

MINUTES

DEVELOPMENT PROCESS REVIEW COMMITTEE

TUESDAY, 2013-MAY-28 AT 11:30 A.M.

BOARD ROOM, SERVICE & RESOURCE CENTRE, 411 DUNSMUIR STREET



PRESENT:

Committee Members:

Councillor Bill Bestwick, Chair

Councillor Bill McKay

Greg Constable, Island West Coast Developments

Byron Gallant, Canadian Home Builders' Assoc – CVI

Ian Niamath, Ian Niamath Architects (1:35 p.m.)

Maureen Pilcher, Maureen Pilcher & Assoc. (1:35 p.m.)

Rod Smith, Newcastle Engineering

Bob Wall, RW Wall Ltd.

Absent:

Councillor Jim Kipp

City Staff:

Ted Swabey, GM, Community Safety & Development

Andrew Tucker, Director of Planning

Dale Lindsay, Manager, Building Inspections

Holly Pirozzini, Administrative Assistant

Invited Guests:

Councillor George Anderson

1. CALL TO ORDER

The meeting was called to order at 11:30 a.m.

2. ADOPTION OF MINUTES

It was MOVED and SECONDED that the minutes of 2013-May-14 be adopted.

CARRIED

Ian Niamath and Maureen Pilcher arrived at the meeting.

3. Intensive Residential Guidelines

Ted Swabey advised that this matter is being reviewed because of a past issue brought to Council's attention respecting infill development in the Old City Neighbourhood and that Councillor Anderson has been invited to attend today's meeting to participate in this discussion. The neighbourhood was concerned about retention of the heritage value and did not want increased density (allowing duplexes) on corner lots in the Old City Neighbourhood area. He questioned whether there is merit for Council to review Form & Character Design Guidelines for this neighbourhood.

Councillor Anderson advised that Council received a delegation expressing concern about duplexes being allowed to be constructed on infill properties in the Old City Neighbourhood area.

Councillor Bestwick clarified that Council was asked to address Form & Character for infill development and then whether the lot will accommodate the proposed infill development.

Committee's comments:

- Form & Character guidelines apply to all infill development.
- Currently the character of the Old City Neighbourhood is not pure; some have heritage nature, but some areas are newer. May need to have a distinction on the lot, depending on where the lot is located in the area. Density and small scale development need to be accommodated in the core of the downtown.
- There appears to be no real borders for where the Old City Quarter ends.

It was MOVED and SECONDED that Council direct staff to undertake a review of the Design Guidelines in relation to the Intensive Residential Guidelines for single family lots as a way of encouraging infill development.

CARRIED

Councillor Anderson left the meeting.

4. Duplex to Fourplex Conversions

Dale Lindsay advised that on 2013-Feb-18, Council directed that the issue of illegal conversion of duplexes to fourplexes be referred to the Development Process Review Committee (DPRC) for consideration. He provided a ppt presentation (attached), which outlined the issues of equity, community expectations and life safety.

Staff's recommendation:

That the DPRC recommend that Council consider the creation of a new zone that permits secondary suites within duplexes and adopt the following policy:

- a) require existing and proposed duplexes that contain suites to comply with zoning or apply for rezoning;
- b) require existing suites (built prior to 2013-Jan-01) to be "authorized", including addressing life-safety issues, and the registration of a notice on title; and
- c) require suites in duplexes built on or after 2013-Jan-01 to be "legalized", including full compliance with the Building Code and Building Bylaw.

Committee's comments:

- Road standards are being impacted; need to make roads wider (20 m) to accommodate cars parking on roads when 6 spots are required for suites in a duplex.
- Cul de sacs are becoming a one-way street in areas where there are suites because cars are parking on both sides of the road.
- Neighbourhoods are being impacted by conversions because of increased traffic.
- Landscaping often needs to be removed to accommodate more parking spaces.
- Parking should not be allowed on the roads and signage should be posted on either side of the lot as notice not to park there.

- If signage is posted, then the City will need to enforce it.
- When extra parking is required and cannot be provided, the applicant then seeks a variance from Council.
- Encouraging density is being contradicted when the City requires more parking.
- In pocket areas where affordable housing is being provided by conversions, it may be appropriate to waive the requirement for additional parking.
- The parking regulations need to be strengthened.
- Amend c) to include full compliance with the Building Code, Building Bylaw **and Parking Bylaw**.

Staff's comments:

- A fourplex has separate cooking areas in each unit (a rooming house does not).
- A duplex with a suite cannot be stratified.
- The proposed recommendations will allow Council to address each duplex converted to a fourplex on an individual basis.
- The creation of a new zone means that a subset will be added to an existing zone for regulations where duplexes have had a suite added, such as R1(b).

It was MOVED and SECONDED to amend item c) in the recommendation as follows:

- c) require suites in duplexes built on or after 2013-Jan-01 to be "legalized", including full compliance with the Building Code, Building Bylaw and Parking Bylaw.

CARRIED

It was MOVED and SECONDED to approve the recommendation as amended.

CARRIED

5. Review of Monetary Thresholds for Various City Processes

Dale Lindsay presented a ppt entitled, *Re-Use of Existing Buildings* (attached) to clarify what is considered with the renovation or change of use of an existing building. He stated there are five major triggers: Development Permit, Works & Services, Fire Sprinklers, Building Code Upgrades, and Seismic Upgrading (his presentation focused on the first three items).

Below is a chart that provides amended thresholds for triggering Development Permits, Works & Services / Building Bylaw and Fire Sprinkler upgrades.

		CURRENT TRIGGER	PROPOSED TRIGGER
DPA 9 OCP	Reno	> \$100,000	> \$150,000
	Addition	> \$100,000	> \$150,000

WORKS & SERVICES ~ BUILDING BYLAW	Reno	CV > \$100,000 (> \$150,000 light industry) Not required in Industrial (heavy)	CV > \$150,000 (> \$250,000 light industry) Not required in Industrial (heavy)
	Addition	Up to 10% of existing floor area to max 100 m ² or CV < 20% of the assessed value	Up to 25% of existing floor area (including all additions in previous 2 years)
FIRE SPRINKLER	Reno	CV > 50% of the assessed value	CV > 50% of the assessed value
	Addition	Up to 25% of existing floor area (including all additions within previous 2 years)	Up to 25% of existing floor area (including all additions within previous 2 years)

Recommendation: That the DPRC support the amendments to the Official Community Plan and Building Bylaw as recommended.

Committee's comments:

- What are the financial implications and benefits to the City?
- Suggested an option to use **appraised** or **assessed** values, whichever is higher.
- Consider excluding the cost of sprinklers from the construction value (CV).
- Several projects have not gone ahead due to sprinkler requirements.

Staff commented that there are no significant financial impacts to the City and increasing the triggered amounts will keep up with inflation. This will benefit the developer and encourages adaptive use of existing buildings.

Councillor Bill McKay stated that he will bring scenarios to the next meeting for the Committee to review and discuss implications of revised triggers.

Staff will review this issue and provide an amended recommendation for the next meeting.

6. Secondary Suite Guide

Dale Lindsay distributed copies of the new Secondary Suite Guide for the Committee's information and he stated that it is also available on the City's website.

7. NEXT MEETING

The next meeting will be held on Tuesday, 2013-Jun-11, 11:30 a.m., Service & Resource Centre, Board Room.

8. ADJOURNMENT

The meeting adjourned at 1:30 p.m.

APPROVED:



Chair Bill Bestwick

Development Process Review Committee



Conversion of Duplex to Fourplex

(Secondary Suites in Duplexes)



2013-MAY-28

Background

- Suites legalized in 2005 permitted in all single family dwellings
- New units that comply with zoning and *BCBC* and are considered "legal"
- Units constructed pre-2005 must comply with zoning, must address life-safety issues, and require the registration of a notice on title (units are allowed to remain as "authorized")
- Suites are not permitted in duplexes

Illegal Suites in Duplexes

- **Current Practice**

- ♦ Units identified – owners are given option to rezone to fourplex zone
 - ~ may trigger DCCs, sprinklers, Works & Services, parking, landscaping
- ♦ When owners are unwilling or unable to upgrade the building to fourplex standards, the units must be removed

- **Council Direction**

- ♦ It was moved and seconded that Council refer the issue of illegal conversion of duplexes to fourplexes to the Development Process Review Committee for consideration (2013-FEB-18)

3

Requirements

	Legal Fourplex	Legal Duplex	Illegally-Converted 2- to 4-Plex
DCCs	Paid all four units	Paid for both units	Paid on two units
Sprinklers	Required	Not required	No trigger
Wrks & Srvc	Required	Not required	No trigger
Building Code	Yes	Yes	No ability to use secondary suite provisions in BCBC
Zoning	R5	R4	May or may not have appropriate zoning
User Rates	4	2	2
Parking	6	4	?

4

Issues

EQUITY

- ❖ Illegal conversions done without paying DCCs or completing Works & Services or building upgrades
- ❖ Legal units have been converted in compliance with zoning, have paid DCCs and completed Works & Services and Code-related upgrades

LIFE SAFETY

- ❖ Suites are constructed without permit and no assurance that they comply with *Building Code* standards

COMMUNITY EXPECTATIONS

- ❖ That the City will enforce bylaws
- ❖ That land use will not change without a public process
- ❖ Retention/development of safe and affordable housing

5

Options for Action

Options



6

Recommendation

- That DPRC recommend that Council:

1. Consider the creation of a new zone that permits secondary suites within duplexes and adopt the following policy:
 - a) require existing and proposed duplexes that contain suites to comply with zoning or apply for rezoning;
 - b) require existing suites (built prior to 2013-JAN-01) to be "authorized", including addressing life-safety issues, and the registration of a notice on title; and
 - c) require suites in duplexes built on or after 2013-JAN-01 to be "legalized", including full compliance with the *Building Code* and Building Bylaw.

7

Requirements

	Legal Fourplex	Legal Duplex	Suites in Duplex	
			AUTHORIZED <small>Pre-2013-JAN-01</small>	LEGALIZED <small>On or after 2013-JAN-01</small>
DCCs	Paid all four units	Paid for both units	Not collected on suites	Not collected on suites
Sprinklers	Required	Not required	Life safety only, sprinkler not required	Required by Building Bylaw
Wrks & Svcs	Required	Not required	Not required	Not required
Building Code	Yes	Yes	Life safety only	Full compliance
Zoning	R5	R4	R5/R4s	R4s
User Rates	4	2	4	4
Parking	6	4	6	6

8

End of Presentation



Re-Use of Existing Buildings

**What is considered with the renovation or
change of use of an existing building?**



Development Process Review
Committee

The Big 5

- Development Permit
- Works and Services
- Fire Sprinklers
- Building Code Upgrades
- Seismic Upgrading

Triggers

		CURRENT TRIGGER
DPA 9 OCP	Reno	> \$100,000
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4

Recommendations

- That DPRC support the amendments to the OCP and Building Bylaw as recommended.

5



End of Presentation

