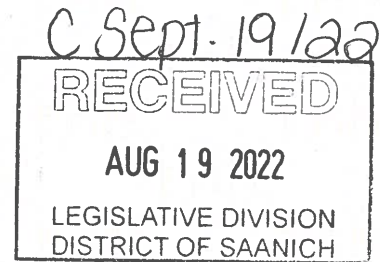




The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Sharon Hvozdzanski, Director of Planning
Date: August 19, 2022
Subject: Subdivision and Rezoning Application
File: SUB00904; REZ00706; • 4240 Shelbourne Street



RECOMMENDATION

- 1. That pursuant to section 464(2) of the "Local Government Act", a Public Hearing not be held in relation to the Zoning Amendment Bylaw, and that notice of the decision not to hold a public hearing be given in accordance with section 467 of the "Local Government Act.
2. That proposed Zoning Bylaw Amendment Bylaw to rezone 4240 Shelbourne Street from the RS-6 (Single Family Dwelling) Zone to the RS-6 (Single Family Dwelling) Zone and the RS-4 (Single Family Dwelling) Zone, be placed on an upcoming Council meeting agenda.
3. That prior to the adoption of the Zoning Amendment Bylaw, a covenant be registered to secure the following:
- The new dwelling on proposed Lot 2 be constructed with the necessary conduit to be solar ready for future installation of photovoltaic and/or solar hot water heating systems and include EV charging capability in the garage;
- That the new dwelling on proposed Lot 2 be constructed substantially in compliance with the conceptual building plans prepared by Java Designs date stamped May 11, 2022;
- That the applicant obtain permission from the adjacent property owner at 4236 Shelbourne Street to remove tree #192.

PURPOSE

The purpose of this Report is to seek direction from Council on the subject application. The application is a request to rezone the site from the RS-6 (Single Family Dwelling) Zone to the RS-6 (Single Family Dwelling) Zone and the RS-4 (Single Family Dwelling) Zone in order to subdivide to create one additional lot (2 lots in total) for single family dwelling use. The applicant is DWG Principal Developments Ltd. and Calistoga Investments Inc. (Kerry Couvelier).

DISCUSSION

Neighbourhood Context

The subject property is located within the Cedarglen neighbourhood of the Gordon Head Local Area, on the southwest corner of Arbordale Avenue and Shelbourne Street (see Figure 1). A

new single family dwelling is currently under construction on the west part of the site under the current RS-6 (Single Family Dwelling) Zone. Land use in the neighbourhood is mostly RS-6 (Single Family Dwelling) Zones. Nearby parks include Majestic Park, 835 m travel distance and Lambrick Park, 700 m travel distance. Gordon Head Community Recreation Centre is located within Lambrick Park. Nearby schools include Torquay Elementary, 1.5 km travel distance, Gordon Head Middle, 850 m travel distance, and Lambrick Park Secondary, 1.2 km travel distance.

The subject property is located 1.5 km travel distance from the core of the University Major "Centre" where a variety of retail and other commercial services are available. The area is serviced by frequent public transit route #27/28 (Gordon Head/Majestic) with 15-minute service or better between Gordon Head and Downtown Victoria. A southbound bus stop is on Shelbourne Street adjacent to the site. The nearest northbound bus stop is north of the Shelbourne Street and Arbordale Avenue intersection.



Figure 1: Neighbourhood Context

Proposed Land Use

The proposed rezoning would accommodate a subdivision to create one additional lot for a total of two standard lots for single family dwelling use. Proposed Lot 1 would be zoned RS-6 (Single Family Dwelling) Zone and would have an area of 560 m². Proposed Lot 2 would be zoned RS-4 (Single Family Dwelling) Zone and would have an area of 462 m². The new single family

dwelling that is currently under construction on the site would be accommodated on proposed Lot 1. A single family dwelling would also be constructed on proposed Lot 2. Secondary suites or garden suites would be permitted and each of the dwellings would contain a secondary unit.

Site and Building Design

Driveway access to proposed Lot 1 would be from Arbordale Avenue. The existing southerly driveway from Shelbourne Street would be used for proposed Lot 2. A single family dwelling with a secondary suite is currently under construction on the west part of the site under the current RS-6 (Single Family Dwelling) Zone. The two-storey plus basement dwelling has a gross floor area of 82.3 m² and complies with the requirements for the RS-6 (Single Family Dwelling) Zone. The applicant has submitted conceptual building plans for a new dwelling to be constructed on proposed Lot 2. The proposed dwelling with secondary suite would comply with the maximum 231 m² gross floor area and 184.8 m² non-basement floor area for the RS-4 (Single Family Dwelling) Zone. The proposed dwelling would conform to the scale and style of surrounding homes.

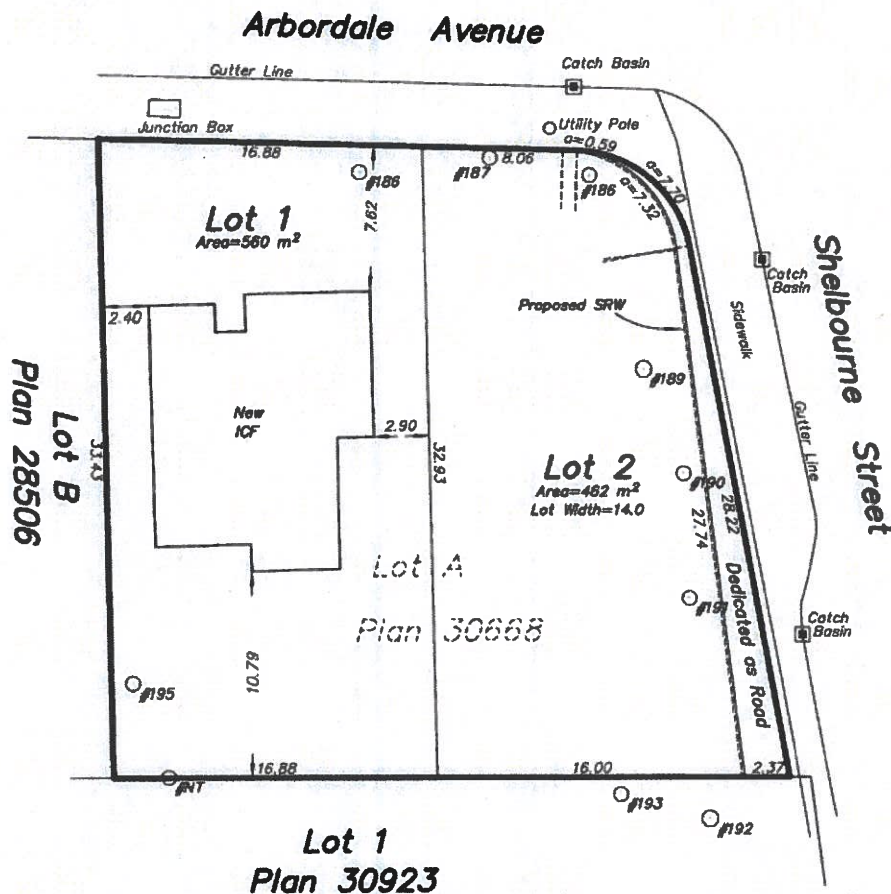


Figure 2: Proposed Subdivision (from plan by Wey Mayenburg Land Surveying Inc.)

The new dwelling proposed to be constructed on proposed Lot 2 would be constructed to comply with Step 3 of the BC Energy Step Code, to be solar ready for future installation of photovoltaic and/or solar hot water heating systems and to include provision for EV charging in the garage. Commitments related to solar readiness and EV charging for proposed Lot 2 would be secured by covenant.

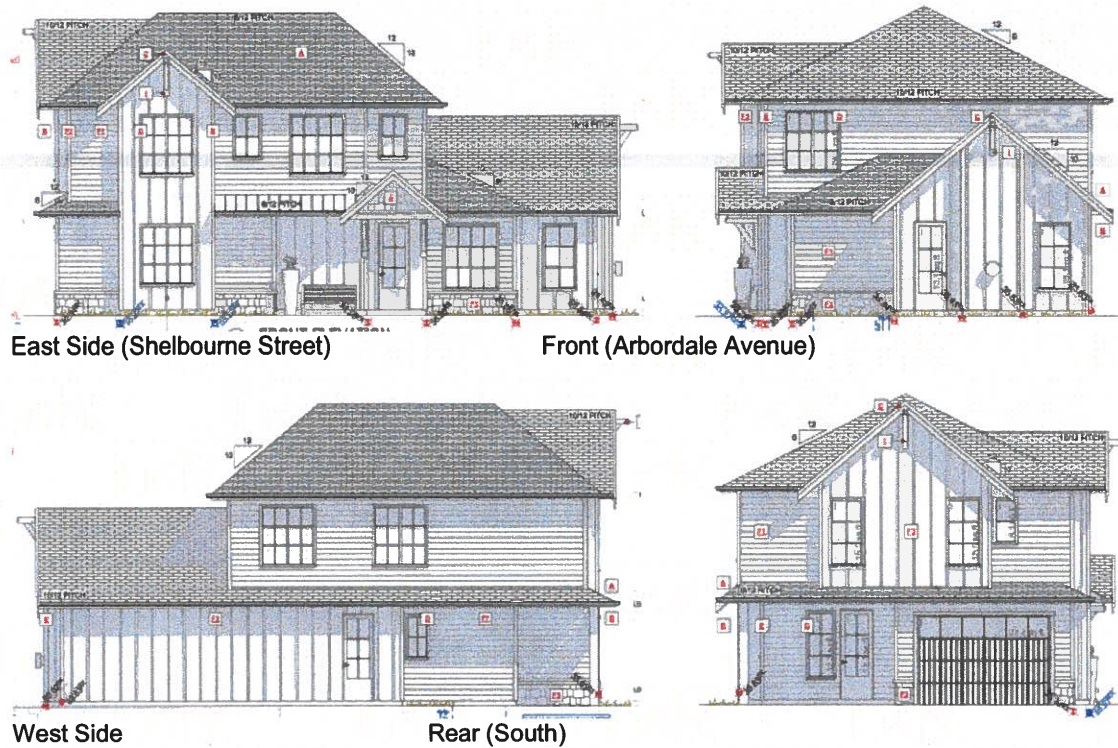


Figure 3: Proposed Lot 2 Elevations

Consultation

The applicant has stated that information about the proposal was provided to nearby neighbours and the Gordon Head Residents' Association (GHRA). Planning sent a referral to the GHRA and letters were sent from Planning to all property owners/residents within 90 m of the subject property. A response was received from GHRA indicating "generally no objections". A copy of the GHRA response 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 alternate direction to Staff.

FINANCIAL IMPLICATIONS

There are 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 our residents' needs now and in the future." The development also addresses other Strategic Plan goals, such as:

- Increasing housing supply and diversity to support more affordable, vibrant and inclusive communities;

- Ensuring land use decisions are consistent with our community-supported plans; and
- Supporting land use planning which recognizes and protects our urban character while encouraging a suitable mix of housing in our neighbourhoods.

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.”
- 4.2.1.18 “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.”
- 4.2.4.3 “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).”

Gordon Head Local Area Plan (1997)

- 3.1. “Protect indigenous vegetation, wildlife habitats, and landscapes when considering applications for change in land use.”
- 4.2. “Ensure that new development minimizes impact on the water quality of the ocean or Mount Douglas Creek.”
- 4.5. “Seek opportunities to vegetate areas with appropriate native species that will support indigenous wildlife.”
- 5.1 “Maintain single family housing as the principle form of development.”
- 5.3 “Consider applications to rezone to permit subdivision having due regard for the prevalent lot size in the area, site specific tree location information, and preservation of environmentally significant areas.”

Policy Analysis

The proposal is consistent with the Official Community Plan which contemplates limited infill in neighbourhoods inside the Urban Containment Boundary, and with the Gordon Head Local Area Plan which anticipates infill development in this area, and which promotes the retention of single family as the predominant residential land use.

An important consideration with infill developments is that the scale, massing, and design of any proposed infill housing respects the neighbourhood character. Conceptual building plans have been provided for the dwelling to be constructed on proposed Lot 2. Based on the proposed RS-4 (Single Family Dwelling) zoning, the maximum non-basement floor area permitted for proposed Lot 2 is 184.8 m². The new dwelling would contain a secondary suite and would conform to the scale and style of surrounding homes. Building plans for proposed Lot 2 would be secured by covenant.

Servicing

Property dedication is required along the entire frontage of the subdivision on Shelbourne Street towards a 6.0 m radius corner cut for road allowance. Also, a 0.12 m wide statutory right-of-way is required along Shelbourne Street for road purpose. The existing northerly driveway drop on Shelbourne Street is to be replaced with a standard section of curb, gutter and sidewalk to match the existing. The existing southerly driveway drop will be used for proposed Lot 2.

Stormwater Management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of the Subdivision Bylaw. The subdivision is in a Type II watershed area which requires stormwater storage, oil/grit separator or grass swale and sediment basin. The existing storm drain connection on Arbordale Avenue is to be used for proposed Lot 1. The existing northerly connection on Shelbourne Street is to be used for proposed Lot 2.

The existing sewer connections on Arbordale Avenue are to be used for both lots. A provisional water connection will be required for proposed Lot 2 from the existing main on Arbordale Avenue. The existing water service on Arbordale Avenue is to be used by proposed Lot 1.

This proposal is subject to the prevailing Municipal Development Cost Charges.

Parks

A Tree Protection Plan (TPP) was completed for the proposed development by SouthShore Forest Consultants Ltd. Saanich Parks has reviewed the TPP and anticipates no trees protected by Tree Protection Bylaw No. 9272 will be impacted by the proposed development. Three non-Bylaw protected trees are proposed for removal. A required Schedule I tree is proposed to be planted on the Shelbourne Street boulevard. This area is currently part of the construction access for the new house that is being constructed on the west part of the site. Parks requires that the area is remediated under arborist supervision as part of the Site Servicing requirements. Due to structural deficiencies and sight line issues, the TPP recommends removal of tree #192 located along the Shelbourne Street frontage of the adjacent property at 4236 Shelbourne Street. Permission from the adjacent property owner for removal of the adjacent tree is recommended by Parks.

The following tree summary is provided by Saanich Parks:

Number of Bylaw protected onsite trees: 0

Number of Boulevard trees: 0

Number of non-Bylaw protected trees on the site: 3

Number of Bylaw protected trees onsite to be removed: 0

Number of Boulevard trees to be removed: 0

Number of non-Bylaw protected trees to be removed: 3

Total tree removals: 3

Number of trees shown to be planted on the subject property: 6

Number of Boulevard trees shown to be planted: 1

In 2010, Saanich Council adopted the Urban Forest Strategy. A key goal is “To Protect and Enhance the Urban Forest”. Further to this goal is the “No Net Loss” canopy policy. The policy will ensure that every public or protected private tree removed is replaced with a minimum of one tree. The current proposal exceeds the intent of this important policy.

Public Hearing

As detailed in the Report to Council dated April 4th, 2022, Bill 26-2021: Municipal Affairs Statutes Amendment Act (No. 2) 2021, provides that a local government is not required to hold a Public Hearing on a proposed Zoning Bylaw if:

- An Official Community Plan is in effect for the area that is the subject of the Zoning Bylaw; and
- The Zoning Bylaw is consistent with the Official Community Plan.

In the District of Saanich, the Official Community Plan comprises the General Plan (Sustainable Saanich Official Community Plan); Local Area Plans (LAP); Center, Village and Corridor Plans; and the Development Permit Area Justification and Guidelines. As the proposed development is consistent with the OCP and the Carey Local Area Plan, a Public Hearing is not required. The recommendation on page 1 identifies the procedural actions required should Council wish to not hold a Public Hearing.

Should Council decide to further consider this proposed application at a Public Hearing, that direction can be provided to Staff, and a Public Hearing would be scheduled.

CONCLUSION

The lot sizes and configurations proposed would be compatible with the pattern of residential development in the surrounding neighbourhood. The creation of one additional lot for single family residential use would have a negligible impact on traffic and on-street parking.

A single family dwelling with a secondary suite is currently under construction on the west part of the site (proposed Lot 1) under the current RS-6 (Single Family Dwelling) Zone. The applicant has submitted conceptual building plans for a new dwelling to be constructed on proposed Lot 2. The proposed dwelling with secondary suite would comply with the maximum 231 m² gross floor area and 184.8 m² non-basement floor area for the RS-4 (Single Family Dwelling) Zone. The new residence to be constructed on proposed Lot 2 would be constructed to comply with Step 3 of the BC Energy Step Code, to be solar ready for future installation of photovoltaic and/or solar hot water heating systems and to include provision for EV charging in the garage. Building plans and commitments related to solar readiness and EV charging for proposed Lot 2 would be secured by covenant. The proposed dwelling would conform to the scale and style of surrounding homes.

The proposal is consistent with the Official Community Plan which contemplates limited infill in neighbourhoods inside the Urban Containment Boundary, and with the Gordon Head Local Area Plan which identifies this area as suitable for limited infill. As such, staff support the proposed development and recommend not holding a Public Hearing.

Prepared by: Neil Findlow
Neil Findlow

Planner

Reviewed by: Shari Holmes-Saltzman
Shari Holmes-Saltzman

Manager of Current Planning

Approved by: Sharon Hvozdzanski
Sharon Hvozdzanski

Director of Planning

NDF/aw

Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.

for Brent Reems

Brent Reems, Chief Administrative Officer