



The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: June 4, 2020
Subject: Development Variance Permit and Subdivision Application
File: DVP00422; SUB00839 • 3944 Telegraph Bay Road

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LEGISLATIVE DIVISION
DISTRICT OF SAANICH

RECOMMENDATION

1. That Development Variance Permit DVP00422 be approved.
2. That ratification of the Development Variance Permit be withheld pending registration of a covenant to secure:
 - That new dwellings on proposed Lots A and B to be constructed substantially in compliance with streetscape concepts prepared Studio Ink Designs dated August 12, 2019 as well as the Design Guidelines dated February 5, 2020;
 - Rear yard setbacks for proposed Lots A and B be in accordance with the proposed Subdivision Survey Plan dated July 24, 2019;
 - The area within the rear yard setbacks identified on the proposed Subdivision Survey Plan dated July 24, 2019 be established as no-build areas with regards to accessory structures; and
 - The new dwellings on proposed Lots A and B include the installation of the necessary conduits to be solar ready for future installation of photovoltaic and/or solar hot water systems.

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 decrease the width of both lots, to accommodate a subdivision to create one new lot (two lots total) for single family use. The applicants are Wayne and Veronica Psotka.

DISCUSSION

Neighbourhood Context

The subject property is located on the northwest side of Telegraph Bay Road and is bounded by Cadboro Bay Road/Tudor Avenue and Arbutus Road (see Figure 1). The property falls within

the Cadboro Bay Local Plan Area and is approximately 900 m to services and amenities in the Cadboro Bay “Village”.

The surrounding neighbourhood is a predominantly developed with single family dwellings on RS-10 zoned lots. Nearby parks include Benson Park, located 700 m to the southeast, Arbutus Park, located 500 m southeast, and Phyllis Park, located 1 km to the southeast. The closest school, Frank Hobbs Elementary School is 1.6 km to the northwest.

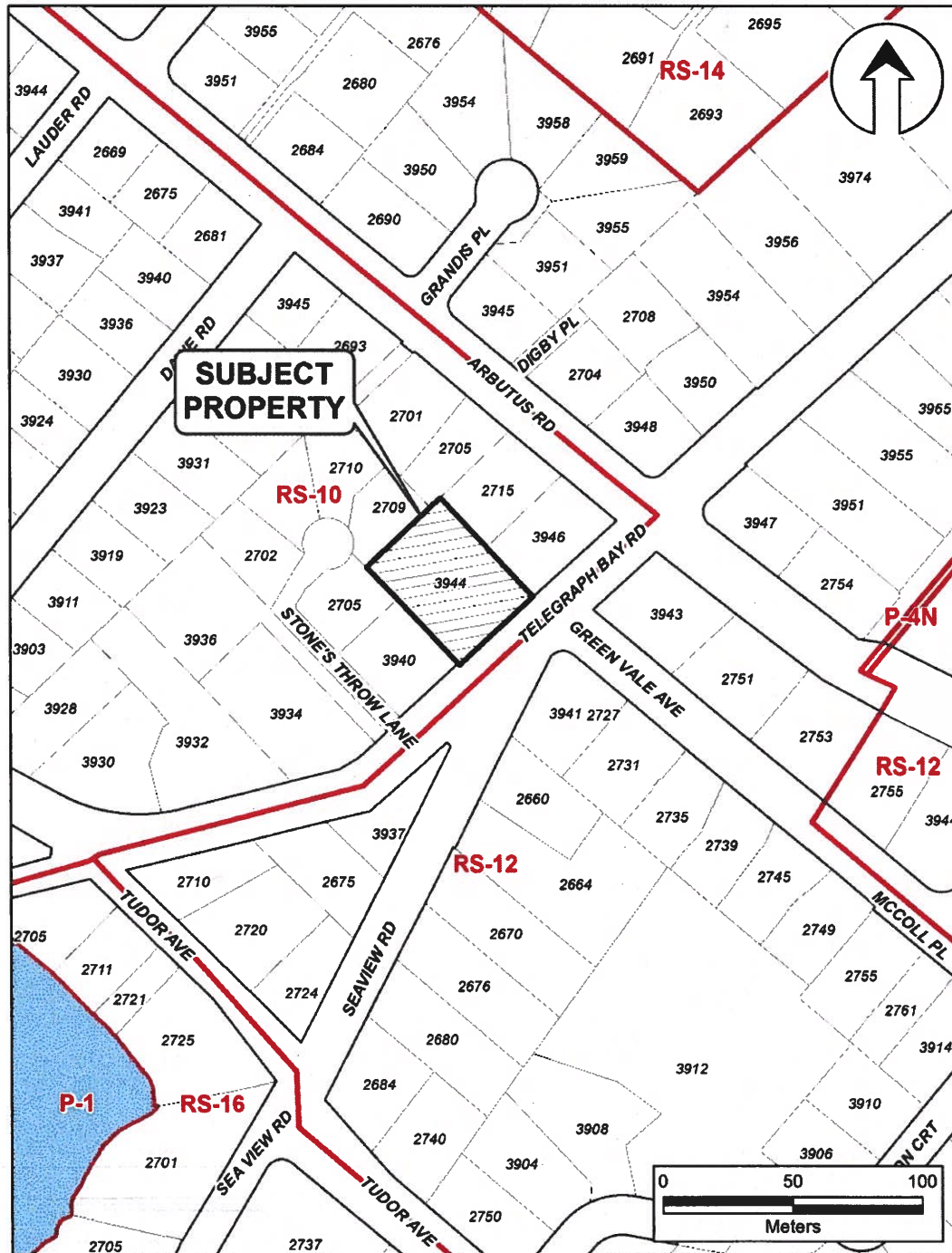


Figure 1 – Neighbourhood Context Map

Proposed Land Use

The applicants are proposing to subdivide the existing RS-10 zoned property to create one additional lot (two lots in total) for single family dwelling use. Variances for lot width on proposed Lots A and B are requested. The proposed lot areas of 996.7 m² (Lot A) and 1003.5 m² (Lot B) would more than meet the minimum parcel size of 780 m² for the RS-10 Zone (see Figure 2). The existing single-family dwelling and accessory building would be removed prior to subdivision.

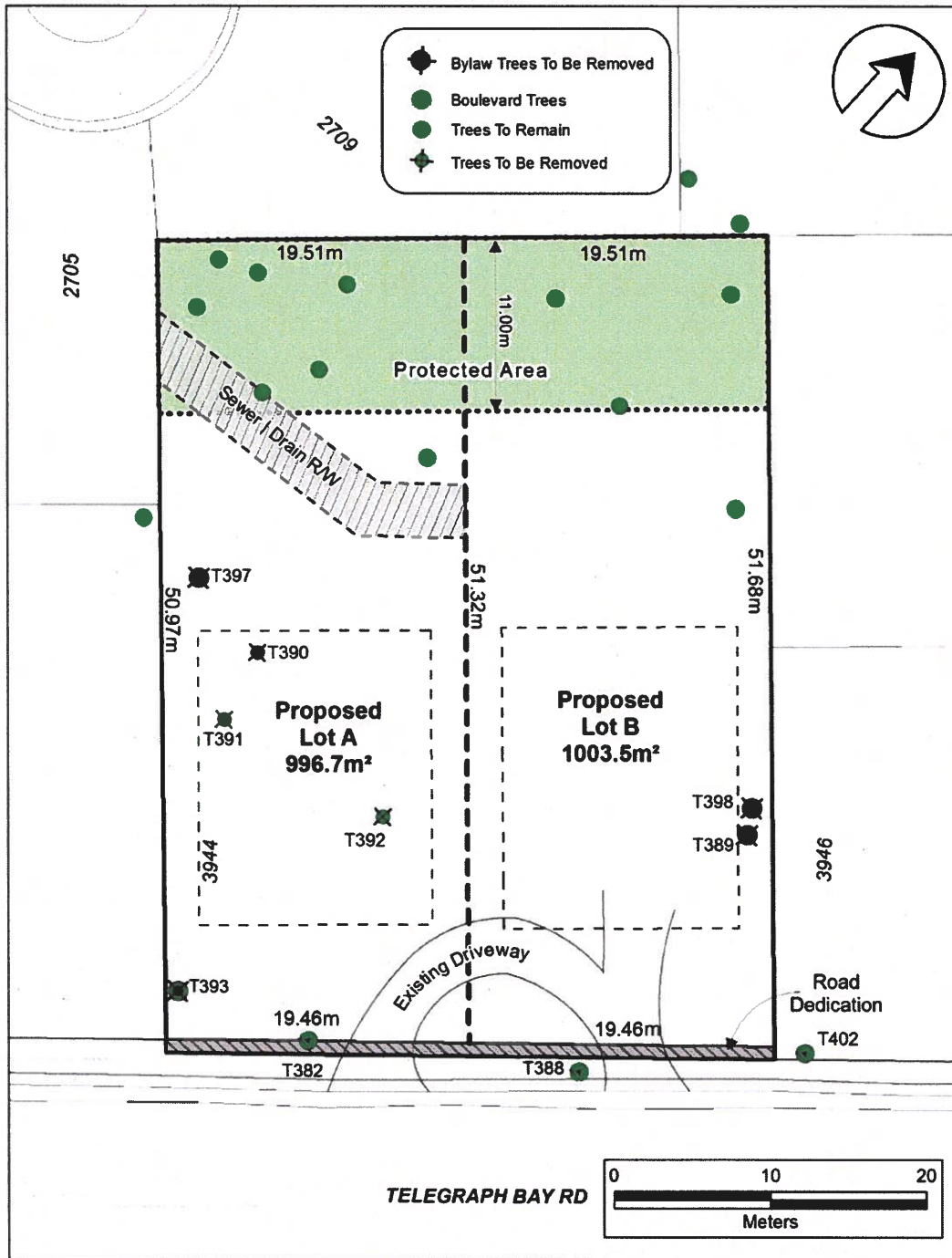


Figure 2 – Survey of Proposed Subdivision (from plans prepared by Kenneth Ng, BCLS)

Site and Building Design

As of January 1, 2020, the Building Bylaw requires that all new Part 9 buildings to achieve Step 3 of the BC Energy Step Code. New construction on proposed Lots A and B would be required to achieve Step Code 3. The applicants have committed to a covenant requiring the installation of the necessary conduits to be solar ready for future installation of photovoltaic and/or solar hot water systems.

The 2033.5 m² parcel slopes downward by approximately 2 m from south to north. The grade at the front of the existing building is slightly lower than the street and this would be true for the two proposed buildings as well.

The applicants are proposing an increased setback from the rear lot line to protect trees along the back of the property. A 7.5 m setback is required in the RS-10 Zone, but the applicants are proposing an 11 m setback on both Lots A and B. The applicant has committed to secure a “no-build” area through a registered covenant in order to protect these trees.

The applicants have provided a conceptual streetscape elevation along Telegraph Bay Road (See Figure 3). The elevations are provided to illustrate how the massing of a new dwelling would appear in context with the existing neighbourhood dwellings. It should be noted that this is not necessarily what would be constructed; however, the conceptual elevations do follow a proposed general building scheme which would be secured by covenant.

The proposed building scheme for Lots A and B would encourage construction that has sympathetic form and character to the established neighbourhood. They recommend a Craftsman or West Coast Contemporary architectural style, as well as the use of neutral exterior materials, finishes and colours.

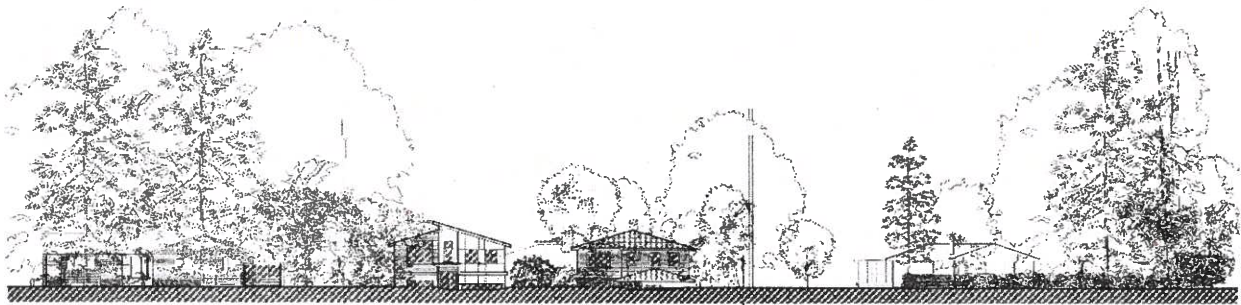


Figure 3 – Streetscape Elevation Showing Proposed Dwellings (from plans prepared by Studio Ink)

Consultation

The District mailed letters to neighbours within 90 m of the subject property. At the time of writing this report no comments had been received.

The applicants contacted neighbours within 400 m of their property. Twenty-nine neighbours completed response forms. At the time of writing this report a total of 21 neighbours had submitted forms in support for the proposed plan. Two neighbours were still reviewing the information, one neighbour was neutral, and five neighbours were not available to provide comment.

One neighbour commented on ivy (an invasive species) growing on two trees in the northwest corner of the subject property (#395 and #406). Removal of the ivy would be forwarded to the Approving Officer for consideration as part of the subdivision review process. The same neighbour also expressed concern about potential future problems with surface water migration onto his property. As a standard condition of subdivision approval, the applicants would be required to connect both lots to the municipal storm sewer.

Community Association

The applicants presented their proposed plan and the results of their discussions with neighbours to the Cadboro Bay Residents Association (CBRA). Members of the Community Association also completed a site visit. The CBRA confirmed, in writing that they have no objections to the project. A copy of the detailed referral comments from the CBRA is included in the agenda package.

ALTERNATIVES

1. That Council approve the recommendations as outlined in the staff report.
2. That Council reject the recommendations as outlined in the staff report.
3. That Council provide alternative direction to Staff.

FINANCIAL IMPLICATIONS

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

STRATEGIC PLAN IMPLICATIONS

The subject proposal works towards achieving one of Council's key Strategic Plan goals, namely; the development of "**Affordable and diverse housing that meets out residents' needs now and in the future.**"

The development also addresses other Strategic Plan goals, such as:

- Ensuring land use decisions are consistent with our community-supported plans;
- Increasing housing supply and diversity to support more affordable, vibrant and inclusive communities; and
- Continue to protect our urban containment boundary.

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 sustainability; 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."
- 4.2.1.20 "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 four storeys); and
 - Mixed-use (commercial/residential) (up to four storeys)."

Cadboro Bay Local Area Plan (2002)

- 7.1 "Maintain single-family housing as the predominant land use and promote appropriately located and designed multi-family housing."

Policy Analysis

The Official Community Plan does contemplate limited infill in neighbourhoods inside the Urban Containment Boundary, and notes that "maintenance of neighbourhood character is of paramount importance when considering new developments within established areas."

The proposed lots would have areas of 996.7 m² (Lot A) and 1003.5 m² (Lot B) and would be generally compatible with other lots in the neighbourhood.

An important consideration with infill developments is that the scale, massing and design of any proposed housing respects the neighbourhood character. There is no prominent architectural style in the neighbourhood. That said, the massing and general character of new homes would be sympathetic to the neighbouring houses.

While not affordable housing, the proposed infill housing would provide a much desired form of housing within Saanich. The new dwellings could accommodate a secondary suite which would also contribute to the range and supply of housing stock in this area. The proposal would also add new family housing into a neighbourhood that is well served by schools, parks, transit and the commercial services of the Cadboro Bay Village.

Variances

The proposed subdivision requires a variance for lot width to reduce the requirement for proposed Lots A and B from 20.00 m to 19.48 m. Each lot would be 0.52 m narrower than what

is required in the RS-10 Zone. These widths are generally less than the lots along Telegraph Bay Road, which average 31.5 m wide and are significantly greater than the minimum requirements identified in the Zoning Bylaw.

Although the proposed lot widths are less than average for the neighbourhood, single family housing is consistent with the existing land use pattern in the area. In addition, providing infill housing in a location somewhat close to services, and offering a range of transportation options and other community amenities represents a positive contribution to the neighbourhood. For these reasons, the variances for lot width can be supported.

Servicing

The existing storm drain and sewer connections must be capped for future use by proposed Lot A. Subsequent drain connection will be required for proposed Lot B from the existing Municipal main traversing 2705 Stone's Throw Lane and extending across proposed Lot A via a private easement.

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. If stormwater storage tanks are used, Parks requires these to be located outside the protected root zone of all retained trees.

A provisional water connection will be required for proposed Lot A from the existing main on Telegraph Bay Road. The existing 13 mm water service to proposed Lot B must be upgraded to 19 mm.

A 0.856 m wide property dedication is required along the entire frontage of proposed Lots A and B. The existing driveway drops can be used to provide access to the new lots.

Environment

An arborist's report was prepared by M.B. Arboriculture. Parks has confirmed that there is a total of 20 trees on the subject property, of which 13 are bylaw protected, 1 is located in the boulevard and 6 are non-bylaw protected.

Seven trees are proposed to be removed including four bylaw protected trees, all of which are deemed necessary to facilitate the proposed development. The four bylaw protected trees to be removed include: Grey Alder (#389); Balsam Poplar (#393); Douglas Fir (#397); and a Bigleaf Maple (#398). Three non-bylaw protected trees are also identified for removal to facilitate the proposed development. They include: Balsam Fir (#390); Chamaecyparis (#391); and a Fig (#392).

In accordance with the District's Tree Protection Bylaw two replacement trees are required for every protected tree removed for development related activities. A total of four replacement trees are required on site. No replacement trees are shown on the proposed site plan; however, this would be forwarded to the Approving Officer to be included as a condition of the subdivision and would need to be shown on the approved site and servicing plans.

One existing boulevard tree (#388) would require significant pruning to provide clearance for equipment access to the site at the time of development. Removal of tree #388 is permitted under the Tree Protection Bylaw, however, a boulevard replacement tree that is a low growing

variety to accommodate the overhead electrical wires will be required. In addition, a replacement tree fee will be required.

A Prunus tree (#382) is within the road dedication area and would become a boulevard tree. The applicant is intending to retain the tree, but it may be impacted by proposed overhead electrical and communication services. If this is the case, clearance pruning will be required. The extent of the pruning will be determined at the time of construction.

Tree #402 located on the neighbouring lot (Lot 2) may also be impacted by proposed overhead electrical and communication services. If it is impacted, clearance pruning will be required, and the extent of the pruning will be determined at the time of construction.

A Horse Chestnut (#409) tree is located within 4 m of the proposed services for Lot B. To retain the tree, alternative excavation techniques that are least invasive to tree roots are required. If the tree cannot be retained, replacement trees will be required as per the Tree Protection Bylaw.

As per the Subdivision Bylaw, one new boulevard tree is required for each new lot created. If existing boulevard trees are retained in front of each lot, then the Schedule I tree fee will not be required. However, if a boulevard tree cannot be retained in front of each lot, a Schedule I tree fee will be required at the site servicing stage of the development. This fee would be in addition to any other required boulevard replacement fees.

If replacement trees are required in the boulevard, they must be shown on a site and servicing plan at the time of subdivision approval.

CONCLUSION


The proposal is consistent with the Official Community plan which contemplates limited infill in neighbourhoods inside the Urban Containment Boundary.

The proposed variances to lot width would accommodate a subdivision resulting in one additional lot (two lots total) for single family dwelling use under the RS-10 (Single Family Dwelling) Zone. The proposed layout was designed specifically to retain the trees and vegetation in the rear yard and they are willing to commit to a "no-build" covenant to restrict the construction of accessory structures in this area in the future.


The lot sizes, configurations, and building sitings are compatible with the general pattern of residential development in the surrounding neighbourhood. The proposed variances to reduce the widths of Lots A and B from 20.0 m to 19.48 m would not adversely affect the streetscape provided the design of the new houses are consistent with the proposed design guidelines. The proposed lot widths are adequate to create a suitable building envelope on the lots without requiring side yard setback variances.

The subject proposal would add two new houses into a neighbourhood well served by a broad range of commercial businesses, public transit and parks. A public elementary school is within walking distance. While market housing, the proposed new dwellings would provide additional housing stock in the area.

For the above-noted reasons, staff support the Development Variance Permit and Subdivision application, subject to the recommendations outlined on page 1 of this Report.

Prepared by: 

Megan Squires
Planner

Reviewed by: 

Shari Holmes-Saltzman
Manager of Current Planning

Approved by: 

Sharon Hvozdzanski
Director of Planning

MS/jsp

Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.



Paul Thorkelsson, Administrator