

## Memorandum

<b>TO:</b>	Mayor and Council	<b>DATE:</b> March 16, 2006
<b>FROM:</b>	Nigel Beattie Director of Building and Planning	
<b>SUBJECT:</b>	Floor Area Ratio Committee Report – Excessively Large Homes	

### Background

The Floor Area Ratio Committee was originally formed by Council in order to recommend Zoning Bylaw changes that would address the issue of under height basements that are unusable under the current BC Building Code but are counted as floor area in the current Zoning Bylaw. The committee was subsequently asked by Council to make further recommendations regarding the control of overly large and intrusive houses in those areas of Oak Bay that do not benefit from the design controls currently in place for the Uplands area.

### Discussion

During discussions on possible floor area ratio changes to the Zoning Bylaw the committee has also undertaken discussions on controls for overly large and possibly intrusive houses. There is unanimous agreement within the committee that houses should fit into the streetscape of existing smaller lots and houses and the current Zoning Bylaw does not restrict either their design or (in the case of larger lots) the size of the house to an extent that would benefit the neighbourhood at large. The possible application of some form of controls would apply to all single family residential zones (with the exception of the Uplands area which already regulates design through Bylaw #3545).

### Options

Most of the options that are discussed in the committee's report on possible Floor Area Ratio changes to the Zoning Bylaw would also fulfill the function of helping to control the size of houses on larger lots. Some of these controls are as follows:

- A. introduce maximum gross floor area\*
- B. increase the setbacks for the larger lots\*  
*\*Note: both of the above items could be varied by the Board of Variance or by Council through a Development Variance Permit*
- C. reduce the maximum permitted lot coverage of the main floor
- D. further reduce the coverage of the upper storeys (where the building contains more than one storey) from 25% to 20%

While some or all of these options would serve to limit the size of overly large homes, they would not offer any limitations against intrusive house designs. Design controls in single family zones are not permitted by the Local Government Act. The LGA only permits design controls on commercial, industrial or multi-family residential zoned properties.

The first option of "introducing maximum gross floor areas" may, depending upon the actual maximum figure, also be used with a statement which declares that this clause is not considered as a density issue and consequently may be varied by Council. This will give Council the ability to vary the maximum size of a house through the development variance policy if it sees fit to do so.

**Recommendation**

THAT Council gives direction to staff regards providing proposed amendments to the Zoning Bylaw that would either:

1. Restrict the maximum size of a house in all single family residential zones (other than the Uplands) by introducing one or more of the restrictions listed under "options" in this report or;
2. Make no changes to the current Zoning Bylaw.



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NIGEL BEATTIE, Director  
Building and Planning