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TOWN OF SIDNEY

Report to Council

TO: Mayor and Council
FROM: Kevin Webber, Planning Technician
DATE: December 3, 2020 Folder: 10194 Third St (Land)
SUBJECT: Development Variance Permit Application No. DV100298
 10194 Third Street

PURPOSE:

The purpose of this report is to address **Development Variance Permit Application No. DV100298** for the property located at 10194 Third Street. (*see aerial photo of subject property in Appendix A*).

OVERVIEW OF DEVELOPMENT PROPOSAL:

The applicant is proposing to renovate and construct an addition to an existing single-family dwelling on the subject property (*see Drawing Set V2 in Appendix C*). Specifically, the applicant is proposing the following alterations:

- Two bay windows with dormers are to be added to the east façade of the second storey;
- A covered entranceway is to be added to the east façade;
- An existing attached carport and storage room, as well as a detached accessory building (shed) on the west side of the property are to be removed;
- A two storey addition is to be attached to the west façade of the dwelling which would accommodate a new foyer, office, double-car garage and covered entranceway on the first storey, as well as a larger master bedroom and kitchen, a second office, ensuite bathroom, family room and sundeck on the second storey;
- A new roof is to be built with a steeper pitch;
- New cladding and trim to added to all façades; and
- A new driveway is to be constructed.

The proposed first and second storey lot coverage exceeds the maximum permitted lot coverage, and a portion of the second storey addition accommodating the larger master bedroom is proposed to be built closer to the side exterior lot line than the required minimum side exterior setback established by Zoning Bylaw No. 2015, therefore a Development Variance Permit is required.

The details of the requested variances are as follows:

Zoning Bylaw No. 2015	Required	Proposed
Section 5.2.1 & Section 5.2.4.b: Maximum Permitted Lot Coverage	35% on first storey, 30% on second storey	35.8% on first storey, 30.6% on second storey
Section 5.2.2: Minimum Side Exterior Setback	3.0 m	1.98 m

OFFICIAL COMMUNITY PLAN BYLAW 1920:

The subject property is designated as Neighbourhood Residential (RES-1) in the Town of Sidney Official Community Plan (OCP). Staff are of the opinion that the proposed development generally conforms to the objectives and policies in the OCP.

ZONING BYLAW 2015:

The subject property is zoned Single- and Two-Family Residential (R2), the intent of which is to provide for a mixture of low-density single-family housing with the potential for a secondary suite or two-family housing.

Staff have reviewed the proposal and determined that it is in full conformance with the Zoning Bylaw, with the exception of the requested variances.

Table 2: Zoning Comparison

Regulations	Permitted in the R2 Zone	Proposed Development (Both lots)	Conformity
Permitted Uses	Single-Family Dwelling	Single-Family Dwelling	Conforms
Lot Area	Min: 500 m ²	465.04 m ²	Exempt from conforming by Section 5.2.4.a. of the Zoning Bylaw
Lot Coverage	35% on first storey, 30% on second storey	35.8% on first storey, 30.6% on second storey	Variance Required
Height	Max. 9 m with roof pitch greater than 3:12	7.67 m	Conforms
Storeys	Max. 2.5	2.0	Conforms
Setbacks:			
Front (east)	Min. 7.5 m	7.76 m	Conforms
Rear (west)	Min. 5.5 m	5.50 m	Conforms
Side Interior (south)	Min. 1.5 m	1.99 m	Conforms
Side Exterior (north)	Min. 3.0 m	1.98 m	Variance Required

OFF-STREET PARKING AND LOADING BYLAW NO. 2140

The proposed single-family dwelling meets the requirements of the Off-Street Parking and Loading Bylaw by providing the required one parking space per dwelling unit within the garage, plus a second parking space within the garage and room for additional parking in the driveway.

DISCUSSION:

Staff have provided a recommendation to not support the request to increase the maximum permitted lot coverage at the first and second storey levels for the following reasons:

- Staff are of the opinion that there is no extenuating circumstance present which merits a relaxation from the required maximum permitted lot coverage, and that supporting variances to Town bylaws without a strong rationale, regardless of the magnitude of the request, diminishes the significance of the bylaws and what they strive to achieve.
- The majority of the single-family dwellings in the surrounding neighbourhood are situated on lots that are of a similar size to the subject property but contain smaller homes, which has helped established the scale and character of the neighbourhood. Staff are of the opinion that permitting a larger home to be built on a lot in this neighbourhood, especially in light of the existing reduced side exterior setback of the dwelling, would create massing that is uncharacteristic of the neighbourhood.

Staff support the variance request to reduce the required side exterior setback to accommodate a second storey addition for the following reasons:

- The existing single-family dwelling on the subject property has a side exterior setback of 1.98 m, 1.02 m less than the 3.0 m minimum side exterior setback required by the Zoning Bylaw.

DISCUSSION (cont.)

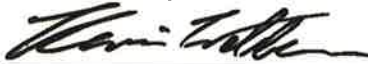
While the existing portion of the dwelling that projects into the required setback area does not require a variance as it is considered legal non-conforming under the *Local Government Act*, the applicant is proposing to expand the second storey master bedroom westward, thereby increasing the contravention to the Zoning Bylaw. Subsequently, a variance would be required for the additional gross floor area proposed to be situated within the required setback area. Staff are of the opinion that as the non-conforming setback is existing and the applicant is striving to utilize as much of the existing residence’s structure and floor plan as possible, the variance could be supported.

- Town staff support the adaptive reuse of existing housing stock, which increases the sustainability of redevelopment.

STAFF RECOMMENDATION:

1. That the applicant submit a redesigned proposal that meets the maximum lot coverage requirements listed within Sections 5.2.1. and 5.2.4.b. of the Zoning Bylaw; and
2. That once the redesigned proposal has been received and if a contravention of the required minimum side exterior setback is still proposed, that owners and tenants in occupation of property within 75 metres (246 feet) of 10194 Third Street be notified regarding Development Variance Application No. DV100298 (to vary the required minimum side exterior setback) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance.

Respectfully submitted,



Kevin Webber
Planning Technician

I concur,



Alison Verhagen, MCIP RPP
Senior Manager, Current
Planning

I concur,



Randy Humble, MCIP RPP
Chief Administrative Officer

Attachments:

- Appendix A: Aerial photo of subject property
- Appendix B: Letter of Rationale
- Appendix C: Drawing Set V2

Presenter: Art Finlayson – Principal Architect, Finlayson Bonet Architecture

Appendix A: 2019 aerial photo of the subject property (10194 Third Street), showing the OCP (red) and zoning (white) designations. The subject property is outlined in blue.



November 18, 2020

**Alison Verhagen MCIP RPP
Senior Manager, Current Planning
Town Of Sidney
2440 Sidney Ave
Sidney, BC V8L 1Y7**

Re: Variance Application

Dear Alison,

When we purchased the property at 10194 Third Street in 2018, we were charmed by the beautiful and quiet neighborhood and its proximity to services and schools. We are surrounded by lovely neighbors whose homes are mostly new(ish) and/or have been renovated in the past decade. In fact our property is the only one in the immediate vicinity which is still mostly original to its 1973 design and construction.

Normally this would have made this property unsuitable for us, however it possessed one key feature which we felt made it worth seriously considering. This feature was the fact that the house sat on a corner with two street frontages. As someone who prefers garage access to be at the side or the back of the house, it seemed an ideal property to purchase with a view to renovating it. To that end we enlisted the services of Art Finlayson and his team to help us develop a plan to refresh this property in a way that would meet or exceed the standards of the surrounding neighborhood.

One of our key issues in this plan was to utilize the existing structure. The idea of tearing down the original house and hauling into landfill is abhorrent to us. In spite of its age and outdated design, it is structurally robust and built of materials whose quality is hardly even available today. The goal for us is to bring the existing building up to modern codes, standards and architectural design. We really wanted to convert the property to a west coast craftsman design while adding a garage and some additional square footage. The drawings you are now reviewing is the culmination of that effort.

What we have learned is that the greatest challenge to utilizing the existing structure is to mitigate the structural and dimensional limitations and still keep it within the lot coverage limits. This would be easy with a new build, but much more complex with this type of renovation. Most of the challenge lies with interior storage in the house. The original house is already woefully lacking storage space and even with the expansion, it is very hard to reorganize the layout to meet this challenge. In particular we are deeply concerned about storage in the garage.

Given that we will be required to remove the existing outbuildings including the shed, we will be left with very limited storage space in the garage if we are required to meet the 35% lot coverage. In the end it comes down to two feet at the south end of the garage. This will allow us to include built-in cabinets in the garage which will solve this storage problem. To this end, we are formally requesting that the Town of Sidney grant us a variance to increase our lot coverage to 35.8% to facilitate this design. We are confident that this increase will not negatively impact any of our neighbors nor impinge on their properties or rights-of-way.

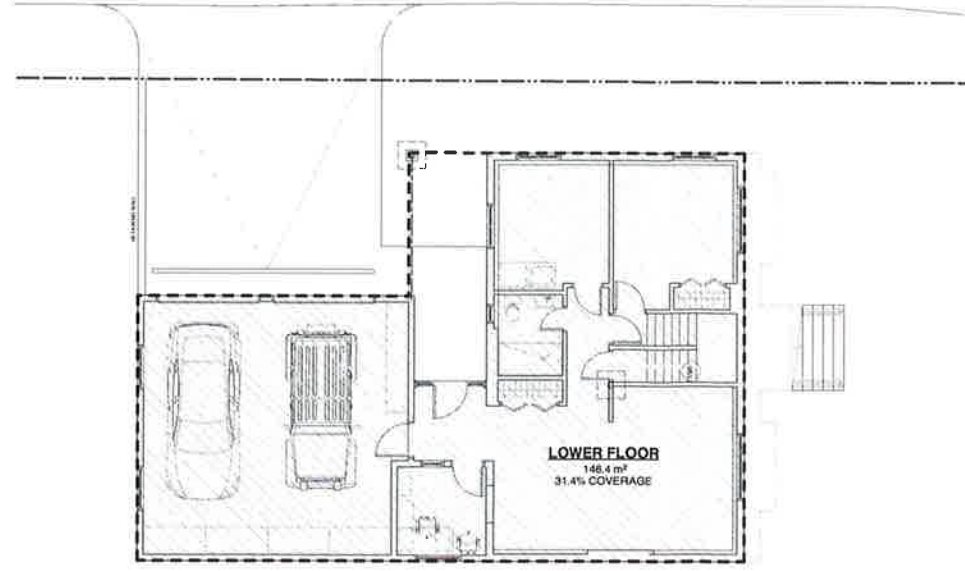
Once this renovation is complete, we anticipate that the new house will dramatically sweeten the corner of Third and Amelia and bring a marquee home to this area. Furthermore, it will add gentle nighttime light to this otherwise very dark corner and overall improvement in both property values and general attractiveness of the area.

I look forward to your consideration of our request and hope to make a meaningful investment in our town and neighborhood.

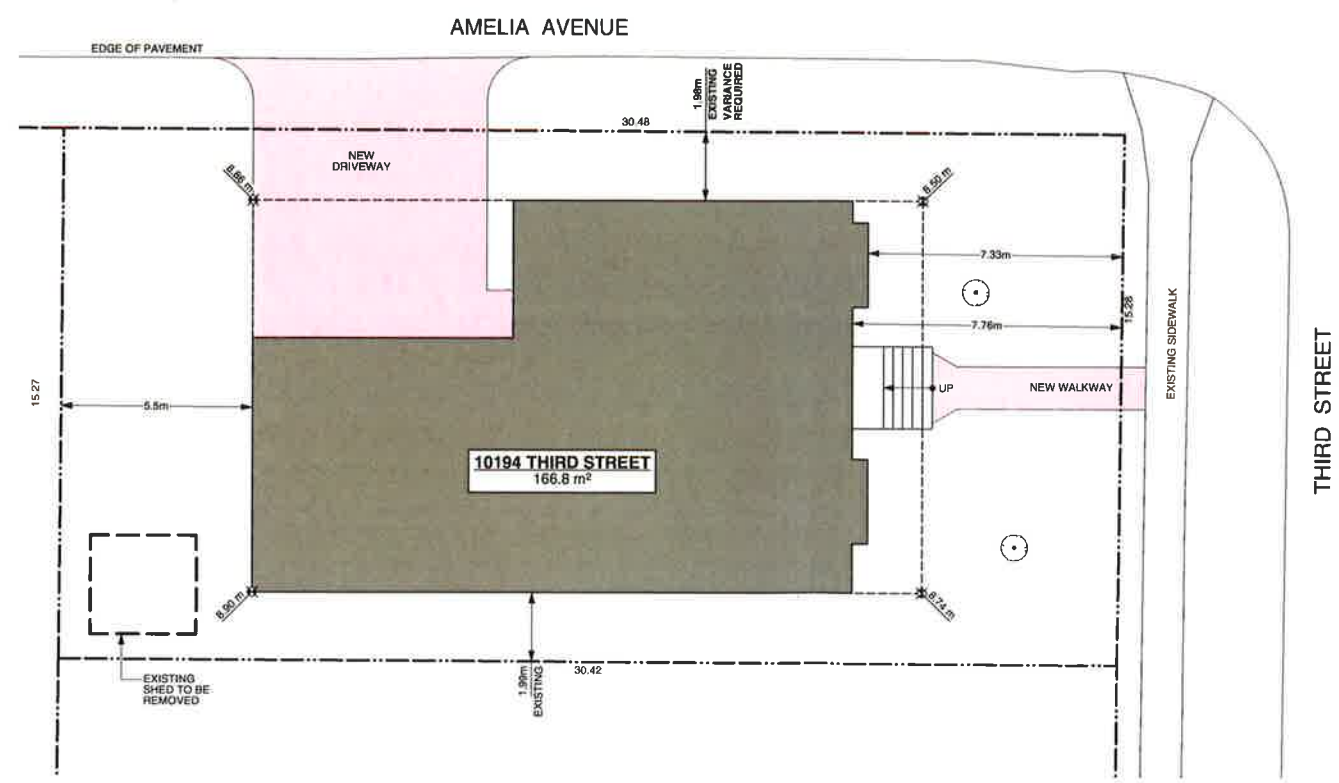
David & Anne-Marie Beckham



3 UPPER FLOOR PLAN
SCALE: 1/8" = 1'-0"



2 LOWER FLOOR PLAN
SCALE: 1/8" = 1'-0"



1 SITE PLAN
SCALE: 1:100

DRAWING LIST	
A1.00	SITE PLAN & PROJECT DATA
A2.00	FLOOR PLANS
A3.00	SOUTH & EAST ELEVATIONS
A4.00	NORTH & WEST ELEVATIONS

GENERAL NOTES	
1.	ALL WORK TO CONFORM TO 2018 BRITISH COLUMBIA BUILDING CODE AND ALL OTHER APPLICABLE CODES, BYLAWS AND STANDARDS.
2.	ALL DIMENSIONS ARE IN IMPERIAL (FEET & INCHES).
3.	DO NOT SCALE FROM DRAWINGS!

PROJECT DATA	
LEGAL DESCRIPTION: LOT 4, BLOCK E, SECTION 13, RANGE 4 EAST, NORTH SAANICH DISTRICT, PLAN 1197A, P.I.D. 000-486-022	
LOT SIZE: 0.04 HECTARES / 0.11 ACRES / 465.04 m²	
ZONING: R2	
BUILDING AREA: 166.8 m²	
GROSS FLOOR AREA:	
• LOWER FLOOR: 146.4 m²	
• UPPER FLOOR: 142.3 m²	
• TOTAL: 288.7 m²	
LOT COVERAGE:	
• LOWER FLOOR: 31.4%	
• UPPER FLOOR: 30.5%	
• OVERALL: 35.8% VARIANCE REQUIRED	
FLOOR AREA RATIO: 0.62	
SETBACKS:	
• FRONT YARD - EAST: 7.76 m	
• REAR YARD - WEST: 5.50 m	
• INTERIOR SIDE YARD - SOUTH: 1.00 m	
• EXTERIOR SIDE YARD - NORTH: 1.00 m VARIANCE REQUIRED	
AVERAGE NATURAL GRADE: 8.76 m	
AVERAGE FINISHED GRADE: 8.75 m	
BUILDING HEIGHT: 7.67 m	

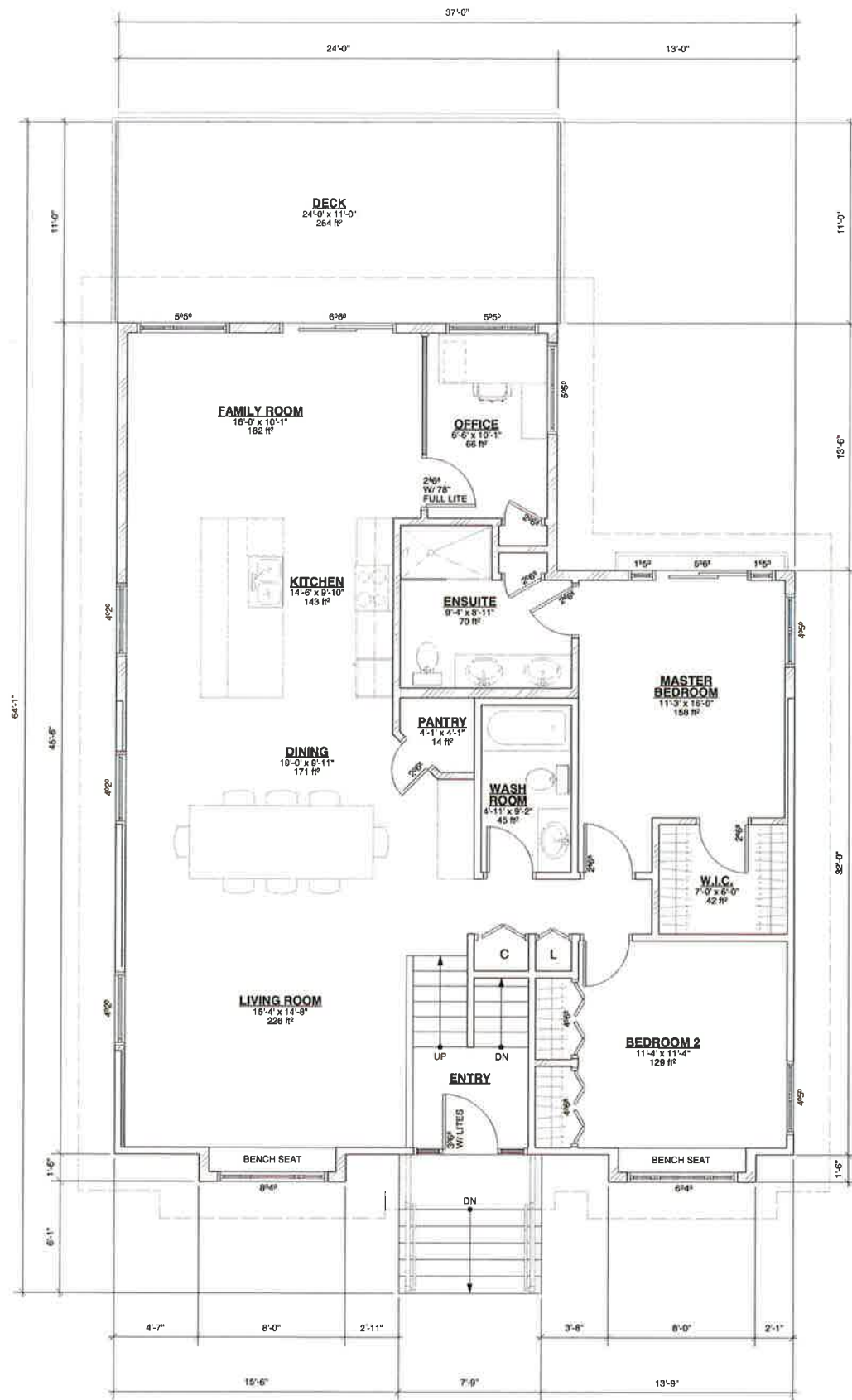
FINLAYSON BONET ARCHITECTURE LTD.
 #4 - 7855 East Saanich Rd., Saanichton V8M 2B4
 Phone: 250-658-2224
 Fax: 250-658-2279
 email: info@finlaysonbonet.ca

Rev	Date	Description
17Nov20		Development Variance Permit
Checked	AJF	
Drawn	RJC	
Scale	AS NOTED	

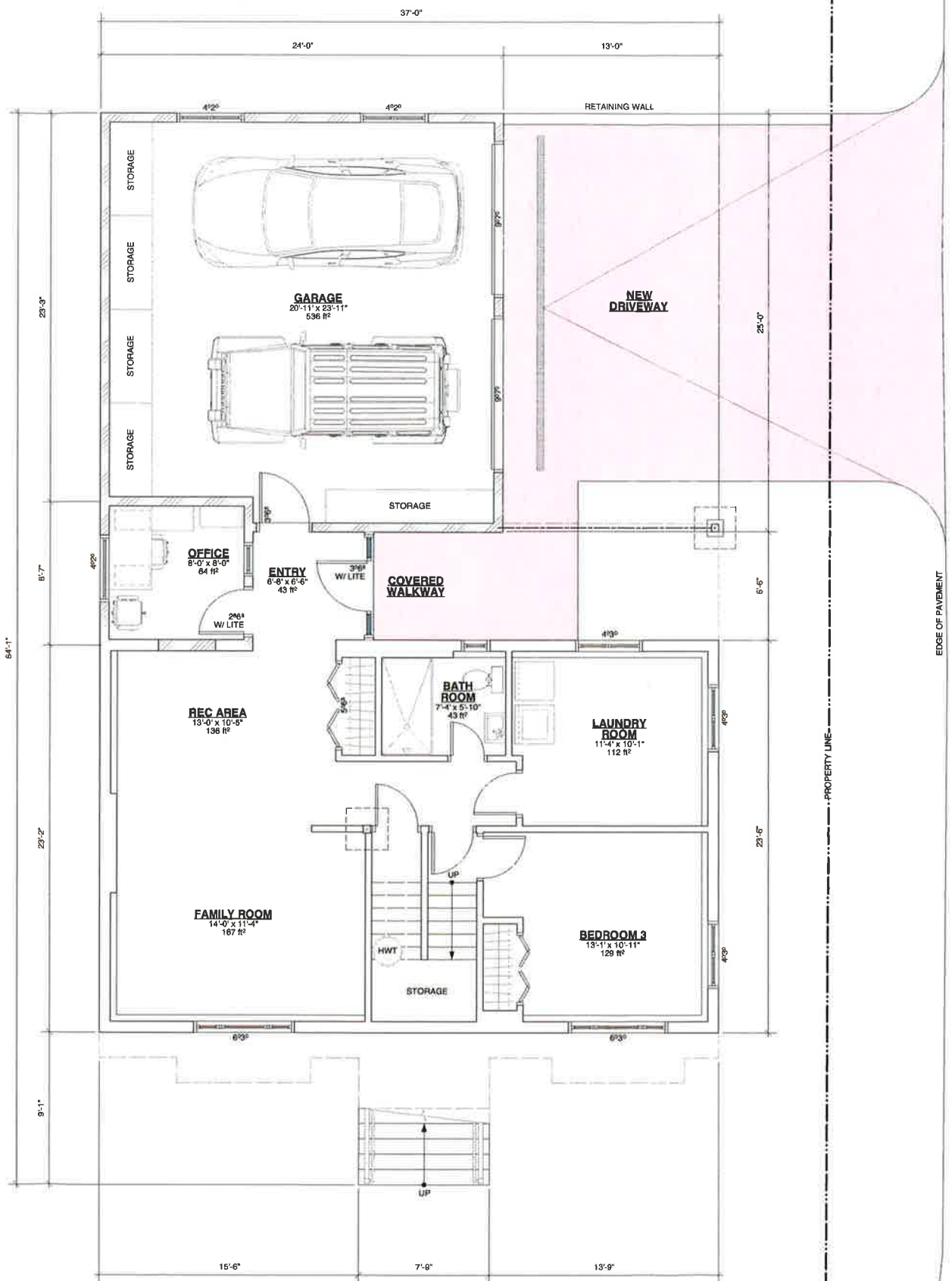
Project Name
BECKHAM RENOVATION
 10194 THIRD STREET, SIDNEY, BC V8L 5B8

Project No.
A1.00

Project No.
 20385



2
A2.00 UPPER FLOOR PLAN
SCALE: 1/4" = 1'-0"



1
A2.00 LOWER FLOOR PLAN
SCALE: 1/4" = 1'-0"



FINLAYSON BONE
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Project Name
BECKHAM RENOVATION
10184 THIRD STREET,
SIDNEY, BC V8L 3B8

Drawing Title
FLOOR PLANS

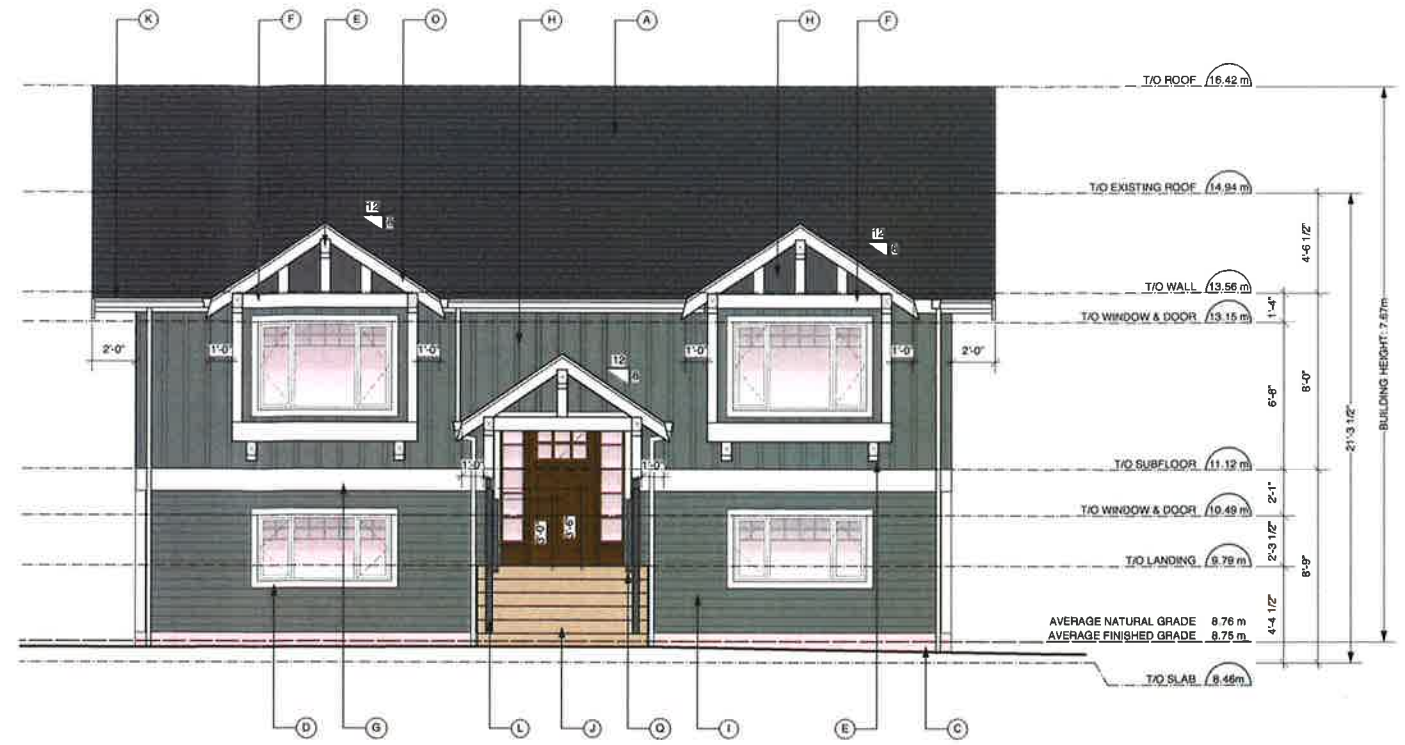
Drawing No. **A2.00**
Project No. **20385**

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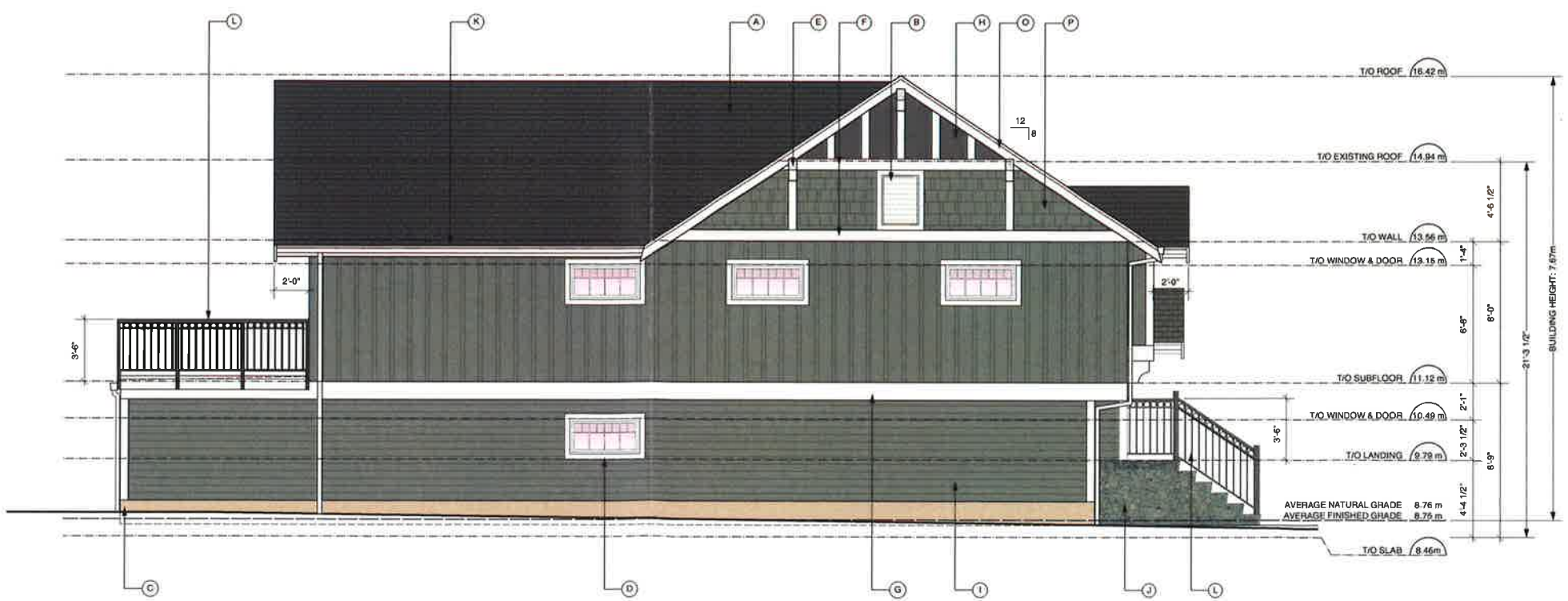
- MATERIALS LEGEND**
- A. FIBREGLASS SHINGLES.
 - B. GABLE VENT.
 - C. EXPOSED CONCRETE.
 - D. 3 1/2" DOOR, WINDOW & CORNER TRIM.
 - E. WOOD CORBEL.
 - F. 2x8 COMBED FACE SPRUCE BELLY BAND.
 - G. 2x10 COMBED FACE SPRUCE BELLY BAND.
 - H. FIBRE CEMENT BOARD AND BATTEN SIDING.
 - I. HORIZONTAL FIBRE CEMENT LAP SIDING.
 - J. CAST IN PLACE CONCRETE STAIRS WITH LEDGESTONE VENEER, UPSTAND TO HAVE CONCRETE OR NATURAL STONE CAP.
 - K. PREFINISHED ALUMINUM EAVESTROUGH WITH LEAF GUARD AND RAINWATER LEADER.
 - L. 42" HIGH PREFINISHED METAL GUARD IT 3/4" PICKETS WITH MIN 4" SPACING.
 - M. JULIET BALCONY - 42" HIGH PREFINISHED METAL GUARD IT 3/4" PICKETS WITH MIN 4" SPACING.
 - N. 4x4 KNEE BRACE.
 - O. 6" COMBED FACE SPRUCE BARGEBOARD.
 - P. CEDAR SHAKE CLADDING.
 - Q. 36" HIGH 1 1/2" Ø HANDRAIL.
 - R. 8x8 WOOD POST ON CONCRETE UPSTAND WITH LEDGESTONE VENEER AND CONCRETE OR NATURAL STONE CAP.

COLOUR PALETTE


- FIELD COLOUR: ASPHALT BENJAMIN MOORE OC-548
- ACCENT COLOUR: STORM BENJAMIN MOORE AF-700
- TRIM COLOUR: SNOW WHITE BENJAMIN MOORE OC-66
- STONE: ARBUTUS FIELDSTONE K2 STONE



2 EAST ELEVATION
SCALE: 1/4" = 1'-0"



1 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



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Project Name
BECKHAM RENOVATION
10194 THIRD STREET,
SIDNEY, BC V8L 3B8

Drawing Title
SOUTH & EAST ELEVATIONS

Drawing No.
A3.00

Project No.
20385

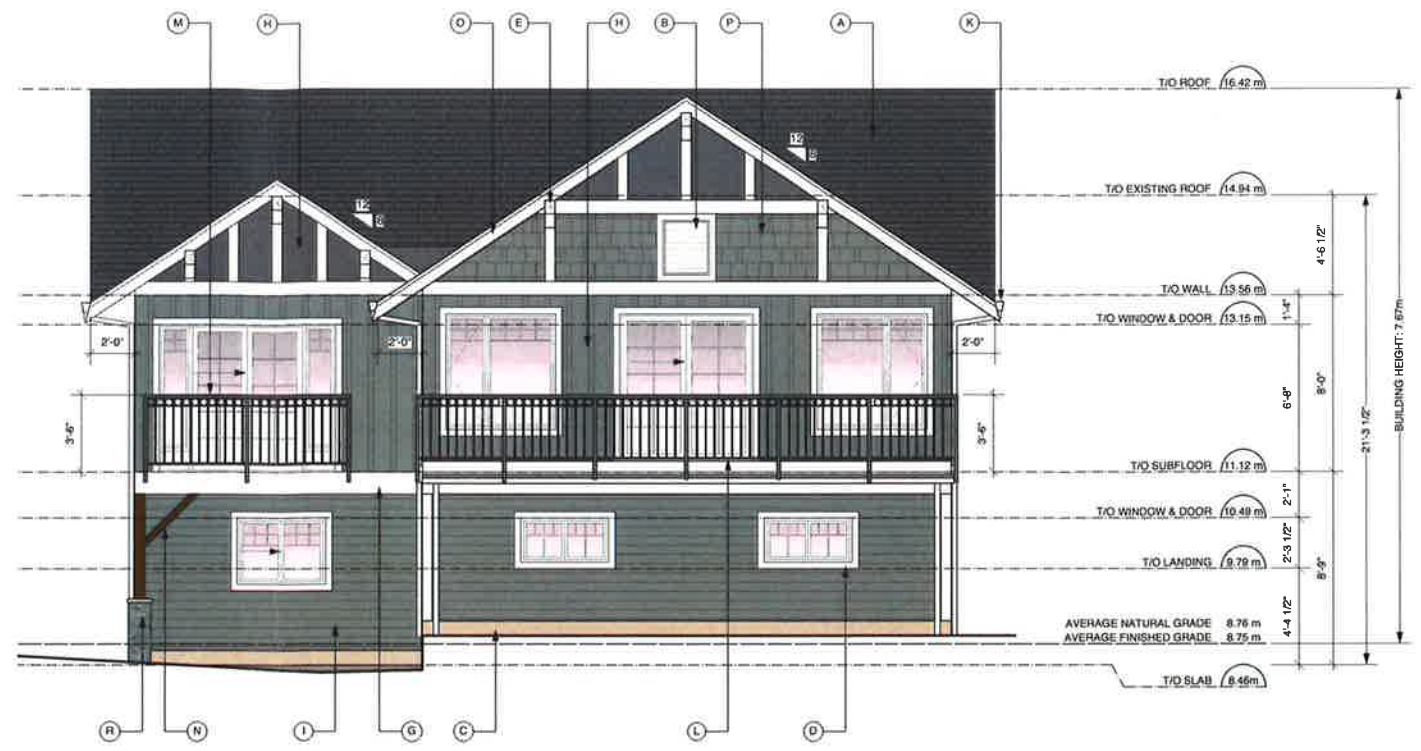
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COLOUR PALETTE


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- ACCENT COLOUR: STORM BENJAMIN MOORE AF-700
- TRIM COLOUR: SNOW WHITE BENJAMIN MOORE OC-86
- STONE: ARBUTUS FIELDSTONE K2 STONE



2 WEST ELEVATION
SCALE: 1/4" = 1'-0"



1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



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Drawn: R.J.C.
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BECKHAM RENOVATION
10184 THIRD STREET,
SIDNEY, BC V8L 3B8

Drawing Title:
NORTH & WEST ELEVATIONS

Drawing No.: **A4.00**
Project No.: 20385

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