

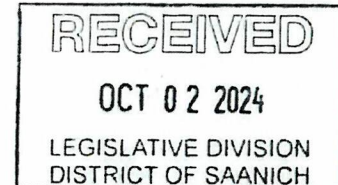


**The Corporation of the District of Saanich**

C-October-28-2024

## Report

**To:** Mayor and Council  
**From:** Lindsay Chase, Director of Planning  
**Date:** October 1, 2024  
**Subject:** Rezoning and Subdivision Application  
File: SUB00954; REZ00761; DVP00519 • 560 Kenneth Street



### RECOMMENDATION

1. That the application to rezone 560 Kenneth Street from the RS-6 (Single-Family Dwelling) Zone to the RS-2 (Single-Family Dwelling) Zone be approved.
2. That the application for Development Variance Permit DVP00519 be approved to allow reduced lot width and variances for setbacks and height for buildings on each lot.

### PURPOSE

The purpose of this Report is to seek Council's decision on a rezoning from the RS-6 (Single-Family Dwelling) Zone to the RS-2 (Single-Family Dwelling) Zone, in association with an application to subdivide to create one additional lot for a total of two lots for Single-Family dwelling use. The Report is also seeking Council's decision on a Development Variance Permit for variances for setback and height that will allow the applicant to construct proposed homes on each parcel. Variances are requested for lot width, side yard setbacks (separate and combined), and building height. The applicant is Kors Development Services Inc. (Denise Kors).

### DISCUSSION

#### Land Use and Neighbourhood Context

The parcel is located in the Carey Local Area within the Neighbourhood Official Community Plan (OCP) designation (see Figure 1). Under the Small Scale Multi Unit Housing (SSMUH) regulations, the lot is eligible for up to four dwelling units as of right. Both Glanford Avenue and McKenzie Avenue are Frequent Transit Corridors, and Kenneth Street itself forms part of the long-term All Ages and Abilities bicycle network. The lot contains a 1959 Single-Family dwelling and shed that would be removed.

The area is a predominantly single-family dwelling neighbourhood—the prevailing zoning is RS-6 (Single-Family Dwelling) Zone, though there are a few RS-4 (Single-Family Dwelling) Zoned parcels in the vicinity. Nearby parks include Glanford Park (200 m away) and Swan Creek Park (323 m away). The closest school is McKenzie Elementary School, located 234 m to the south. Both the parks and school are within easy walking distance.

**Consultation**

The applicant contacted the five surrounding properties and the Carey Area Resident's Association (CARA). Planning also sent a referral to CARA however no response has yet been received. The Ministry of Transportation and Infrastructure (MoTI) was also notified, and a response was received March 1, 2024, indicating no objection to the proposed application.

**Proposed Development**

The 850 m<sup>2</sup> site slopes gently down 1.5 m from the Kenneth Street frontage to the rear (north) of the parcel. The oddly-shaped rear portion of the lot is the result of a subdivision in 1959 which created the first lots on O'Connell Place to the north. Rights-of-way for both sewer and storm drain mains are also located in the rear of the property. Driveway access to the proposed lots would be from Kenneth Street.

The applicant proposes to subdivide the parcel to create one additional lot for a total of two lots for Single-Family dwelling use (see Figure 2). Proposed Lot A, the westernmost lot, would have a lot area of 450 m<sup>2</sup>, and proposed Lot B to the east would have an area of 400 m<sup>2</sup>. The area of these lots would meet the minimum 400 m<sup>2</sup> lot size of the RS-2 (Single-Family Dwelling) Zone. However, the RS-2 (Single-Family Dwelling) Zone also has a minimum lot width of 12 m, and so variances are requested to accommodate the proposed lot widths of 9.9 m for Lot A and 9.9 m for Lot B.

The applicant is proposing houses with floor areas of 214 m<sup>2</sup> on Lot A and 200 m<sup>2</sup> on Lot B which is close to maximum permitted gross floor area under RS-2 (Single-Family Dwelling) Zone. The applicant is seeking additional variances for height, single face height, interior side yard setbacks and combined interior side yard setbacks. These are discussed further under Variances.

Plans as provided show dedicated one-bedroom secondary suites in the basement of each house, and an extra parking space is provided for each of these. Under the Small Scale Multi Unit Housing (SSMUH) regulations, each of these lots would qualify for up to four dwelling units, however the small lot size and sewer and drain rights of way at the rear of the parcel would likely limit this potential.

The proposed new residences would be required to comply with Step 3 of the BC Energy Step Code and EV charging capabilities would be provided in each garage as per the Zoning Bylaw, 2003, requirements.

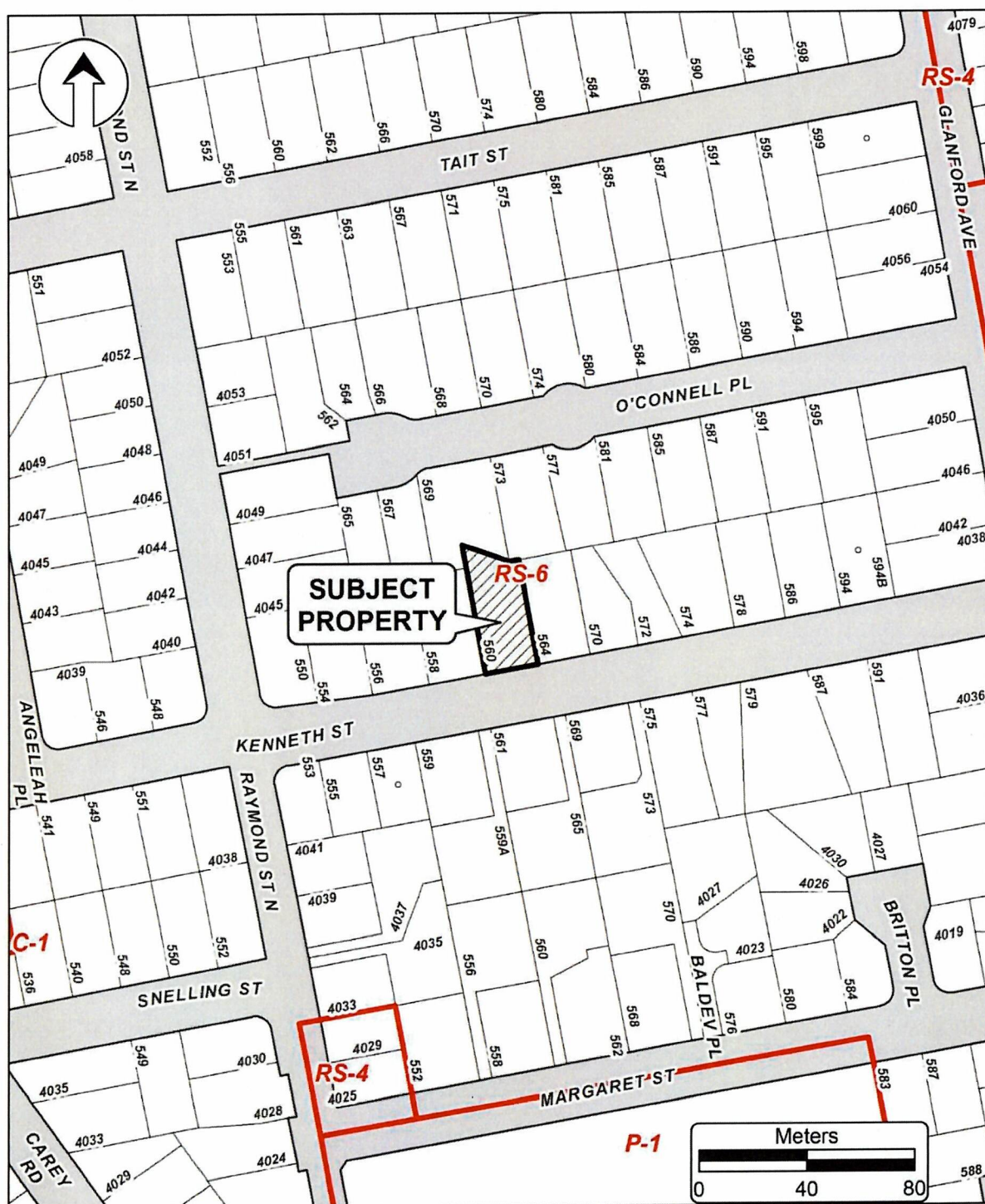


Figure 1: Neighbourhood Context





**Figure 2: Proposed Subdivision** (from plans by Adapt Design)



### Policy Analysis

The following Saanich Planning policies are most applicable to the subject proposal:

#### Official Community Plan (2024)

- 7.4.1 "Within Neighbourhoods, support a mix of housing types, unit sizes, and tenures including non-market, rental, ownership, and co-operative housing."
- 7.4.2 "Support the following uses in Neighbourhoods:  
a. Residential..."
- 7.4.3 "Support the following building forms in Neighbourhoods:  
a. Single detached dwellings and secondary suites/garden suites..."
- 7.4.4 "Support a range of infill forms as-of-right within Neighbourhoods for both rental and owner tenure with more allowable density close to frequent transit."
- 7.4.7 "Consider rezoning to support additional residential density and small-scale commercial uses in Neighbourhoods in locations with good proximity to amenities such as transit, parks, greenspace, active transportation infrastructure, and local commercial and where the project contributes to the goal of a 15-minute community and neighbourhood walkability."

#### Carey Local Area Plan (1999)

- 9.3 "Consider subdivision and rezoning for single-family infill development in established neighbourhoods that is compatible with and contributes to the character and quality of the community and preserves privacy of dwellings."

Staff are supportive of the Rezoning and Subdivision Application for the following reasons:

- The proposed development is consistent with the land use policies in the Official Community Plan and Carey Local Area Plan which support residential infill in Neighbourhoods including Single-Family infill.
- The site is located within easy walking distance of amenities including parks, schools, public transit, and commercial services.
- The proposed development is proximal to frequent transit service, Galloping Goose Regional Trail, and the All Ages and Abilities long-term bicycle network.

### Variances

Based on the RS-2 (Single-Family Dwelling) Zone, this application would require variances as outlined in Table 1.

**Table 1: Requested Variances**

Requested Variances			
LOT A	PROPOSED	REQUIRED	VARIANCE REQUIRED
Lot Width	9.88 m	12.0 m	2.12 m
Building Height	7.66 m	6.5 m	1.16 m
Single Face Height	8.01 m	6.5 m	1.51 m
Interior Side yard Setback (West)	1.2 m	1.5 m	0.3 m

<b>Interior Side yard Setback (East)</b>	1.2 m	1.5 m	0.3 m
<b>Combined Side yard Setbacks</b>	2.4 m	4.5 m	2.1 m
<b>LOT B</b>	<b>PROPOSED</b>	<b>REQUIRED</b>	<b>VARIANCE REQUIRED</b>
<b>Lot Width</b>	9.92 m	12.0 m	2.08 m
<b>Building Height</b>	7.53	6.5 m	1.03
<b>Single Face Height</b>	7.87 m	6.5 m	1.37 m
<b>Interior Side yard Setback (West)</b>	1.2 m	1.5 m	0.3 m
<b>Interior Side yard Setback (East)</b>	1.24 m	1.5 m	0.26 m
<b>Combined Side yard Setbacks</b>	2.44 m	4.5 m	2.06 m

The requested variances are discussed below.

#### Lot Width

The RS-2 (Single-Family Dwelling) Zone has a minimum lot width of 12 m. The proposed lot widths of 9.9 m for Lot A and 9.9 m for Lot B would result in variances of 2.1 m and 2.1 m, respectively. The proposed lot widths are smaller even than the 10 m minimum lot widths of the RS-1 (Single-Family Dwelling) Zone, and the combination of reduced lot widths together with the proposed building envelopes has resulted in the applicant seeking variances for individual and combined side yard setbacks as well. These are not considered to negatively impact neighbouring properties and can be supported.

#### Building Height and Single Face Height

The RS-2 (Single-Family Dwelling) Zone allows a maximum building height and single face height of 6.5 m, which is 1.0 m shorter than the 7.5 m height allowed in most of the RS (Single-Family Dwelling) Zones. The applicant is requesting building heights of 7.66 m for Lot A and 7.53 m for Lot B, and single face heights of 8.01 m for Lot A and 7.87 m for Lot B. The requested variances for building height and single face height are not considered to be impactful though, and the small maximum allowable sizes of dwellings on these lots would work to mitigate any apparent increase in mass due to the height. It should also be noted that under the new SSMUH regulations governing houseplexes, the allowable height for houseplexes is 11 m (and 8 m in rear yards). For these reasons, the requested variances for height are supportable.

#### Interior and Combined Side yard Setbacks

The applicant is seeking variances to interior side yard setbacks from 1.5 m to 1.2 m (1.24 m for the east side yard of Lot B) and for Combined side yard setbacks from 4.5 m to 2.4 m for Lot A and 2.44 m for Lot B. The reduction of the side yard setbacks is a response to the reduced width of the lots, and would impede the movement of anything large into the rear yards once the houses were constructed. However, as noted earlier, the construction of any further dwellings in the rear is unlikely given the size of the lots and the presence of underground services on the rear of the lot. For this reason, the requested variances for reduced side yard setbacks can be supported.

Staff are supportive of the Rezoning, Subdivision, and Development Variance Permit application for the following reasons:

- The proposed development is consistent with the Official Community Plan and the Carey Local Area Plan.
- The site is located within convenient travel distance of parks, schools, commercial services, and public transit.
- Infill housing as proposed would provide a desired housing form within the District of Saanich that people would otherwise have to commute further distances for from elsewhere in the region.

## **PROCEDURES**

Should Council decide to approve the recommendations, the following procedures will occur:

1. At the initial meeting, approval of the application, first three readings of the Zoning Bylaw Amendment and approval of the Development Variance Permit.
2. After all conditions have been met, the application will come before Council for Final Reading of the Zoning Bylaw Amendment and ratification of the Development Variance Permit

## **ALTERNATIVES**

1. That Council support the application to rezone 560 Kenneth Street and Development Variance Permit DVP00519. Staff recommend this option.
2. That Council reject the application.
3. That Council provide alternate direction to staff.

## **FINANCIAL IMPLICATIONS**

There are no immediate implications to the District of Saanich 2024-2028 Financial Plan.

## **STRATEGIC PLAN IMPLICATIONS**

The subject proposal aligns with the Housing theme in the District of Saanich's 2023-2027 Strategic Plan by improving the supply of diverse forms of housing in the community.

## **CONCLUSION**


The proposed rezoning and subdivision to create one additional lot is consistent with the Official Community Plan which supports a range of residential infill types in Neighbourhoods inside the Urban Containment Boundary. The lot is within easy walking distance of parks and schools.

The proposed rezoning and subdivision applications meet the OCP policy support for locating new housing close to active transportation options. The site is proximal to frequent transit and the All Ages and Abilities bicycle network.




The Development Variance Permit seeks variances for lot widths, height, single face height, interior side yard setbacks and combined setbacks for homes on each lot. These Variances are not considered to negatively impact neighbouring properties and can be supported.

For the above noted reasons, staff support the Rezoning, Subdivision and Development Variance Permit applications.

Prepared by:   
\_\_\_\_\_  
Chuck Bell  
Planner

Reviewed by:   
\_\_\_\_\_  
Pam Hartling  
Acting Manager of Current Planning

Approved by:   
\_\_\_\_\_  
Lindsay Chase  
Director of Planning

CWB/kb

**ADMINISTRATOR'S COMMENTS:**

I endorse the recommendation from the Director of Planning.

  
\_\_\_\_\_

Brent Reems, Chief Administrative Officer

COPY

**DISTRICT OF SAANICH**

**DVP00519**

**DEVELOPMENT VARIANCE PERMIT**

**To: Manpreet Kaur Sall Lagah  
Rohit Kumar Lagah  
[REDACTED] Richmond Road  
Victoria BC [REDACTED] 1**

*the owner of lands known and described as:*

**Lot 7, Section 50, Victoria District, Plan 12915**

**560 Kenneth Street**

*(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 one additional lot (2 lots total) as shown on the plan of subdivision prepared by Powell & Associates date stamped June 12, 2024, 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 width provided by Section 201.5(a) of Schedule 201 attached to the Zoning Bylaw, 2003, in respect to proposed Lot A of the subdivision, from 12.0 m to 9.88 m.
  - (b) by varying the minimum width provided by Section 201.5(a) of Schedule 201 attached to the Zoning Bylaw, 2003, in respect to proposed Lot B of the subdivision, from 12.0 m to 9.92 m.
  - (c) by varying the required interior side yard setbacks provided by Section 201.3(a)(ii) of Schedule 201, in respect to proposed Lot A of the subdivision, from 1.5 m to 1.2 m and the combined interior side yard setback from 4.5 m to 2.4 m.
  - (d) by varying the required interior side yard setbacks provided by Section 201.3(a)(ii) of Schedule 201, in respect to proposed Lot B of the subdivision, from

1.5 m to 1.2 m and 1.24 m and the combined interior side yard setback from 4.5 m to 2.44 m.

- (e) by varying the maximum building height provided by Section 201.3(b)(i) of Schedule 201 attached to the Zoning Bylaw, 2003, in respect to proposed Lot A of the subdivision, from 6.5 m to 7.66 m.
- (f) by varying the maximum building height provided by Section 201.3(b)(i) of Schedule 201 attached to the Zoning Bylaw, 2003, in respect to proposed Lot B of the subdivision, from 6.5 m to 7.53 m.
- (g) by varying the single face building height provided by Section 201.3(b)(ii) of Schedule 201 attached to the Zoning Bylaw, 2003, in respect to proposed Lot A of the subdivision, from 6.5 m to 8.01 m.
- (h) by varying the single face building height provided by Section 201.3(b)(ii) of Schedule 201 attached to the Zoning Bylaw, 2003, in respect to proposed Lot B of the subdivision, from 6.5 m to 7.87 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 \_\_\_\_\_

\_\_\_\_\_  
Corporate Officer

COPY





## Memo

**To:** Subdivision Office  
**From:** JAGTAR BAINS  
**Date:** July 26, 2024  
**Subject:** Servicing Requirements for Development - REVISED

---

**PROJECT: REZONING FROM RS-6 TO RS-2 TO PERMIT A SUBDIVISION OF ONE LOT INTO ONE ADDITIONAL LOT FOR THE TOTAL OF TWO LOTS. VARIANCES REQUESTED FOR LOT WIDTH, INTERIOR SIDE YARD SETBACKS AND HEIGHT.**

**SITE ADDRESS: 560 KENNETH ST  
PID: 004-676-408  
LEGAL: LOT 7 SECTION 50 VICTORIA DISTRICT PLAN 12915  
DEV. SERVICING FILE: SVS02710  
PROJECT NO: PRJ2024-00026**

The intent of this application is to subdivide the above referenced parcel into two RS-2 lots. Some of the more apparent Development Servicing requirements are listed on the following pages(s).

No further action is required by the applicant prior to the issuance of Conditional Approval.

# Development Servicing Requirements

Development File: SVS02710  
Civic Address: 560 KENNETH ST  
Page: 1

Date: Jul 26, 2024

## Drain

1. Stormwater management must be provided in accordance with the requirements of Schedule H "Engineering Specifications" of Subdivision Bylaw. This subdivision is within Type 1 watershed area which requires stormwater storage, construction of wetland or treatment train, and sediment basin. For further details, refer to section 3.5.16 "Stormwater Management and Erosion Control" of Schedule H "Engineering Specifications" to the Subdivision Bylaw.
2. The existing storm drain connection is to be provided with an inspection chamber.
3. Subsequent drain connection will be required for proposed Lot A from the existing main at the rear of this lot.

## General

1. Excavation activities must be carried out in accordance with Stage 14 Amendments to the Contaminated Sites Regulation (CSR) under the Environmental Management Act. As the District of Saanich is subject to the CSR, any testing and disposal fees incurred from works installed by District of Saanich Forces will be at the expense of the developer.
2. This proposal is subject to the prevailing municipal development cost charges.
3. The existing house and house must be removed prior to subdivision approval.
4. The project arborist shall be present to oversee the installation of services within or adjacent to the tree protection areas.

## Hydro/tel

1. Underground wiring is required for both lots.

## Road

1. Kenneth Street, fronting this subdivision, must be widened to 8.5 m residential municipal standards complete with non-mountable concrete curb, gutter and 2.0 m separated sidewalk. The existing pavement structure must be upgraded to centre line in accordance with current standards. A catch basin will be required.
2. A contribution will be required in-lieu of future road improvements to accommodate an AAA bike route on Kenneth Street. The District will prepare a cost estimate prior to subdivision approval.
2. Proposed driveway for Lot B must not be located within 1.5 m of the existing pole.

## Sewer

1. Subsequent sewer house connection is required for proposed Lot A from the existing main traversing this property.
2. The existing connection is to be provided with an inspection chamber to serve proposed Lot B.

## Water

1. The existing 13 mm water service must be disconnected.
2. Provisional water connections will be required for both proposed lots.



## DEVELOPMENT PERMIT APPLICATION STORMWATER MANAGEMENT STATEMENT

**Parcel Address:** 560 Kenneth Street

**Applicant:** Aman Gill

**Date:** January 19, 2024

**Contact Person:** JOSH BARTLEY, P.ENG (ISLANDER ENGINEERING LTD.)

**Telephone:** [REDACTED]

Storm water management is reviewed as part of the Development Permit Review process. Applications are required to meet:

1. The Engineering Specifications detailed in Section 3.5.16 of Schedule "H" of the Subdivision Bylaw, 7452; and
2. The intent of the Development Permit guidelines:
  - a) Development Permit Areas #1, 2, 3, 6, through 15, 17, 18, 20, 21, 22, 23
    - The total impervious cover of the site should minimize impact on the receiving aquatic environment. Consideration should be given to reducing impervious cover through reduction in building footprint and paved areas.
    - Storm water runoff controls should replicate the natural runoff regime. The controls could include on-site infiltration, storage in ponds or constructed wetlands, sand filtration and creative road/curb configurations.

b) Development Permit Area #27

Maintain pre-development hydrological characteristics should by the following means:

- minimize impervious surfaces.
- return the storm water runoff from impervious surfaces of the development to natural hydrologic pathways in the ground to the extent reasonably permitted by site conditions, and treat, store and slowly release the remainder per the specifications of Schedule H to the Subdivision Bylaw.
- minimize alteration of the contours of the land outside the areas approved for buildings, structures and site accesses by minimizing the deposit of fill and removal of soil, and
- minimize the removal of native trees outside the areas approved for buildings, structures and site accesses.



Keeping in mind the requirements of Schedule "H", describe how your storm water management concept will meet the intent of the relevant development permit guidelines. Provide details on types of treatment systems that will be used, considering the following questions:

- a) Will there be an increase or decrease in impervious area compared to existing conditions?
- b) What percentage of the site will be impervious cover compared to existing conditions?
- c) How will impervious surface area be minimized (e.g. minimizing paved area and building footprints, pervious paving, green roofing, absorbent landscaping)?
- d) How will the proposed system detain and regulate flows and improve storm water quality (e.g. infiltration systems, engineered wetlands, bioswales)?
- e) If the intent of the guideline cannot be met, explain why.

Use additional pages if necessary. Attach plans if available; detailed engineering plans will be required as part of the Building Permit process.

**NOTE: Meeting the Development Permit guidelines and issuance of a Development Permit does not relieve the requirements of Schedule "H" of the Subdivision Bylaw.**

- a) There will be an increase of 71m<sup>2</sup> of impervious area.

- b) The total Site area is 850m<sup>2</sup> and the existing impervious area is 327m<sup>2</sup> which is 38% of the total Site area.

The proposed Site plan will be a total of 398m<sup>2</sup> of impervious area which accounts for 47% of the Site area.

- c) All proposed paving areas will be designed at the minimum required widths. The proposed buildings will be built vertically to maximize living space while minimizing the building foot print. Outside of the impervious areas, absorbent landscaping will be used to minimize storm water runoff. The driveway will be constructed with permeable pavement/pavers, but was included in the calculation of impervious area to be conservative.

- d) Runoff from proposed impervious surfaces will be captured and directed to sub-surface detention systems that that will attenuate storm water flows and promote in ground infiltration. A flow control outlet on the downstream end of the system will regulate overall discharge from the Site to the Municipal Drain System.

- e) We anticipate the guidelines will be met by the techniques proposed for the development at 560 Kenneth St.

If you require clarification, please contact:  
The District of Saanich • Planning Department • 3<sup>rd</sup> Floor • Municipal Hall  
770 Vernon Avenue • Victoria • BC • V8X 2W7  
Tel: 250-475-5471 Fax: 250-475-5430

