

2870-30 - Cordova Bay C/W Oct. 15/12

DISTRICT OF SAANICH

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Mayor
Councillors
Administrator
Com. Assoc.
Applicant
CD

Report To: MAYOR AND COUNCIL
Date: SEPTEMBER 5, 2012
From: SHARON HVOZDANSKI, DIRECTOR OF PLANNING
Subject: REZONING, DEVELOPMENT VARIANCE PERMIT AND SUBDIVISION APPLICATION
File: SUB00666; REZ00491; DVP00318 - 4601 CORDOVA BAY ROAD

Project Details

Project Proposal: The applicant proposes to rezone from RS-18 (Single Family Dwelling Zone) to RS-12 (Single Family Dwelling Zone) for the purpose of subdivision to create one additional lot for single family dwelling use. Variances are requested for lot width.

Address: 4601 Cordova Bay Road

Legal Description: Parcel A (DD 7803 – W) Of Lot 1, Section 24, Lake District, Plan 11854

Owner: Curt Ryane

Applicant: Curt Ryane

Application Received: January 25, 2012

Parcel Size: +/- 3250 m²

Existing Use of Parcel: Single Family Residential

Existing Use of Adjacent Parcels:
North: Cordova Bay
South: RS-18 (Single Family Dwelling Zone)
East: RS-18 (Single Family Dwelling Zone)
West: RS-12 (Single Family Dwelling Zone)

Current Zoning: RS-18 (Single Family Dwelling Zone)

Minimum Lot Size: 2.0 ha

Proposed Zoning: RS-12 (Single Family Dwelling Zone)

Proposed Minimum Lot Size: 1550 m²

Local Area Plan: Cordova Bay Local Area Plan

LAP Designation: General Residential

Community Assn Referral: Referred to the Cordova Bay Association April 4, 2012.
No objection received April 18, 2012. Additional comment provided regarding slope stability.

Proposal

The owner has applied to rezone the subject property from RS-18 (Single Family Dwelling Zone) to RS-12 (Single Family Dwelling Zone) for the purpose of subdivision to create one additional lot for single family dwelling use. Proposed Lots 1 and 2 would be rectangular shaped waterfront lots with areas of $\pm 1700 \text{ m}^2$ and 1550 m^2 respectively (See Figure 1). The existing circa 1960 dwelling would be deconstructed. Identical lot width variances are requested for each proposed lot.

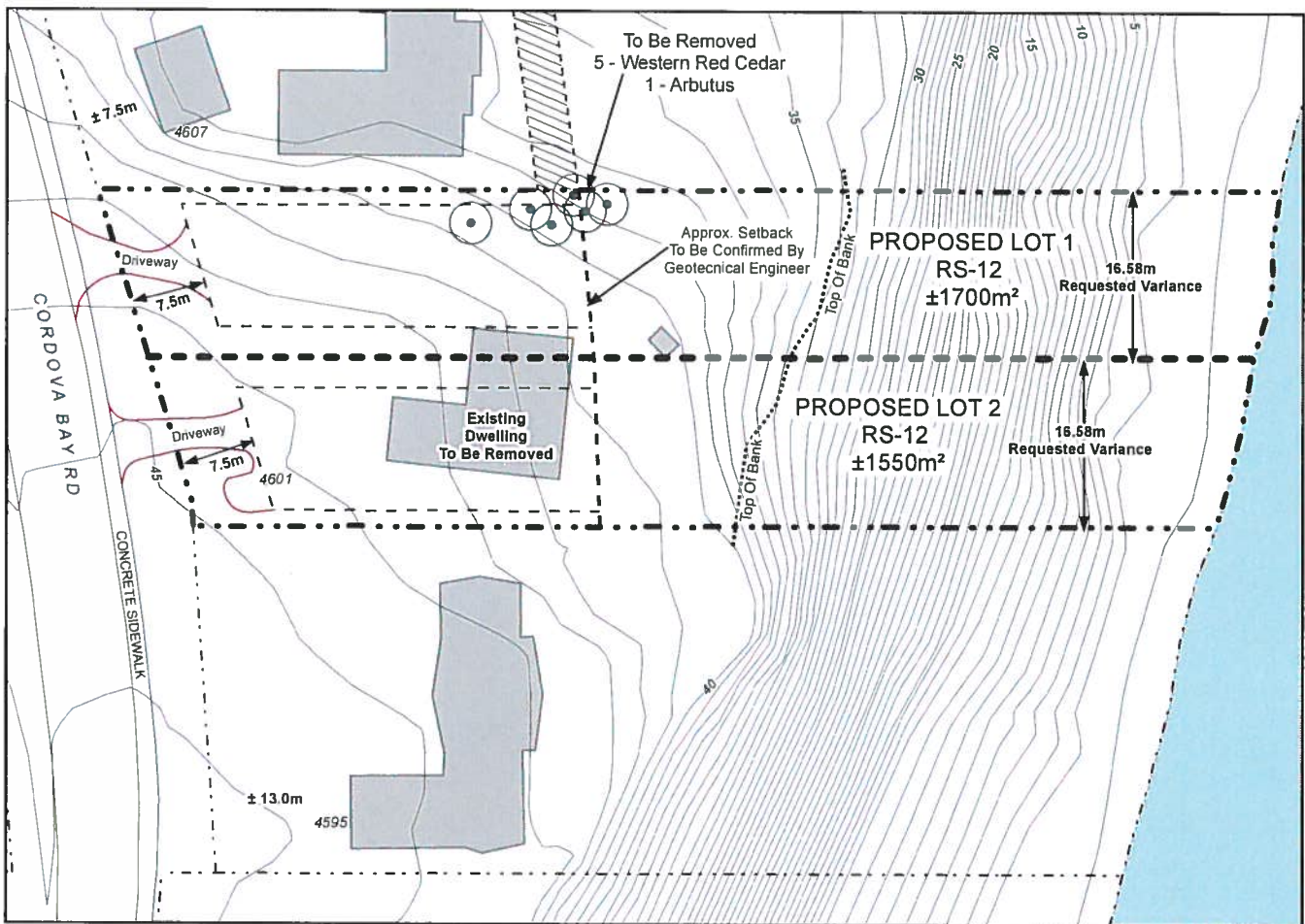


Figure 1: Proposed Subdivision

Planning Policy

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."
- 4.2.4.3 "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)."
- 4.2.1.14 "Encourage the use of 'green technologies' in the design of all new buildings."

Cordova Bay Local Area Plan (1998)

The property is designated "Residential I" on *Cordova Bay Local Area Plan*, Map 7.1. The Local Area Plan policies applicable to this proposal are as follows:

- 5.1 "Encourage protection of indigenous vegetation, wildlife habitats, urban forest landscapes and sensitive marine environments within Cordova Bay when considering applications for change in land use";
- 5.7 "Consider the need for a geotechnical assessment before approving any development on steep slopes including the gravel pits."
- 7.2 "Require a minimum lot area of 930 m²* within the area designated Residential I on Map 7.1, except:
- (b) on lots shown on Map 7.1 to be serviced by the proposed Cordova Bay Road sewer lift station, an average lot area of 930 m² may be considered only if significant portions of the site are set aside for park and/or environmental protection."

* excludes the area of the access strip for panhandle lots.

- 7.7 "Consider the impact of new development on established views through the rezoning, development permit and subdivision process."

Discussion

Neighbourhood Context

The +/- 3250 m² site is located within the Urban Containment Boundary and Sewer Service Area. It fronts on the north side of Cordova Bay Road (Mount Douglas Parkway) and extends to the Cordova Bay waterfront. Two driveways currently access the site, leading to a large gravel parking area and the existing dwelling. The southern half of the property, from the road to the top of the bank, is relatively flat and encompasses the dwelling, lawns and landscaping. From the top of the bank, the slope down to Cordova Bay is approximately 30 m in height and has an overall angle of 40 to 45 degrees from horizontal. The adjacent parcel to the west is zoned RS-12. Single family residential development to the south and east are zoned P-18 (See Figure 2).

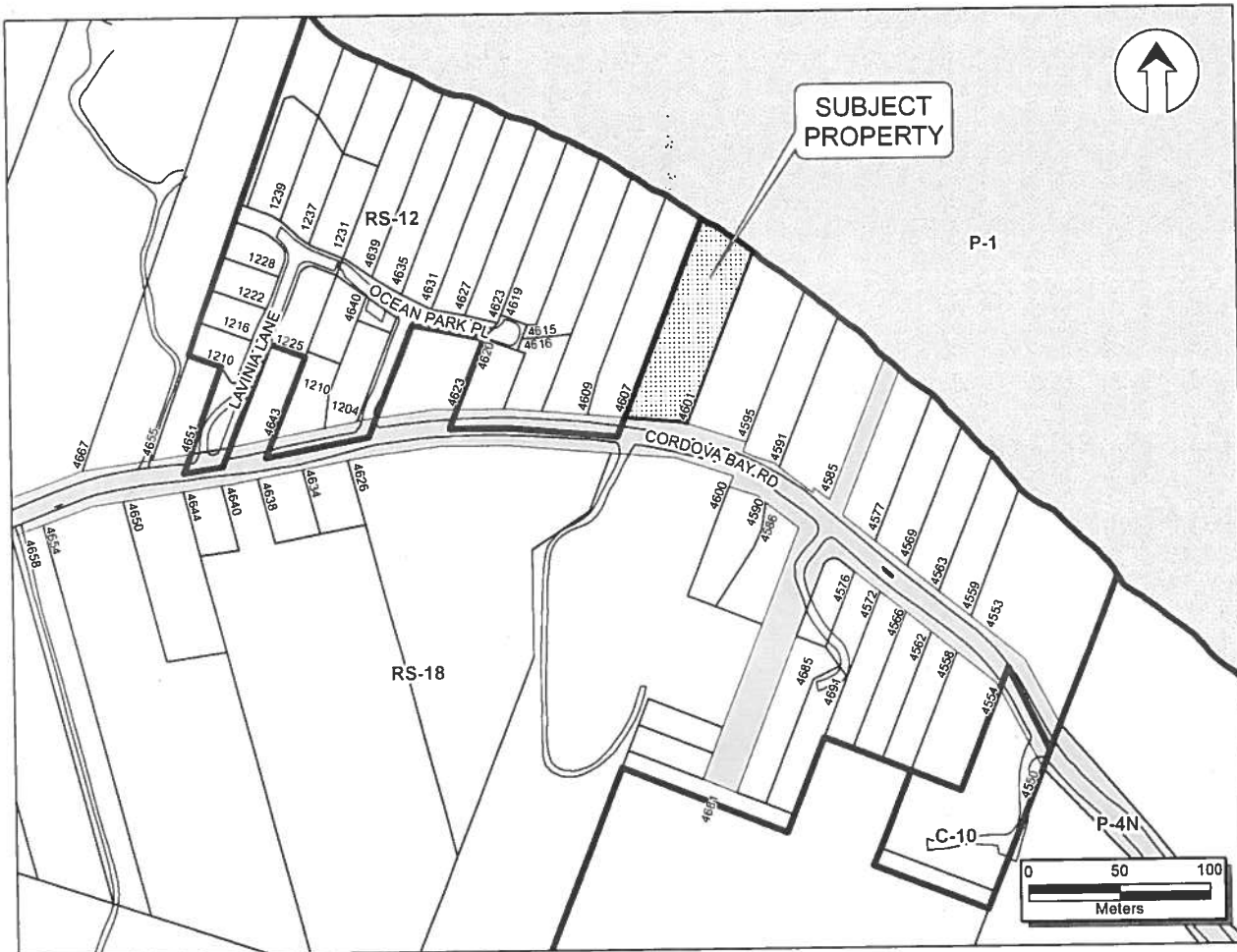


Figure 2: Location Plan

Land Use

The proposal is consistent with Cordova Bay Local Area Plan Policy 7.2 with respect to minimum lot sizes. The proposal is also consistent with the Official Community Plan (OCP) which allows for limited infill in neighbourhoods inside the Urban Containment Boundary. Proposed lot sizes and configurations are compatible with the pattern of nearby development of lands serviced by the Cordova Bay Sewer Lift Station that has occurred over the past eight years. While the OCP contemplates the majority of future growth being focused in “Centres”

and "Villages", residential infill per Local Area Plan policies was acknowledged to be appropriate.

Building and Site Design

The proposed RS-12 zoning would allow new dwelling sizes to a maximum 500 m² non-basement gross floor area. Size and siting of the proposed new dwellings would not be out of character with the large lot sizes and location of dwellings on neighbouring properties. A conceptual streetscape view of the proposed lots and adjoining properties has not been provided, as the view of current and any future dwellings are/would be largely obscured by the screening effect of the boulevard and front yard trees and vegetation. The design of the future houses would be left to the new owners. The separation between the existing and proposed houses can be seen in Figure 1. Proposed RS-12 zoning would provide a 7.5 m front yard setback for new dwellings on proposed Lots 1 and 2. The rear setbacks would be constrained by geotechnical setback requirements and alignment of sanitary sewer and storm drain extensions.

Variances

The Zoning Bylaw specifies a minimum lot width of 22 metres in the proposed RS-12 Zone. The applicant has requested identical variances to reduce the width of each lot to 16.58 metres. Several RS-12 zoned lots in the area have reduced lot widths ranging from 17 to 20 metres. Given that there are a number of lots in this neighbourhood which are already narrower than 22 metres, the size of the proposed lots, and the screening effect of the boulevard and front yard vegetation, the requested variances would not have a significant impact on the streetscape or neighbourhood character.

Environment

Environmental Services has reviewed the application and advise that Marine Backshore is noted in the Environmentally Significant Areas Atlas. This area is from the beach past the top of bank and is comprised of natural understory with topped trees. Protection of the trees and understory is desirable from both a stability and habitat perspective. Provision of suitable covenants to protect the natural state covenant would be referred to the Approving Officer in the subdivision process.

Saanich Parks has reviewed the application and consulting arborist report. The report identifies six trees that would require removal (one Arbutus and five Western Red Cedar), for the proposed building footprint and underground sewer and storm drain services. The report also provides recommendation and specifications for service locations and driveways to preserve bylaw-protected trees. Provision of suitable covenants to require that the land be developed in accordance the consulting arborists' recommendations would be referred to the Approving Officer.

Official Community Plan Policy 4.2.1.14 encourages the use of "green technologies" in the design of all new buildings. The applicant advises that while he agrees with energy efficient building; he does not consider that it is necessary to have energy efficient building standards secured by registration of a covenant. Although an energy code standard for the proposed new houses has not been specified by the applicant, current Building Code and construction practices result in house construction at a level nearing Built GreenTM Silver.

The applicant has further advised that the existing dwelling on the subject property would be deconstructed, a process which entails the dismantlement of a building in which all salvageable

parts of the building shall be sold, recycled, re-used or donated, and all remaining waste will be taken to a waste recycling site.

Mobility

Cordova Bay Road is currently developed with concrete curb, gutter, and sidewalk. No road frontage improvements are required. Existing access locations would be used for each proposed lot. The consulting arborist report advises that it should be possible to excavate for underground water and gas services beneath the driveway footprints without removing any municipal trees. Storm drain and sanitary sewer services for the proposed subdivision would be provided by an extension and connections to the existing mains within a statutory right-of-way across 4607 Cordova Bay Road.

4601 Cordova Bay Road is on transit route #39 – (Royal Roads/Camosun College/Royal Oak Exchange/UVic) with bus stops located within walking distance of the subject property. The Broadmead "Village" is within reasonable cycling distance and can be accessed by public transit. A concrete sidewalk extends along the north side and bike lanes run along both sides of the street. Cordova Bay Road is designated as a "Major Road" in the Local Area Plan. Traffic generated by one additional single family dwelling would not significantly impact existing traffic conditions.

Geotechnical Considerations

The applicant has provided two reports prepared by Levelton Consultants Ltd. relating to the geotechnical conditions at the site. The reports confirm that for subdivision approval, as required by the Land Title Act, "that the land may be used safely for the use intended." Provision of suitable covenants to require that the land be developed in accordance with the geotechnical engineer's recommendations would be referred to the Approving Officer.

Community Consultation

The Cordova Bay Association (CBA) has provided a referral response by email dated April 18, 2012. They advise that the CBA has no objection to the proposed application. The email also outlines their one concern related to stability of the land. The provision of suitable covenants to require that the land be developed in accordance with the consulting geotechnical engineer's recommendations would be referred to the Approving Officer.

Summary

The proposed rezoning and subdivision conforms to Official Community Plan and Local Area Plan Policies and is compatible with the pattern of residential development in the neighbourhood. While the OCP contemplates the majority of future growth being focused in "Centres" and "Villages", residential infill per Local Area Plan policies was acknowledged to be appropriate.

The following items would be referred to the Approving Officer for consideration in the subdivision review process if the application is supported:

- Restriction of driveways on proposed Lots 1 and 2 to currently existing widths and locations;
- Provision of suitable tree preservation and natural state covenants as recommended by Saanich Parks and Environmental Services staff; and

- To require that the buildings shall be built and land shall be developed in accordance with the geotechnical engineer and consulting arborists' recommendations.

RECOMMENDATION


1. That the application to rezone from RS-18 (Single Family Dwelling Zone) to RS-12 (Single Family Dwelling Zone) be approved; and
2. That Development Variance Permit DVP00318 be approved.

Report prepared by:



Chuck Bell, Local Area Planner

Report reviewed by:



Sharon Hvozdzanski, Director of Planning

BH/CB/ads
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Attachment

cc: P. Murray, Administrator

ADMINISTRATOR'S COMMENTS:

I recommend a Public Hearing be called.



Paul Murray, Administrator

DISTRICT OF SAANICH

DVP00318

DEVELOPMENT VARIANCE PERMIT

**TO: Curt Ryane
4601 Cordova Bay Road
Victoria, BC V8X 3V6**

the owner of lands known and described as:

**Parcel A (DD 7803-W) of Lot 1, Section 24, Lake District, Plan 11854
4601 Cordova Bay Road**

(herein called "the lands")

1. This Development Variance Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied or supplemented by the Permit.
2. This Development Variance Permit applies to the lands.
3. The owner has submitted to the Approving Officer a tentative plan of subdivision to subdivide the lands into two lots as shown on the plan of subdivision prepared by Brad Cunnin Land Surveying dated February 28, 2012, a copy of which is attached hereto. *(herein called "the subdivision")*
4. The Development Variance Permit varies the provisions of the Zoning Bylaw 2003, as follows:
 - (a) by varying the minimum lot width provided by Section 250.6(a) of Schedule 250 attached to the Zoning Bylaw, 2003, No. 8200, in respect to proposed Lot 1 and Lot 2 of the subdivision from 22.0 m to 16.58 m.
5. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL ON THE

_____ DAY OF _____ 20 _____

ISSUED THIS _____ DAY OF _____ 20 _____

Municipal Clerk



Memo

To: Subdivision Office
From: Jagtar Bains – Development Coordinator
Date: May 2, 2012
Subject: Servicing Requirements for Development

PROJECT: TO REZONE FROM RS-18 TO RS-12 TO CREATE ONE ADDITIONAL LOT FOR SINGLE FAMILY DWELLING USE. VARIANCES ARE REQUIRED.

SITE ADDRESS: 4601 CORDOVA BAY RD

PID: 004-892-861

LEGAL: SECTION 24 LAKE LAND DISTRICT PLAN 11854 PARCEL A OF L 1.

DEV. SERVICING FILE: SVS01764

PROJECT NO: PRJ2012-00045

The intent of this application is to subdivide the above referenced parcel into two lots for single family use. Some of the more apparent Development Servicing requirements are as listed on the following pages(s).

A handwritten signature in black ink, appearing to read "Jagtar Bains", is written over a horizontal line.

Jagtar Bains
DEVELOPMENT COORDINATOR

cc: Von Bishop, MANAGER OF DEVELOPMENT

ENTERED
IN CASE

RECEIVED
MAY 9 2012
PLANNING DEPT
CITY OF SAANICH

Development Servicing Requirements

Development File: SVS01764
Civic Address: 4601 CORDOVA BAY RD
Page: 1

Date: May 2, 2012

rain

A SUITABLY DESIGNED STORM DRAIN SYSTEM MUST BE INSTALLED TO SERVE THIS SUBDIVISION AND THE TRIBUTARY AREA FROM THE EXISTING MANHOLE LOCATED NEAR THE WESTERN PROPERTY LINE OF 4607 CORDOVA BAY ROAD. THE ALIGNMENT OF THIS DRAIN MUST BE REVIEWED AND APPROVED BY A GEOTECHNICAL ENGINEER TO MEET SEISMIC CONDITIONS.

Other

- THIS PROPOSAL IS SUBJECT TO THE PREVAILING MUNICIPAL DEVELOPMENT COST CHARGES.
- THE EXISTING NON-COMFORMING BUILDINGS MUST BE REMOVED PRIOR TO SUBDIVISION APPROVAL.
- THE RECOMMENDATIONS OF GEOTECHNICAL ASSESSMENT REPORT BY LEVELTON CONSULTANTS LTD., DATED MARCH 22, 2012, ARE TO BE ADHERED TO.

Road

- THE EXISTING DRIVEWAY APPROACHES ON CORDOVA BAY ROAD ARE TO BE USED BY PROPOSED LOTS 1 AND 2. THIS IS TO BE COVERED BY A COVENANT.
- A POLE MOUNTED STREET LIGHT IS REQUIRED FRONTING THIS SUBDIVISION.

Sewer

A SUITABLY DESIGNED SANITARY SEWER SYSTEM MUST BE INSTALLED TO SERVE THIS PROPOSED SUBDIVISION AND THE TRIBUTARY AREA FROM THE EXISTING MANHOLE LOCATED NEAR THE WESTERN PROPERTY LINE OF 4607 CORDOVA BAY ROAD. THE ALIGNMENT OF THIS MAIN EXTENSION MUST BE REVIEWED AND APPROVED BY A GEOTECHNICAL ENGINEER TO MEET SEISMIC CONDITIONS.

Water

- PROVISIONAL WATER CONNECTION WILL BE REQUIRED FOR PROPOSED LOT 1.
- THE EXISTING 13 MM WATER METER TO PROPOSED LOT 2, MUST BE UPGRADED TO 19 MM.

