

1410-04 Planning
2870-30 Emery

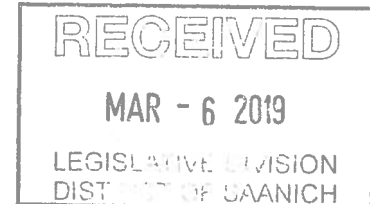
CW April 11/19



The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Sharon Hvozdanski, Director of Planning
Date: March 4, 2019
Subject: Rezoning and Development Permit Application
File: REZ00615; DPR00726 • 1811 Emery Place



RECOMMENDATION

1. That the application to rezone from the RS-6 (Single Family Dwelling) Zone to the RD-1 (Two-Family Dwelling) Zone be approved.
2. That Development Permit DPR00726 be approved.
3. That Final Reading of the Zoning Amendment Bylaw and ratification of the Development Permit be withheld pending registration of a covenant to secure:
 - That the new dwelling include the installation of the necessary conduits to be solar ready for future installation of photovoltaic or hot water heating systems; and
 - That the development comply with the recommendations of the Talbot Mackenzie & Associates Consulting Arborists Tree Report.

PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The application is to rezone from the RS-6 (Single Family Dwelling) Zone to the RD-1 (Two Family Dwelling) Zone, and for a Development Permit to add to an existing dwelling to construct a side-by-side duplex. Variances have been requested for siting and non-basement floor area. The applicants are Marietta Mitchell and Andrew Prizeman.

DISCUSSION

Neighbourhood Context

The subject property is located within the Shelbourne Local Area, west of Gordon Head Road on Emery Place. The surrounding residential area is predominantly single family dwellings. Campus View Elementary School is approximately 200 m travel distance and the University of Victoria campus is 180 m travel distance. Onyx Park, Horner Park and Mount Tolmie Park are within 650 m – 750 m travel distance.

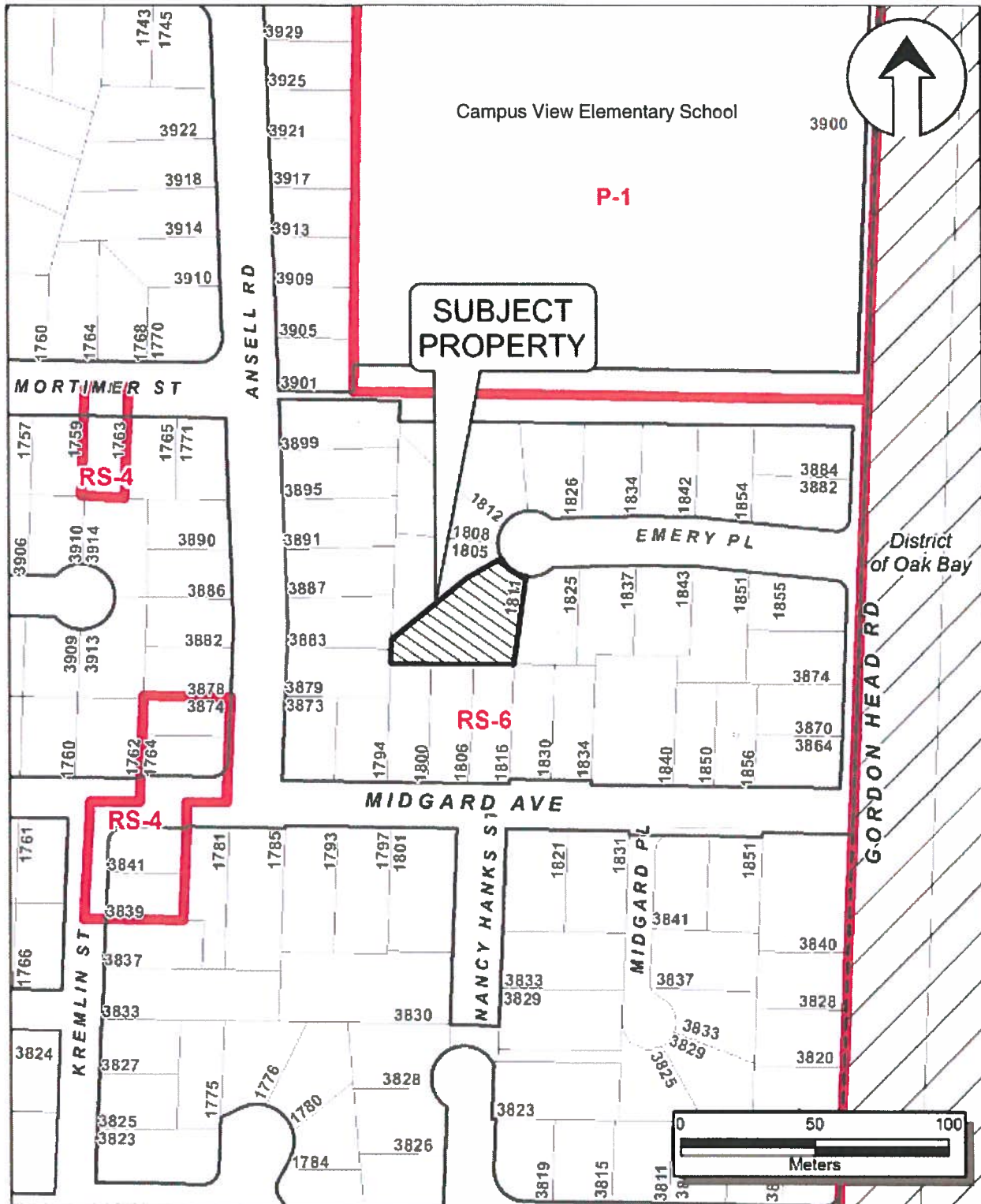


Figure 1: Neighbourhood Context

Proposed Land Use

The triangular shaped site is located at the turn-a-round end of the Emery Place cul-de-sac. It contains a 1960's-style single family dwelling that would be retained. The current owner would continue to live in the existing dwelling. An existing carport would be removed and an addition would be constructed on the south side of the existing dwelling (see Figure 2).

The Official Community Plan (OCP) supports a range of housing types within neighbourhoods, including two-family dwellings. The 1276.7 m² lot would comply with the OCP policy which requires that the area of a two-family dwelling lot must be at least 1.3 times the minimum area for the largest adjacent single family dwelling zone (728 m²).

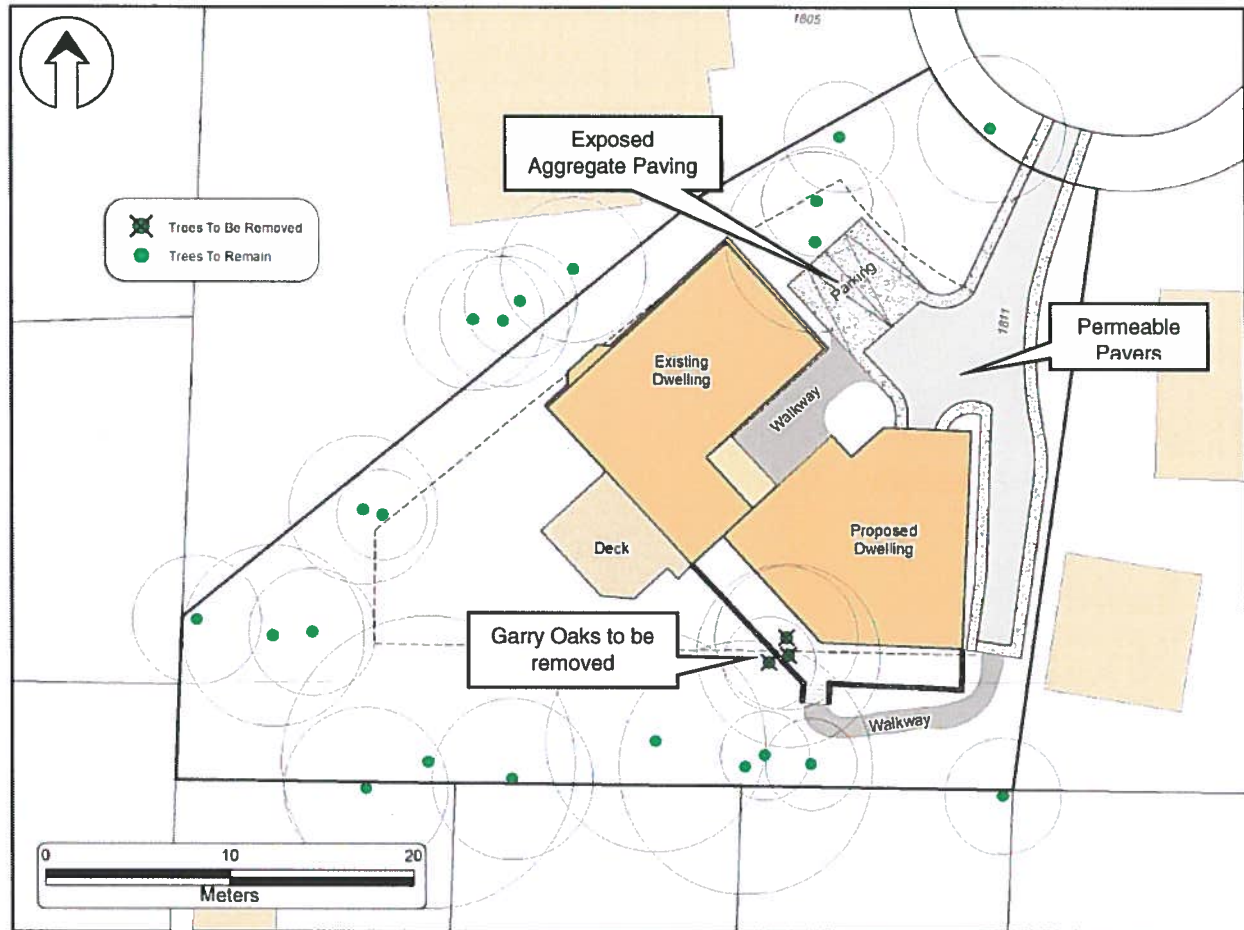


Figure 2: Proposed Site Plan (from plans by T-Square Design & Consulting)

Site and Building Design

The proposed side-by-side duplex would be accessed via an existing driveway from the cul-de-sac turning area. The duplex would have a U-shape. The entrance to the existing unit would be oriented to the courtyard between the units while the entrance to the new unit would face toward Emery Place. Two parking spaces for the existing unit would be provided in front of the dwelling and would be screened from view from the street by a solid fence. Tandem parking for the new unit would be provided on the driveway along the east property boundary. Exterior materials for the new dwelling would complement those of the existing dwelling. Each unit would have a private deck/patio in the rear yard.

The duplex would have a gross floor area of 473.94 m² whereas the maximum permitted floor area based on lot size would be 638.35 m². Variances have been requested for setbacks and non-basement floor area and are discussed in detail later in this report.



Figure 3: Proposed Perspective View (from plans by T-Square Design & Consulting)



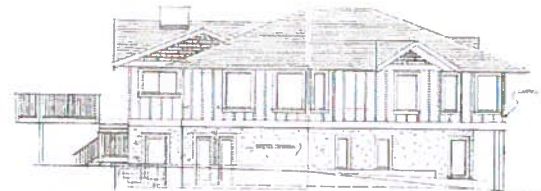
Front



Interior Side (North)



Rear



Interior Side (South)

Figure 4: Proposed Elevations (from plans by T-Square Design & Consulting)

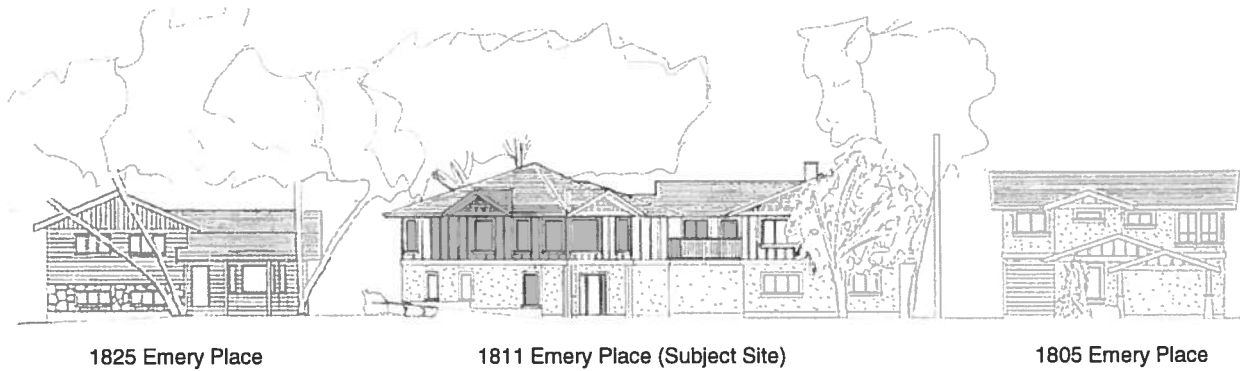


Figure 5: Proposed Streetscape (from plans by T-Square Design & Consulting)

Consultation

The applicant has stated that neighbours and the Community Association were consulted about the proposed development. Planning has received correspondence from some of the neighbours on Emery Place expressing concerns about duplex scale and massing, tree removals, and school generated traffic and parking. Planning sent a referral to the Mount Tolmie Community Association. No response has been received to date.

VariANCES

The following Zoning Bylaw variances are requested and are discussed later in this report:

- To reduce the rear yard setback from 10.5 m to 7.65 m;
- To reduce the west interior side yard setback from 3.0 m to 2.7 m; and
- To permit 74.2% of the allowable floor area (473.94 m²) to be located in non-basement areas whereas the maximum permitted non-basement floor area is 70% (446.85 m²) of the allowable floor area.

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 rezoning and Development Permit would not proceed. The RS-6 (Single Family Dwelling) Zone would remain in place and the existing single family dwelling would be retained. A secondary suite would be permitted.

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.”
- 4.2.1.18 “Encourage new development to achieve higher energy and environmental performance through programmes such as ‘Built Green’, LEED or similar accreditation systems.”
- 4.2.1.20 “Require building and site design that reduce the amount of impervious surfaces and incorporate features that will encourage ground water recharge such as green roofs, vegetated swales and pervious paving material.”
- 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.”
- 4.2.4.3 “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).”
- 5.1.2.3 “Evaluate zoning applications for two-family dwellings on the basis of neighbourhood context, lot size, building scale and design, access, and parking.”
- 5.1.2.4 “Two-family dwelling lots should be 1.3 times the minimum area of the largest adjacent single family dwelling zone. However, where a local area plan policy supports a zone with a minimum lot area that is smaller than the existing minimum lot

area, then the local area plan policy shall apply for the purpose of calculating the minimum area for a two-family dwelling lot.”

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.”
- 6.7 “The design and scale of two-family dwellings should be compatible with adjacent single family dwellings and have regard for the number of two-family and multi-family zoned properties in the area, as well as meet the requirements of the General Plan policies.”

Development Permit Area Guidelines

The development proposal falls within the Saanich General Development Permit Area. Relevant guidelines include: retaining existing trees and native vegetation where practical, reducing impervious site cover, balancing all modes of transportation, high quality architecture that incorporates varied elements and avoids large blank walls, and new buildings to reflect the character of surrounding development.

Policy Analysis

The proposed development is consistent with the Official Community Plan and Shelbourne Local Area Plan policies which support limited infill in established neighbourhoods. Duplexes are an appropriate form of infill development that provides modest residential densification while maintaining neighbourhood character. The proposed building design would be consistent with that of the existing dwelling and would be compatible with other dwellings on the street. The duplex would comply with the on-site parking requirements of the Zoning Bylaw. While school related traffic and parking is a concern for some residents of this cul-de-sac, the proposal should not exacerbate the current situation. The proposal would permit a young family to remain in the neighbourhood close to an aging parent.

VariANCES

VariANCES are requested for setbacks and non-basement floor area.

Setbacks

A variance is requested for the north side yard setback for the existing dwelling from 3.0 m to 2.7 m and for the rear yard setback for the proposed addition from 10.5 m to 7.65 m. The side yard setback is an existing condition and the proposed variance should have no impact on the adjacent residence. The proposed rear yard setback variance would apply to a corner of the proposed addition. The proposed rear yard setback is consistent with the existing RS-6 (Single Family Dwelling) zoning, therefore a single family dwelling on the lot could be sited at 7.5 m without a variance. Given that the proposed setback variance would apply only to a corner of the duplex and is consistent with the single family requirement, the variance can be supported.

Non-Basement Floor Area

The Zoning Bylaw permits a maximum 0.50 Floor Space Ratio for the RD-1 Zone and requires that not more than 70% of the allowable floor space shall be located in non-basement areas. In this case, the maximum permitted floor area based on lot size would be 638.35 m² of which 70% (446.84 m²) can be located in non-basement areas. A variance is requested to permit 74.2% (473.94 m²) of the allowable floor space to be located in non-basement areas.

A variance of 27.1 m² non-basement gross floor space, if approved, is not anticipated to result in additional neighbourhood or tree impacts. Compliance with the Zoning Bylaw requirement would not significantly change the scale and massing of the proposed dwelling. For these reasons, the variance can be supported.

Environment

A construction impact and tree preservation plan was prepared for the development by Talbot Mackenzie & Associates Consulting Arborists. The tree inventory identifies 15 trees on the site, 15 trees on the adjacent properties and 1 tree on the boulevard. The trees comprise mostly Garry oaks. Three Garry oak trees located in the rear yard are proposed for removal.

The consultant has noted that a detailed servicing plan is not yet available. Likely the sanitary sewer to the new unit would be located under the driveway. Installation of an upgraded water service may require excavation through the root zone of a Purple Leaf plum tree and two Garry oak trees. The excavation should be done under arborist supervision. Also, two proposed parking spaces in the front yard are within the critical root zone of a Garry oak tree. The arborist has recommended that if construction of this parking area requires excavation, and roots from this tree are encountered, the parking area should be "floated" above the existing grade and pavers or other permeable surface should be used. Arborist supervision would be required.

Part 9 buildings constructed after June 1, 2019 would be required to achieve Step 1 of the BC Energy Step Code. The applicant has stated that sustainable development practices would be followed and the new unit would be made solar ready for future installation of photovoltaic or hot water heating systems. This commitment would be secured by covenant.

Stormwater management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of the Subdivision Bylaw. This proposed development is within a Type II watershed area which would require storm water storage, oil/grit separator or grass swale and sediment basin.

Climate Change and Sustainability

The Official Community Plan (OCP) adopted in 2008 highlights the importance of climate change and sustainability. The OCP is broadly broken down into the pillars of sustainability including environmental integrity, social well-being, and economic vibrancy. Climate change is addressed under the environmental integrity section of the OCP and through Saanich's Climate Action Plan.

The following is a summary of the Climate Change and Sustainability features and issues related to the proposed development. This section is not and cannot be an exhaustive list or examination of the issue. However, this section is meant to highlight key issues for council and keep this subject matter at the forefront of council's discussion.

Climate Change

This section includes the specific features of a proposal related to mitigation and adaptation strategies. Considerations include: 1) Project location and site resilience, 2) Energy and the built environment, 3) Sustainable transportation, 4) Food security, and 5) Waste diversion.

The proposed development includes the following features related to mitigation and adaptation:

- The proposal is located at the edge of a Neighbourhood “Centre” within the Urban Containment Boundary.
- The proposal is redevelopment of a site that is able to use existing roads and infrastructure to service the development.
- The development is readily accessible via all modes of alternative transportation including walking, cycling, and public transit.
- The site is approximately 1.2 km travel distance to the Shelbourne Valley Neighbourhood “Centre” and 1.5 km travel distance to the University Major “Centre”.
- The site is serviced by public transit stops ± 800 m away on McKenzie Avenue.
- The #16 bus route on McKenzie Avenue is considered a regional route with weekday service every 15 minutes or better.
- Part 9 buildings constructed after June 1, 2019 would be required to achieve Step 1 of the BC Energy Step Code. Sustainable development practices would be followed and the applicant is prepared to commit that the new unit would be constructed to be solar ready for future installation of photovoltaic or hot water heating systems. This commitment would be secured by covenant.

Sustainability

Environmental Integrity

This section includes the specific features of a proposal and how it impacts the natural environment. Considerations include: 1) Land disturbance, 2) Nature conservation, and 3) Protecting water resources.

The proposed development includes the following features related to the natural environment:

- The proposal is a compact, infill development without putting pressures onto environmentally sensitive areas or undisturbed lands.
- The proposal would include stormwater management in accordance with Saanich requirements.
- The tree inventory identifies 15 trees on the site, 15 trees on the adjacent properties and 1 tree on the boulevard. The trees comprise mostly Garry oaks. Three Garry oak trees located in the rear yard are proposed for removal.

Social Well-being

This section includes the specific features of a proposal and how it impacts the social well-being of our community. Considerations include: 1) Housing diversity, 2) Human-scale pedestrian oriented developments, and 3) Community features.

The proposed development includes the following features related to social well-being:

- The proposed development would comply with Official Community Plan (OCP) policies which support a range of housing types within neighbourhoods, including two-family dwellings.
- The lot would comply with the OCP policy which requires that the area of a two-family dwelling lot must be at least 1.3 times the minimum area for the largest adjacent single family dwelling zone.

- A range of outdoor, community, and recreation opportunities are available within reasonable walking/cycling distance. Campus View Elementary School is approximately 200 m travel distance and the University of Victoria campus is 180 m travel distance. Onyx Park, Horner Park and Mount Tolmie Park are within 650 m – 750 m travel distance.

Economic Vibrancy

This section includes the specific features of a proposal and how it impacts the economic vibrancy of our community. Considerations include: 1) Employment, 2) Building local economy, and 3) Long-term resiliency.

The proposed development includes the following features related to economic vibrancy:

- The development would create short-term jobs during the construction period with local suppliers/trades used for construction.
- The proposal would support existing businesses located within the commercial catchment/employment area of the Shelbourne Valley Neighbourhood “Centre” and the University Major “Centre”.

CONCLUSION

The proposed development is consistent with the Official Community Plan and the Shelbourne Local Area Plan policies. Infill developments are an appropriate means to encourage modest residential densification when they are compatible with neighbourhood character. In this case, the proposed duplex would be compatible with adjacent properties and have little impact on the streetscape. While school related parking is a concern for residents of this cul-de-sac, the proposal is not anticipated to exacerbate the current situation. The proposal would permit a young family to remain in the neighbourhood close to an aging parent and support intergenerational living.

Variances are requested for setbacks and non-basement floor area. These variances, if approved, are not anticipated to result in additional neighbourhood or tree impacts.

Part 9 buildings constructed after June 1, 2019 would be required to achieve Step 1 of the BC Energy Step Code. The applicant is prepared to commit to construct the new unit with the necessary conduits to be solar ready for future installation of photovoltaic or hot water heating systems and to comply with the recommendations of the Talbot Mackenzie & Associates Consulting Arborists Tree Report. These commitments would be secured by covenant.

For the above noted reasons, the subject application is supported by staff.

Prepared by:



Neil Findlow
Senior Planner

Reviewed by:



Shari Holmes-Saltzman
Manager of Current Planning

Approved by:



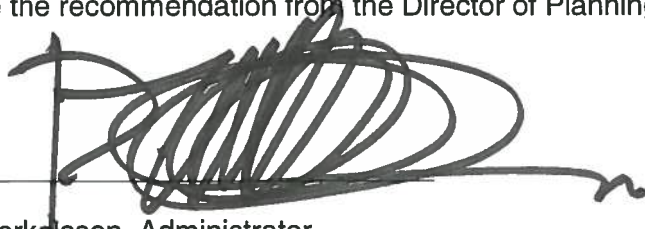
Sharon Hvozdzanski
Director of Planning

NDF/jsp

Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.



Paul Thorkeisson, Administrator