minimum	43.60	30.00
Open site space % (rear)- minimum	100.00	33.00
Setbacks (m) - minimum Front (Leonard Street) Rear Side (west) Side (east) Combined Side	8.21 9.51* 0.99* 0.97* 1.96*	7.5 13.28 1.50 3.00 4.50
Parking - minimum	2	2
Location of Parking	Front yard*	Behind front of building

#### **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 CALUC at a Community Meeting held on July 20, 2015. The minutes of this meeting are 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 DPA 15D: Intensive Residential – Duplex. The proposal is consistent with the objectives of DPA 15D to foster and encourage a sense of neighbourliness and help make this form of housing more accepted.

#### **Neighbourliness Guidelines for Duplexes**

The Neighbourliness Guidelines for Duplexes states that an interior lot must have a width greater than 15m and a site area in excess of 670m<sup>2</sup>. Although the subject property does not meet this criteria, the proposal is to retain and stratify an existing duplex.

In addition, most of the differences between the existing non-conforming duplex and the standard R-2 Zone are proposed to be handled through the variance process (as discussed in relation to the concurrent Development Permit with Variances Application). This would require any future development to meet the standard two family dwelling siting requirements.

#### CONCLUSIONS

This proposal to rezone the property to allow the non-conforming duplex to be strata titled is consistent with OCP policy. The existing duplex use would continue, however, a strata conversion would allow the tenure to change from one owner to strata ownership for each of the two dwelling units.

#### ALTERNATE MOTION

That Council decline Rezoning Application No. 00496 for the property located at 1122 and 1124 Leonard Street.

Respectfully submitted,

Rob Bateman

Planner

**Development Services Division** 

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

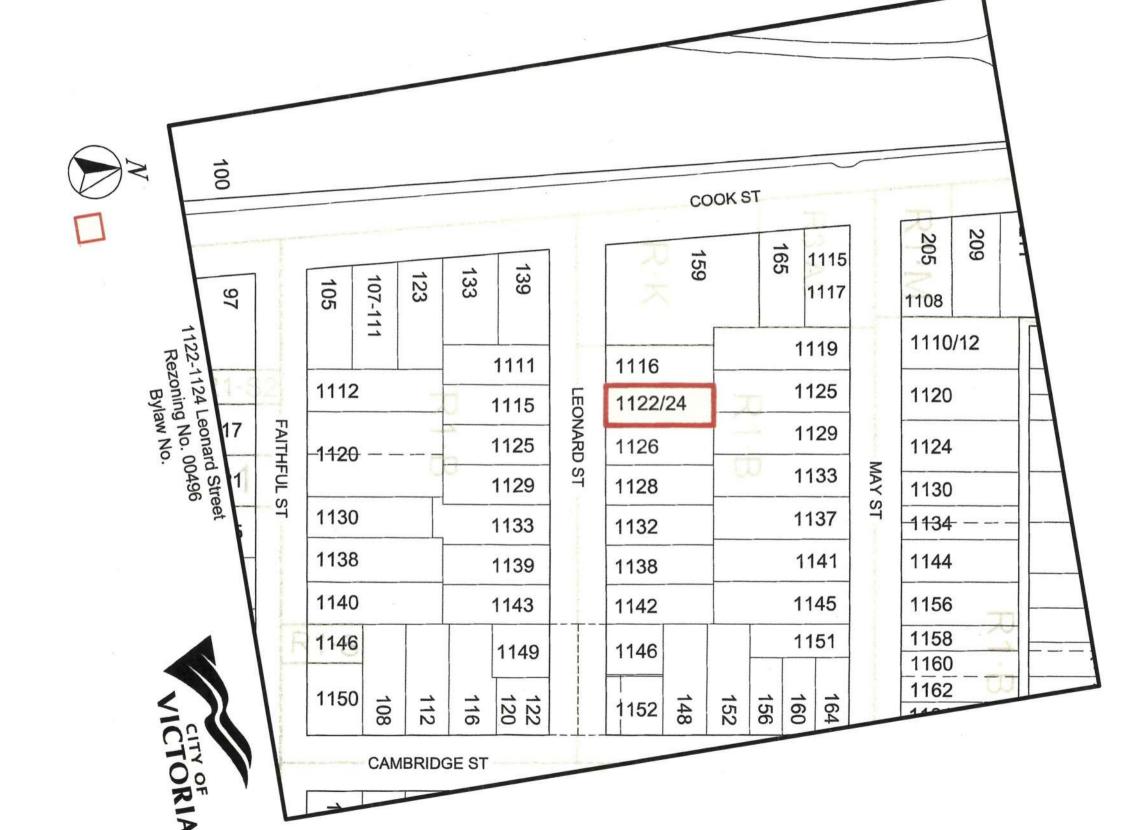
Report accepted and recommended by the City Manager:

Date: December 30,2015

#### **List of Attachments**

- Air photo
- Zoning map
- Applicant's letter to Council dated November 6, 2015
- Minutes of Community Meeting for the Fairfield-Gonzales Community Association dated July 20, 2015
- · Submission drawings dated November 6, 2015.





November 6, 2015

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

Dear Mayor and Council:

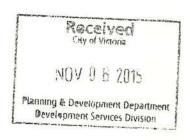
Re: 1122/1124 Leonard Street – Rezoning to Permit a Strata Titling of an Existing Duplex

I am the owner of the duplex located at 1122 and 1124 Leonard Street ("1122/1124 Leonard" or the "Property"). The Property is an existing, side by side duplex that was constructed in approximately 1912. I am making application to rezone 1122/1124 Leonard from R-1B to a Site Specific Zone or R2 with variances.

The purpose of the rezoning is to permit a strata titling of this existing duplex. The strata titling will not change the Property's current configuration; it will only change the ownership tenure from one title to two strata units. The rezoning will make the property conforming and the strata titling will contribute significantly to the feasibility of completing a full renovation and renewal of the unique character of 1122/1124 Leonard. The proposal conforms to the Traditional Residential Urban Place designation in the Official Community Plan.

The following materials and plans are in enclosed in support my rezoning application:

- 1. A Landscape Plan drafted by LADR Landscaping Ltd.
- 2. Photographs of 1122/1124 Leonard and the Leonard St. streetscape, as well as perspective images of the proposed renovations to the Property
- 3. Complete renovation plans drafted by Step One Design for the proposed upgrade of the interior and renewal of the exterior of the Property
- 4. "Turning Template" plans drafted by Westbrook Consulting Ltd.
- 5. Engineering drawings drafted by RJC
- 6. Photographs of the front yard parking at the duplex located at 154 and 156 Linden Ave.
- 7. Copies of written support for the proposal signed by Leonard Street neighbours



The proposal includes a wide range of green building features and concepts including the following:

- The building will be renovated and renewed as opposed to being torn-down and hauled to the dump - saving dump truck loads of waste.
- The building envelop was historically very poor with numerous areas of free air flow to the outdoors (you could actual see daylight coming through the outside wall in some areas). The renovation of the building will include a new, energy efficient, sealed and insulated building envelope.
- All windows and exterior doors will be replaced with energy efficient, double glazed windows and exterior swing doors with thermally broken, vinyl frames.
- The interior renovation will include a number green building features including:
  - dual flush toilets;
  - low VOC paints; and
  - Energy Star® appliances.

Due to an existing none conformance, the proposal does not meet the vehicle parking standards of Schedule C – Off-Street Parking. As is show by the enclosed plans and photographs, the side setbacks of the duplex are not wide enough to provide a driveway to the backyard. Consequently, it is not possible provide off street parking in the backyard of the property. As a result of this existing condition, the proposal includes a plan to provide parking off the street in the front yard of the property.

The enclosed Landscape Plan illustrates the design for the proposed front yard parking included in the proposal. The plan draws from the guidelines for front yard parking that is permitted in the Gonzales neighbourhood of Fairfield and is enhanced by extensive landscaping. I engage Westbrook Consulting Ltd. to complete the enclosed "Turning Template" study which demonstrates that the front yard parking plan provide safe parking in accordance to the relevant guidelines. Steve Hutchison, Transportation Planner, City of Victoria Engineering has reviewed and supports this front yard parking plan.

The front yard parking fits in well with the Leonard St. streetscape and is strongly support by the majority of the Leonard Street neighbours. It is similar to parking at many properties on the street where owners park their cars in the front driveways to their garages. I also note that similar front yard parking was permitted at nearby duplex located at 154 and 156 Linden Ave. (see attached photos). In addition to the front yard parking I also plan to build accessory buildings in the backyards of both duplex units that will be ideal for bicycle parking.

1122/1124 Leonard has operated as a duplex since it was constructed in 1912. Over its life minimal investment has been made into the repair, maintenance and renewal of the property.

The condition of the property is very poor and not at the high standard of the homes on Leonard Street and the Cook Street Village neighbourhood.

In spite of its very poor condition, 1122/1124 Leonard has "good bones" and distinctive character. It also has historical significance as it is one of the first and few homes in the city to be constructed with unique masonry block construction. The architect and builder of the duplex utilized this construction technique in the early 1900s for only a few architecturally significant homes in the area, most notably 97 Cook Street and 139 Cook Street. As shown by the enclosed plans, my proposed renovation will completely revitalize the property while preserving the original side by side duplex configuration, form and character of the exterior of the building and Leonard Street's historic streetscape.

I have met with the vast majority of the Leonard Street neighbours, including those who are nearest to 1122/1124 Leonard, and discussed strata titling of and front yard parking at the Property. I received enthusiastic, written support for strata titling from all of these neighbours. Copies of this written support are enclosed for reference. The most predominant feedback that I received during my dialogue with these neighbours is as follows:

- 1. There is strong support for the proposed front yard parking at 1122/1124 Leonard
- 2. Parking demands on Leonard St. have increased since the construction of the new children's park on the West side of Cook St., at Cook and Leonard. Front yard parking at 1122/1122 Leonard would be positive as it would reduce congestion on the street
- 3. 1122/1124 Leonard has been neglected and in very poor condition for a very long time. The upgrade and renewal of the property would have a very significant, positive impact on the neighbourhood
- 4. Preserving the 1122/1124 Leonard duplex building instead of demolishing and replacing it with a new building that might not fit in with the neighbourhood is desirable

Thank you for your consideration of my 1122/1124 Leonard St. rezoning application. I look forward to making a formal presentation related to my proposal in the near future.

Yours Truly,

Michael Cronquist

Melunt rougeur

## Minutes of Community Meeting Planning and Zoning Committee Fairfield-Gonzales Community Association (FGCA) July 20, 2015

Facilitators for the FGCA: George Zador (Chair)
Susan Snell
Ken Roueche

Subject property: 1122 -1124 Leonard St. duplex; application for strata conversion.

Proponent/owner: Mike Cronquist. 123 notices sent

This property in vacant and derelict condition for the past several years is proposed to be fully rehabilitated and rezoned to permit strata titling. The project had previously been submitted and approved in 2014, however the proponent failed to proceed and after 1 year, the application lapsed.

Attendance: 20 people (not all involved with project)

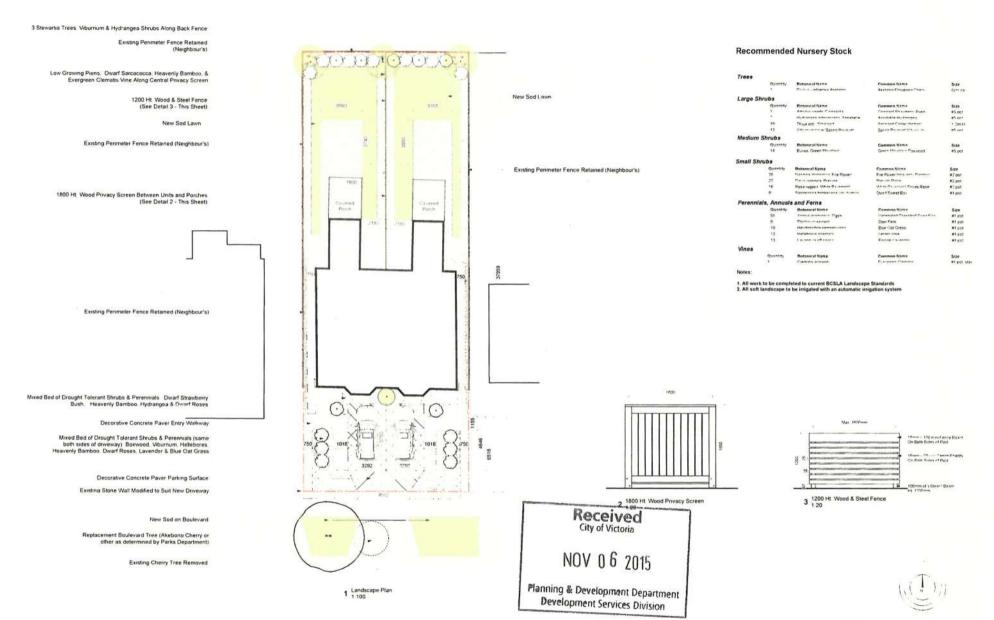
## **Attendee Questions and Comments:**

- Concern expressed about City recommended site specific rezoning as most efficient, but granting the more conventional R-2 zoning would have issues in an R-1 area as well
- Parking for 2 cars provided at the front requires removal of a boulevard tree; arborist
  may be engaged to recommend suitable replacement.
- Are there any plans to further subdivide the two units? Absolutely none.
- Any plans to develop the basement area? Absolutely none.
- Water weeping in backyard.....it will be managed with new drain tiles.
- Covered patio in the rear will not obstruct neighbour's sightline.
- Project timeline? Will proceed immediately upon approvel by City.

The neighbourhood would welcome the reconditioning of this unsightly building.

#### George Zador

Planning and Zoning Chair Fairfield Gonzales Community Association 1330 Fairfield Rd. Victoria, BC V8S 5J1 planandzone@fairfieldcommunity.ca www.fairfieldcommunity.ca Facebook

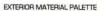


## 1122 Leonard Street - Landscape Concept (Rezoning)









- 1 REFURBISHED CONCRETE BLOCK
- 2 ORIGINAL STUCCO REMOVED AND REPLACED WITH NEW STUCCO
- 3 NEW ROOFING
- 4 NEW SOLID WOOD EXTERIOR DOOR
- 5 GLASS QUARD
- 6 NEW CONCRETE STARS
- 7 NEW ROOFING
- 8 WOOD TRIM WITH CLEAR SEALER
- 9 MASONRY STONE VENEER
- 10 NEW WINDOWS















Received
City of Victoria

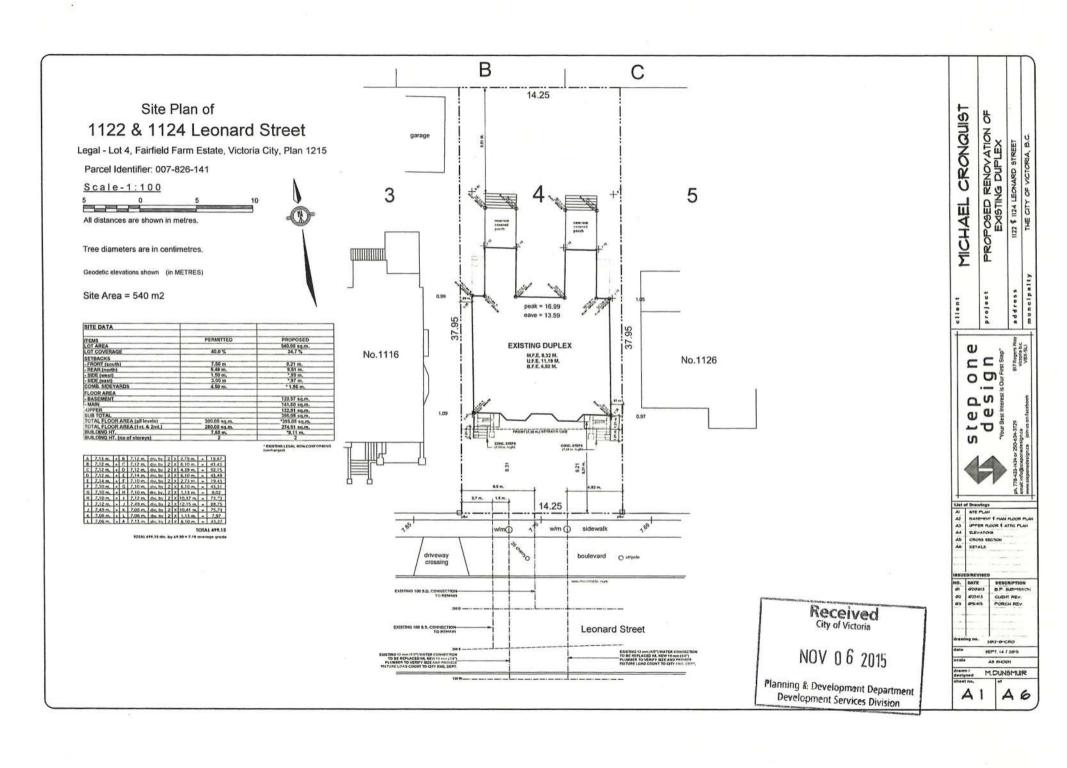
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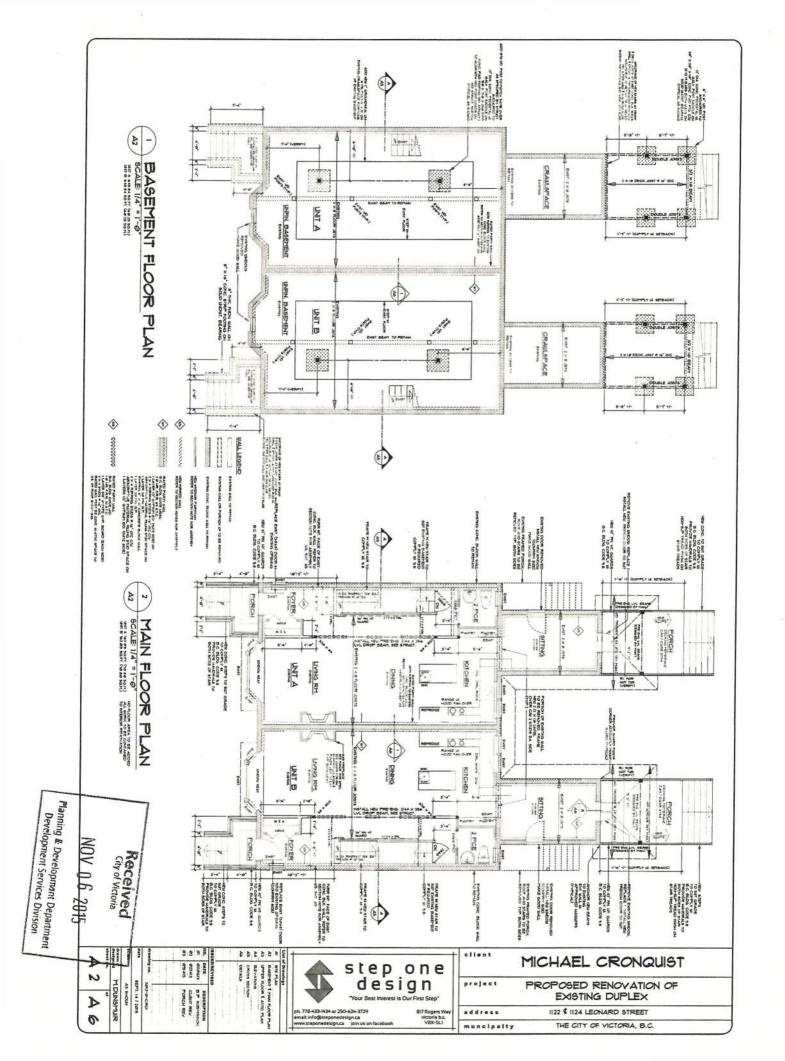
Planning & Development Department Development Services Division

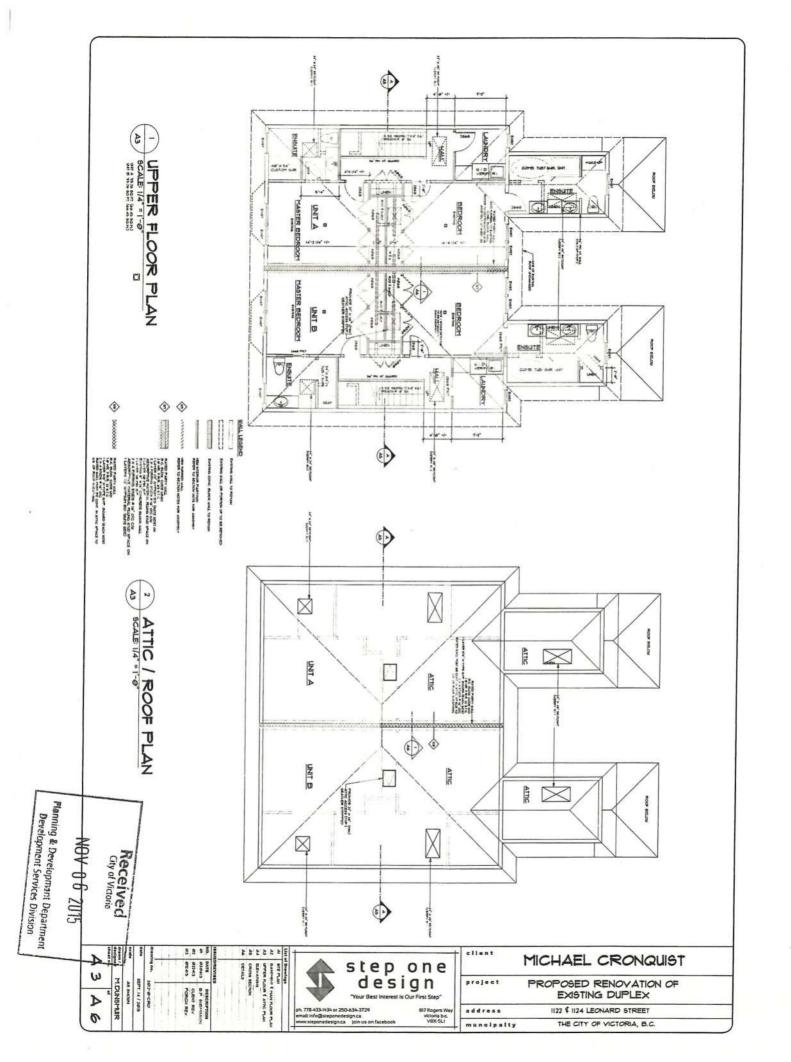
#### OUTSIDE THE LINES

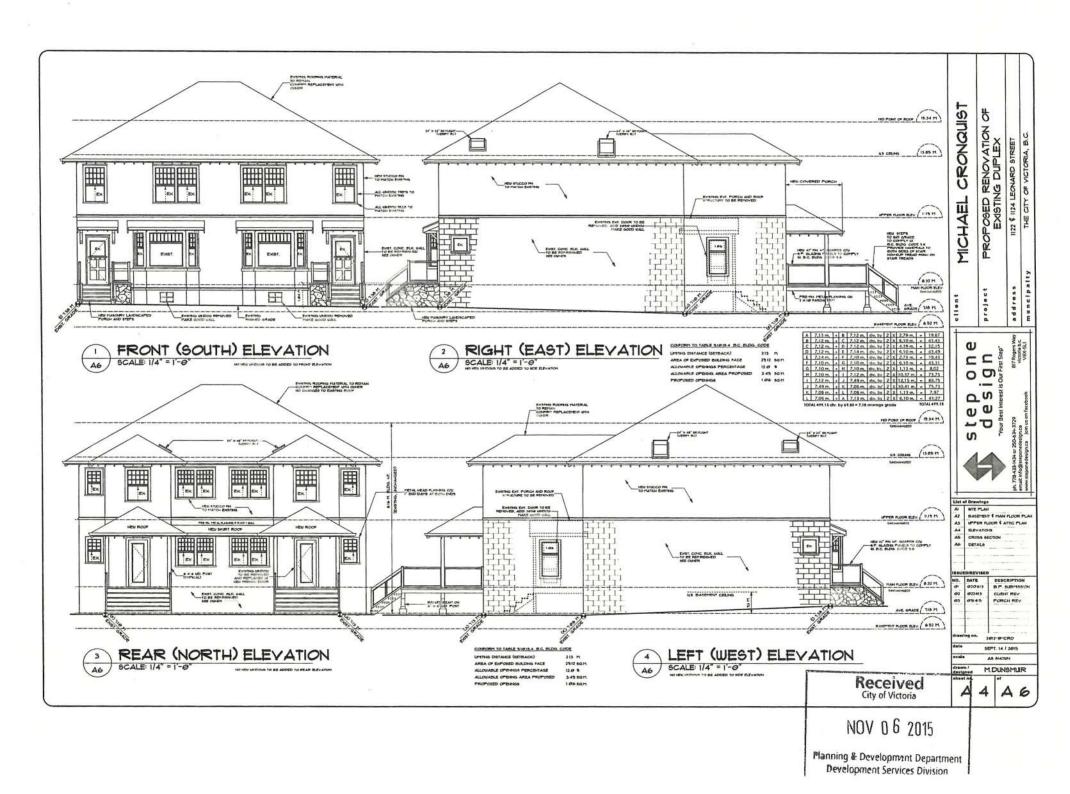
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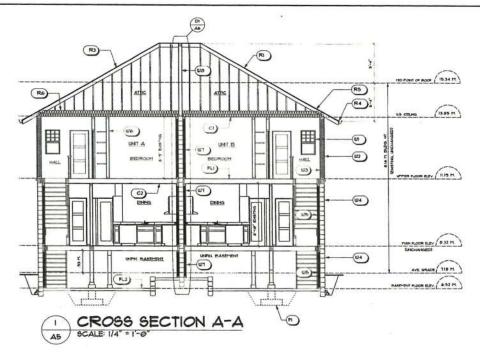












GENERAL NOTES

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Received City of Victoria

NOV 0 6 2015

Planning & Development Department **Development Services Division** 

PROPOSED RENOVATION C EXISTING DUPLEX 1127 € 1124 LEGNARD STREET THE CITY OF VICTORIA, B.C. MICHAEL O TI Step' 0 6 QS e e 7 S List of Drawings SITE PLAN UPPER FLOOR & ATTIC PLAN CROSS SECTION DETALS NO. DATE DESCRIPTION D.P. SUBMISSION 022413 CLIENT REV.

1812-8-CRO

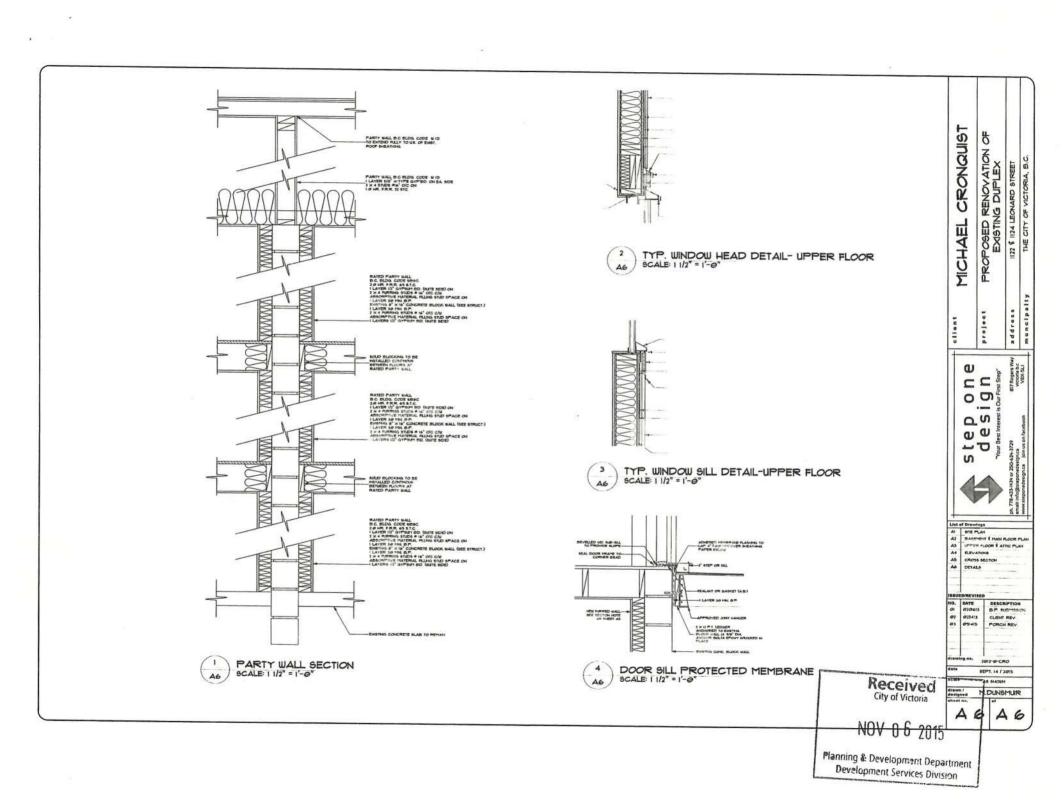
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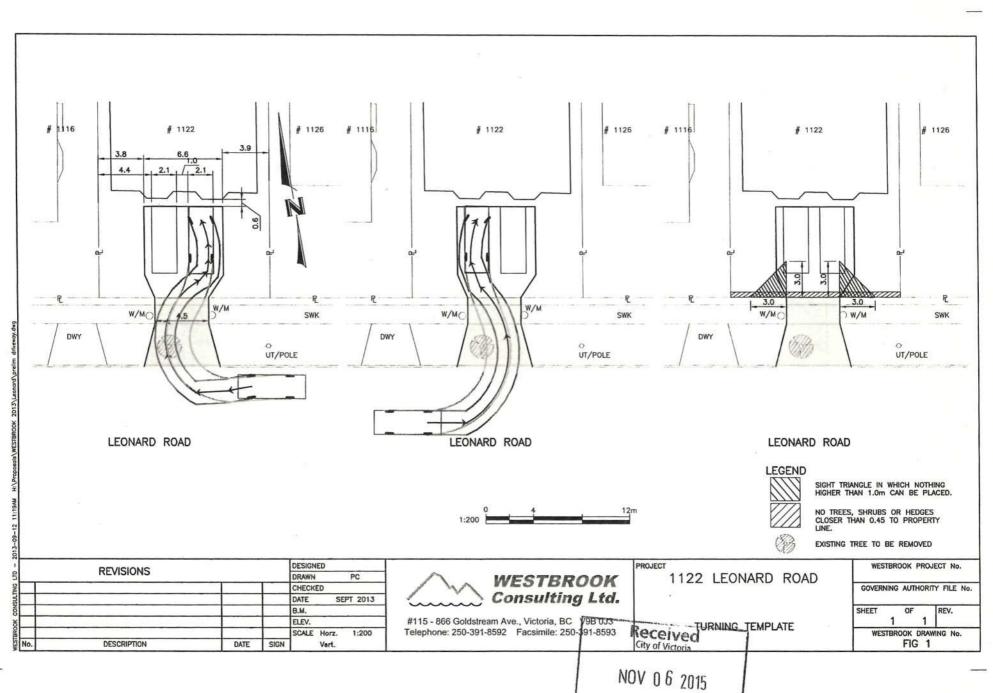
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#### General Notes:

All work to conform to the British Columbia Building Code (BCBC) 2006 and referenced documents. Wood framing to BCBC 2006 – Part 9 as a minimum.

Renovations have been designed to maintain the structural capacity of the original base structure.

#### Material Notes:

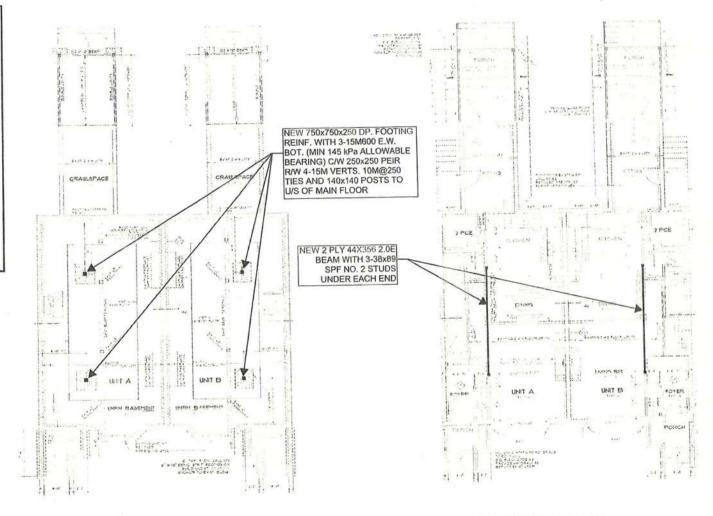
Wood framing to be SPF No. 2 Grade unless noted otherwise.

#### Renovation Notes:

The structural drawings are based on assumed as-built conditions for the existing structure. The actual conditions may vary and the contractor shall immediately inform the consultant of any variations from the assumed conditions. New openings in existing structure to be marked out by the contractor and reviewed by RJC prior to any cutting. No overcutting is permitted. The contractor is responsible for safety in and about the jobsite during construction, and the design and erection of all temporary formwork and shoring required to complete the work.

RJC to review the existing structure and framing, and all deficiencies are to be repaired by the owner's contractor as per RJC's instructions.





#### BASEMENT FLOOR PLAN

## Received City of Victoria

NOV 0 6 2015

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#### MAIN FLOOR PLAN



Suite 220, 645 Tyee Road Victoria, BC V9A 6X5 Canada Office 250 386-7794 Fax 250 381-7900 www.rjc.ca Project Name
1122 LEONARD STREET

Sketch Title
MAIN / BASEMENT FLOOR

Dwg. Ref.

Scale NTS
Date JAN 24, 2013
Project No. VIC.108134.001
Sketch Number Re

SSK-01