

MOTIONS

1. **To Set Public Hearings for the Council Meeting of Thursday, July 9, 2015 for:**

It was moved by Councillor Madoff, seconded by Councillor Loveday, that the following Public Hearings be held in Council Chambers, City Hall, on **THURSDAY, JULY 9, 2015, at 7:00 p.m.:**

5. Development Permit with Variances Application No. 000422 for 1143 Grant Street

Carried Unanimously

REPORTS OF THE COMMITTEES

2. Planning and Land Use Committee – June 11, 2015

1. Development Permit with Variances Application No. 000422 for 1143 Grant Street

It was moved by Councillor Alto, seconded by Councillor Loveday, that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000422 for 1143 Grant Street, in accordance with:

1. Plans date stamped May 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Part 1.86, Section 4(b): Reduce the rear yard setback from 8m to 6.25m.
3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

3.2 Development Permit with Variances Application No. 000422 for 1143 Grant Street

Committee received a report regarding a development permit with variances for 1143 Grant Street. The proposal is to construct a deck and install glass doors on the rear side of the existing small lot house.

Action: It was moved by Councillor Alto, seconded by Councillor Madoff, that Committee recommends that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000422 for 1143 Grant Street, in accordance with:

1. Plans date stamped May 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Part 1.86, Section 4(b): Reduce the rear yard setback from 8m to 6.25m.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 15/PLUC/128



Planning and Land Use Committee Report

For the Meeting of June 11, 2015

To: Planning and Land Use Committee **Date:** May 28, 2015

From: Leanne Taylor, Planner, Development Services Division

Subject: Development Permit with Variances Application No. 000422 for 1143 Grant Street.

RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000422 for 1143 Grant Street, in accordance with:

1. Plans date stamped May 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Part 1.86, Section 4(b): Reduce the rear yard setback from 8m to 6.25m.
3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Sections 920 (8), where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, siting, form, exterior design and finish of buildings and other structures.

In accordance with Section 922 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 Permit Application for the property located at 1143 Grant Street. The proposal is to construct a deck and install glass doors on the rear side of the existing small lot house. The variance is related to the rear yard setback.

The following points were considered in assessing this Application:

- The proposal is consistent with the objectives for sensitive infill Development Permit Area 15A: Intensive Residential – Small Lot of the *Official Community Plan, 2012 (OCP)*.
- The construction of a deck is consistent with the *Design Guidelines for Small Lot House (2002)*.
- The proposed rear yard setback variance would not adversely affect the privacy, sunlight or views of the adjacent properties.

BACKGROUND

Description of Proposal

The proposal is to construct a deck and install glass doors on the rear side of the existing small lot house. Specific details include:

- the size of the deck would be approximately 11.2m² and located slightly above the existing grade
- an existing window on the ground floor of the rear elevation would be replaced with doors for access to the deck.

The proposed variance is related to reducing the rear yard setback.

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.

Existing Site Development and Development Potential

The subject property is currently in the R1-S22, Grant Small Lot District, Zone, and is occupied by a single family dwelling. There is a reciprocal access easement registered on title for shared-driveway access with the adjoining property located at 1141 Grant Street.

Data Table

The following data table compares the proposal with the existing R1-S22 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R1-S22 Zone
Site area (m ²) - minimum	217	215
Density (Floor Space Ratio) - maximum	0.6:1	0.6:1
Total floor area (m ²) - maximum	128.95	190.00
Lot width (m) - minimum	7.90	7.90
Height (m) - maximum	6.98	7.50
Storeys - maximum	2	2
Site coverage % - maximum	35.80	40
Setbacks (m) - minimum		
Front	4.11	4.00
Rear	6.25*	8.00
Side	1.52	1.50
Side	1.52	1.50
Parking - minimum	1	1

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 12, 2015, the Application was referred for a 30-day comment period to the Fernwood Community Association CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

Development Permit Area and Design Guidelines

The OCP identifies this property within Development Permit Area 15A: Intensive Residential – Small Lot. The proposal to construct a deck and install glass doors on the rear side of the existing small lot house is consistent with the *Design Guidelines for Small Lot House (2002)*.

The proposed deck would replace an existing concrete pad. It would be oriented to face away from neighbouring yards to respect the privacy of the adjacent neighbours. There is an existing fence along the eastern property line that would provide additional screening.

The existing window on the ground floor of the rear elevation would be replaced with glass doors for access to the deck. This minor design change does not alter the overall design or character of the building.

Regulatory Considerations

Rear Yard Setback Variance

The applicant is proposing to reduce the rear yard setback from 8m to 6.25m in order to construct a deck. Constructing a deck in the rear yard would enhance the private outdoor space and add value to the house. A reduction in the rear yard setback would not alter the established patterns of the existing structures, privacy, access to sunlight or views of adjacent properties.

CONCLUSIONS

The proposal to construct a deck and install glass doors on the rear side of the existing small lot house is consistent with the *Design Guidelines for Small Lot House (2002)*. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 000422 for the property located at 1143 Grant Street.

Respectfully submitted,



Leanne Taylor, Planner
Development Services Division
Sustainable Planning and
Community Development




Alison Meyer, Assistant Director
Development Services Division
Sustainable Planning and
Community Development



Andrea Hudson
Acting Director
Sustainable Planning
and Community
Development

Report accepted and recommended by the City Manager:


Jason Johnson

Date:



LT:aw

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List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council
- Plans dated May 4, 2015.

COOK ST

NORTH PARK ST

GRANT ST

BALMORAL RD

MASON ST

1811
1803

1116

1118

1122

1126

1130

1134/36

1142

1148

1158

1162/64

1729
to 33
1105
1107

1725

1115

1119

1123

1129

1133

1137

1141

1145

1147

1159

1163

1800

1711

1106

1117

1112

1114

1118

1137

1126

1128

1136

1141

1142

1143

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1133

1139

1145

1149

1157

1159

1161

1165

1169

1171

1607

1605

1634

1128.2

REBECCA ST

1132

1146.1a

1154

1156

1158

1628

1624



1143 Grant Street
Development Permit #000422





Mayor and Council,

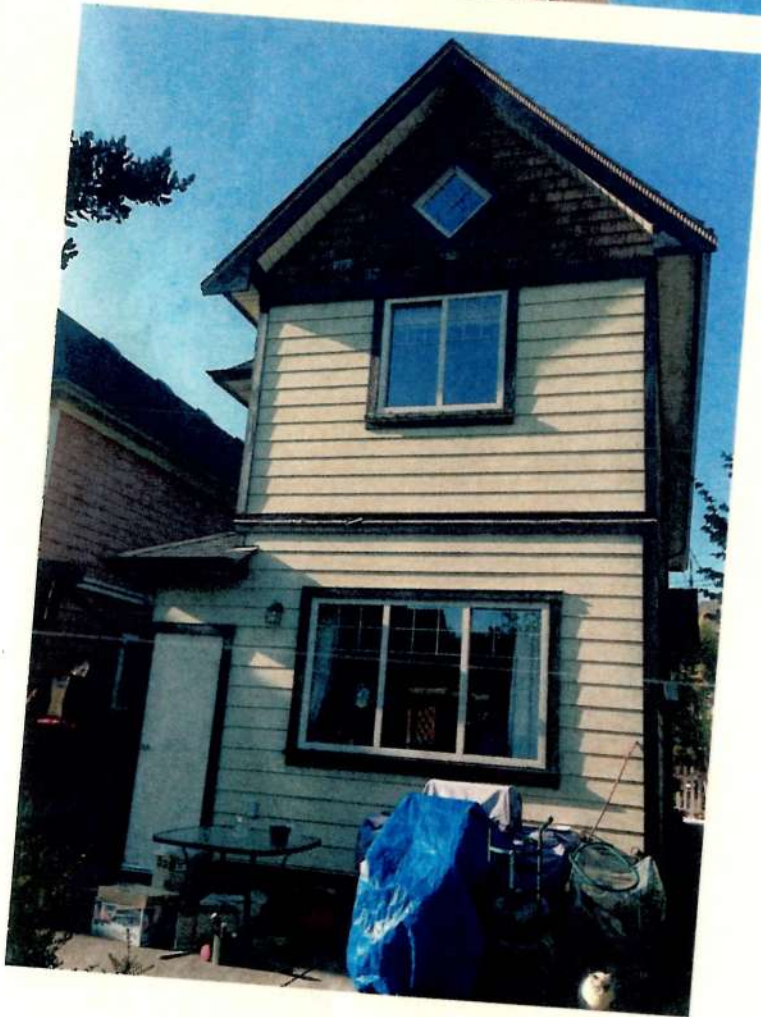
We are asking for a permit to allow us to construct a small wooden deck at the rear of our house. We want to install French doors in our kitchen so that we have walkout access to our patio and back yard. Currently we have to enter our back yard from the side entrance of our house to get to our patio which is challenging if we plan to BBQ outside and need to pass items through our window. In creating this wooden deck, we still allow for lots of green space for flowers, grass and a vegetable garden between our deck and back fence. No trees or vegetation will be removed to construct the deck

Although the drawings show a roof with posts, we have decided not to build a roof.

Thank you kindly,
Jennifer

Jennifer Di Fabio
1143 Grant Street
Victoria, BC V8T 1B8





not included in application
MAY 5, 2015
p. 62

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