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REPORT TO REGIONAL PARKS COMMITTEE MEETING OF WEDNESDAY, FEBRUARY 21, 2018

SUBJECT **Proposed Zoning Variance for Residential Development Adjacent to Gonzales Hill Regional Park**

ISSUE

The owners of 1980 Fairfield Place, in Victoria, have applied to the City of Victoria Board of Variance for relief from zoning requirements related to building height, setbacks and total floor area, for the construction of a home on this property adjacent to Gonzales Hill Regional Park.

BACKGROUND

Gonzales Hill Regional Park is 1.8 hectares, located on the boundary between Oak Bay and Victoria. The land was acquired by the Capital Regional District (CRD) from the Government of Canada in 1992. The park contains the Gonzales Hill Observatory, patches of Garry oak habitat, and trails that take visitors to rock bluffs overlooking Juan de Fuca Strait.

1980 Fairfield Place (PID 030302447) is adjacent to the northern boundary of Gonzales Hill Regional Park and is currently undeveloped (Attachment 1). The property was purchased by new owners in 2016. The new owners requested permission from the CRD to build a driveway to the property through part of the park. The CRD did not grant that permission in February 2017, due to potential impacts on the park and park users. Impacts were that the driveway would transit through a Garry oak meadow and that a parking space in the already small parking lot would have to be eliminated.

CURRENT STATUS

The City of Victoria zoning for the property (R1-G) allows the development of a single family dwelling and a garden suite. On January 22, 2018, the CRD received a referral from the City of Victoria Board of Variance (Attachment 2) giving notice of a hearing to be held on January 25 in respect of an application from the owners to:

- Increase the floor area of all floor levels combined from 300.00m² to 371.46m²
- Increase the height from 7.60m to 7.85m
- Increase the number of storeys from 1.5 to 2
- Reduce the rear yard setback from 14.03m to 8.07m
- Reduce the south side yard setback (the side nearest the park) from 3.93m to 2.40m

The CRD was invited to attend the City of Victoria Board of Variance hearing or to submit comments in writing. On January 25, 2018 staff wrote to the City of Victoria Board of Variance advising that the CRD had no comments on the requested variances.

In staff's opinion, the proposed variances would not result in adverse effects on the park when compared with the construction of a house as currently permitted by City of Victoria zoning bylaws. This conclusion is based on the following considerations:

- The proposed variances would not result in any direct encroachment onto CRD park land.
- The proposed variances would result in the house being located 1.53 metres closer to the park boundary (2.4 metres from the boundary) and being 0.25 metres higher than is currently permitted under existing zoning.
- The main focus for visitors to Gonzales Hill Regional Park is the view from the bluffs to the south over the ocean, rather than north towards the proposed house (Attachment 3). Public access northwards from the parking lot towards the property in question is discouraged.

The Board of Variance deferred a decision on the variance until its March 22 meeting to enable stakeholders additional time to submit comments.

CONCLUSION

The owners of 1980 Fairfield Place have applied to the City of Victoria Board of Variance for relief from zoning bylaws related to building height, setbacks and combined floor area for the construction of a home on the property, which is adjacent to Gonzales Hill Regional Park. The property is currently zoned to allow the construction of a home and a garden suite. Staff have reviewed the requested variances and concluded that they would not result in any encroachment on park land and would not result in adverse effects on park visitors when compared with the construction of a house on the property as currently allowed under the City of Victoria's zoning bylaws.

RECOMMENDATION

That the Regional Parks Committee recommend to the Capital Regional District Board:

That this report be received for information.

Submitted by:	Kim St. Claire, Acting Senior Manager, Regional Parks
Concurrence:	Larisa Hutcheson, P.Eng., General Manager, Parks & Environmental Services
Concurrence:	Robert Lapham, MCIP, RPP, Chief Administrative Officer

BH:km

Attachments: Attachment 1 – Map of Gonzales Hill Regional Park and Subject Property
Attachment 2 – Board of Variance Referral
Attachment 3 – Park Map