

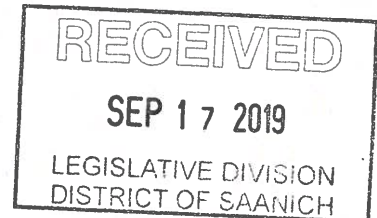


The Corporation of the District of Saanich

C/W22 Oct 19

Report

To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: September 16, 2019
Subject: Development Variance Permit and Subdivision Application
File: DVP00391; SUB00791 • 1971 Woodley Road



RECOMMENDATION

- 1. That Development Variance Permit DVP00391 be approved.
2. That ratification of the Development Variance Permit be withheld pending registration of a covenant to require that the new dwelling on proposed Lot B:
- Constructed to a minimum BUILT GREEN® Gold, Energuide 82, or an equivalent energy efficient standard;
- Include the installation of the necessary conduits be solar ready for future installation of photovoltaic and/or hot water heating systems; and
- Be designed in accordance with the Design Guidelines proposed by the applicant.

PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The application is for a Development Variance Permit to accommodate a subdivision at 1971 Woodley Road to create one additional lot (two lots total) for single family dwelling use. A variance is requested for siting, to allow the existing dwelling to be retained on proposed Lot A. The applicant is Erika Hermann.

DISCUSSION

Neighbourhood Context

The 2550 m², RS-12 (Single Family Dwelling) zoned parcel is located at the east end of Woodley Road in the Shelbourne Local Area. The site is surrounded on all sides by single family dwellings. Directly to the east is an unconstructed road right-of-way, with single family dwellings beyond in the District of Oak Bay (see Figure 1). Camosun College's Lansdowne Campus is approximately 350 m travel distance and Hillside Center is approximately 1 km travel distance. Lansdowne Middle School is located about 1 km to the south and St. Michael's University School is approximately 350 m to the west. The neighbourhood is predominantly

single family dwellings zoned either RS-12 or RS-13 (Single Family Dwelling). The closest park is Mount Tolmie Park approximately 1 km to the north.

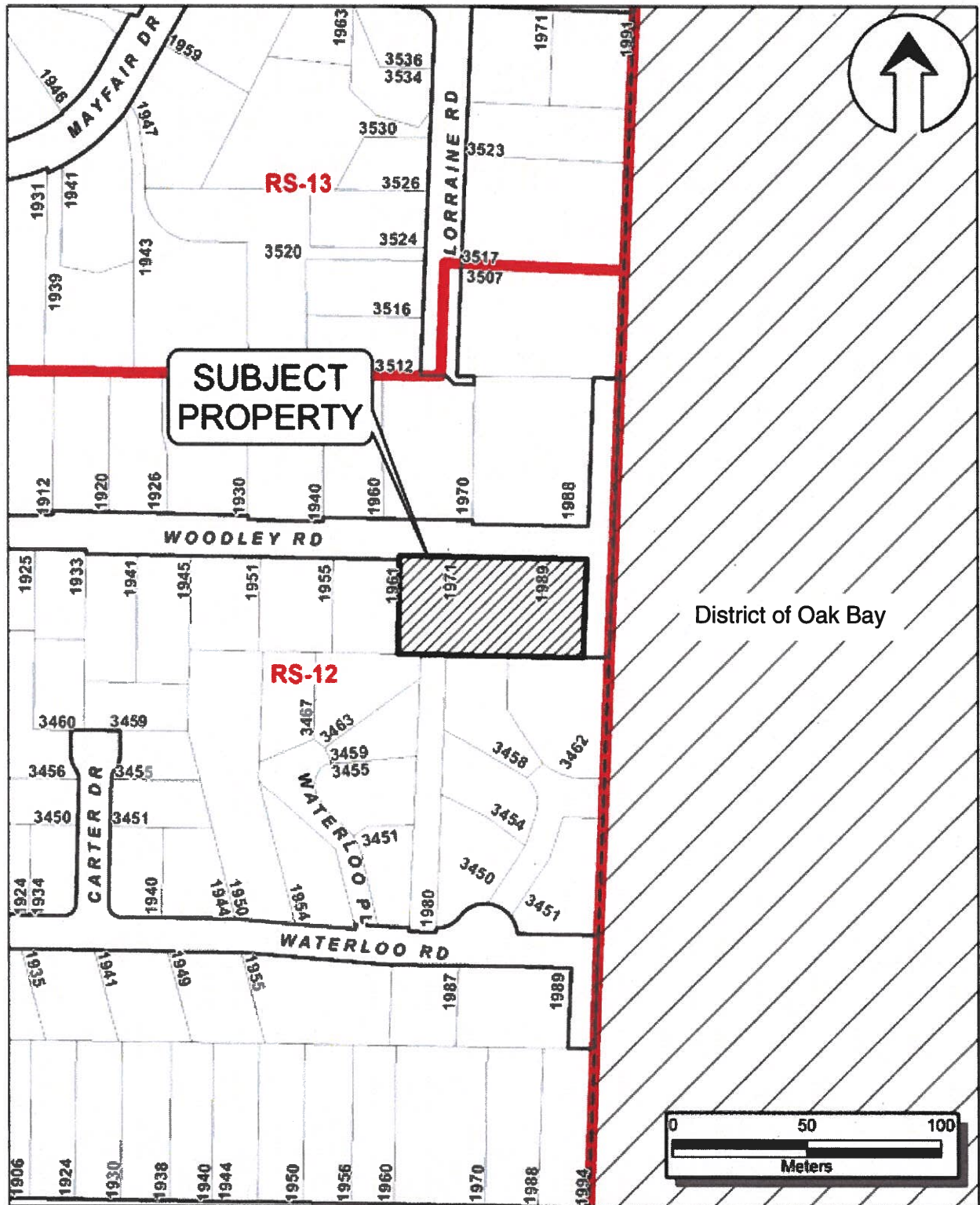


Figure 1: Neighbourhood Context

Land Use

The proposed subdivision would be done based on existing zoning, and create one additional lot for a total of two lots. Proposed Lots A and B would have areas of 1500 m² and 930 m² respectively (see Figure 2). A variance is requested for the front yard setback for the existing dwelling to be retained on proposed Lot A.

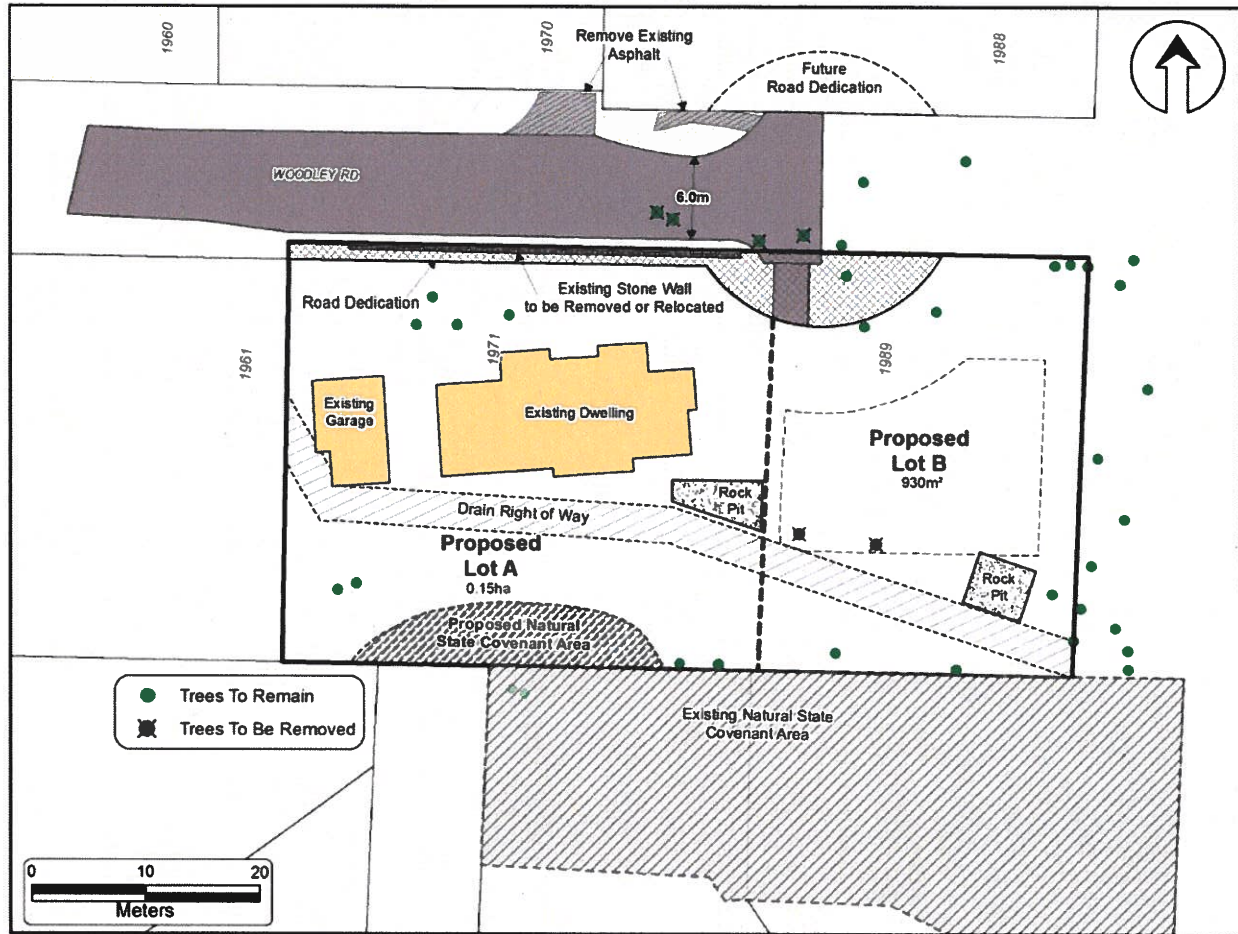


Figure 2: Proposed Subdivision

Site and Building Design

The site slopes gently down from the northwest corner at the front to the southeast corner at the rear of the lot. The existing 1980's era dwelling and detached garage would remain on the westerly 1500 m² lot and a new dwelling would be constructed on the easterly 930 m² lot. Each dwelling would have an individual driveway access. The applicants have indicated that the proposed lot is intended for their future use when they are ready to downsize. Although specific house designs have not been submitted, they have provided design guidelines for the future dwelling and have agreed to secure the general design through a restrictive covenant.

Variance

A variance is requested for front yard setback for the existing dwelling on proposed Lot A, due to the Engineering Department requirement for road dedication along the entire frontage of the parcel. As a result of the road dedication requirements, the existing dwelling would be located 6.7 m from the new front lot line instead of the required 7.5 m. The requested variance of 0.8 m

is relatively minor and would have negligible impact on the street appearance or character of the neighbourhood.

Consultation

The applicant has stated that discussions were held with immediate and adjacent neighbours, including those in the adjacent University Woods area in Oak Bay. The Planning Department also sent notification to the neighbours including those in Oak Bay; two letters of support were received, with two other letters voicing concerns regarding other matters not related to the subdivision itself. These matters were referred to the Bylaw Enforcement office and have since been addressed.

Two referrals were sent to the Camosun Community Association by the Planning Department. No response to either referral has been received to date.

ALTERNATIVES

1. That Council approve the recommendations as outlined in the staff report (Staff Recommend).
2. That Council reject the recommendations as outlined in the staff report.
3. That Council provide alternate direction to Staff.

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.”

- 4.2.1.18 “Encourage new development to achieve higher energy and environmental performance through programmes such as ‘Built Green’, LEED or similar accreditation systems.”
- 4.2.2.3 “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 four storeys); and
 - Mixed-use (commercial/residential) (up to four storeys).”

Shelbourne Local Area Plan (2008)

- 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 in-fill development that is compatible with, and contributes to, the character and quality of the community and preserves the privacy of dwellings”.
- 6.8 “Maintain a minimum RS-12 parcel size on Mount Tolmie Slopes.”

Policy Analysis

The proposal is consistent with Shelbourne Local Area Plan Policies 6.1, 6.2 and 6.8 with respect to lot size. It is also consistent with the Official Community Plan which contemplates limited infill in neighbourhoods inside the Urban Containment Boundary. The proposed lot sizes and configurations would be compatible with the pattern of residential development in the surrounding neighbourhood.

The subject parcel, created in 1919, is one of the last large lots along Woodley Road with potential for subdivision under the current RS-12 zoning. Subdivisions have been approved in this area over the years creating parcels smaller than the minimum 930 m² for the RS-12 zone. In the 1990’s, however, Council rezoned the area to RS-12 to address neighbourhood concerns about subdivision potential and the affect it could have on the natural environment of the area. The proposed subdivision would provide an infill housing opportunity in an established neighbourhood without significantly altering the character of the streetscape.

The Official Community Plan notes the importance of neighbourhood character and the role building style, exterior finish, massing, and height have on the effective integration of new housing stock. The proposed RS-12 (Single Family Dwelling) Zone regulations would allow for a new dwelling on proposed Lot B that would have a maximum of 348 m² non-basement gross floor area. A home of this size would be similar to the existing dwelling on Lot A and generally in keeping with the size of newer homes in the neighbourhood.

Due to the unconstructed road right-of-way along the easterly property line of proposed Lot B, the allowable side yard setback is increased to 3.5 m. As well, a storm drain right-of-way

running diagonally across the rear of the proposed lot would limit a building envelope on this site. For these reasons, a new dwelling on this parcel would have limited impact to adjoining neighbours.

The applicant has provided written design guidelines for the future dwelling to be constructed on proposed Lot B which reflect some of the characteristics of the existing dwelling. As part of the guidelines, the applicant has stated a willingness to commit to a BUILT GREEN® Gold, Energuide 82, or equivalent level of energy efficiency for the new house. In addition, the applicant has indicated a willingness to construct the future dwelling with the conduit necessary to be solar ready. The design guidelines state that installation of solar photovoltaic or hot water heating system will be considered if the environment allows for adequate sun exposure. The design guidelines and energy efficient construction standards would be secured by covenant.

Servicing

There has been extensive consultation between the applicant's consulting engineer and Saanich Engineering staff in regard to meeting the servicing requirements for this proposal.

Due to the sloping terrain of the parcel, the applicant's engineer was required to provide design drawings to ensure that proposed Lot B could be serviced by sewer. The engineer confirmed that a proposed dwelling could be serviced using a connection from the existing most easterly sewer manhole located in front of Lot A. In addition, the engineer also confirmed that plumbing on the main floor would flow by gravity through the sewer connection and that the lower floor would use a pump to remove sewage. This would meet the servicing requirements for sewer and is supported by the Engineering Department.

An existing statutory storm drain right-of-way crosses through the rear of both proposed parcels. Previous owners were issued a Building Permit to construct the existing garage that is proposed to be retained on proposed Lot A. At that time, siting surveys were not required as part of the building permit process and the garage was constructed with minor encroachments onto the right-of-way (see Figure 2). As the encroachments would not affect the subdivision or restrict municipal access to the right-of-way for maintenance, Engineering has no concern.

New connections for the existing dwelling and the future dwelling would be required. In addition, 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 stormwater storage, oil/grit separator or grass swale and sediment basin.

Road improvements were completed in 2017 as part of a water and sewer main replacement project on the entire length of Woodley Road. These improvements included the construction of a hammer head turnaround fronting the subject parcel. Initial discussions regarding road construction for the subdivision centered on minimizing the impact to the existing boulevard area. The design discussed would have created a driveway from the new hammer head turnaround to proposed Lot B and may have helped retain more boulevard trees.

Based on the current proposal, the Subdivision Bylaw requires road dedication and construction of a standard 12 m radius, Type 4 cul-de-sac turnaround area. This requirement anticipates future subdivision of the parcel across the street at 1988 Woodley Road.

After further discussion, the Engineering Department has agreed that road dedication would be required but construction of a Type 4 cul-de-sac would not be necessary at this time. The existing road would be further extended to the westerly boundary of proposed Lot B and a new hammer head turnaround would be constructed (see Figure 2). If in the future, an application to subdivide 1988 Woodley Road is received, it would also require road dedication to a 12 m radius and construction of the Type 4 cul-de-sac would be required at that time.

Presently, an asphalt/concrete sidewalk connects the end of Woodley Road to University Woods located in Oak Bay. Although a portion of the sidewalk would be removed due to road construction, pedestrian access would be retained using the remaining concrete sidewalk.

Environment

It is anticipated that four Bylaw protected trees would require removal to construct the hammerhead turnaround area and driveway entrance for proposed Lot B. Construction would have to be conducted under the supervision of the project arborist to ensure that two Bylaw protected trees in the boulevard are unharmed. The removed trees would be subject to a 2:1 replacement ratio. Due to the fact that the hammerhead may one day be replaced with a cul-de-sac if 1988 Woodley Avenue is developed, bonding would be collected for these trees.

It is anticipated that two Bylaw protected trees would require removal should a dwelling be constructed on proposed Lot B. The need to remove these trees would be evaluated at the Building Permit stage. Tree Removal Permits issued by Saanich Parks would be required.

The applicant has worked with the Environmental Services Section to identify a proposed natural state covenant area that would encompass a portion of a rock outcropping that is deemed worthy of protection (see Figure 2). This covenant would help protect some younger Garry oak trees and would be generally contiguous with a natural state covenant previously registered on the southerly neighbouring parcels. The applicant has also relocated native bulbs to areas outside of the future building envelope to create a naturalized area. Registration of a covenant to protect the proposed natural state covenant area would be addressed by the Approving Officer as part of the subdivision process.

CONCLUSION

The proposed subdivision at 1971 Woodley Road would result in one new lot (two lots in total) for single family dwelling use. The proposed development is consistent with the Official Community Plan which contemplates limited infill in neighbourhoods inside the Urban Containment Boundary. The proposal is also consistent with the Shelbourne Local Area Plan with respect to the proposed residential land use and lot size.

The existing dwelling and garage would be retained on proposed Lot A. Proposed Lot A would be 1500 m² and proposed Lot B would be 930m². The proposed lot sizes and configurations would be compatible with the historical pattern of residential development in the surrounding neighbourhood.

The requested front yard setback variance of 0.8 m to accommodate the existing house is relatively minor and only required due to road dedication. The reduced setback would have no impact on the streetscape or general character of the neighbourhood.

The applicant is willing to register a building scheme for the new lot and a covenant to ensure that the new dwelling on the lot would be constructed to a minimum BUILT GREEN® Gold, Energuide 82, or an equivalent energy efficient standard, and would construct the dwelling to be solar ready for future installation of solar photovoltaic and/or hot water heating system if the environment allows for adequate sun exposure.

The applicant is also willing to register a covenant to protect a portion of the rock outcrop on proposed Lot A as a Natural State Covenant area. This would be addressed by the Approving Officer through the subdivision process.

For the above-noted reasons, Staff support the subject application.

Prepared by Neil D Findlow
Neil Findlow
Senior Planner

Reviewed by Shari Holmes-Saltzman
Shari Holmes-Saltzman
Manager of Current Planning

Approved by Sharon Hvozdzanski
Sharon Hvozdzanski
Director of Planning

LG/NDF/jsp

Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.

Paul Thorkeissou
Paul Thorkeissou, Administrator