REPORTS OF THE COMMITTEES

2. Planning and Land Use Committee – April 30, 2015

2. Rezoning Application No. 00471 for 324 Chester Street

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman, that Council:

- 1. Instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00471 for 324 Chester Avenue.
- 2. 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. COMBINED DEVELOPMENT APPLICATIONS

5.1 Rezoning Application No. 00471 for 324 Chester Avenue

Committee received a report regarding a rezoning application for 324 Chester Avenue. The proposal is to rezone the property to authorize a garden suite above an existing garage in the Fairfield-Gonzales neighbourhood.

Action:

- It was moved by Councillor Loveday, seconded by Councillor Isitt, that Committee recommends that Council:
- 1. Instruct staff to prepare the necessary *Zoning Regulation Bylaw Amendment* that would authorize the proposed development outlined in Rezoning Application No. 00471 for 324 Chester Avenue.
- 2. That first and second reading of the *Zoning Regulation Bylaw Amendment* be considered by Council and a Public Hearing date be set.

Committee discussed:

- Concern that the definition of a garden suite is being stretched by this application, as this is Council's first request to authorize one that is being constructed above a garage.
- The suite is a creative use of space and allows an increase in density.
- The importance of each garden suite proposal coming before Council and for the community and neighbours to have the opportunity for full consultation and input.

CARRIED UNANIMOUSLY 15/PLUC113



Planning and Land Use Committee Report For the Meeting of April 30, 2015

To:

Planning and Land Use Committee

Date:

April 16, 2015

From:

Leanne Taylor, Planner, Development Services Division

Subject:

Rezoning Application No. 00471 for 324 Chester Avenue

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. 00471 for 324 Chester Avenue, 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 and 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 324 Chester Avenue. The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District, to R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, in order to permit a garden suite above an existing garage.

The following points were considered in assessing this Application:

- The proposal is consistent with the Urban Place Designation in the Official Community Plan (OCP) 2012.
- The proposal is for a livable form of rental housing, similar in size and scale to a typical garden suite.

- The design of the building incorporates design specifications of the Garden Suite Policy (2011).
- The subject property is a corner lot and adjacent to a four-storey multi-unit residential building and is a suitable location for this form of housing.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the property to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, to permit the construction of a garden suite above an existing garage.

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 applicant proposes to install a bike rack which supports active transportation.

Land Use Context

The area is characterized by a mix of single family houses, attached housing, multi-unit residential and commercial uses.

Existing Site Development and Development Potential

The site is presently a single family house. Under the current R1-B Zone, the property could be developed as a single-family house with a secondary suite. Should the rezoning proceed, a single family dwelling and garden suite above an existing garage will be permitted, thus precluding the use of the main dwelling for the inclusion of a secondary suite.

Data Table

The following data table compares the proposal with the R1-B-GS2 Zone. The parcel would qualify as a "plus site" since it is a corner lot and the floor area of a garden suite may be increased to 56m². An asterisk is used to identify where the proposal is less stringent than the R1-B-GS2 Zone. Two asterisks are used to identify the existing non-conformities.

Zoning Criteria	Proposal	Zone Standard R1-B-GS2 "Plus Site"
Site area (m²)	551 (proposal complies as a "Plus Site" as it is a corner lot)	557
Lot width (m) - minimum	13.71	7.5
Combined floor area (m²) - maximum	256.6	300
Height (m) - maximum	7.27	7.6

Zoning Criteria	Proposal	Zone Standard R1-B-GS2 "Plus Site"
Storeys - maximum	2.5**	2
Site coverage (%) - maximum	31.4	40
Setbacks (m) - minimum Front (Chester Street) Rear (east) Side (north) Side (Mackenzie Street)	7.2** 5.52 for porch 17.59 1.75 1.6**	7.5 (5 for porch) 9.1 1.51 3
Combined side yards	3.35**	4.5
Parking - minimum	1	1
Garden Suite		
Combined floor area (m²) – maximum	36.6	56
Height (m) – maximum	5.6*	5.5
Storeys - maximum	2*	1.5
Rear yard setback (m) (west) – minimum	0.6	0.6
Side yard setback (m) (north) – minimum	0.6	0.6
Side yard setback (m) (south) - minimum	5.71	0.6
Separation space between buildings (within the site) (m) – minimum	12	2.4
Rear yard site coverage (%) - maximum	16.4	25

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 December 15, 2014. The minutes from this meeting were received on January 13, 2015, and are attached to this report.

ANALYSIS

Official Community Plan

The OCP Urban Place Designation for the subject property is Urban Residential. In accordance with the OCP, garden suites are subject to DPA 15E: Intensive Residential – Garden Suites. The proposal is consistent with the objectives of DPA 15E to utilize existing accessory buildings for residential uses and achieve new infill that respects the established character in residential areas.

Garden Suite Policy

The proposed development is consistent with the relevant land use policies of the *Garden Suite Policy*. The proposed garden suite is still considered a small ground-oriented unit located in the rear yard of a corner lot. Other than the variance to increase the height of the garden suite, all the siting criteria are met.

Regulatory Considerations

The total combined floor area of the garage and garden suite is 68.19m². The garage portion of the building is 31.4m², and 18.6m² of this floor area is designated as the parking space for the principal dwelling unit, and therefore exempt from the floor area calculation for the garden suite. The current floor area of the proposed garden suite is 36.6m². The remaining 12.8m² of floor area is currently associated with the garage area, however if this area is converted to space for the garden suite, the total floor area of the suite would still be less than the maximum floor area permitted in the R1-B-GS2 Zone.

CONCLUSIONS

This proposal to construct a garden suite above an existing garage is consistent with the OCP objectives and guidelines for sensitive infill in the form of garden suites within established residential areas. The garden suite creates an opportunity for an alternative form of rental housing and it will provide a liveable environment for its occupants. Constructing a suite above the garage would retain the existing private open space and gardens, and preclude the addition of another accessory building on the property. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

Respectfully submitted,

That Council decline Application No. 00471 for the property located at 324 Chester Avenue.

y taylor	a. Preye
Leanne Taylor	Alison Meyer, Assistant Director
Planner	Development Services Division
Development Services Division	Sustainable Planning and Community Development
Report accepted and recommended by the City Ma	anager:
	Date:April 21,2015
LT:aw	
S:\TEMPEST_ATTACHMENTS\PROSPERO\PL\REZ\REZ00471\RE	Z PLUC REPORT1.DOC

List of Attachments

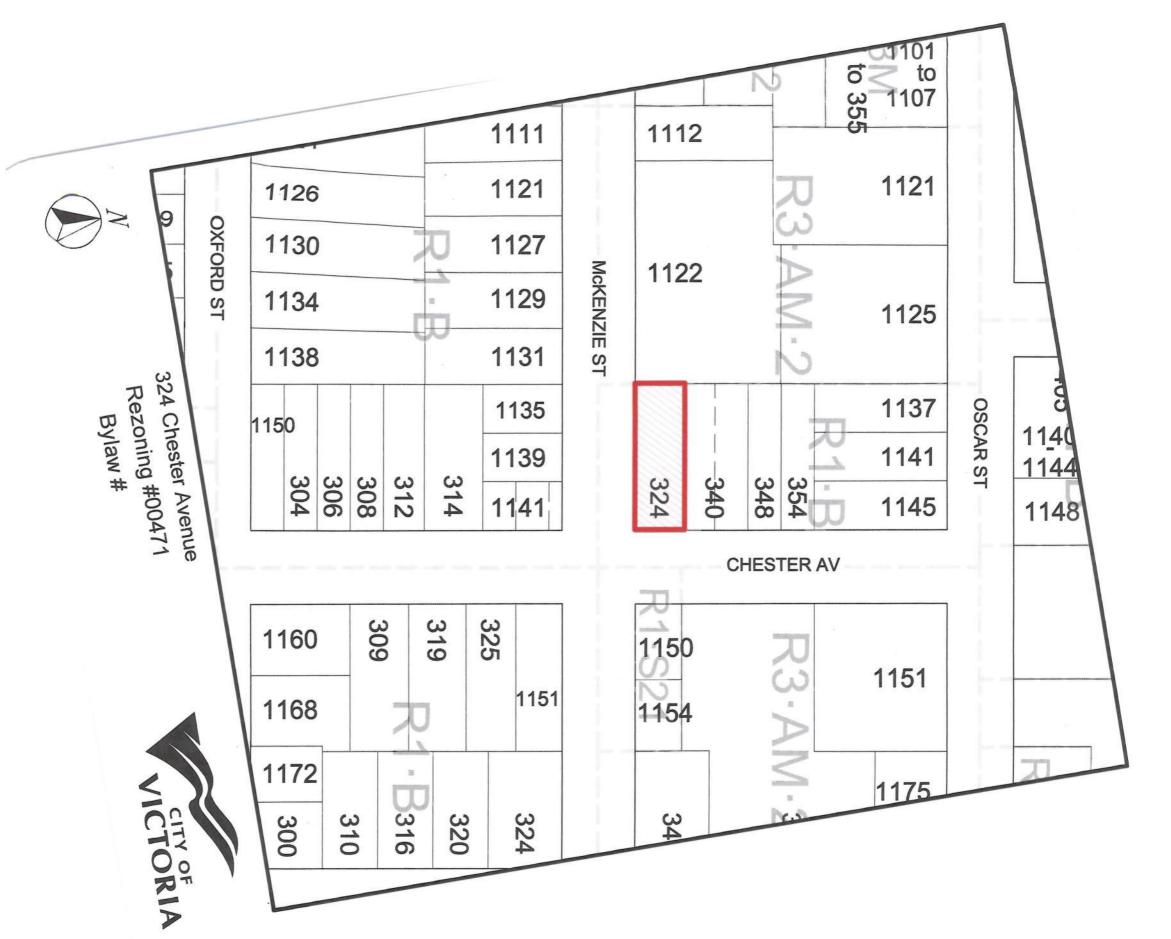
- Air photo
- Zoning map
- Applicant's letter to Council dated January 12, 2015
- Minutes of Community Meeting Fairfield-Gonzales Community Association dated December 15, 2014
- Signed petition
- Green Building Features.
- Submission drawings dated March 27, 2015.



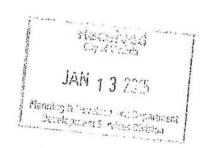


324 Chester Avenue Rezoning #00471 Bylaw #





Dear Mayor and Council,



RE: REZONING APPLICATION - 324 CHESTER AVE., FAIRFIELD

My wife and I wish to build a 400-sq. ft. "garden suite" above the existing garage on this property.

We reside in the existing 1927 bungalow which is quite modest in size. The basement is low height (5.5 feet) which precludes the addition of a secondary suite within the house without substantial structural change, cost and disruption. Also, we use the basement for much-needed storage and a laundry area.

We have reviewed the City's existing policies for garden suite use and the sample zoning for "small lot" single-level and "plus lot" two-level approved garden suites. Our property qualifies as a "plus lot".

What makes our proposed structure unique is that instead of two floors of living space, we wish instead to create a single floor of living space over an existing garage.

The previous owner built the garage with permit in 1978 as far to the west of the property as possible, facing McKenzie Street. As you can see on the enclosed plan, the siting of the garage matches exactly the minimum side yards for the west and north boundaries for accessory buildings including garden suites.

If we are permitted to build over the existing garage:

- 1. Our proposal retains the single family lot character of this property.
- 2. Our large open southwest garden is preserved.
- 3. We are able to keep our required parking and enclosed garage.

We feel that "going up" minimizes not only the impact on our property, but also on the immediate adjoining properties:

1. To the west is a large scale 4-storey apartment building, approx 45 feet away from our existing garage, with the buffer of a very high pine and large widely spreading willow tree between it and the garage.

 To the north, approx 60 feet away, fronting on Chester Ave., is a single family residence on a double lot. By not constructing a separate aditional structure in our back yard, this neighbour retains the benefit of the existing, generous south-facing sun corridor across our back yard.

Prior to this rezoning application, the City Planning Department sent out approximately 108 notices to residents within 100 meters of our property. Because at least two neighbouring properties are large-scale rental apartments, we chose to speak personally just with our immediate neighbours before the Fairfield Gonzales Community Association meeting held on December 15, 2014. We enclose signed acknowledgments we received from 7 of these 9 property owners/residents confirming that they had no objection to the proposed use/zoning.

Only 5 people came to see/speak to our proposal at the FGCA meeting, two couples and an individual homeowner. One couple did not speak at the meeting but came to me afterwards and told me they had no objection. Three people who spoke own properties to the north of ours on Chester Ave., and their concern seemed to be related more to the visibility of the proposed structure than the land use.

We hope that you agree, given the "isolated" location of the existing garage and the unusually large distances between neighbouring dwellings in all directions, that our proposal is supportable. Thank you.

Yours truly,

Paul Osborne

JAH 13:

Promoting the Country of the Displace and Decelorations of the Signature

Minutes of Community Meeting Planning and Zoning Committee Fairfield-Gonzales Community Association (FGCA) December 15, 2014

Facilitator: Paul Brown

Subject Property:

324 Chester Ave. (411 notices sent)

Proponents Ineke and Paul Osborne wishes to add a second storey to an existing garage that would be developed as a secondary suite.

5 interested parties attended

Attendee Questions & Comments:

- Neighbours to the north concerned about height, increased density, loss of sun and privacy
- One neighbor concerned they will be looking into windows
- One commented that the proposal had merit however privacy is at issue

George Zador

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

REZONING APPLICATION

Hetaliyana Ciy of Vinoria JAN 13 2015 Planning to Devision that Considerate Travelopment Singles Striken

To Whom It May Concern:

I have had an opportunity to vie be built over the existing garag		d secondary housing unit to
I have no objection to the	City rezoning this property t	o accommodate this use.
☐ I object to the City rezoni	ng this property to accommo	date this use.
Additional comments (optional)		
		*
1129 Mchenzic St Address	Daryn Martinish Name	Signature
1/29 Mallenzie St Address	Adde Martinich Name	Signature
06 - Dec 2016 Date		.

REZONING APPLICATION

To Whom It May Concern:



I have had an opportunity to view the plans for the proposed secondary housing unit to be built over the existing garage on this property. I have no objection to the City rezoning this property to accommodate this use. I object to the City rezoning this property to accommodate this use. Additional comments (optional)

Nov. 28 2014
Date

REZONING APPLICATION

To Whom It May Concern:



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	\boxtimes	I have no objection to t	he City rezoni	ing this property	to accommo	odate this use.
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Dec 12, 2014

Date

REZONING APPLICATION





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I have no objection to the	e City rezoning this property t	o accommodate this use.
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1139 Webenziest,	Strine Pask Name	Signature
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Address	Name	Signature

Date

REZONING APPLICATION

To Whom It May Concern:



I have had an opportunity to view the plans for the proposed secondary housing unit to be built over the existing garage on this property. I have no objection to the City rezoning this property to accommodate this use. I object to the City rezoning this property to accommodate this use. Additional comments (optional)

REZONING APPLICATION

To Whom It May Concern:

JAN 13 2015
Property and recommend of the Comments of the Comm

I have had an opportunity to view the plans for the proposed secondary housing unit to be built over the existing garage on this property. I have no objection to the City rezoning this property to accommodate this use. I object to the City rezoning this property to accommodate this use. Additional comments (optional) Address

Dec 13 2014

Date

REZONING APPLICATION





Signature

Signature

be built over the existing garage on this property. I have no objection to the City rezoning this property to accommodate this use. I object to the City rezoning this property to accommodate this use. Additional comments (optional)

Name

I have had an opportunity to view the plans for the proposed secondary housing unit to

Address

324 CHESTER AVENUE - REZONING APPLICATION

GREEN BUILDING FEATURES

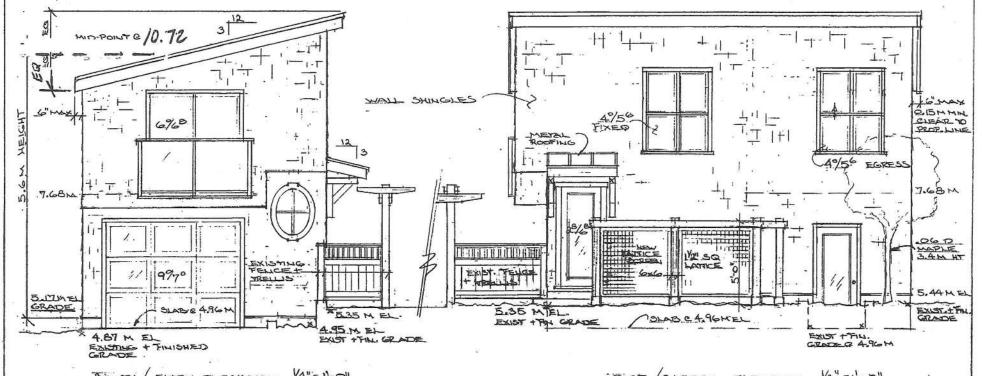
Our proposal to build a 400-sq. ft. "garden suite" above the existing garage on this property:

- Retains the single family lot character of this property with its large garden space and existing greenery, permeable ground and green space;
- Preserves the existing streetscape while offering an opportunity to renters who want to live in detached housing.
- Its location close Cook Street Village, the City and its amenities including frequent transit reduces the need for car-based transportation.
- Its design, with opening south-facing door and windows and lack of windows to the north, enables passive solar heating/cooling.
- Its small size means considerable savings in terms of initial construction and continuing maintenance.
- The use of high quality, natural and reliable materials will reduce overall energy consumption.

GARDEN SWITE PROPOSAL FOR 324 CHESTER AVENUE

DREWH HOLDINGS LOTO DREWH BY LAUREL HODGINS SHEET 4 OF 5 DEC_ 12 2014

REY MARCH. 23 /15



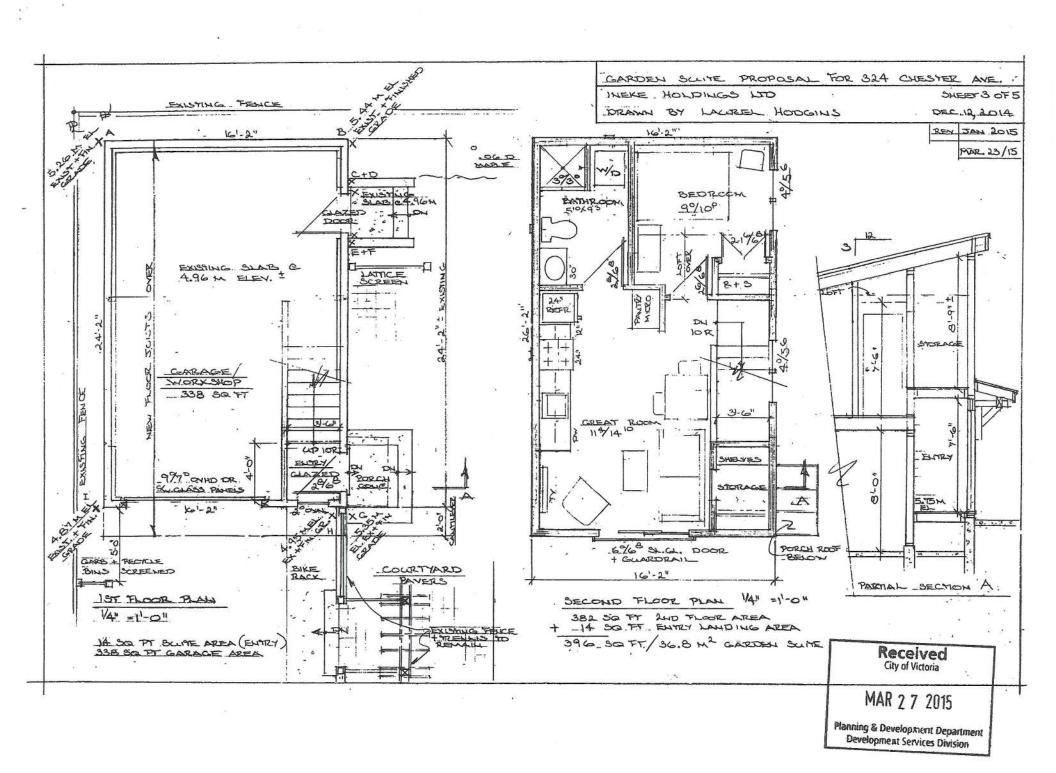
-FACING MEKENZIE ST.

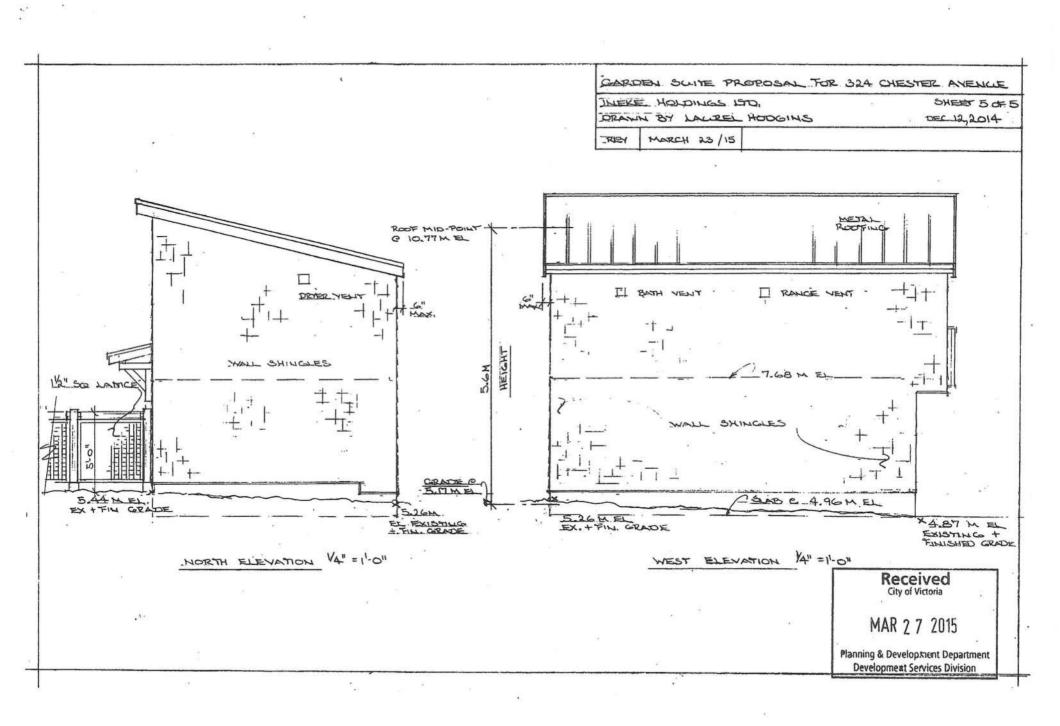
EAST GARDEN ELEVATION 14"=1-0"

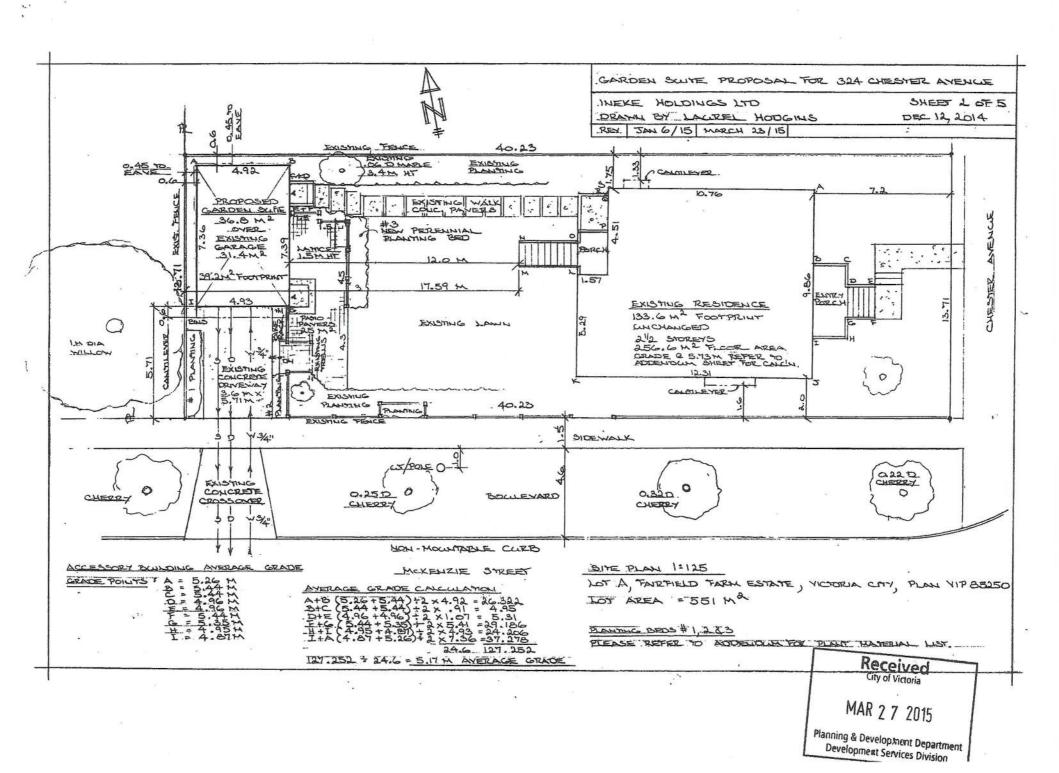
Received City of Victoria

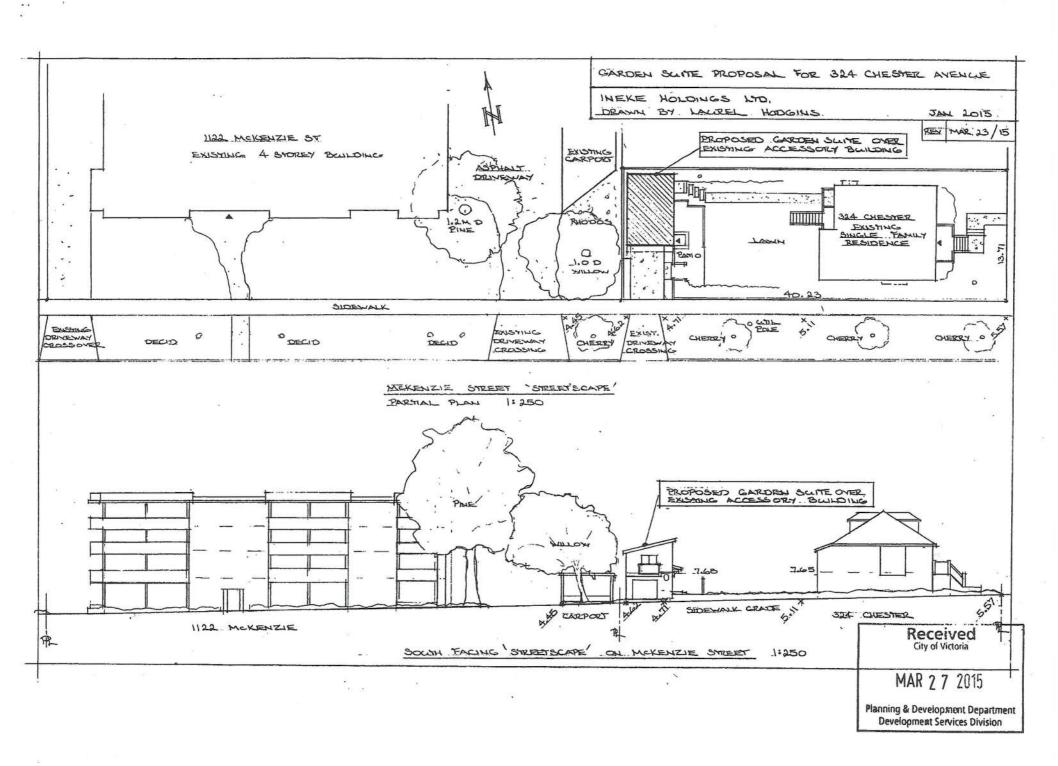
MAR 2 7 2015

Planning & Development Department Development Services Division









324 Chester Avenue Garage/garden suite Landscape Plantings

Planting Area #1 Ornamental grasses (Karl Foerster)

Planting Area #2 Ornamental grasses (Karl Foerster)

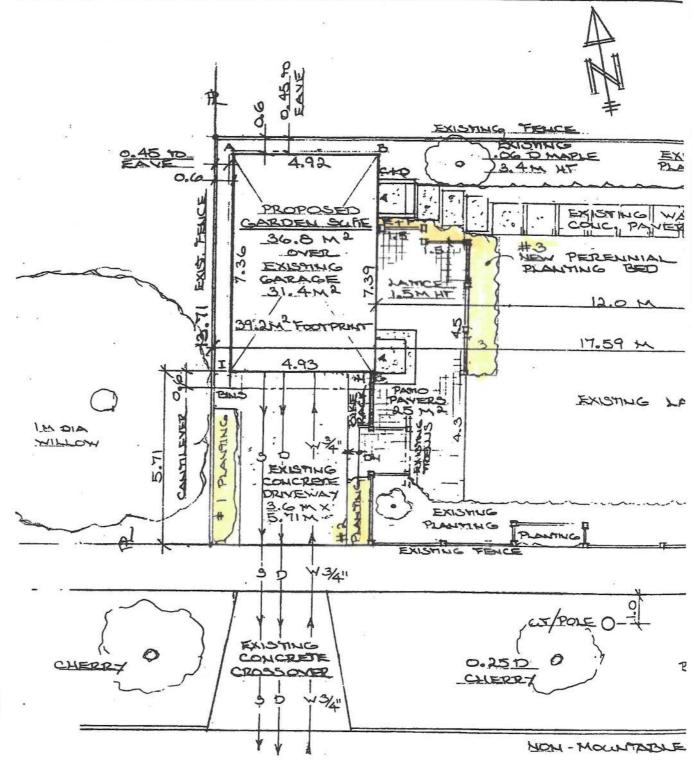
NOTE: above plant choice the same as established plantings on street side of exterior fencing.

Planting Area #3

Hedge of blueberry bushes in wider east bed. Japanese spurge in narrow

north bed.

Received City of Victoria MAR 2 7 2015 Planning & Develop Sient Department IDEAE REPORT Services Division



LOT A FAIRFIELD FARM ESTATE, VICTORIA CITY, PLAN YIP 85250 551 M2 LOT AREA - CORNER LOT "PLUS SITE"

GARDEN SCHIE PROPOSAL FOR SLA CHESTER AVENUE

MEKE HOLDINGS LTD.

SHEET 1 OF 5

DRAWN BY LAUREL HODGINS

DEC 18, 2014

REY JAN 6/15 MARCH 23/15

GARDEN SLITE POLICY REQUIREMENTS

	REQUIRED	EXISTING	PROPOSED
Existing Land use.	SINGLE FAMILY DWELLING	SINGLE FOUNTY DUELLING	- SINGLE FAMILY DWELLING
EXISTING ZOUING	RI-B SINGLE FAMILY	RI-B- SINGLE FAMILY DWELLING	SDE SPECIFIC- TO THE DETERMINED
LOCATION	REAR YARD		GARDEN SWITE IN REAR YAR
HEIGHT (MAXIMUM)	3.5 M OR	_2.75.M	5.6 M
SETBACKS (MINIMUM)	O.GM FROM ALL LOT LINES J. 4M FROM EXISTING DYELLING	0.6 M 12.0 M	0.6K
CORNER LOT BETBACK ON FLANKING STREET	7.5 M SETERCY OF PRIMARY STRUCTURE ON ADSACENT PROPERTY.	5.71.M SETBACK OF ACCESSORY BUILDING.	-5.71 M
REAR YARD SITE	25 % max	15. %	16.4 %
TOTAL SITE COVERAGE	40 & max	30.8%	31.4 %
MAXIMUM POTAL PLOOR AREA -GARDEN SCHIE	37 M2		36.8 M2
BUILDING CODE	ALL BC BUILDING, PRESIDENTIAL CODE RECULATIONS FOR RESIDENTIAL USES		AL BC BUILDING CODE REGULATIONS WILL BE ME
-			
Access	I'M WIDE MIN. PATHFROM PUDLIC STREET TO GARDEN SCHIE ENTRANCE	,	1.2 M WIDE PORCH, STEPS TO PATH WILL.
BOOKTOP PATIOS	PROHIBITED		NO ROOFTON PASIO
Parking	1 PARKING STALL FOIL. PRIMARY DWELLING	I PARKING STALL	1 PARKING STALL
· .		1 12 1	
SERVICING	SERVICES 90 REAR YARD		SERVICES WILL BE

EXIDANO SOME	RIB
PROPOSED ZONE	SPECIFIC
SITE AREA	551 M2
TOTAL FLOOR ARE	
RESTORNCE	256.6M
GARDEN SLIVE	36.8M
GARAGE AREA	31.4 m2
COMMERCIAL AREA .	H/A
FLOOR SPACE RATIO	A/H C
SITE COYFRAGE	31.4.20
OPEN SITE SPACE	64%
HEIGHT RESIDENCE	
ACCESSORY BULDING	5.6M
BUMBER OF STOREYS RESIDENCE 2/2 BECESSORY BUILDIN	
PARKING STALLS	1
BICYCLE PARKING	I RACK /2
CARDEN SUITE SE	ETBACKS
PROUT / EAST	35.0 M
REAR / WEST	0.6M
SIDE / NORTH	0.6M
SIDE/ SOUTH	5.71 M
RESIDENTIAL CLS NUMBER OF CHITS LEXISTING SINGL RESIDENCE I PROPOSED GAR I BEDRY, GROUND	e family Deu Suige
TOTAL CONTRACTOR	

Received City of Victoria

MAR 2 7 2015

Planning & Development Department Development Services Division GARDEN SUITE PROPOSAL 324 CHESTER AVE
HIEKE HOLDINGS LTD.
ADDENDUM TO SHEET 2 OF 5 MARCH 2015

GRADE POINTS FROM SITE PLAN

SHEET 2 OF 5

A = 6.1 M

B= 6.04M

C= 6,0 M

D= 6.0 M

E= 5.94 M

F = 5,94W

G= 5,94M

H = 5,86 W

 $I = 5.86 \, \text{M}$

J = 5,81 M

K = 5,43 M

L= 5,52M

M= 5,5 M

N = 5,5M.

0= 5.52M

P = 5,26M

Q= 5,26M

R = 5.77 M

S= 5.77 M

OO GRADE

EXISTING RESIDENCE AVERAGE GRADE CALCULATION!

 $A + B (6.1 + 6.04) + 2 \times 3.89 = 23.61$

B+C (6.04+6.0)+2 x 1.83 = 11.02

C+D (6.0+6.0)+2 × 1.07 = 6.42

D+E (6.0+5.94)+2 x 1.5 = 8.96

 $E+F(5.94+5.94)+2\times1.83=10.87$

F+6 (5,94+5,94)+2x 1.5 = 8,91

 $G+H(5,94+5.86)+2\times1.07=6.31$

H+I (5.86+5.86) $+2 \times 1.83 = 10.72$

I+5 (5.86+5.81)+2 x 2.01 = 11.73

J+K (5.81 + 5.43) +2 x 12.31 = 69.18

K+L (5.43+5.52) +2 x 5.7 = 31.21

L+M (5.52+5.5) +2 x 3.09 = 17.03

M+N (5.5+5.5) + 2 x 1.3 = 7.15

1+0 (5.5+5.52) +2 x 3.09 = 17.03

0+P (5,52+5,26) +2 x 1.57 = 8.46

P+Q (5,26+5,26)+2 x 1.8 = 9.47

 $R+S(5.77+5.77)+2 \times .3 = 1.73$

S+A (5.77 + 6.1)+2 x 10.76 = 63.86

56.45

323.67

Received
City of Victoria

323.67 : 56.45 = 5.73 M EL

MAR 2 7 2015

Planning & Development Department Development Services Division