

1410-04 Planning;
2860-40 Derby

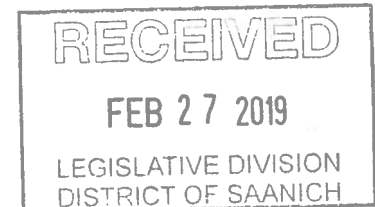
c/w 18 Mar 19



The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: February 27, 2019
Subject: Development Variance Permit and Subdivision Application
File: DVP00403; SUB00806 • 1604 Derby Road



RECOMMENDATION

1. That Development Variance Permit DVP00403 be approved.
2. That ratification of the Development Variance Permit be withheld pending registration of a covenant to secure:
 - The new dwellings on proposed Lots 1, 2 and 3 be constructed to an Energuide 82, or equivalent, energy efficiency standard;
 - The new dwellings include the installation of the necessary conduits to be solar ready for future installation of photovoltaic and/or solar hot water systems; and
 - The new dwellings on proposed Lots 1, 2 and 3 be constructed substantially in compliance with the plans date stamped April 20, 2018.
3. That suitable security to ensure the Garry oak be pruned in the manner described in the tree assessment report and the development be completed consistent with the arborist's recommendations, and be referred to the Approving Officer for consideration as part of the subdivision process.

PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The application is for a Development Variance Permit for lot width to accommodate a subdivision to create two additional lots (3 lots in total) under the existing RS-6 (Single Family Dwelling) Zone. The applicant is Kors Development Services Inc (Denise Kors).

DISCUSSION

Neighbourhood Context

The subject property is located on Derby Road within the Shelbourne Local Area, approximately 100 m west of Shelbourne Street. The Shelbourne Valley Center is within 700 m travel distance to the north and Hillside Center within 700 m to the south. Doncaster Elementary School is located in the same block and the property is the catchment area for Cedar Hill Middle School and Reynolds Secondary School.

The surrounding neighbourhood is predominantly developed with single family dwellings. The Shelbourne Valley Action Plan designates properties in close proximity to 1604 Derby Road for increased height and density. Cedar Hill Park and Golf Course is within 500 m of the property and access to Mount Tolmie Park is approximately 600 m walking distance, which provides access to an extensive park trail network (see Figure 1).

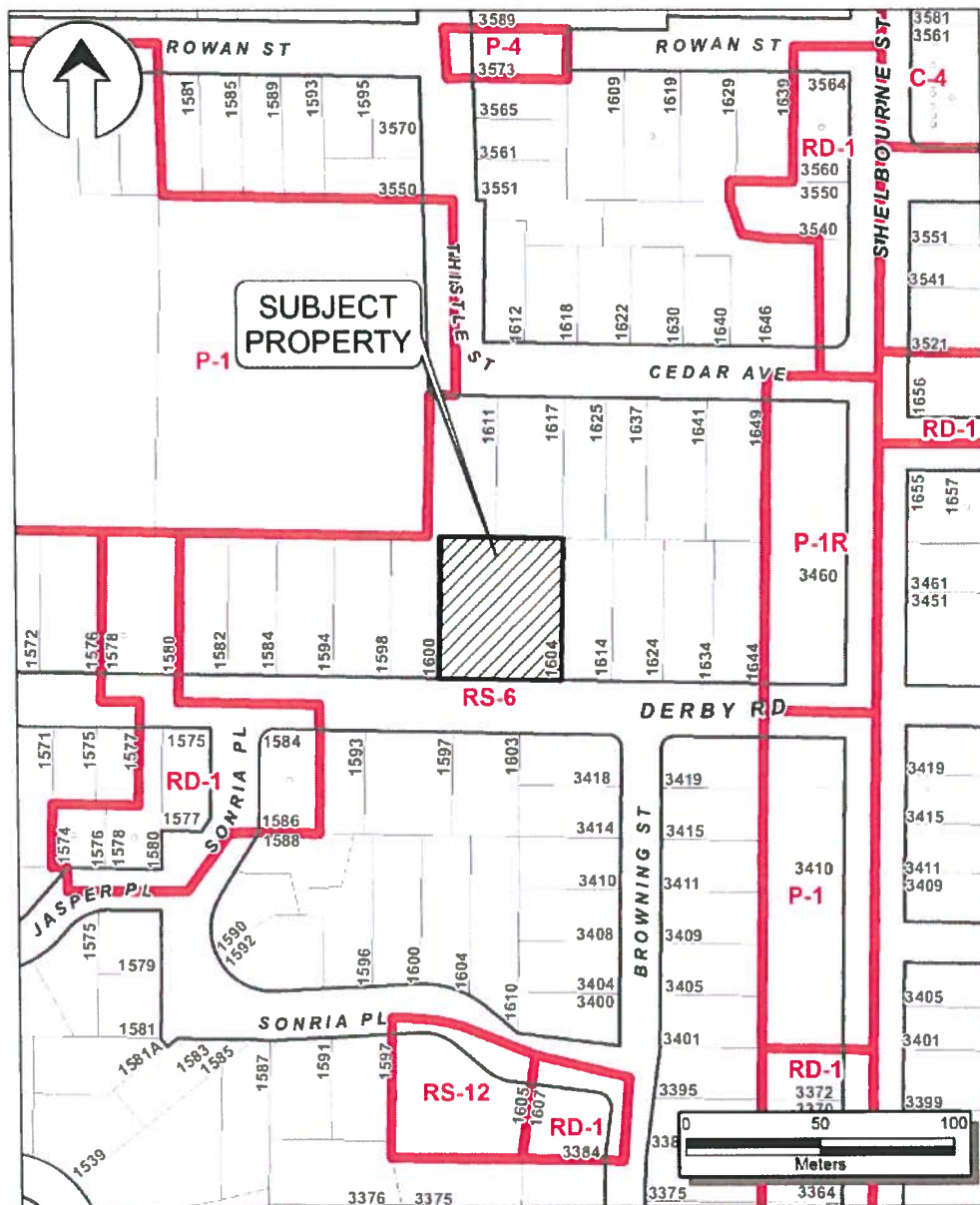


Figure 1: Neighbourhood Context

Proposed Land Use

There are no proposed changes to the land use through this application. The 2,424 m² lot is currently developed with one single family dwelling and accessory buildings that would be removed. New dwellings are proposed for each of the three properties.

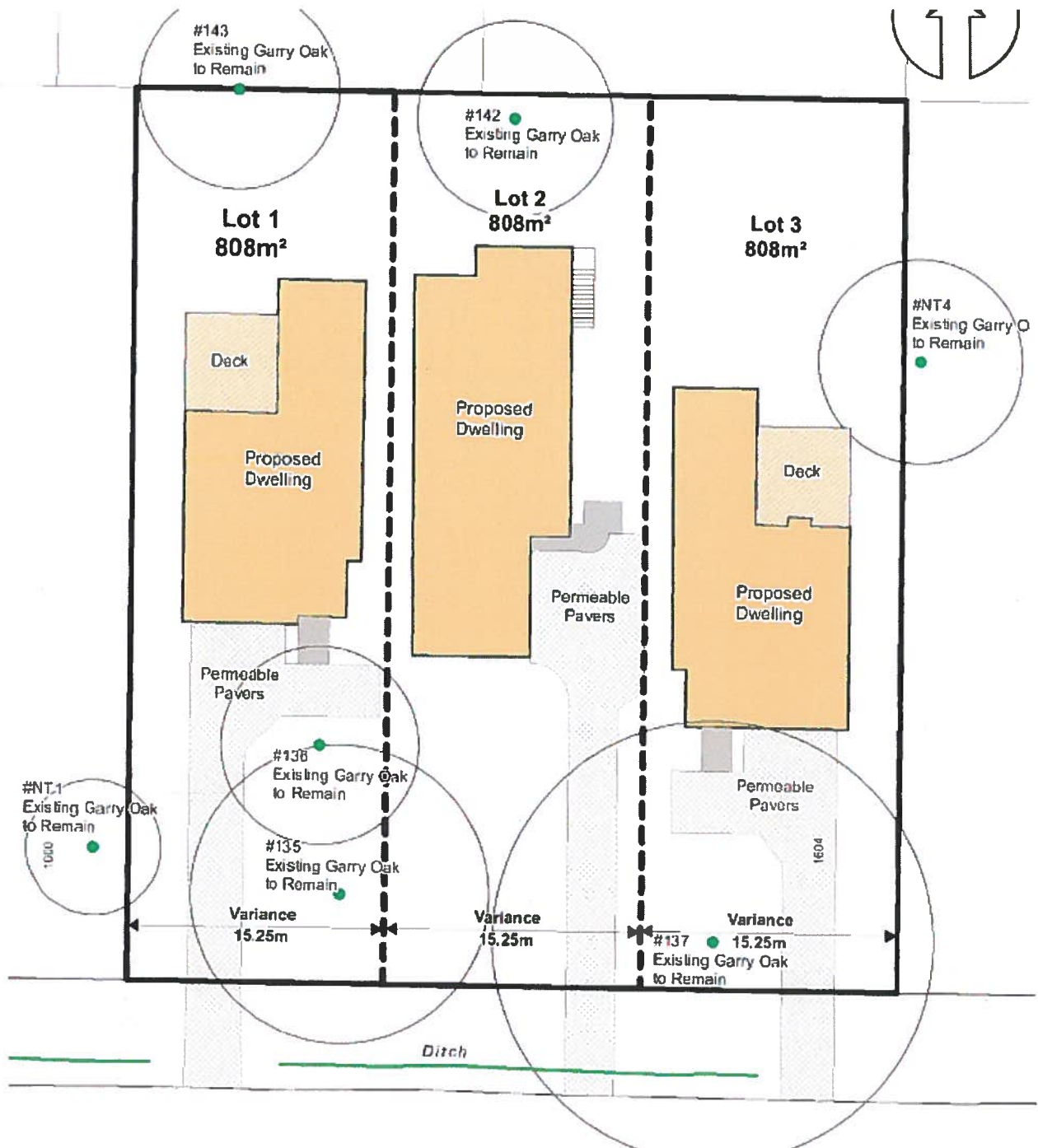


Figure 2: Proposed Subdivision

Site and Building Design

The subject property is relatively level and the proposed subdivision would split the parcel into three equal sized lots. Each lot would have an area of 808 m² which is above the minimum required lot area of 560 m² for the RS-6 Zone. The proposed lot width is 15.25 m for all lots, whereas 16 m is required. A variance of 0.75 m for lot width is requested for each proposed lot.

Three significant Garry oaks are located in the front of the site and contribute to the character of streetscape. The proposed development intends to retain these significant trees by setting back the houses to mitigate potential tree impacts. The proposed dwellings would be sited between 15.52 m - 19.55 m from the front property line, in the approximate area of the footprint of existing house. As the trees will be retained and the houses sited in the general footprint of the existing house there would be minimal impacts to the existing streetscape.

The rear yards proposed for each lot are greater than the minimum rear yard requirements for the RS-6 Zone. This would allow for the retention of two existing Garry oak trees located on proposed Lots 1 and Lot 2.

The applicant has provided house plans for the proposed three new dwellings and is willing to secure the designs through a covenant. The two-storey dwellings would conform to the RS-6 Zone regulations and have a non-basement area of 239.9 m², 245.5 m² and 239.9 m² for Lots 1, 2 and 3 respectively. The maximum non-basement area permitted for the RS-6 Zone is 248 m². All house plans include an attached double car garage.

The proposed dwellings are very similar with respect to massing and form. Slight variations to design, exterior materials, colours, window sizes and locations would be used to create a compatible design without being identical in appearance. A minimum of two cars would be accommodated on each site. The dwellings would be similar in scale to other nearby houses and in keeping with the overall character of the neighbourhood (see Figure 5).

The applicant has committed to register a covenant requiring that the dwellings are constructed to an Energuide 82, or equivalent, energy efficiency standard and constructed to be solar ready for future installation of solar photovoltaic and/or hot water heating systems. On December 3, 2018, Council adopted BC Energy Step Code. The Building Bylaw will be requiring all new Part 9 buildings to achieve Step 1 of the BC Energy Step Code as of June 1, 2019. On January 1, 2020 the Building Bylaw will be requiring Part 9 buildings, over 1,200 ft² to achieve Step 2. As a general comparison, Energuide 82 is similar to Step 1 of the BC Energy Code.



Figure 3: Front Elevations of Proposed Dwellings (Provided by Kors Development Services Inc)



Figure 4: Rendering of Proposed Dwellings (Provided by Kors Development Services Inc)

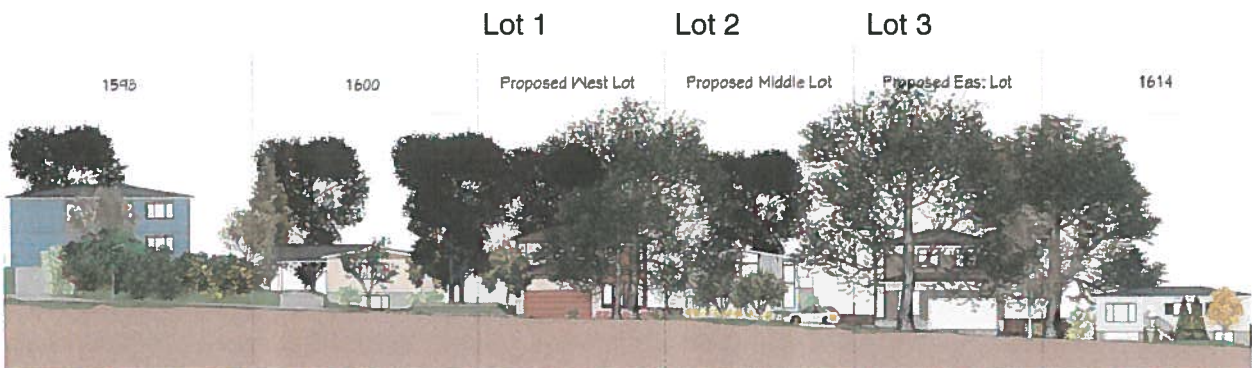


Figure 5: Derby Road Streetscape (Provided by Kors Development Services Inc)

Variations

The proposed subdivision requires a variance for lot width to reduce the requirement from 16 m to 15.25 m for all three proposed lots.

Although the proposed lot width is slightly less than average for the neighbourhood, this type of sensitive infill development is consistent with existing land uses, providing additional infill housing in a location close to services, a range of transportation options and other community amenities. For these reasons, the variations can be supported.

Consultation

Prior to submitting an application the applicant met with the Mount Tolmie Community Association. Planning also sent a referral to the Mount Tolmie Community Association. Below is a summary of the concerns noted:

- Environmental concerns, especially regarding the Garry Oak trees;
- Concerns in general with the scope of the project on this property and the fit in the neighbourhood;
- Consider a pedestrian connection from Derby Road to Cedar Avenue; and
- Lack of communication between the applicant and the community association.

Planning mailed notice of the application and information about the application process to neighbours within 90 m of the site. Below is a summary of the concerns noted:

- Removal of protected trees;
- Potential increase of traffic and lack of street parking;
- Lot widths and size are not consistent with neighbourhood standards; and
- Construction disturbances.

Staff are satisfied that the strategic siting of the houses along with the Tree Preservation Plan will allow the five Garry oak trees to be retained. However, it is anticipated that four protected trees would need to be removed for the construction of the three homes, two Garry oaks, one Douglas fir and one Arbutus. The trees proposed for removal are located in the building envelope of the proposed Lots 2 and 3. Each new lot will be required to provide one boulevard tree as per the requirements.

Staff acknowledge that the proposed 3 lots will be narrower than the average neighbouring lots. However, the retention of the prominent street trees along with the siting of the homes, in the approximate location of the existing house, would reduce the impacts on the existing streetscape. The proposed development would create two additional homes in an area close to transit, parks, schools and commercial areas.

The aforementioned pedestrian pathway could only serve as a partial greenway connection. To complete the pathway, additional properties would be required to connect to either Cedar Avenue or Doncaster School. It is likely that the path would not achieve a true connection for some time. In addition, the pathway may limit the potential retention of the highly valued Garry oaks.

The Shelbourne Valley Action Plan identifies a possible greenway in line with Browning Street. This connection will be pursued when the parcels fronting Shelbourne Street are redeveloped.

ALTERNATIVES

1. That Council approve the recommendations as outlined in the staff report (Staff Recommend).

The implications of this alternative are discussed in detail in the later sections of this report.

2. That Council reject the recommendations as outlined in the staff report.

Should Council decide to reject the recommendations contained in this report, the implications are that the proposed subdivision would not proceed.

3. That Council provide alternate direction to Staff.

Should Council provide alternate direction to staff, the implications are that staff would work with the applicant to address comments from Council. The applicant would undertake any necessary revisions to the plans, and would resubmit their proposal for review by staff, and ultimately, consideration by Council.

FINANCIAL IMPLICATIONS

The proposal has no immediate implications related to the District of Saanich Financial Plan.

STRATEGIC PLAN IMPLICATIONS

The proposal has no implications related to the District of Saanich 2015 - 2018 Strategic Plan.

PLANNING IMPLICATIONS

Policy

The following Saanich Planning Policies are most applicable to the subject proposal:

Official Community Plan (2008)

- 4.2.1.1 “Support and implement the eight strategic initiatives of the Regional Growth Strategy, namely: Keep urban settlement compact; Protect the integrity of rural communities; Protect regional green and blue space; Manage natural resources and the environment sustainably; Build complete communities; Improve housing affordability; Increase transportation choice; and Strengthen the regional economy.”
- 4.2.1.2 “Maintain the Urban Containment Boundary as the principal tool for growth management in Saanich, and encourage all new development to locate within the Urban Containment Boundary.”
- 4.2.1.14 “Encourage the use of ‘green technologies’ in the design of all new buildings.”
- 4.2.2.3 “Consider the use of variances to development control bylaws where they would achieve a more appropriate development in terms of streetscape, pedestrian environment, view protection, overall site design, and compatibility with neighbourhood character and adjoining properties.”
- 4.2.4.1 “Foster sustainable and pedestrian and cycling friendly neighbourhoods (Map 6) by:
- ensuring different travel modes work together (e.g. key transit stops connected to trail network);
 - continuing to improve the cycling and walking network, and end of trip facilities;
 - providing basic commercial services within walking/cycling distance;

- supporting a range of housing choices, by type tenure and price;
- ensuring adequate green space, including play areas, meeting places, tree cover and natural areas;
- continuing to work with BC Transit to improve service;
- employing appropriate traffic calming techniques.”

4.2.4.3 “Support the following building types and land uses in Neighbourhoods:

- single family dwellings;
- duplexes, tri-plexes, and four-plexes;
- townhouses;
- low-rise residential (up to 4 storeys); and
- mixed-use (commercial/residential)(up to 4 storeys).”

5.1.2.6 “Work with the Capital Regional District and other stakeholders to implement the Regional Housing Affordability Strategy.”

Shelbourne Local Area Plan (1998)

6.1 “Protect and maintain the stability and character of Shelbourne by maintaining single family dwellings as the predominant land use.”

6.2 “Consider single family infill development that is compatible with, and contributes to the character and quality of the community and preserves the privacy of dwellings.”

Shelbourne Valley Action Plan (2017)

4.2.2 “Minimize impervious surfaces in building and site designs and incorporate features that will encourage ground water recharge such as green roofs, vegetated swales and pervious paving material.

4.3.1 “Retain existing tree canopy cover where possible, promote additional tree planting, and acknowledge the importance of contiguous tree canopy cover.”

4.3.2 “Implement the Urban Forest Strategy by retaining and planting trees along boulevards, on municipal properties, in riparian areas, in parks and on private lands as a means to expand the urban forest, establish street tree canopies, and act as a climate change mitigation measure.

4.4.1 “Encourage the use of “green technologies” in the design of all new buildings, with a focus on measures that improve energy performance.”

Analysis

As noted in the recently adopted Shelbourne Valley Action plan, “Residential development in the Shelbourne Valley is dominated by single family dwellings dating from the late 19th century to the present, with the majority built following the Second World War. This Plan seeks to retain the integrity of single family dwelling neighbourhoods, while broadening the range of services and amenities available to residents through the intensification of each Centre and Village.”

The subject proposal would add two additional houses and potentially three secondary suites into a neighbourhood well served by a broad range of commercial businesses, public transit and parks. A public elementary school is within walking distance as is St Michael’s K-12 private

school. While market housing, the three new houses on smaller lots would increase the stock of single family dwellings in a more attainable price range within Saanich. The availability of a broad range of services within walking distance, and easy access to one of the best bus routes in the capital region would allow home owners/renters to allocate less monthly expenditures to transportation.

An important consideration with infill developments is that the scale, massing, and design of any proposed housing respects the neighbourhood character. The existing single family home with a detached garage is typical in the area and it appears that many of the homes on this section of Derby Road were constructed mid-century. A number of two-storey homes, or split level entry homes with partial basements are also present in the neighbourhood. There is no prominent architectural style in the neighbourhood. The applicant has provided house plans for the dwellings and is willing to secure them through a covenant. No variances for height or setbacks are requested.

The front of the homes would include a pedestrian entry, double car garage doors and permeable paving for the driveway. As previously mentioned, five mature Garry oaks would be retained.

Overall, the proposal is consistent with Official Community Plan, the Shelbourne Local Area Plan and the Shelbourne Valley Action Plan. The requested variance to reduce lot width from 16 m to 15.25 m for each of the three lots would allow the subdivision to be approved under the existing RS-6 zoning. The proposed lot width is adequate to create suitable building envelopes on the lots without requiring a side yard setback variance. Given the above the variance can be supported.

Servicing

New or upgraded services for water, sewer, and storm drain would be provided for all proposed lots. Stormwater management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of the Subdivision Bylaw. This subdivision is within a Type II watershed area which requires storm water storage, oil/grit separator or grass swale and sediment basin. Permeable pavers and underground detention tanks are proposed.

Environment

The property is identified in the Shelbourne Local Area Plan as having "Major Tree Cover". The site contains a tree identified as a Significant Tree in the Tree Protection Bylaw. The proposed siting of the dwellings is supportable as it allows for the retention of a number of Garry oak trees including the Significant Tree. However, it is anticipated that four protected trees would need to be removed for the construction of the three homes; two Garry oaks, one Douglas fir and one Arbutus. The trees proposed for removal are located in the building envelope of the proposed Lots 2 and 3. Each new lot will be required to provide one boulevard tree as per the requirements.

Stormwater would be managed with permeable pavers for the driveways and in-ground detention tanks on each proposed lot to allow for slow release into the municipal drain system. The proposed lot coverage is approximately 22%, well below the maximum permitted 40%, and thereby allowing stormwater infiltration to occur on a significant portion of the lots.

Sustainable development practices would be followed and the applicant has committed to an Energuide 82, or equivalent, energy efficiency standard. The applicant would also construct the dwellings to be solar ready for future installation of photovoltaic or solar hot water systems. These commitments would be secured by covenant. On December 3, 2018, Council adopted BC Energy Step Code. The Building Bylaw will be requiring all new Part 9 buildings to achieve Step 1 of the BC Energy Step Code as of June 1, 2019. On January 1, 2020 the Building Bylaw will be requiring Part 9 buildings, over 1,200 ft² to achieve Step 2.

CONCLUSION

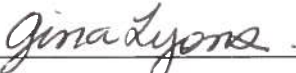
The application is for a Development Variance Permit for lot width to accommodate a subdivision to create two additional lots for a total of three lots under the existing RS-6 (Single Family Dwelling) Zone. The proposed lots have sufficient area to construct three new dwellings without a variance to setbacks.


The proposed subdivision application is consistent with both the Official Community Plan that contemplates limited infill developments within the Urban Containment Boundary, as well as the Shelbourne Local Area Plan which acknowledges that there are several large lots in the area that may be considered for subdivision under the existing single family zoning.

The site is within convenient walking/cycling distance of schools, parks, commercial services and retail, and public transit. While market housing, the three new houses on smaller lots would increase the stock of single family dwellings in the more attainable price range within Saanich. The availability of a broad range of services within walking distance, and easy access to one of the best bus routes in the capital region would allow home owners/renters to allocate less monthly expenditures to transportation.

The general design, massing and siting of the proposed buildings is compatible with other single family dwellings in the neighbourhood and allows for the retention of several significant trees. The applicant is willing to secure the house plans by covenant. The requested variance to reduce the required lot width from 16 m to 15.25 m is generally in keeping with lots widths of more recent subdivisions in the immediate area, and would have minimal impact on the streetscape.

For the above-noted reasons, staff support the Development Variance Permit.

Prepared by: 
Gina Lyons
Planner

Reviewed by: 
Shari Holmes-Saltzman
Manager of Current Planning

Approved by: 
Sharon Hvezdanski
Director of Planning

gl/jsp

Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.


Paul Thorkelsson, Administrator