



**AMENDED AGENDA  
PLANNING AND LAND USE COMMITTEE  
MEETING OF JANUARY 14, 2016, AT 9:00 A.M.  
COUNCIL CHAMBERS  
CITY HALL, 1 CENTENNIAL SQUARE**

Located on the traditional territory of the Esquimalt and Songhees People

Page

**CALL TO ORDER**

**APPROVAL OF AGENDA**

**CONSENT AGENDA**

**ADOPTION OF MINUTES**

- |    |   |        |
|----|---|--------|
| 1. | Minutes from the Meeting held December 10, 2015 | 7 - 13 |
|----|---|--------|

**LATE ITEM**: Minutes

[Addenda]

**COMBINED APPLICATION REPORTS**

- |    |  |         |
|----|--|---------|
| 2. | Rezoning Application No. 00489 for 2035 Stanley Avenue<br>--J. Tinney, Director - Sustainable Planning and Community Development | 15 - 78 |
|----|--|---------|

*An application to authorize rezoning of the property to permit the construction of a new small lot house.*

Staff Recommendation: That Council consider declining the application.

**LATE ITEM**: Report and Attachments

[Addenda]

- |    |   |          |
|----|---|----------|
| 3. | Development Permit Application with Variances Application No. 00489 for 2035 Stanley Avenue<br>--J. Tinney, Director - Sustainable Planning and Community Development | 79 - 130 |
|----|---|----------|

*An application to authorize alterations to an existing non-conforming duplex and to allow for the construction of a new small lot house.*

Staff Recommendation: That Council consider declining the permit.

4. Rezoning Application No. 00490 for 1845 Gonzales Avenue 131 - 152  
--J. Tinney, Director - Sustainable Planning and Community Development

*An application to authorize rezoning of the property to allow for the construction of a garden suite. A Public Hearing is required prior to Council making a final decision on the application.*

Staff Recommendation: That Council consider advancing the application to a Public Hearing.

**LATE ITEM:** Report and Attachments

[Addenda]

5. Development Permit Application No. 00490 for 1845 Gonzales Avenue 153 - 165  
--J. Tinney, Director - Sustainable Planning and Community Development

*An application to authorize the construction of a garden suite.*

Staff Recommendation: Following the Public Hearing for the rezoning, that Council consider authorizing the development permit.

6. Rezoning Application No. 00496 for 1122 and 1124 Leonard Street 167 - 194  
--J. Tinney, Director - Sustainable Planning and Community Development

*An application to authorize rezoning of the property to permit strata-titling of the existing non-conforming duplex and to allow for alterations to the building. A Public Hearing is required prior to Council making a final decision on the application.*

Staff Recommendation: That Council consider advancing the application to a Public Hearing.

**LATE ITEM:** Report and Attachments

[Addenda]

7. Development Permit with Variances Application No. 00496 for 1122 195 - 214  
and 1124 Leonard Street  
--J. Tinney, Director - Sustainable Planning and Community Development

*An application to permit strata-titling of an existing non-conforming duplex and to authorize alterations to the building. A Public Hearing is required prior to Council making a final decision on the application.*

Staff Recommendation: That Council consider advancing the application to a Public Hearing and then, following the Public Hearing for the rezoning, consider authorizing the permit.



## DEVELOPMENT APPLICATION REPORTS

8. Development Permit Application No. 000445 for 845 Yates Street 215 - 284  
--J. Tinney, Director - Sustainable Planning and Community Development

*An application to authorize replacement of the existing ceramic tile mosaic with a painted mural and replacement of a portion of the thin stone cladding with paint.*

Staff Recommendation: That Council consider authorizing the permit, subject to registration of a legal agreement.

**LATE ITEM:** Report and Attachments

[Addenda]

9. Development Variance Permit No. 00161 for 1000 Chamberlain Street 285 - 326  
--J. Tinney, Director - Sustainable Planning and Community Development

*An application to authorize the construction of a secondary suite as well as to relocate the existing non-conforming accessory building. A Public Hearing is required prior to Council making a final decision on the application.*

Staff Recommendation: That Council advance the application to a Public Hearing and then consider authorizing the permit.

**LATE ITEM:** Report and Attachments

[Addenda]

10. Development Variance Permit No. 000158 for 950 Rockland Avenue 327 - 347  
--J. Tinney, Director - Sustainable Planning and Community Development

*An application to authorize a reduction to the parking requirements to allow for the construction of a residential unit within the existing building. A Public Hearing is required prior to Council making a final decision on the application.*

Staff Recommendation: That Council advance the application to a Public Hearing and then consider authorizing the permit, subject to registration of a Section 219 Covenant.

**LATE ITEM:** Report and Attachments

[Addenda]

11. Development Variance Permit Application No. 000166 for 1082 349 - 361  
Richmond Street  
--J. Tinney, Director - Sustainable Planning and Community Development

*An application to authorize a reduction to the visitor parking requirements. A Public Hearing is required prior to Council making a final decision on the application.*

Staff Recommendation: That Council advance the application to a Public Hearing and then consider authorizing the permit.

**LATE ITEM:** Report and Attachments

[Addenda]

- 363 - 376
12. Heritage Designation Application No. 000155 for 59 Cook Street  
*--J. Tinney, Director - Sustainable Planning and Community Development*
- An application to designate the exterior of the property as a Municipal Heritage Site.*
- Staff Recommendation:* *That Council consider designating the property.*
- LATE ITEM:** Report and Attachments
- [Addenda]
13. Heritage Designation Application No. 000157 for 534 Pandora Avenue  
*--J. Tinney, Director - Sustainable Planning and Community Development*
- 377 - 388
- An application to designate the exterior of the property as a Municipal Heritage Site.*
- Staff Recommendation:* *That Council consider designating the property.*
- LATE ITEM:** Report and Attachments
- [Addenda]
14. Heritage Alteration Permit Application No. 00211 for 534 Pandora Avenue (Lum Sam and Look Den Building)  
*--J. Tinney, Director - Sustainable Planning and Community Development*
- 389 - 405
- An application to rehabilitate the heritage-registered building and to authorize conversion to strata units, residential condominiums and existing retail space.*
- Staff Recommendation:* *That Council consider authorizing the permit.*
- LATE ITEM:** Report and Attachments
- [Addenda]
15. Heritage Designation Application No. 000156 for 533-537 Fisgard Street  
*--J. Tinney, Director - Sustainable Planning and Community Development*
- 407 - 418
- An application to designate the exterior of the property as a Municipal Heritage Site.*
- Staff Recommendation:* *That Council consider designating the property.*
- LATE ITEM:** Report and Attachments
- [Addenda]

16. Heritage Alteration Permit Application No. 00210 for 533-537 Fisgard Street (Lee Cheong Building) 419 - 435  
--J. Tinney, Director - Sustainable Planning and Community Development

*An application to rehabilitate the heritage-registered building and authorize a conversion to strata units, residential condominiums and existing retail space.*

Staff Recommendation: That Council consider authorizing the permit.

**LATE ITEM:** Report and Attachments

[Addenda]

### DECISION REQUEST

17. Application for a Permanent Change to a Liquor Licence - The Duke Saloon, 502 Discovery Street (Rock Bay Neighbourhood) 437 - 451  
--C. Coates, City Clerk

*An application to authorize a permanent change to an existing liquor licence.*

Staff Recommendation: That Council consider authorizing the change.

**LATE ITEM:** Report amended to change Neighbourhood Association to Burnside Gorge.

[Addenda]

### CLOSED MEETING

#### MOTION TO CLOSE THE JANUARY 14, 2016, PLANNING & LAND USE COMMITTEE MEETING TO THE PUBLIC

That the Planning & Land Use Committee convene a closed meeting that excludes the public under Section 12(6) of the Council Bylaw for the reason that the following agenda items deal with matters specified in Sections 12(3) and/or (4) of the Council Bylaw, namely:

- Section 12(3)(e) - The acquisition, disposition or expropriation of land or improvements, if the Council considers that disclosure might reasonably be expected to harm the interests of the City.
- Section 12(3)(f) - Law enforcement, if the Council considers that disclosure might reasonably be expected to harm the conduct of an investigation under or enforcement of an Act, regulation or bylaw.
- Section 12(3)(i) - The receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

### **ADOPTION OF THE CLOSED MINUTES**

18. Minutes from the Closed Meeting held November 26, 2016.

### **DECISION REQUESTS**

19. Law Enforcement/Legal Advice  
--C. Coates, *City Clerk*  
-- T. Zworski, *City Solicitor*
20. Land Disposition  
--J. Jenkyns, *Deputy City Manager*

### **ADJOURNMENT**

**MINUTES OF THE  
PLANNING & LAND USE COMMITTEE MEETING  
HELD THURSDAY, DECEMBER 10, 2015, 9:00 A.M.**

**1. THE CHAIR CALLED THE MEETING TO ORDER AT 9:00 A.M.**

**Committee Members Present:** Mayor Helps (Chair); Councillors Alto, Coleman, Lucas, Loveday, Madoff and Young.

**Absent:** Councillors Thornton-Joe and Isitt

**Staff Present:** J. Johnson – City Manager; J. Jenkyns – Deputy City Manager; J. Tinney – Director, Sustainable Planning & Community Development; A. Hudson – Assistant Director, Community Planning, A. Meyer – Assistant Director, Development Services; T. Soulliere – Director, F. Work – Director, Parks & Recreation; J. Handy – Planner; M. Miller – Heritage Planner; C. Wain – Planner; C. Coates – City Clerk; J. Appleby - Recording Secretary.

**2. APPROVAL OF AGENDA**

**Action:** It was moved by Councillor Alto, seconded by Councillor Coleman, that the Agenda of the December 10, 2016, Planning and Land Use Committee meeting be approved.

The Chair canvassed Committee, which approved bringing forward the following items for approval:

Item #1 - Minutes from the Meeting held November 26, 2015

Item #2 – Rezoning Application No. 00492 for 2972 Doncaster Drive

Item #3 – Development Permit with Variances No. 00492 for 2972 Doncaster Drive

Item #7 – Development Variance Permit Application No. 00164 for 2540 Quadra Street

Item #10 – Heritage Designation Application No. 000154 for 727 Yates Street

**Amendment:** It was moved by Councillor Alto, seconded by Councillor Lucas, that the agenda of the December 10, 2015 meeting be approved as amended.

On the amendment:  
CARRIED UNANIMOUSLY 15/PLUC304

On the main motion as amended:  
CARRIED UNANIMOUSLY 15/PLUC305

### 3. CONSENT AGENDA

#### 3.1 Minutes from the Meeting held November 26, 2015

**Action:** It was moved by Councillor Alto, seconded by Councillor Lucas, that the Minutes from the November 26, 2015, Planning and Land Use Committee meeting be approved.

CARRIED UNANIMOUSLY 15/PLUC306

#### 3.2 Rezoning Application No. 00492 for 2972 Doncaster Drive

Committee received a report regarding an application for 2972 Doncaster Drive. The proposal is to rezone the property to subdivide one existing lot into two new small lots and construct a new single family dwelling.

**Action:** It was moved by Councillor Alto, seconded by Councillor Lucas, that Committee recommends that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00492 for 2972 Doncaster Drive, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 15/PLUC307

#### 3.3 Development Permit with Variances No. 00492 for 2972 Doncaster Drive

Committee received a report regarding an application for 2972 Doncaster Drive. The application is to create two lots, retaining the existing single family house and constructing one new small lot house.

**Action:** It was moved by Councillor Alto, seconded by Councillor Lucas, that Committee recommends that Council, after giving notice and allowing an opportunity for public comment and after the Public Hearing for Rezoning Application No. 00492, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00492 for 2972 Doncaster Drive, in accordance with:

1. Plans date stamped November 10, 2015.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:

Existing House (Proposed Lot A)

- a. Part 1.23 (8)(a): Reduce the front yard setback of the main structure from 6m to 5.54m.
- b. Part 1.23 (8)(b): Reduce the rear yard setback of the main structure from 6m to 1.63M.
- c. Part 1.23 (9): Permit accessory buildings to be located in the side yard.
- d. Part 1.23 (13)(a): Reduce the front yard setback of the accessory building from 18m to 14.72m.

- e. Schedule "C" (3): Permit parking to be located between the building and the front lot line.
- New House (Proposed Lot B)
  - a. Part 1.23 (8)(a): Reduce the front yard setback of the main structure from 6m to 4.5m.
  - b. Part 1.23 (8)(a): Reduce the front yard setback of the main structure from 6m to 4.5m.
  - c. Part 1.23 (13)(a): Reduce the front yard setback for the accessory building from 18m to 14.72m.
- 3. The Development Permit lapsing two years from the date of this resolution.

CARRIED UNANIMOUSLY 15/PLUC308

### **3.4 Development Variance Permit Application No. 00164 for 2540 Quadra Street**

Committee received a report regarding an application for 2540 Quadra Street. The building was constructed in 1967. At the time of construction, 20 units were approved for the building and the number of parking stalls associated with the development is difficult to ascertain. An additional two units were added within the undeveloped basement which were constructed without the appropriate permits. The new owners, who purchased the property in 2015, wish to legalize the situation which requires a parking variance.

**Action:**

It was moved by Councillor Alto, seconded by Councillor Lucas, that Committee recommends that Council waive the Clean Hands Policy for Planning Approvals for 2450 Quadra Street to allow the two illegal suites to remain occupied while the Development Variance Permit No. 00164 is under consideration. Prior to the setting of the date of the meeting of Council to consider this applications, the applicant be required to file a covenant on the title specifying that all illegal construction will be removed if the application is refused and that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00164 for 2540 Quadra Street, in accordance with:

- 1. Plans date stamped October 28, 2015.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the required number of parking stalls reduced from 29 vehicle parking stalls to 17 stalls (Schedule C).
- 3. A six space bike rack be provided at the front entrance to the building.
- 4. Two vehicle parking stalls to be allocated for visitor parking.
- 5. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 15/PLUC309

### 3.5 Heritage Designation Application No. 000154 for 727 Yates Street

Committee received a report regarding an application for 727 Yates Street to designate the exterior of the 1897 heritage-registered property located at 727 Yates Street as a Municipal Heritage Site.

**Action:** It was moved by Councillor Alto, seconded by Councillor Lucas, that Committee recommends that Council consider the following motion:

“That Council consider the designation of the property located at 727 Yates Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage site.”

CARRIED UNANIMOUSLY 15/PLUC310

## 4. DEVELOPMENT APPLICATION REPORTS

### 4.1 Development Permit with Variances Application No. 000447 for 941-943 Fort Street

Committee received a report regarding an application for 941-943 Fort Street. The proposal is to change the use from retail to office on the ground floor.

**Action:** It was moved by Councillor Young, seconded by Councillor Lucas, that Committee recommends that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

“That Council authorize the issuance of Development Permit Application with Variances No. 000447 for 941 to 943 Fort Street in accordance with:

1. Plans date stamped October 30, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirement, except for the following variances:
  - a. Part 6.55 1.(2): Allowing office use to locate within 6m of the building street frontage.
  - b. Schedule C Section 16.C.5: Reduction of 1 parking stall for the change of use from retail to office.
3. Registration of a Section 219 Covenant restricting office use on the ground floor to a maximum of three years, to the satisfaction of City staff.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC311

### 4.2 Development Permit Application No. 000439 for 1101 Fort Street

Committee received a report regarding an application for 1101 Fort Street. The proposal is to construct a six-storey, mixed-use building with ground-floor retail fronting Fort Street and Cook Street with residential uses above.



**Action:** It was moved by Councillor Alto, seconded by Councillor Loveday, that Committee recommends that Council, consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 000439 for 1101 Fort Street in accordance with:

1. Plans date stamped November 4, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. That Council authorize City of Victoria staff to execute an Encroachment Agreement for a fee of \$750 plus \$25 per m<sup>2</sup> of exposed shored face during construction, in a form satisfactory to City staff.
4. Registration of the following:
  - a. Statutory Rights-of-Ways for the bus shelter on Fort Street and sidewalk on Meares Street to the satisfaction of City staff.
  - b. Section 219 Covenant for the public realm improvements associated with the landscape planters and pavers along Cook Street and Meares Street to the satisfaction of City Staff.
5. Final plans to be generally in accordance with the plans identified above to the satisfaction of City staff.
6. The Development Permit lapsing two years from the date of this resolution.

Committee discussed:

- The design is innovated and a provides a good mix of uses.
- Concerns over the bulk and overall massing of the building.

**For:** Mayor Helps, Councillors, Alto, Coleman, Lucas, Loveday and Young  
**Against:** Councillor Madoff

CARRIED UNANIMOUSLY 15/PLUC312

#### **4.3 Development Permit with Variances Application No. 000440 for 1 Cooperage Place and 2 Paul Kane Place**

Committee received a report regarding an application for 1 Cooperage Place and 2 Paul Kane Place. The proposal is to construct a building on a dock in association with a proposed marina development and to remove rip-rap along the shoreline and install a new harbour wall to facilitate a paddle route.

Committee discussed:

- Concerns regarding the public access and the loss of the view corridor.
- Further engagement should be considered with the neighbourhood and those affected by the development.
- How the impact of the hydro substation could be mitigated.
- The kayak and boating channel and if there is a way to prevent the rip-rap from being disturbed.

**Action:** It was moved by Councillor Alto, seconded by Councillor Loveday, recommends that Council refer the application back to staff to have the applicant to provide more detailed information with respect to:

1. The proposed Hydro substation.

2. Accommodating the paddling channel width with and without the accommodation of the City.
3. Specifics of items previously requested by staff.
4. With a request that the applicant provide detailed information on the following:
  - a. The siting and appearance of the hydro substation and any proposed screening.
  - b. The design, colour and finish of the proposed new harbour wall, railings and any associated landscaping.
5. Unobstructed access to parking stalls.

CARRIED UNANIMOUSLY 15/PLUC313

#### **4.4 Development Variance Permit Application No. 00163 for 1066 and 1070 Finlayson Street**

Committee received a report regarding an application for Street. The proposal is to reduce the rear yard setback requirement for the property located at 1070 Finlayson Street to facilitate a subdivision application for the subject properties.

**Action:** It was moved by Councillor Alto, seconded by Councillor Lucas, that Committee recommends that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00163 for 1066 and 1070 Finlayson Street, in accordance with:

1. Plans date stamped October 26, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
3. Final plans to be in accordance with the plans identified above to the satisfaction of City staff.
4. The Development Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY 15/PLUC314

#### **4.5 Heritage Alteration Permit Application No. 00209 for 737 Fort Street (British American Trust Company Building)**

Committee received a report regarding 737 Fort Street. The proposal is to construct a temporary steel-frame ramp with granite facing to make the building accessible.

**Action:** It was moved by Councillor Madoff, seconded by Councillor Coleman, that Committee recommends that Council consider the following motion:

“That Council authorize the issuance of Heritage Alteration Permit (HAP) Application No. 00209 for the property at 737 Fort Street, in accordance with:

1. Plans date stamped October 20, 2015.

2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. That Council authorize City of Victoria staff to execute an Encroachment Agreement in a form satisfactory to City staff.
4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development."

CARRIED UNANIMOUSLY 15/PLUC315

#### **4.6 Official Community Plan Annual Review**

Community received the Official Community (OCP) Plan Annual Review for 2015. The report presented 17 indicators related to the OCP and key findings from the 2014 calendar year.

*Councillor Coleman left the meeting at 10:18 a.m.*

**Action:** It was moved by Councillor Alto, seconded by Councillor Loveday, that Committee recommends that Council receive the Official Community Plan Annual Review 2015 for information and direct staff to communicate the findings and highlights from the Annual Review to the public.

Committee discussed:

- The importance of providing a snapshot of how the City makes land decisions.
- The report provides a helpful tool to share with the neighbourhoods.

CARRIED UNANIMOUSLY 15/PLUC316

#### **5. ADJOURNMENT**

**Action:** It was moved by Councillor Alto, seconded by Councillor Loveday, that the Planning and Land Use Committee meeting of December 10, 2015, be adjourned at 10:21 p.m.

CARRIED UNANIMOUSLY 15/PLUC317

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Mayor Helps, Chair





## Planning and Land Use Committee Report

For the Meeting of January 14, 2015

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**To:** Planning and Land Use Committee      **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Rezoning Application No. 00489 for 2035 Stanley Avenue

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### RECOMMENDATION

Staff recommend that Council consider declining Rezoning Application No. 00489 for the property located at 2035 Stanley Avenue.

### LEGISLATIVE AUTHORITY

In accordance with Section 903 (c) of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2035 Stanley Avenue. The proposal is to rezone the land from the R1-B Zone, Single Family Dwelling District, to two new site specific zones in order to subdivide the lot, keep the existing non-conforming duplex and build a new small lot house.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan, 2012* (OCP)
- the proposed lot area for the existing non-conforming duplex is substantially smaller than the minimum size in the *Neighbourliness Guidelines for Duplexes, 1996* and the standard duplex zone
- the proposed lot area for the new small lot house is substantially smaller than the minimum lot area identified in the *Small Lot House Rezoning Policy, 2002* and the standard small lot zone
- The proposal does not meet the sensitive infill objectives of the *Small Lot House Rezoning Policy*; the siting and massing of the building disrupt the existing street pattern.

## **BACKGROUND**

### **Description of Proposal**

This Rezoning Application is to rezone the subject property from the R1-B Zone, Single Family Dwelling District, to two new zones. The proposal is to create two lots, retain the existing non-conforming duplex on one lot and construct one new small lot house on the other.

The following changes from the standard zones are being proposed and would be accommodated in the new zones:

#### Existing Duplex (Proposed Lot 1)

- reduce the site area (minimum) from 555m<sup>2</sup> to 309.98m<sup>2</sup>
- reduce the site area for each dwelling unit (minimum) from 277.5m<sup>2</sup> to 154.99m<sup>2</sup>

#### New Small Lot House (Proposed Lot 2)

- reduce the site area (minimum) from 260m<sup>2</sup> to 225.03m<sup>2</sup>

In addition, 11 variances would be required to facilitate this Rezoning Application which are reviewed in relation to the concurrent Development Permit with Variances Application.

### **Affordable Housing Impacts**

The Applicant proposes the creation of one new residential unit which would increase the overall supply of housing in the area.

### **Sustainability Features**

The applicant has identified a number of sustainability features which will be reviewed in association with the concurrent Development Permit Application for this property.

### **Active Transportation Impacts**

The applicant has not identified any active transportation impacts associated with this Application.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Rezoning Application.

### **Land Use Context**

The area is predominantly characterized by single family dwellings.

### **Existing Site Development and Development Potential**

The site is presently a non-conforming duplex. Under the current R1-B Zone, the property could be redeveloped as a single family house with a secondary suite. If the property is rezoned to two new zones, secondary suites would no longer be permitted.



**Data Table**

The following data table compares the proposal with the standard small lot and duplex zones. The small lot house is compared to the R1-S2 Zone, Restricted Small Lot (Two Storey) District and the existing duplex is compared to the R-2 Zone, Two Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the standard zones. Two asterisks are used to identify an existing site condition.

<b>Zoning Criteria</b>	<b>Proposed Lot 1 Existing Duplex</b>	<b>Zone Standard R-2</b>	<b>Proposed Lot 2 New House</b>	<b>Zone Standard R1-S2</b>
Site area (m <sup>2</sup> ) - minimum	309.98*	555	225.03*	260
Site area per unit (m <sup>2</sup> ) - minimum	154.99*	277.5	N/A	N/A
Density (Floor Space Ratio) - maximum	0.5:1	0.5:1	0.46:1	0.6:1
Floor area (1 <sup>st</sup> & 2 <sup>nd</sup> storeys (m <sup>2</sup> ) - maximum	153.85	280	103.19	190
Floor area (including basement) (m <sup>2</sup> ) - maximum	231.8	380	N/A	N/A
Lot width (m) - minimum	15.2	15	16.59	10
Height (m) - maximum	7.7**	7.6	7.36	7.5
Storeys - maximum	2 + basement**	1.5 + basement	2 + basement	2 + basement
Site coverage % - maximum	34.05	40	26.96	40
Setbacks (m) - minimum				
Front	5.8 (Stanley St)**	7.5	2.8 (Pembroke St)*	6
Rear	1.5*	10.7	6	6
Side	0.30 (south)*	1.52	1.5 (east)*	2.4
Side	1.5 (north, internal)*	3	3.02 (west)	2.4
Side (flanking St)	6.85 (Pembroke St)	3.5	N/A	N/A
Combined Side Yard	3*	4.5	N/A	N/A
Parking - minimum	1**	2	1	1
Parking - location	Side yard	Rear or side yard	Front yard*	Rear or side yard

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fernwood CALUC at a Community Meeting held on July 7, 2015. A letter dated September 10, 2015, is attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 92% support the Application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to this report.

## ANALYSIS

### Official Community Plan

The *Official Community Plan (OCP)* Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential – Small Lot and duplexes are subject to DPA 15D: Intensive Residential - Duplex. The form and character of the proposal will be reviewed in relation to the concurrent Development Permit Application.

### Fernwood Neighbourhood Plan

The *Fernwood Neighbourhood Plan* (1994) states that this area should maintain the integrity, appearance and character of single family dwellings and that small lot infill housing may be considered if it meets the criteria established by the City. As noted below, this proposal does not meet the lot size criteria in the *Small Lot House Rezoning Policy*.

### Neighbourliness Guidelines for Duplexes

The *Neighbourliness Guidelines for Duplexes* states that an interior lot must have a width greater than 15m and a site area in excess of 555m<sup>2</sup>. The proposed duplex lot would only be 309.98 m<sup>2</sup>. This is substantially lower than the minimum prescribed in the relevant policy and what is required in the standard duplex zone (R-2 Zone).

### Small Lot House Rezoning Policy

The *Small Lot House Rezoning Policy* refers to a "Small Lot House" with a minimum lot size of 260m<sup>2</sup> and a minimum lot width of 10m. The proposed small lot would be 225.03m<sup>2</sup> and would therefore not meet this policy. This is also smaller than the minimum size in the standard small lot zone (R1-S2 Zone).

The proposal also does not meet the sensitive infill objectives of the *Small Lot House Rezoning Policy*. The siting and massing of the building disrupts the existing street pattern.

### Multi-Modal Transportation and Greenways Planning

To meet Transportation Engineering and Parks and Recreation objectives, a Right-of-Way width of 18.0m along both the Pembroke Street and Stanley Avenue frontages is required. Should Council decide to rezone this property, a road dedication of 1.39m on both streets would be



required as a condition of subdivision. This dedication would have an impact on the lot sizes, property lines and associated zoning criteria, such as front setbacks, and has been taken into account in the staff assessment of the proposal. Without the road dedications, the resulting lot areas would be 247.82m<sup>2</sup> for the proposed small lot and 359.17m<sup>2</sup> for the duplex. These lot areas are still below the minimum envisioned in the policies and standard zones. Infill development within Traditional Residential areas is a particularly sensitive form of development and the minimum lot areas required in the zone and policies were established to represent the lot area requirements after any required dedications.

In addition, the OCP and the *Greenways Plan* (2003) designate Pembroke Street and Stanley Avenue as People Priority Greenways. Greenways are important to the City because they encourage multi-modal transportation by improving the comfort levels for pedestrians and cyclists.

An outstanding item to be addressed in relation to road dedication along Pembroke Street is the proposed stairs leading from the retaining wall along that property line to the front pathway of the new small lot house. Given that no new structures are permitted within the land dedicated to the public Right-of-Way, these stairs must be removed from the final plans.

### Tree Preservation Requirements

The applicant has provided an arborist report outlining the impact mitigation measures required to successfully retain the trees located in the proposed road dedication at 2035 Stanley Avenue during the construction phase (attached).

### CONCLUSIONS

The proposal to rezone the subject property to two new zones, retain the existing non-conforming duplex and construct one new small lot house is not consistent with the objectives of the *Small Lot House Rezoning Policy* and the *Neighbourliness Guidelines for Duplexes*. Staff recommend that Council consider declining this Application.

### ALTERNATE MOTION

That Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00489 for 2035 Stanley Avenue, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following condition is met:

1. Removal of the stairs within the future 1.39m Right-of-Way on Pembroke Street from the plans to the satisfaction of staff.

Respectfully submitted,



Rob Bateman  
Planner  
Development Services Division




Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

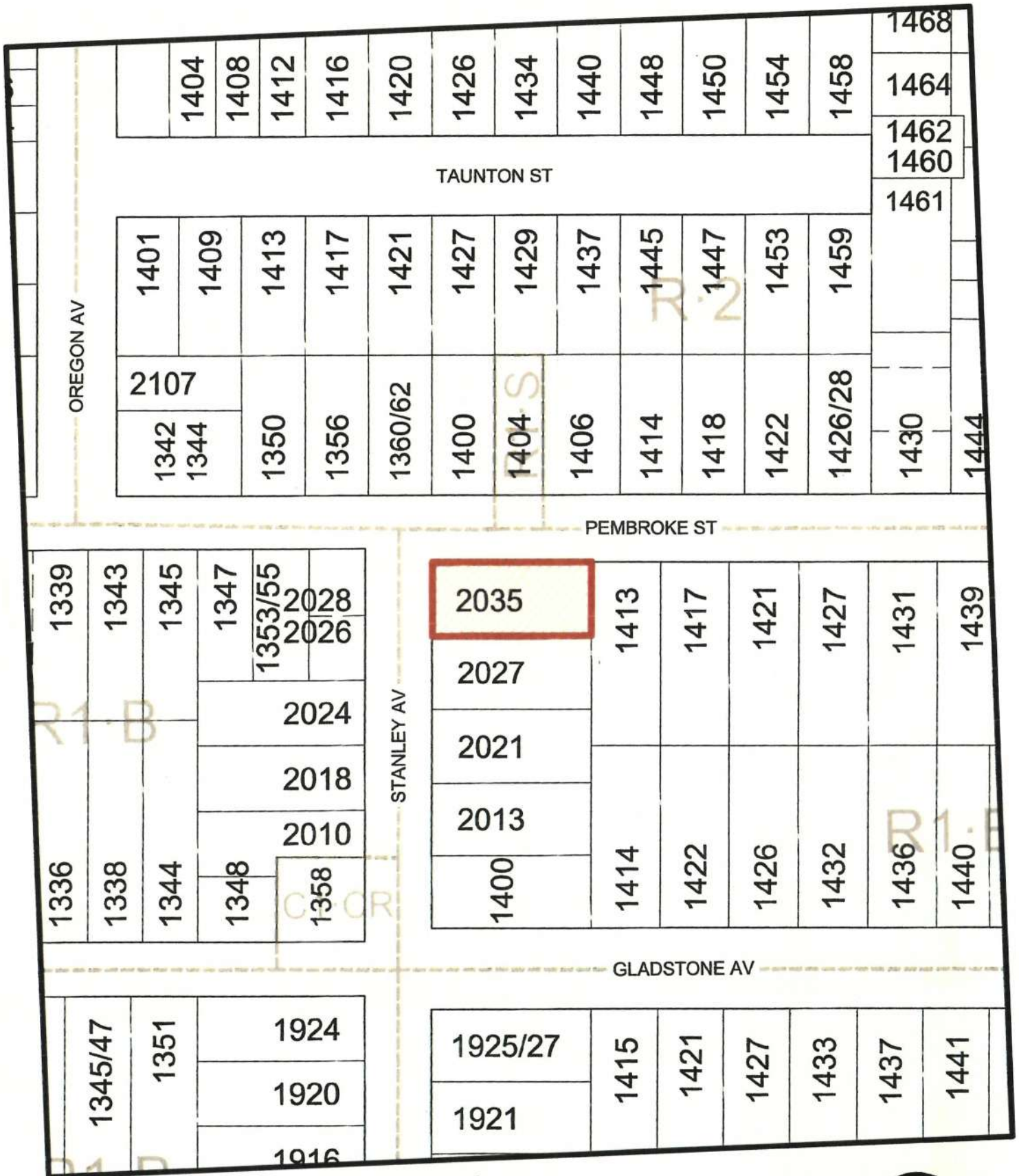


Date: December 29, 2015

**List of Attachments**

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated July 28, 2015
- Letter from Fernwood Community Association dated September 10, 2015
- Arborist report dated July 16, 2015
- Small Lot Housing Rezoning Petition
- Plans dated July 30, 2015.

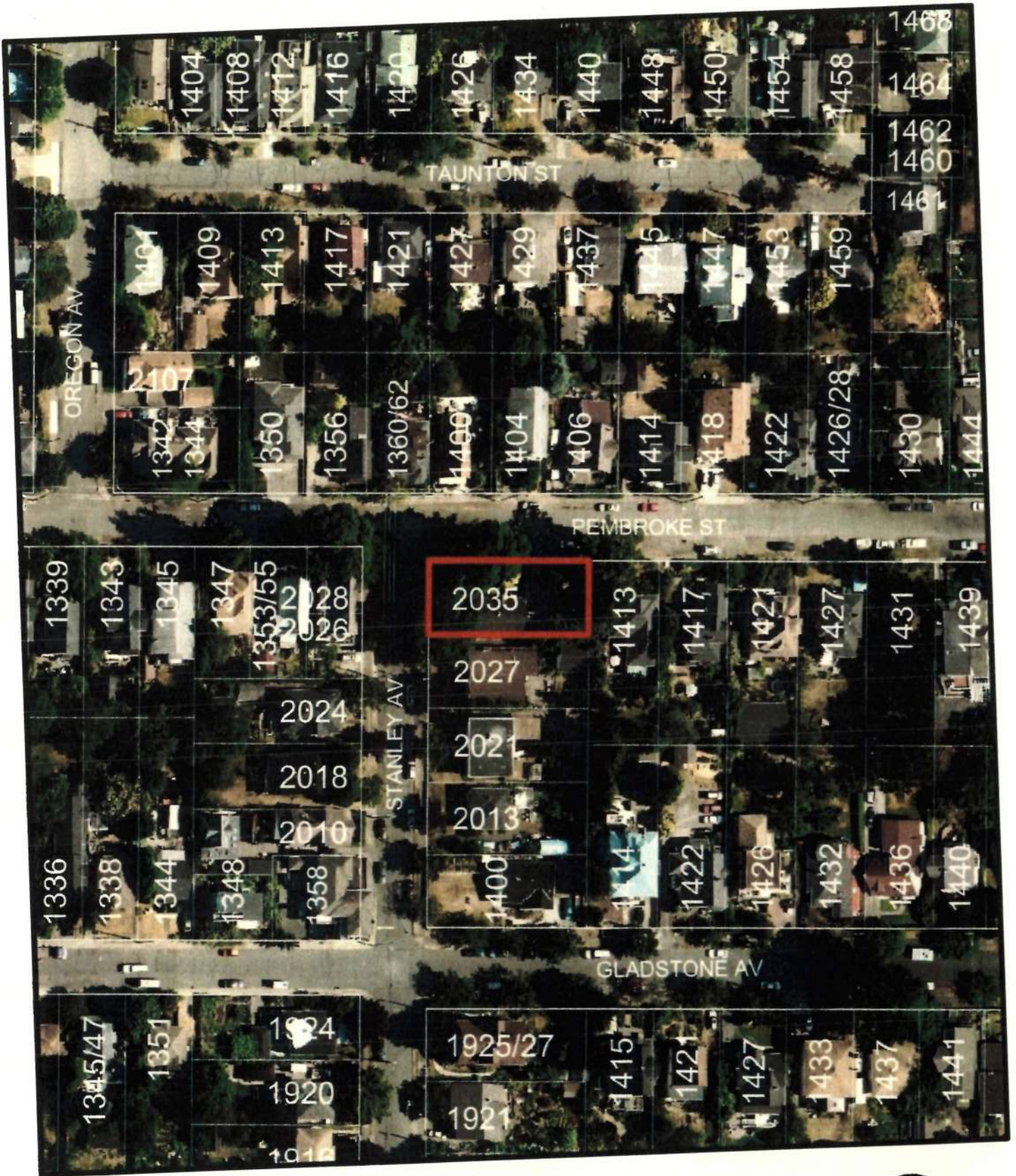




2035 Stanley Avenue  
Rezoning #00489  
Bylaw #







2035 Stanley Avenue  
Rezoning #00489  
Bylaw #





**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman**

July 28, 2015

Her Worship Mayor Lisa Helps and Councillors  
 Corporation of the City of Victoria  
 1 Centennial Square  
 Victoria, B.C. V8W 1P6

This application is a resubmission to rezone the property at 2035 Stanley. At the Public Hearing on July 22, 2014 Council waived the requirement for a one year waiting period to resubmit a revised application and asked me to address massing and design concerns expressed by the neighbour at 1413 Pembroke. I believe this is because Council felt that with some 'fine tuning' the proposal had merit. I therefore present to you a revised proposal for this property.

**Description of Proposal**

The basics of my proposal are largely the same. It is a request to rezone the corner property at 2035 Stanley Avenue to allow for subdivision that would retain the existing duplex and create an additional small lot for construction of a new home. The result would be an increase in available housing to support the City's projected population growth – an increase in an area identified for Traditional Residential small lot infill.

The existing duplex would remain 'as-is' and if rezoning is approved, the exterior would be upgraded in accordance with a covenant registered on the property May 2014. To summarize, the exterior of the duplex would be repaired where necessary and painted, and the picket fence repaired and painted (this was done last summer).

A new 3 bedroom family home would be constructed on the small lot facing Pembroke and sited to maximize street connectivity, visual presence and character.

**Pembroke Elevation**

July 28, 2015

1

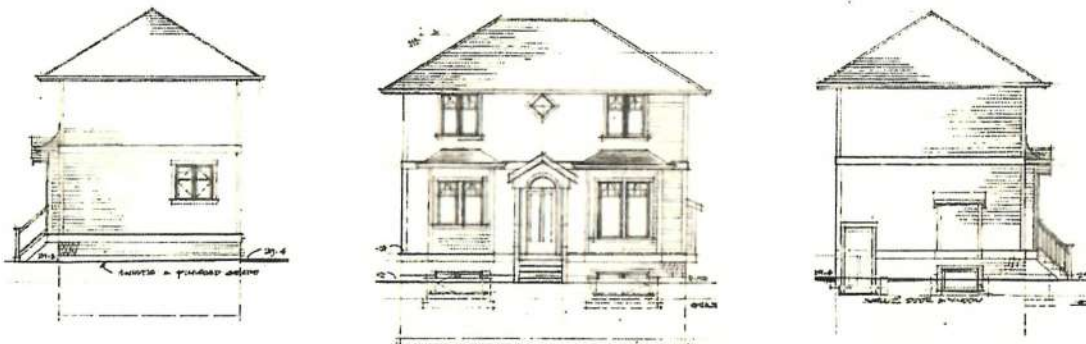
## Neighbourhood Consultation

This is where the main changes take place. At the Public Hearing of July 12, 2014, Mr. and Mrs. Berry of 1413 Pembroke expressed concerns around the design, massing and privacy with the new small lot home. In order to create a solution satisfactory to all, I contracted award winning Zebra Design to help revision the proposed design.

After many months of collaboration and meeting with the neighbour, Mr. and Mrs. Berry have indicated they are satisfied and have signed a letter of support for this new proposal. (*Detailed letters are included in the Small Lot Petition package*). The main changes are:

1. Complete redesign of the new home incorporating architectural features of the building façade in smaller elements creating an impression of a 1.5 story building (addresses massing and design).
2. Refashioned exterior finish and roof design to enhance visual character and create harmony with the neighbourhood (addresses massing and design).
3. Added windows on the east and west elevations to break up the 'blank' wall (addresses design).
4. Incorporated a Yew hedge along southeast portion of the 6' fence (addresses privacy).
5. Reduced backyard patio and moved it away from the east neighbour (addresses privacy).

### Original Proposal



### Revised Proposal





**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman**

The revised proposal was also presented to contiguous neighbours. As you will see in the attached Small Lot Petition, 92% of these neighbours are in favor of the proposal.

As well, on July 07, 2015 a Community meeting with the Fernwood Land Use Committee was held. The summary of this meeting is forthcoming from their Chair, David Maxwell.

**Road Dedication**

This proposal is subject to the City's automatic road dedication requirement that comes into play anytime there is a subdivision request – in this case 1.39m **off each street frontage**. The result is **12%** of the total land handed over which at today's market price, equates to **\$72,000**.

I understand the City's need to plan for the future and developers'/citizens' need to contribute to the betterment our infrastructure – when it makes sense. The dedication program for this proposal is impractical.

These are two established streets with little opportunity for further subdivision and therefore little or no opportunity for the City to acquire more land through its dedication program. Additionally, the existing homes have improvements (retaining walls, garages) close to lot lines which the City would have to purchase and refurbish in lieu of any automatic dedications.

**Walls Along Stanley****Walls Along Pembroke**

All of these factors make the road dedication program unreasonable and financially disproportionate to the scale of this proposal.

## Rezoning Application: 2035 Stanley

Applicant: Kim Colpman

## Requested Variances

Although I am required to show road dedications on our plans and in the Site Data metrics, I have also included this information without the road dedication, which I believe is a more realistic analysis of this proposal.

## New Small Lot SFD

The new small lot home has three variances when compared to the standard R1-S2 zoning. The following table explains these variances.

New Small Lot SFD				
Variance	Required (R1-S2)	Proposed	Proposed (Ded'n)	Rationale
Setback - Front	6.00m	4.19m	2.8m	<p>The house sits 1.8m (6' ) closer to the street than the R1-S2 zoning allows. In my last proposal, Planning indicated the placement of the home was well sited for the lot. I agree, since the goal is to provide positive street connectivity, as outlined in the Design Guidelines, while maintaining a functional rear yard for home owners (<i>Note: There is no rear yard variance for the SFD</i>).</p> <p>The following are a few examples of current City small lot bylaws that support creative infill:</p> <ul style="list-style-type: none"> <li>• R1-S5: Rudlin – Front 3.5m</li> <li>• R1-S19: Springfield – Front 3.0m</li> <li>• R1-S21: McKenzie – Front 3.0m</li> </ul>
Setback – Int East				<p>Without a window, the proposal meets the setback requirement. However, the east neighbour has expressed the importance of these windows and there are no overlooks as a result.</p> <p>According to the Small Lot Design Guidelines: <i>Relaxation of side yard requirements may be appropriate in some instances to facilitate interesting and innovative design solutions, provided that the encroachment into the setback does not adversely affect the privacy, sunlight or views of the adjacent property.</i></p>
With window	2.40m	1.52m	1.52m	
No window	1.50m	1.52m	1.52m	



## Rezoning Application: 2035 Stanley

Applicant: Kim Colpman

New Small Lot SFD													
Variance	Required (R1-S2)	Proposed	Proposed (Ded'n)	Rationale									
Lot Area	260.00m <sup>2</sup>	247.82m <sup>2</sup>	225.03m <sup>2</sup>	<p>In practical terms, the lot is 12.18 m<sup>2</sup> shy of the R1-S2 requirement. However, the size and massing of the building has been designed for the site and to conform to zone requirements for floor area and site coverage.</p> <table><tr><td></td><td><u>R1-S2</u></td><td><u>SFD</u></td></tr><tr><td><b>Floor Area:</b></td><td>190 m<sup>2</sup></td><td>148.68 m<sup>2</sup></td></tr><tr><td><b>Site Coverage:</b></td><td>40%</td><td>24.48% (26.96%)</td></tr></table> <p>The City has approved other small lot bylaws in support of infill that utilizes available land in a creative harmonious way. My request is not precedent setting.</p> <ul style="list-style-type: none"><li>• R1-S21: McKenzie – Lot Area 240m<sup>2</sup></li><li>• R1-S22: Grant – Lot Area 215m<sup>2</sup></li><li>• R1-S25: Pembroke – Lot Area 219.5m<sup>2</sup></li></ul>		<u>R1-S2</u>	<u>SFD</u>	<b>Floor Area:</b>	190 m <sup>2</sup>	148.68 m <sup>2</sup>	<b>Site Coverage:</b>	40%	24.48% (26.96%)
	<u>R1-S2</u>	<u>SFD</u>											
<b>Floor Area:</b>	190 m <sup>2</sup>	148.68 m <sup>2</sup>											
<b>Site Coverage:</b>	40%	24.48% (26.96%)											

## Rezoning Application: 2035 Stanley

Applicant: Kim Colpman

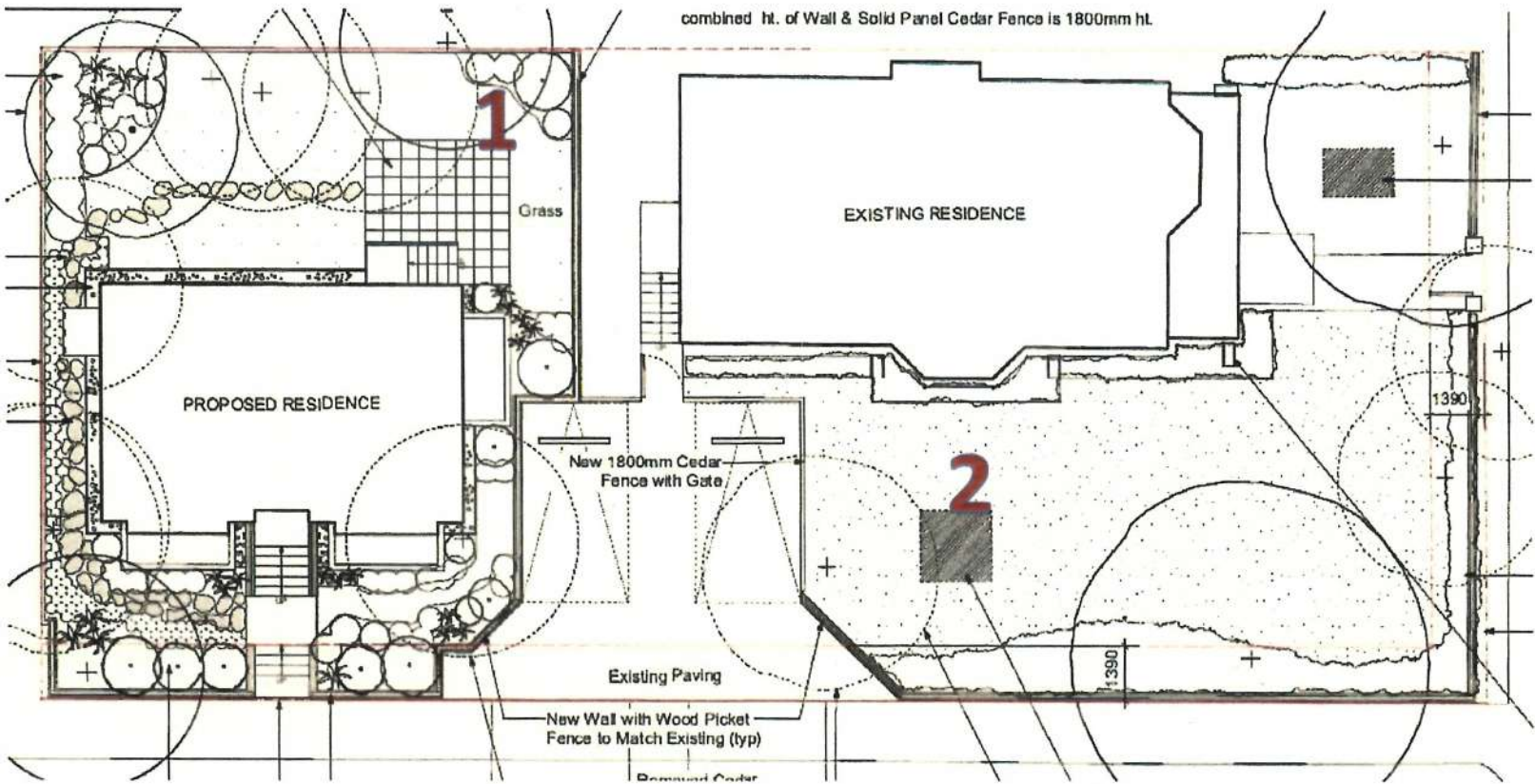
## Existing Duplex

To my knowledge the City does not have a zoning bylaw to support a duplex on small lot, which does not preclude creating one should the proposal make sense. If we compare the new proposed duplex lot to the R1-S2 zone, it fares quite favorably.

Analysis of the Lot Area, Floor Area and Site Coverage reveals that the existing duplex building would meet the zoning requirements in terms of its size and coverage of the site **even on a 260m<sup>2</sup> lot**. The proposed lot is much larger and provides for wonderful outdoor space for the two existing residents.

Reviewing the Rear Setback shows that it could be identified as a Side Yard (see Rationale in the table below) Therefore the only 'real' practical variance request is for reduced parking.

Existing Duplex				
	Required (R1-S2)	Proposed	Proposed (Ded'n)	Rationale
Lot Area	260m <sup>2</sup>	359.17m <sup>2</sup>	309.98m <sup>2</sup>	
Lot Width	10.0m	16.59m	15.20m	
Setbacks <ul style="list-style-type: none"> <li>Front</li> <li>Rear</li> <li>Side (Interior)</li> <li>Side (Ext)</li> </ul>	6.0m 6.0m 1.5m 1.5m	6.26m 2.50m* 0.30m** 8.24m	4.87m 2.50m 0.30m 6.85m	<p>* The duplex rear yard (east) is against the west side yard of the new home. Because the duplex has a large greenspace at the north west of its lot, this 'rear' yard is not a place for outdoor activity. It could be argued that it reads more like a side yard and would therefore conform to the 1.5m requirement</p> <p>** This is an existing condition that has the benefit of creating a large green yard space (about 180m<sup>2</sup>/1940ft<sup>2</sup>) on the north east part of the property.</p>
Bldg Height	7.5m	7.70m	7.70m	This is an existing condition an in practical terms equates to 6inches.
Floor Area (Total)	190m <sup>2</sup>	153.85m <sup>2</sup>	153.85m <sup>2</sup>	
Floor Area Ratio	0.60	0.43	0.50	
Site Coverage	40%	29.38%	34.05%	
Parking	2	1	1	<p>The parking is situated in its existing location.</p> <p>See <a href="#">Transportation Management Strategy</a> for more details.</p>
Green Space	NA	180m <sup>2</sup>	141m <sup>2</sup>	This is a large green space for residents. In fact the current duplex tenants utilize and share this space today.



This Site Plan (#1) shows the separation between the houses as more of a side yard arrangement, with the existing residence enjoying a large outdoor space in the northeast of the property (#2)



## Transportation Management Strategy

Providing for the car in urban centres is in transition. The cost of land and desire for affordable housing, is making it very difficult to give up this precious resource to the car. People are now looking for housing close to urban centres where they can choose alternative transportation options and move away from vehicle ownership.

For this reason, the Official Community Plan (OCP) asks that we *consider reductions in parking requirements where geographic location, residential and employment density, housing type, land use mix, transit accessibility, walkability, and other factors support non-auto mode choice or lower parking demand.*

The property at 2035 Stanley is centrally located with easy access to all amenities. It has a very favorable walkscore which supports the OCPs intention and which is why we are requesting a parking variance for the duplex of 1 off-street stall. To support transportation alternatives, there is secured bike storage in the basement of the duplex. As well, 2 guest bike racks will be installed on the property (currently not shown on plans).



The City's Traffic department is in favor of this solution. When the original submission for the July 2014 Public Hearing was reviewed by the City, they were in favor of two parking stalls (1 for the duplex and 1 for the new home). Their requirement was to use the existing access and design the parking space in accordance with the Highway Access Code. The proposal reflects this request.

As well, the Traffic department was supportive of on street parking. They indicated that even though the frontage is 'green space' dedicated, this area of Fernwood supports this type of parking. They suggested some frontage improvements to accommodate the on street parking, which have not yet been detailed by the City.

## City Policies

### Official Community Plan and Regional Growth Strategy

Over the next 30 years, Victoria is expected to grow by an additional 20,000 residents. As a built-out city with little remaining undeveloped land, the OCP identifies the need to create more compact built environments within the Urban Core, Town Centres and Urban Villages and in close proximity to transit. This trend toward urbanization is skyrocketing as people move toward more sustainable, balanced lives close to work, play and amenities.


The OCP and the Regional Growth Strategy both have established goals to address this trend. The table below shows how this proposal supports these goals.

OCP Goal	Proposal
<b>Housing Supply for Future Need</b> – <i>Seek to accommodate population growth in the strategic locations, including an additional 10,000 residents in the Urban Core, 8,000 residents in and within close walking distance of Town Centres and Large Urban Villages, and 2,000 in Small Urban Villages and the remainder of residential areas in the city.</i>	Property is located: <ul style="list-style-type: none"> <li>15 minute walk to North Park – a Large Urban Village.</li> <li>5 minute walk to the Fernwood – a Small Urban Village.</li> </ul>
<b>Land Management and Development</b> - <i>Housing forecast growth of approximately 20,000 additional residents by 2041 is expected to reach Victoria's capacity available under existing zoning for new ground-oriented residential and exceed that for apartments, running the risk that housing will become increasingly more expensive as available capacity is depleted.</i>	Proposal keeps housing cost lower by: <ul style="list-style-type: none"> <li>Maximizing use of available land now.</li> <li>Utilizing land for homes and greenspace and less for cars.</li> </ul>
<b>Land Management and Development</b> – <i>Urban development should focus on building coherent, livable places of character, where the goods and services people need are close to home.</i>	Proposal includes a completely revisioned design for the new home which architecturally compliments the neighbourhood and creates a livable 3 bedroom family home.  Property is located walking distance to most amenities and public transit.
<b>Land Management and Development</b> - <i>Give consideration to site-specific amendments that are consistent with the intent of the Urban Place Designations and that further the broad objectives and policies of the plan, as appropriate to the site context.</i>	Minor variances are required to achieve a very workable solution for this property.  See <a href="#">Requested Variances</a> for detailed explanations



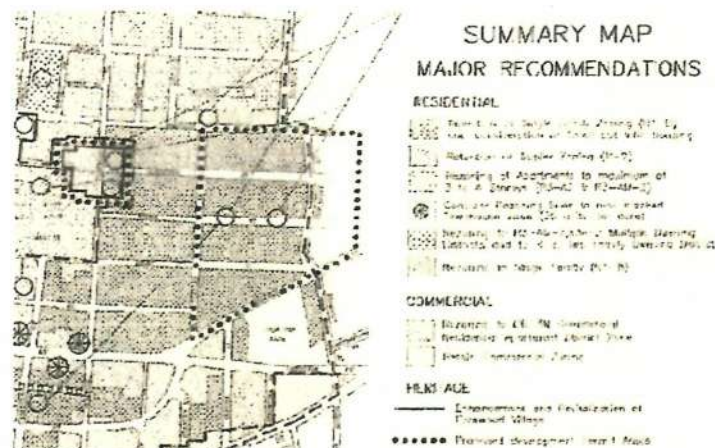
## Rezoning Application: 2035 Stanley

Applicant: Kim Colpman

OCP Goal	Proposal
<p><b>Transportation</b> – Consider reductions in parking requirements where geographic location, residential and employment density, housing type, land use mix, transit accessibility, walkability, and other factors support non-auto mode choice or lower parking demand.</p> <p>Future development is to consider transportation options that reduce fossil fuel dependence, help conserve energy and produce low greenhouse gas emissions and other air contaminants.</p>	<p>Property is well located for a desirable walkscore creating opportunities for alternative transportation and reduced reliance on the car.</p> 
<p><b>Land Management and Development</b> - For areas designated Traditional Residential, consider new development, infill, and redevelopment.</p>	<p>Property lies within the Traditional Residential designation, and was identified for Small Lot Infill consideration.</p>
<p><b>Environment, Climate Change and Energy</b> - Continue to promote the reduction of community greenhouse gas emissions, through compact land use patterns such as walkable and complete centres and villages.</p>	<p>Property centrally located to support residents ability to walk, bike or use public transit.</p>

## Fernwood Area Plan

The property at 2035 Stanley is designated as 'Traditional Residential' which is primarily ground-oriented building forms. Interestingly, the map below is the Fernwood Plan from 1996 showing that 2035 Stanley was part of an area to be considered for Small Lot Infill housing. Some 20 years later, this is exactly what we are proposing.



**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman****Design Guidelines***Building*

The goals outlined for Small Lot rezoning, all of which are supporting through this proposal, ask the City to:

- Support growth through small, adaptive and gradual change
- Revitalize neighbourhoods by allowing new infill construction
- Make (optimal) use of neighbourhood infrastructure (schools, water and sewer).
- Increase the quantity of detached dwelling lots while providing other options.
- Meet changing needs, wants and values of existing and future residents throughout the life cycle (e.g., the need for ground-oriented housing for families with children, the desire for smaller houses and yards for seniors, couples, empty nesters or singles).

With these goals in mind, Zebra Design has expertly applied architectural elements that are sensitive to the siting, massing and visual character of this small lot home and meet the Design Guidelines, such as:

- A streetscape that is sensitive to the character and rhythm of the neighbourhood.
- Horizontal features and smaller elements to visually reduce the size.
- Stepping back of second floor roof line to create an impression of 1.5 stories instead of 2.
- Roof detail, pattern changes and proportional windows for visual character.
- Heritage color and material finishes to harmonize with the area.

*Landscape*

In the new home, the front yard creates a welcoming street connection by combining soft landscaping of drought tolerant native plantings against the traditional picket style fence. This fence is mimicked and matches that of the existing duplex along both street frontages. Side and rear yard fences are 6' panels for outdoor privacy.

Most trees being removed are because of poor health, and is welcomed by the east neighbour who often has large dead branches falling into their driveway. One tree is being removed from the SFD lot to accommodate the new home and is being replaced with a Milky Way Dogwood in the south east corner. One cedar tree is being removed to accommodate parking.

Apart from the rear patio and entry sidewalk of the SFD, there is no hardscape. The pathway to the rear yard is flagstone to support sustainable landscape design. The remainder of the site is plantings and grass.

There is no extensive landscaping required for the existing duplex apart from maintenance and basic cleanup.

An arborists report identifying all trees was submitted with the original application and is included again with this application. Additionally, Talbot and McKenzie provided an updated review (July 16, 2105) of the Robina Trees in the road dedication area identifying these trees are reasonably healthy and require no special maintenance.



**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman****Green Building Features**

- Retaining existing duplex
- Providing secure bike storage and guest bicycle parking
- Drought tolerant, native plantings, flagstone pathways, pavers for patio
- Energy Star Windows
- Energy Star Appliances
- Use of non HCFC expanding foam around window and door openings
- Fibreglass Exterior Doors
- Natural Hardi Exterior Siding
- Minimum 30 year warranty of roofing material
- MDF casing and baseboard trim (reducing reliance on old growth forest products)
- Installation of hardwired carbon monoxide detector to ensure air quality
- Low Formaldehyde insulation, subfloor sheathing, exterior sheathing, insulation, carpet underlayment and cabinetry.
- Low VOC Interior paints
- Programmable Energy Star thermostat
- Energy Star ventilation fans
- Toilets CSA approved, 4.8L flush volume or less
- Low flow faucets and shower valves

**Summary**

Thank you for taking time to read through this detailed report. I trust I have adequately addressed the concerns raised at the July 2014 Public Hearing and respectfully ask Mayor and Council to approve my request to rezone 2035 Stanley. To summarize, here's why:

1. Victoria is a built out city with little land left to create additional housing to meet the demands of population growth.
2. The road dedication program for this property is impractical and hampers the development potential of this valuable corner lot.
3. The minor variances are not precedent setting and do not negatively impact the design, siting, massing, and character of the new home and have no impact on the livability of the existing duplex.
4. The proposal is a creative solution to available land in an area where the OCP supports small lot infill.
5. It is a centrally located property with a very high walk score making it practical for residents to seek alternate transportation options.
6. Fernwood will have a beautiful new home to welcome another family to its community ☺

Sincerely,  
Kim Colpman

---

July 28, 2015



**Fernwood Community Association**

1923 Fernwood Road,  
Victoria, B.C., V8T 2Y6

(250) 384-7441

Email: [landuse@thefcaca](mailto:landuse@thefcaca)

September 10, 2015

Mayor and Council  
City of Victoria  
#1 Centennial Square  
Victoria, B.C. V8W 1P6

Re: 2035 Stanley Street Rezoning Application (REZ00489)

Dear Mayor and Council;

The Fernwood Community Association held the Official Community Meeting for this proposed development in the main hall at 1923 Fernwood Road on July 7, 2015. No Preliminary Community Meeting was held concerning this proposal.

The proposal is to divide this R1-B property that currently has a legal non-conforming up and down duplex into two site specific zones. One new zone will retain the duplex and the second zone will allow for the construction of a new small lot home.

This proposal requires a number of significant variances that in our opinion would set a precedent that erodes the spirit of both the small lot and duplex zones. Additionally the Fernwood Community Association has adopted the following planning guideline concerning the small lot zone.

The criteria for small lot developments are already generous by allowing houses to be built on smaller lots with smaller set-backs. As a result requests for variances that enlarge the footprint of the house significantly – therefore reducing required set-backs - are not supported. Modest variances to allow for steps, small porches or bay windows will be considered by the land use committee, in consultation with neighbours, on a case by case basis.

The above concern would logically also apply to the duplex zone requested.



Another way to make better use of this lot and also increase the supply of affordable rental housing would be for the City to allow the construction of a one storey garden suite on this site with appropriate off street parking for both residences. This would also address the concern some neighbours have about parking. When looking at parking we believe it is important to look at the number of houses in the immediate vicinity that currently do not have off-street parking. A review of this kind would also need to consider the number of legal and illegal suites in the immediate area. Neighbours of this rezoning application have reported that a number of such suites exist including more than one per lot. Requesting the City enforce its current guidelines concerning such suites could inadvertently lead to a reduction in affordable rental housing. The neighbourhood currently seems to have the ability to accommodate these secondary suites as well as, potentially, an additional yet compact rental unit on the property in question with appropriate parking. Conversely, this rezoning proposal with its larger building footprint and reduced parking could upset that balance.

Additionally concern has been expressed that the proposed new building, with its outside entrance to the basement, could invite the development of an illegal secondary suite.

Sincerely,

*Naomi Simpson per David Maxwell*

David Maxwell  
Chair, Land Use Committee  
Fernwood Community Association

Pc: Sustainable Planning and Community Development Department,  
City of Victoria



## Talbot Mackenzie & Associates

Consulting Arborists

July 16, 2015

K.J. Colpman  
967 Bank Street  
Victoria, BC V8S 4B1

Re: Robinia trees in municipal road dedication at 2035 Stanley Avenue

During our recent site visit, at your request, we visually inspected the health and structural characteristics of the above ground portions of three Robinia psuedoacacia trees numbered 0337, 0349 and 0350 located within the property boundaries, but where they will be in the area of a proposed road dedication on the frontages of Stanley Avenue and Pembroke Street.

All three trees appear reasonably healthy with no fruiting bodies or other indicators of the presence of wood root decay pathogens in evidence. There was also no soil cracking, heaving, root plate lifting or any other indicators of root plate instability observed at the time of this site visit, and the structural characteristics of the three trees observed is typical of most Robinia trees of this size and age.

Our assignment did not include taking resistograph readings, increment core samples or other detailed structural analysis, and while we did not observe any visual evidence of the presence of large cavities nor did we observe evidence of health decline or the presence of disease pathogens or infestations of insect pests, the canopy of Robinia #350 is covered in a dense layer of English Ivy, making it difficult to inspect the structure of the tree beneath this layer of ivy growth.

The growth characteristics observed in #349 are common for this tree species, where the tree develops multiple stems and growth leaders that have narrow angles of attachment, making them susceptible to failure during severe weather conditions or when decay is present at these stem unions.

Our visual inspection did not find any evidence to indicate that the health of any of the trees observed are in decline or that they pose an immediate risk; however, trees of this species do require pruning on a cyclical basis throughout their life to reduce weight from the major stems and limbs as a method of reducing the risk of stem failure and to correct structural defects as they occur. It appears that Robinia #339 has been pruned historically to remove some of the stems that had a weakness present at the unions, but we anticipate that additional pruning will be required on a 5 year pruning cycle to address any re-occurring structural defects and to reduce the risk of failure of the multiple competing stems.

Box 48153 RPO Uptown  
Victoria, BC V8Z 7H6  
Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
Email: treehelp@telus.net

.../2



It is our opinion that in future years the trees are likely to have maintenance requirements similar to other mature Robinia trees that are part of the municipal tree resource.

Please do not hesitate to call us at 250-479-8733 should you have any further questions.  
Thank You.

Yours truly,  
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie  
ISA Certified & Consulting Arborists

#### Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

Box 48153 RPO Uptown  
Victoria, BC V8Z 7H6  
Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
Email: treehelp@telus.net



## Talbot Mackenzie & Associates

Consulting Arborists

June 07, 2012

Phil Large  
607 Vancouver Street  
Victoria, BC V8V 3T9

Re: Tree Retention Report for 2035 Stanley Avenue

**Assignment:** Prepare a tree retention report to be used during the construction of an additional residence on the property at 2035 Stanley Avenue.

**Methodology:** For this purpose we reviewed the site plan and layout of the building, driveway and parking footprints. During a June 06, 2012 site visit we examined and documented the tree resource on the property. For ease of identification in the field, each tree onsite was identified using a numeric metal tag attached to the lower trunk. Information such as tree species, size (dbh), Protected root zone (PRZ), Critical root zone (CRZ), health and structural condition, relative tolerance to construction impacts and general remarks and recommendations was recorded in the attached tree resource spreadsheet.

**Tree Resource:** The tree resource consists mainly of non-bylaw protected exotic tree species. Two (2) bylaw-protected Robinia trees grow on the property, where they are away from the general area of construction and where they are unlikely to be impacted.

**Proposal:** The proposal as outlined in the plans is to construct an additional residence on the east side of the lot and to widen the existing driveway to accommodate additional off street parking.

**Potential impacts on the tree resource:** From the information compiled during our site examination we have determined that it will not be necessary to remove any trees of bylaw-protected size to accommodate this proposal. We are recommending that the following non bylaw-protected trees that will be impacted by the proposal be removed.

- Tree of heaven #0344 and #0346 – a tree species with an aggressive root system that makes it unsuitable to retain close to houses, hardscape and underground services.
- Douglas-fir #0343 – a tree species that has a low tolerance to construction impacts and is unlikely to survive.
- Big Leaf maple #0342 – that is infected with a wood decay pathogen
- Larch #0347 and Chamaecyparis #0348 – that are located within the footprint for the expanded parking area.

The plans indicate that the remaining trees on the property are to be retained.

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Victoria, BC V8Z 7H6  
Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
Email: treehelp@telus.net

.../2



**Excavation:** The proposed building footprint is located where the excavation will not impact the bylaw-protected trees on the property.

**Blasting and rock removal:** We do not anticipate that any explosive blasting will be required on this site. If blasting is required, it is located where there is unlikely to be any impact on the bylaw-protected trees.

**Grade changes:** Any proposed grade changes are outside of the critical root zones of the bylaw-protected trees.

**Pruning:** The pruning of bylaw-protected trees should not be required to accommodate or attain clearance from the proposed new residence or aboveground services now or in future years. Any pruning that is required will be for the benefit of tree health or to address existing structural defects.

**Servicing:** We did not review the servicing drawings for the purpose of this report. It should be possible, however to install both the aboveground and underground services without impacting the bylaw-protected trees. Should it be determined that underground services must be upgraded or replaced near the bylaw-protected trees, their location and potential impacts must be reviewed by the Project Arborist.

**Off site work:** We have not been informed of any requirements to up grade or replace the offsite services or any of the municipal infrastructure. We also do not anticipate any alterations to the drainage patterns that would impact bylaw-protected or municipal trees.

**Mitigation of Impacts:** It is our opinion that the proposal as reviewed in the plans that were supplied is unlikely to impact any of the bylaw-protected or municipal trees. Any of the non bylaw-protected trees that you wish to retain should be isolated from the construction impacts by erecting barrier fencing.

- **Barrier fencing:** Areas, surrounding the trees to be retained, should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones or at the edge of the canopy dripline. **We also recommend erecting barrier fencing along the west edge of the proposed parking area to isolate the adjacent bylaw-protected Robinia tree #0349 from accidental encroachment on its root zone.**

The barrier fencing to be erected must be a minimum of 4 feet in height and constructed of solid material or flexible safety fencing that is attached to wooden or metal posts. If a flexible fencing material is used, the top and bottom of the fencing must be secured to the posts by a wire or board that runs between these posts. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist should be consulted before this fencing is removed or moved for any purpose.

**Conclusion:** It is our opinion that the construction as proposed in the plans that were supplied will not have a detrimental impact on the bylaw-protected trees on the property or on any municipal trees.

Please do not hesitate to call us at 250-479-8733 should you have any further questions.  
Thank you.

Yours truly,

Tom Talbot & Graham Mackenzie  
ISA Certified, & Consulting Arborists

CC – Nigel Banks

#### Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

Box 48153

Victoria, BC V8Z 7H6

Ph: (250) 479-8733 ~ Fax: (250) 479-7050

Email: treehelp@telus.net



June 06, 2012

**TREE RESOURCE**  
for  
**2035 Stanley Avenue**

1

Tree #	d.b.h. (cm)	Species	PRZ	CRZ	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
0339	9, 10, 12	Tree of heaven	N/A	2.0	4.0	Good	Fair	good	Tri-dominant, ivy covered trunk, located partially on neighbouring property at 2027 Stanley Avenue.
0340	7, 8	Mountain ash	N/A	2.0	2.0	Fair	Poor	good	Co-dominant, 1 dead stem, suppressed.
0341	23	Chamaecyparis	N/A	2.3	4.0	Fair	Fair	good	Deflected top.
0342	39, 47	Big Leaf maple	N/A	8.5	11.0	Fair	Poor	moderate	Co-dominant, large hangers, 1 stem heavily decayed, <i>Ganoderma</i> fruiting bodies on both stems, heavily pruned. Poor specimen.
0343	52	Douglas-fir	N/A	8.0	6.5	Fair	Fair	poor	Epicormic growth, end-weighted limbs.
0344	40, 42	Tree of heaven	N/A	12.0	6.5	Fair	Fair	good	Included bark, tri-dominant, may be shared tree. Poor species to retain in residential area.
0345	multiple Stems	Mountain ash	N/A	3.0	3.0	Fair	Fair	good	9 stems between 8 - 10 cm diameter, growing near base of 0344.
0346	50	Tree of heaven	N/A	5.0	10.0	Fair	Fair	good	Located at Northeast corner of property, recent limb failure. Poor species to retain in residential area.
0347	20	Larch	N/A	2.0	4.0	Fair	Fair	good	Growing at base of retaining wall.
0348	25	Chamaecypariss	N/A	2.5	4.5	Fair	Fair	good	Growing at base of retaining wall.
0349	170	Robinia	15.0	12.0	11.5	Fair	Fair	good	10 stems, union above dbh, crossing stems, narrow unions, history of large stem removal.
0350	36	Robinia	N/A	4.0	8.0	Fair	Fair	good	One-sided canopy, included bark.

Prepared by:

Talbot Mackenzie &amp; Associates

ISA Certified, and Consulting Arborists

Phone: (250) 479-8733

Fax: (250) 479-7050

email: Treehelp@telus.net

June 06, 2012

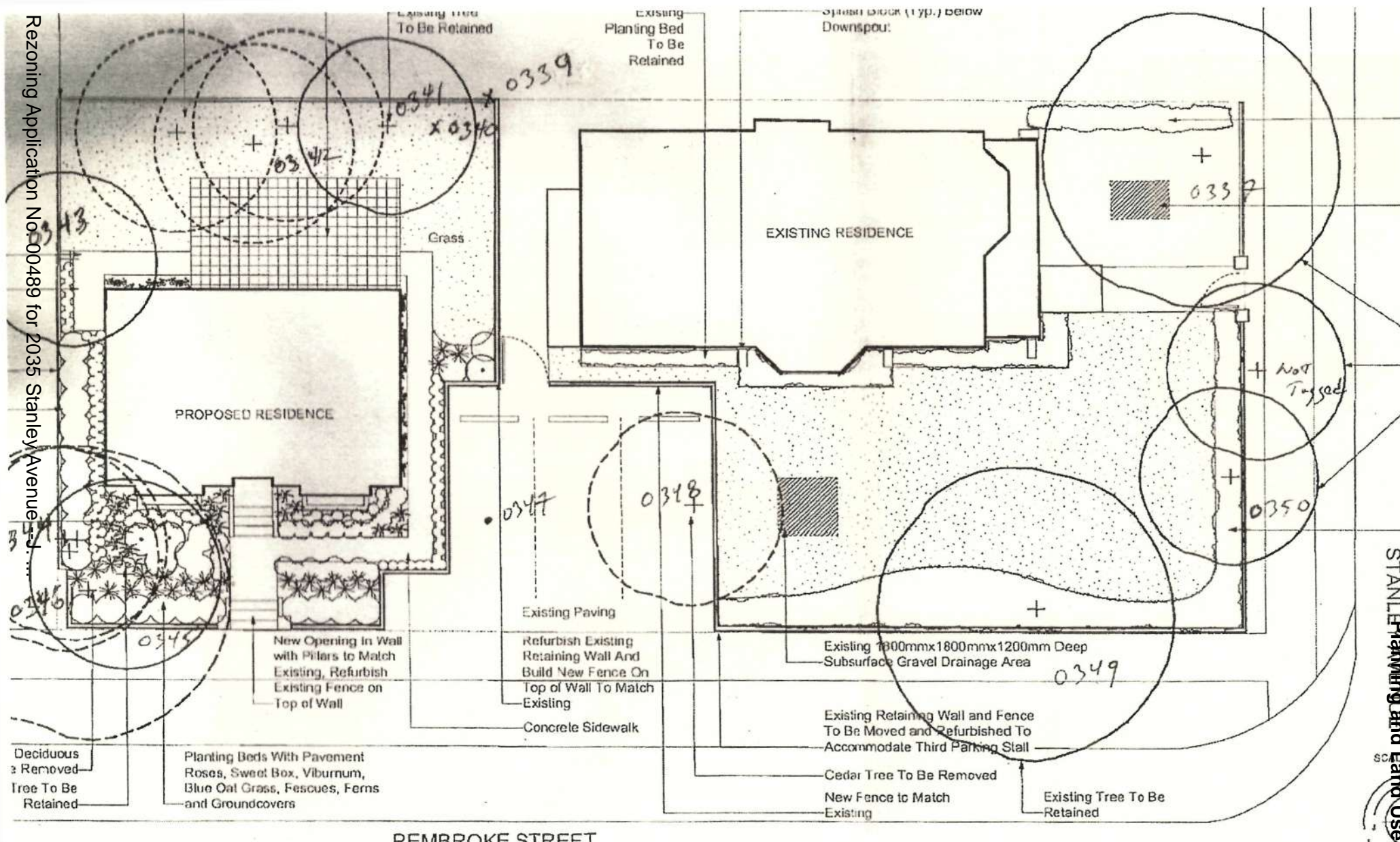
**TREE RESOURCE**  
for  
**2035 Stanley Avenue**

2

<i>Tree #</i>	<i>d.b.h. (cm)</i>	<i>Species</i>	<i>PRZ</i>	<i>CRZ</i>	<i>Crown Spread(m)</i>	<i>Condition Health</i>	<i>Condition Structure</i>	<i>Relative Tolerance</i>	<i>Remarks / Recommendations</i>
0337	130	Robinia	15.0	10.0	11.0	Fair	Fair	good	End-weighted limbs, ivy covered. Recommend ivy removal to examine structure more closely.
no tag	30	plum	5.4	3.0	4.0	Fair	Fair	good	Municipal tree, pruning wounds.

Prepared by:  
**Talbot Mackenzie & Associates**  
 ISA Certified, and Consulting Arborists  
 Phone: (250) 479-8733  
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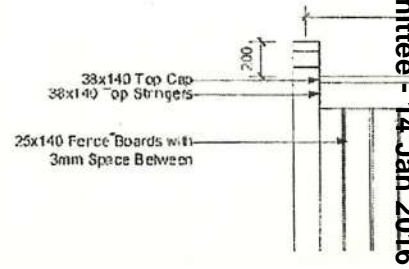




STANLEY Planning and Land Use Committee - 14 Jan 2016

Recommended Nursery Stock

Perennials, Annuals and Ferns			Groundcovers		
Botanical Name	Common Name	Size	Botanical Name	Common Name	Size
<i>Taxus brevifolia</i>	Irish Yew	#5 pot, 1.5m ht	<i>Pachysandra terminalis</i>	Pachysandra	#1 pot
<i>Viburnum</i>	Spring Bouquet	#5 pot			



### Key to Headings in Resource Table

d.b.h. – **diameter at breast height** - diameter of trunk, measured in centimetres at 1.4 metres above ground level

PRZ – **protected root zone** - the area of land surrounding a bylaw-protected tree that contains the bulk of the critical roots of the tree. Indicates the radius of a circle of protected land, measured in metres, calculated by multiplying the diameter of the tree by 18.

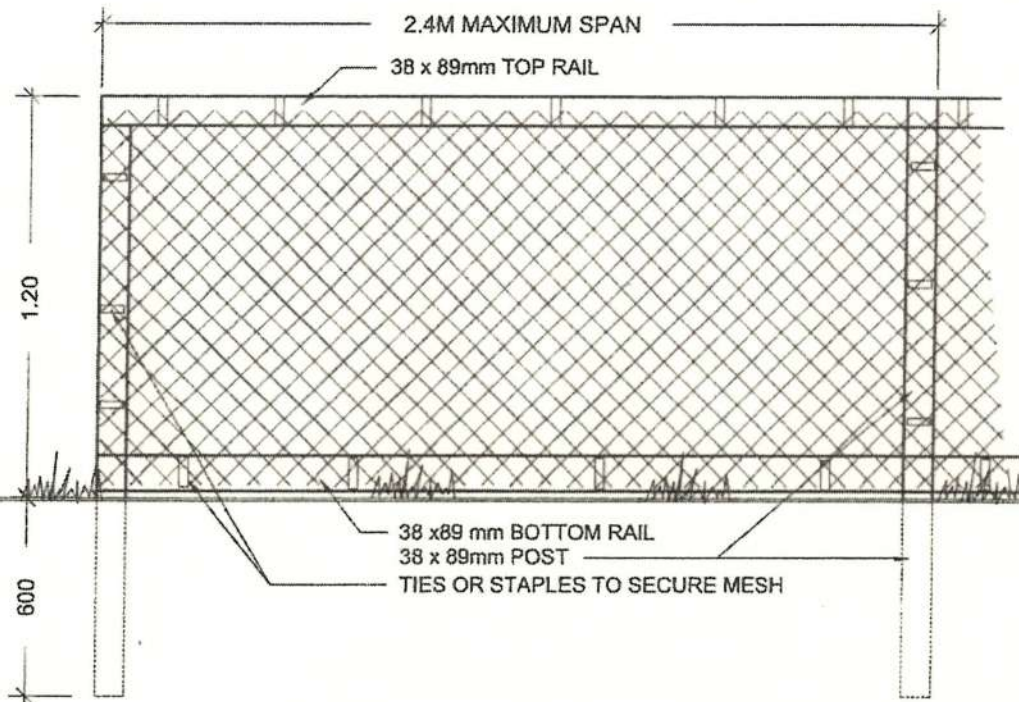
CRZ – **critical root zone** - estimated optimal size of tree protection zone based on tree species, condition and age of specimen and the species tolerance to root disturbance. Indicates the radial distance from the trunk, measured in metres.

Condition health/structure –

- Good – no visible or minor health or structural flaw
- Fair – health or structural flaw present that can be corrected through normal arboricultural or horticultural care.
- Poor – significant health or structural defects that compromise the long-term survival or retention of the specimen.

Relative Tolerance – relative tolerance of the selected species to development impacts.





**TREE PROTECTION FENCING**  
 FENCE WILL BE CONSTRUCTED USING  
 38 X 89 mm (2"X4") WOOD FRAME:  
 TOP, BOTTOM AND POSTS. \*  
 USE ORANGE SNOW-FENCING MESH AND  
 SECURE TO THE WOOD FRAME WITH  
 "ZIP" TIES OR GALVANIZED STAPLES

\* IN ROCKY AREAS, METAL POSTS (T-BAR  
 OR REBAR) DRILLED INTO ROCK WILL BE  
 ACCEPTED

DETAIL NAME:

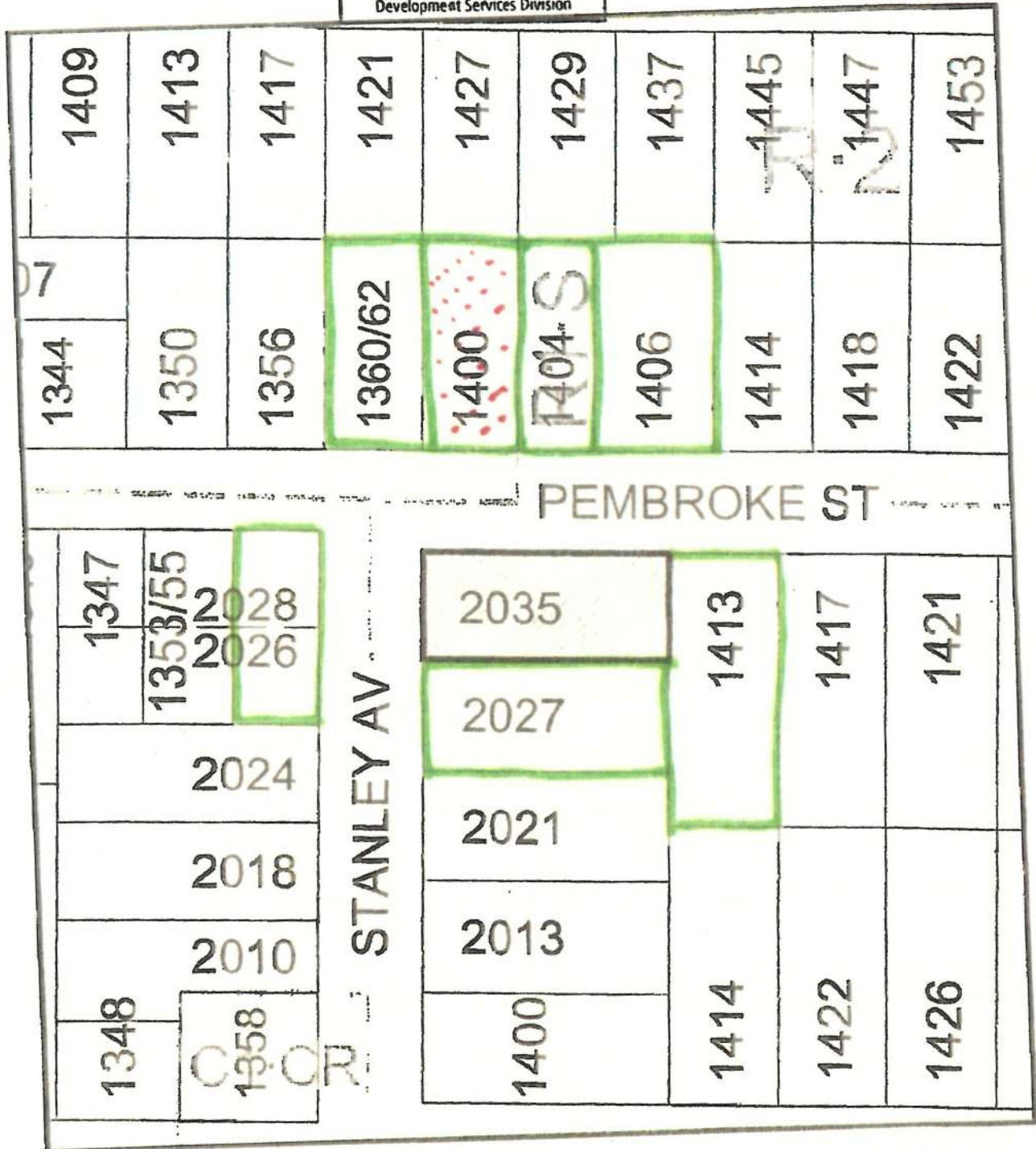
**TREE PROTECTION FENCING**

DATE: Oct 30/07  
 DRAWN: DM  
 APP'D: RR  
 SCALE: N.T.S.

**E105**  
 DRAWING

Received  
City of Victoria  
JUL 30 2015  
Planning & Development Department  
Development Services Division

Victoria City Council - 26 Jun 2014



2035 Stanley Street  
Rezoning #00350  
Bylaw #





# **SUMMARY** **SMALL LOT HOUSE REZONING PETITION**

I, Kim Colpman, have petitioned the adjacent neighbours\* in compliance with  
(applicant)

the *Small Lot House Rezoning Policies* for a small lot house to be located at 2035 Stanley  
(location of proposed house)

and the petitions submitted are those collected by JULY 28 2015.\*\*  
(date)

Address	In Favour		Opposed		Neutral (30-day time expired)	
	OWN	RENT	OWN	RENT	OWN	RENT
1413 Rembroke *other correspondence attached	✓					
1406 Rembroke	✓					
1408 Rembroke	✓					
1410 Rembroke	✓					
1404 Rembroke (current)		✓			✓	
1404 Rembroke (new owner Aug 10)	✓					
1400 Rembroke			✓			
2028 Stanley	✓					
2028 Stanley		✓				
2026 Stanley	✓					
2027 Stanley	✓					
2027 Stanley		✓				
1360/1362 Rembroke					✓✓	
1362 Rembroke						✓

SUMMARY	Number	%
IN FAVOUR	11	92%
OPPOSED	1	8%
TOTAL RESPONSES	12	100%

\*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

\*\*Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Colpman, am conducting the petition requirements for the  
(print name)

property located at 2035 Stanley Victoria B.C.

to the following Small Lot Zone: R1-52

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) DAVID + CAROLYN BERRY (see note above)

ADDRESS: 1413 PEMBROKE ST.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

We feel this design is a significant  
improvement over the one proposed  
previously.

June 17 / 15  
Date

[Signature]  
Signature

June 17, 2015

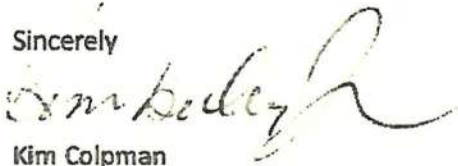
Follow Up Meeting with David and Carolyn Berry Re: 2035 Stanley

On March 23, 2015, I met with Mr. and Mrs. Berry to discuss changes to our Proposal at 2035 Stanley, Victoria BC. David and Carolyn Berry are the contiguous neighbours to the east, living at 1413 Pembroke Street. A signed letter from March 23, 2015 is attached, indicating their acceptance of these changes.

Subsequent to this meeting, additional changes were made to the design. We contracted Zebra Design to prepare electronic CAD drawings for our Rezoning Submission Package (previously submitted hand drawn plans). Zebra Design consultants highlighted ways to make our design better, and to provide what we believe is an even more pleasing additional to the neighbourhood. Their suggestions have been incorporated into this new design, presented today to Mr. and Mrs. Berry. A copy of which was left for their records.

Mr. and Mrs. Berry have reviewed, and are satisfied with, the updated proposal. We have maintained the windows on the east and west sides at their request, as this is an important design feature from their site line perspective.

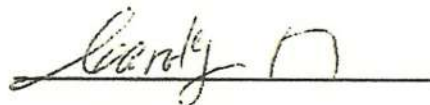
Sincerely



Kim Colpman



David Berry



Carolyn Berry

March 23, 2015

Meeting with David and Carol Barry Re: 2035 Stanley

After meeting with Mr. and Mrs. Barry and discussing their concerns, the following changes were made to our Proposal at 2035 Stanley, Victoria BC. David and Carol Barry are the contiguous neighbours to the east, living at 1413 Pembroke Street:

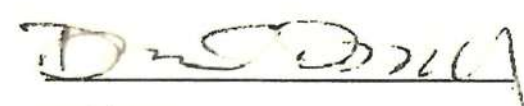
1. Design modified to include windows on side walls (east and west elevations) to eliminate 'blank' wall look. Windows will provide interest to the design and respect the privacy of the neighbours.
2. Incorporated a hedge along the southeast portion of the backyard and against the 6' fence to provide additional privacy and sound barriers.
3. Reduced the size of the patio from 20x12 to 12 x 12 to keep outdoor BBQ activity further away from Mr. and Mrs. Barry's property.

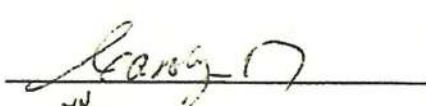
Mr. and Mrs. Barry also expressed other concerns which we have discussed.

1. A full bathroom in the lower floor may invite 'rental'.
  - This home is marketed toward families and as such must provide sufficient facility. A second full bathroom is an essential feature.
2. Blasting near their home.
  - Should blasting be necessary it will be carried out by professionals who are expert in mitigating damage to secondary properties. In the past, we have had no issues.
3. Existing Duplex needs attention.
  - This past summer, the fence was restored and painted. As well the yard was cleaned up. Should the rezoning be approved, we will be painting the exterior of the existing home as well.

Sincerely,  
  
Kim Colpman

We have read the above letter and are satisfied with the changes Kim Colpman has made to her proposal for 2035 Stanley.

  
David Berry

  
Carol Berry

WE ALSO FEEL THE WINDOWS ADDED TO THE FACADE ON OUR  
SIDE IS AN ESSENTIAL COMPONENT TO OUR SATISFACTION WITH  
THE DEVELOPMENT.



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Coleman  
(print name), am conducting the petition requirements for the

property located at 2035 Stanley, Victoria B.C

to the following Small Lot Zone: R1-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) Deb Hunter - owner of (see note above)

ADDRESS: 1406 Pembroke St (1406 & 1410 Pembroke Triplex)

Are you the registered owner? Yes ☒ No ☐

*no because of the way it's due to rent*

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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June 17/15  
Date

Deb Hunter  
Signature

## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Spelman (print name), am conducting the petition requirements for the

property located at 2035 Stanley

to the following Small Lot Zone: RS2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) Jacqui Nauder (see note above)

ADDRESS: 1404 Pembroke St

Are you the registered owner? Yes ☐

No ☒

- Family Home (owned)

RENTED.  
Daughter of  
owner.

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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July 12, 2015  
Date

[Signature]  
Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Coleman (print name), am conducting the petition requirements for the

property located at 2035 Stanley

to the following Small Lot Zone: RS2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) Dr. Naicker (see note above)

ADDRESS: 1404 Rembrake

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

NEUTRAL

☐ I am opposed to the application.

Comments:

Owner contacted by phone (live out of province). Home  
has been sold. New owners take possession mid-August 2015  
Therefore their position is neutral. I (Kim Coleman)  
am trying to connect with new owners. Their realtor has  
been sent a copy of our rezoning proposal and asked  
to share it with new owners and to contact me.

\_\_\_\_\_  
Date

KJ (for Dr. Naicker) \_\_\_\_\_  
Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

KIM CAPMAN (print name), am conducting the petition requirements for the

property located at 2035 STANLEY AVE.

to the following Small Lot Zone: R1-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) ALIK TATARYN (see note above)

ADDRESS: 1404 PEMBROKE

Are you the registered owner? Yes ☒ No ☐ NEW OWNER

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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JULY 28/2015  
Date

[Signature]  
Signature

## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

\_\_\_\_\_, am conducting the petition requirements for the  
(print name)

property located at 2035 STANLEY AVE.

to the following Small Lot Zone: \_\_\_\_\_

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) ALIK TATAROV (see note above)

ADDRESS: 1404 PEMBROKE

Are you the registered owner? Yes ☐ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

JULY 28/2015  
Date

[Signature]  
Signature



# SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I

Kim Colman  
(print name)

am conducting the petition requirements for the

property located at 2035 Stanley, Victoria, BC

to the following Small Lot Zone: RS

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following.

NAME (please print) Julia (Julie) Lommerse (see note above)

ADDRESS: 1400 Pembroke St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

We're not opposed to any development on this site -- but we are opposed to the current proposal on the table for these reasons:

1. No Parking for New Home: no additional stalls have been proposed over and above the 2 which are on the site serving the 2 units of the duplex. For a house of this size then a minimum of 1-2 stalls should be provided.

2. Sq. footage of house is too large for the lot: If house were scaled back then there would be room for required parking and adequate green space. Perhaps a small cottage style home/coach house?

July 18, 2015

Date

[Signature]  
Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Simpson  
(print name)

am conducting the petition requirements for the

property located at 2035 Stanley

to the following Small Lot Zone: RS2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) \_\_\_\_\_ (see note above)

ADDRESS: 1360/1362 Rembrake

Are you the registered owner? Yes ☐ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

NEUTRAL

☐ I am opposed to the application.

Comments:

Residents were not interested in reviewing the proposal and indicated they had no comment.

July 10, 2015  
Date

\_\_\_\_\_  
Signature

## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Coleman (print name), am conducting the petition requirements for the

property located at 2035 Stanley

to the following Small Lot Zone: RS2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) John Viszlac (see note above)

ADDRESS: 2026/2020 Stanley Ave.

Are you the registered owner? Yes ☒ No ☐

LIVES IN 1 SUITE, RENTS THE OTHER

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

ensure that there is adequate off-street parking

July 23, 2015  
Date

[Signature]  
Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Wolman, am conducting the petition requirements for the  
(print name)

property located at 2035 Stanley

to the following Small Lot Zone: RS2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) ANDREW McHULLAN (see note above)

ADDRESS: 3358 SALSBURY WAY. V8P3K3

Are you the registered owner? Yes ☒ No ☐ of 2027 Stanley

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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25 June 15  
Date

Andrew McHullan  
Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Coleman, am conducting the petition requirements for the

property located at 2035 Stanley, Victoria BC

to the following Small Lot Zone: R1-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) CASEY JORDAN (see note above)

ADDRESS: 2035 STANLEY AVENUE

Are you the registered owner? Yes ☐ No ☒ RENTER

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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06/19/2015  
Date

[Signature]  
Signature

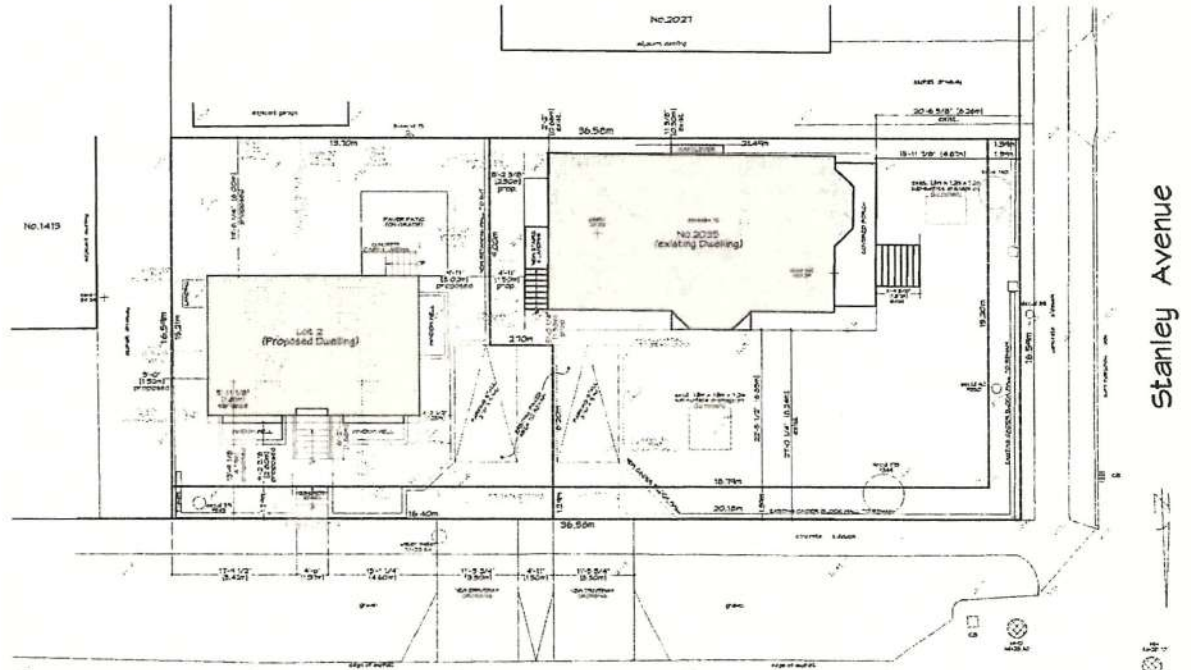
### SITE DATA - 2035 STANLEY AVE (PROPOSED LOT 1 - EXISTING DUPLEX)

LEGAL DESCRIPTION - PROPOSED LOT 1 OF LOT 1, SECTION 15, VICTORIA DISTRICT, PLAN 262  
ZONING - SITE SPECIFIC (PROPOSED)

	PROPOSED	PROPOSED (EXCLUDING 1.39M DEDICATION)
LOT AREA	394.17 M <sup>2</sup> (9666.02 FT <sup>2</sup> )	304.98 M <sup>2</sup> (3336.82 FT <sup>2</sup> )
LOT WIDTH	16.51 M (54.43')	15.20 M (49.67')
LOT DEPTH (AVG.)	21.53 M (70.64')	20.14 M (66.06')
SETBACKS		
FRONT	6.26 M (20.54')	4.87 M (15.98')
REAR (TO HOUSE)	2.50 M (8.20')	2.50 M (8.20')
REAR (TO STAIRS)	1.50 M (4.92')	1.50 M (4.92')
SIDE (INTERIOR)	0.30 M (0.98')	0.30 M (0.98')
SIDE (EXTERIOR)	8.24 M (27.03')	6.85 M (22.47')
AVG. GRADE	23.94 M (78.69')	23.94 M (78.69')
BUILDING HEIGHT	7.10 M (23.29')	7.10 M (23.29')
STOREYS	2 STOREYS + BSMT	2 STOREYS + BSMT
FLOOR AREA		
UPPER FLOOR	64.71 M <sup>2</sup> (701.00 FT <sup>2</sup> )	64.71 M <sup>2</sup> (701.00 FT <sup>2</sup> )
MAIN FLOOR	64.08 M <sup>2</sup> (693.00 FT <sup>2</sup> )	64.08 M <sup>2</sup> (693.00 FT <sup>2</sup> )
LOWER FLOOR (BSMT)	71.95 M <sup>2</sup> (776.00 FT <sup>2</sup> )	71.95 M <sup>2</sup> (776.00 FT <sup>2</sup> )
1ST/2ND STOREYS, TOTAL	135.65 M <sup>2</sup> (1466.00 FT <sup>2</sup> )	135.65 M <sup>2</sup> (1466.00 FT <sup>2</sup> )
ALL FLOORS, TOTAL	231.74 M <sup>2</sup> (2495.00 FT <sup>2</sup> )	231.74 M <sup>2</sup> (2495.00 FT <sup>2</sup> )
TOTAL FLOOR AREA	153.85 M <sup>2</sup> (1666.00 FT <sup>2</sup> )	153.85 M <sup>2</sup> (1666.00 FT <sup>2</sup> )
FLOOR AREA RATIO	0.43	0.50
SITE COVERAGE	24.30 %	34.05 %
PARKING	1 SPACE	1 SPACE

### EXISTING LOT (PRE-SUBDIVISION)

	EXISTING	EXISTING (EXCLUDING 1.39M DEDICATION)
LOT AREA	606.91 M <sup>2</sup> (6593.56 FT <sup>2</sup> )	535.01 M <sup>2</sup> (5755.81 FT <sup>2</sup> )
LOT WIDTH	16.51 M (54.43')	15.20 M (49.67')
LOT DEPTH (AVG.)	36.97 M (119.48')	35.18 M (115.42')



Pembroke Street

Proposed Site Plan  
Scale: 1:100

### SITE DATA - 2035 STANLEY AVE (PROPOSED LOT 2 - NEW SFD)

LEGAL DESCRIPTION - PROPOSED LOT 2 OF LOT 1, SECTION 15, VICTORIA DISTRICT, PLAN 262  
ZONING - R1-S2 (PROPOSED)

	REQUIRED	PROPOSED	PROPOSED (EXCLUDING 1.39M DEDICATION)
LOT AREA	260.00 M <sup>2</sup>	241.82 M <sup>2</sup> (2567.54 FT <sup>2</sup> )	225.09 M <sup>2</sup> (2422.14 FT <sup>2</sup> )
LOT WIDTH	10.00 M	16.35 M (53.74')	16.30 M (53.74')
LOT DEPTH (AVG.)		16.60 M (54.46')	15.21 M (49.90')
SETBACKS			
FRONT	6.00 M	4.11 M (13.49')	2.80 M (9.19')
REAR	6.00 M	6.00 M (19.69')	6.00 M (19.69')
SIDE (NT. - EAST)	1.50 M	1.52 M (5.00')	1.52 M (5.00')
TO HALL RM PENDON	2.40 M	1.52 M (5.00')	1.52 M (5.00')
SIDE (NT. - WEST)	1.50 M	9.02 M (29.61')	9.02 M (29.61')
AVG. GRADE		24.30 M (79.87')	24.30 M (79.87')
BUILDING HEIGHT	7.50 M	7.50 M (24.61')	7.50 M (24.61')
STOREYS	2 + BSMT	2 STOREYS + BSMT	2 STOREYS + BSMT
FLOOR AREA			
UPPER FLOOR		51.51 M <sup>2</sup> (554.42 FT <sup>2</sup> )	51.51 M <sup>2</sup> (554.42 FT <sup>2</sup> )
MAIN FLOOR		51.68 M <sup>2</sup> (556.26 FT <sup>2</sup> )	51.68 M <sup>2</sup> (556.26 FT <sup>2</sup> )
LOWER FLOOR (BSMT)		45.44 M <sup>2</sup> (489.64 FT <sup>2</sup> )	45.44 M <sup>2</sup> (489.64 FT <sup>2</sup> )
1ST/2ND STOREYS, TOTAL		103.19 M <sup>2</sup> (1110.68 FT <sup>2</sup> )	103.19 M <sup>2</sup> (1110.68 FT <sup>2</sup> )
ALL FLOORS, TOTAL		148.69 M <sup>2</sup> (1600.38 FT <sup>2</sup> )	148.69 M <sup>2</sup> (1600.38 FT <sup>2</sup> )
TOTAL FLOOR AREA		140.00 M <sup>2</sup>	103.19 M <sup>2</sup> (1110.68 FT <sup>2</sup> )
FLOOR AREA RATIO	0.60	0.418	0.454
SITE COVERAGE	40.00 %	24.48 %	26.46 %
PARKING	1 SPACE	1 SPACE	1 SPACE

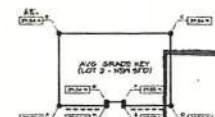
LOT 1 (EXISTING DWELLING) - Average Grade Calculation

Station	Left	Right	Center	Top	Bottom	Grade	Notes
1+00	24.30	24.30	24.30	24.30	24.30	24.30	
1+10	24.30	24.30	24.30	24.30	24.30	24.30	
1+20	24.30	24.30	24.30	24.30	24.30	24.30	
1+30	24.30	24.30	24.30	24.30	24.30	24.30	
1+40	24.30	24.30	24.30	24.30	24.30	24.30	
1+50	24.30	24.30	24.30	24.30	24.30	24.30	
1+60	24.30	24.30	24.30	24.30	24.30	24.30	
1+70	24.30	24.30	24.30	24.30	24.30	24.30	
1+80	24.30	24.30	24.30	24.30	24.30	24.30	
1+90	24.30	24.30	24.30	24.30	24.30	24.30	
2+00	24.30	24.30	24.30	24.30	24.30	24.30	

LOT 2 (NEW SFD) - Average Grade Calculation

Station	Left	Right	Center	Top	Bottom	Grade	Notes
1+00	24.30	24.30	24.30	24.30	24.30	24.30	
1+10	24.30	24.30	24.30	24.30	24.30	24.30	
1+20	24.30	24.30	24.30	24.30	24.30	24.30	
1+30	24.30	24.30	24.30	24.30	24.30	24.30	
1+40	24.30	24.30	24.30	24.30	24.30	24.30	
1+50	24.30	24.30	24.30	24.30	24.30	24.30	
1+60	24.30	24.30	24.30	24.30	24.30	24.30	
1+70	24.30	24.30	24.30	24.30	24.30	24.30	
1+80	24.30	24.30	24.30	24.30	24.30	24.30	
1+90	24.30	24.30	24.30	24.30	24.30	24.30	
2+00	24.30	24.30	24.30	24.30	24.30	24.30	

- DRAWING LIST:**
- SK0.1 SITE PLAN AND DATA
  - SK1.1 LOT 1 FLOOR PLANS & ELEVATIONS
  - SK2.1 LOT 2 FLOOR PLANS & ELEVATIONS
  - SK3.1 STREETSCAPES
  - SUPP. LANDSCAPE PLAN



Received  
City of Victoria

JUL 30 2015

Planning & Development Department  
Development Services Division

ISSUED FOR  
REZONING APP  
JUNE 17, 2015

ZEBRA DESIGN

1161 NEWPORT AVE  
Victoria, B.C. V8N 5S5  
Phone: (250) 363-2144  
Fax: (250) 363-2115

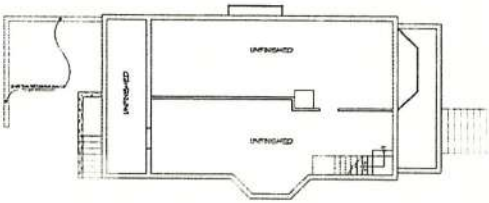
Drawn By: K. KOSMAN  
Date: June 17, 2015  
Scale: AS NOTED  
Project: PROPOSED LOT SUBDIVISION 2035 STANLEY AVE.

Title: SITE PLAN AND SITE DATA

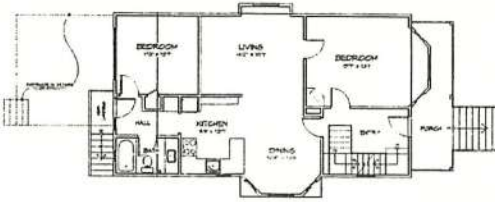
Revision: Sheet 1 of 1  
Project: TBD

Planning & Development Committee 14 Jan 2016

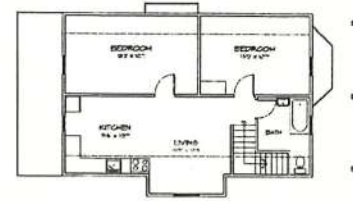




Lower Floor Plan - Lot 1  
Scale: 1/8" = 1'-0"



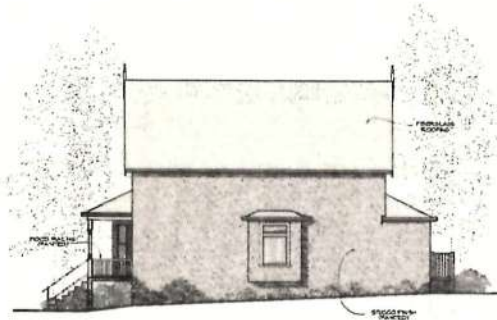
Main Floor Plan - Lot 1  
Scale: 1/8" = 1'-0"



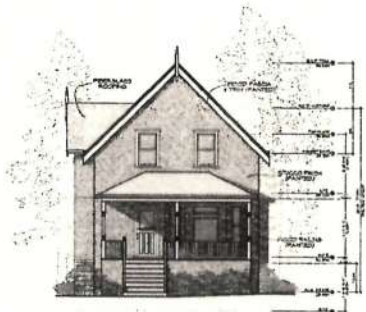
Upper Floor Plan - Lot 1  
Scale: 1/8" = 1'-0"



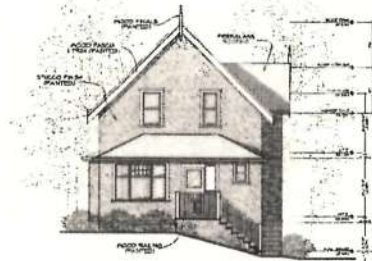
NORTH SIDE ELEVATION  
(FEDERICK ST.)



SOUTH SIDE ELEVATION



FRONT ELEVATION  
(STANLEY AVE.)



REAR ELEVATION

Elevations - Lot 1  
Scale: 1/8" = 1'-0"



Plan and Use Committee 14 Jan 2016

ISSUED FOR  
REZONING DP  
JUNE 17, 2015

ZEBRADESIGN

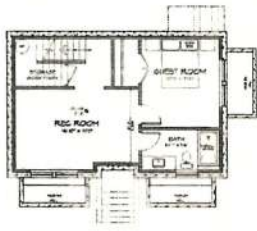
1161 NEWMARKET AVE  
Victoria, B.C. V8N 5E6  
Phone: (250) 350-2144  
Fax: (250) 350-2115

Drawn By: K. KIRKMAN  
Date: June 17, 2015  
Scale: AS NOTED  
Project:  
PROPOSED LOT  
SUBDIVISION  
2035 STANLEY AVE.

Title:  
LOT 1  
FLOOR PLANS &  
ELEVATIONS

Revision: Sheet:  
No. TBD





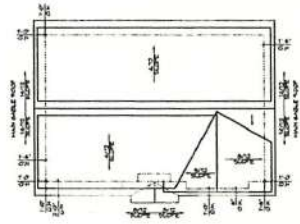
○ Lower Floor Plan - Lot 2  
Scale: 1/8" = 1'-0"



○ Main Floor Plan - Lot 2  
Scale: 1/8" = 1'-0"



○ Upper Floor Plan - Lot 2  
Scale: 1/8" = 1'-0"



○ Roof Plan - Lot 2  
Scale: 1/8" = 1'-0"



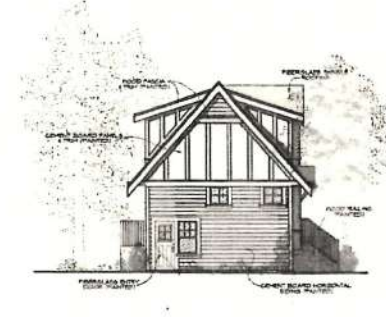
FRONT ELEVATION  
(PEMBROKE ST.)



WEST SIDE ELEVATION



REAR ELEVATION



EAST SIDE ELEVATION

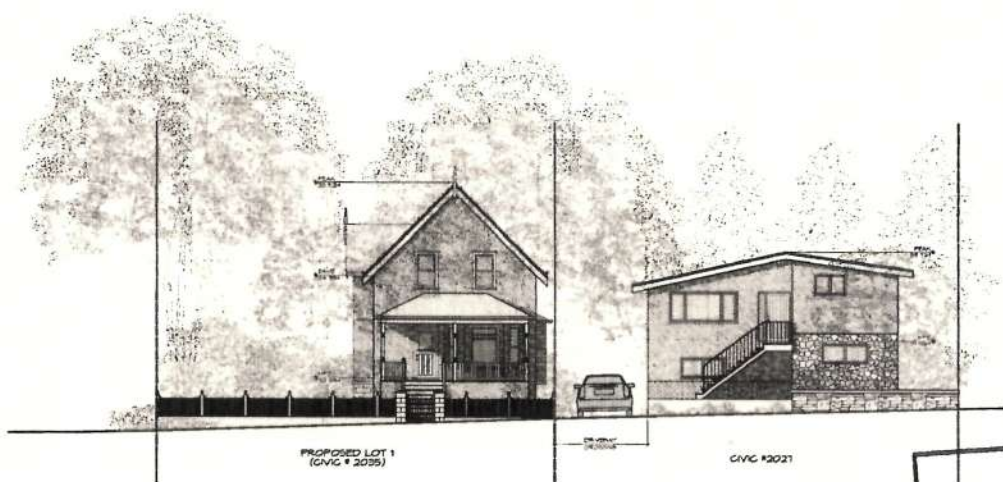
○ Elevations - Lot 2  
Scale: 1/8" = 1'-0"

**Received**  
City of Victoria  
  
JUL 30 2015  
  
Planning & Development Department  
Development Services Division

ISSUED FOR  
REZONING DP  
JUNE 17, 2015  
  
ZEBRA DESIGN  
1161 NEWPORT AVE  
Victoria, B.C. V8S 5E6  
Phone: (250) 363-2144  
Fax: (250) 363-2115  
  
Drawn By: K. KIMMAN  
Date: June 17, 2015  
Scale: AS NOTED  
Project:  
PROPOSED LOT  
SUBDIVISION  
2035 STANLEY AVE.  
  
Title:  
LOT 2  
FLOOR PLANS &  
ELEVATIONS  
Revision: 5/14/2015  
PENDING, TBD



Streetscape - Pembroke St.  
Scale: 1/8" = 1'-0"



Streetscape - Stanley Ave  
Scale: 1/8" = 1'-0"

**Received**  
City of Victoria  
  
JUL 30 2015  
  
Planning & Development Department  
Development Services Division

ISSUED FOR  
REZONING DP  
JUNE 17, 2015

**ZEBRA DESIGN**

1161 NEWPORT AVE  
Victoria, B.C. V8S 3E6  
Phone: (250) 380-2144  
Fax: (250) 380-2115

Drawn By: K. KISHAN

Date: June 17, 2015

Scale: AS NOTED

Project:  
PROPOSED LOT  
SUBDIVISION  
2035 STANLEY AVE.

Title:  
STREETSCAPES

Revision: SHEET: 1/1

Prepared: TBD

Plan for Use Committee Jan 2016



PEMBROKE STREET

JUL 30 2015



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REVISIONS

28-495 Duggin Rd. Victoria B.C. V8Z 1S3  
Phone (250) 598-0105 Fax (250) 412-9901

PROJECT	2
---------	---

FILE  
Landscape Concept

SCALE	EXPANDED
As Shown	CHECKED

PROJECT No. 1201

DATE June 12, 2015 1 of 1  
SHEET 4



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## Rezoning and Development Permit with Variances Application for 2035 Stanley Avenue



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## Subject Property – Stanley Avenue



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## Subject Property – Stanley Avenue



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## Subject Property – Pembroke Street



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## Subject Property – Pembroke Street





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## Subject Property – Pembroke Street



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## Subject Property – Pembroke Street



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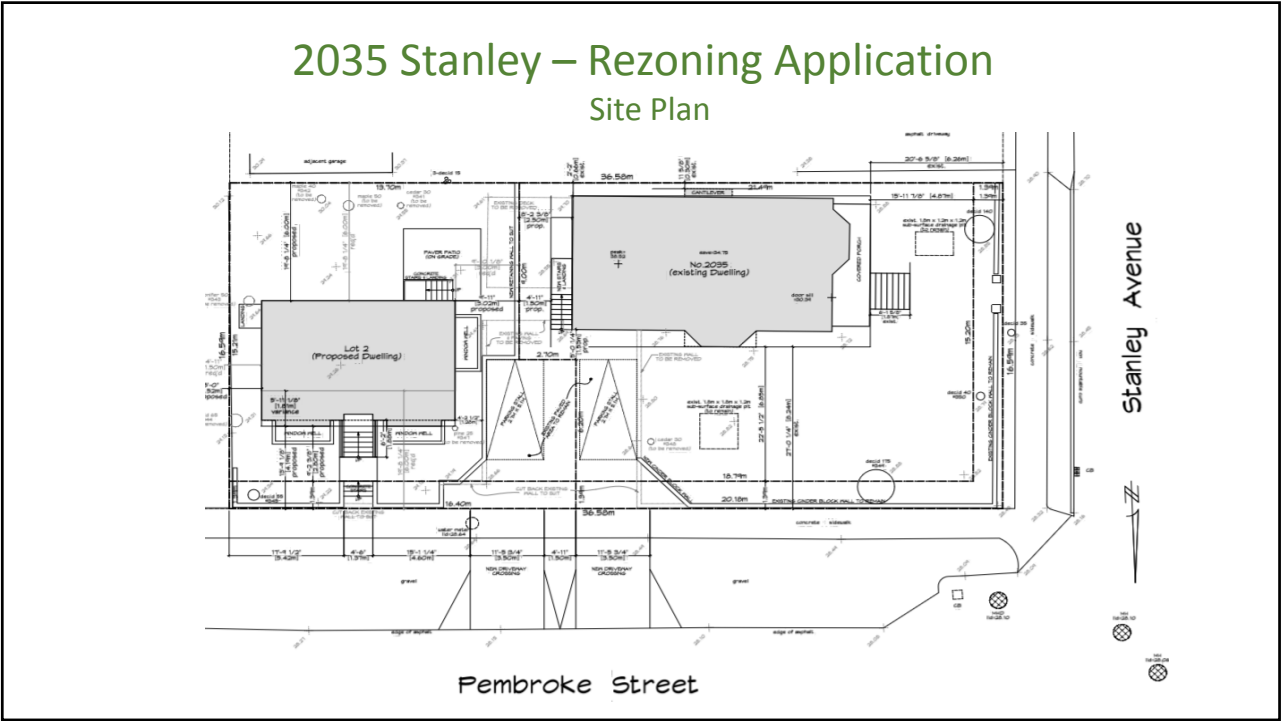
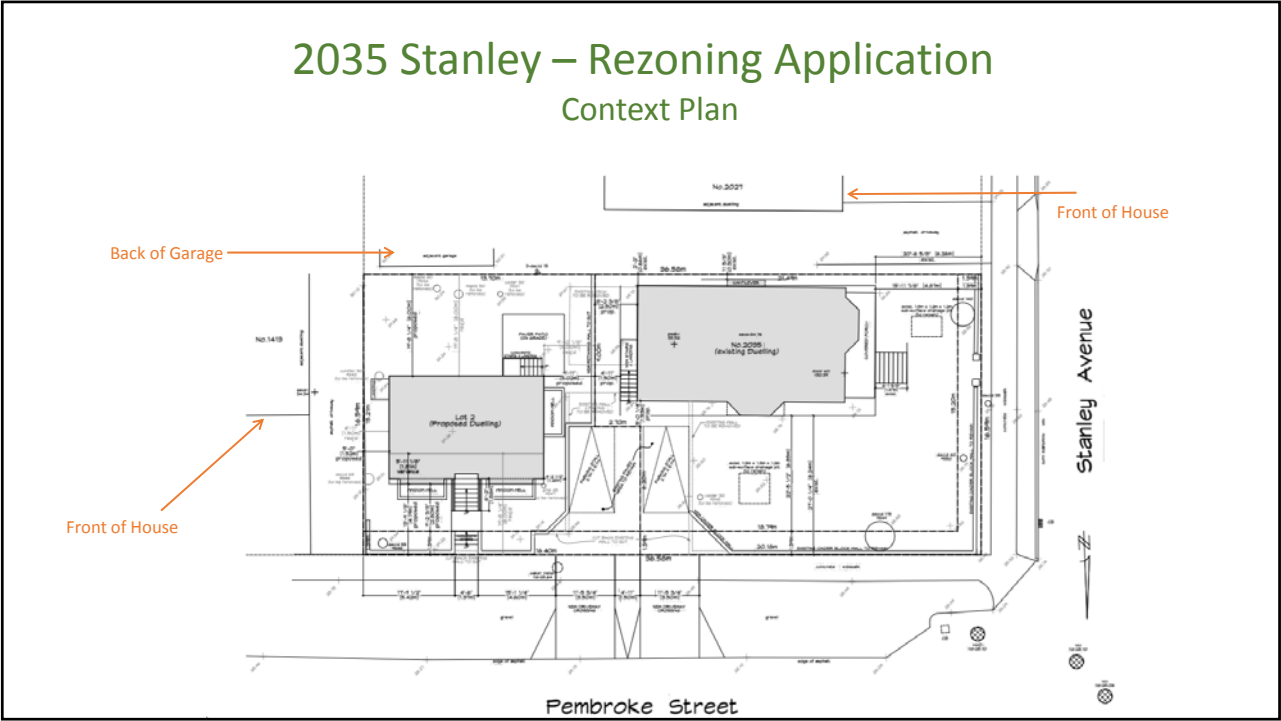
### Adjacent Property – Pembroke Street



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### Adjacent Property – Stanley Avenue







2035 Stanley – Rezoning Application

Pembroke Street Elevation



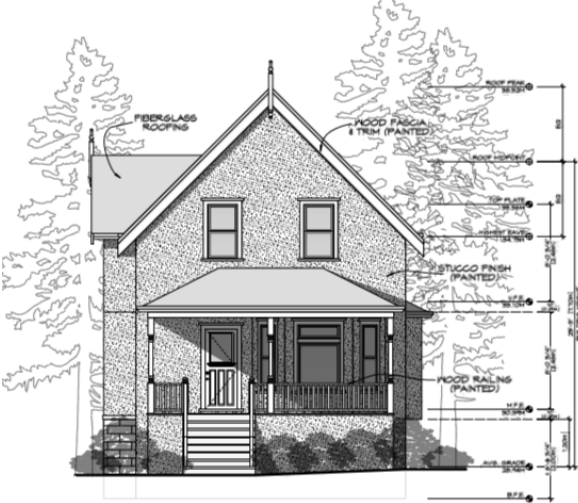
2035 Stanley – Rezoning Application

Stanley Avenue Elevation



2035 Stanley – Rezoning Application

Elevations Duplex – Front (Facing Stanley)



FRONT ELEVATION  
(STANLEY AVE.)

2035 Stanley – Rezoning Application

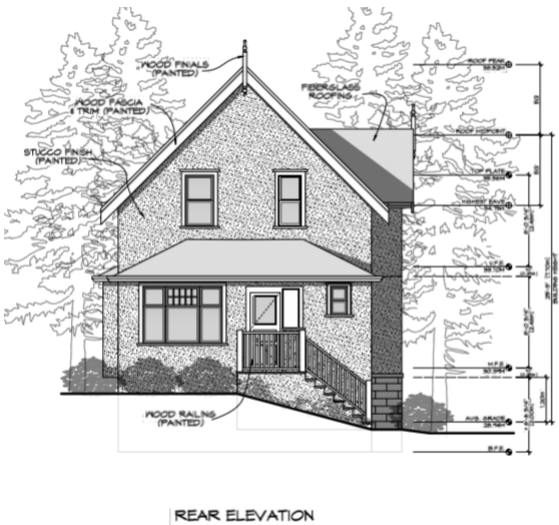
Elevations Duplex – Facing Pembroke



NORTH SIDE ELEVATION

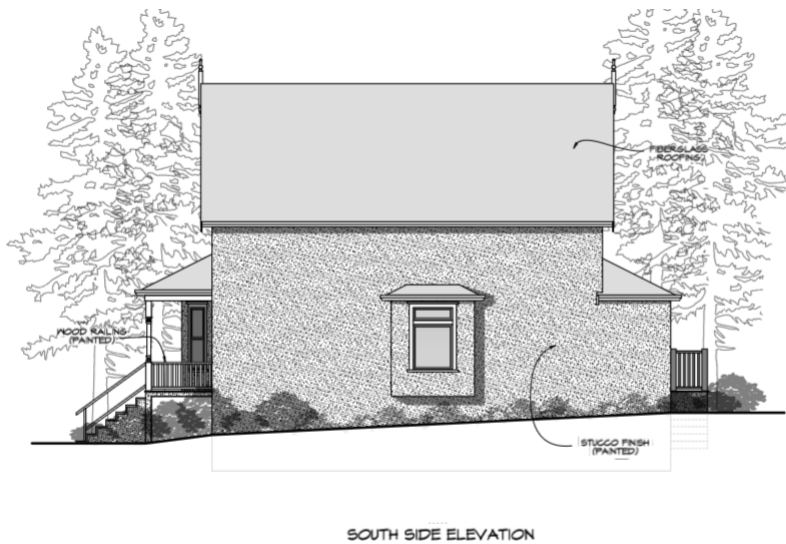
2035 Stanley – Rezoning Application

Elevations Duplex – Adjacent New Home



2035 Stanley – Rezoning Application

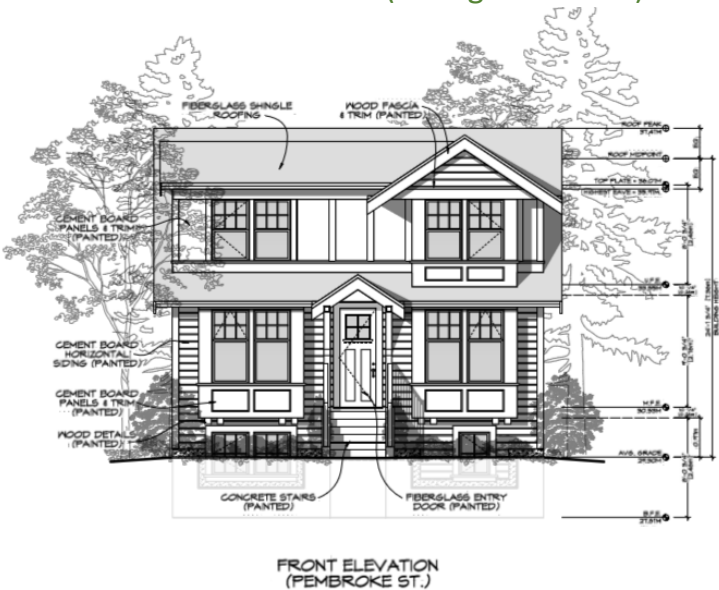
Elevations Duplex – Adjacent Stanley Neighbour





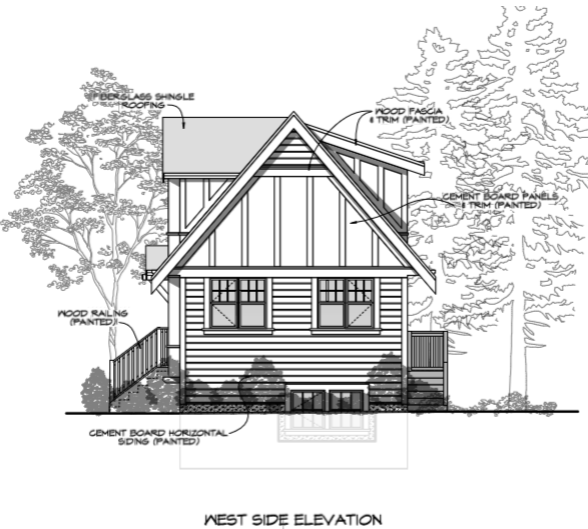
2035 Stanley – Rezoning Application

Elevations – Front (Facing Pembroke)



2035 Stanley – Rezoning Application

Elevations – West (Facing Existing Duplex)



2035 Stanley – Rezoning Application

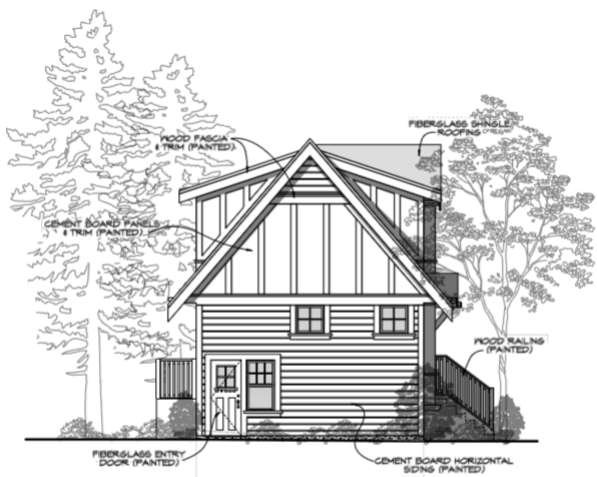
Elevations – Rear (Adjacent Garage of Neighbour)



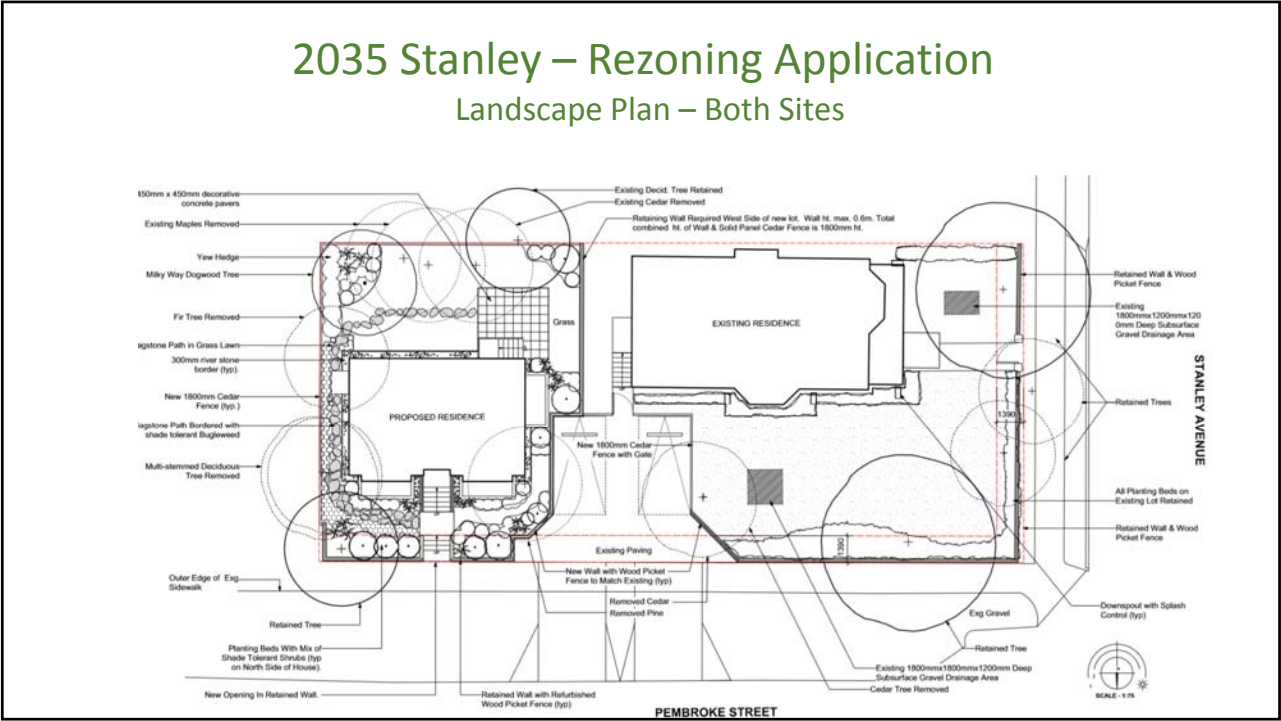
REAR ELEVATION

2035 Stanley – Rezoning Application

Elevations – East (Adjacent Pembroke Neighbour)



EAST SIDE ELEVATION







## Planning and Land Use Committee Report

For the Meeting of January 14, 2015

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**To:** Planning and Land Use Committee      **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Permit Application with Variances No. 00489 for 2035 Stanley Avenue

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### RECOMMENDATION

Staff recommend that Council consider declining Development Permit with Variances Application No. 00489 for the property located at 2035 Stanley Avenue.

### LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 920 (8) of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, siting, form, exterior design and finish of buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 2035 Stanley Avenue. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to two new zones in order to subdivide the lot, keep the existing non-conforming duplex and build a new small lot house.

The following points were considered in assessing this Application:

- Staff are recommending that Council decline the concurrent Rezoning Application due to insufficient lot sizes.
- The proposal is generally consistent with the objectives and guidelines for sensitive infill contained in Development Permit Area 15D: Intensive Residential - Duplex of the *Official Community Plan*, 2012 (OCP).

- The proposal does not meet the *Small Lot House Policy* for sensitive infill due to siting and massing that disrupts the existing street pattern.
- Despite the siting and massing challenges, the proposal is generally consistent with the design guidelines for sensitive infill contained in Development Permit Area 15A: Intensive Residential – Small Lot of the *Official Community Plan, 2012* (OCP).
- There are eight variances associated with the existing duplex. The variances related to height, number of storeys, front setback and one of the side setbacks are the result of the siting and size of the existing duplex. The reductions in the north side setback (small portion at the back of the building), the rear yard setback and the reduction in number of parking stalls would be a direct result of the proposed small lot.
- The three variances associated with the new house are to reduce the front and side setbacks and permit parking in the front yard. These variances are the result of the small lot size. The house would be located significantly closer to the front lot line than under the standard front yard setback.

## BACKGROUND

### Description of Proposal

The proposal is to alter an existing non-conforming duplex and construct a new small lot house.

#### Existing Duplex (Proposed Lot 1)

Specific details include:

- an existing two-storey building with a basement
- existing design elements such as a pitched roofline and distinctive front entryways
- existing exterior materials include stucco siding, wood fascia and trim, and fiberglass roofing
- proposed removal of the deck
- proposed construction of a new landing and stairs to access one of the dwelling units.

The proposed variances are related to:

- increasing the height (maximum) from 7.6m to 7.7m
- increasing the number of storeys (maximum) from 1.5 with a basement to 2 with a basement
- reducing the front setback (minimum) from 7.5m to 5.8m
- reducing the rear setback (minimum) from 10.7m to 1.5m
- reducing the side setback (south) (minimum) from 1.52m to 0.30m
- reducing the side setback (north) (minimum) from 3m to 1.5m
- reducing the combined side yard setback (minimum) from 4.5m to 3m
- reducing the number of parking stalls (minimum) from 2 to 1.

#### New Small Lot House (Proposed Lot 2)

Specific details include:

- a two-storey building with a basement
- design elements such as a pitched roofline, dormers, distinctive front entryway and traditional-style windows



- the exterior materials include cement board siding, cement board panels and trim, wood fascia and trim, and fiberglass shingle roofing
- new hard and soft landscaping would be introduced, including a flag stone path and a patio surfaced with decorative concrete pavers.

The proposed variances are related to:

- reducing the front setback (minimum) from 6m to 2.8m
- reducing the side setback (east) (minimum) from 2.4m to 1.5m
- permitting parking in the front yard.

### **Sustainability Features**

As indicated in the applicant's letter dated September 10, 2015, sustainability features related to energy efficiency, indoor air quality and resource use are associated with this Application.

### **Active Transportation Impacts**

The applicant has not identified any active transportation impacts associated with this Application.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Development Permit Application.

### **Existing Site Development and Development Potential**

The site is presently a non-conforming duplex. Under the current R1-B Zone, the property could be redeveloped as a single family house with a secondary suite.

### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fernwood CALUC at a Community Meeting held on July 7, 2015. A letter dated September 10, 2015, is attached to this report.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

## **ANALYSIS**

### **Development Permit Area and Design Guidelines**

Should this property be rezoned as proposed, the *Official Community Plan (OCP)* would identify the proposed Lot 1 as being within Development Permit Area 15A: Intensive Residential – Small Lot and proposed Lot 2 as being within Development Permit Area 15D: Intensive Residential – Duplex.



Existing Non-Conforming Duplex (Proposed Lot 1)

The proposed alterations to the existing non-conforming duplex are generally consistent with the *Neighbourliness Guidelines for Duplexes*, 1996. The proposal would alter the existing duplex by removing the deck at the rear of the property and constructing a landing and stairway to access the entryway of one of the dwelling units. The proposed alterations are minor and the existing exterior design and materials of the house are in keeping with the character of the neighbourhood.

New Small Lot House (Proposed Lot 2)

This proposal, for a two-storey house with a basement, does not integrate infill development that is compatible with the existing neighbourhood and, therefore, does not meet the objectives of DPA 15A: Intensive Residential – Small Lot.

The siting and massing of the building will break the established street pattern. The house would be located much closer to Pembroke Street than the houses on either side of it. This sudden change in street pattern would appear disruptive and would detract from the visual character and cohesiveness of the streetscape.

The design of the new small lot house is generally consistent with the *Design Guidelines for Small Lot Houses*, 2002. The new small lot house incorporates architectural elements, such as a pitched roofline, dormers, a distinctive front entryway and traditional-style windows. These elements are similar to features of other houses in the neighbourhood.

**Regulatory Considerations**Existing Non-Conforming Duplex (Proposed Lot 1)

The applicant is requesting eight variances for the existing duplex (see table below). The height, number of storeys, front setback and one of the side setbacks are the result of the siting and size of the existing duplex. The reductions in the north side setback (small portion at the back of the building), the rear yard setback and the reduction in number of parking stalls would be a direct result of the proposed small lot. Reducing the number of parking stalls for the duplex would result in one of the dwelling units not having off-street parking.

<b>Zoning Criteria</b>	<b>Proposed Variances Lot 1 Existing Duplex</b>	<b>Zone Standard R-2</b>
Height (m) - maximum	7.7	7.6
Storeys - maximum	2 + basement	1.5 + basement
Setbacks (m) - minimum		
Front	5.8 (Stanley St)	7.5
Rear	1.5	10.7
Side	0.30 (south)	1.52
Side	1.5 (north)	3
Combined Side Yard	3	4.5
Parking - minimum	1	2

New Small Lot House (Proposed Lot 2)

The applicant is requesting three variances for the new house (see table below). They are the result of the small lot size. The house would be located significantly closer to the front lot line than under the standard setback, which would disrupt the existing street pattern and would make the building appear to stand out from the adjacent houses.

Zoning Criteria	Proposed Variances Lot 2 New House	Zone Standard R1-S2
Setbacks (m) - minimum Front Side	2.8 (Pembroke St) 1.5 (east)	6 2.4
Parking - location	Front yard	Rear or side yard

**CONCLUSIONS**

The proposal to alter an existing duplex and construct a new house is generally consistent with the design guidelines related to Development Permit Area 15A: Intensive Residential – Small Lot and Development Permit Area 15D: Intensive Residential – Duplex. The proposal, however, does not meet the sensitive infill objectives of the *Small Lot House Policy*. In addition, the small lot sizes result in a large number of variances that would have a negative impact. Staff recommend Council consider declining this Application because staff are also recommending that Council consider declining the concurrent Rezoning Application due to substandard lot sizes.

**ALTERNATE MOTION**

That Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00489, if it is approved, Council consider the following motion:

“That Council authorize the issuance of Development Permit Application No. 00489 for 2035 Stanley Avenue in accordance with:

1. Plans date stamped July 30, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Existing Duplex (Proposed Lot 1)

- a. Part 2.1.4 (a): Increase the height from 7.6m to 7.7m;
- b. Part 2.1.4 (a): Increase the number of storeys from 1.5 with a basement to 2 with a basement;
- c. Part 2.1.5 (a): Reduce the front setback from 7.5m to 5.8m;
- d. Part 2.1.5 (b): Reduce the rear setback from 10.7m to 1.5m;
- e. Part 2.1.5 (c): Reduce the side setback (south) from 1.52m to 0.30m;
- f. Part 2.1.5 (c): Reduce the side setback (north) from 3m to 1.5m;



- g. Part 2.1.5 (d): Reduce the combined side yard setback from 4.5m to 3m;
- h. Schedule "C" (4): Reduce the number of parking stalls from 2 to 1.

New Small Lot House (Proposed Lot 2)

- a. Part 1.23 (8)(a): Reduce the front setback from 6m to 2.8m;
  - b. Part 1.23 (8)(c): Reduce the side setback (east) from 2.4m to 1.5m;
  - c. Schedule "C" (4): Permit parking in the front yard.
- 3. Removal of new stairs within the future 1.39m Right-of-Way on Pembroke Street from the plans to the satisfaction of staff.
  - 4. The Development Permit lapsing two years from the date of this resolution."

Respectfully submitted,

  
Rob Bateman  
Planner  
Development Services Division

am

  
Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

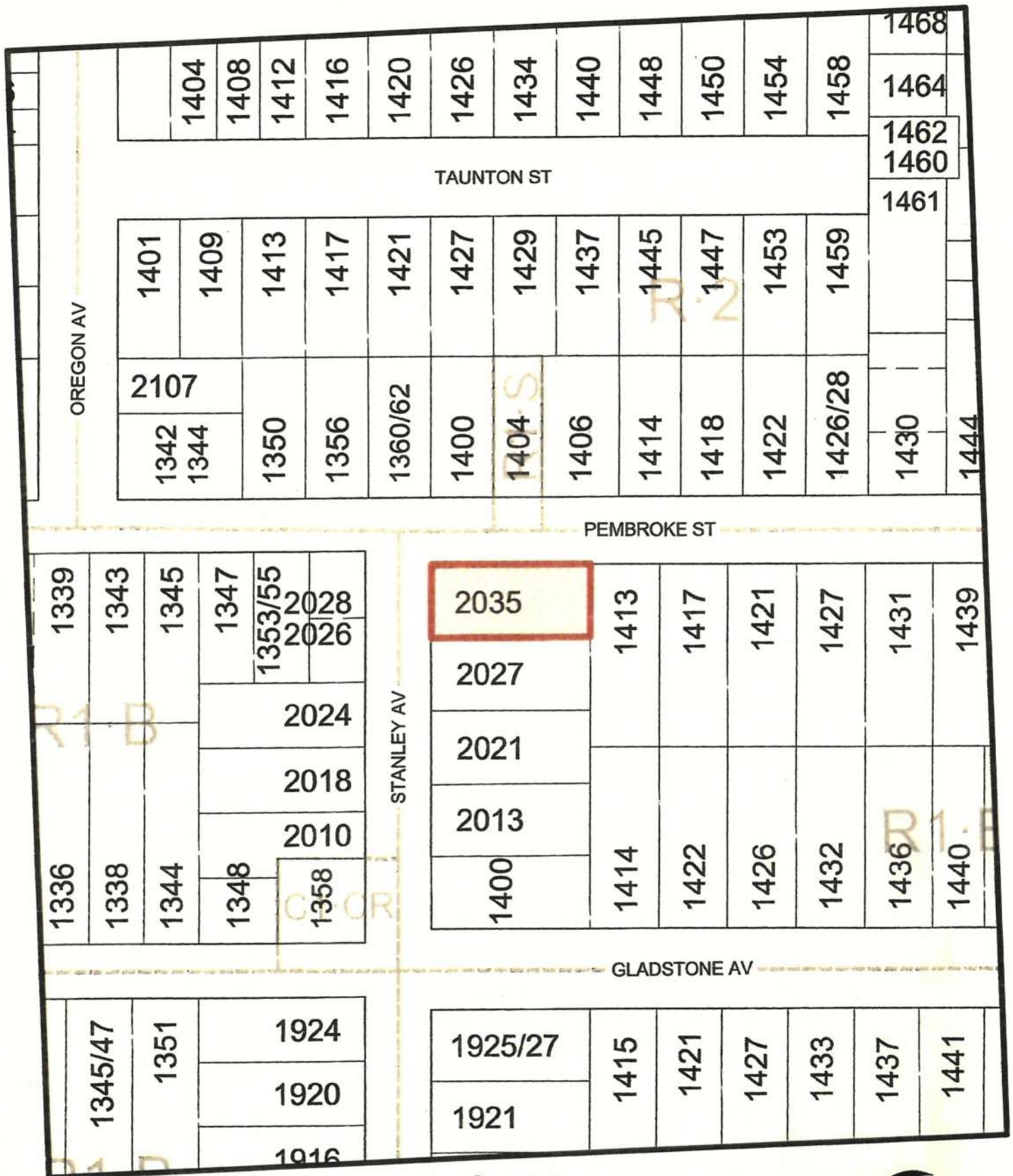


Date: December 29, 2015

**List of Attachments**

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated July 28, 2015
- Letter from Fernwood Community Association dated September 10, 2015
- Arborist report dated July 16, 2015
- Small Lot Housing Rezoning Petition
- Plans dated July 30, 2015.

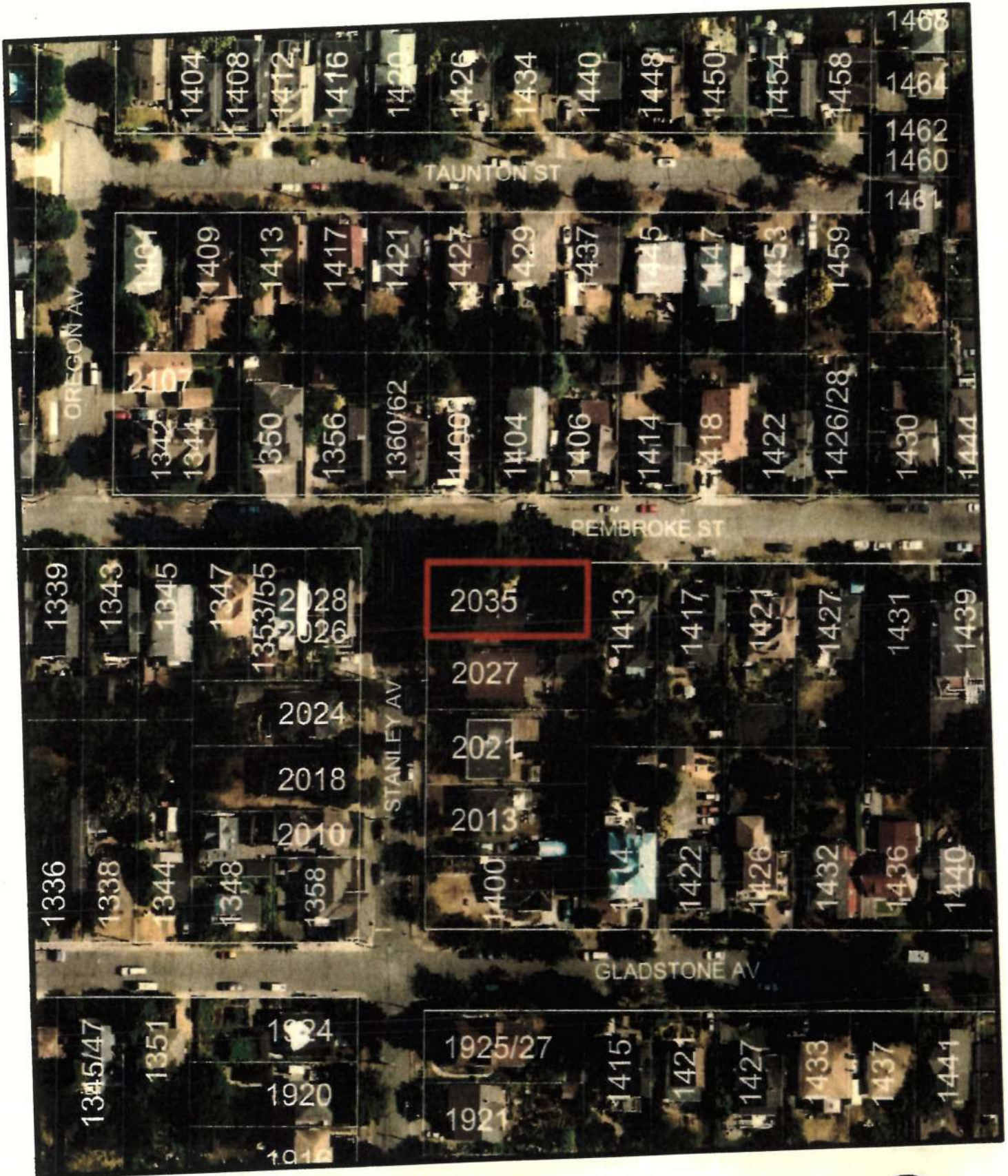




2035 Stanley Avenue  
Rezoning #00489  
Bylaw #







2035 Stanley Avenue  
Rezoning #00489  
Bylaw #





**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman**

July 28, 2015

Her Worship Mayor Lisa Helps and Councillors  
 Corporation of the City of Victoria  
 1 Centennial Square  
 Victoria, B.C. V8W 1P6

This application is a resubmission to rezone the property at 2035 Stanley. At the Public Hearing on July 22, 2014 Council waived the requirement for a one year waiting period to resubmit a revised application and asked me to address massing and design concerns expressed by the neighbour at 1413 Pembroke. I believe this is because Council felt that with some 'fine tuning' the proposal had merit. I therefore present to you a revised proposal for this property.

**Description of Proposal**

The basics of my proposal are largely the same. It is a request to rezone the corner property at 2035 Stanley Avenue to allow for subdivision that would retain the existing duplex and create an additional small lot for construction of a new home. The result would be an increase in available housing to support the City's projected population growth – an increase in an area identified for Traditional Residential small lot infill.

The existing duplex would remain 'as-is' and if rezoning is approved, the exterior would be upgraded in accordance with a covenant registered on the property May 2014. To summarize, the exterior of the duplex would be repaired where necessary and painted, and the picket fence repaired and painted (this was done last summer).

A new 3 bedroom family home would be constructed on the small lot facing Pembroke and sited to maximize street connectivity, visual presence and character.

**Pembroke Elevation**



**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman****Neighbourhood Consultation**

This is where the main changes take place. At the Public Hearing of July 12, 2014, Mr. and Mrs. Berry of 1413 Pembroke expressed concerns around the design, massing and privacy with the new small lot home. In order to create a solution satisfactory to all, I contracted award winning Zebra Design to help revision the proposed design.

After many months of collaboration and meeting with the neighbour, Mr. and Mrs. Berry have indicated they are satisfied and have signed a letter of support for this new proposal. (*Detailed letters are included in the Small Lot Petition package*). The main changes are:

1. Complete redesign of the new home incorporating architectural features of the building façade in smaller elements creating an impression of a 1.5 story building (addresses massing and design).
2. Refashioned exterior finish and roof design to enhance visual character and create harmony with the neighbourhood (addresses massing and design).
3. Added windows on the east and west elevations to break up the 'blank' wall (addresses design).
4. Incorporated a Yew hedge along southeast portion of the 6' fence (addresses privacy).
5. Reduced backyard patio and moved it away from the east neighbour (addresses privacy).

**Original Proposal****Revised Proposal**

**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman**

The revised proposal was also presented to contiguous neighbours. As you will see in the attached Small Lot Petition, 92% of these neighbours are in favor of the proposal.

As well, on July 07, 2015 a Community meeting with the Fernwood Land Use Committee was held. The summary of this meeting is forthcoming from their Chair, David Maxwell.

**Road Dedication**

This proposal is subject to the City's automatic road dedication requirement that comes into play anytime there is a subdivision request – in this case **1.39m off each street frontage**. The result is **12%** of the total land handed over which at today's market price, equates to **\$72,000**.

I understand the City's need to plan for the future and developers'/citizens' need to contribute to the betterment of our infrastructure – when it makes sense. The dedication program for this proposal is impractical.

These are two established streets with little opportunity for further subdivision and therefore little or no opportunity for the City to acquire more land through its dedication program. Additionally, the existing homes have improvements (retaining walls, garages) close to lot lines which the City would have to purchase and refurbish in lieu of any automatic dedications.

**Walls Along Stanley****Walls Along Pembroke**

All of these factors make the road dedication program unreasonable and financially disproportionate to the scale of this proposal.



**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman****Requested Variances**

Although I am required to show road dedications on our plans and in the Site Data metrics, I have also included this information without the road dedication, which I believe is a more realistic analysis of this proposal.

**New Small Lot SFD**

The new small lot home has three variances when compared to the standard R1-S2 zoning. The following table explains these variances.

<b>New Small Lot SFD</b>				
<b>Variance</b>	<b>Required (R1-S2)</b>	<b>Proposed</b>	<b>Proposed (Ded'n)</b>	<b>Rationale</b>
Setback - Front	6.00m	4.19m	2.8m	<p>The house sits 1.8m (6' ) closer to the street than the R1-S2 zoning allows. In my last proposal, Planning indicated the placement of the home was well sited for the lot. I agree, since the goal is to provide positive street connectivity, as outlined in the Design Guidelines, while maintaining a functional rear yard for home owners (<i>Note: There is no rear yard variance for the SFD</i>).</p> <p>The following are a few examples of current City small lot bylaws that support creative infill:</p> <ul style="list-style-type: none"> <li>• R1-S5: Rudlin – Front 3.5m</li> <li>• R1-S19: Springfield – Front 3.0m</li> <li>• R1-S21: McKenzie – Front 3.0m</li> </ul>
Setback – Int East				<p>Without a window, the proposal meets the setback requirement. However, the east neighbour has expressed the importance of these windows and there are no overlooks as a result.</p> <p>According to the Small Lot Design Guidelines: <i>Relaxation of side yard requirements may be appropriate in some instances to facilitate interesting and innovative design solutions, provided that the encroachment into the setback does not adversely affect the privacy, sunlight or views of the adjacent property.</i></p>
With window	2.40m	1.52m	1.52m	
No window	1.50m	1.52m	1.52m	



## Rezoning Application: 2035 Stanley

Applicant: Kim Colpman

New Small Lot SFD													
Variance	Required (R1-S2)	Proposed	Proposed (Ded'n)	Rationale									
Lot Area	260.00m <sup>2</sup>	247.82m <sup>2</sup>	225.03m <sup>2</sup>	<p>In practical terms, the lot is 12.18 m<sup>2</sup> shy of the R1-S2 requirement. However, the size and massing of the building has been designed for the site and to conform to zone requirements for floor area and site coverage.</p> <table><tr><td></td><td><u>R1-S2</u></td><td><u>SFD</u></td></tr><tr><td><b>Floor Area:</b></td><td>190 m<sup>2</sup></td><td>148.68 m<sup>2</sup></td></tr><tr><td><b>Site Coverage:</b></td><td>40%</td><td>24.48% (26.96%)</td></tr></table> <p>The City has approved other small lot bylaws in support of infill that utilizes available land in a creative harmonious way. My request is not precedent setting.</p> <ul style="list-style-type: none"><li>• R1-S21: McKenzie – Lot Area 240m<sup>2</sup></li><li>• R1-S22: Grant – Lot Area 215m<sup>2</sup></li><li>• R1-S25: Pembroke – Lot Area 219.5m<sup>2</sup></li></ul>		<u>R1-S2</u>	<u>SFD</u>	<b>Floor Area:</b>	190 m <sup>2</sup>	148.68 m <sup>2</sup>	<b>Site Coverage:</b>	40%	24.48% (26.96%)
	<u>R1-S2</u>	<u>SFD</u>											
<b>Floor Area:</b>	190 m <sup>2</sup>	148.68 m <sup>2</sup>											
<b>Site Coverage:</b>	40%	24.48% (26.96%)											

## Rezoning Application: 2035 Stanley

Applicant: Kim Colpman

## Existing Duplex

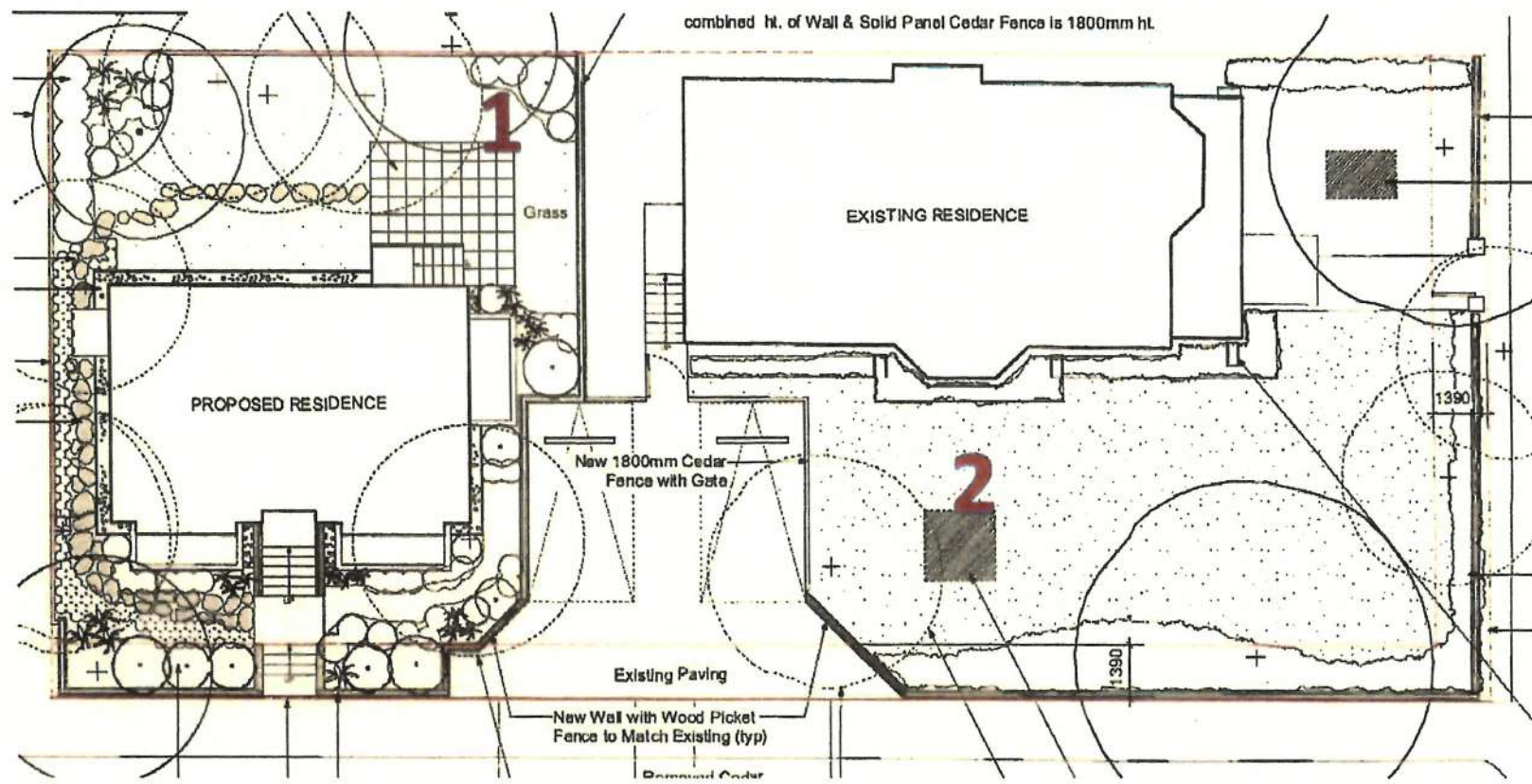
To my knowledge the City does not have a zoning bylaw to support a duplex on small lot, which does not preclude creating one should the proposal make sense. If we compare the new proposed duplex lot to the R1-S2 zone, it fares quite favorably.

Analysis of the Lot Area, Floor Area and Site Coverage reveals that the existing duplex building would meet the zoning requirements in terms of its size and coverage of the site **even on a 260m<sup>2</sup> lot**. The proposed lot is much larger and provides for wonderful outdoor space for the two existing residents.

Reviewing the Rear Setback shows that it could be identified as a Side Yard (see Rationale in the table below) Therefore the only 'real' practical variance request is for reduced parking.

Existing Duplex				
	Required (R1-S2)	Proposed	Proposed (Ded'n)	Rationale
Lot Area	260m <sup>2</sup>	359.17m <sup>2</sup>	309.98m <sup>2</sup>	
Lot Width	10.0m	16.59m	15.20m	
Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Rear</li> <li>• Side (Interior)</li> <li>• Side (Ext)</li> </ul>	6.0m 6.0m 1.5m 1.5m	6.26m 2.50m* 0.30m** 8.24m	4.87m 2.50m 0.30m 6.85m	<p>* The duplex rear yard (east) is against the west side yard of the new home. Because the duplex has a large greenspace at the north west of its lot, this 'rear' yard is not a place for outdoor activity. It could be argued that it reads more like a side yard and would therefore conform to the 1.5m requirement</p> <p>** This is an existing condition that has the benefit of creating a large green yard space (about 180m<sup>2</sup>/1940ft<sup>2</sup>) on the north east part of the property.</p>
Bldg Height	7.5m	7.70m	7.70m	This is an existing condition an in practical terms equates to 6inches.
Floor Area (Total)	190m <sup>2</sup>	153.85m <sup>2</sup>	153.85m <sup>2</sup>	
Floor Area Ratio	0.60	0.43	0.50	
Site Coverage	40%	29.38%	34.05%	
Parking	2	1	1	<p>The parking is situated in its existing location.</p> <p>See <a href="#">Transportation Management Strategy</a> for more details.</p>
Green Space	NA	180m <sup>2</sup>	141m <sup>2</sup>	This is a large green space for residents. In fact the current duplex tenants utilize and share this space today.





This Site Plan (#1) shows the separation between the houses as more of a side yard arrangement, with the existing residence enjoying a large outdoor space in the northeast of the property (#2)



**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman****Transportation Management Strategy**

Providing for the car in urban centres is in transition. The cost of land and desire for affordable housing, is making it very difficult to give up this precious resource to the car. People are now looking for housing close to urban centres where they can choose alternative transportation options and move away from vehicle ownership.

For this reason, the Official Community Plan (OCP) asks that we *consider reductions in parking requirements where geographic location, residential and employment density, housing type, land use mix, transit accessibility, walkability, and other factors support non-auto mode choice or lower parking demand.*

The property at 2035 Stanley is centrally located with easy access to all amenities. It has a very favorable walkscore which supports the OCPs intention and which is why we are requesting a parking variance for the duplex of 1 off-street stall. To support transportation alternatives, there is secured bike storage in the basement of the duplex. As well, 2 guest bike racks will be installed on the property (currently not shown on plans).



The City's Traffic department is in favor of this solution. When the original submission for the July 2014 Public Hearing was reviewed by the City, they were in favor of two parking stalls (1 for the duplex and 1 for the new home). Their requirement was to use the existing access and design the parking space in accordance with the Highway Access Code. The proposal reflects this request.

As well, the Traffic department was supportive of on street parking. They indicated that even though the frontage is 'green space' dedicated, this area of Fernwood supports this type of parking. They suggested some frontage improvements to accommodate the on street parking, which have not yet been detailed by the City.

## Rezoning Application: 2035 Stanley

Applicant: Kim Colpman

## City Policies

## Official Community Plan and Regional Growth Strategy

Over the next 30 years, Victoria is expected to grow by an additional 20,000 residents. As a built-out city with little remaining undeveloped land, the OCP identifies the need to create more compact built environments within the Urban Core, Town Centres and Urban Villages and in close proximity to transit. This trend toward urbanization is skyrocketing as people move toward more sustainable, balanced lives close to work, play and amenities.

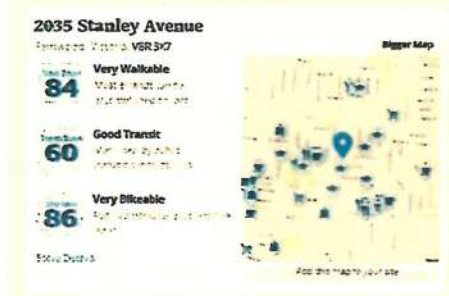
The OCP and the Regional Growth Strategy both have established goals to address this trend. The table below shows how this proposal supports these goals.

OCP Goal	Proposal
<b>Housing Supply for Future Need</b> – <i>Seek to accommodate population growth in the strategic locations, including an additional 10,000 residents in the Urban Core, 8,000 residents in and within close walking distance of Town Centres and Large Urban Villages, and 2,000 in Small Urban Villages and the remainder of residential areas in the city.</i>	Property is located: <ul style="list-style-type: none"> <li>• 15 minute walk to North Park – a Large Urban Village.</li> <li>• 5 minute walk to the Fernwood – a Small Urban Village.</li> </ul>
<b>Land Management and Development - Housing</b> <i>forecast growth of approximately 20,000 additional residents by 2041 is expected to reach Victoria's capacity available under existing zoning for new ground-oriented residential and exceed that for apartments, running the risk that housing will become increasingly more expensive as available capacity is depleted.</i>	Proposal keeps housing cost lower by: <ul style="list-style-type: none"> <li>• Maximizing use of available land now.</li> <li>• Utilizing land for homes and greenspace and less for cars.</li> </ul>
<b>Land Management and Development – Urban</b> <i>development should focus on building coherent, livable places of character, where the goods and services people need are close to home.</i>	Proposal includes a completely revisioned design for the new home which architecturally compliments the neighbourhood and creates a livable 3 bedroom family home.  Property is located walking distance to most amenities and public transit.
<b>Land Management and Development - Give</b> <i>consideration to site-specific amendments that are consistent with the intent of the Urban Place Designations and that further the broad objectives and policies of the plan, as appropriate to the site context.</i>	Minor variances are required to achieve a very workable solution for this property.  See <a href="#">Requested Variances</a> for detailed explanations



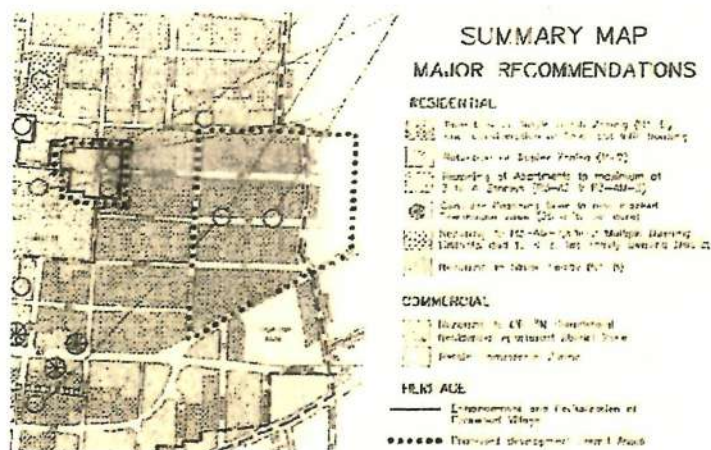
## Rezoning Application: 2035 Stanley

Applicant: Kim Colpman

OCP Goal	Proposal
<p><b>Transportation</b> – Consider reductions in parking requirements where geographic location, residential and employment density, housing type, land use mix, transit accessibility, walkability, and other factors support non-auto mode choice or lower parking demand.</p> <p>Future development is to consider transportation options that reduce fossil fuel dependence, help conserve energy and produce low greenhouse gas emissions and other air contaminants.</p>	<p>Property is well located for a desirable walkscore creating opportunities for alternative transportation and reduced reliance on the car.</p> 
<p><b>Land Management and Development</b> - For areas designated Traditional Residential, consider new development, infill, and redevelopment.</p>	<p>Property lies within the Traditional Residential designation, and was identified for Small Lot Infill consideration.</p>
<p><b>Environment, Climate Change and Energy</b> - Continue to promote the reduction of community greenhouse gas emissions, through compact land use patterns such as walkable and complete centres and villages.</p>	<p>Property centrally located to support residents ability to walk, bike or use public transit.</p>

## Fernwood Area Plan

The property at 2035 Stanley is designated as 'Traditional Residential' which is primarily ground-oriented building forms. Interestingly, the map below is the Fernwood Plan from 1996 showing that 2035 Stanley was part of an area to be considered for Small Lot Infill housing. Some 20 years later, this is exactly what we are proposing.





**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman****Design Guidelines***Building*

The goals outlined for Small Lot rezoning, all of which are supporting through this proposal, ask the City to:

- Support growth through small, adaptive and gradual change
- Revitalize neighbourhoods by allowing new infill construction
- Make (optimal) use of neighbourhood infrastructure (schools, water and sewer).
- Increase the quantity of detached dwelling lots while providing other options.
- Meet changing needs, wants and values of existing and future residents throughout the life cycle (e.g., the need for ground-oriented housing for families with children, the desire for smaller houses and yards for seniors, couples, empty nesters or singles).

With these goals in mind, Zebra Design has expertly applied architectural elements that are sensitive to the siting, massing and visual character of this small lot home and meet the Design Guidelines, such as:

- A streetscape that is sensitive to the character and rhythm of the neighbourhood.
- Horizontal features and smaller elements to visually reduce the size.
- Stepping back of second floor roof line to create an impression of 1.5 stories instead of 2.
- Roof detail, pattern changes and proportional windows for visual character.
- Heritage color and material finishes to harmonize with the area.

*Landscape*

In the new home, the front yard creates a welcoming street connection by combining soft landscaping of drought tolerant native plantings against the traditional picket style fence. This fence is mimicked and matches that of the existing duplex along both street frontages. Side and rear yard fences are 6' panels for outdoor privacy.

Most trees being removed are because of poor health, and is welcomed by the east neighbour who often has large dead branches falling into their driveway. One tree is being removed from the SFD lot to accommodate the new home and is being replaced with a Milky Way Dogwood in the south east corner. One cedar tree is being removed to accommodate parking.

Apart from the rear patio and entry sidewalk of the SFD, there is no hardscape. The pathway to the rear yard is flagstone to support sustainable landscape design. The remainder of the site is plantings and grass.

There is no extensive landscaping required for the existing duplex apart from maintenance and basic cleanup.

An arborists report identifying all trees was submitted with the original application and is included again with this application. Additionally, Talbot and McKenzie provided an updated review (July 16, 2105) of the Robina Trees in the road dedication area identifying these trees are reasonably healthy and require no special maintenance.

**Rezoning Application: 2035 Stanley****Applicant: Kim Colpman****Green Building Features**

- Retaining existing duplex
- Providing secure bike storage and guest bicycle parking
- Drought tolerant, native plantings, flagstone pathways, pavers for patio
- Energy Star Windows
- Energy Star Appliances
- Use of non HCFC expanding foam around window and door openings
- Fibreglass Exterior Doors
- Natural Hardi Exterior Siding
- Minimum 30 year warranty of roofing material
- MDF casing and baseboard trim (reducing reliance on old growth forest products)
- Installation of hardwired carbon monoxide detector to ensure air quality
- Low Formaldehyde insulation, subfloor sheathing, exterior sheathing, insulation, carpet underlayment and cabinetry.
- Low VOC Interior paints
- Programmable Energy Star thermostat
- Energy Star ventilation fans
- Toilets CSA approved, 4.8L flush volume or less
- Low flow faucets and shower valves

**Summary**

Thank you for taking time to read through this detailed report. I trust I have adequately addressed the concerns raised at the July 2014 Public Hearing and respectfully ask Mayor and Council to approve my request to rezone 2035 Stanley. To summarize, here's why:

1. Victoria is a built out city with little land left to create additional housing to meet the demands of population growth.
2. The road dedication program for this property is impractical and hampers the development potential of this valuable corner lot.
3. The minor variances are not precedent setting and do not negatively impact the design, siting, massing, and character of the new home and have no impact on the livability of the existing duplex.
4. The proposal is a creative solution to available land in an area where the OCP supports small lot infill.
5. It is a centrally located property with a very high walk score making it practical for residents to seek alternate transportation options.
6. Fernwood will have a beautiful new home to welcome another family to its community ☺

Sincerely,  
Kim Colpman





## Fernwood Community Association

1923 Fernwood Road,  
Victoria, B.C., V8T 2Y6

(250) 384-7441

Email: [landuse@thefcaca](mailto:landuse@thefcaca)

September 10, 2015

Mayor and Council  
City of Victoria  
#1 Centennial Square  
Victoria, B.C. V8W 1P6

Re: 2035 Stanley Street Rezoning Application (REZ00489)

Dear Mayor and Council;

The Fernwood Community Association held the Official Community Meeting for this proposed development in the main hall at 1923 Fernwood Road on July 7, 2015. No Preliminary Community Meeting was held concerning this proposal.

The proposal is to divide this R1-B property that currently has a legal non-conforming up and down duplex into two site specific zones. One new zone will retain the duplex and the second zone will allow for the construction of a new small lot home.

This proposal requires a number of significant variances that in our opinion would set a precedent that erodes the spirit of both the small lot and duplex zones. Additionally the Fernwood Community Association has adopted the following planning guideline concerning the small lot zone.

The criteria for small lot developments are already generous by allowing houses to be built on smaller lots with smaller set-backs. As a result requests for variances that enlarge the footprint of the house significantly – therefore reducing required set-backs - are not supported. Modest variances to allow for steps, small porches or bay windows will be considered by the land use committee, in consultation with neighbours, on a case by case basis.

The above concern would logically also apply to the duplex zone requested.



Another way to make better use of this lot and also increase the supply of affordable rental housing would be for the City to allow the construction of a one storey garden suite on this site with appropriate off street parking for both residences. This would also address the concern some neighbours have about parking. When looking at parking we believe it is important to look at the number of houses in the immediate vicinity that currently do not have off-street parking. A review of this kind would also need to consider the number of legal and illegal suites in the immediate area. Neighbours of this rezoning application have reported that a number of such suites exist including more than one per lot. Requesting the City enforce its current guidelines concerning such suites could inadvertently lead to a reduction in affordable rental housing. The neighbourhood currently seems to have the ability to accommodate these secondary suites as well as, potentially, an additional yet compact rental unit on the property in question with appropriate parking. Conversely, this rezoning proposal with its larger building footprint and reduced parking could upset that balance.

Additionally concern has been expressed that the proposed new building, with its outside entrance to the basement, could invite the development of an illegal secondary suite.

Sincerely,  
*Naomi Simpson per David Maxwell*

David Maxwell  
Chair, Land Use Committee  
Fernwood Community Association

Pc: Sustainable Planning and Community Development Department,  
City of Victoria



## Talbot Mackenzie & Associates

Consulting Arborists

July 16, 2015

K.J. Colpman  
967 Bank Street  
Victoria, BC V8S 4B1

Re: Robinia trees in municipal road dedication at 2035 Stanley Avenue

During our recent site visit, at your request, we visually inspected the health and structural characteristics of the above ground portions of three Robinia psuedoacacia trees numbered 0337, 0349 and 0350 located within the property boundaries, but where they will be in the area of a proposed road dedication on the frontages of Stanley Avenue and Pembroke Street.

All three trees appear reasonably healthy with no fruiting bodies or other indicators of the presence of wood root decay pathogens in evidence. There was also no soil cracking, heaving, root plate lifting or any other indicators of root plate instability observed at the time of this site visit, and the structural characteristics of the three trees observed is typical of most Robinia trees of this size and age.

Our assignment did not include taking resistograph readings, increment core samples or other detailed structural analysis, and while we did not observe any visual evidence of the presence of large cavities nor did we observe evidence of health decline or the presence of disease pathogens or infestations of insect pests, the canopy of Robinia #350 is covered in a dense layer of English Ivy, making it difficult to inspect the structure of the tree beneath this layer of ivy growth.

The growth characteristics observed in #349 are common for this tree species, where the tree develops multiple stems and growth leaders that have narrow angles of attachment, making them susceptible to failure during severe weather conditions or when decay is present at these stem unions.

Our visual inspection did not find any evidence to indicate that the health of any of the trees observed are in decline or that they pose an immediate risk; however, trees of this species do require pruning on a cyclical basis throughout their life to reduce weight from the major stems and limbs as a method of reducing the risk of stem failure and to correct structural defects as they occur. It appears that Robinia #339 has been pruned historically to remove some of the stems that had a weakness present at the unions, but we anticipate that additional pruning will be required on a 5 year pruning cycle to address any re-occurring structural defects and to reduce the risk of failure of the multiple competing stems.

Box 48153 RPO Uptown  
Victoria, BC V8Z 7H6  
Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
Email: treehelp@telus.net

..../2



It is our opinion that in future years the trees are likely to have maintenance requirements similar to other mature Robinia trees that are part of the municipal tree resource.

Please do not hesitate to call us at 250-479-8733 should you have any further questions.  
Thank You.

Yours truly,  
Talbot Mackenzie & Associates



Tom Talbot & Graham Mackenzie  
ISA Certified & Consulting Arborists

#### Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.





## Talbot Mackenzie & Associates

Consulting Arborists

June 07, 2012

Phil Large  
607 Vancouver Street  
Victoria, BC V8V 3T9

Re: Tree Retention Report for 2035 Stanley Avenue

**Assignment:** Prepare a tree retention report to be used during the construction of an additional residence on the property at 2035 Stanley Avenue.

**Methodology:** For this purpose we reviewed the site plan and layout of the building, driveway and parking footprints. During a June 06, 2012 site visit we examined and documented the tree resource on the property. For ease of identification in the field, each tree onsite was identified using a numeric metal tag attached to the lower trunk. Information such as tree species, size (dbh), Protected root zone (PRZ), Critical root zone (CRZ), health and structural condition, relative tolerance to construction impacts and general remarks and recommendations was recorded in the attached tree resource spreadsheet.

**Tree Resource:** The tree resource consists mainly of non-bylaw protected exotic tree species. Two (2) bylaw-protected Robinia trees grow on the property, where they are away from the general area of construction and where they are unlikely to be impacted.

**Proposal:** The proposal as outlined in the plans is to construct an additional residence on the east side of the lot and to widen the existing driveway to accommodate additional off street parking.

**Potential impacts on the tree resource:** From the information compiled during our site examination we have determined that it will not be necessary to remove any trees of bylaw-protected size to accommodate this proposal.

We are recommending that the following non bylaw-protected trees that will be impacted by the proposal be removed.

- Tree of heaven #0344 and #0346 – a tree species with an aggressive root system that makes it unsuitable to retain close to houses, hardscape and underground services.
- Douglas-fir #0343 – a tree species that has a low tolerance to construction impacts and is unlikely to survive.
- Big Leaf maple #0342 – that is infected with a wood decay pathogen
- Larch #0347 and Chamaecyparis #0348 – that are located within the footprint for the expanded parking area.

The plans indicate that the remaining trees on the property are to be retained.

Box 48153  
Victoria, BC V8Z 7H6  
Ph: (250) 479-8733 ~ Fax: (250) 479-7050  
Email: treehelp@telus.net

.../2



**Excavation:** The proposed building footprint is located where the excavation will not impact the bylaw-protected trees on the property.

**Blasting and rock removal:** We do not anticipate that any explosive blasting will be required on this site. If blasting is required, it is located where there is unlikely to be any impact on the bylaw-protected trees.

**Grade changes:** Any proposed grade changes are outside of the critical root zones of the bylaw-protected trees.

**Pruning:** The pruning of bylaw-protected trees should not be required to accommodate or attain clearance from the proposed new residence or aboveground services now or in future years. Any pruning that is required will be for the benefit of tree health or to address existing structural defects.

**Servicing:** We did not review the servicing drawings for the purpose of this report. It should be possible, however to install both the aboveground and underground services without impacting the bylaw-protected trees. Should it be determined that underground services must be upgraded or replaced near the bylaw-protected trees, their location and potential impacts must be reviewed by the Project Arborist.

**Off site work:** We have not been informed of any requirements to up grade or replace the offsite services or any of the municipal infrastructure. We also do not anticipate any alterations to the drainage patterns that would impact bylaw-protected or municipal trees.

**Mitigation of Impacts:** It is our opinion that the proposal as reviewed in the plans that were supplied is unlikely to impact any of the bylaw-protected or municipal trees. Any of the non bylaw-protected trees that you wish to retain should be isolated from the construction impacts by erecting barrier fencing.

- **Barrier fencing:** Areas, surrounding the trees to be retained, should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones or at the edge of the canopy dripline. **We also recommend erecting barrier fencing along the west edge of the proposed parking area to isolate the adjacent bylaw-protected Robinia tree #0349 from accidental encroachment on its root zone.**

The barrier fencing to be erected must be a minimum of 4 feet in height and constructed of solid material or flexible safety fencing that is attached to wooden or metal posts. If a flexible fencing material is used, the top and bottom of the fencing must be secured to the posts by a wire or board that runs between these posts. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted around the protection zone to declare it off limits to all construction related activity. The project arborist should be consulted before this fencing is removed or moved for any purpose.

**Conclusion:** It is our opinion that the construction as proposed in the plans that were supplied will not have a detrimental impact on the bylaw-protected trees on the property or on any municipal trees.

Please do not hesitate to call us at 250-479-8733 should you have any further questions.  
Thank you.

Yours truly,

Tom Talbot & Graham Mackenzie  
ISA Certified, & Consulting Arborists

CC – Nigel Banks

**Disclosure Statement**

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.



June 06, 2012

**TREE RESOURCE**  
for  
**2035 Stanley Avenue**

1

Tree #	d.b.h. (cm)	Species	PRZ	CRZ	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
0339	9, 10, 12	Tree of heaven	N/A	2.0	4.0	Good	Fair	good	Tri-dominant, ivy covered trunk, located partially on neighbouring property at 2027 Stanley Avenue.
0340	7, 8	Mountain ash	N/A	2.0	2.0	Fair	Poor	good	Co-dominant, 1 dead stem, suppressed.
0341	23	Chamaecyparis	N/A	2.3	4.0	Fair	Fair	good	Deflected top.
0342	39, 47	Big Leaf maple	N/A	8.5	11.0	Fair	Poor	moderate	Co-dominant, large hangers, 1 stem heavily decayed, <i>Ganoderma</i> fruiting bodies on both stems, heavily pruned. Poor specimen.
0343	52	Douglas-fir	N/A	8.0	6.5	Fair	Fair	poor	Epicormic growth, end-weighted limbs.
0344	40, 42	Tree of heaven	N/A	12.0	6.5	Fair	Fair	good	Included bark, tri-dominant, may be shared tree. Poor species to retain in residential area.
0345	multiple Stems	Mountain ash	N/A	3.0	3.0	Fair	Fair	good	9 stems between 8 - 10 cm diameter, growing near base of 0344.
0346	50	Tree of heaven	N/A	5.0	10.0	Fair	Fair	good	Located at Northeast corner of property, recent limb failure. Poor species to retain in residential area.
0347	20	Larch	N/A	2.0	4.0	Fair	Fair	good	Growing at base of retaining wall.
0348	25	Chamaecyparus	N/A	2.5	4.5	Fair	Fair	good	Growing at base of retaining wall.
0349	170	Robinia	15.0	12.0	11.5	Fair	Fair	good	10 stems, union above dbh, crossing stems, narrow unions, history of large stem removal.
0350	36	Robinia	N/A	4.0	8.0	Fair	Fair	good	One-sided canopy, included bark.

Prepared by:

Talbot Mackenzie &amp; Associates

ISA Certified, and Consulting Arborists

Phone: (250) 479-8733

Fax: (250) 479-7050

email: Treehelp@telus.net

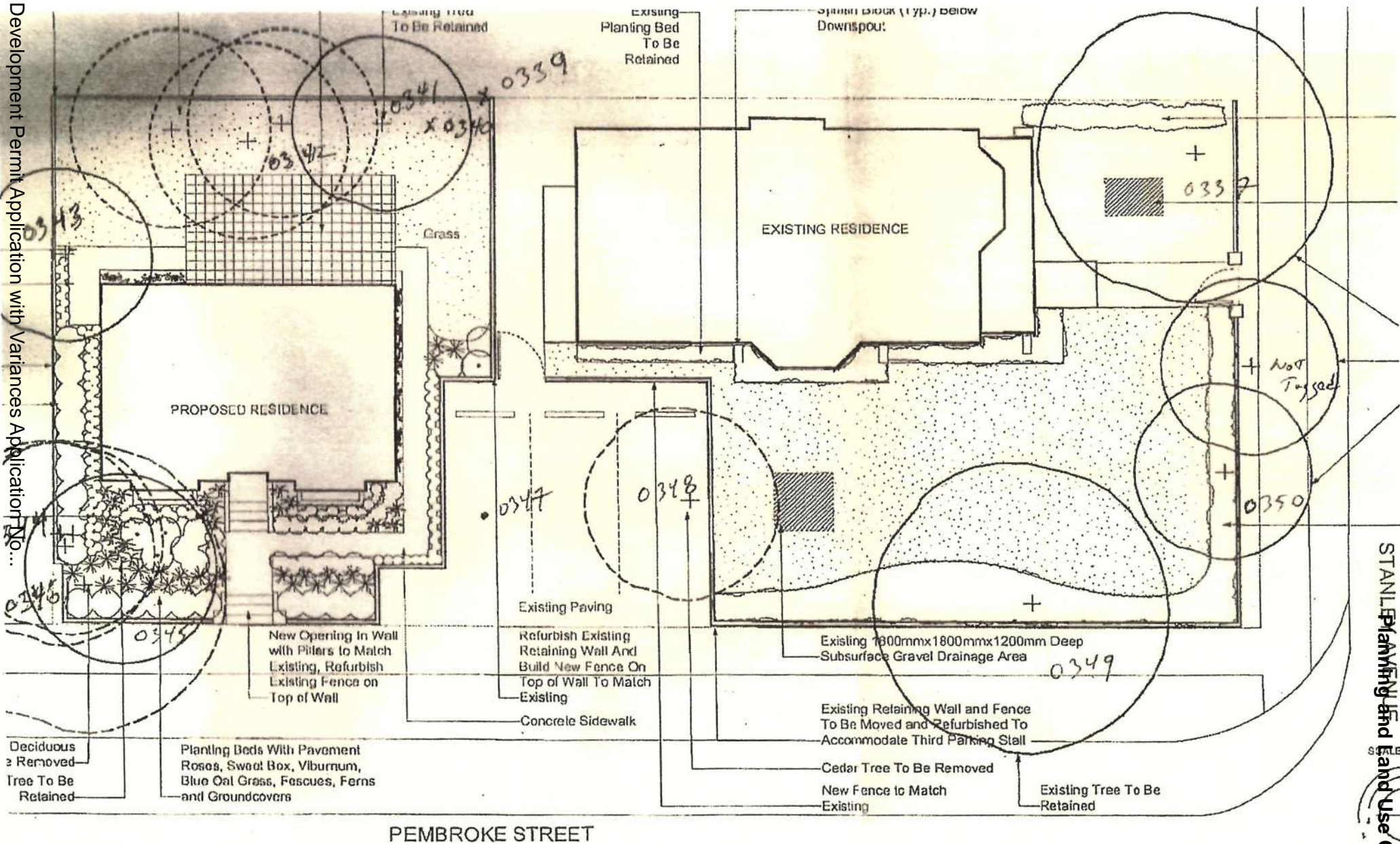
June 06, 2012

TREE RESOURCE  
 for  
 2035 Stanley Avenue

Tree #	d.b.h. (cm)	Species	PRZ	CRZ	Crown Spread(m)	Condition Health	Condition Structure	Relative Tolerance	Remarks / Recommendations
0337	130	Robinia	15.0	10.0	11.0	Fair	Fair	good	End-weighted limbs, ivy covered. Recommend ivy removal to examine structure more closely.
no tag	30	plum	5.4	3.0	4.0	Fair	Fair	good	Municipal tree, pruning wounds.

Prepared by:  
 Talbot Mackenzie & Associates  
 ISA Certified, and Consulting Arborists  
 Phone: (250) 479-8733  
 Fax: (250) 479-7050  
 email: Treehelp@telus.net





mended Nursery Stock

Botanical Name  
*Taxus borealis* 'Fastigata'

Common Name  
Mish Yew

Size  
#5 pot, 1.5m Ht

Perennials, Annuals and Ferns

Total: 02

Botanical Name  
*Oxycoccus spicatus*  
*Reseda glauca*  
*Hieracium sempervirens*

Common Name  
Deer Fern  
Common Blue Fescue  
Blue Oak Grass

Size  
#1 pot  
#1 pot  
#1 pot

Botanical Name  
*Viburnum tinus* 'Spring Bouquet'

Common Name  
Spring Bouquet Viburnum

Size  
#5 pot

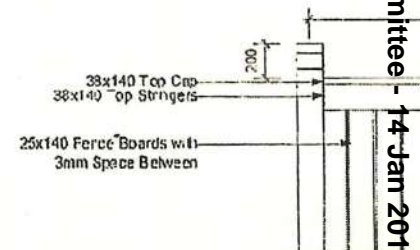
Groundcovers

Total: 04

Botanical Name  
*Pachysandra terminalis*

Common Name  
Pachysandra

Size  
#1 pot





### Key to Headings in Resource Table

d.b.h. – **diameter at breast height** - diameter of trunk, measured in centimetres at 1.4 metres above ground level

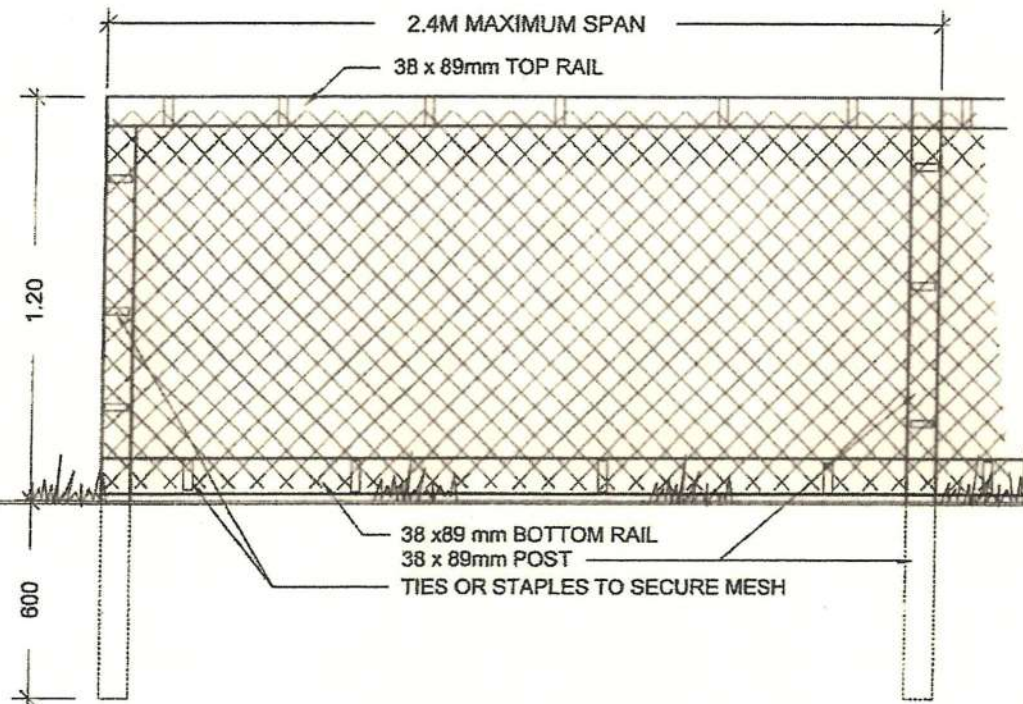
PRZ – **protected root zone** - the area of land surrounding a bylaw-protected tree that contains the bulk of the critical roots of the tree. Indicates the radius of a circle of protected land, measured in metres, calculated by multiplying the diameter of the tree by 18.

CRZ – **critical root zone** - estimated optimal size of tree protection zone based on tree species, condition and age of specimen and the species tolerance to root disturbance. Indicates the radial distance from the trunk, measured in metres.

Condition health/structure –

- Good – no visible or minor health or structural flaw
- Fair – health or structural flaw present that can be corrected through normal arboricultural or horticultural care.
- Poor – significant health or structural defects that compromise the long-term survival or retention of the specimen.

Relative Tolerance – relative tolerance of the selected species to development impacts.



**TREE PROTECTION FENCING**  
 FENCE WILL BE CONSTRUCTED USING  
 38 X 89 mm (2"X4") WOOD FRAME:  
 TOP, BOTTOM AND POSTS. \*  
 USE ORANGE SNOW-FENCING MESH AND  
 SECURE TO THE WOOD FRAME WITH  
 "ZIP" TIES OR GALVANIZED STAPLES

\* IN ROCKY AREAS, METAL POSTS (T-BAR  
 OR REBAR) DRILLED INTO ROCK WILL BE  
 ACCEPTED

DETAIL NAME:

**TREE PROTECTION FENCING**

DATE: Oct 30/07  
 DRAWN: DM  
 APP'D: RR  
 SCALE: N.T.S.

**E105**  
 DRAWING



**Received**  
City of Victoria  
  
JUL 30 2015  
  
Planning & Development Department  
Development Services Division

Victoria City Council - 26 Jun 2014

1409	1413	1417	1421	1427	1429	1437	1445	1447	1453
1344	1350	1356	1360/62	1400	1404 S	1406	1414	1418	1422
PEMBROKE ST									
1347	1353/55	2028	STANLEY AV						
2026	2028	2026							
2024	2018	2010							
1348	1358	1400							
2035	2027	2021							
1413	1417	1421							
1414	1422	1426							



2035 Stanley Street  
Rezoning #00350  
Bylaw #





**SUMMARY  
SMALL LOT HOUSE REZONING PETITION**

I, Kim Colpman, have petitioned the adjacent neighbours\* in compliance with

the *Small Lot House Rezoning Policies* for a small lot house to be located at 2035 Stanley

(location of proposed house)

and the petitions submitted are those collected by JULY 28 2015\*\*

(date)

Address	In Favour		Opposed		Neutral (30-day time expired)	
	OWN	RENT	OWN	RENT	OWN	RENT
1413 Rembroke *other correspondence attached	✓					
1406, Rembroke	✓					
1408 Rembroke	✓					
1410 Rembroke	✓					
1404 Rembroke (current)		✓			✓	
1404 Rembroke (new owner Aug 10)	✓					
1400 Rembroke			✓			
2026 Stanley	✓					
2028 Stanley		✓				
2026 Stanley	✓					
2027 Stanley	✓					
2027 Stanley		✓				
1360/1362 Rembroke					✓✓	
1362 Rembroke						✓

SUMMARY	Number	%
IN FAVOUR	11	92%
OPPOSED	1	8%
TOTAL RESPONSES	12	100%

\*Do not include petitions from the applicant or persons occupying the property subject to rezoning.

\*\*Note that petitions that are more than six months old will not be accepted by the City. It is the applicant's responsibility to obtain new petitions in this event.

## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Coleman  
(print name)

, am conducting the petition requirements for the

property located at 2035 Stanley Victoria B.C.

to the following Small Lot Zone: RL-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) DAVID + CAROLYN BERRY (see note above)

ADDRESS: 1413 PEMBROKE ST.

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

We feel this design is a significant  
improvement over the one proposed  
previously.

June 17 / 15  
Date

[Signature]  
Signature



June 17, 2015

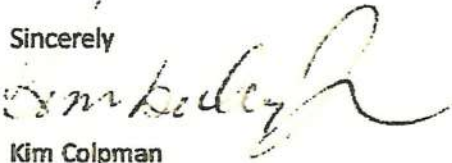
Follow Up Meeting with David and Carolyn Berry Re: 2035 Stanley

On March 23, 2015, I met with Mr. and Mrs. Berry to discuss changes to our Proposal at 2035 Stanley, Victoria BC. David and Carolyn Berry are the contiguous neighbours to the east, living at 1413 Pembroke Street. A signed letter from March 23, 2015 is attached, indicating their acceptance of these changes.

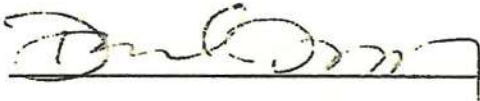
Subsequent to this meeting, additional changes were made to the design. We contracted Zebra Design to prepare electronic CAD drawings for our Rezoning Submission Package (previously submitted hand drawn plans). Zebra Design consultants highlighted ways to make our design better, and to provide what we believe is an even more pleasing additional to the neighbourhood. Their suggestions have been incorporated into this new design, presented today to Mr. and Mrs. Berry. A copy of which was left for their records.

Mr. and Mrs. Berry have reviewed, and are satisfied with, the updated proposal. We have maintained the windows on the east and west sides at their request, as this is an important design feature from their site line perspective.

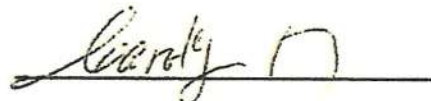
Sincerely



Kim Colpman



David Berry



Carolyn Berry



March 23, 2015

Meeting with David and Carol Barry Re: 2035 Stanley

After meeting with Mr. and Mrs. Berry and discussing their concerns, the following changes were made to our Proposal at 2035 Stanley, Victoria BC. David and Carol Barry are the contiguous neighbours to the east, living at 1413 Pembroke Street:

1. Design modified to include windows on side walls (east and west elevations) to eliminate 'blank' wall look. Windows will provide interest to the design and respect the privacy of the neighbours.
2. Incorporated a hedge along the southeast portion of the backyard and against the 6' fence to provide additional privacy and sound barriers.
3. Reduced the size of the patio from 20x12 to 12 x 12 to keep outdoor BBQ activity further away from Mr. and Mrs. Barry's property.

Mr. and Mrs. Barry also expressed other concerns which we have discussed.

1. A full bathroom in the lower floor may invite 'rental'.
  - This home is marketed toward families and as such must provide sufficient facility. A second full bathroom is an essential feature.
2. Blasting near their home.
  - Should blasting be necessary it will be carried out by professionals who are expert in mitigating damage to secondary properties. In the past, we have had no issues.
3. Existing Duplex needs attention.
  - This past summer, the fence was restored and painted. As well the yard was cleaned up. Should the rezoning be approved, we will be painting the exterior of the existing home as well.

Sincerely,

Kim Colpman

We have read the above letter and are satisfied with the changes Kim Colpman has made to her proposal for 2035 Stanley.

David Berry

Carol Barry

WE ALSO FEEL THE WINDOWS ADDED TO THE FACADE ON OUR SIDE IS AN ESSENTIAL COMPONENT TO OUR SATISFACTION WITH THE DEVELOPMENT.

## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Coleman am conducting the petition requirements for the  
(print name)

property located at 2035 Stanley, Victoria B.C.

to the following Small Lot Zone: R1-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) Dido Hunter - owner of (see note above)

ADDRESS: 1406 Penwade St (1406-1410 Penwade St)

Are you the registered owner? Yes ☒

No ☐

no records of the owner due to removal

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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June 17/15  
Date

Dido Hunter  
Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I

Kim Sigman am conducting the petition requirements for the  
(print name)

property located at 2035 Stanley

to the following Small Lot Zone: RS2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) Jocelyn Naudet (see note above)

ADDRESS: 1404 Pembroke St

Are you the registered owner? Yes ☐

No ☒ - Family Home (owned)

RENTED.  
Daughter of  
owner.

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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July 12, 2015  
Date

[Signature]  
Signature





## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

KIM CAPMAN (print name), am conducting the petition requirements for the

property located at 2035 STANLEY AVE.

to the following Small Lot Zone: R1-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) ALIK TATARYN (see note above)

ADDRESS: 1404 PEMBROKE

Are you the registered owner? Yes ☒ No ☐ NEW OWNER

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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---

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JULY 28/2015  
Date

[Signature]  
Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

\_\_\_\_\_, am conducting the petition requirements for the  
(print name)

property located at 2035 STANLEY AVE.

to the following Small Lot Zone: \_\_\_\_\_

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) ALIK TATAROV (see note above)

ADDRESS: 1404 PEMBROKE

Are you the registered owner? Yes ☐ No ☐

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

---

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JULY 28/2015  
Date

[Signature]  
Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Colman am conducting the petition requirements for the

property located at 2035 Stanley, Victoria, BC

to the following Small Lot Zone: B2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following.

NAME: (please print) Julia (Julie) Lommerse (see note above)

ADDRESS: 1400 Pembroke St

Are you the registered owner? Yes ☒ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☒ I am opposed to the application.

Comments:

We're not opposed to any development on this site -- but we are opposed to the current proposal on the table for these reasons:

1. No Parking for New Home: no additional stalls have been proposed over and above the 2 which are on the site serving the 2 units of the duplex. For a house of this size then a minimum of 1-2 stalls should be provided.

2. Sq. footage of house is too large for the lot: If house were scaled back then there would be room for required parking and adequate green space. Perhaps a small cottage style home/coach house?

July 18, 2015

Date

Signature

## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim O'Connell  
(print name)

, am conducting the petition requirements for the

property located at 2035 Stanley

to the following Small Lot Zone: RS2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) \_\_\_\_\_ (see note above)

ADDRESS: 1360/1362 Rembrake

Are you the registered owner? Yes ☐ No ☐

I have reviewed the plans of the applicant and have the following comments:

☐ I support the application.

☐ I am opposed to the application.

NEUTRAL

Comments:

Residents were not interested in reviewing the proposal and indicated they had no comment.

July 20, 2015  
Date

Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim (Alman) (print name), am conducting the petition requirements for the

property located at 2035 Stanley

to the following Small Lot Zone: R82

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following:

NAME: (please print) John Viszlai (see note above)

ADDRESS: 2026/2020 Stanley Ave.

Are you the registered owner? Yes ☒ No ☐

LIVES IN 1 SUITE, RENTS THE OTHER

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

ensure that there is adequate offstreet  
parking

July 23, 2015  
Date

[Signature]  
Signature

## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Wolman, am conducting the petition requirements for the  
(print name)

property located at 2035 Stanley

to the following Small Lot Zone: RS2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. **Please do not include your phone number or email address.**

Please review the plans and indicate the following:

NAME: (please print) ANDREW McMULLAN (see note above)

ADDRESS: 3358 SALSBURY WAY. V8P3K3

Are you the registered owner? Yes ☒ No ☐ of 2027 Stanley

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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25 JUNE 15  
Date

Andrew McMullan  
Signature



## SMALL LOT HOUSE REZONING PETITION

In preparation for my rezoning application to the City of Victoria, I,

Kim Coleman, am conducting the petition requirements for the

property located at 2035 Stanley, Victoria BC

to the following Small Lot Zone: R1-S2

The City of Victoria's Small Lot Rezoning Policy requires that the applicant poll voting age residents and owners of neighbouring lots to determine the acceptability of the proposal. Please note that all correspondence submitted to the City of Victoria in response to this Petition will form part of the public record and will be published in a meeting agenda when this matter is before Council. The City considers your address relevant to Council's consideration of this matter and will disclose this personal information. However, if for personal privacy reasons you do not wish to include your name, please indicate your address and indicate (yes or no) if you are the registered owner. Please do not include your phone number or email address.

Please review the plans and indicate the following

NAME: (please print) CASEY JORDAN (see note above)

ADDRESS: 2035 STANLEY AVENUE

Are you the registered owner? Yes ☐ No ☒ RENTER

I have reviewed the plans of the applicant and have the following comments:

☒ I support the application.

☐ I am opposed to the application.

Comments:

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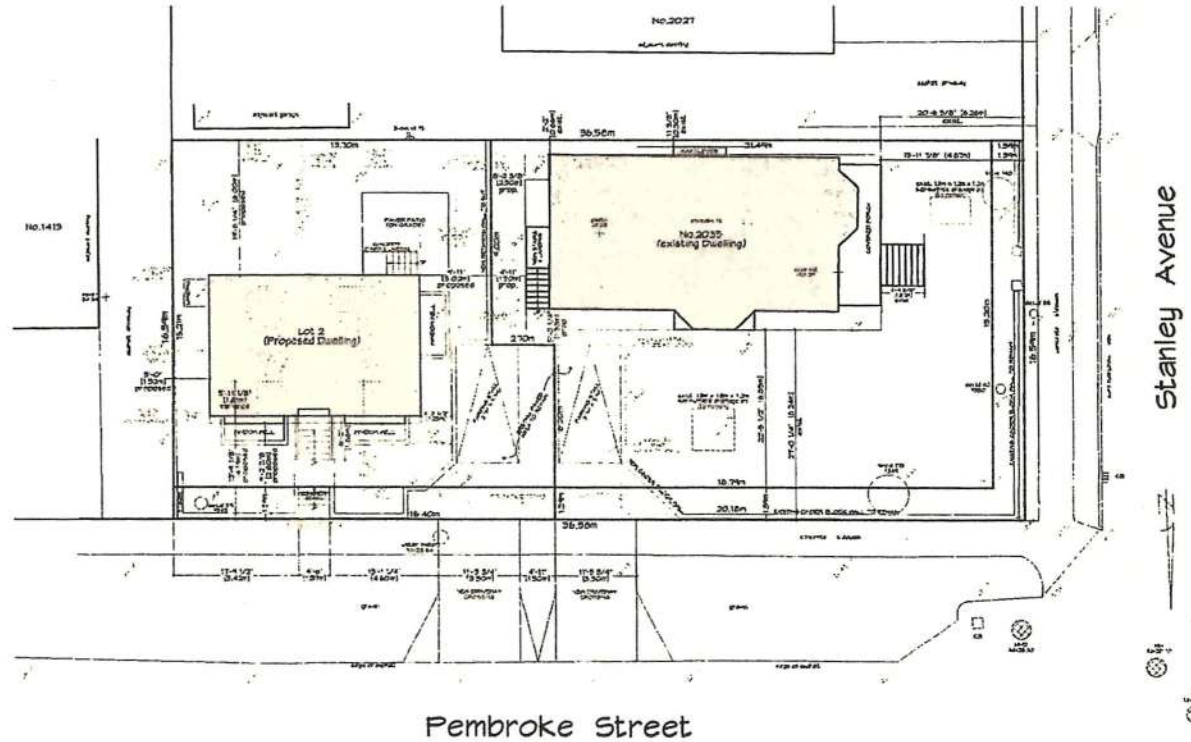
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06/19/16  
Date

[Signature]  
Signature

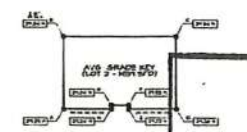
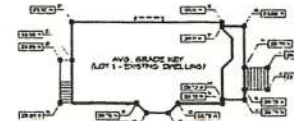
SITE DATA - 2035 STANLEY AVE (PROPOSED LOT 1 - EXISTING DUPLEX)			
LEGAL DESCRIPTION - PROPOSED LOT 1 OF LOT 1, SECTION 15, VICTORIA DISTRICT, PLAN 262 ZONING - SITE SPECIFIC (PROPOSED)			
	PROPOSED	PROPOSED (EXCLUDING 1.334 DEDICATION)	
LOT AREA	394.17 M <sup>2</sup> (3666.02 FT <sup>2</sup> )	304.46 M <sup>2</sup> (3336.62 FT <sup>2</sup> )	
LOT WIDTH	16.94 M (54.43')	15.20 M (49.87')	
LOT DEPTH (AVG.)	21.53 M (70.64')	20.14 M (66.08')	
SETBACKS			
FRONT	6.26 M (20.54')	4.81 M (15.78')	
REAR (TO HOUSE)	2.50 M (8.20')	2.50 M (8.20')	
REAR (TO STAIRS)	1.50 M (4.92')	1.50 M (4.92')	
SIDE (INTERIOR)	0.50 M (1.64')	0.50 M (1.64')	
SIDE (EXTERIOR)	6.24 M (20.63')	6.85 M (22.47')	
AVG. GRADE	26.94 M (88.71')	26.94 M (88.71')	
BUILDING HEIGHT	7.70 M (25.26')	7.70 M (25.26')	
STOREYS	2 STOREYS + BSMT	2 STOREYS + BSMT	
FLOOR AREA			
UPPER FLOOR	84.71 M <sup>2</sup> (915.00 FT <sup>2</sup> )	84.71 M <sup>2</sup> (915.00 FT <sup>2</sup> )	
MAIN FLOOR	84.08 M <sup>2</sup> (905.00 FT <sup>2</sup> )	84.08 M <sup>2</sup> (905.00 FT <sup>2</sup> )	
LOWER FLOOR (BSMT)	71.78 M <sup>2</sup> (774.00 FT <sup>2</sup> )	71.78 M <sup>2</sup> (774.00 FT <sup>2</sup> )	
1ST/2ND STOREYS, TOTAL	156.55 M <sup>2</sup> (1694.00 FT <sup>2</sup> )	156.55 M <sup>2</sup> (1694.00 FT <sup>2</sup> )	
ALL FLOORS, TOTAL	231.74 M <sup>2</sup> (2498.00 FT <sup>2</sup> )	231.74 M <sup>2</sup> (2498.00 FT <sup>2</sup> )	
TOTAL FLOOR AREA	156.55 M <sup>2</sup> (1694.00 FT <sup>2</sup> )	156.55 M <sup>2</sup> (1694.00 FT <sup>2</sup> )	
FLOOR AREA RATIO	0.43	0.50	
SITE COVERAGE	24.35 %	34.05 %	
PARKING	1 SPACE	1 SPACE	
EXISTING LOT (PRE-SUBDIVISION)			
	EXISTING	EXISTING (EXCLUDING 1.334 DEDICATION)	
LOT AREA	606.41 M <sup>2</sup> (6593.56 FT <sup>2</sup> )	535.01 M <sup>2</sup> (5780.61 FT <sup>2</sup> )	
LOT WIDTH	16.94 M (54.43')	15.20 M (49.87')	
LOT DEPTH (AVG.)	36.37 M (119.40')	35.16 M (115.42')	



SITE DATA - 2035 STANLEY AVE (PROPOSED LOT 2 - NEW SFD)			
LEGAL DESCRIPTION - PROPOSED LOT 2 OF LOT 1, SECTION 15, VICTORIA DISTRICT, PLAN 262 ZONING - R1-52 (PROPOSED)			
	REQUIRED	PROPOSED	PROPOSED (EXCLUDING 1.334 DEDICATION)
LOT AREA	26.00 M <sup>2</sup>	247.82 M <sup>2</sup> (2667.54 FT <sup>2</sup> )	275.03 M <sup>2</sup> (2952.14 FT <sup>2</sup> )
LOT WIDTH	10.00 M	16.30 M (53.74')	16.30 M (53.74')
LOT DEPTH (AVG.)		16.60 M (54.46')	15.21 M (49.90')
SETBACKS			
FRONT	6.00 M	4.14 M (13.59')	2.80 M (9.19')
REAR	6.00 M	6.00 M (19.68')	6.00 M (19.68')
SIDE (INT. - EAST)	1.50 M	1.52 M (5.00')	1.52 M (5.00')
TO HAS. RM. RANDOM	2.40 M	1.52 M (5.00')	1.52 M (5.00')
SIDE (INT. - WEST)	1.50 M	3.02 M (9.91')	3.02 M (9.91')
AVG. GRADE		24.30 M (79.72')	24.30 M (79.72')
BUILDING HEIGHT	7.50 M	1.56 M (5.12')	7.36 M (24.15')
STOREYS	2 + BSMT	2 STOREYS + BSMT	2 STOREYS + BSMT
FLOOR AREA			
UPPER FLOOR		51.51 M <sup>2</sup> (554.42 FT <sup>2</sup> )	51.51 M <sup>2</sup> (554.42 FT <sup>2</sup> )
MAIN FLOOR		51.68 M <sup>2</sup> (556.26 FT <sup>2</sup> )	51.68 M <sup>2</sup> (556.26 FT <sup>2</sup> )
LOWER FLOOR (BSMT)		45.44 M <sup>2</sup> (490.64 FT <sup>2</sup> )	45.44 M <sup>2</sup> (490.64 FT <sup>2</sup> )
1ST/2ND STOREYS, TOTAL		103.19 M <sup>2</sup> (1110.68 FT <sup>2</sup> )	103.19 M <sup>2</sup> (1110.68 FT <sup>2</sup> )
ALL FLOORS, TOTAL		148.63 M <sup>2</sup> (1600.35 FT <sup>2</sup> )	148.63 M <sup>2</sup> (1600.35 FT <sup>2</sup> )
TOTAL FLOOR AREA	140.00 M <sup>2</sup>	103.19 M <sup>2</sup> (1110.68 FT <sup>2</sup> )	103.19 M <sup>2</sup> (1110.68 FT <sup>2</sup> )
FLOOR AREA RATIO	0.60	0.416	0.454
SITE COVERAGE	40.00 %	24.45 %	26.46 %
PARKING	1 SPACE	1 SPACE	1 SPACE

LOT 1 (EXISTING DUPLEX) - Average Grade Calculation									
SEMENT	Dist	Area	Volume	Area	Volume	Area	Volume	Area	Volume
AB	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
BC	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
CD	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
DE	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
EF	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
FG	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
GH	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
HI	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
IJ	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
JK	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
KL	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
LM	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
MN	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
NO	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
OP	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
PQ	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
QR	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
RS	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
ST	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
UV	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
WX	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
YZ	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
ZA	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
Average									

LOT 2 (NEW SFD) - Average Grade Calculation									
SEMENT	Dist	Area	Volume	Area	Volume	Area	Volume	Area	Volume
AB	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
BC	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
CD	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
DE	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
EF	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
FG	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
GH	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
HI	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
IJ	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
JK	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
KL	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
LM	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
MN	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
NO	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
OP	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
PQ	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
QR	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
RS	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
ST	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
UV	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
WX	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
YZ	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
ZA	25.15	25.15	1.15	1.15	1.15	1.15	1.15	1.15	1.15
Average									



- DRAWING LIST:**
- SK0.1 SITE PLAN AND DATA
  - SK1.1 LOT 1 FLOOR PLANS
  - 4 ELEVATIONS
  - SK2.1 LOT 2 FLOOR PLANS
  - 4 ELEVATIONS
  - SK3.1 STREETSCAPES
  - SUPP. LANDSCAPE PLAN



Received  
City of Victoria

JUL 30 2015

Planning & Development Department  
Development Services Division

ISSUED FOR  
REZONING  
JUNE 17, 2015

**ZEBRA DESIGN**

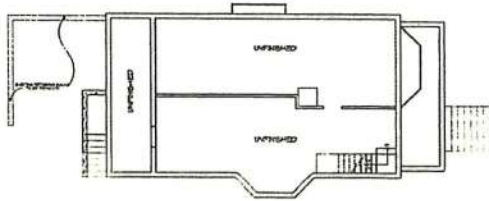
1161 NEWPORT AVE  
Victoria, B.C. V8N 2E6  
Phone: (250) 360-2144  
Fax: (250) 360-1115

Drawn By: K. KOSMAN  
Date: June 17, 2015  
Scale: AS NOTED  
Project:  
PROPOSED 2035 STANLEY AVE  
SUBDIVISION  
2035 STANLEY AVE.

Title:  
SITE PLAN &  
SITE DATA

Revision: Sheet 1 of 1  
Project: TBD

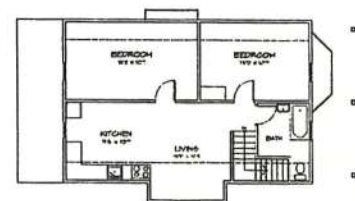




Lower Floor Plan - Lot 1  
Scale: 1/8" = 1'-0"



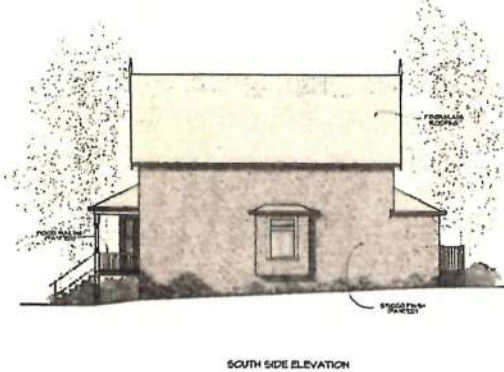
Main Floor Plan - Lot 1  
Scale: 1/8" = 1'-0"



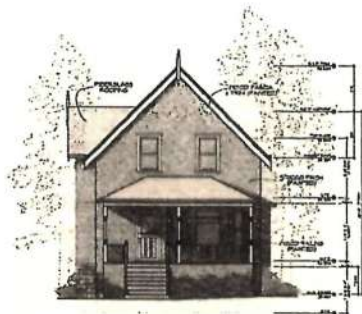
Upper Floor Plan - Lot 1  
Scale: 1/8" = 1'-0"



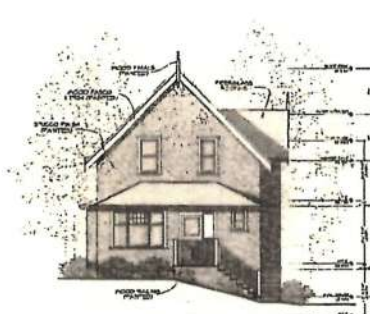
NORTH SIDE ELEVATION  
(FEBROCKE ST.)



SOUTH SIDE ELEVATION



FRONT ELEVATION  
(STANLEY AVE.)



REAR ELEVATION

Elevations - Lot 1  
Scale: 1/8" = 1'-0"



ISSUED FOR  
REZONING DP  
JUNE 17, 2015

**ZEBRA DESIGN**

1161 NEWPORT AVE  
Victoria, B.C. V8N 5E6  
Phone: (250) 360-3144  
Fax: (250) 360-3115

Drawn By: K. KISHAN  
Date: June 17, 2015  
Scale: AS NOTED  
Project:  
PROPOSED LOT  
SUBDIVISION  
2095 STANLEY AVE.

Title:  
LOT 1  
FLOOR PLANS &  
ELEVATIONS

Revision: SK 14  
Jan 2016

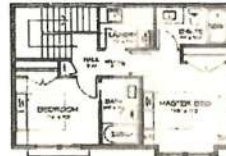
FRANK TBO



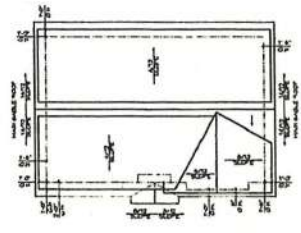
Lower Floor Plan - Lot 2  
Scale: 1/8" = 1'-0"



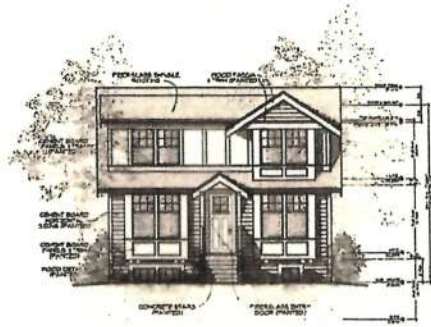
Main Floor Plan - Lot 2  
Scale: 1/8" = 1'-0"



Upper Floor Plan - Lot 2  
Scale: 1/8" = 1'-0"



Roof Plan - Lot 2  
Scale: 1/8" = 1'-0"



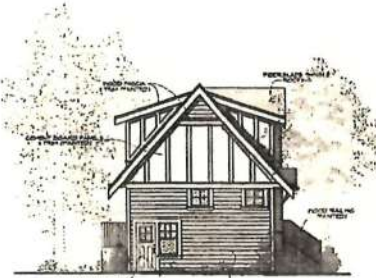
FRONT ELEVATION  
(FD-BROCK ST.)



WEST SIDE ELEVATION



REAR ELEVATION



EAST SIDE ELEVATION

Elevations - Lot 2  
Scale: 1/8" = 1'-0"

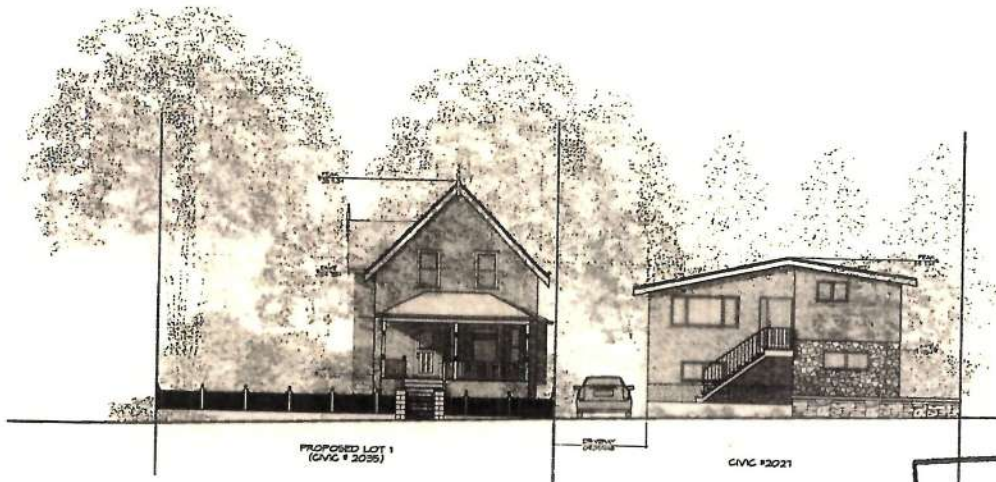
**Received**  
City of Victoria  
  
JUL 30 2015  
  
Planning & Development Department  
Development Services Division

ISSUED FOR  
REZONING  
JUNE 17, 2015  
  
ZEBRA DESIGN  
  
1161 NEWPORT AVE  
Victoria, B.C. V8N 2E6  
Phone: (250) 363-2144  
Fax: (250) 363-1115  
  
Drawn By: K. KOSMAN  
Date: June 17, 2015  
Scale: AS NOTED  
Project:  
PROPOSED 2 LOT  
SUBDIVISION  
2035 STANLEY AVE.  
  
Title:  
LOT 2  
FLOOR PLAN &  
ELEVATIONS  
  
Revision: Sheet  
9  
2  
Project: TBD





Streetscape - Pembroke St.  
Scale: 1/8" = 1'-0"



Streetscape - Stanley Ave  
Scale: 1/8" = 1'-0"

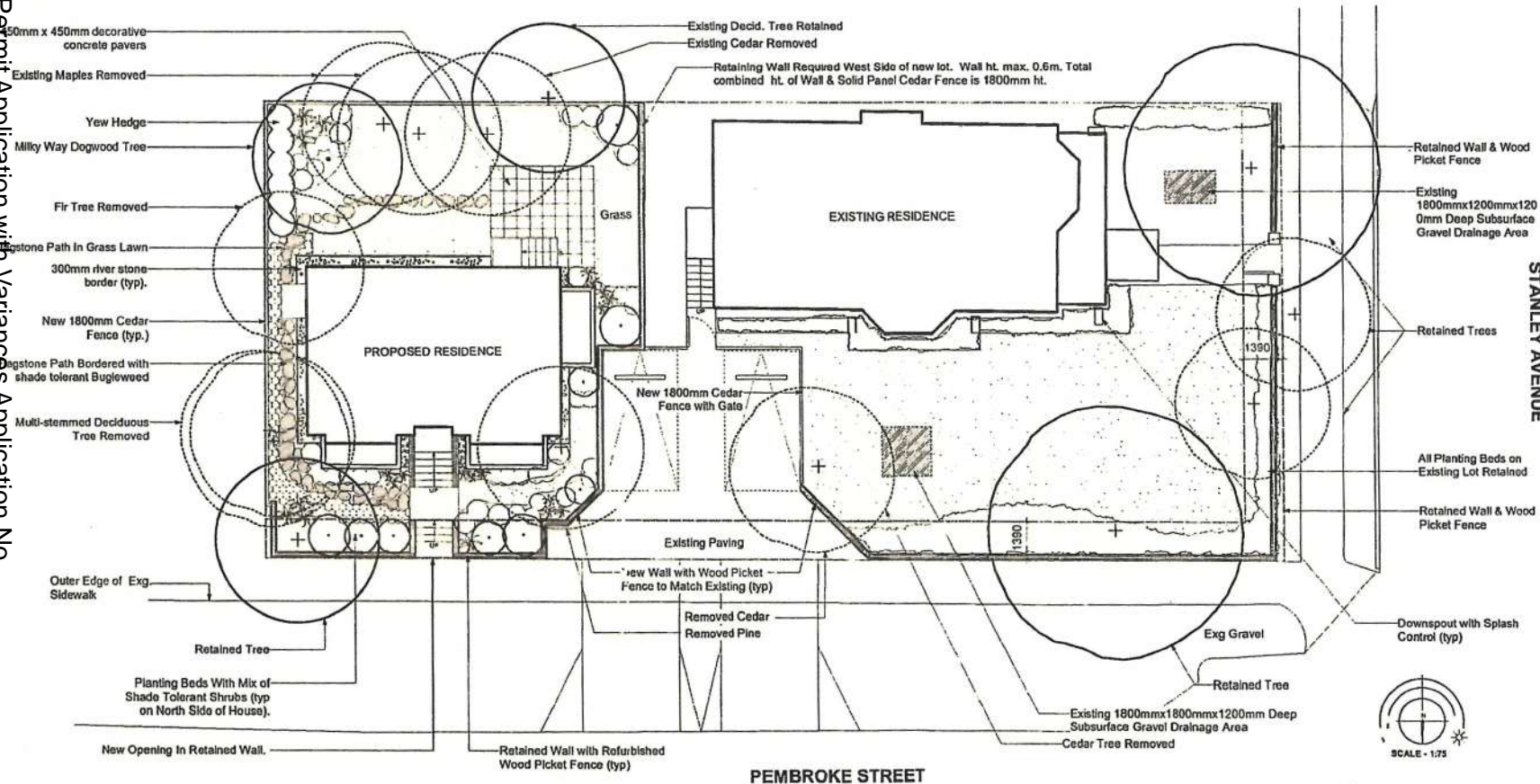


Planning & Development Committee - 14 Jan 2016

ISSUED FOR  
REZONING DP  
JUNE 17, 2015

**ZEBRA DESIGN**

1161 NEWPORT AVE  
Victoria, B.C. V8S 5E6  
Phone: (250) 363-1444  
Fax: (250) 363-1115  
Drawn By: K. KOSMAN  
Date: June 11, 2015  
Scale: AS NOTED  
Project:  
PROPOSED LOT  
SUBDIVISION  
2035 STANLEY AVE.  
Title:  
STREETSCAPES  
Revision: Sheet:  
33  
Project: TBD



#### Recommended Nursery Stock

Tree	Botanical Name	Common Name	Size
Total: 1	Cornus sp. 'Milky Way'	Milky Way Dogwood	#7 200, 1.5mH
<b>Large Shrubs</b>			
Total: 10	Arctostaphylos uva-ursi	Strawberry Bush	#5 200
	Hydrangea macrophylla 'Blueberry'	Blueberry Hydrangea	#5 200
	Yucca filamentosa	Yucca	#5 200, 1.5mH
<b>Medium Shrubs</b>			
Total: 5	Hydrangea macrophylla 'Sue's Blue'	Sue's Blue Hydrangea	#3 100
	Hydrangea macrophylla 'Blueberry'	Blueberry Hydrangea	#3 100
<b>Small Shrubs</b>			
Total: 10	Cornus sp. 'Milky Way'	Milky Way Dogwood	#2 100
	Arctostaphylos uva-ursi	Strawberry Bush	#1 100
	Hydrangea macrophylla 'Blueberry'	Blueberry Hydrangea	#1 100
	Yucca filamentosa	Yucca	#1 100
	Yucca filamentosa	Yucca	#1 100

#### Perennials, Annuals and Ferns

Total: 21	Botanical Name	Common Name	Size
	Berberis thunbergii	Barberry	#1 100
	Polystichum acrostichum	Polystichum	#1 100
<b>Groundcovers</b>			
Total: 110	Botanical Name	Common Name	Size
	Polystichum acrostichum	Burgundy Blue Hosta	#1 100

Notes:

- All work to be completed to current BSCL Landscape Standards
- All soft landscape to be irrigated with an automatic irrigation system

- Notes:
- All work to be completed to current BCSLA Landscape Standards
  - All soft landscape to be installed with an automatic irrigation system



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1.	June 12-15	Issued for DP
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#### REVISIONS



28-495 Dufferin Rd., Victoria B.C. V8Z 1B9  
Phone: (250) 598-0105 Fax: (250) 412-1016

#### PROJECT

Proposed Residence  
2035 Stanley Avenue

#### TITLE

Landscape Concept

#### SCALE

As Shown

#### PROJECT No.

1201

#### DATE

June 12, 2015

1 of 14

SHEET

# 2035 Stanley - Landscape Concept Plan





## Planning and Land Use Committee Report

For the Meeting of January 14, 2016

---

**To:** Planning and Land Use Committee      **Date:** December 18, 2015  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Rezoning Application No. 00490 for 1845 Gonzales Avenue

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that first and second reading of the attached Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

### LEGISLATIVE AUTHORITY

In accordance with Section 903 (c) of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1845 Gonzales Avenue. The proposal is to rezone from the R1-G Zone, Gonzales Single Family Dwelling District, to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, in order to construct a garden suite.

The following points were considered in assessing this Application:

- The proposal is consistent with the Urban Place Designation in the *Official Community plan (OCP)* 2012.
- The proposal is consistent with the policies of the *Garden Suite Policy* (2011).

### BACKGROUND

#### Description of Proposal

The proposal is to rezone the property from the R1-G Zone, Gonzales Single Family Dwelling District, to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District,

to allow the construction of a garden suite. Due to the property's larger size, the standard zone to accommodate a Garden Suite would be the R1-B-GS2 Zone.

### **Affordable Housing Impacts**

The applicant proposes the creation of one new residential unit which would increase the overall supply of housing in the area.

### **Sustainability Features**

The applicant has not identified any sustainability features associated with this proposal.

### **Active Transportation Impacts**

The applicant has not identified any active transportation impacts associated with this Application.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Rezoning Application.

### **Land Use Context**

The area is predominantly characterized by single family dwellings and is less than a block away from Pemberton Park.

### **Existing Site Development and Development Potential**

The site is presently a single family dwelling. Under the current R1-G Zone, the property could be developed as a single family dwelling with a secondary suite. Should the rezoning proceed, a single family dwelling and garden suite will be permitted, thus precluding the use of the main dwelling for the inclusion of a secondary suite.

### **Data Table**

The following data table compares the proposal with the proposed R1-B-GS2 Zone. The existing house and proposed garden suite meet all of the requirements of this Zone.

<b>Zoning Criteria</b>	<b>Proposal</b>	<b>Zone Standard R1-B-GS2 "Plus Site"</b>
Site area (m <sup>2</sup> ) - minimum	724.83	460
Lot width (m) - minimum	18.29	7.5
Total floor area (m <sup>2</sup> ) - maximum	191.94	420
Height (m) - maximum	5.46	7.6
Storeys - maximum	2	2
Site coverage % - maximum	23.9	40



Zoning Criteria	Proposal	Zone Standard R1-B-GS2 "Plus Site"
Setbacks (m) - minimum		
Front (Gonzales Ave)	8.22	7.5
Rear (south)	17.6	9.91
Side (east)	3.2	1.83
Side (west)	4.8	3
Combined side yards	8	4.5
Parking - minimum	1	1
<b>Garden Suite</b>		
Floor area (m <sup>2</sup> ) – maximum	55.51	56
Height (m) – maximum	4.66	5.5
Storeys - maximum	1	1.5
Rear yard setback (m) – minimum	1.22	0.6
Side yard setback (m) - minimum	1.22	0.6
Separation space between buildings (within the site) (m) - minimum	9.84	2.4
Rear yard site coverage (%) - maximum	18.98	25

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield Gonzales CALUC at a Community Meeting held on June 15, 2015. The minutes from this meeting are attached to this report.

### ANALYSIS

#### Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, garden suites are subject to DPA 15E: Intensive Residential –Garden Suites. The proposal is consistent with the objectives of DPA 15E to achieve new infill that respects the established character in residential areas.

#### Garden Suite Policy

The proposed development is consistent with the relevant land use policies of the *Garden Suite Policy* and all of the siting criteria are met.

## CONCLUSIONS

This proposal to construct a garden suite is consistent with the OCP objectives and guidelines for sensitive infill in the form of garden suites within established residential areas. The garden suite creates an opportunity for an alternative form of rental housing. Staff recommend that Council consider supporting this Application.

## ALTERNATE MOTION

That Council decline Application No. 00490 for the property located at 1845 Gonzales Avenue.

Respectfully submitted,

  
Rob Bateman  
Planner  
Development Services Division

am.

  
Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: December 30, 2015

## List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated August 12, 2015
- Minutes from Fairfield Gonzales Community Association meeting dated June 15, 2015
- Plans dated November 12, 2015
- Zoning Regulation Bylaw Amendment











August 12, 2015

Mayor Helps and Council  
City of Victoria  
c/o 1 Centennial Square,  
Victoria, BC  
V8W 1P6

Dear Mayor Helps and Council,


Re: 1845 Gonzales Avenue - Garden Suite Rezoning Application

We are requesting a land use/zoning change from **R1-G** to **R1-B-GS-2** to our home at 1845 Gonzales Avenue. This change will allow us to make application to build a single detached 'Garden Suite' in the rear corner of our lot. Once built the intent is to initially house our elderly mother, offering her a semi-independent lifestyle. After she ceases to inhabit this home, it will be adopted as a rental home offered to a cross section of potential renters. As neither my husband nor I have company pension plans, it may eventually act as our home, with the larger home being rented to augment our income.

Having reviewed the City's criterion for Garden Suite rezoning, we believe that we meet all of these. The property envelopes over 8,000 sq ft, of which we propose to utilize approximately 24% of the lot, well under the allowable 40%. The proposed site location of the Garden Suite has an extremely low impact to the adjoining neighbours as it will be surrounded by neighbouring green-space and not directly abutting or close to existing buildings or homes. Our proposed Garden Suite will offer 597 square feet of living space, as allowed by the City on a lot our size. The design and site location of the Garden Suite took into consideration all required City of Victoria guidelines. The Garden Suite entrance and walk way face the main street and will be self contained meeting all building and mechanical permit requirements. The architectural building design and finish materials will blend in and compliment the surrounds. Preservation of existing landscaping will be maintained as much as possible.

We believe this rezoning will add a long term benefit to our community by offering a rental option to individuals and families that may not have the ability to purchase. This benefit will carry on long after we cease to inhabit the property. This density and diversity will have a positive, long term effect on both neighborhoods and surrounding businesses and we applaud that and would like to participate in this initiative.

Yours truly,

  
Gale L. Penhall  
Home Owner



**Minutes of Community Meeting  
Planning and Zoning Committee  
Fairfield-Gonzales Community Association (FGCA)  
June 15, 2015**

Facilitators for the FGCA: George Zador (Chair)  
Susan Snell  
Ken Roueche

**Subject property:** 1845 Gonzales Ave ; garden suite application (66 notices sent)  
Proponent/presenter: Gale Penhall, Max Maxie.

Attendance: 5 people.

**Attendee Questions and Comments:**

- Does it meet all setback requirements? Yes, more than minimum.
  - Length of construction? Using prefab components, very short time.
  - Type of exterior finish? Stained Hardie board and cedar roof.
  - Added landscaping? Yes, extensive coverage planned.
  - One neighbour extensively critical about the project: why not extend the existing home, or build basement suite instead of a separate structure that infringes on his privacy.
- Proponent responded that the garden suite is the most economically feasible way of providing separate accommodation and all efforts to ensure neighbour's privacy are demonstrated in the plans.

George Zador



**Anita Walper**

---

**From:** George Zador <planandzone@fairfieldcommunity.ca>  
**Sent:** Friday, Jun 19, 2015 12:47 PM  
**To:** caluc@victoria.ca  
**Cc:** [REDACTED]  
**Subject:** Re: FGCA Community Meeting minutes

Anita, would you please attach this note to the June 15th Minutes of the Meeting, 1845 Gonzales Ave Garden suite application.

The Minutes of the Meeting has omitted to mention a verbal detail on the assumption of it not being an issue of significance.

There was an inadvertent error in the Development Proposal notice sent to affected homes, describing the location of the project as "situated in the south-east corner" of the property.

The actual location is the south-west corner, clearly shown in the plans as submitted and shown at the meeting. Proponent Max Maxie had covered this error at the beginning of the meeting, and apologized for whatever confusion it may have caused..

**George Zador**

Planning and Zoning Chair  
Fairfield Gonzales Community Association  
1330 Fairfield Rd. Victoria, BC V8S 5J1  
[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)  
[www.fairfieldcommunity.ca](http://www.fairfieldcommunity.ca)  
Facebook

**From:** [caluc@victoria.ca](mailto:caluc@victoria.ca)  
**Sent:** Friday, June 19, 2015 11:17 AM  
**To:** [George Zador](#)  
**Subject:** FGCA Community Meeting minutes

Thank you George  
Anita

Anita Walper  
Administrative Assistant  
Sustainable Planning and Community Development  
City of Victoria  
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0212 F 250.361.0386



**From:** George Zador [<mailto:planandzone@fairfieldcommunity.ca>]

**Sent:** Friday, Jun 19, 2015 10:20 AM  
**To:** [caluc@victoria.ca](mailto:caluc@victoria.ca)  
**Cc:** Chris Coleman (Councillor)  
**Subject:** FGCA Community Meeting minutes

Attached please find Minutes of Community Meetings held at the FGCA on June 15th 2015.

**Alicia Ferguson**

---

**From:** George Zador <planandzone@fairfieldcommunity.ca>  
**Sent:** Monday, Jun 29, 2015 3:30 PM  
**To:** caluc@victoria.ca  
**Subject:** Fw: 1845 Gonzales Development Proposal

Hi Anita.....forwarding yet another submission to be added to the subject file.

Thanks and regards

George Zador.

**From:** Jim Lauder  
**Sent:** Monday, June 29, 2015 1:14 PM  
**To:** planandzone@fairfieldcommunity.ca  
**Subject:** 1845 Gonzales Development Proposal

Dear George Nador,

I was unable to attend the community meeting held on the 15th, however, I want to make it clear that my wife and I are **against** this development. We reside at 1730 Richardson St. and the proposed building would be in our view plane. I know that the neighbour who resides next door to 1845 is against the development, and also my neighbour is as well. My understanding is they both did not want to view their objection at the meeting. Most likely to avoid conflict. An open meeting can appear to be open, however, can also be a limited forum for those who are afraid to speak their truth for fear of creating conflict. I prefer to state my truth.

My objection to this proposal is based on what I have learned so far from the applicant, in person with her, and also based on information derived from my neighbour.

1. The applicant claims to make the application based on housing a relative who lives in Winnipeg. There is no evidence of that fact.
2. When I questioned the applicant, she said, that if the parent passed, then they would turn it into a public rental situation.
3. My neighbour discovered that the applicant lived in Oak Bay prior to purchasing the Gonzales home. Oak Bay allows rentals for in-laws and parents. So why did the applicant purchase in Victoria, or at least, purchase a home that could already accommodate this alleged parent? The applicant knew in advance what the bylaw currently allows!
4. There is no provision or intention to provide parking off street for this development, and I object to creating more parked cars on Gonzales. It is a narrow street that is already plagued with speeding car issues, that compromise the safety of young children who reside there. When I questioned the applicant on this issue, she stated that her mother doesn't own a car, and she argued that there was lots of parking on Gonzales and it wasn't crowded. The street in fact is crowded with cars! From a longer term perspective, when the applicant intends to rent the proposed suite out publicly, it is clear that they will not provide off street parking.



5. I moved into this area because of the beautiful environment, and the lack of development of building structures in this area. What are the environmental implications here? More sewer, less green space for birds and animals, valuable insects, drainage issues, more water cascading off a structure...etc. These are serious issues to be considered. Its time our community stood up and put a halt to development of this nature! The encroaching of our beautiful Fair Field Community must be stopped, and this is one project that needs to stopped.

In summary, the applicant knowingly has moved into this community with the expressed intention of creating a rental property that I suspect is pitched under the guise of accommodating an elderly parent who we don't even know exists! If the parent does exist, they surely could have accommodated them in another area of Victoria in a suite for them, that does not create more building in our community. The applicant was clear that she intended to rent out the proposed suite in the future.

As the Land Use Committee Chair, I thank you for your volunteer work on behalf of our beautiful Fairfield area, and I urge you to take our objection seriously and advocate for the beauty and non development of our community. Please advise what I can do as a further step to halt this development.

Sincerely,

Jim and Janine Lauder  


Melanie Stewart/Graham Whitmarsh  
1750 Richardson St.  
Victoria BC V8S 1R7



June 12, 2015

To whom it may concern,

This letter is to provide formal support to our neighbours, Gale Penhall and Maxwell Maxey, in their garden suite application.

We have met with the applicants and reviewed their plans in detail and have no concerns whatsoever with their application.

Further to this, we believe that this is the sort of thing that our city should be encouraging and we congratulate Gale and Max on making this application.

Please do not hesitate to contact us for any further information.

Sincerely,

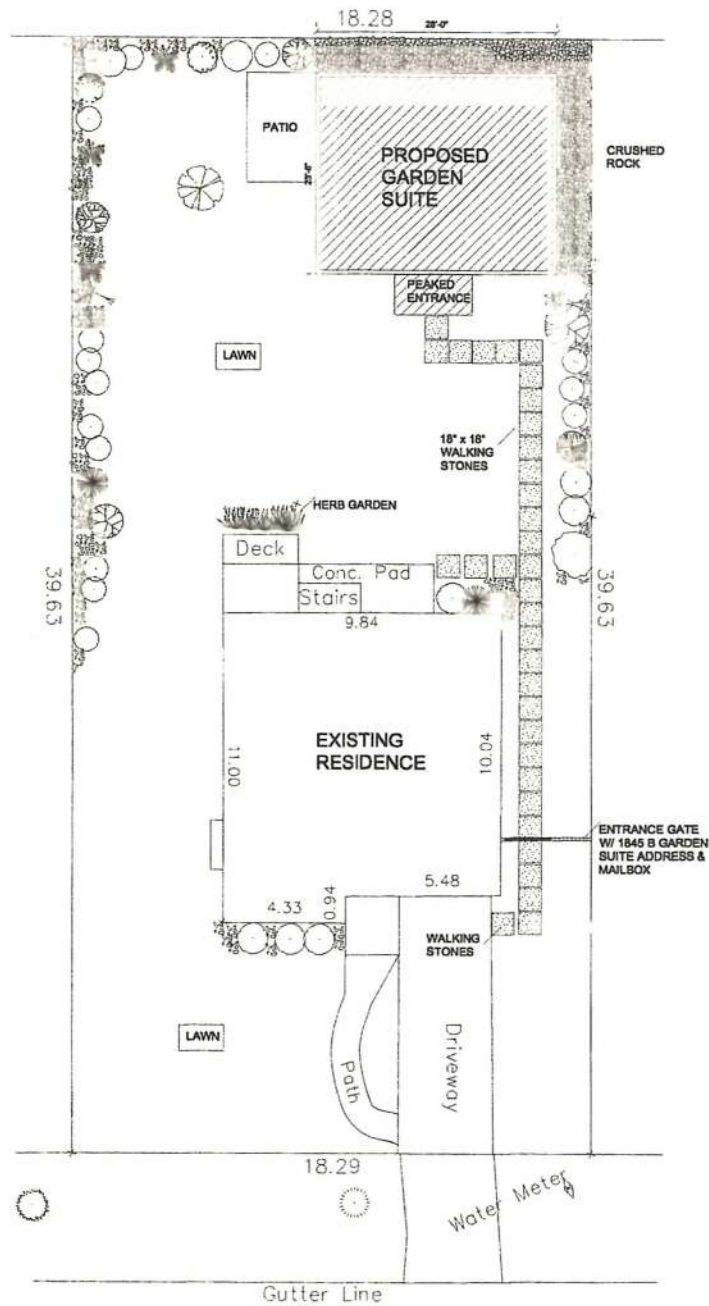
A handwritten signature in dark ink, appearing to be "Melanie Stewart/Graham Whitmarsh", written over a horizontal line.

Melanie Stewart/Graham Whitmarsh  
Owners, 1750 Richardson St., Victoria BC.









Garden legend	
	Azalea
	Penstemon
	Hazelnut
	Ratodendrum
	Boy Laurel
	Hydrangea
	Calluna
	Weeping Willow
	Willow
	Ulm
	Butterfly Bush
	Plum
	Chestnut

A  
1 SITE PLAN LANDSCAPE PLAN  
Scale: 1:100

**tdSwansburg design studio**  
#304-409 Swift St.  
Victoria, BC  
V8W 1S2  
T.250.384.3990  
F.250.384.3944

**PROJECT:**  
PROPOSED GARDEN  
SUITE FOR 1845  
GONZALES

**DWG TITLE:**  
GONZALES GARDEN  
SUITE LANDSCAPE

**SCALE:**  
1/4" = 1'-0"

**DWG. NO.:**  
R-5

**DATE:**  
2015-NOV-12

**DRAWING BY:**  
A. ROBINSON

**CHECKED BY:**  
T. RYBACK



---

# Rezoning and Development Permit Application for 1845 Gonzales Avenue



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## Neighbouring Properties – East Side



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## Neighbouring Properties – West Side





Subject Property - Front



Subject Property - Rear



### Side Property Line - East



### Rear Property Line

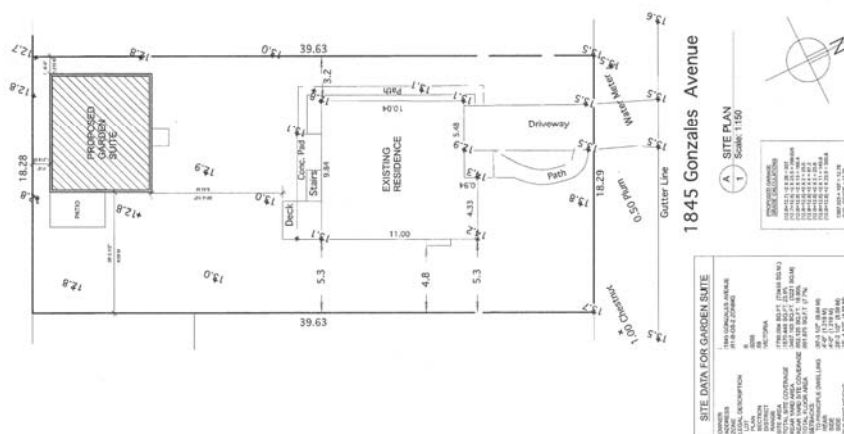


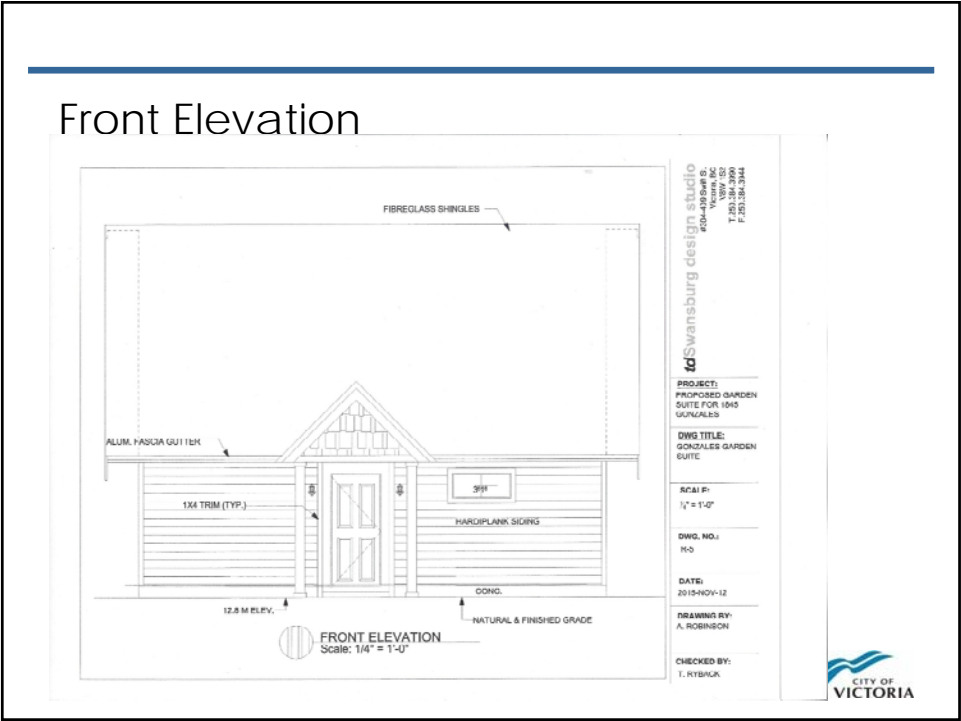
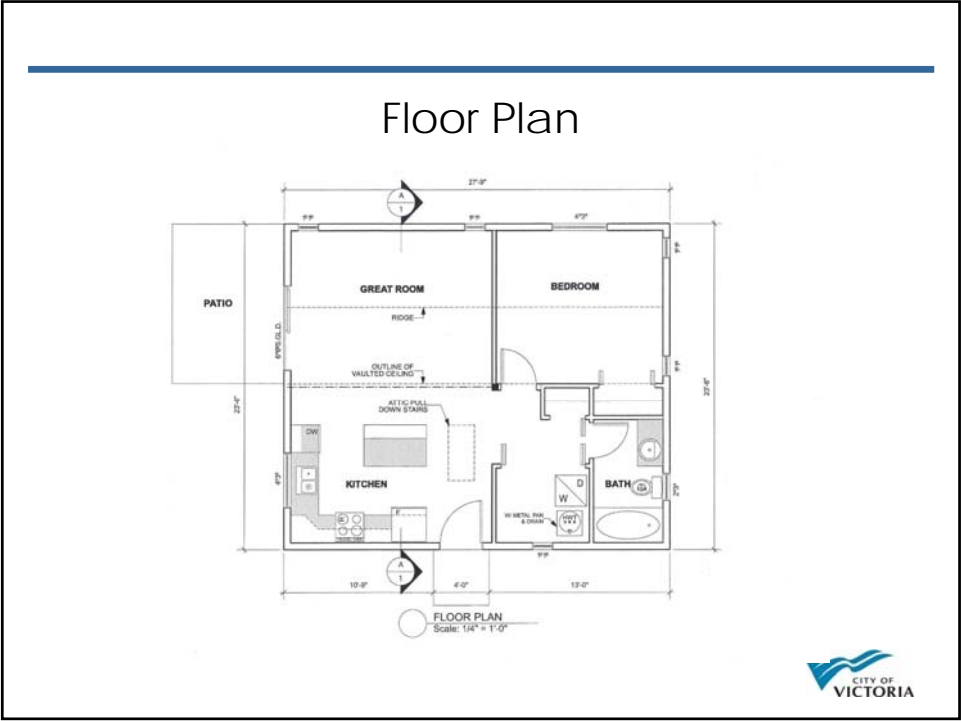


## Side Property Line - West



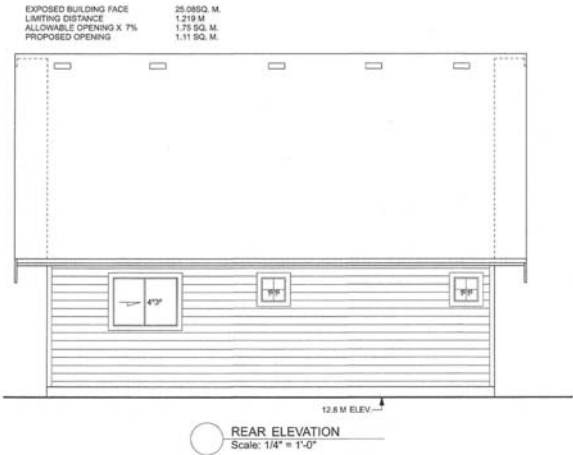
## Proposed Site Plan







Rear Elevation



Side Elevations



td Swansburg design studio  
8300-409 South St.  
Victoria BC  
V8N 1S2  
T 250.384.3990  
F 250.384.3944

PROJECT:  
PROPOSED GARDEN  
SUITE FOR 1845  
GONZALES

DWG TITLE:  
GONZALES GARDEN  
SUITE

SCALE:  
1/4\" = 1'-0"

DWG. NO.:  
R-5

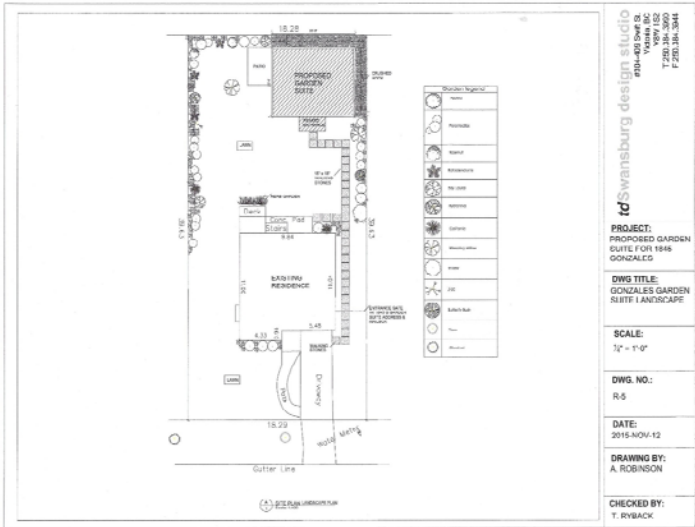
DATE:  
2015-NOV-12

DRAWING BY:  
A. ROBINSON

CHECKED BY:  
T. RYBACK



Landscape Plans







## Planning and Land Use Committee Report

For the Meeting of January 14, 2016

---

**To:** Planning and Land Use Committee **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Permit Application No. 00490 for 1845 Gonzales Avenue

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion after the Public Hearing for Rezoning Application No. 00490, if it is approved:

"That Council authorize the issuance of Development Permit Application No. 00490 for 1845 Gonzales Avenue in accordance with:

1. Plans date stamped November 12, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 920 (8) of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, siting, form, exterior design and finish of buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1845 Gonzales Avenue. The proposal is to rezone from the R1-G Zone, Gonzales Single Family Dwelling District to the R1-B-GS2 Zone, Single Family Dwelling with Garden Suite for Plus Sites District, in order to construct a garden suite.

The following points were considered in assessing this Application:

- The proposal is consistent with the objectives for sensitive infill in Development Permit Area 15E: Intensive Residential – Garden Suites of the *Official Community Plan 2012* (OCP).
- The proposal is generally consistent with the policies and design specifications of the *Garden Suite Policy* (2011).

## **BACKGROUND**

### **Description of Proposal**

The proposal is to construct a garden suite. Specific details include:

- the garden suite incorporates architectural elements from the existing residence
- the exterior materials include Hardiplank siding, Hardie shingle siding and fibreglass shingle roofing
- the unit would have a covered entry that would be oriented towards the street
- windows would be minimized on the sides facing adjacent properties
- a new patio and path to access the garden suite would be added.

### **Sustainability Features**

The applicant has not identified any sustainability features associated with this proposal.

### **Active Transportation Impacts**

The applicant has not identified any active transportation impacts associated with this Application.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Development Permit Application.

### **Existing Site Development and Development Potential**

The site is presently a single family home.

### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted with the Fairfield Gonzales CALUC at a Community Meeting held on June 15, 2015. The minutes from this meeting are attached to this report.

## ANALYSIS

### Development Permit Area and Design Guidelines

As supported in the *Garden Suite Design Guidelines*, the design of the building relates to the principal building on site and fits in with the traditional character of the neighbourhood. The garden suite has a covered front entry, a peaked roofline, exterior light fixtures and Hardie shingle siding. To address potential privacy concerns, the larger windows are located on the side facing the interior of the site. The windows on the sides facing adjacent properties are smaller and located to reduce privacy concerns.

The proposed garden suite would not be clearly visible from the street as encouraged in the *Garden Suite Design Guidelines*; however, a new entrance gate with an address sign would be added to help increase visibility from the street. The proposed landscaping blends with the existing landscaping with the addition of a path to the garden suite surfaced with walking stones and a patio located at the side entrance.

## CONCLUSIONS

This proposal to construct a garden suite is generally consistent with Development Permit Area 15E: Intensive Residential – Garden Suites. The garden suite creates an opportunity for another form of rental housing and will have minimal infringement on the neighbouring dwellings. Staff recommend that Council consider supporting this Application.

## ALTERNATE MOTION

That Council decline Development Permit Application No. 00490 for the property located at 1845 Gonzales Avenue.

Respectfully submitted,



Rob Bateman  
Planner  
Development Services Division




Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: December 30, 2015

## List of Attachments

- Zoning map
- Aerial map
- Applicant's letter to Mayor and Council dated August 12, 2015
- Minutes from Fairfield Gonzales Community Association meeting dated June 15, 2015
- Plans dated November 12, 2015.









1845 Gonzales Avenue  
Rezoning #00490  
Bylaw #





August 12, 2015

Mayor Helps and Council  
City of Victoria  
c/o 1 Centennial Square,  
Victoria, BC  
V8W 1P6

Dear Mayor Helps and Council,


Re: 1845 Gonzales Avenue - Garden Suite Rezoning Application

We are requesting a land use/zoning change from **R1-G** to **R1-B-GS-2** to our home at 1845 Gonzales Avenue. This change will allow us to make application to build a single detached 'Garden Suite' in the rear corner of our lot. Once built the intent is to initially house our elderly mother, offering her a semi-independent lifestyle. After she ceases to inhabit this home, it will be adopted as a rental home offered to a cross section of potential renters. As neither my husband nor I have company pension plans, it may eventually act as our home, with the larger home being rented to augment our income.

Having reviewed the City's criterion for Garden Suite rezoning, we believe that we meet all of these. The property envelopes over 8,000 sq ft, of which we propose to utilize approximately 24% of the lot, well under the allowable 40%. The proposed site location of the Garden Suite has an extremely low impact to the adjoining neighbours as it will be surrounded by neighbouring green-space and not directly abutting or close to existing buildings or homes. Our proposed Garden Suite will offer 597 square feet of living space, as allowed by the City on a lot our size. The design and site location of the Garden Suite took into consideration all required City of Victoria guidelines. The Garden Suite entrance and walk way face the main street and will be self contained meeting all building and mechanical permit requirements. The architectural building design and finish materials will blend in and compliment the surrounds. Preservation of existing landscaping will be maintained as much as possible.

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Yours truly,

  
Gale L. Penhall  
Home Owner





**Minutes of Community Meeting  
Planning and Zoning Committee  
Fairfield-Gonzales Community Association (FGCA)  
June 15, 2015**

Facilitators for the FGCA: George Zador (Chair)  
Susan Snell  
Ken Roueche

**Subject property:** 1845 Gonzales Ave ; garden suite application (66 notices sent)  
Proponent/presenter: Gale Penhall, Max Maxie.

Attendance: 5 people.

**Attendee Questions and Comments:**

- Does it meet all setback requirements? Yes, more than minimum.
  - Length of construction? Using prefab components, very short time.
  - Type of exterior finish? Stained Hardie board and cedar roof.
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George Zador

Anita Walper

---

**From:** George Zador <planandzone@fairfieldcommunity.ca>  
**Sent:** Friday, Jun 19, 2015 12:47 PM  
**To:** caluc@victoria.ca  
**Cc:** [REDACTED]  
**Re:** FGCA Community Meeting minutes

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**George Zador**

Planning and Zoning Chair  
Fairfield Gonzales Community Association  
1330 Fairfield Rd. Victoria, BC V8S 5J1  
[planandzone@fairfieldcommunity.ca](mailto:planandzone@fairfieldcommunity.ca)  
[www.fairfieldcommunity.ca](http://www.fairfieldcommunity.ca)  
Facebook

**From:** [caluc@victoria.ca](mailto:caluc@victoria.ca)  
**Sent:** Friday, June 19, 2015 11:17 AM  
**To:** [George Zador](mailto:George Zador)  
**Subject:** FGCA Community Meeting minutes

Thank you George  
Anita

Anita Walper  
Administrative Assistant  
Sustainable Planning and Community Development  
City of Victoria  
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0212 F 250.361.0386



**From:** George Zador [<mailto:planandzone@fairfieldcommunity.ca>]

**Sent:** Friday, Jun 19, 2015 10:20 AM  
**To:** [caluc@victoria.ca](mailto:caluc@victoria.ca)  
**Cc:** Chris Coleman (Councillor)  
**Subject:** FGCA Community Meeting minutes

Attached please find Minutes of Community Meetings held at the FGCA on June 15th 2015.

**Alicia Ferguson**

---

**From:** George Zador <planandzone@fairfieldcommunity.ca>  
**Sent:** Monday, Jun 29, 2015 3:30 PM  
**To:** caluc@victoria.ca  
**Subject:** Fw: 1845 Gonzales Development Proposal

Hi Anita.....forwarding yet another submission to be added to the subject file.

Thanks and regards

George Zador.

**From:** Jim Lauder  
**Sent:** Monday, June 29, 2015 1:14 PM  
**To:** planandzone@fairfieldcommunity.ca  
**Subject:** 1845 Gonzales Development Proposal

Dear George Nador,

I was unable to attend the community meeting held on the 15th, however, I want to make it clear that my wife and I are **against** this development. We reside at 1730 Richardson St. and the proposed building would be in our view plane. I know that the neighbour who resides next door to 1845 is against the development, and also my neighbour is as well. My understanding is they both did not want to view their objection at the meeting. Most likely to avoid conflict. An open meeting can appear to be open, however, can also be a limited forum for those who are afraid to speak their truth for fear of creating conflict. I prefer to state my truth.

My objection to this proposal is based on what I have learned so far from the applicant, in person with her, and also based on information derived from my neighbour.

1. The applicant claims to make the application based on housing a relative who lives in Winnipeg. There is no evidence of that fact.
2. When I questioned the applicant, she said, that if the parent passed, then they would turn it into a public rental situation.
3. My neighbour discovered that the applicant lived in Oak Bay prior to purchasing the Gonzales home. Oak Bay allows rentals for in-laws and parents. So why did the applicant purchase in Victoria, or at least, purchase a home that could already accommodate this alleged parent? The applicant knew in advance what the bylaw currently allows!
4. There is no provision or intention to provide parking off street for this development, and I object to creating more parked cars on Gonzales. It is a narrow street that is already plagued with speeding car issues, that compromise the safety of young children who reside there. When I questioned the applicant on this issue, she stated that her mother doesn't own a car, and she argued that there was lots of parking on Gonzales and it wasn't crowded. The street in fact is crowded with cars! From a longer term perspective, when the applicant intends to rent the proposed suite out publicly, it is clear that they will not provide off street parking.



5. I moved into this area because of the beautiful environment, and the lack of development of building structures in this area. What are the environmental implications here? More sewer, less green space for birds and animals, valuable insects, drainage issues, more water cascading off a structure...etc. These are serious issues to be considered. Its time our community stood up and put a halt to development of this nature! The encroaching of our beautiful Fair Field Community must be stopped, and this is one project that needs to stopped.

In summary, the applicant knowingly has moved into this community with the expressed intention of creating a rental property that I suspect is pitched under the guise of accommodating an elderly parent who we don't even know exists! If the parent does exist, they surely could have accommodated them in another area of Victoria in a suite for them, that does not create more building in our community. The applicant was clear that she intended to rent out the proposed suite in the future.

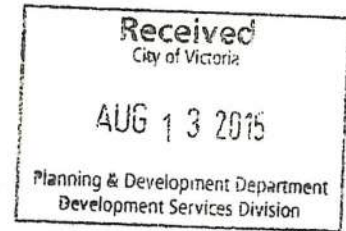
As the Land Use Committee Chair, I thank you for your volunteer work on behalf of our beautiful Fairfield area, and I urge you to take our objection seriously and advocate for the beauty and non development of our community. Please advise what I can do as a further step to halt this development.

Sincerely,

Jim and Janine Lauder



Melanie Stewart/Graham Whitmarsh  
1750 Richardson St.  
Victoria BC V8S 1R7



June 12, 2015

To whom it may concern,

This letter is to provide formal support to our neighbours, Gale Penhall and Maxwell Maxey, in their garden suite application.

We have met with the applicants and reviewed their plans in detail and have no concerns whatsoever with their application.

Further to this, we believe that this is the sort of thing that our city should be encouraging and we congratulate Gale and Max on making this application.

Please do not hesitate to contact us for any further information.

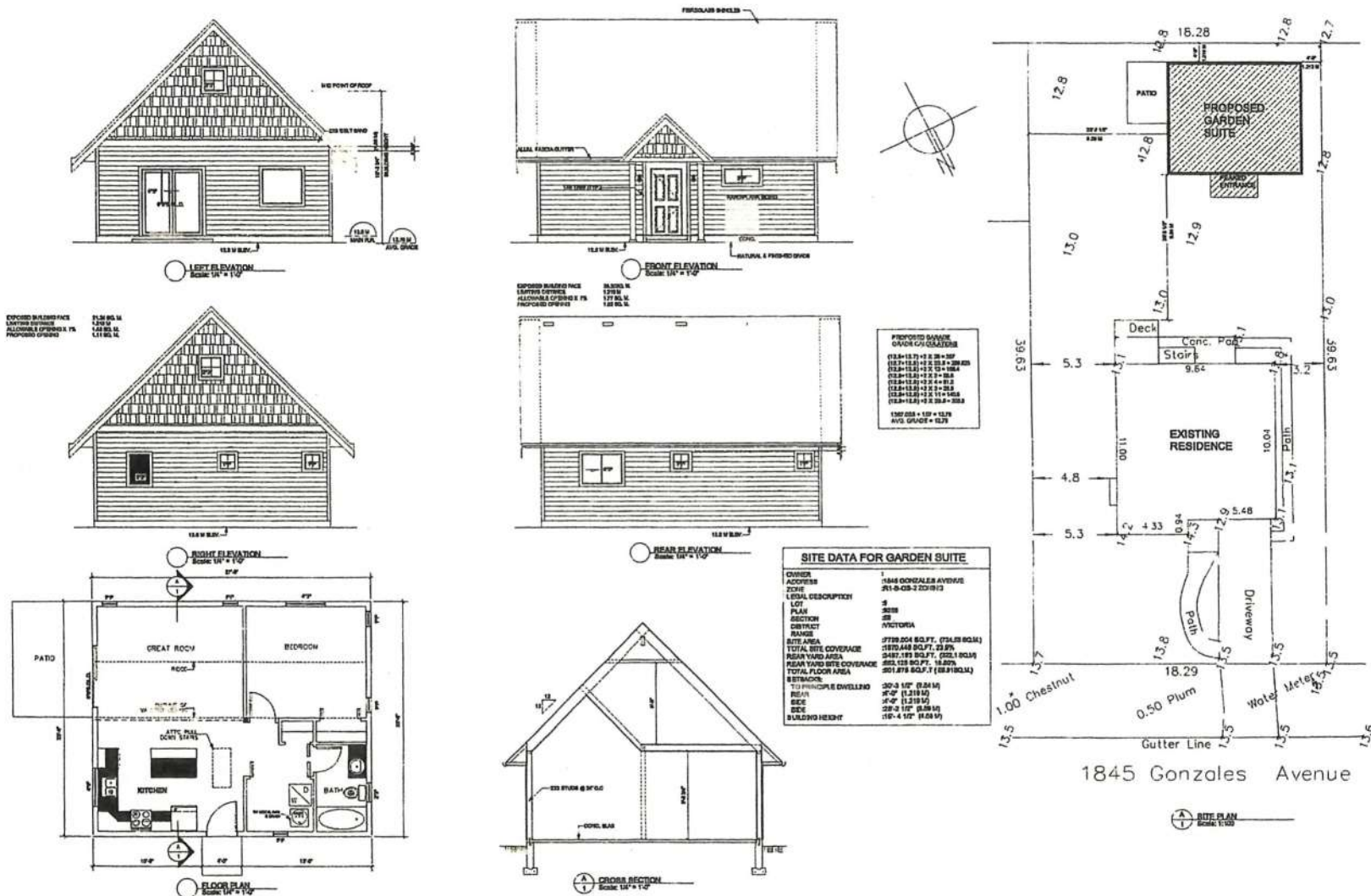
Sincerely,

A handwritten signature in dark ink, appearing to be "Melanie Stewart/Graham Whitmarsh", written over a horizontal line.

Melanie Stewart/Graham Whitmarsh  
Owners, 1750 Richardson St., Victoria BC.







#304-409 Swift St.  
Victoria, BC  
V8W 1S2  
T.250.384.3990  
F.250.384.3944

**PROJECT:**  
PROPOSED GARDEN  
SUITE FOR 1845  
GONZALES

**DWG TITLE:**  
GONZALES GARDEN  
SUITE

**SCALE:**  
1/4" = 1'-0"

**DWG. NO.:**  
R-5

**DATE:**  
2015-NOV-12

**DRAWING BY:**  
A. ROBINSON

**CHECKED BY:**  
T. RYBACK



Garden legend	
	Azalea
	Pernetleaves
	Hazelhut
	Rotolendrum
	Bay Laurel
	Hydrangea
	Callonia
	Weeping Willow
	Willow
	Lilac
	Butterfly Bush
	Plum
	Chestnut

  |

#304-409 Swift St.  
Victoria, BC  
V8W 1S2  
T.250.384.3990  
F.250.384.3944

**PROPOSED GARDEN  
SUITE FOR 1845  
GONZALES**

**GONZALES GARDEN  
SUITE LANDSCAPE**

$$\frac{1}{4}'' = 1'-0''$$

R-5

2015-NOV-12

A. ROBINSON

T. RYBACK







## Planning and Land Use Committee Report

For the Meeting of January 14, 2016

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**To:** Planning and Land Use Committee      **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Rezoning Application No. 00496 for 1122 and 1124 Leonard Street

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### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00496 for 1122 and 1124 Leonard Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

### LEGISLATIVE AUTHORITY

In accordance with Section 903 (c) of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures, as well as the uses that are permitted on the land, the location of uses on the land and within buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1122 and 1124 Leonard Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new zone in order to permit the existing non-conforming duplex to be strata titled and to alter the building.

The following points were considered in assessing this Application:

- the proposal is consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan (OCP) 2012*
- the proposal does not meet the minimum site area and lot width of the *Neighbourliness Guidelines for Duplexes 1996*
- the property has an existing duplex on it that is considered a non-conforming use
- the property is in an area that is characterized by a mix of dwelling unit types and is located close to Cook Street Village and Beacon Hill Park.

## BACKGROUND

### Description of Proposal

The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District, to a new zone in order to permit the existing non-conforming duplex to be strata titled and to alter the building. The following differences from the standard R-2 Zone, Two Family Dwelling District, are being proposed and would be accommodated in the new zone.

- reduce the site area (minimum) from 555m<sup>2</sup> to 540m<sup>2</sup>
- reduce the site area for each dwelling unit (minimum) from 277.5m<sup>2</sup> to 270m<sup>2</sup>
- reduce the lot width (minimum) from 15m to 14.25m
- increase the floor space ratio (maximum) from 0.50:1 to 0.51:1.

In addition, eight variances would be required to facilitate this development and will be discussed in relation to the concurrent Development Permit with Variances Application.

### Affordable Housing Impacts

The applicant is not proposing to create new residential units. The rezoning would permit the applicant to strata title the two existing residential units.

### Sustainability Features

The applicant has identified a number of sustainability features which will be reviewed in association with the concurrent Development Permit with Variances Application for this property.

### Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this application.

### Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

### Land Use Context

The area is characterized by single family dwellings with some attached housing and apartments. Beacon Hill Park is less than 100m away and the Cook Street Village is approximately 200m away.

### Existing Site Development and Development Potential

The site is presently a non-conforming duplex. Under the current R1-B Zone, the property could be redeveloped as a single family house with a secondary suite.

### Data Table

The following data table compares the proposal with the standard R-2 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. The aspects that would be incorporated into the new zone relate to the density of the existing duplex and size



and width of the lot. The remaining eight relaxations from the R-2 Zone would require variances, which will be addressed through the concurrent Development Permit with Variances Application.

Zoning Criteria	Proposal	Zone Standard R-2
Site area (m <sup>2</sup> ) - minimum	540*	555
Site area per unit (m <sup>2</sup> ) - minimum	270*	277.5
Density (Floor Space Ratio) - maximum	0.51:1*	0.50:1
Lot width (m) - minimum	14.25*	15
1 <sup>st</sup> & 2 <sup>nd</sup> storey floor area (m <sup>2</sup> ) - maximum	274.51	280
Combined floor area (m <sup>2</sup> ) - maximum	395.08*	380
Height (m) - maximum	8.16*	7.60
Storeys - maximum	2 w/basement*	1.5 w/basement
Site coverage % - maximum	34.70	40.00
Open site space % (lot)- minimum	43.60	30.00
Open site space % (rear)- minimum	100.00	33.00
Setbacks (m) - minimum		
Front (Leonard Street)	8.21	7.5
Rear	9.51*	13.28
Side (west)	0.99*	1.50
Side (east)	0.97*	3.00
Combined Side	1.96*	4.50
Parking - minimum	2	2
Location of Parking	Front yard*	Behind front of building

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on July 20, 2015. The minutes of this meeting are attached to this report.

## ANALYSIS

### Official Community Plan

The OCP Urban Place Designation for the subject property is Traditional Residential. In accordance with the OCP, duplexes are subject to DPA 15D: Intensive Residential – Duplex. The proposal is consistent with the objectives of DPA 15D to foster and encourage a sense of neighbourliness and help make this form of housing more accepted.

### Neighbourliness Guidelines for Duplexes

The *Neighbourliness Guidelines for Duplexes* states that an interior lot must have a width greater than 15m and a site area in excess of 670m<sup>2</sup>. Although the subject property does not meet this criteria, the proposal is to retain and stratify an existing duplex.

In addition, most of the differences between the existing non-conforming duplex and the standard R-2 Zone are proposed to be handled through the variance process (as discussed in relation to the concurrent Development Permit with Variances Application). This would require any future development to meet the standard two family dwelling siting requirements.

## CONCLUSIONS

This proposal to rezone the property to allow the non-conforming duplex to be strata titled is consistent with OCP policy. The existing duplex use would continue, however, a strata conversion would allow the tenure to change from one owner to strata ownership for each of the two dwelling units.

## ALTERNATE MOTION

That Council decline Rezoning Application No. 00496 for the property located at 1122 and 1124 Leonard Street.

Respectfully submitted,



Rob Bateman  
Planner  
Development Services Division

Qm



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:



Date: December 30, 2015

### List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated November 6, 2015
- Minutes of Community Meeting for the Fairfield-Gonzales Community Association dated July 20, 2015
- Submission drawings dated November 6, 2015.

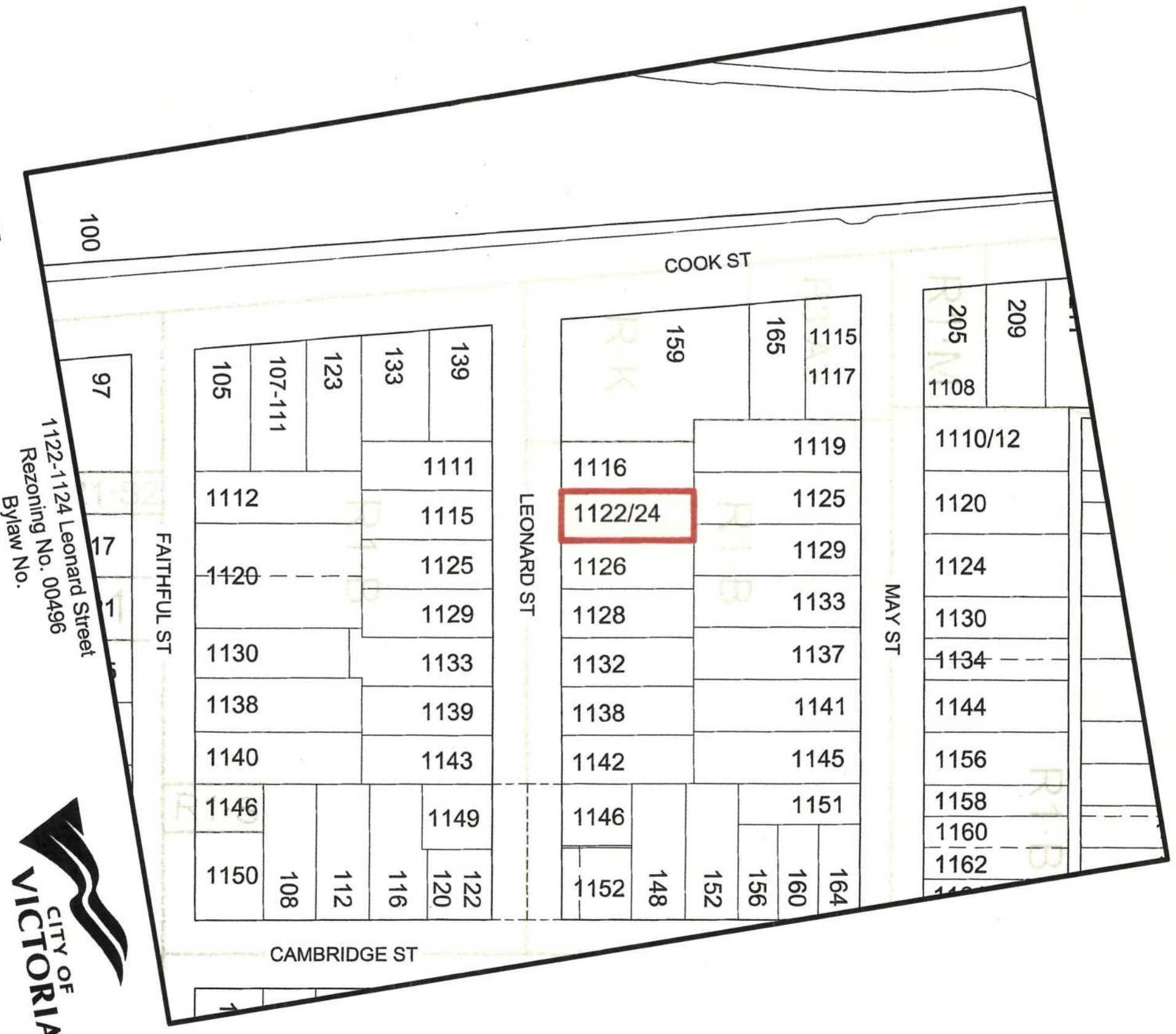




1122-1124 Leonard Street  
Rezoning No. 00496  
Bylaw No.







1122-1124 Leonard Street  
Rezoning No. 00496  
Bylaw No.



November 6, 2015

Mayor and Council  
Victoria City Hall  
1 Centennial Square  
Victoria, BC V8W 1P6

Dear Mayor and Council:

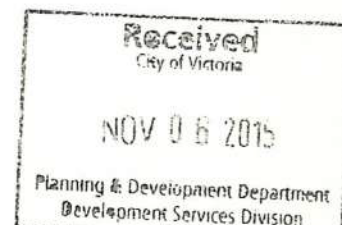
**Re: 1122/1124 Leonard Street – Rezoning to Permit a Strata Titling of an Existing Duplex**

I am the owner of the duplex located at 1122 and 1124 Leonard Street (“1122/1124 Leonard” or the “Property”). The Property is an existing, side by side duplex that was constructed in approximately 1912. I am making application to rezone 1122/1124 Leonard from R-1B to a Site Specific Zone or R2 with variances.

The purpose of the rezoning is to permit a strata titling of this existing duplex. The strata titling will not change the Property’s current configuration; it will only change the ownership tenure from one title to two strata units. The rezoning will make the property conforming and the strata titling will contribute significantly to the feasibility of completing a full renovation and renewal of the unique character of 1122/1124 Leonard. The proposal conforms to the Traditional Residential Urban Place designation in the Official Community Plan.

The following materials and plans are enclosed in support my rezoning application:

1. A Landscape Plan drafted by LADR Landscaping Ltd.
2. Photographs of 1122/1124 Leonard and the Leonard St. streetscape, as well as perspective images of the proposed renovations to the Property
3. Complete renovation plans drafted by Step One Design for the proposed upgrade of the interior and renewal of the exterior of the Property
4. “Turning Template” plans drafted by Westbrook Consulting Ltd.
5. Engineering drawings drafted by RJC
6. Photographs of the front yard parking at the duplex located at 154 and 156 Linden Ave.
7. Copies of written support for the proposal signed by Leonard Street neighbours





The proposal includes a wide range of green building features and concepts including the following:

- The building will be renovated and renewed as opposed to being torn-down and hauled to the dump - saving dump truck loads of waste.
- The building envelop was historically very poor with numerous areas of free air flow to the outdoors (you could actual see daylight coming through the outside wall in some areas). The renovation of the building will include a new, energy efficient, sealed and insulated building envelope.
- All windows and exterior doors will be replaced with energy efficient, double glazed windows and exterior swing doors with thermally broken, vinyl frames.
- The interior renovation will include a number green building features including:
  - dual flush toilets;
  - low VOC paints; and
  - Energy Star® appliances.

Due to an existing none conformance, the proposal does not meet the vehicle parking standards of Schedule C – Off-Street Parking. As is show by the enclosed plans and photographs, the side setbacks of the duplex are not wide enough to provide a driveway to the backyard.

Consequently, it is not possible provide off street parking in the backyard of the property. As a result of this existing condition, the proposal includes a plan to provide parking off the street in the front yard of the property.

The enclosed Landscape Plan illustrates the design for the proposed front yard parking included in the proposal. The plan draws from the guidelines for front yard parking that is permitted in the Gonzales neighbourhood of Fairfield and is enhanced by extensive landscaping. I engage Westbrook Consulting Ltd. to complete the enclosed “Turning Template” study which demonstrates that the front yard parking plan provide safe parking in accordance to the relevant guidelines. Steve Hutchison, Transportation Planner, City of Victoria Engineering has reviewed and supports this front yard parking plan.

The front yard parking fits in well with the Leonard St. streetscape and is strongly support by the majority of the Leonard Street neighbours. It is similar to parking at many properties on the street where owners park their cars in the front driveways to their garages. I also note that similar front yard parking was permitted at nearby duplex located at 154 and 156 Linden Ave. (see attached photos). In addition to the front yard parking I also plan to build accessory buildings in the backyards of both duplex units that will be ideal for bicycle parking.

1122/1124 Leonard has operated as a duplex since it was constructed in 1912. Over its life minimal investment has been made into the repair, maintenance and renewal of the property.



The condition of the property is very poor and not at the high standard of the homes on Leonard Street and the Cook Street Village neighbourhood.

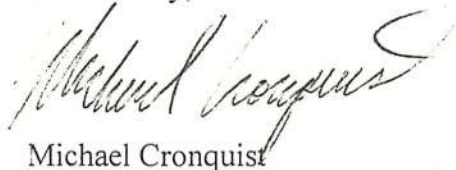
In spite of its very poor condition, 1122/1124 Leonard has “good bones” and distinctive character. It also has historical significance as it is one of the first and few homes in the city to be constructed with unique masonry block construction. The architect and builder of the duplex utilized this construction technique in the early 1900s for only a few architecturally significant homes in the area, most notably 97 Cook Street and 139 Cook Street. As shown by the enclosed plans, my proposed renovation will completely revitalize the property while preserving the original side by side duplex configuration, form and character of the exterior of the building and Leonard Street’s historic streetscape.

I have met with the vast majority of the Leonard Street neighbours, including those who are nearest to 1122/1124 Leonard, and discussed strata titling of and front yard parking at the Property. I received enthusiastic, written support for strata titling from all of these neighbours. Copies of this written support are enclosed for reference. The most predominant feedback that I received during my dialogue with these neighbours is as follows:

1. There is strong support for the proposed front yard parking at 1122/1124 Leonard
2. Parking demands on Leonard St. have increased since the construction of the new children’s park on the West side of Cook St., at Cook and Leonard. Front yard parking at 1122/1122 Leonard would be positive as it would reduce congestion on the street
3. 1122/1124 Leonard has been neglected and in very poor condition for a very long time. The upgrade and renewal of the property would have a very significant, positive impact on the neighbourhood
4. Preserving the 1122/1124 Leonard duplex building instead of demolishing and replacing it with a new building that might not fit in with the neighbourhood is desirable

Thank you for your consideration of my 1122/1124 Leonard St. rezoning application. I look forward to making a formal presentation related to my proposal in the near future.

Yours Truly,



Michael Cronquist

**Minutes of Community Meeting  
Planning and Zoning Committee  
Fairfield-Gonzales Community Association (FGCA)  
July 20, 2015**

Facilitators for the FGCA: George Zador (Chair)  
Susan Snell  
Ken Roueche

**Subject property:** 1122 -1124 Leonard St. duplex; application for strata conversion.

Proponent/owner: Mike Cronquist. 123 notices sent

This property in vacant and derelict condition for the past several years is proposed to be fully rehabilitated and rezoned to permit strata titling. The project had previously been submitted and approved in 2014, however the proponent failed to proceed and after 1 year, the application lapsed.

Attendance: 20 people (not all involved with project)

**Attendee Questions and Comments:**

- Concern expressed about City recommended site specific rezoning as most efficient, but granting the more conventional R-2 zoning would have issues in an R-1 area as well
- Parking for 2 cars provided at the front requires removal of a boulevard tree; arborist may be engaged to recommend suitable replacement.
- Are there any plans to further subdivide the two units? Absolutely none.
- Any plans to develop the basement area? Absolutely none.
- Water weeping in backyard.....it will be managed with new drain tiles.
- Covered patio in the rear will not obstruct neighbour's sightline.
- Project timeline? Will proceed immediately upon approval by City.

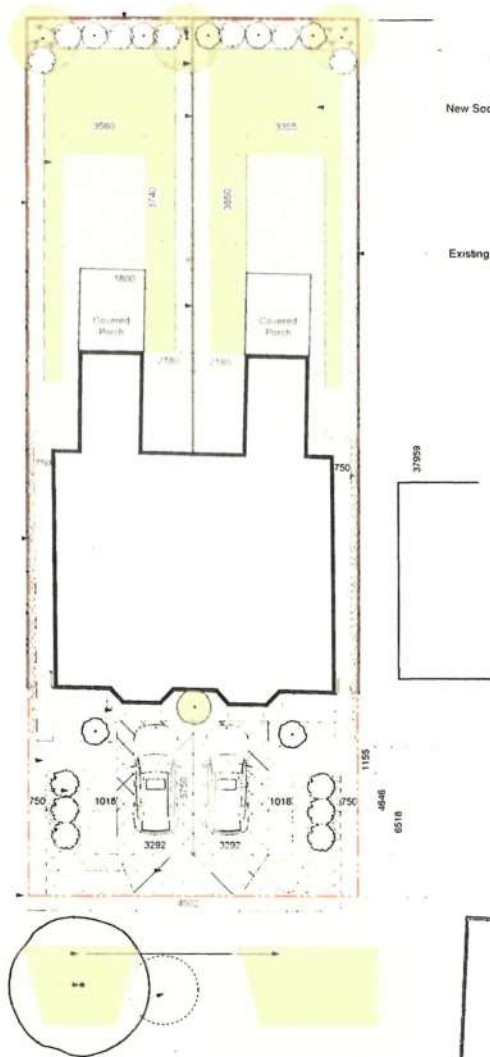
The neighbourhood would welcome the reconditioning of this unsightly building.

**George Zador**

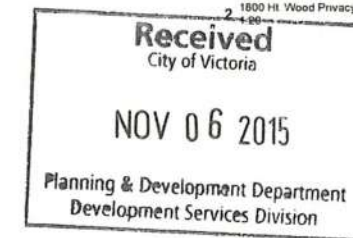
Planning and Zoning Chair  
Fairfield Gonzales Community Association  
1330 Fairfield Rd. Victoria, BC V8S 5J1  
planandzone@fairfieldcommunity.ca  
www.fairfieldcommunity.ca  
Facebook



- 3 Stewartia Trees, Viburnum & Hydrangea Shrubs Along Back Fence
- Existing Perimeter Fence Retained (Neighbour's)
- Low Growing Plants, Dwarf Sarcococca, Heavenly Bamboo, & Evergreen Clematis Vine Along Central Privacy Screen
- 1200 Ht. Wood & Steel Fence (See Detail 3 - This Sheet)
- New Sod Lawn
- Existing Perimeter Fence Retained (Neighbour's)
- 1800 Ht. Wood Privacy Screen Between Units and Porches (See Detail 2 - This Sheet)
- Existing Perimeter Fence Retained (Neighbour's)
- Mixed Bed of Drought Tolerant Shrubs & Perennials: Dwarf Strawberry Bush, Heavenly Bamboo, Hydrangea & Dwarf Roses
- Decorative Concrete Paver Entry Walkway
- Mixed Bed of Drought Tolerant Shrubs & Perennials (same both sides of driveway): Boxwood, Viburnum, Hellebores, Heavenly Bamboo, Dwarf Roses, Lavender & Blue Oat Grass
- Decorative Concrete Paver Parking Surface
- Existing Stone Wall Modified to Suit New Driveway
- New Sod on Boulevard
- Replacement Boulevard Tree (Akebono Cherry or other as determined by Parks Department)
- Existing Cherry Tree Removed



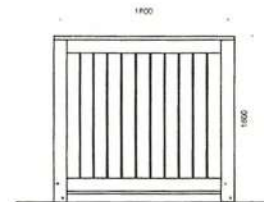
1 Landscape Plan  
1:100



### Recommended Nursery Stock

Trees			
Quantity	Botanical Name	Common Name	Size
4	Prunus, Laurus, Buxus	Eastern European Cherry	50m (3)
Large Shrubs			
Quantity	Botanical Name	Common Name	Size
1	Salix, Laurus, Prunus	European Cherry, Bush	45 pot
1	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
10	Trifolium, Laurus	European Cherry, Bush	1.0m (1)
13	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
Medium Shrubs			
Quantity	Botanical Name	Common Name	Size
10	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
Small Shrubs			
Quantity	Botanical Name	Common Name	Size
30	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
27	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
16	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
8	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
Perennials, Annuals and Ferns			
Quantity	Botanical Name	Common Name	Size
51	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
9	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
10	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
13	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
15	Malus, Laurus, Prunus	European Cherry, Bush	45 pot
Vines			
Quantity	Botanical Name	Common Name	Size
1	Malus, Laurus, Prunus	European Cherry, Bush	45 pot

- Notes:
- All work to be completed to current BCSLA Landscape Standards
  - All soft landscape to be irrigated with an automatic irrigation system



2 1800 Ht. Wood Privacy Screen



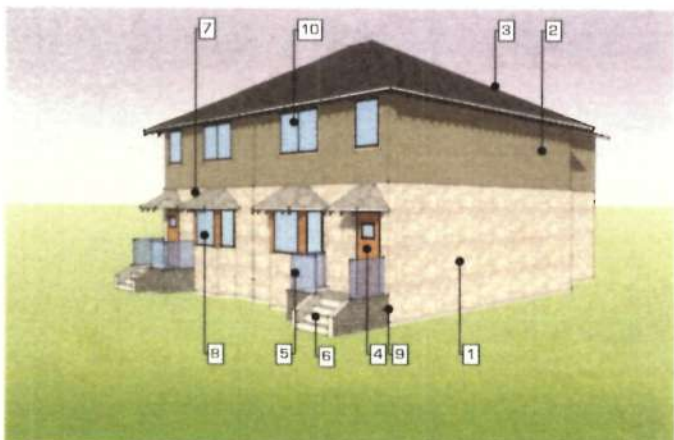
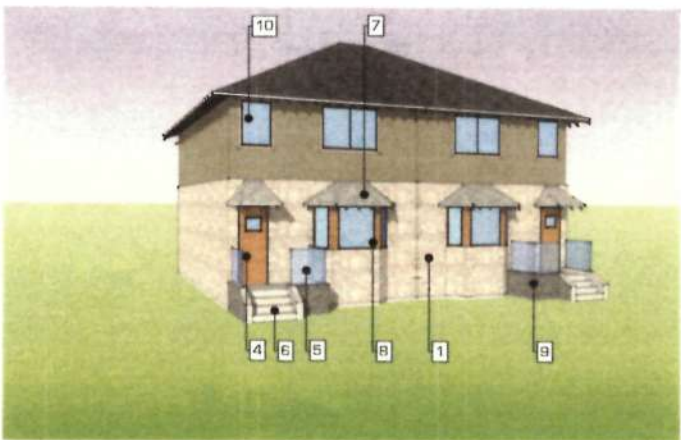
3 1200 Ht. Wood & Steel Fence

# 1122 Leonard Street - Landscape Concept (Rezoning)

# EXTERIOR MATERIAL PALETTE

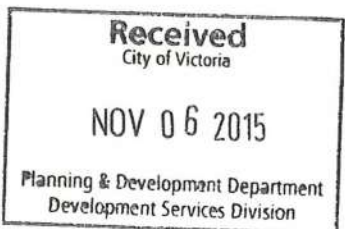
1. REFURBISHED CONCRETE BLOCK
2. ORIGINAL STUCCO REMOVED AND REPLACED WITH NEW STUCCO
3. NEW ROOFING
4. NEW SOLID WOOD EXTERIOR DOOR
5. GLASS GUARD
6. NEW CONCRETE STAIRS
7. NEW ROOFING
8. WOOD TRIM WITH CLEAR SEALER
9. MASONRY STONE VENEER
10. NEW WINDOWS

3 PROPOSED EXTERIOR FINISHES  
05 RES. STAFF



2 EXISTING EXTERIOR PHOTOS  
05 RES. STAFF

1 STREET PARKING PHOTO  
05 RES. STAFF



OUTSIDE THE LINES

Leonard Street Remodelling

1122 - 1124 Leonard Street

Victoria, BC

Map Commission

Exterior Imaging

101

1/17/2015



# Site Plan of 1122 & 1124 Leonard Street

Legal - Lot 4, Fairfield Farm Estate, Victoria City, Plan 1215

Parcel Identifier: 007-826-141

Scale - 1 : 100



All distances are shown in metres.

Tree diameters are in centimetres.

Geodetic elevations shown (in METRES)

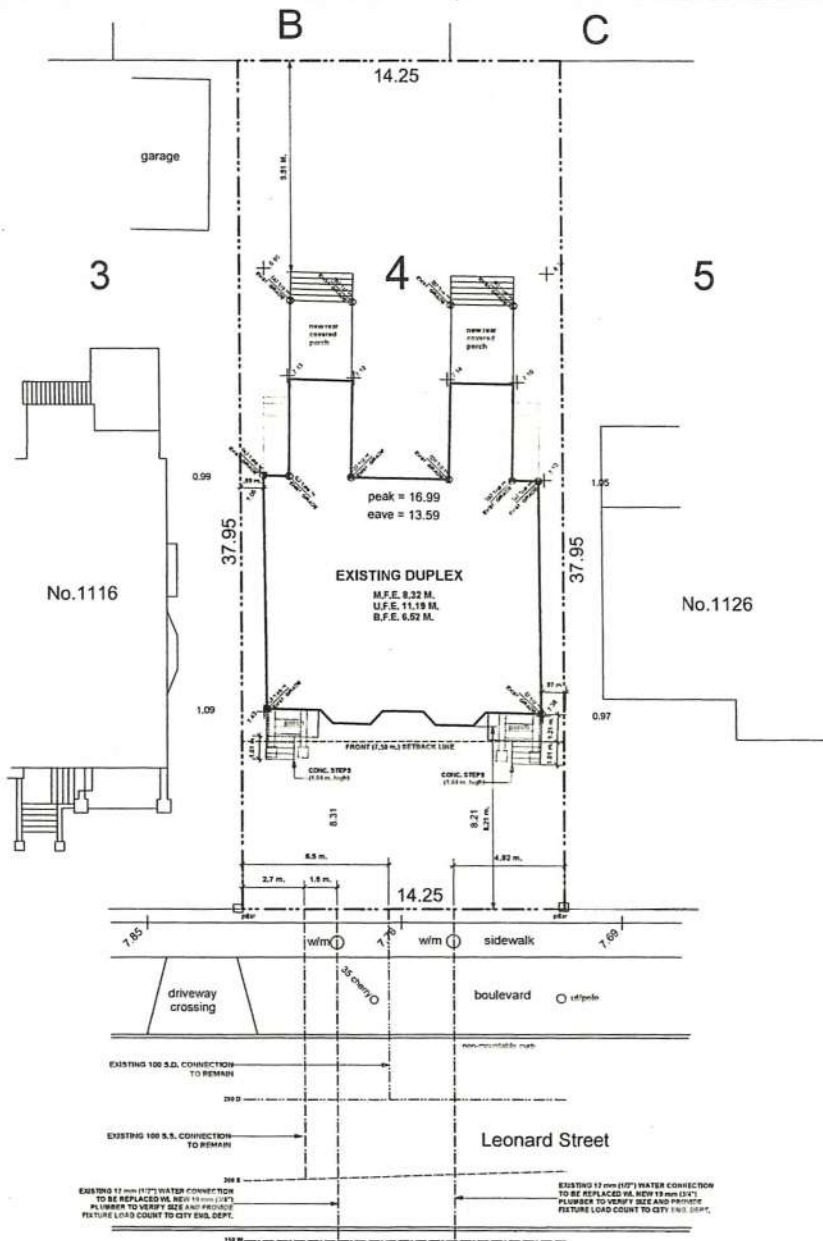
Site Area = 540 m<sup>2</sup>

SITE DATA		
ITEMS	PERMITTED	PROPOSED
LOT AREA		540.00 sq.m.
LOT COVERAGE	40.0 %	34.7 %
SETBACKS		
- FRONT (south)	7.50 m.	8.21 m.
- REAR (north)	9.48 m.	9.51 m.
- SIDE (west)	1.50 m.	*.99 m.
- SIDE (east)	2.00 m.	*.97 m.
COMB. SIDEYARDS	4.50 m.	*1.95 m.
FLOOR AREA		
- BASEMENT		120.97 sq.m.
- MAIN		141.80 sq.m.
- UPPER		132.91 sq.m.
SUB TOTAL		395.68 sq.m.
TOTAL FLOOR AREA (all levels)	300.00 sq.m.	*395.68 sq.m.
TOTAL FLOOR AREA (1st. & 2nd.)	280.00 sq.m.	*274.51 sq.m.
BUILDING HT.	7.60 m.	*9.11 m.
BUILDING HT. (no. of storeys)	2	2

\* EXISTING LEGAL NON-COMFORMING (unchanged)

A	7.13 m.	+ B	7.12 m.	div. by 2	X	2.79 m.	=	19.87
B	7.12 m.	+ C	7.12 m.	div. by 2	X	8.10 m.	=	43.41
C	7.12 m.	+ D	7.12 m.	div. by 2	X	4.39 m.	=	30.15
D	7.12 m.	+ E	7.14 m.	div. by 2	X	6.10 m.	=	43.49
E	7.14 m.	+ F	7.10 m.	div. by 2	X	2.73 m.	=	19.43
F	7.10 m.	+ G	7.10 m.	div. by 2	X	8.10 m.	=	43.31
G	7.10 m.	+ H	7.10 m.	div. by 2	X	1.13 m.	=	8.02
H	7.10 m.	+ I	7.12 m.	div. by 2	X	10.32 m.	=	73.73
I	7.12 m.	+ J	7.49 m.	div. by 2	X	12.15 m.	=	88.75
J	7.49 m.	+ K	7.08 m.	div. by 2	X	10.41 m.	=	75.73
K	7.08 m.	+ L	7.08 m.	div. by 2	X	1.13 m.	=	7.97
L	7.08 m.	+ A	7.13 m.	div. by 2	X	6.10 m.	=	43.27

TOTAL 499.15  
TOTAL 499.15 div. by 41.90 = 7.16 average grade



Received  
City of Victoria  
NOV 06 2015  
Planning & Development Department  
Development Services Division

client **MICHAEL CRONQUIST**  
project **PROPOSED RENOVATION OF EXISTING DUPLEX**  
address **1122 & 1124 LEONARD STREET**  
municipality **THE CITY OF VICTORIA, B.C.**

step one  
design  
"Your Best Interest is Our First Step"  
887 Rogers Way  
Victoria, BC V8W 2G1  
778-433-1434 or 250-686-3729  
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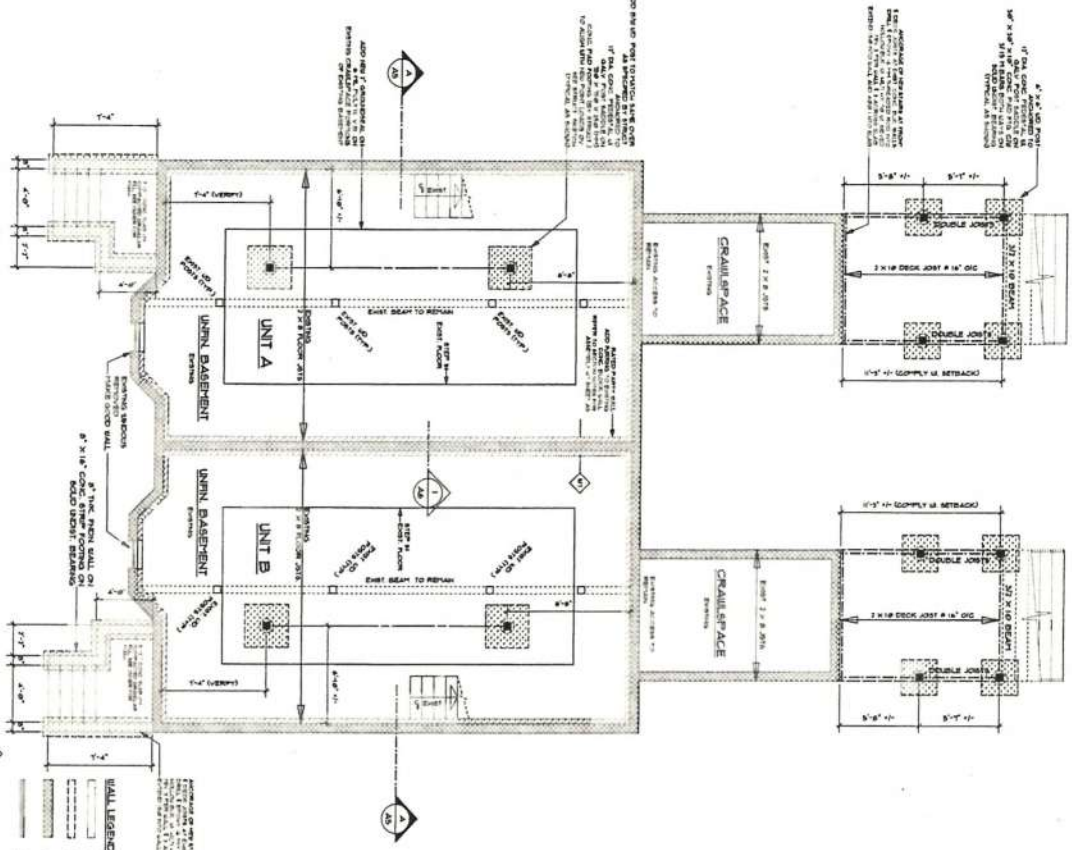
List of Drawings  
A1 SITE PLAN  
A2 BASEMENT & MAIN FLOOR PLAN  
A3 UPPER FLOOR & ATTIC PLAN  
A4 ELEVATIONS  
A5 CROSS SECTION  
A6 DETAILS

ISSUED/REVISED  
NO. DATE DESCRIPTION  
01 09/04/13 D.P. SUBMITTAL  
02 02/24/13 CLIENT REV  
03 09/04/13 PORCH REV

Drawing no. 2012-0-CRO  
Date SEPT. 14 / 2015  
Scale AS SHOWN  
Drawn / M. DUNSHUIR  
Checked /  
Sheet no. of  
A1 A6

## BASEMENT FLOOR PLAN

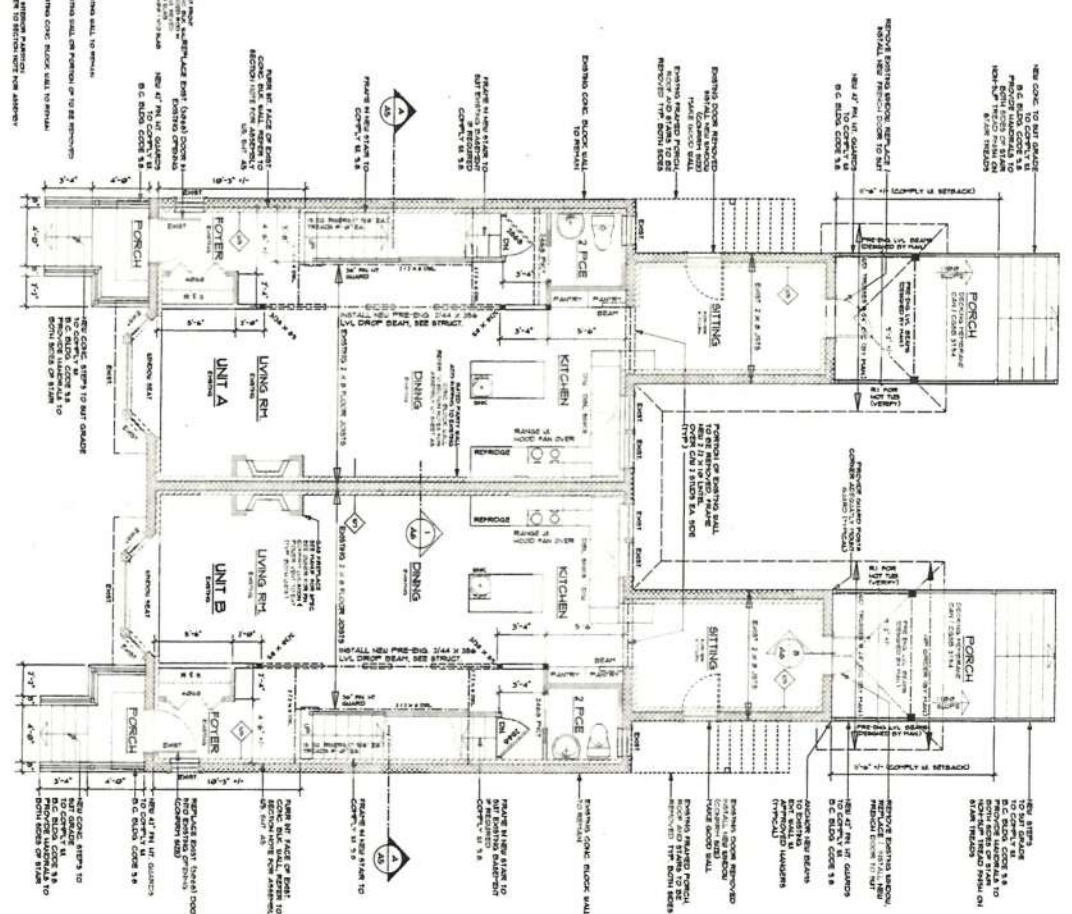
A2 SCALE: 1/4" = 1'-0"



## MAIN FLOOR PLAN

A2 SCALE: 1/4" = 1'-0"

NO FLOOR AREA TO BE ACCESSED  
ALL WORK TO BE CONTAINED  
WITHIN WALLS, CEILING, FLOOR  
TO INTERIOR RENOVATION



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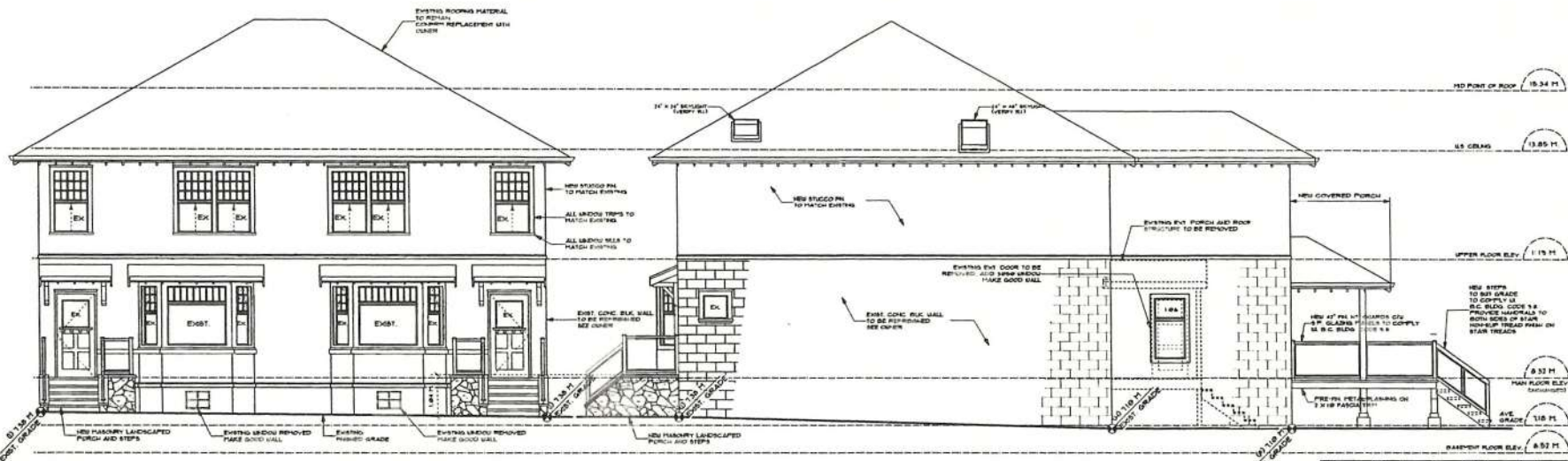
778-433-1434 or 250-634-3729  
Email: [info@steponedesign.ca](mailto:info@steponedesign.ca)  
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817 Rogers Way  
Victoria B.C.  
V8X-5L1

client	MICHAEL CRONQUIST
project	PROPOSED RENOVATION OF EXISTING DUPLEX
address	1122 E 1124 LEONARD STREET
municipality	THE CITY OF VICTORIA, B.C.







1 FRONT (SOUTH) ELEVATION  
SCALE: 1/4" = 1'-0"

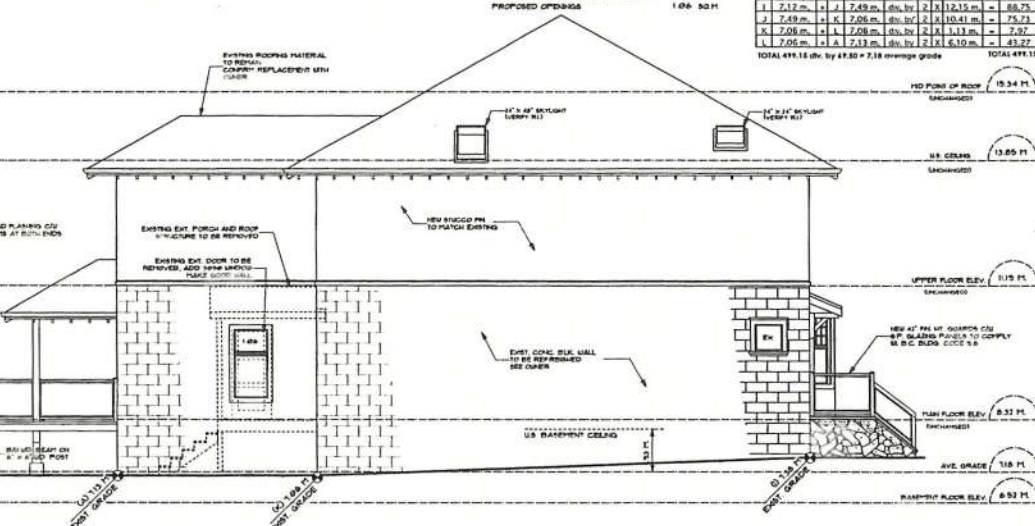
2 RIGHT (EAST) ELEVATION  
SCALE: 1/4" = 1'-0"

CONCORD TO TABLE 310.1.4. B.C. BLDG. CODE  
LISTING DISTANCE (SETBACK) 213 FT.  
AREA OF EXPOSED BUILDING FACE 2512 SQ. FT.  
ALLOWABLE OPENING PERCENTAGE 12.0 %  
ALLOWABLE OPENING AREA PROPOSED 3.45 SQ. FT.  
PROPOSED OPENINGS 1.06 SQ. FT.

A	7.13 m	H	7.12 m	div. by	2 X 12.29 m	=	19.87
B	7.12 m	C	7.12 m	div. by	2 X 12.29 m	=	47.43
C	7.12 m	D	7.12 m	div. by	2 X 12.29 m	=	32.15
D	7.12 m	E	7.12 m	div. by	2 X 12.29 m	=	43.49
E	7.14 m	F	7.10 m	div. by	2 X 12.29 m	=	19.13
F	7.10 m	G	7.10 m	div. by	2 X 12.29 m	=	49.11
G	7.10 m	H	7.10 m	div. by	2 X 12.29 m	=	8.02
H	7.10 m	I	7.12 m	div. by	2 X 12.29 m	=	73.71
I	7.17 m	J	7.49 m	div. by	2 X 12.29 m	=	88.75
J	7.49 m	K	7.06 m	div. by	2 X 12.29 m	=	75.73
K	7.06 m	L	7.06 m	div. by	2 X 12.29 m	=	7.97
L	7.06 m	M	7.13 m	div. by	2 X 12.29 m	=	43.27
TOTAL 491.15 div. by 47.50 = 7.38 average grade						TOTAL 491.15	



3 REAR (NORTH) ELEVATION  
SCALE: 1/4" = 1'-0"



4 LEFT (WEST) ELEVATION  
SCALE: 1/4" = 1'-0"

CONCORD TO TABLE 310.1.4. B.C. BLDG. CODE  
LISTING DISTANCE (SETBACK) 213 FT.  
AREA OF EXPOSED BUILDING FACE 2512 SQ. FT.  
ALLOWABLE OPENING PERCENTAGE 12.0 %  
ALLOWABLE OPENING AREA PROPOSED 3.45 SQ. FT.  
PROPOSED OPENINGS 1.06 SQ. FT.

MICHAEL CRONQUIST

PROPOSED RENOVATION OF  
EXISTING DUPLEX

1122 & 1124 LEONARD STREET

THE CITY OF VICTORIA, B.C.

client

project

address

municipality

step one  
design

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Victoria B.C.  
V8C 5L1

PH: 778-433-3278 or 250-433-3278  
email: info@steponedesign.ca  
www.steponedesign.ca

Planning and Land Use Committee 14 Jan 2016

List of Drawings  
A1 SITE PLAN  
A2 BASEMENT & MAIN FLOOR PLAN  
A3 UPPER FLOOR & ATTIC PLAN  
A4 ELEVATIONS  
A5 CROSS SECTION  
A6 DETAILS

NO.	DATE	DESCRIPTION
01	09/04/15	01 P. EXISTING CON
02	02/14/15	02 CLIENT REV
03	09/04/15	03 PORCH REV

drawing no. 2012-0-CRD  
date SEPT. 14 / 2015  
scale AS SHOWN  
drawn / designed M.DUNSMUIR  
sheet no. A4 A6

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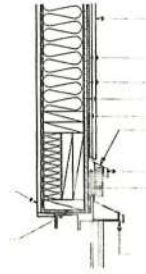
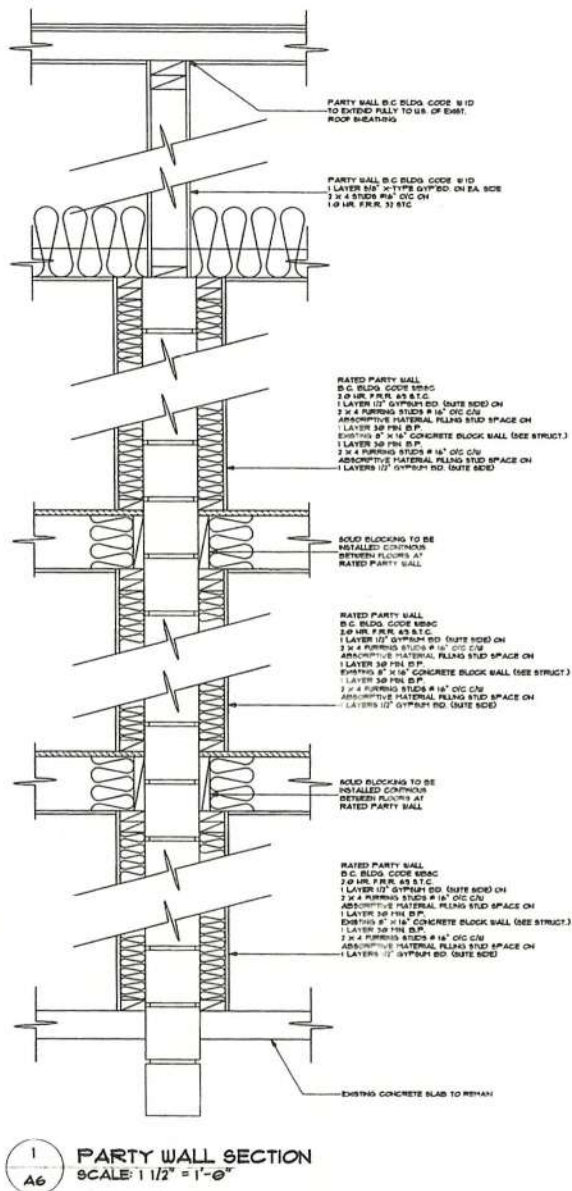


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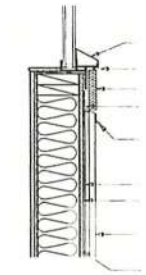
F1. ADD 6" WOOD POST TO MATCH SAME OVER AS SPEC'D BY STRUCT. ANCHORED TO 12" DIA CONC. PIEDestal ON CONC. PAD FOOTING. SOLID UNDET. BEARINGS TO ALIGN WITH LOADS OV. SEE STRUCTURAL ENGINEER NEW LINE POST AND PAD FIG. IN BASEMENT.

F2. 6" x 6" SOLID WOOD POST ANCHORED TO 12" DIA CONC. PIEDestal ON 36" x 36" x 16" CONC. PAD FOOTING C/N 3/16 IN BARS BOTH SAYS ON SOLID UNDET. BEARINGS TO ALIGN NEW REAR COVERED PORCH, NOT IN SECT.

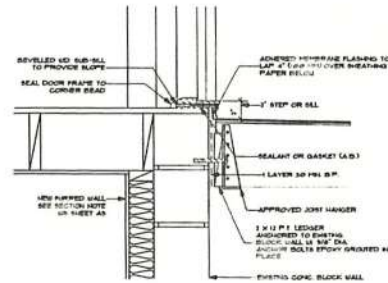
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2 TYP. WINDOW HEAD DETAIL- UPPER FLOOR  
SCALE: 1 1/2" = 1'-0"



3 TYP. WINDOW SILL DETAIL-UPPER FLOOR  
SCALE: 1 1/2" = 1'-0"



4 DOOR SILL PROTECTED MEMBRANE  
SCALE: 1 1/2" = 1'-0"

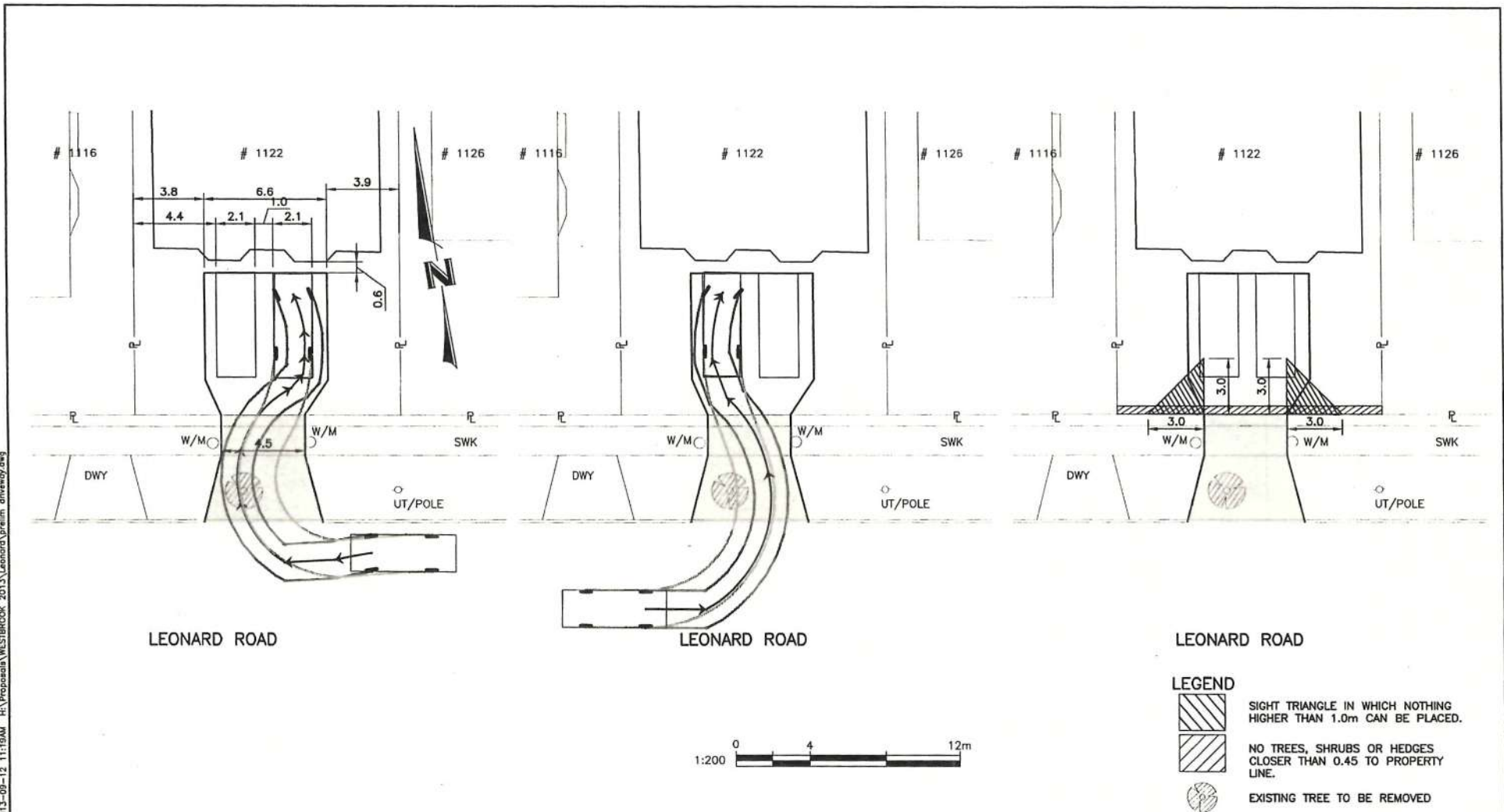
client **MICHAEL CRONQUIST**  
project **PROPOSED RENOVATION OF EXISTING DUPLEX**  
address **1122 & 1124 LEONARD STREET**  
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List of Drawings		
A1	SITE PLAN	
A2	FLOOR PLAN & MAIN FLOOR PLAN	
A3	UPPER FLOOR & ATTIC PLAN	
A4	ELEVATIONS	
A5	CROSS SECTION	
A6	DETAILS	
ISSUED/REVISED		
NO.	DATE	DESCRIPTION
01	01/04/15	B.P. SUBMISSION
02	02/24/15	CLIENT REV
03	09/04/15	PORCH REV
drawing no. 1012-0-CRD		
date DEPT. 14 / 2015		
DESIGNED BY SHAWN		
drawn / designed	M. DUNSMUIR	
sheet no.	A6	

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REVISIONS				DESIGNED
				DRAWN PC
				CHECKED
				DATE SEPT 2013
				B.M.
				ELEV.
				SCALE Horz. 1:200
No.	DESCRIPTION	DATE	SIGN	Vert.



**WESTBROOK**  
**Consulting Ltd.**

#115 - 866 Goldstream Ave., Victoria, BC V9B 0J3  
Telephone: 250-391-8592 Facsimile: 250-391-8593

PROJECT  
1122 LEONARD ROAD

WESTBROOK PROJECT No.

GOVERNING AUTHORITY FILE No.

SHEET	OF	REV.
1	1	

WESTBROOK DRAWING No.  
FIG 1

TURNING TEMPLATE  
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NOV 06 2015

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**General Notes:**

All work to conform to the British Columbia Building Code (BCBC) 2006 and referenced documents. Wood framing to BCBC 2006 – Part 9 as a minimum.

Renovations have been designed to maintain the structural capacity of the original base structure.

**Material Notes:**

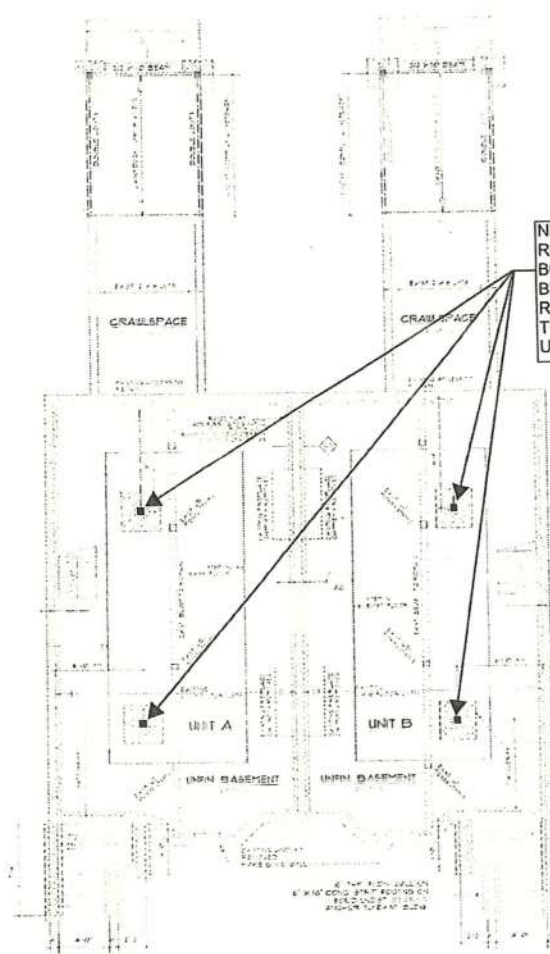
Wood framing to be SPF No. 2 Grade unless noted otherwise.

**Renovation Notes:**

The structural drawings are based on assumed as-built conditions for the existing structure. The actual conditions may vary and the contractor shall immediately inform the consultant of any variations from the assumed conditions. New openings in existing structure to be marked out by the contractor and reviewed by RJC prior to any cutting. No overcutting is permitted. The contractor is responsible for safety in and about the jobsite during construction, and the design and erection of all temporary formwork and shoring required to complete the work.

RJC to review the existing structure and framing, and all deficiencies are to be repaired by the owner's contractor as per RJC's instructions.

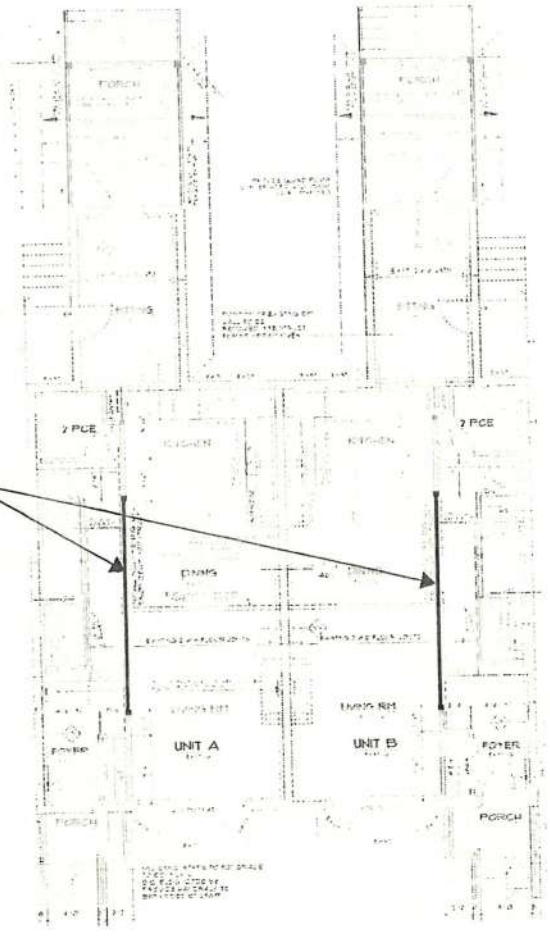
*Jan 24/13*



**BASEMENT FLOOR PLAN**

NEW 750x750x250 DP. FOOTING REINF. WITH 3-15M600 E.W. BOT. (MIN 145 kPa ALLOWABLE BEARING) C/W 250x250 PEIR R/W 4-15M VERTS. 10M@250 TIES AND 140x140 POSTS TO U/S OF MAIN FLOOR

NEW 2 PLY 44X356 2.0E BEAM WITH 3-38x89 SPF NO. 2 STUDS UNDER EACH END



**MAIN FLOOR PLAN**

**Received**  
City of Victoria  
  
**NOV 06 2015**  
  
Planning & Development Department  
Development Services Division

**rjc** Read Jones Christoffersen  
Consulting Engineers  
  
Suite 220, 645 Tyee Road  
Victoria, BC V9A 6X5 Canada  
Office 250 386-7794 Fax 250 381-7900  
www.rjc.ca

Project Name  
**1122 LEONARD STREET**  
  
Sketch Title  
**MAIN / BASEMENT FLOOR**

Dwg. Ref.  
Scale NTS  
Date JAN 24, 2013  
Project No. VIC.108134.001  
Sketch Number  
**SSK-01**



Rezoning and  
Development Permit with  
Variances Application  
for  
1122 and 1124 Leonard Street



---

Subject Site - Front



---

Adjacent Property to West





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### Adjacent Property to East



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### Subject Site – Back of building



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### Subject Site – Rear Lot Line



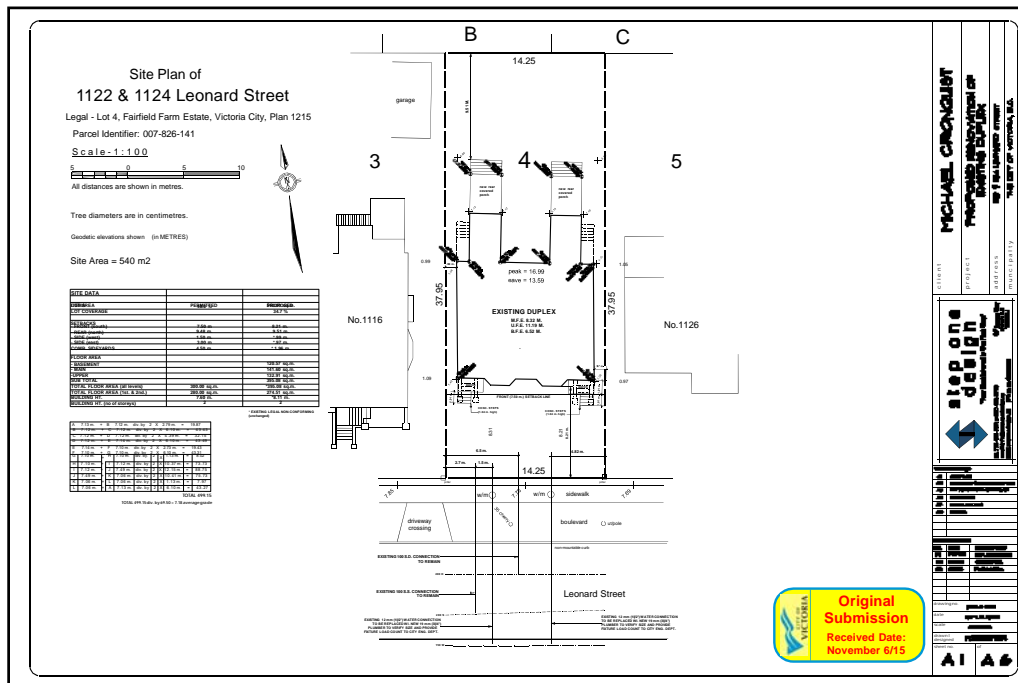
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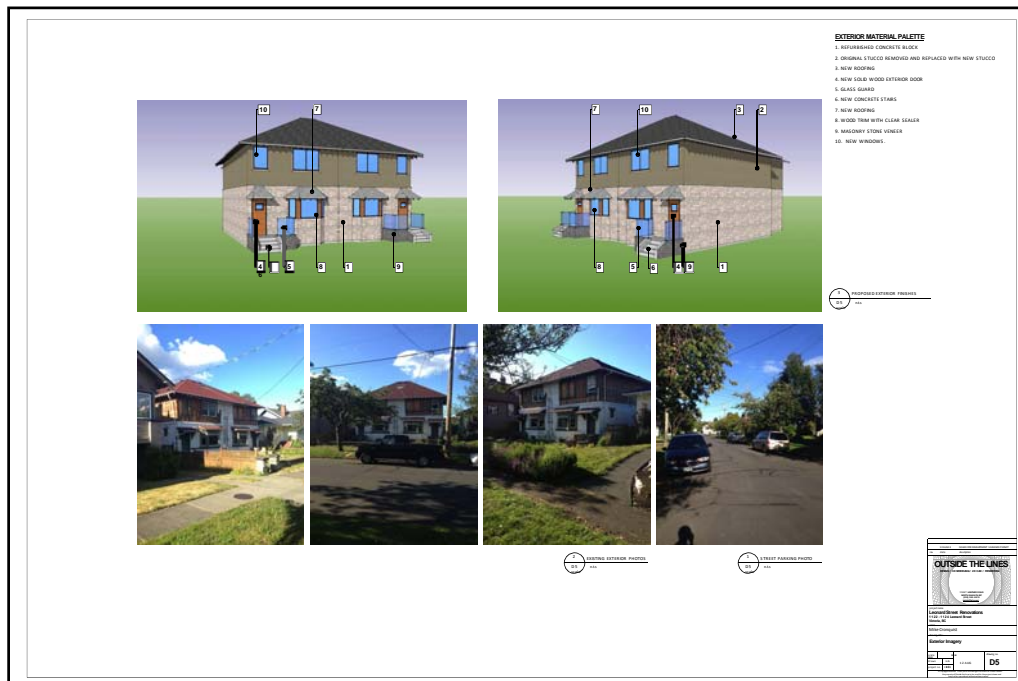
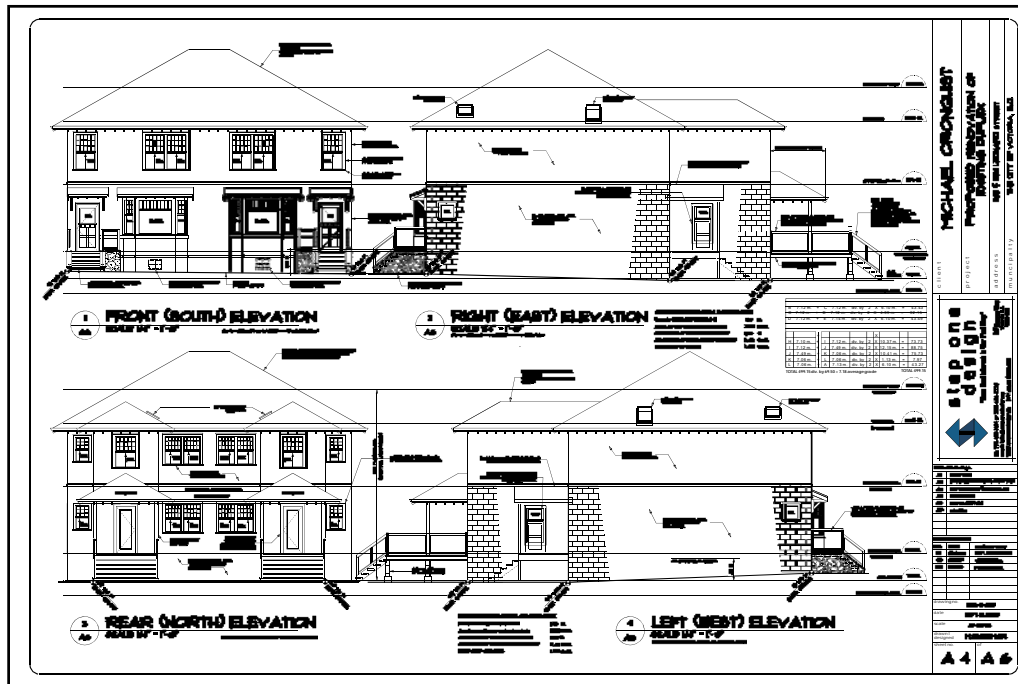
### Subject Site – Side Lot Line (East)



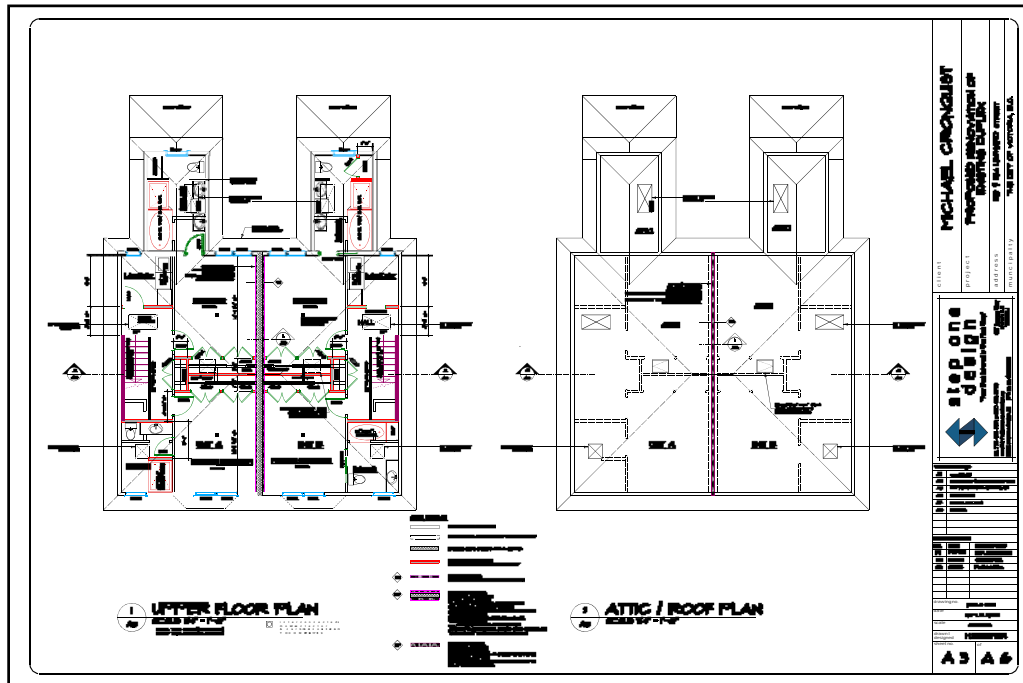
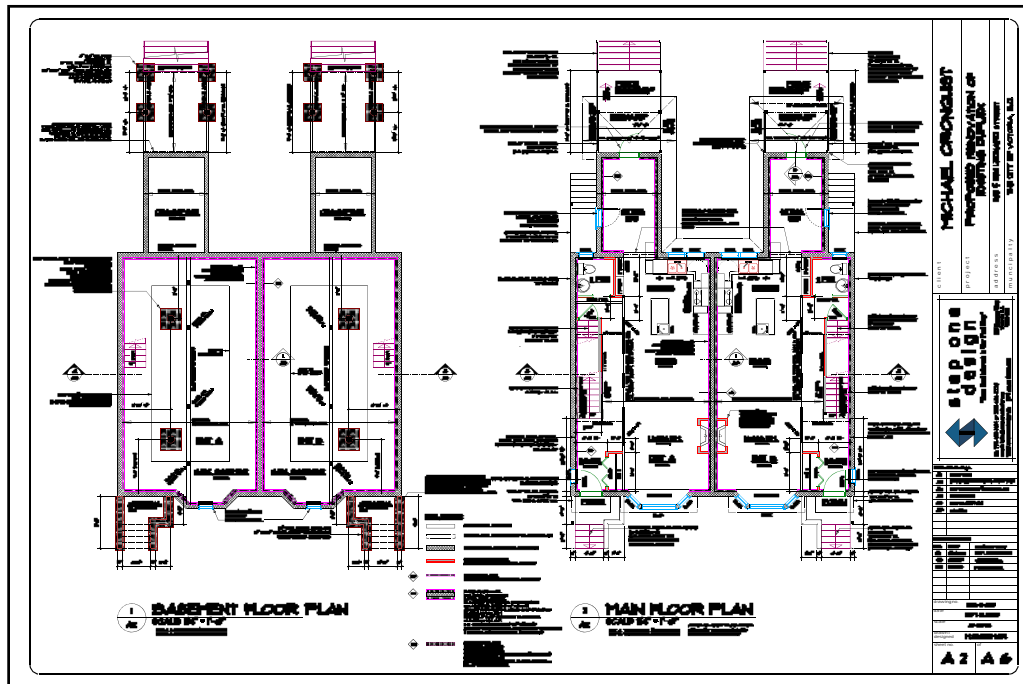


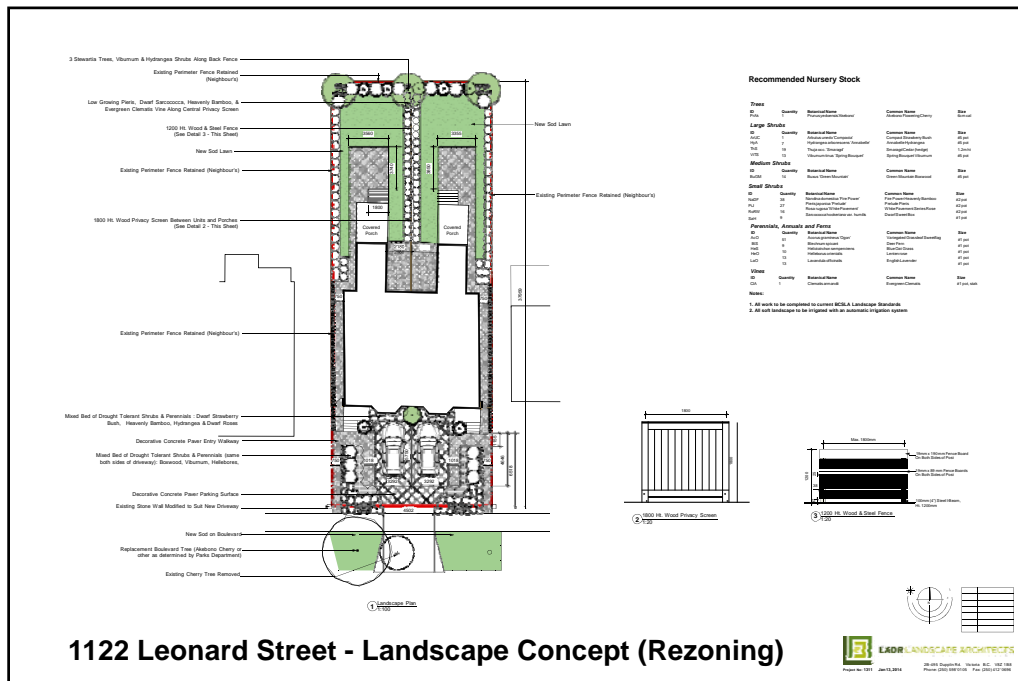
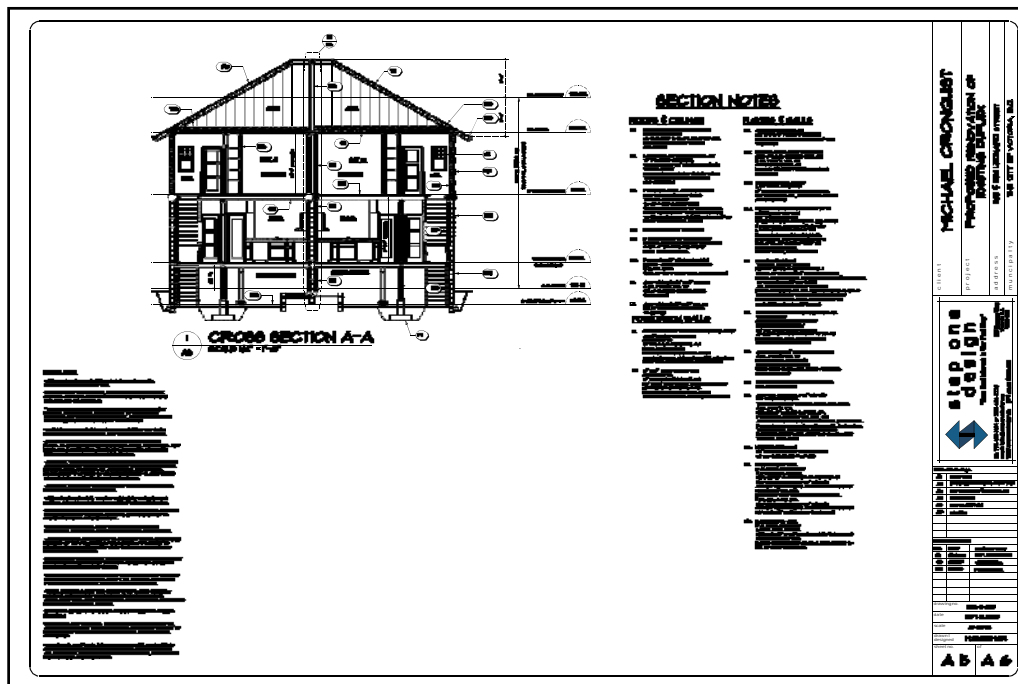
## Subject Site – Side Lot Line (West)













## Planning and Land Use Committee Report

For the Meeting of January 14, 2016

---

**To:** Planning and Land Use Committee      **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Permit with Variances Application No. 00496 for 1122 and 1124 Leonard Street

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00496, if it is approved, Council consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00496 for 1122 and 1124 Leonard Street, in accordance with:

1. Plans date stamped November 6, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Part 2.1.3 (d): Increase the combined floor area from 380m<sup>2</sup> to 395.08m<sup>2</sup>;
  - ii. Part 2.1.4 (a): Increase the height from 7.6m to 8.16m;
  - iii. Part 2.1.4 (a): Increase the height from 1.5 storeys with a basement to 2 storeys with a basement;
  - iv. Part 2.1.5 (b): Reduce the rear yard setback from 13.28m to 9.51m;
  - v. Part 2.1.5 (c): Reduce the side yard (west) setback from 1.5m to 0.99m;
  - vi. Part 2.1.5 (c): Reduce the side yard (east) setback from 3.0m to 0.97m;
  - vii. Part 2.1.5 (d): Reduce the combined side yard setbacks from 4.5m to 1.96m;
  - viii. Schedule "C" (3): Permit parking to be located between the building and the front lot line.
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the bylaw.

Pursuant to Section 920 (8) of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential



development, a Development Permit may include requirements respecting the character of the development including landscaping, siting, form, exterior design and finish of buildings and other structures.

## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 1122 and 1124 Leonard Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District to a new zone in order to permit the existing non-conforming duplex to be strata titled and to alter the building.

The following points were considered in assessing this Application:

- the proposal is consistent with the objectives for sensitive infill in Development Permit Area 15D: Intensive Residential – Duplex of the *Official Community Plan 2012* (OCP)
- the proposal is generally consistent with the policies and design specifications of the *Neighbourliness Guidelines for Duplexes* (1996)
- the proposed variances relate to floor area, height, number of storeys, rear and side setbacks and locating parking in the front yard. These variances are required to facilitate the retention of the existing building and reflect the current conditions.

## BACKGROUND

### Description of Proposal

The proposal is to strata title an existing non-conforming duplex and to alter the building. Specific details include:

- exterior materials include new stucco, roofing and windows with wood trim
- the existing concrete block is to be retained and refurbished
- the entryways of each dwelling will have new solid wood doors, glass guards, concrete stairs and masonry stone veneer
- a covered porch will be added at the rear of each dwelling.

### Sustainability Features

As indicated in the applicant's letter dated November 6, 2015, the following sustainability features are associated with this proposed development:

- renovation of an existing building instead of demolition reduces waste
- improvements to the building envelope increases energy efficiency
- new windows and exterior doors will be more energy efficient
- the interior renovation will include dual flush toilets, low VOC paints and energy star appliances.

### Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this Application.

## **Public Realm Improvements**

No public realm improvements are proposed in association with this Development Permit with Variances Application.

## **Existing Site Development and Development Potential**

The site is presently a non-conforming duplex.

## **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on July 20, 2015. The minutes of this meeting are attached to this report.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

## **ANALYSIS**

### **Development Permit Area and Design Guidelines**

The *Official Community Plan (OCP)* identifies this property within Development Permit Area 15D: Intensive Residential - Duplex. The proposal is to alter an existing non-conforming duplex, including changes to exterior materials and design and is consistent with the *Neighbourliness Guidelines for Duplexes*.

The proposed improvements would help emphasise a positive street appearance with exterior materials that suit the existing building and adjacent buildings. Both units are oriented towards the street with covered entrances and windows facing it.

The applicant is proposing a mix of hard and soft landscaping, including parking, walkways, patios surfaced with decorative concrete pavers, the addition of a new ground cover, shrubs and trees.

### **Regulatory Considerations**

To facilitate the Rezoning Application from the R1-B Zone to a new zone based on the R-2 Zone, eight variances would be required. The variances are the result of the siting and size of the existing duplex and reflect the current conditions. The following table summarizes the proposed variances.

Zoning Criteria	Proposed Variance	Zone Standard R-2
Combined floor area (m <sup>2</sup> ) - maximum	395.08	380
Height (m) - maximum	8.16	7.60
Storeys - maximum	2 w/basement	1.5 w/basement
Setbacks (m) - minimum		
Rear	9.51	13.28
Side (west)	0.99	1.50
Side (east)	0.97	3.00
Combined Side	1.96	4.50
Location of Parking	Front yard	Behind front of building

## CONCLUSIONS

This proposal to alter an existing non-conforming duplex is consistent with Development Permit 15D: Intensive Residential – Duplex. The proposed variances would not have a substantial impact on the adjacent properties. Staff recommend that Council consider supporting this Application.

## ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00496 for the property located at 1122 and 1124 Leonard Street.

Respectfully submitted,



Rob Bateman  
Planner  
Development Services Division

am



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

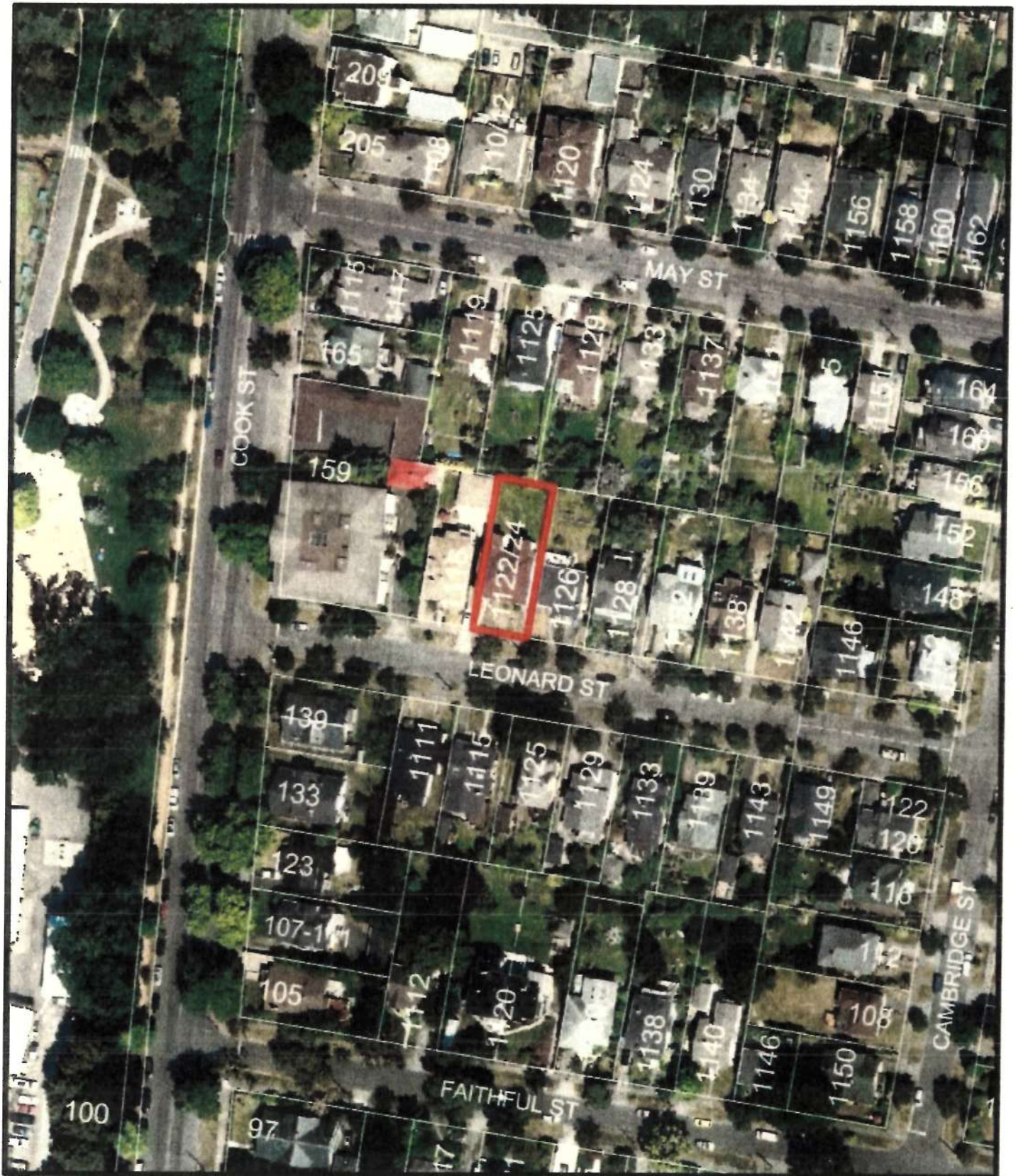


Date: December 30, 2015

## List of Attachments

- Air photo
- Zoning map
- Applicant's letter to Council dated November 6, 2015
- Minutes of Community Meeting of the Fairfield-Gonzales Community Association dated July 20, 2015
- Submission drawings dated November 6, 2015.

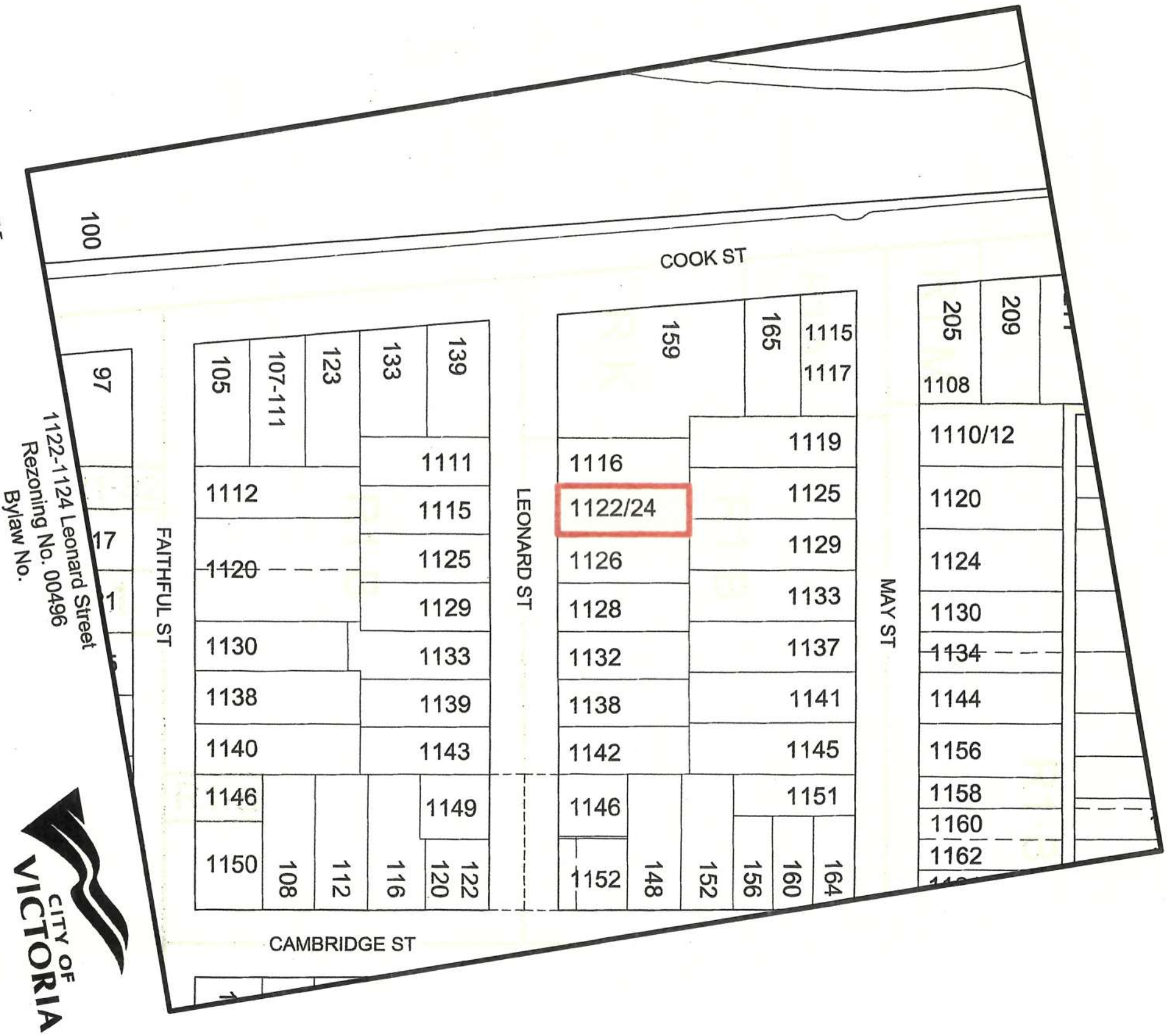




1122-1124 Leonard Street  
Rezoning No. 00496  
Bylaw No.







1122-1124 Leonard Street  
Rezoning No. 00496  
Bylaw No.

Michael Cronquist  
302-430 Chester Ave.  
Victoria, BC V8V 4C1  
Phone: [REDACTED]

November 6, 2015

Mayor and Council  
Victoria City Hall  
1 Centennial Square  
Victoria, BC V8W 1P6

Dear Mayor and Council:

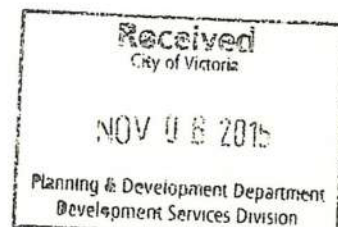
**Re: 1122/1124 Leonard Street – Rezoning to Permit a Strata Titling of an Existing Duplex**

I am the owner of the duplex located at 1122 and 1124 Leonard Street (“1122/1124 Leonard” or the “Property”). The Property is an existing, side by side duplex that was constructed in approximately 1912. I am making application to rezone 1122/1124 Leonard from R-1B to a Site Specific Zone or R2 with variances.

The purpose of the rezoning is to permit a strata titling of this existing duplex. The strata titling will not change the Property’s current configuration; it will only change the ownership tenure from one title to two strata units. The rezoning will make the property conforming and the strata titling will contribute significantly to the feasibility of completing a full renovation and renewal of the unique character of 1122/1124 Leonard. The proposal conforms to the Traditional Residential Urban Place designation in the Official Community Plan.

The following materials and plans are enclosed in support my rezoning application:

1. A Landscape Plan drafted by LADR Landscaping Ltd.
2. Photographs of 1122/1124 Leonard and the Leonard St. streetscape, as well as perspective images of the proposed renovations to the Property
3. Complete renovation plans drafted by Step One Design for the proposed upgrade of the interior and renewal of the exterior of the Property
4. “Turning Template” plans drafted by Westbrook Consulting Ltd.
5. Engineering drawings drafted by RJC
6. Photographs of the front yard parking at the duplex located at 154 and 156 Linden Ave.
7. Copies of written support for the proposal signed by Leonard Street neighbours





The proposal includes a wide range of green building features and concepts including the following:

- The building will be renovated and renewed as opposed to being torn-down and hauled to the dump - saving dump truck loads of waste.
- The building envelop was historically very poor with numerous areas of free air flow to the outdoors (you could actual see daylight coming through the outside wall in some areas). The renovation of the building will include a new, energy efficient, sealed and insulated building envelope.
- All windows and exterior doors will be replaced with energy efficient, double glazed windows and exterior swing doors with thermally broken, vinyl frames.
- The interior renovation will include a number green building features including:
  - dual flush toilets;
  - low VOC paints; and
  - Energy Star® appliances.

Due to an existing none conformance, the proposal does not meet the vehicle parking standards of Schedule C – Off-Street Parking. As is show by the enclosed plans and photographs, the side setbacks of the duplex are not wide enough to provide a driveway to the backyard.

Consequently, it is not possible provide off street parking in the backyard of the property. As a result of this existing condition, the proposal includes a plan to provide parking off the street in the front yard of the property.

The enclosed Landscape Plan illustrates the design for the proposed front yard parking included in the proposal. The plan draws from the guidelines for front yard parking that is permitted in the Gonzales neighbourhood of Fairfield and is enhanced by extensive landscaping. I engage Westbrook Consulting Ltd. to complete the enclosed “Turning Template” study which demonstrates that the front yard parking plan provide safe parking in accordance to the relevant guidelines. Steve Hutchison, Transportation Planner, City of Victoria Engineering has reviewed and supports this front yard parking plan.

The front yard parking fits in well with the Leonard St. streetscape and is strongly support by the majority of the Leonard Street neighbours. It is similar to parking at many properties on the street where owners park their cars in the front driveways to their garages. I also note that similar front yard parking was permitted at nearby duplex located at 154 and 156 Linden Ave. (see attached photos). In addition to the front yard parking I also plan to build accessory buildings in the backyards of both duplex units that will be ideal for bicycle parking.

1122/1124 Leonard has operated as a duplex since it was constructed in 1912. Over its life minimal investment has been made into the repair, maintenance and renewal of the property.

The condition of the property is very poor and not at the high standard of the homes on Leonard Street and the Cook Street Village neighbourhood.

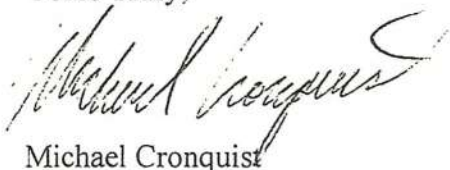
In spite of its very poor condition, 1122/1124 Leonard has "good bones" and distinctive character. It also has historical significance as it is one of the first and few homes in the city to be constructed with unique masonry block construction. The architect and builder of the duplex utilized this construction technique in the early 1900s for only a few architecturally significant homes in the area, most notably 97 Cook Street and 139 Cook Street. As shown by the enclosed plans, my proposed renovation will completely revitalize the property while preserving the original side by side duplex configuration, form and character of the exterior of the building and Leonard Street's historic streetscape.

I have met with the vast majority of the Leonard Street neighbours, including those who are nearest to 1122/1124 Leonard, and discussed strata titling of and front yard parking at the Property. I received enthusiastic, written support for strata titling from all of these neighbours. Copies of this written support are enclosed for reference. The most predominant feedback that I received during my dialogue with these neighbours is as follows:

1. There is strong support for the proposed front yard parking at 1122/1124 Leonard
2. Parking demands on Leonard St. have increased since the construction of the new children's park on the West side of Cook St., at Cook and Leonard. Front yard parking at 1122/1122 Leonard would be positive as it would reduce congestion on the street
3. 1122/1124 Leonard has been neglected and in very poor condition for a very long time. The upgrade and renewal of the property would have a very significant, positive impact on the neighbourhood
4. Preserving the 1122/1124 Leonard duplex building instead of demolishing and replacing it with a new building that might not fit in with the neighbourhood is desirable

Thank you for your consideration of my 1122/1124 Leonard St. rezoning application. I look forward to making a formal presentation related to my proposal in the near future.

Yours Truly,



Michael Cronquist



**Minutes of Community Meeting  
Planning and Zoning Committee  
Fairfield-Gonzales Community Association (FGCA)  
July 20, 2015**

Facilitators for the FGCA: George Zador (Chair)  
Susan Snell  
Ken Roueche

**Subject property:** 1122 -1124 Leonard St. duplex; application for strata conversion.

Proponent/owner: Mike Cronquist. 123 notices sent

This property in vacant and derelict condition for the past several years is proposed to be fully rehabilitated and rezoned to permit strata titling. The project had previously been submitted and approved in 2014, however the proponent failed to proceed and after 1 year, the application lapsed.

Attendance: 20 people (not all involved with project)

**Attendee Questions and Comments:**

- Concern expressed about City recommended site specific rezoning as most efficient, but granting the more conventional R-2 zoning would have issues in an R-1 area as well
- Parking for 2 cars provided at the front requires removal of a boulevard tree; arborist may be engaged to recommend suitable replacement.
- Are there any plans to further subdivide the two units? Absolutely none.
- Any plans to develop the basement area? Absolutely none.
- Water weeping in backyard.....it will be managed with new drain tiles.
- Covered patio in the rear will not obstruct neighbour's sightline.
- Project timeline? Will proceed immediately upon approval by City.

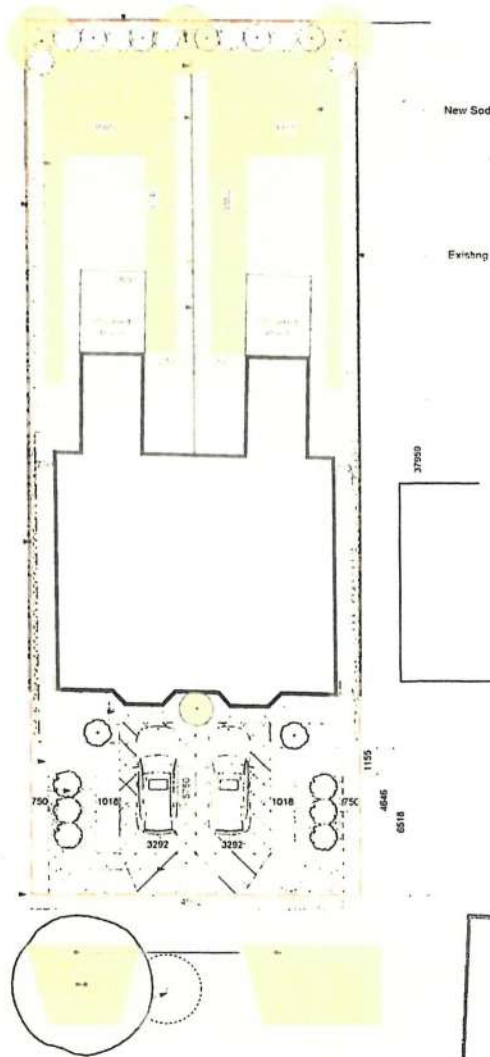
The neighbourhood would welcome the reconditioning of this unsightly building.

**George Zador**

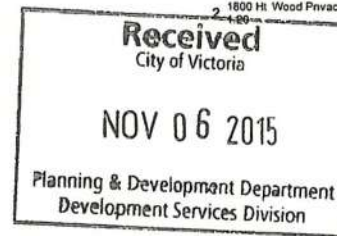
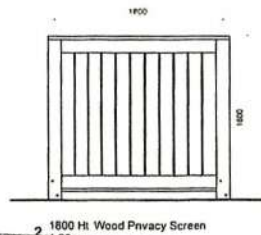
Planning and Zoning Chair  
Fairfield Gonzales Community Association  
1330 Fairfield Rd. Victoria, BC V8S 5J1  
planandzone@fairfieldcommunity.ca  
www.fairfieldcommunity.ca  
Facebook



- 3 Stewartia Trees, Viburnum & Hydrangea Shrubs Along Back Fence
- Existing Perimeter Fence Retained (Neighbour's)
- Low Growing Plants, Dwarf Sarcococca, Heavenly Bamboo, & Evergreen Clematis Vine Along Central Privacy Screen
- 1200 Ht Wood & Steel Fence (See Detail 3 - This Sheet)
- New Sod Lawn
- Existing Perimeter Fence Retained (Neighbour's)
- 1800 Ht Wood Privacy Screen Between Units and Porches (See Detail 2 - This Sheet)
- Existing Perimeter Fence Retained (Neighbour's)
- Mixed Bed of Drought Tolerant Shrubs & Perennials Dwarf Strawberry Bush, Heavenly Bamboo, Hydrangea & Dwarf Roses
- Decorative Concrete Paver Entry Walkway
- Mixed Bed of Drought Tolerant Shrubs & Perennials (same both sides of driveway) Boxwood, Viburnum, Hellebores, Heavenly Bamboo, Dwarf Roses, Lavender & Blue Oat Grass
- Decorative Concrete Paver Parking Surface
- Existing Stone Wall Modified to Suit New Driveway
- New Sod on Boulevard
- Replacement Boulevard Tree (Akebono Cherry or other as determined by Parks Department)
- Existing Cherry Tree Removed



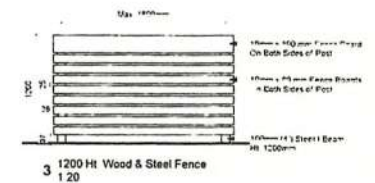
1 Landscape Plan  
1:100



### Recommended Nursery Stock

Trees			
Quantity	Botanical Name	Common Name	Size
1	Buxus caroliniana	Boxwood	40cm pot
Large Shrubs			
Quantity	Botanical Name	Common Name	Size
1	Adiantum species	Adiantum	45 pot
1	Hydrangea macrophylla	Hydrangea	45 pot
10	Yucca	Yucca	1.2m pot
12	Yucca	Yucca	45 pot
Medium Shrubs			
Quantity	Botanical Name	Common Name	Size
18	Yucca	Yucca	45 pot
Small Shrubs			
Quantity	Botanical Name	Common Name	Size
20	Yucca	Yucca	45 pot
27	Yucca	Yucca	45 pot
10	Yucca	Yucca	45 pot
9	Yucca	Yucca	45 pot
Perennials, Annuals and Ferns			
Quantity	Botanical Name	Common Name	Size
50	Yucca	Yucca	45 pot
6	Yucca	Yucca	45 pot
10	Yucca	Yucca	45 pot
12	Yucca	Yucca	45 pot
12	Yucca	Yucca	45 pot
Vines			
Quantity	Botanical Name	Common Name	Size
1	Yucca	Yucca	45 pot

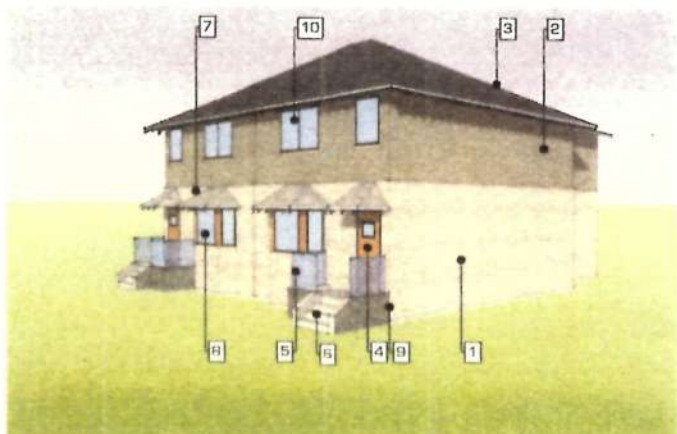
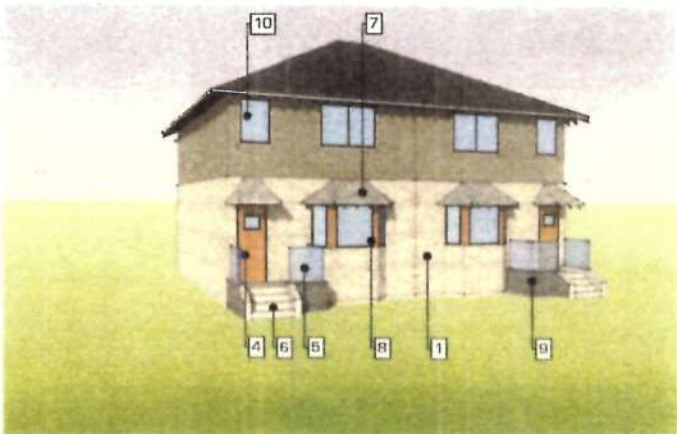
- Notes:
- All work to be completed to current BCSLA Landscape Standards
  - All soil landscape to be irrigated with an automatic irrigation system



# 1122 Leonard Street - Landscape Concept (Rezoning)

# EXTERIOR MATERIAL PALETTE

1. REFURBISHED CONCRETE BLOCK
2. ORIGINAL STUCCO REMOVED AND REPLACED WITH NEW STUCCO
3. NEW ROOFING
4. NEW SOLID WOOD EXTERIOR DOOR
5. GLASS GUARD
6. NEW CONCRETE STAIRS
7. NEW ROOFING
8. WOOD TRIM WITH CLEAR SEALER
9. MASONRY STONE VENEER
10. NEW WINDOWS

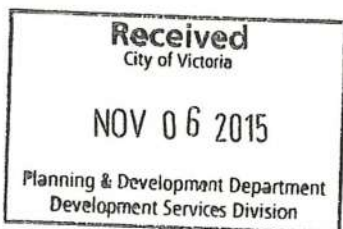


3 PROPOSED EXTERIOR FINISHES  
PT 1 SCALE



2 EXISTING EXTERIOR PHOTOS  
PT 1 SCALE

1 STREET PARKING PHOTO  
PT 1 SCALE



OUTSIDE THE LINES

Landmark Street Remodeling  
3122, 1124 & 1125 West 10th  
Vancouver, BC  
V6H 1A1  
604.681.1111

Exterior Imagery



# Site Plan of 1122 & 1124 Leonard Street

Legal - Lot 4, Fairfield Farm Estate, Victoria City, Plan 1215

Parcel Identifier: 007-826-141

Scale - 1:100



All distances are shown in metres.

Tree diameters are in centimetres.

Geodetic elevations shown (in METRES)

Site Area = 540 m<sup>2</sup>

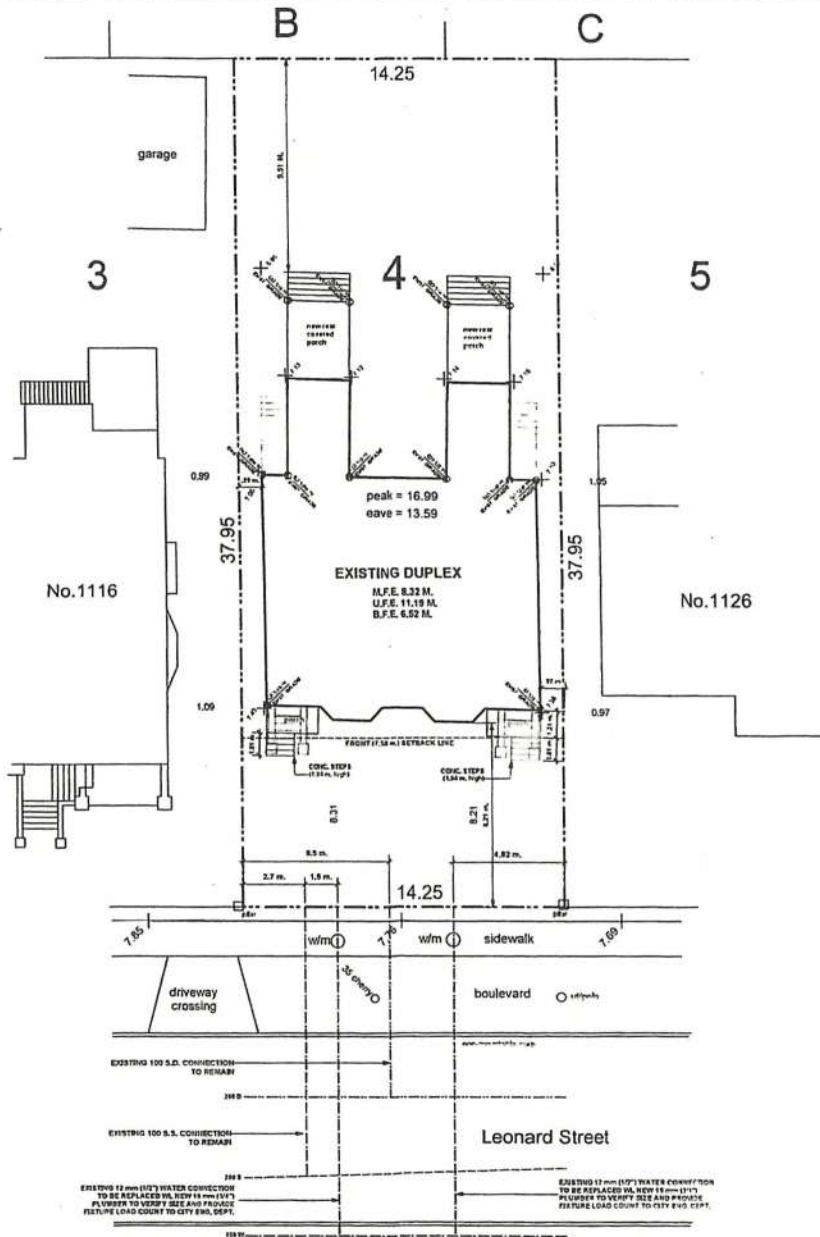
SITE DATA		
ITEMS	PERMITTED	PROPOSED
LOT AREA		540.00 sq.m.
LOT COVERAGE	45.0 %	34.7 %
SETBACKS		
- FRONT (south)	7.50 m.	8.21 m.
- REAR (north)	9.48 m.	9.51 m.
- SIDE (west)	1.50 m.	1.59 m.
- SIDE (east)	1.00 m.	0.97 m.
COMB. SIDEYARDS	4.50 m.	1.95 m.
FLOOR AREA		
- BASEMENT		120.57 sq.m.
- MAIN		141.60 sq.m.
- UPPER		132.81 sq.m.
- SUB TOTAL		295.08 sq.m.
TOTAL FLOOR AREA (all levels)	300.00 sq.m.	295.08 sq.m.
TOTAL FLOOR AREA (1st & 2nd.)	280.00 sq.m.	276.91 sq.m.
BUILDING HT.	7.50 m.	9.13 m.
BUILDING HT. (no of storeys)	2	2

\* EXISTING LEGAL NON-COMFORMING (each target)

A	7.13 m.	± 1	7.12 m.	div. by	2.1 x	2.79 m.	=	19.87
B	7.12 m.	± 1	7.12 m.	div. by	2.1 x	6.10 m.	=	71.43
C	7.12 m.	± 1	7.12 m.	div. by	2.1 x	5.19 m.	=	72.15
D	7.12 m.	± 1	7.14 m.	div. by	2.1 x	6.10 m.	=	43.49
E	7.15 m.	± 1	7.10 m.	div. by	2.1 x	2.73 m.	=	19.43
F	7.10 m.	± 1	7.10 m.	div. by	2.1 x	6.10 m.	=	61.31
G	7.10 m.	± 1	7.10 m.	div. by	2.1 x	1.13 m.	=	8.02
H	7.10 m.	± 1	7.12 m.	div. by	2.1 x	10.37 m.	=	72.72
I	7.12 m.	± 1	7.49 m.	div. by	2.1 x	12.15 m.	=	85.75
J	7.49 m.	± 1	7.06 m.	div. by	2.1 x	10.41 m.	=	75.71
K	7.06 m.	± 1	7.06 m.	div. by	2.1 x	1.13 m.	=	7.97
L	7.06 m.	± 1	7.13 m.	div. by	2.1 x	6.10 m.	=	43.77

TOTAL 499.15

TOTAL 499.15 div. by 49.50 = 7.18 average grade



client **MICHAEL CRONQUIST**  
project **PROPOSED RENOVATION OF EXISTING DUPLEX**  
address **1122 & 1124 LEONARD STREET**  
municipality **THE CITY OF VICTORIA, B.C.**

step one  
design  
"Your Best Interest is Our First Step"

887 Rogers Way  
Victoria, B.C.  
V8K 5L1  
tel: 778-433-4338 or 250-436-3729  
email: info@steponedesign.ca  
www.steponedesign.ca  
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List of Drawings		
A1	SITE PLAN	
A2	BASEMENT & MAIN FLOOR PLAN	
A3	UPPER FLOOR & ATTIC PLAN	
A4	ELEVATIONS	
A5	CROSS SECTION	
A6	DETAILS	
ISSUED/REVIEWED		
NO.	DATE	DESCRIPTION
01	02/06/15	D.P. SUBMITTAL
02	07/24/15	CREDIT REV.
03	09/04/15	PORCH REV.
drawing no. 1007-0-CRD		
date SEPT. 14 / 2015		
scale AS SHOWN		
drawn / developed MOUNSHIR		
sheet no. of A1 A6		

Received  
City of Victoria  
NOV 06 2015  
Planning & Development Department  
Development Services Division

# 1 BASEMENT FLOOR PLAN

SCALE: 1/4" = 1'-0"

UNIT A: 448421 10271 (10423 1021)

UNIT B: 448421 10271 (10423 1021)

SECTION 1-2

WALL LEGEND  
 1. 8" CMU WALL TO REMAIN  
 2. 8" CMU WALL TO BE REMOVED  
 3. 8" CMU WALL TO BE REINFORCED  
 4. 8" CMU WALL TO BE REINFORCED AND REPAIRED  
 5. 8" CMU WALL TO BE REINFORCED AND REPAIRED WITH NEW REINFORCEMENT  
 6. 8" CMU WALL TO BE REINFORCED AND REPAIRED WITH NEW REINFORCEMENT AND NEW FINISH  
 7. 8" CMU WALL TO BE REINFORCED AND REPAIRED WITH NEW REINFORCEMENT AND NEW FINISH AND NEW COATING  
 8. 8" CMU WALL TO BE REINFORCED AND REPAIRED WITH NEW REINFORCEMENT AND NEW FINISH AND NEW COATING AND NEW PAINT  
 9. 8" CMU WALL TO BE REINFORCED AND REPAIRED WITH NEW REINFORCEMENT AND NEW FINISH AND NEW COATING AND NEW PAINT AND NEW GLASS  
 10. 8" CMU WALL TO BE REINFORCED AND REPAIRED WITH NEW REINFORCEMENT AND NEW FINISH AND NEW COATING AND NEW PAINT AND NEW GLASS AND NEW DOOR

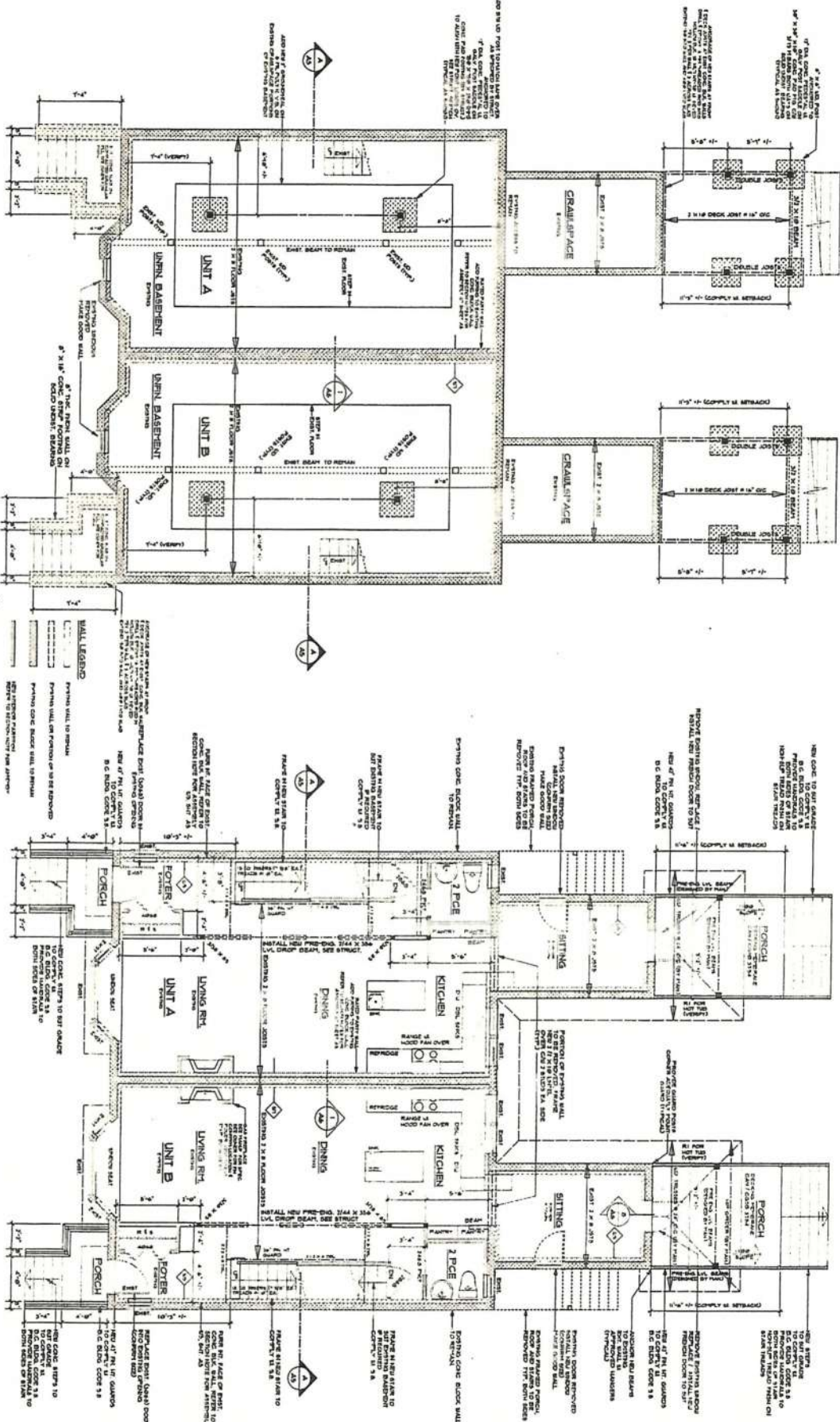
# 2 MAIN FLOOR PLAN

SCALE: 1/4" = 1'-0"

UNIT A: 448421 10271 (10423 1021)

UNIT B: 448421 10271 (10423 1021)

ALL WORK TO BE COMPLETED WITHIN 90 DAYS OF PERMIT ISSUANCE



ph. 778-433-1434 or 250-434-3729  
 email: info@steponedesign.ca  
 817 Rogers Way  
 Victoria B.C.  
 V8K 5L1

client MICHAEL CRONQUIST

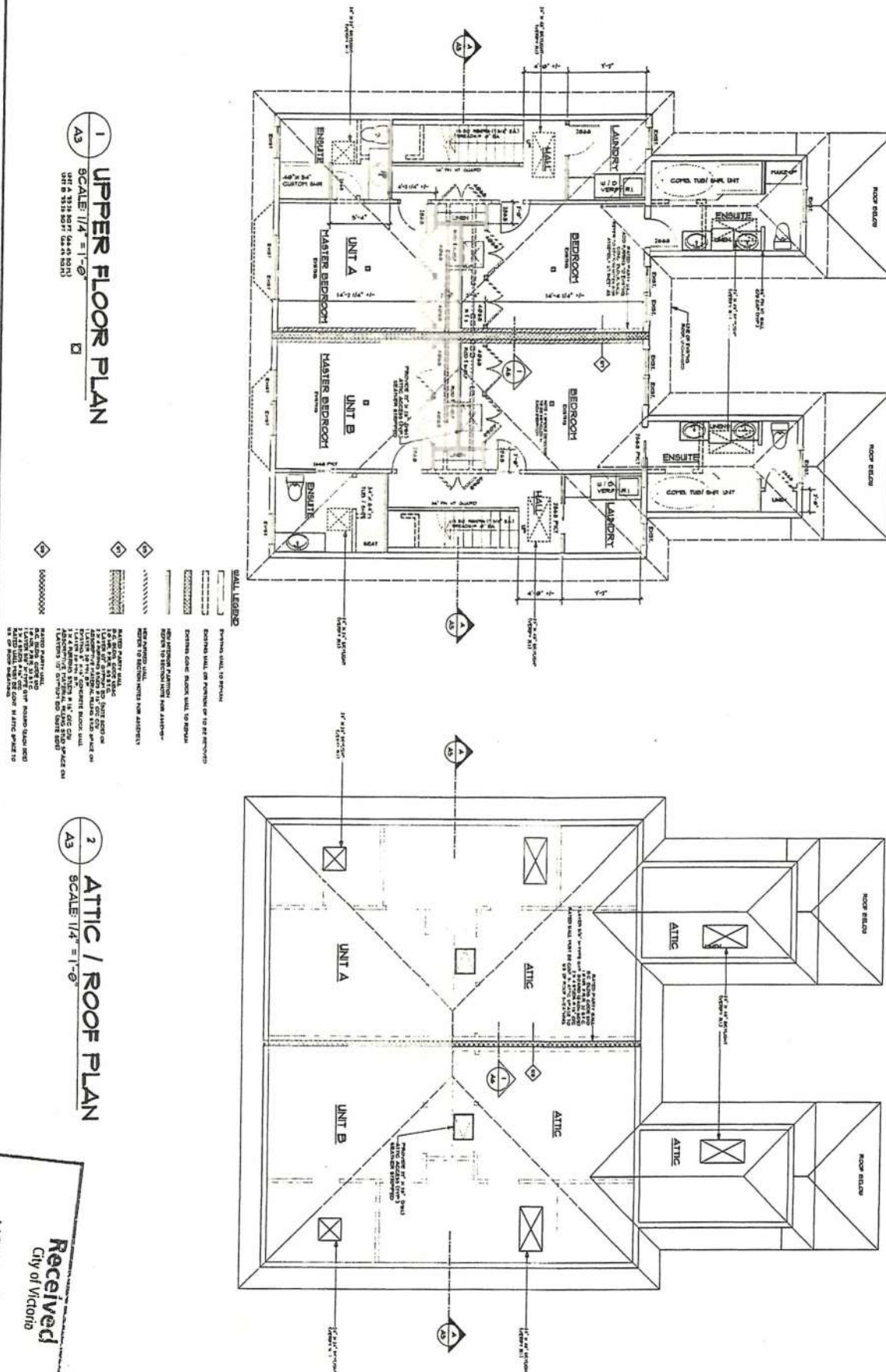
project PROPOSED RENOVATION OF EXISTING DUPLEX

address 1122 & 1124 LEONARD STREET

municipality THE CITY OF VICTORIA, B.C.

Received  
 City of Victoria  
 Planning & Development Department  
 Development Services Division  
 NOV 06 2015





1  
A3  
UPPER FLOOR PLAN  
SCALE: 1/4" = 1'-0"  
SHEET A 33 OF 36 (SEE A3 FOR PLAN)  
□

2 ATTIC / ROOF PLAN  
A3 SCALE: 1/4" = 1'-0"

Received  
City of Victoria  
NOV 06 2015  
Planning & Development Department  
Development Services Division

[illegible]

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Ph. 778-433-1434 or 250-434-3729  
Email: [info@steponedesign.ca](mailto:info@steponedesign.ca)  
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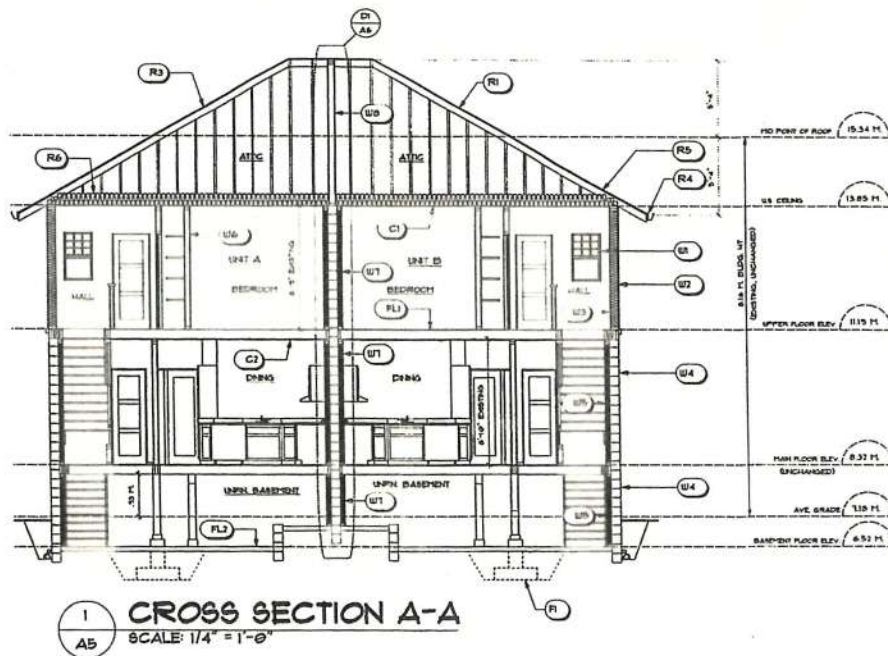
817 Rogers Way  
Victoria B.C.  
V8X-5L1

client	MICHAEL CRONQUIST
project	PROPOSED RENOVATION OF EXISTING DUPLEX
address	1122 & 1124 LEONARD STREET
location	THE CITY OF VICTORIA B.C.



## Planning and Land Use Committee - 14 Jan 2016





## GENERAL NOTES

\*ALL DIMENSIONS TO FACE UNLESS OTHERWISE SPECIFIED.  
DO NOT SCALE FROM THIS PLAN.

\*DESIGNER NOT RESPONSIBLE FOR WORK DONE BY ANY OTHER  
GENERAL CONTRACTOR, OR SUBCONTRACTOR TO THOROUGHLY  
REVIEW PLAN PRIOR TO STARTING WORK. ANY DISCREPANCIES  
MUST BE REPORTED IMMEDIATELY TO DESIGNER.

\*THE RESPONSIBILITY SOLELY LIES WITH THE OWNER AND/OR  
GENERAL CONTRACTOR, OR SUBCONTRACTOR TO THOROUGHLY  
REVIEW PLAN PRIOR TO STARTING WORK. ANY DISCREPANCIES  
MUST BE REPORTED IMMEDIATELY TO DESIGNER.

\*CONTRACTOR TO INSURE WORK IS BEING CARRIED OUT UNDER  
OFFICIAL BUILDING PERMIT SET, AND MEET CURRENT EDITION  
OFFICIAL BUILDING DEPARTMENT.

\*CONTRACTOR OR OWNER TO WORK IN CONJUNCTION WITH  
B.C. TO ENSURE PROPER PLACEMENT OF ALL STRUCTURES AND  
BUILDINGS ON PROPERTY. DESIGNER NOT RESPONSIBLE FOR  
PLACEMENT OF STRUCTURES ON PROPERTY.

\*ALL WORK TO CONFORM WITH MINIMUM STANDARDS PRESCRIBED  
AND SET FORTH IN THE LATEST EDITION OF THE BRITISH COLUMBIA  
BUILDING CODE, INCLUDING ALL APPLICABLE AMENDMENTS.  
CONTRACTOR TO ENSURE ALL STRUCTURES MEET ALL APPLICABLE  
REQUIREMENTS FOR BUILDING ACT.

\*ALL WORK IS SUBJECT TO BUILDING INSPECTION BY GOVERNING  
MUNICIPAL BUILDING DEPARTMENT.

\*ALL BUILDING MATERIAL TO MEET STANDARD CONSTRUCTION  
QUALITY, AND ALL TRADES MUST BE PROPERLY SUPERVISED.  
MANUFACTURER'S SPECIFICATIONS MUST BE ADHERED TO AND MAY  
DIFFER FROM WHAT IS NOTED ON THE PLAN. CONTRACTOR TO  
CONFORM PRIOR TO STARTING WORK.

\*ALL FRAMING MATERIAL, SIZED TO STANDARD GRADES  
PER SPY NO. 1. FRAMES TO PROVIDE BACKING AS REQUIRED.

\*ALL STRUCTURAL COMPONENTS TO CONFORM TO THE APPLICABLE  
SECTION OF THE B.C. BUILDING CODE AND MUST BE SUBJECT TO  
INSPECTION, DESIGN LIVE AND DEAD LOADS TO CONFORM TO  
MUNICIPAL REQUIREMENTS.

\*DESIGNER NOT RESPONSIBLE TO ANY EXISTING LOADS THAT MAY  
EXIST THROUGH BUILDING, PROPOSED OR EXISTING. REFER TO  
STRUCTURAL ENGINEERING CHARGES.

\*ALL STRUCTURAL BEARINGS MUST BE CARRIED DIRECTLY DOWN TO  
SOLID UNDISTURBED BEARING. VERIFY ALL BEARING CONDITIONS  
PRIOR TO STARTING WORK. SEE STRUCTURAL ENGINEER.

\*METAL FLASHING (CN 1" END DASH) TO PROVIDED DIRECTLY  
OVER ALL WINDOWS AND DOOR HEADS (WHERE REQUIRED).  
AT ALL ROOF WALL CONNECTIONS AND ALL HORIZONTAL TRANSITION  
BETWEEN EXTERIOR WALL FINISHES.

\*LOCATIONS EXTERIOR HOSE BIBS TO BE INSTALLED TO OWNER'S  
DISCRETION.

\*ELECTRICAL AND PLUMBING INSTALLATION SHALL CONFORM TO  
AND IS GOVERNED BY THEIR RESPECTIVE CODES AND SUBJECT TO  
INSPECTION BY THE APPROPRIATE MUNICIPAL OR PROVINCIAL  
AUTHORITIES.

\*MECHANICAL EQUIPMENT AND EXHAUSTIVE SHALL BE INSTALLED  
ACCORDING TO THE CANADIAN MVAC CODE, CURRENT EDITION.  
ALL CONDENSATE MUST BE DISPOSED TO MEET STANDARDS, AND TO MEET  
MANUFACTURER'S SPECIFICATIONS.

## SECTION NOTES

## ROOFS &amp; CEILING

- R1. EXISTING ROOFING TO REMAIN ON  
EXISTING RAFTERS.  
NO CHANGES TO EXIST. ROOF STRUCT.  
CONFORM ROOMS TO ROOMS.  
SEE OWNER.
- R2. LAP-SHEATHED SHINGLES ON  
1/2" PLYWOOD OR FLOOR  
SD. TRIMMER # 2" O.C. BY HAND CUT  
VERTICAL JOINT.  
ROOF OVER COVERED REAR PORCH  
TO MATCH EXISTING ROOF PITCH.  
NOT IN SECTION.
- R3. PROVIDE 1/2" O.C. ATTC VENT PER  
300 SQ FT FOR ROOF AREA.  
PER 219 OF REQUIRED  
TO BE 1/2" O.C. AND BOTTOM  
VENTING TO CORRELATE WITH 219.1. INSTALL  
ROOF VENT ON TOP OF ROOF SURFACE  
TO PROVIDE ROOF VENTILATION AT TOP OF  
ROOF TO CORRELATE WITH CODES.
- R4. EXISTING GUTTERS TO REMAIN.
- R5. IF NEW ROOFING TO BE INSTALLED  
EXPOSED EAVES PROTECTION  
CONT. UP ROOF FLUTE FOR 1/2"  
FAST EXTERIOR WALL.
- R6. PROVIDE 1/2" CLEAR RETENTION  
NEW 1/2" O.C. VENTILATION INSTALLED  
IN EXIST. ATTC  
(PER R. 10" O.C. ROOF-SLAB CONNECTION).
- C1. ADD 1 LAYER 1/2" GYP. BD. ON  
8" PL. POLY. V.B. TO  
U.S. OF EXISTING CEILING JOISTS  
(TO REMAIN).
- C2. ADD 1 LAYER 1/2" GYP. BD. ON  
U.S. OF EXISTING FLOOR JOISTS  
TO REMAIN.

## FOUNDATION WALLS

- F1. ADD BN BOSS POST TO MATCH EXISTING  
AS SPECIFIED BY STRUCT.  
ANCHORED TO  
1/2" DIA CONC. PEDIMENTAL ON  
CONC. PAD FOOTING  
SOLID 12" O.C. BEARING TO ALIGN  
WITH LOADS ON. SEE STRUCTURAL ENGINEER  
NEW POST AND PAD FTG. 4" NAME-IT.
- F2. 4" X 4" SOLID WOOD POST  
ANCHORED TO  
1/2" DIA CONC. PEDIMENTAL ON  
30" X 10" X 10" CONC. PAD FOOTING CUI  
30" X 10" X 10" CONC. PAD FOOTING CUI  
SOLID 12" O.C. BEARING TO ALIGN  
WITH REAR COVERED PORCH. NOT IN SECT.

## FLOORS &amp; WALLS

- FJ1. ADD 1/2" FLOORING ON  
1/2" RAFTERS FLOOR BEATING  
DISTING 2" X 8" FLOOR JOISTS # 16" O.C.  
TO REMAIN.
- FJ2. EXISTING CONC. SLAB TO REMAIN.  
ADD 1" CONC. GROUND REAL ON  
8" PL. POLY. V.B. ON  
ON GRANULAR FILL AT  
EXISTING CRACKSPACE PORTION ON  
DATE-IT.
- FJ3. EXTERIOR CONC. SLAB  
3" O.C. CONC. SLAB ON  
4" FRI. COMPACTED GRANULAR FILL  
EXPOSED ADD FRI. COMPACTED 1/2" O.C.  
NOT IN SECTION.
- FJ4. CHECKING HYPERBANE TO CORRELATE WITH  
CAN 1 GOSB 3154 ON  
1/2" O.C. PLYWOOD  
SHALL BE GLEUED TO STRUCT. BEHIND ON  
2" O.C. DECK JOISTS # 16" O.C. CUI  
1 X 1 HERRINGBONE # 1/2" SPAN  
PROVIDE ADEQUATE DRAINAGE  
PLUMBING IS DROP EDGE & GUT #  
BY WALL PROVIDE 7 STEP AT  
DOOR THRESHOLD.  
REAR PORCH. NOT IN SECTION.
- W1. DOUBLE GLAZING IN  
THERMAL BREAK FRAMES  
30" X 30" LATEL OVER (1 TYPICAL)  
METAL FLASHING OVER (2 TYPICAL) OVER  
GUTS GLAZING IN ALL EXTERIOR DOORS & WINDOWS 1/2"  
TO BE SHATTERPROOF (SP).  
ALL WINDOWS TO CORRELATE WITH B.C.  
BUILDING CODE 219.1.1.1. PERFORMANCE CLASS R  
MUST BE CLEARLY LABELED ON ALL WINDOWS  
WITH UPON INSTALLATION AND SUBJECT TO  
MUNICIPAL BUILDING INSPECTION.
- W2. NEW SHINGLED FRI. TO MATCH EXISTING ON  
SIDE LATHES ON  
APPROVED BACKING BOARD  
SHINGLED OVER AIR SPACE  
1/2" P.T. GOOD STRAPPING ON  
7 LAYERS 30 FRI. BUILDING PAPER ON  
EXISTING FRI. WALL BEATING ON  
EXISTING STUDS TO REMAIN.
- W3. ADD 1 LAYER 1/2" GYP. BD. BOARD ON  
8" PL. POLY. V.B. TO  
EXISTING WALL STUDS CUI  
1/2" O.C. BATT INSULATION  
NOTE: FURN. EXIST. WALL STUDS AS REQ'D  
FOR INSULATION.
- W4. REFINISHED CONCRETE BLOCK WALL  
SET LATHES FOR FRI.
- W5. ADD 2" X 4" FURNISH # 2" O.C. CUI  
RE 1/2" BATT INSUL.  
TO INTERIOR FACE OF EXIST. CONC. BUL. WALL  
8" PL. POLY. V.B.  
1 LAYER 1/2" GYP. BD. BOARD OVER  
PROVIDE 1 LAYER 30 FRI. B.P. ON  
AIR SPACE BETWEEN FRAMES & CONC. BLOCK WALL  
PROVIDE REQUIRED PRESTRESS IN WALL ASSEMBLY  
TO CORRELATE WITH B.C. BUILDING CODE 219.1.1.1.  
EXTERIOR EXTERIOR WALL CORRELATE WITH 219.1.1.1. FOR  
THERMAL INSULATION.
- W6. EXTERIOR PARTITION  
1/2" GYP. BD. BOARD ON EACH SIDE  
OF 2" X 4" OR STUDS # 16" O.C.
- W7. RATED PARTY WALL  
B.C. BUILDING CODE 219.1.1.1.1.  
18" W. P.R. 219.1.1.1.1.  
1 LAYER 1/2" GYP. BD. BOARD OVER  
2" X 4" FURNISH STUDS # 16" O.C. CUI  
ADJUSTIVE MATERIAL FILLING STUD SPACE ON  
1 LAYER 30 FRI. B.P.  
EXTERIOR 8" X 16" CONCRETE BLOCK WALL  
1 LAYER 30 FRI. B.P.  
2" X 4" FURNISH STUDS # 16" O.C. CUI  
ADJUSTIVE MATERIAL FILLING STUD SPACE ON  
1 LAYERS 1/2" GYP. BD. BOARD OVER
- W8. RATED PARTY WALL  
B.C. BUILDING CODE 219.1.1.1.1.  
18" W. P.R. 219.1.1.1.1.  
1 LAYER 1/2" GYP. BD. BOARD OVER  
2" X 4" FURNISH STUDS # 16" O.C. CUI  
RATED WALL MUST BE CONT. IN ATTC SPACE TO  
U.S. OF ROOF BEATING.

MICHAEL CRONQUIST

client

PROPOSED RENOVATION OF  
EXISTING DUPLEX

project

1122 &amp; 1124 LEONARD STREET

address

THE CITY OF VICTORIA, B.C.

municipality

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List of Drawings	
A1	SITE PLAN
A2	BASEMENT & MAIN FLOOR PLAN
A3	UPPER FLOOR & ATTC PLAN
A4	ELEVATIONS
A5	CROSS SECTION
A6	DETAILS

## ISSUED/REVISED

NO.	DATE	DESCRIPTION
01	07/04/13	D.P. SUBMITTAL
02	07/14/13	CUSTOMER REV.
03	07/14/13	PORCH REV.

drawing no. 2013-01-CRO

date SEPT. 14 / 2015

scale AS SHOWN

drawn / designed M.DUNSMUIR

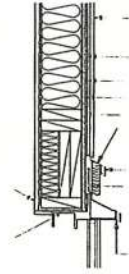
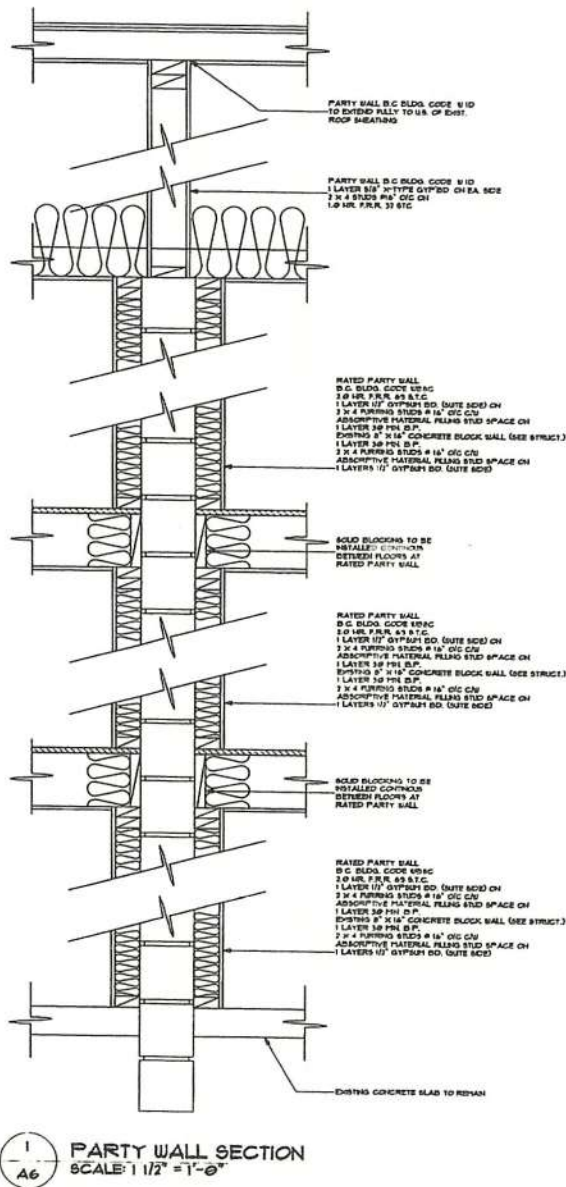
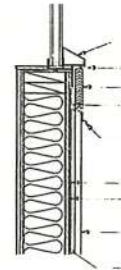
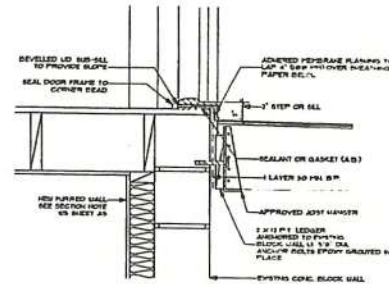
sheet no. of

A5 A6

Received  
City of Victoria

NOV 06 2015

Planning & Development Department  
Development Services Division

TYP. WINDOW HEAD DETAIL- UPPER FLOOR  
SCALE: 1 1/2" = 1'-0"TYP. WINDOW SILL DETAIL-UPPER FLOOR  
SCALE: 1 1/2" = 1'-0"DOOR SILL PROTECTED MEMBRANE  
SCALE: 1 1/2" = 1'-0"

MICHAEL CRONQUIST

PROPOSED RENOVATION OF  
EXISTING DUPLEX

1022 &amp; 1124 LEONARD STREET

THE CITY OF VICTORIA, B.C.

client

project

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## List of Drawings

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A1		SITE PLAN
A2		BASINMENT & MAIN FLOOR PLANS
A3		UPPER FLOOR & ATTIC PLANS
A4		ELEVATIONS
A5		CROSS SECTION
A6		DETAILS

## ISSUED/REVISED

NO.	DATE	DESCRIPTION
01	07/20/13	D.P. SUBMITTAL
02	07/24/13	CLIENT REV
03	08/14/13	PORCH REV

Drawing no.

2013-0-CRD

Date

SEPT. 14 / 2015

Drawn /

N. DUNSMUIR

Sheet no.

A6

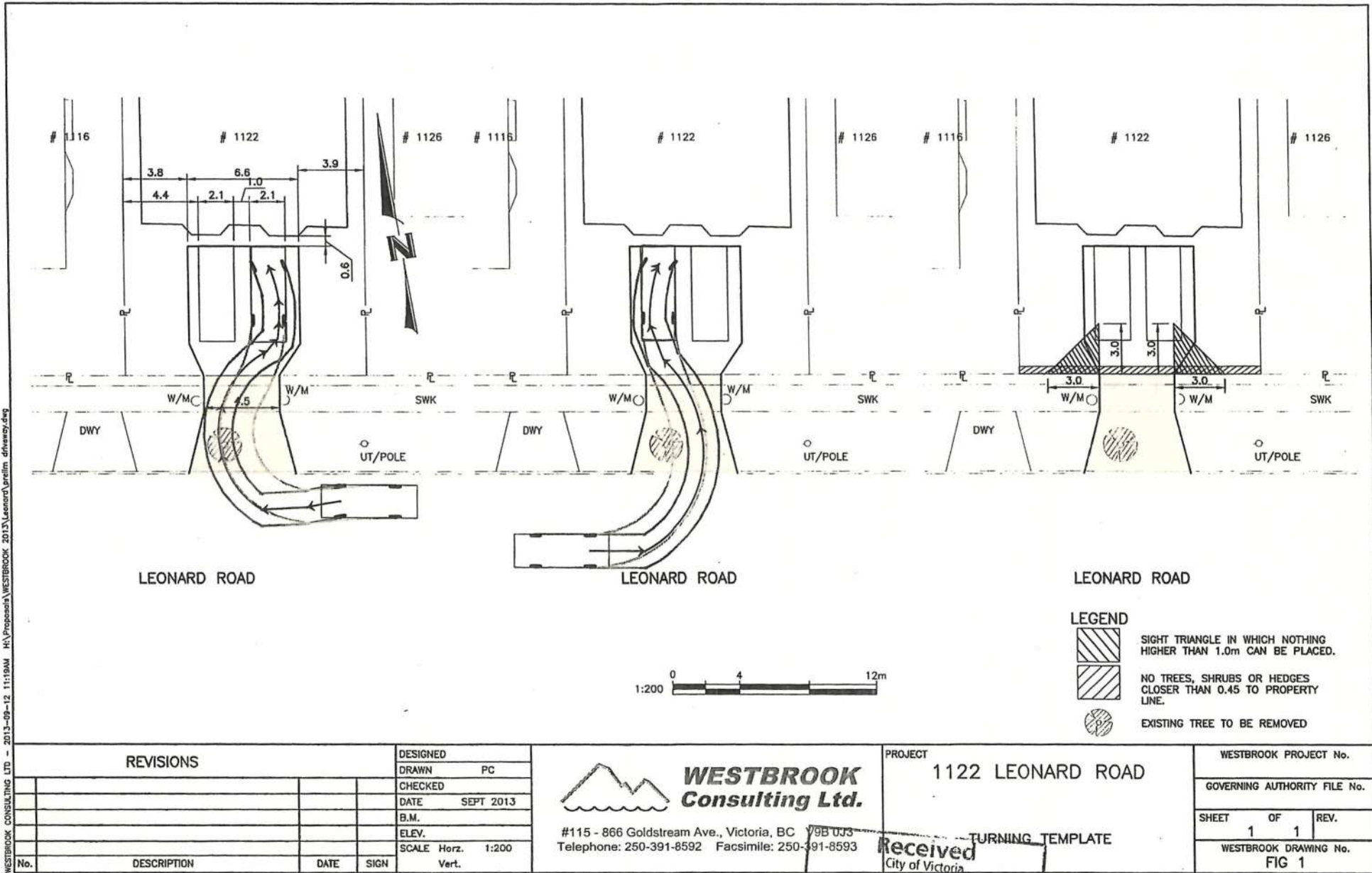
Received  
City of Victoria

NOV 06 2015

Planning & Development Department  
Development Services Division

Planning and Land Use Committee 14 Jan 2016





**General Notes:**

All work to conform to the British Columbia Building Code (BCBC) 2006 and referenced documents. Wood framing to BCBC 2006 - Part 9 as a minimum.

Renovations have been designed to maintain the structural capacity of the original base structure.

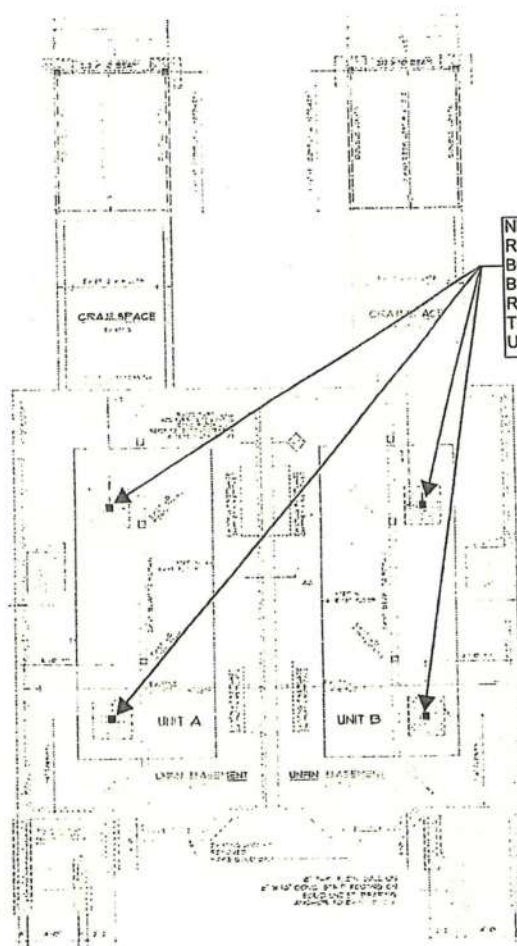
**Material Notes:**

Wood framing to be SPF No. 2 Grade unless noted otherwise.

**Renovation Notes:**

The structural drawings are based on assumed as-built conditions for the existing structure. The actual conditions may vary and the contractor shall immediately inform the consultant of any variations from the assumed conditions. New openings in existing structure to be marked out by the contractor and reviewed by RJC prior to any cutting. No overcutting is permitted. The contractor is responsible for safety in and about the jobsite during construction, and the design and erection of all temporary formwork and shoring required to complete the work.

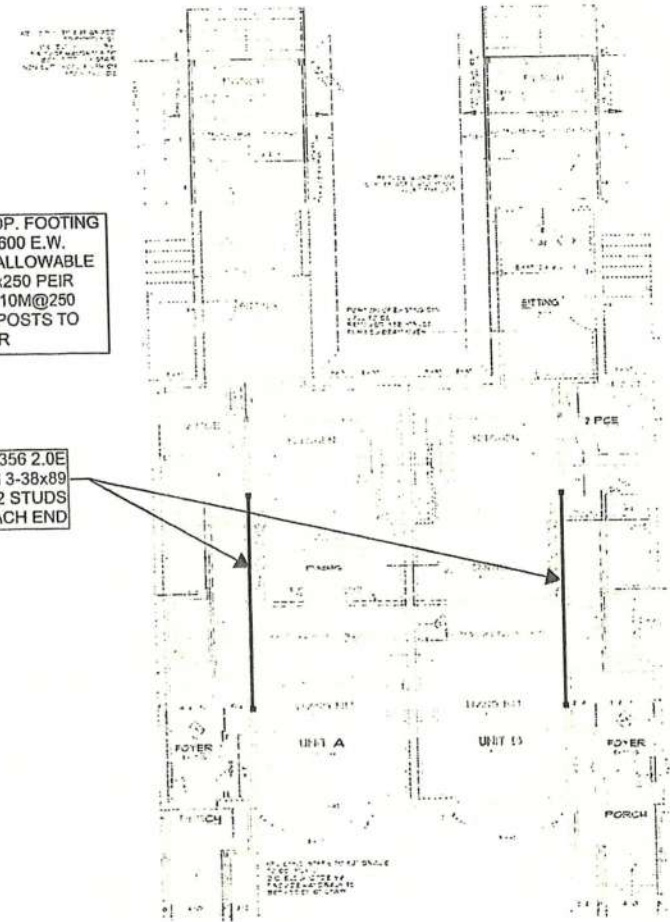
RJC to review the existing structure and framing, and all deficiencies are to be repaired by the owner's contractor as per RJC's instructions.



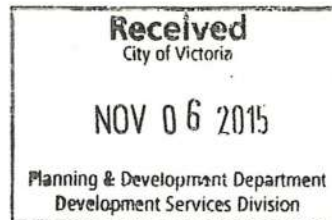
**BASEMENT FLOOR PLAN**

NEW 750x750x250 DP. FOOTING REINF. WITH 3-15M600 E.W. BOT. (MIN 145 kPa ALLOWABLE BEARING) C/W 250x250 PEIR R/W 4-15M VERTS. 10M@250 TIES AND 140x140 POSTS TO U/S OF MAIN FLOOR

NEW 2 PLY 44X356 2.0E BEAM WITH 3-38x89 SPF NO. 2 STUDS UNDER EACH END



**MAIN FLOOR PLAN**



**rjc** Read Jones Christoffersen Consulting Engineers  
Suite 220, 645 Yee Road  
Victoria, BC V9A 6X5 Canada  
Office 250 386-7794 Fax 250 381-7900  
www.rjc.ca

Project Name  
**1122 LEONARD STREET**  
  
Sketch Title  
**MAIN / BASEMENT FLOOR**

Dwg. Ref.  
**SSK-01**  
Scale NTS  
Date JAN 24, 2013  
Project No. VIC.108134.001  
Sketch Number





## Planning and Land Use Committee Report

For the Meeting of January 14, 2015

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**To:** Planning and Land Use Committee                      **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Permit Application No. 000445 for 845 Yates Street

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000445 for 845 Yates Street, subject to registration of a legal agreement securing a maintenance schedule for the mural to the satisfaction of staff, in accordance with:

1. Plans date stamped November 5, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 920(2) of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the Community Plan. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 920(8) of the *Local Government Act*, where the purpose of the designation is the revitalization of an area in which a commercial use is permitted, a Development Permit may include requirements respecting the character of the development, including landscaping, siting, form, exterior design and finish of buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 845 Yates Street (The Wave). The proposal is to replace the existing ceramic tile mosaic with a painted mural and replace a portion of the thin stone cladding with paint. There are no variances related to this Application.

The following points were considered in assessing this Application:

- the property is subject to regulations under Development Permit Area 2 (HC) Core Business and is generally consistent with the applicable Design Guidelines in the *Official Community Plan* (OCP) and the *Downtown Core Area Plan* (DCAP)
- the proposed painted mural would be subject to a maintenance agreement that would be secured through a Section 219 Covenant.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to replace the existing ceramic tile mosaic with a painted mural and replace a portion of the thin stone cladding with paint. Specific details include:

- removal of the existing ceramic tile and replacing it with a painted mural consisting of a 10cm x 10cm square grid
- removal of the thin stone cladding on the east elevation and a portion on the north elevation facing the concrete stair enclosure and replacing this with painted concrete of a similar colour in neutral grey
- a maintenance plan to ensure the appearance of the mural indefinitely.

### **Sustainability Features**

The applicant has not identified any sustainability features associated with this proposal.

### **Active Transportation Impacts**

The applicant has not identified any active transportation impacts associated with this Application.

### **Public Realm Improvements**

No public realm improvements are proposed in association with this Development Permit Application.

### **Existing Site Development and Development Potential**

The site is presently occupied by an existing 13-storey building with ground-floor commercial and residential above.

### **Relevant History**

On September 18, 2003, Council approved a Rezoning Application for the property to permit the land to be developed as a residential building and, on November 27, 2003, Council authorized the issuance of a Development Permit for the same property. The approved motion noted that "Final Plans be in accordance with plans identified above with responses to Advisory Design Panel's (ADP) recommendations to the satisfaction of the Director of Planning and Development." A mosaic was proposed as part of the ADP review process as a way of animating the east-facing wall. A mosaic colour palette, dated-stamped September 2, 2004, for consideration by Advisory Design Panel, showed eight colours associated with the wave design.



In 2011, some of the quartzite stone and ceramic tile that was installed on the east elevation of the exit stair tower became detached and fell off the building face. A report by RDH Building Engineering Ltd. recommended that the complete removal of the tile finish from the second floor to the roof was necessary.

At its regular meeting of April 17, 2014, the Planning and Land Use Committee (PLUC) considered Development Permit Application No. 000347 for 845 Yates Street (attached) and discussed whether a painted mural was an appropriate substitute for the tile. At that time Council passed the following motion:

*That Committee recommends that Council postpone consideration of the motion until the applicant provides more information on the need for replacement of the tiling.*

This information was provided by RDH Engineering and was presented to the PLUC in a subsequent report dated May 22, 2014 (attached). At the PLUC meeting of June 5, 2014, it was moved that Council decline the approval of Development Permit Application No. 000347 with a request that the tile be reinstalled in a way that will be long lasting and durable.

### **Community Consultation**

The Application does not include variances, therefore, consistent with the Community Association Land Use Committee (CALUC) procedures related to development applications, it was not circulated to the Downtown Residents Association for comment.

### **ANALYSIS**

#### **Development Permit Area and Design Guidelines**

The *Official Community Plan* (OCP) identifies this property within Development Permit Area 2 (HC), Core Business. One of the objectives of this designation is to enhance the area through high-quality architecture, landscape and urban design. While the replacement of the tile with a painted mural may be considered to be of a lower-quality material, the inclusion of a maintenance agreement would ensure the mural retains its appearance indefinitely. The proposal is therefore considered to be consistent with the applicable Design Guidelines.

#### **Downtown Core Area Plan**

With respect to local area plans, the *Downtown Core Area Plan, 2011* (DCAP) applies to the subject site. Within the DCAP, the subject property is identified in the Central Business District. There are no specific objectives that relate to the visual appearance of buildings within this district other than scale and character. However, there are general guidelines that encourage high-quality architecture and urban design.

#### **Appearance of the Proposed Wave Image**

While the proposed work employs a different medium and approach in representing the wave image, it is considered that the location of the image lends itself more appropriately to distant views. Therefore, the resulting visual effect of using a different material for the image will not be significant.

The proposed grid is consistent with the existing tiles at 10cm x 10cm squares which will result in minimal differences in how the mural is viewed from its current form. In addition, the colour

palette has been carefully selected using sample tiles of each of the eight tile colours in the existing mural. While an exact match may not be achieved, the applicant has committed to employing colour matching technology to ensure the proposed paint is as close as realistically possible to the original tiles. The proposed painted mural would therefore result in a minimal change to how the mural will be viewed from afar and provides sufficient visual interest to the east elevation of the building.

### **Durability and Resulting Maintenance of a Painted Finish**

As detailed in the applicant's letter, dated November 5, 2015, a methodology is proposed to ensure a high-quality paint application followed by a step-by-step maintenance program based on the Master Painters Institute (MPI) guidelines and specifications. This includes removing the existing tile, stone and mortar, grinding the mortar off the concrete surface and cleaning this prior to the paint application. This would then be followed by one coat of water based primer, two coats of colour exterior acrylic latex and a UV resistant clear protective coating. A comprehensive grid system is proposed in the engineering drawings that follows the "paint by number" approach in the 10cm<sup>2</sup> grid pattern.

It is understood that the proposed painted finish would have a life expectancy of approximately 10 years under favourable conditions. While the life expectancy of an effectively applied tile finish would be in the order of 25 to 30 years, ongoing maintenance and re-application of the painted finish will be the responsibility of the building's strata corporation. The condition of a painted mural is entirely dependent on the successful maintenance over time. The applicant has detailed proposed maintenance procedures at increments of two, seven and 20 years. Staff are recommending this maintenance program be secured through a Section 219 Covenant. The applicant is amenable to entering into this agreement.

### **CONCLUSIONS**

The resulting visual effect of using a painted grid versus a tile mosaic for the image would not be significant, especially given the size of the grid being consistent with the existing wave mural. In addition, the Section 219 Covenant for the maintenance agreement would ensure the condition of the mural keeps its appearance indefinitely. Staff, therefore, recommend for Council's consideration that Development Permit No. 000445, be approved subject to the applicant entering into a legal agreement to secure the maintenance of the painted mural.

### **ALTERNATE MOTION**

That Council decline Development Permit Application No. 000445 for the property located at 845 Yates Street.

Respectfully submitted,



Charlotte Wain  
Senior Planner – Urban Design  
Development Services Division




Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department



Report accepted and recommended by the City Manager:



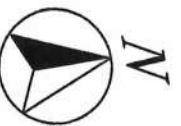
Date: December 29, 2015

**List of Attachments**

- Subject map
- Aerial map
- Staff report for Development Permit Application No. 03-30B dated November 14, 2003
- Staff report for Development Permit Application No. 000347 dated April 3, 2014
- Update staff report for Development Permit Application #000347 dated May 22, 2014
- Applicant letter dated November 5, 2015
- Engineering plans dated November 5, 2015
- *RDH Building Engineering Ltd. Performance Review of Tile and Adhered Thin Stone* dated January 20, 2012.



845 Yates Street  
Development Permit #000445







845 Yates Street  
Development Permit #000445



## Committee of the Whole Report



**Date:** November 14, 2003  
**To:** Mayor and Council  
**From:** Mickey Lam, Head Urban Design  
**Department:** Planning & Development  
**837– 847 Yates St.**  
**Development Permit 03-30B**  
**Subject:** Application of de Hoog & Kierulf Architects  
 W. 40' of Lot 322 and Lot 1, Plan VIP65204  
 Zoning: R-48 (pending – under rezoning)  
 Proposed 13 storey residential condominiums

### 1.0 Executive Summary:

At its meeting on September 18, 2003, Council approved the rezoning application for 837 – 847 Yates St. but referred the Development Permit application to Committee of the Whole.

The applicant has since submitted a revised proposal and a letter dated November 7, 2003 (copy appended) describing the improvements in response to comments provided by Council, neighbours and the Advisory Design Panel. The main changes to the previous proposal include:

- Reduction of number of units from 104 to 97.
- The 10-storey building wing along the Yates St. frontage is reduced to 9-storeys. The 13-storey wing is maintained with adjusted siting.
- For the 13-storey wing, setbacks on the south, east and north (Yates St.) property lines have been increased. Further setbacks on upper floors are also provided.
- Increase in setback of the 9-storey wing along Yates St. provides additional landscaped area in front of the retail ground floor.

The previous proposal was reviewed by Advisory Design Panel on July 23, 2003 and recommended for approval subject to review by Advisory Design panel prior to Building Permit stage. (See Section 3.5)

The applicant has by letter dated October November 7, 2003 (copy appended) requested variances on height and build-to-line distance. The requested variances for height and build-to-lines are supported. (see Section 3.4)

The Development Permit application is not subject to a notification requirement and a hearing.

### 2.0 Recommendations:

That Council authorize the issuance of a Development Permit in accordance with:

1. Plans stamped "Development Permit Application 03-30B" dated November 7, 2003.
2. Development meeting all bylaw requirements with the following variances:
  - Section 3.67.5(2) Relax height from 30m to 44.2m and relax number of storeys from 10 to 13.
  - Section 3.67.6(a) Relaxation of build-to-line distance for percentage of wall face.
  - Section 3.67.6(b) Relaxation of build-to-line for non-residential use from 0.5m to 0.8m
3. Review by Advisory Design Panel prior to Building Permit stage.



4. Final plans to be in accordance with plans identified above with responses to Advisory Design Panel's recommendations to the satisfaction of the Director of Planning & Development.

Respectfully submitted,



Mickey Lam, Head  
Planning & Development



John R. Basey, Director  
Planning & Development

**3.0 Background / Analysis**

- 3.1 As the site lies within the Development Permit Area 8 (Harris Green), Council's approval is required for the exterior design, finishes and landscaping of the development.
- 3.2 The amended application is for a Development Permit to construct a 13-storey residential condominium building with street frontage retail/café uses at 837-847 Yates St. replacing the existing single storey commercial buildings, car sale lot and surface parking. The 97 units proposed are arranged in an L-shape consisting of 2 tower blocks with heights of 9 and 13-storeys. The 2 blocks are joined with a glazed lobby on each floor from the bottom to the top. The arrangement frees up space for a south and west facing courtyard. Underground parking is provided with access from Yates St.
- 3.3 Materials include painted concrete, perforated and corrugated aluminum panels, glass and aluminum handrails and aluminum windows.
- 3.4 Staff have reviewed the proposal and have no objection. Staff also made the following comments:

The height variance is supportable given the rationale provided by the applicant:

- Extra floor heights for retail and residential units that adds to quality and livability of the proposal.
- The building massing of a linked 9 storey and 13 storey building blocks allow the creation of a landscaped private courtyard on the south (rear) and a public forecourts and landscaped areas on the Yates St. frontage.
- Impact of the extra height is lessened given that only the narrow end of the block faces the street.

The build-to-line variance is also supportable given the creation of the landscape forecourts along the street frontage as a result. The objective is consistent with the Harris Green Urban Design Guidelines.

- 3.5 The Advisory Design Panel at its meeting of July 23, 2003 reviewed the proposal and recommended its approval subject to review by the Advisory Design Panel prior to Building Permit stage.

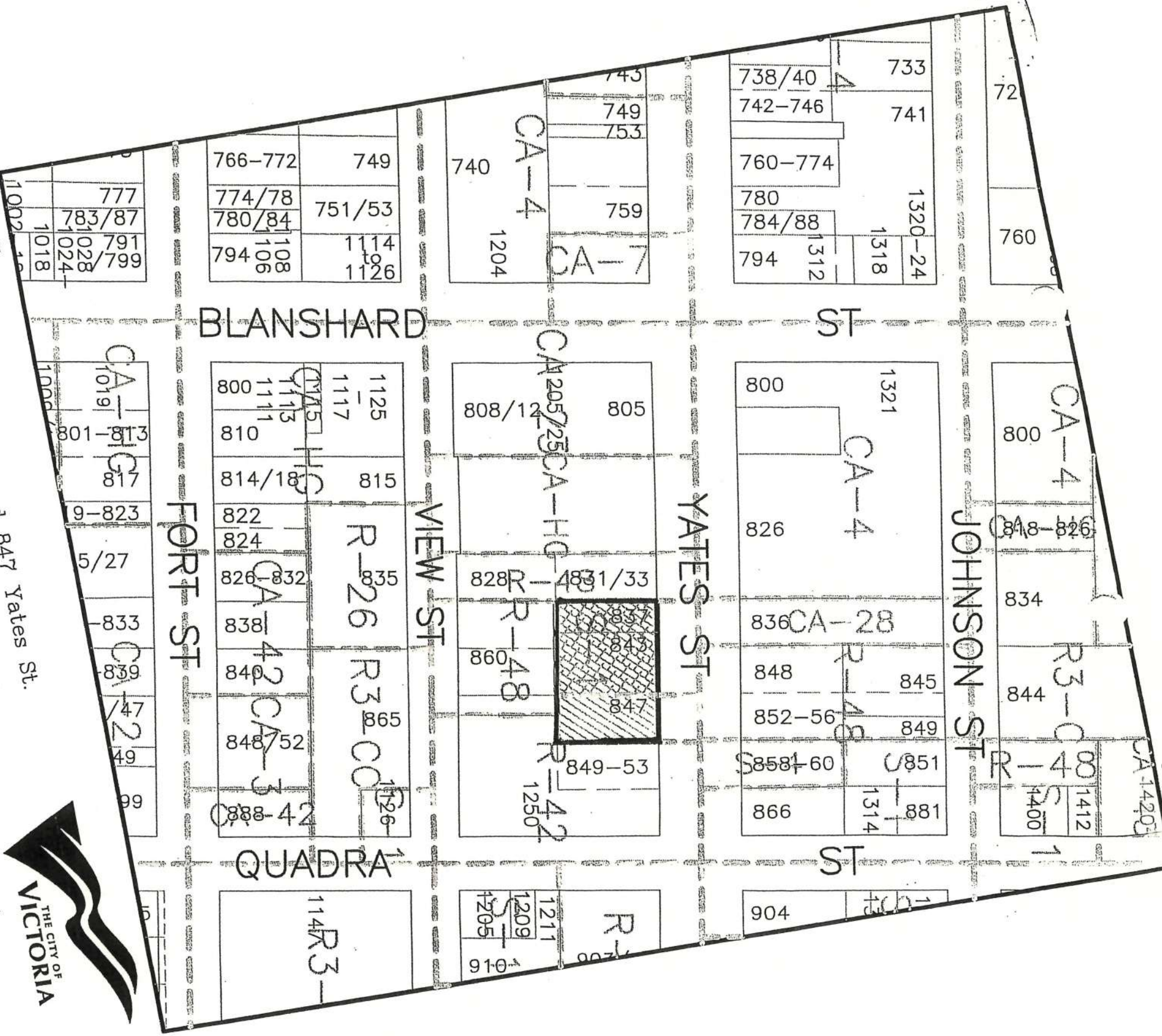
The Panel also commented that:

1. The applicant should reconsider the east elevation to provide more architectural detail.
2. The landscaping should be more contemporary in design to coordinate with the building design.

c. Applicant

Neighbourhood





837, 843 and 847 Yates St.  
Development Permit 03-30B

de Hoog & Kierulf architects



07 November 2003

Mayor and Members of Council  
City of Victoria  
#1 Centennial Square  
Victoria, BC  
V8W 1P6

**Re: Rezoning Application, 837 – 843 Yates Street**

Your Worship and Members of Council:

On behalf of our client, Mr. Austin Hamilton, we are pleased to submit this application for a development permit for the above named property.

Council recently approved a rezoning of several of the lots from S-1 Service Commercial, to R-48 Harris Green, but the Development Permit application associated with that rezoning was declined. That application was reviewed by and received Design Panel approval in July.

This application shows the revised redevelopment. The following summarizes the significant modifications that have been made to the previous submission:

**1. Building height**

The original submission showed the building at two different heights: the east wing at 13 storeys and the north wing at 10 storeys with a total of 104 units. Our revised submission shows east wing unchanged but the north wing reduced to 9 storeys. The total unit count is now 97. This compares to a unit count of 96 if both wings were kept to the allowable 10 storey maximum building height.

**2. Setbacks**

Setbacks from property lines have been increased on three sides of the project.





- a. South property line setback has been increased to 3.2 m from 2.5 m.
- b. East property line setbacks have been increased to 2.4 m (stairwell) and 5.0 m (upper floors) from 1.8 m (stairwell) and 3.8 m (upper floors).
- c. North (Yates Street) property line setbacks have been increased along the retail frontage to .8 m and 2.6m at the new planters. The upper floors (2<sup>nd</sup> to 7<sup>th</sup>) of the north wing have been set back 3.5 m (from 1.8m) with the 8<sup>th</sup> and 9<sup>th</sup> floors having an increased setback to 5.0m.

### 3. Yates Street Landscaping

In order to accommodate some landscaping elements on the Yates Street frontage, the north wing of the building was set back an additional 2.3m. This change has resulted in the creation of three significantly scaled landscaped areas, one at the east end, one by the residential entry and one beside the parking ramp. These planters measure approximately 5m x 2.5m and are designed to have adequate soil (min. 0.9m depth) to accommodate significant planting. These planters will be below grade to ensure that the soil will be at the level of adjacent sidewalk grades.

The main objective of the design is to create a high quality residential apartment building that maximize the light and view potentials of the apartment units and maximize the garden open space. We propose to construct an 'L' shaped building consisting of a thirteen storey wing along the east side and a 9 storey wing along Yates Street. This organization frees up a significant contiguous portion of the site for a garden courtyard on the south and west sides of the proposed building. Four two-storey townhouses with grade entries face onto the courtyard. The Yates Street frontage is dedicated to commercial use and as described above, will have significant landscape elements.

In order to maximize the size of the interior courtyard the two wings of the building have been kept as narrow as possible. The 13 storey east wing is 11.9 metres wide and has been set back sufficiently from the property lines to allow for generous windows to the apartment units. This wing has been set back 4.2 metres from Yates Street providing a street side patio that could become the forecourt of a future café. A tiled graphic image representing a stylized wave will be installed on the east-facing wall of the exit stair. This graphic element is approximately 15' wide x 45' high and will be visible to anyone approaching the city centre along Yates Street. The wall below the image will be clad in stone tile.

The 9-storey north wing is 18.6 metres wide. Joining the two wings is a glass fronted elevator lobby that rises the full height of the building. To accommodate the massing and setbacks of the St. Vincent de Paul building, the west end of the north wing has been set back 9.8m from the Yates Street property line.



The project envisions a total of 97 apartment and townhouse units. To maintain affordability, apartments have generally been kept small (500 sq.ft. for studios to 800 sq.ft. for one bedroom units). South facing penthouse units in the 9-storey wing have mezzanines that give access to rooftop patios.

Two levels of under building parking providing a total of 70 parking stalls as well as bicycle storage will support these apartment units. Access to parking will be provided by a ramp located at the existing sidewalk crossing at 837 Yates Street. There will be no surface parking in the project.

This application request several variances to the R-48 zone:

1. Build to Line:

R-48 requires that at least 75% of the building frontage be located 0.5 metres from the street frontage. Our proposal shows approximately 50% of the retail frontage is an average of 1.6m metres from the street and an additional 25% of the frontage is set back 4.5m to accommodate a landscaped forecourt. These setbacks are consistent with requirements in the Harris Green Neighbourhood Plan. As well, the Harris Green Charrette urban design guidelines recommends the creation of small landscaped public spaces with a minimum 3 m set back. The objective is to create small landscaped pockets of green open space to soften the impact of larger buildings.

2. Building Height:

R-48 limits a building height to 10 stories or 30 metres when the first storey is primarily retail. Our proposal shows two wings at different heights. The 9-storey wing is 30.2m high. The R-48 zone accommodates an average of 3 m per storey. The extra height in our proposal results from an over-height ground floor at 4.53m and an average floor to floor height of 3.05 m.

The 13-storey wing is 42.0 m high. This additional height is the result of transferring the available floor area from the 10<sup>th</sup> floor of the Yates Street wing. Our design is predicated on creating an interesting composition of building masses, one lower and wider set off by a taller narrower portion and connected by a transparent lobby. These masses then define the south facing private garden courtyard and public forecourt, which together account for 48% landscaped site open space. From an urban design perspective, we believe that the differential height of the two wings significantly improves the massing of the building, and with the addition of the graphic wave panels, greatly enhances the contribution to the Yates Street skyline.

The height of our proposed building is consistent with other recent developments in the neighbourhood:





- The Manhattan at 930 Yates Street is 15 storeys
- The Chelsea at 865 View Street is 12 Storeys
- The Metropolitan at 835 View Street is 13 Storeys

The proposed redevelopment reinforces a number of goals and objectives outlined in the Harris Green Neighbourhood Plan:

1. Goal 3.2.3: Encourage housing with ground oriented units (page 4).
  - Objective 3.3 "Dwellings on the lower floors should be designed to offer the possibility of direct ground access from the unit."
  - Objective 3.4 "Include "townhouse" units in large apartment projects."
2. The plan also indicates a preference for attractive landscaping or shop windows at street level rather than blank walls and wind tunnels.
3. Goal 5.2.4: Maximize variety of store fronts along sidewalks (Page 11)
  - Objective 5.5 "Improve residential development viability by allowing a limited amount of non-residential uses catering to community needs."
4. Goal 6.2: Co-operate with existing businesses at ease the transition to residential- mixed use
  - Objective 6.3.1 "Vacant industrial and services commercial sites are to be redeveloped for residential mixed use."
  - Objective 6.3.2 "Relocate in more favourable locations, uses that re incompatible with high density residential areas."
5. Goal 7.2.3: Provide convenient parking and loading space for residents, businesses and handicapped individuals.
  - Objective 7.3.4 "Encourage new developments to supply enough parking to meet all projected demands of residents and customers and to encourage new developments to supply bicycle facilities."
  - Objective 7.3.6 "Minimize commuters' use of neighbourhood street parking."
6. Goal 9.2.1: Make the neighbourhood the "garder:" for Downtown with attractive private green space for residents and visitors.
  - Goal 9.2.2: Provide a variety of private recreational facilities to meet resident needs for meetings games etc.
    - Objective 9.3.2 "Establish at least one significant private green space in each block."
    - Objective 9.3.4 "To free up maximum space for landscaping, most parking should be enclosed within the building..."



7. Goal 10.2.1: Strive for excellence in design of buildings, private landscaping and public space.

Goal 10.2.3: Create an attractive sidewalk environment.

Objective 10.3.5 "Design building frontage along sidewalks ... to maximize pedestrian convenience and interest and to 'open-up' the street level environment.

Objective 10.3.8 "Maintain a feeling of personal safety in the built environment."

The proposed development will make a strong positive contribution to the Harris Green neighbourhood. We have explored every opportunity to meet the goals and objectives of the Harris Green Plan. This development will create a significant mid-block open green space, while enhancing the public street frontage of the 800 Block Yates. We believe the variances requested are minor in nature and will significantly improve the design of the project.

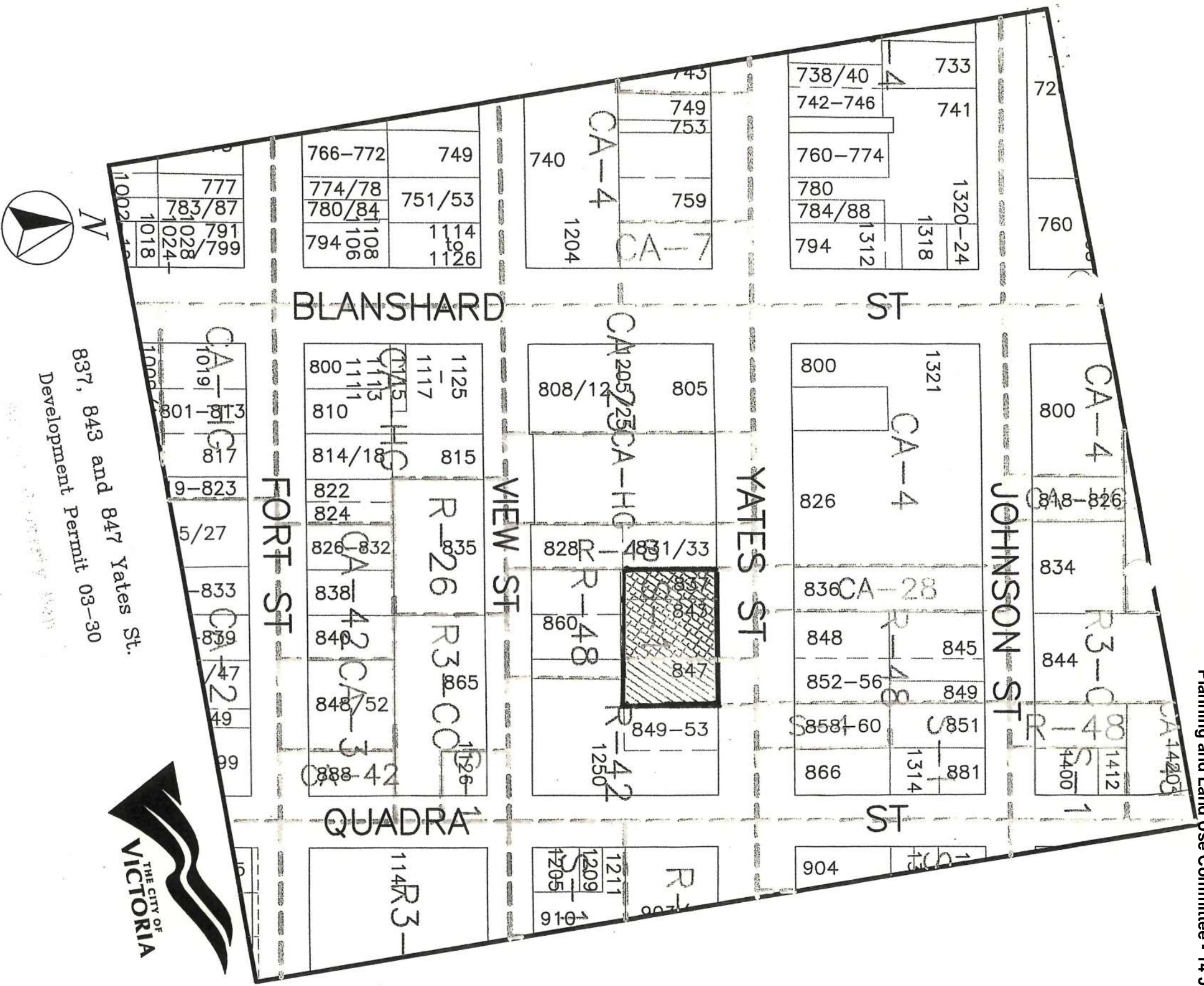
We respectfully request your support for this application.

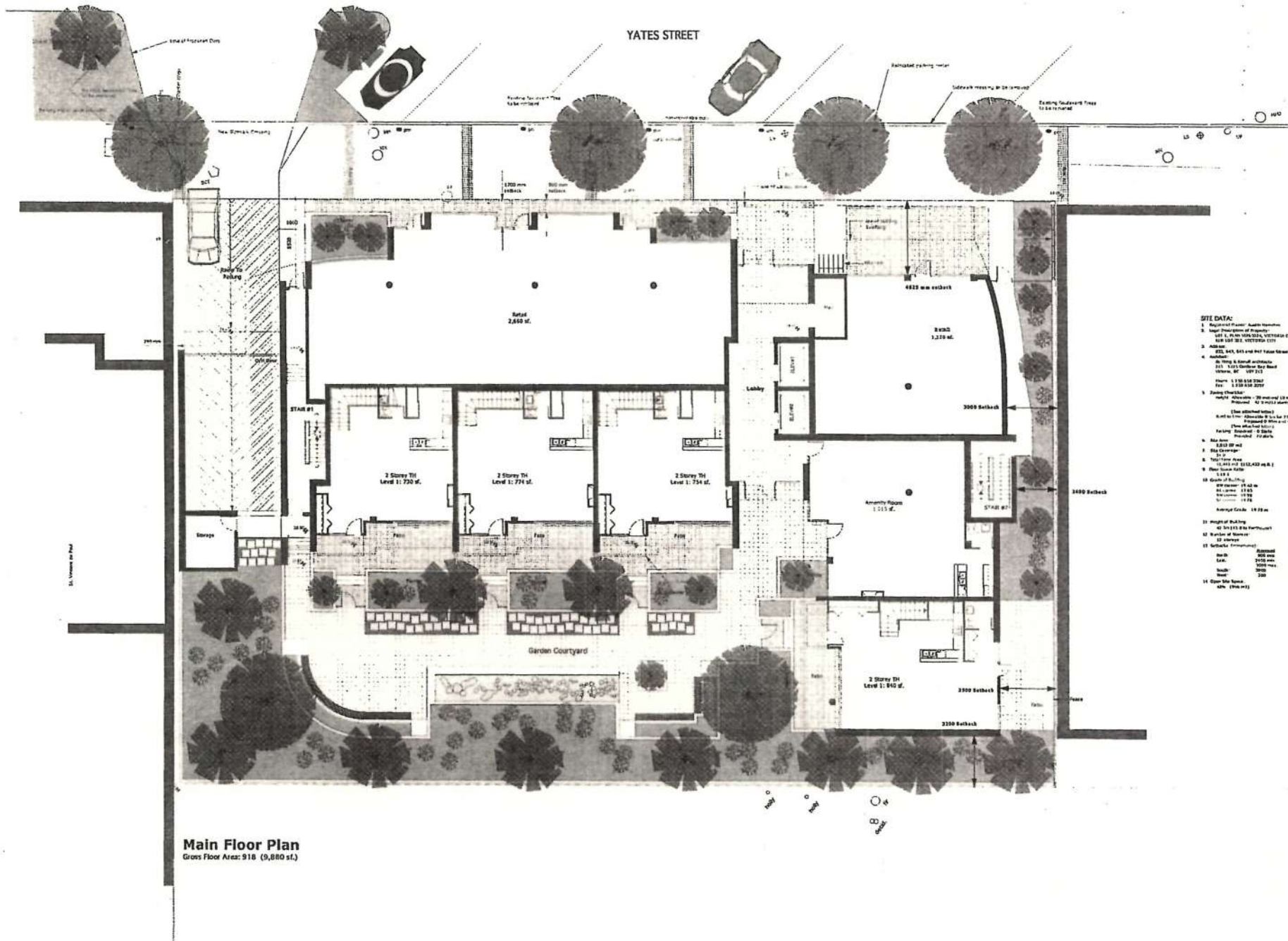
Sincerely,

A handwritten signature in black ink, appearing to read 'Peter de Hoog', with a stylized flourish at the end.

Peter de Hoog, MAIBC



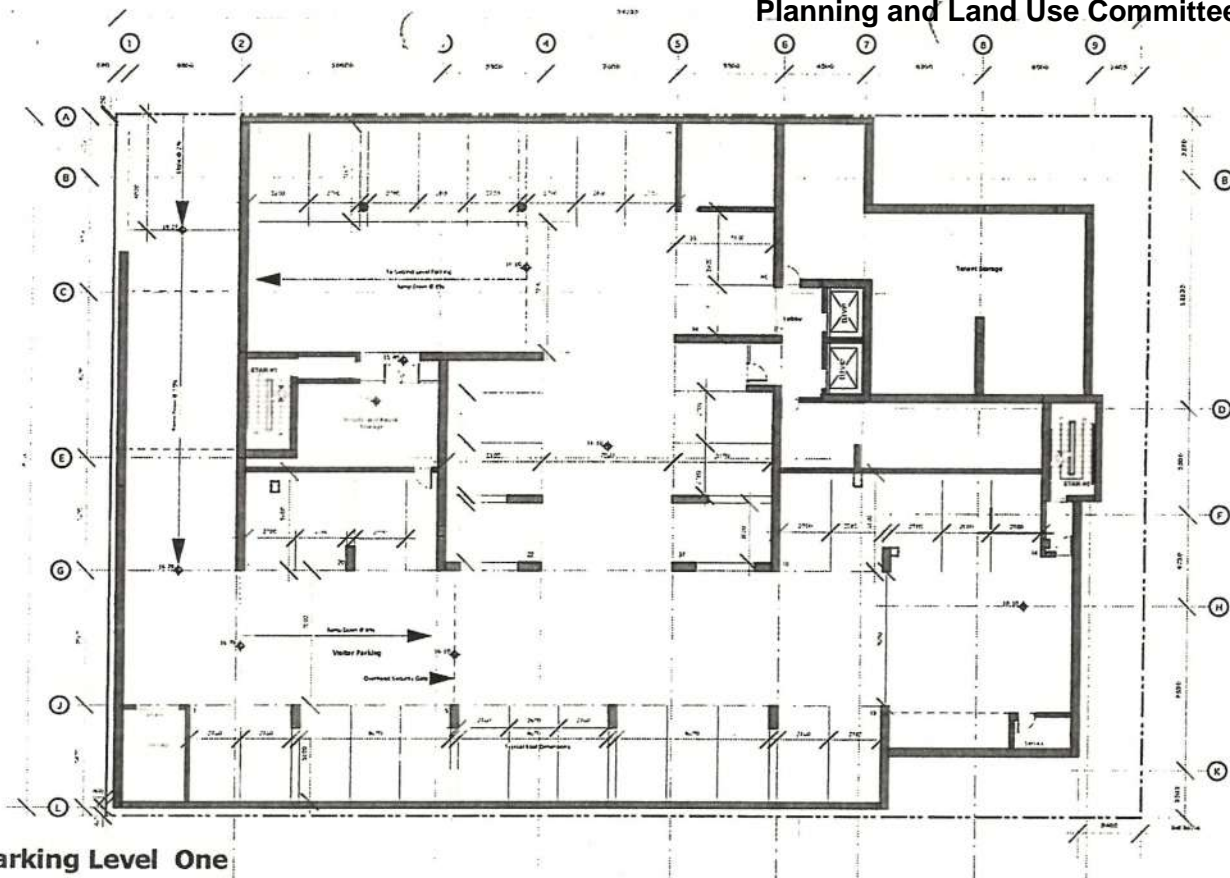




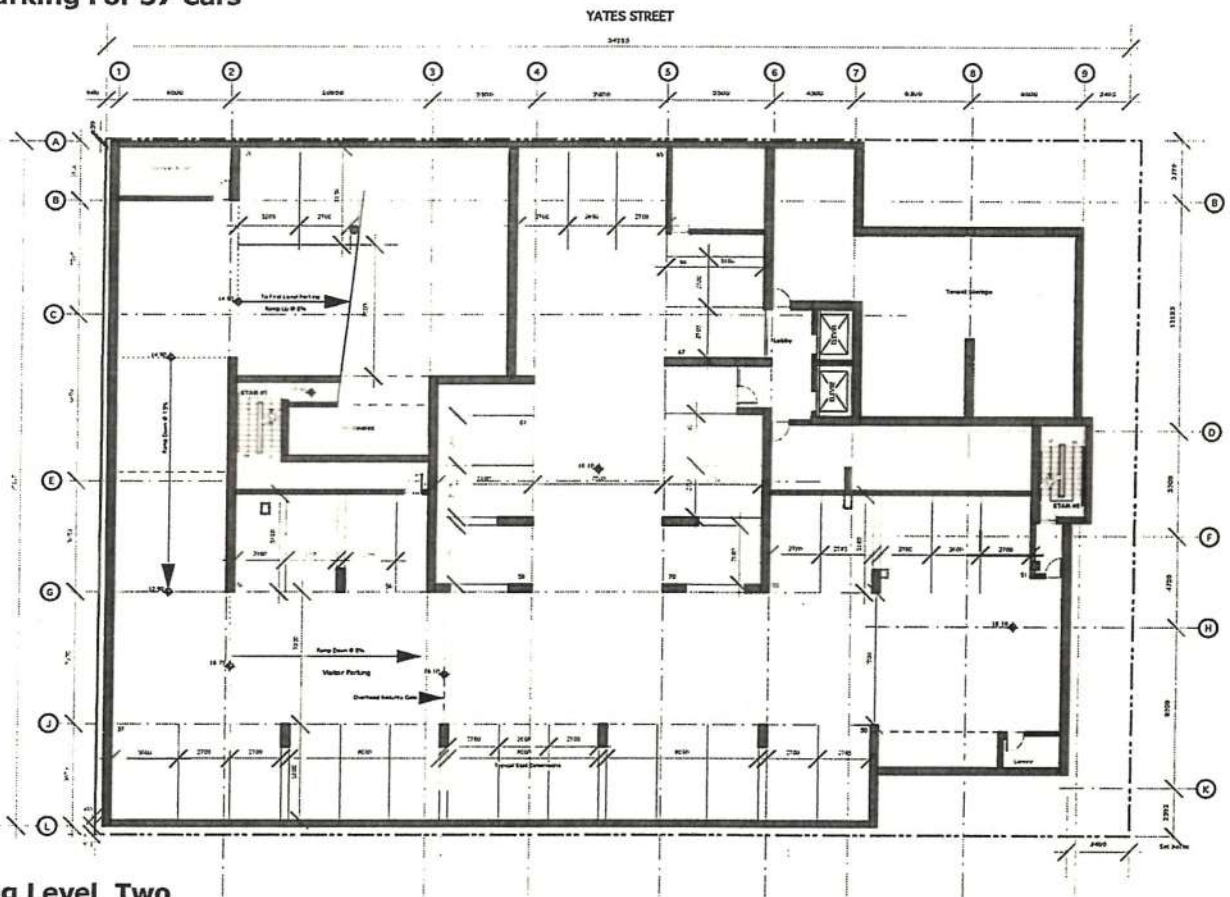
**Main Floor Plan**  
Gross Floor Area: 918 (9,880 sq. ft.)

- SITE DATA:**
1. Registered Owner: South Vancouver
  2. Super-Development of Property: 845 - 847 Yates Street, Victoria, B.C. V8Y 1A8
  3. Address: 845, 846, 847 and 848 Yates Street
  4. Applicant: de Hoog & Kierulf architects  
215 - 5235 Cordova Bay Road  
Victoria, B.C. V8M 1J1  
Phone: 250-658-3387  
Fax: 250-658-3387
  5. Zoning District: 1-10  
Permitted: 20 units and 10 storage  
Prohibited: 40 units and 10 storage  
(See attached letter)  
20 units and 10 storage  
Prohibited: 40 units and 10 storage  
(See attached letter)  
Parking: 20 units and 10 storage  
Prohibited: 40 units and 10 storage
  6. Age: 1980 (20 sq. ft.)
  7. Age: 1980 (20 sq. ft.)
  8. Age: 1980 (20 sq. ft.)
  9. Age: 1980 (20 sq. ft.)
  10. Age: 1980 (20 sq. ft.)
  11. Age: 1980 (20 sq. ft.)
  12. Age: 1980 (20 sq. ft.)
  13. Age: 1980 (20 sq. ft.)
  14. Age: 1980 (20 sq. ft.)





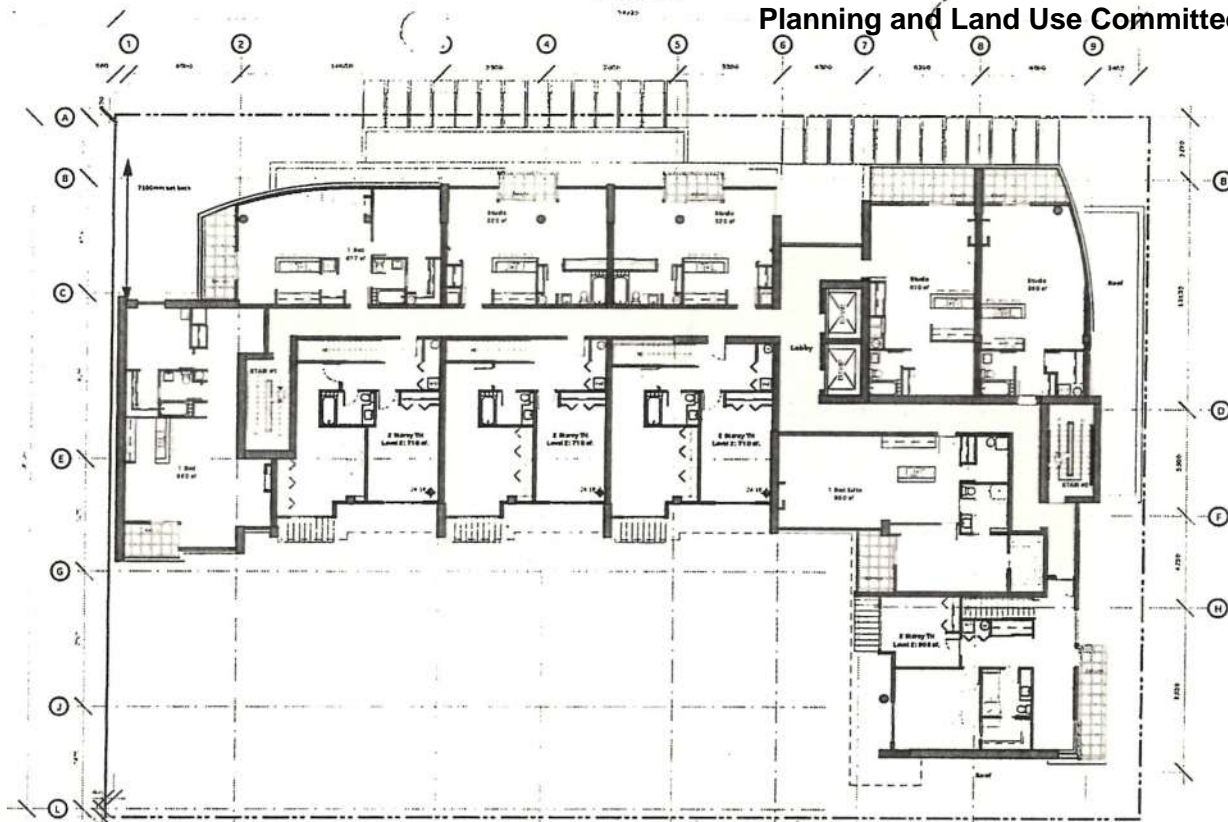
**Parking Level One**  
**Parking For 37 Cars**



**Parking Level Two**  
**Parking For 34 Cars**

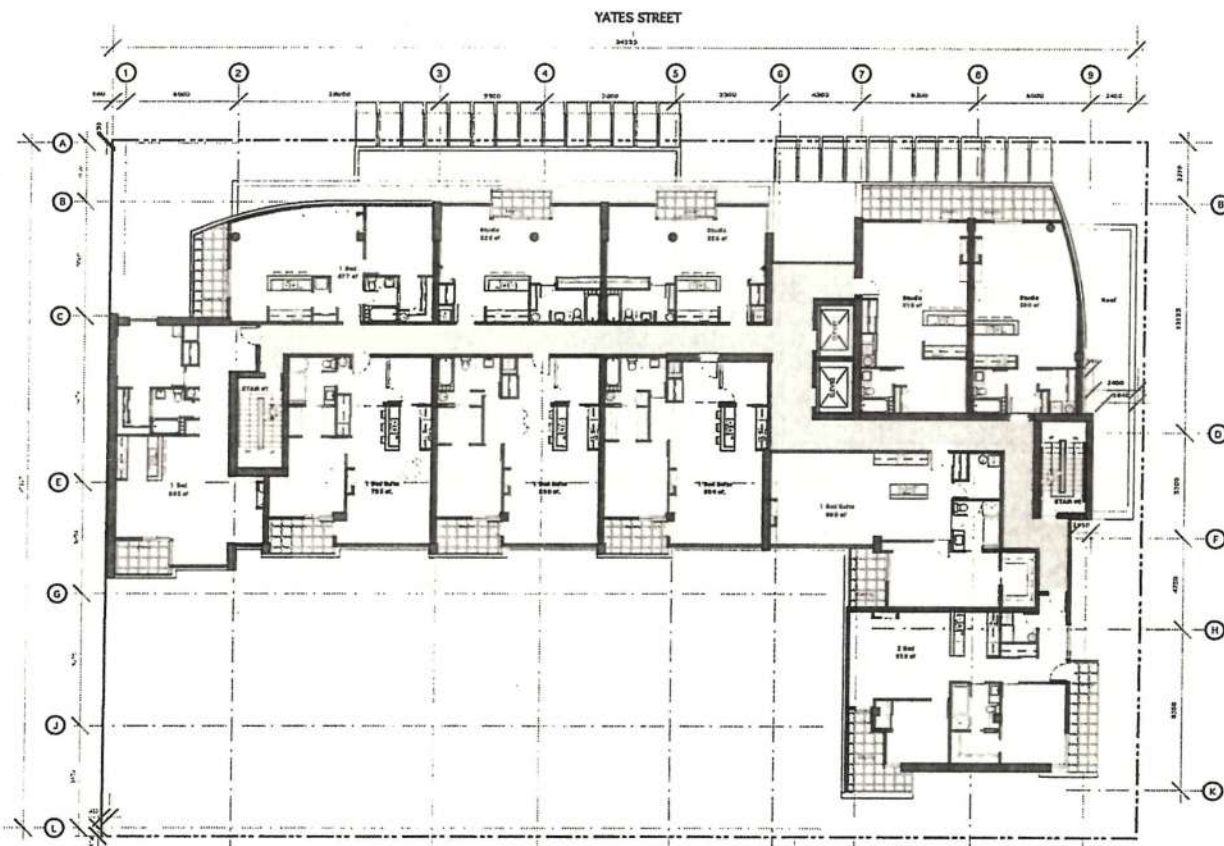
1:100

November 05, 2003



Second Floor

Gross Floor Area: 941 (10,130 sf.)



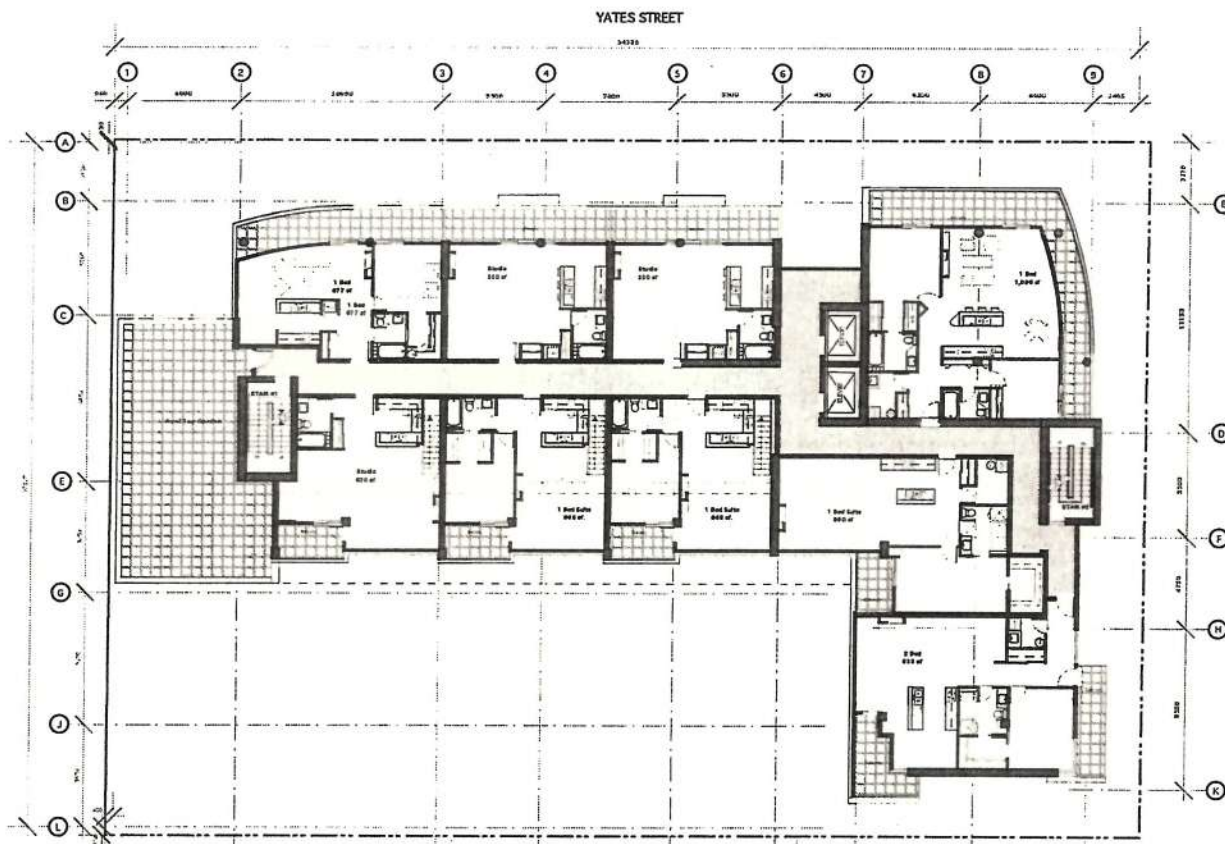
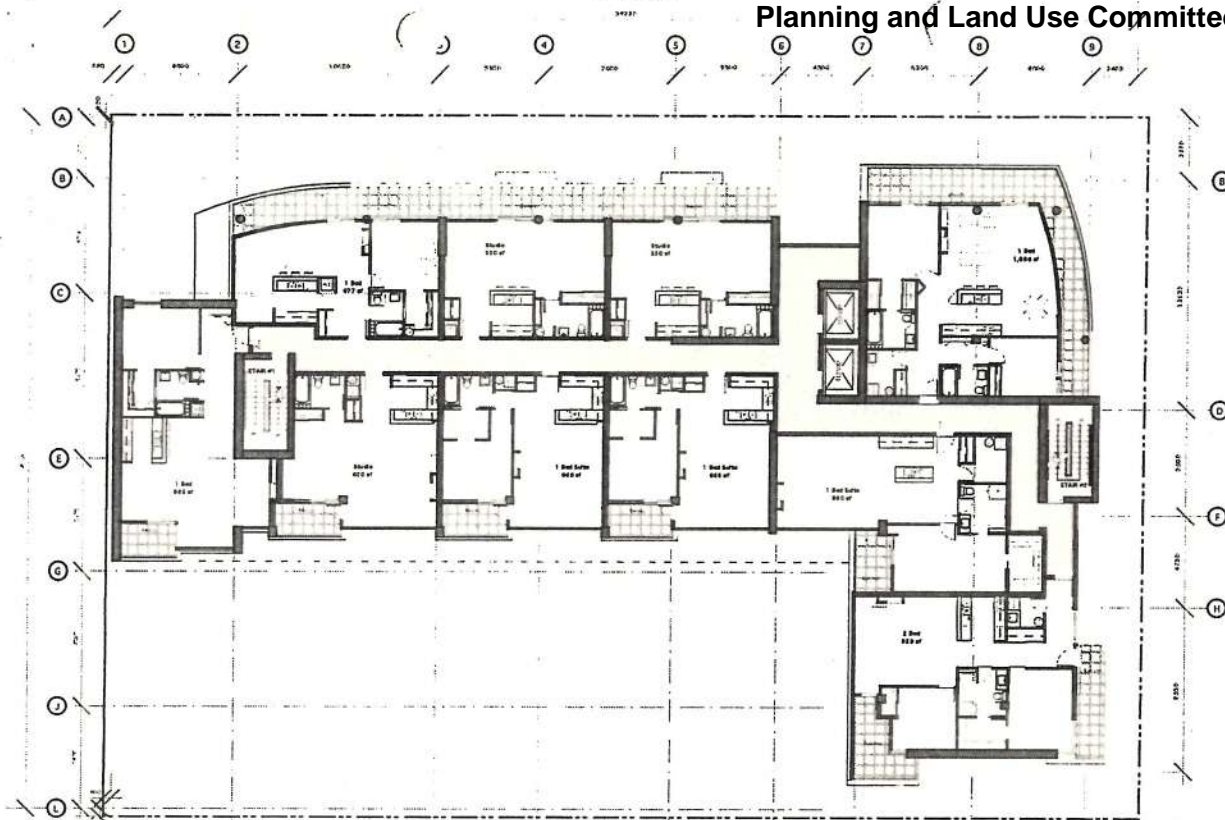
Typical Floor 3rd to 7th

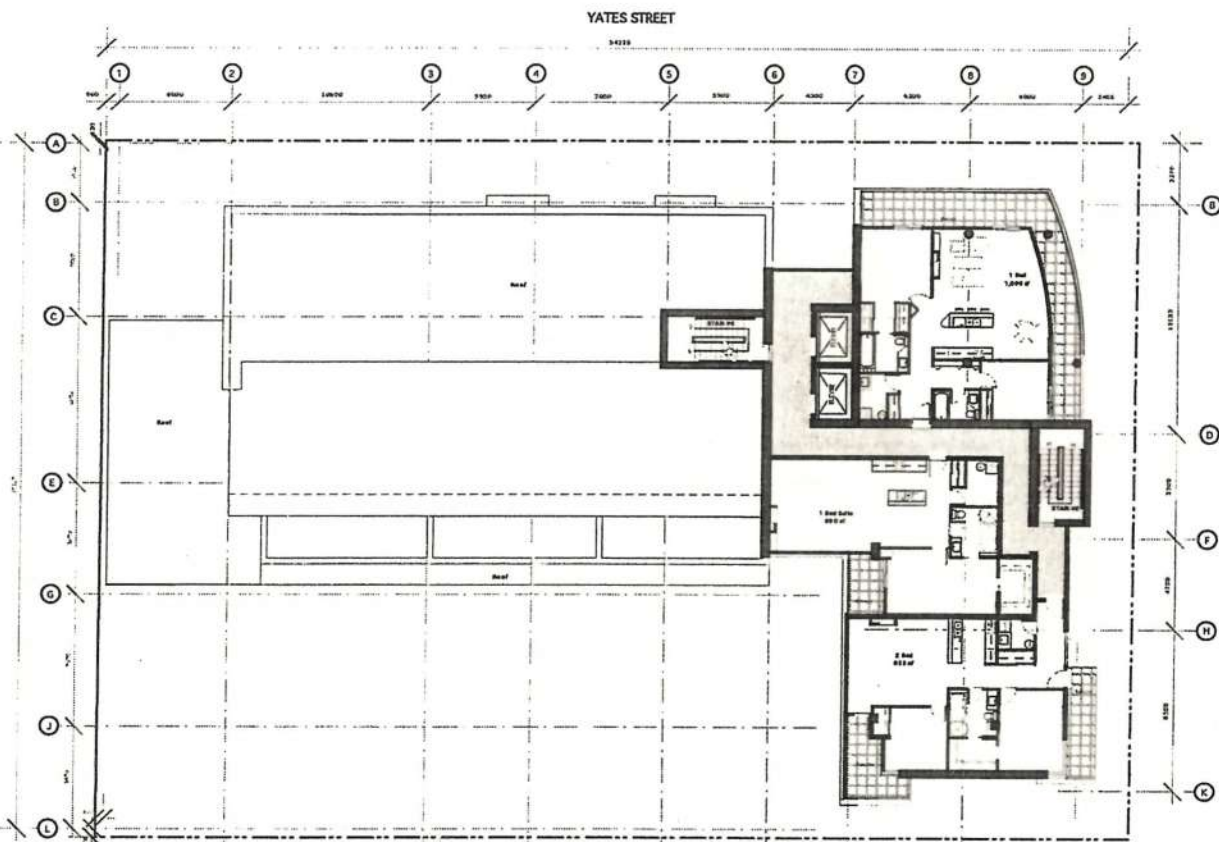
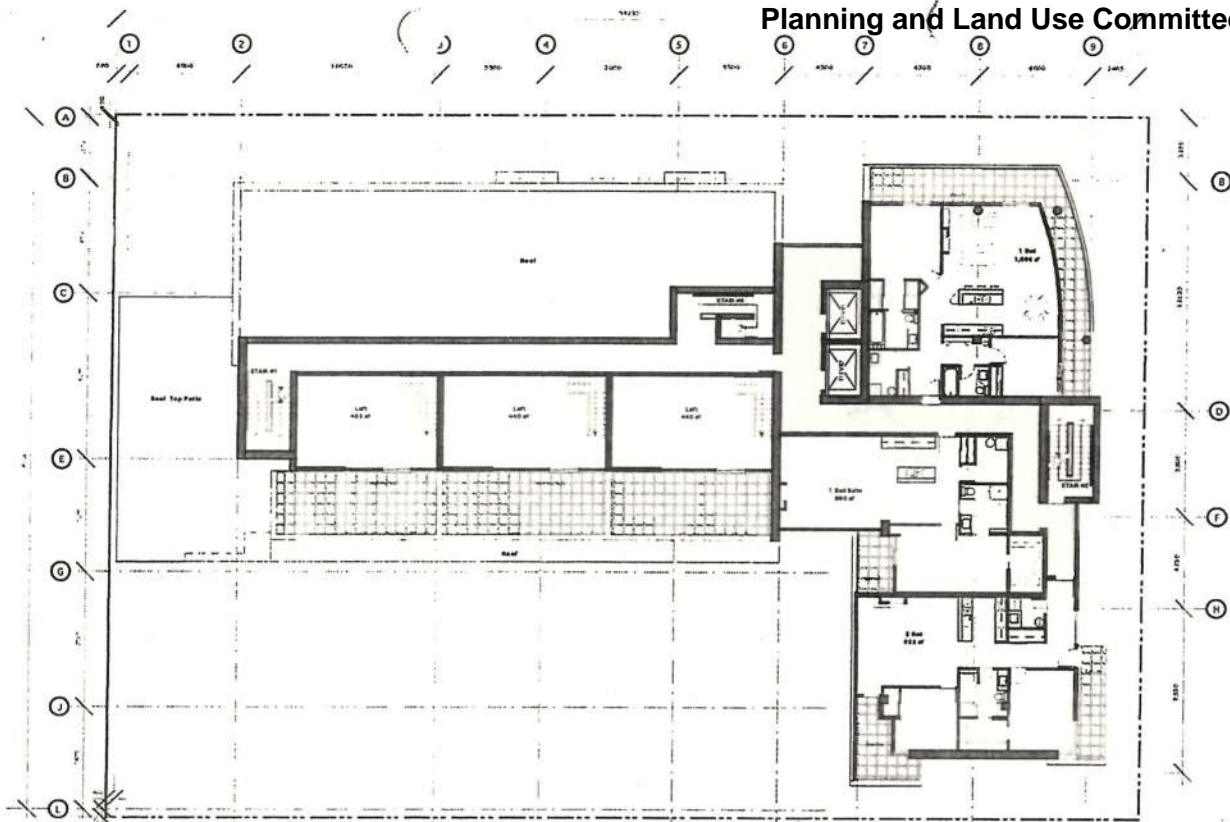
Gross Floor Area: 994 (10,700 sf.)

1" = 100'

November 05, 2003



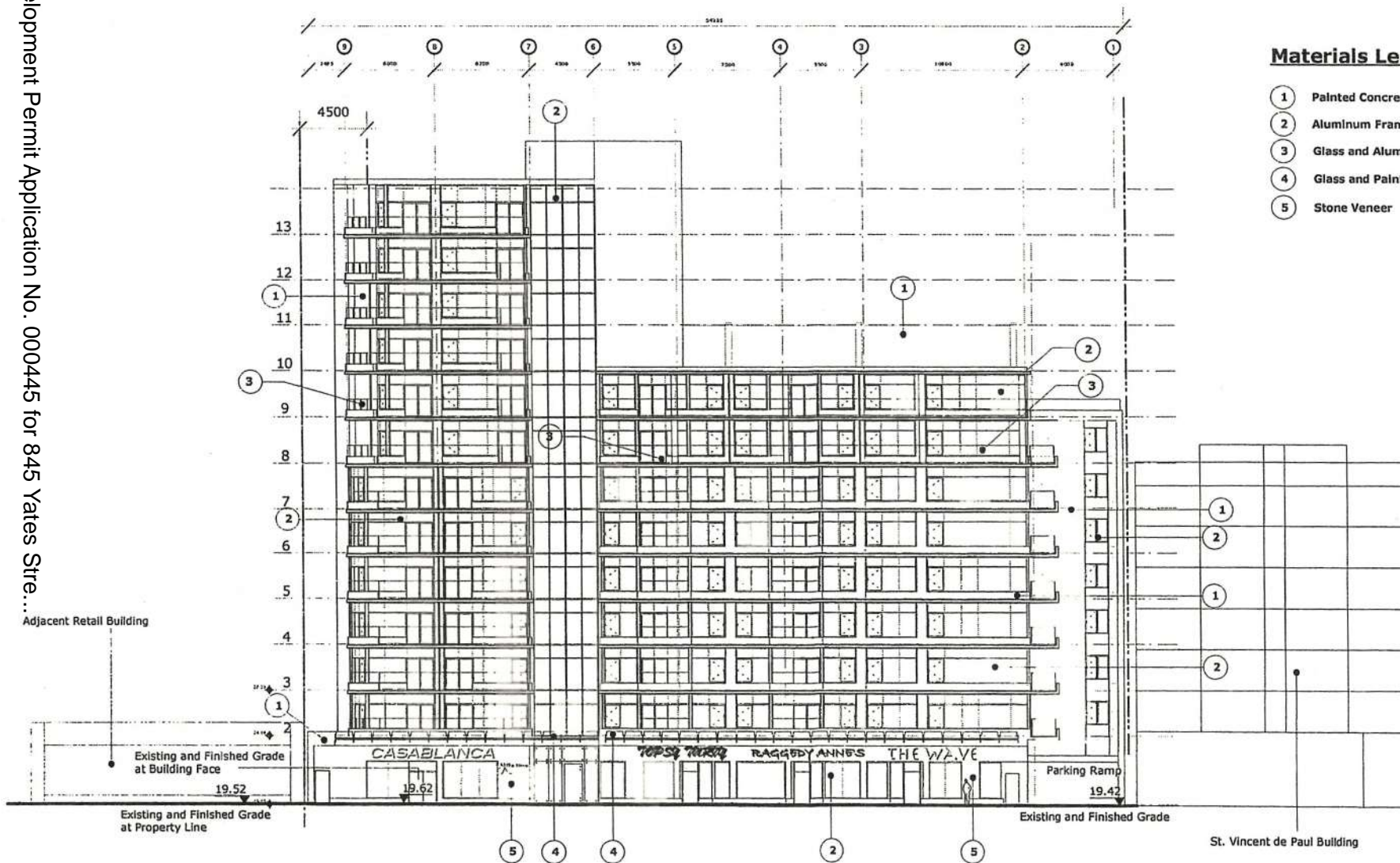




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November 05, 2003

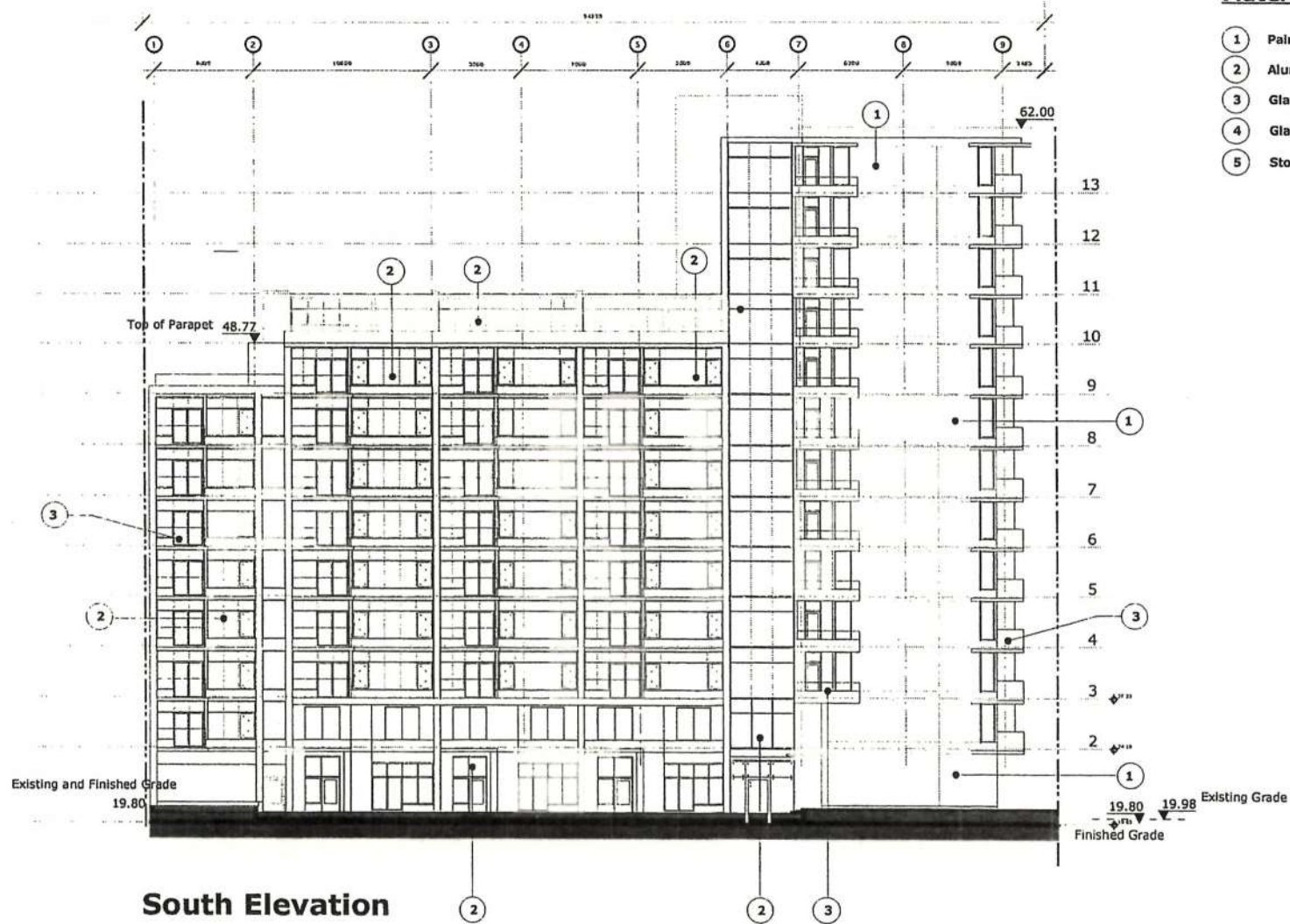




North Elevation

**Materials Legend:**

- ① Painted Concrete
- ② Aluminum Framed Windows
- ③ Glass and Aluminum Balcony Guards
- ④ Glass and Painted Steel Canopy
- ⑤ Stone Veneer



*the Wave*  
837 - 847 Yates Street

November 05, 2003

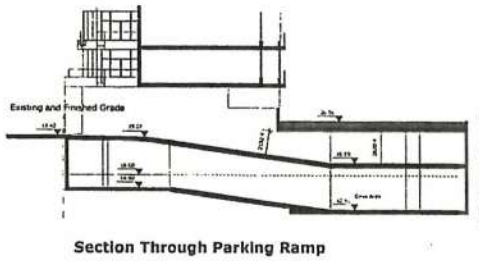
de Hoog & Kierulf architects  
205 - 5325 Cordova Bay Road Victoria B.C. V8Y 2L3  
Tel: 250.658.3367 Fax: 250.658.3397





**de Hoog & Kierulf architects** 

205 - 5325 Cordova Bay Road      Victoria B.C. V8Y 2L3  
Tel: 250.658.3367      Fax: 250.658.3397



Sections





## Planning and Land Use Committee Report

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**Date:** April 3, 2014

**From:** Murray G. Miller, Senior Planner

**Subject:** **Development Permit Application #000347 for 845 Yates Street**

Application to remove existing tile on the east elevation and apply a painted mural.

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### Executive Summary

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 845 Yates Street.

The proposal is to remove the existing wave mural (quartzite tiles) from the east elevation of the exit stair tower that extends from the second floor level up to the roof. The proposed exterior finish would instead consist of a painted mural to replace the existing wave image.

The key issues associated with this Application are the appearance of the proposed wave image that would likely result from the change in materials and the contemporary interpretation of the original image and the durability and resulting maintenance requirements of a painted finish. The subject property is within the DPA 2 (HC): Core Business Urban Place Designation and the Downtown and Harris Green Neighbourhood.

Staff recommends that Committee support this application subject to the applicant reducing the size of the proposed grid to be more representative of the existing grid.

### Recommendation

That Council authorize the issuance of Development Permit #000347, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,

Murray G. Miller  
Senior Planner  
Development Services

Deb Day, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

\_\_\_\_\_  
Jason Johnson

Date: \_\_\_\_\_

MGM:aw

S:\ITEMPEST\_ATTACHMENTS\PROSPERO\PL\DP\DP000347\PLUSC PLANNING REPORT TEMPLATE DP & DVP3.DOC



## 1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding a Development Permit Application for the property located at 845 Yates Street. The proposed exterior finish would consist of a painted mural finish, replacing the existing mosaic tile wave image.

## 2.0 Background

### 2.1 Description of Proposal

This proposal consists of the removal of the existing quartzite tile that extends from the second floor level up to the roof. The area of work would be within the narrow section of wall that forms the east elevation of the exit stair tower. The scope of work includes the repair and reconditioning of the existing concrete substrate prior to the application of a painted mural.

The proposed work would increase the colour pallet of the original design from eight to dozens of colours. It would also increase the grid size of the existing mural making the proposed grid approximately three times the size of the present design. The proposed mural will be an abstract contemporary interpretation of the present design. The balance of the wall that is not mural will be painted concrete.

### 2.5 Legal Description

Strata Lots 1-100 of Lots 318, 319 and 322, Victoria City, Strata Plan VIS6115 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V.

### 2.6 Relevant History

On September 18, 2003, Council adopted Bylaw No. 03-71 Zoning Regulation Bylaw, Amendment Bylaw (No. 673) to rezone land known as 837 and 843 Yates Street to the R-48 Zone, Harris Green District, to permit the land to be used for construction of a residential building of 10 and 13 storeys, with height and setback relaxations.

In September 2003, revisions to the design in response to Design Panel and Council requests were provided to Mayor and Council. Included in these changes was "a ceramic tile mosaic representing a stylized wave" to be installed on the east-facing wall of the exit stair.

On November 27, 2003, Council authorized the issuance of a Development Permit for 837-847 Yates Street in accordance with conditions, including Plans stamped "Development Permit Application #03-30B" dated November 7, 2003. The motion also noted that, "Final Plans be in accordance with plans identified above with responses to Advisory Design Panel's recommendations to the satisfaction of the Director of Planning and Development." A mosaic colour palette, dated-stamped September 2, 2004, for consideration by Advisory Design Panel, shows eight colours associated with the wave design.

In 2011, some of the quartzite stone and tile that was installed on the east elevation of the exit stair tower became detached and fell off the building face. A recent report by RDH Group has recommended that the complete removal of the tile finish from the second floor to the roof was necessary.

### 3.0 Issues

The key issues associated with this Application are:

- the appearance of the proposed wave image; and
- the durability and resulting maintenance requirements of a painted finish.

### 4.0 Analysis

#### 4.1 Appearance of the Proposed Wave Image

While the proposed work employs a different medium and approach in representing the wave image, it is considered that the location of the image lends itself more appropriately to distant views. Therefore the resulting visual effect of using a different material for the image will not be significant.

The proposed increase in the size of the grid from 4" squares to 9" squares represents an increase in the grid size of 225%. This will have a considerable visual effect resulting from the intended abstract contemporary interpretation of the present design. The proposed increase in grid size in conjunction with an increase in the colour palette would considerably transform the recognizable image. While the intention of the proposed tile replacement is to ensure a durable finished product, the proposed increase in the grid size is not necessary to achieve this objective. Staff have discussed the possibility of reducing the grid size with the applicant and the applicant has indicated a strong preference to proceed with the 9" squares as reducing the grid size increases costs.

#### 4.2 Durability and Resulting Maintenance of a Painted Finish

The proposed finish would be two coats of artist's paint and a clear top coat by Golden Paints. The surface preparation of a direct-adhered finish is understood to be critical in relation to its durability. According to the Application Information Sheet for Painting Exterior Murals prepared by Golden Artist Colours, a major coatings manufacturer, states that as much as 80% of all coating failures can be directly related to insufficient surface preparation. It is understood that the proposed painted finish would have a life expectancy of approximately ten years under favourable conditions. While the life expectancy of an effectively applied tile finish would be in the order of twenty-five to thirty years, ongoing maintenance and re-application of the painted finish will be the responsibility of the building's strata corporation.

### 6.0 Options

#### Option One (Recommended)

That Council authorize the Development Permit #000347, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

#### Option Two (Application as submitted)

That Council authorize the Development Permit #000347, as submitted.



Option Three (Decline)

That Council decline the application.

**7.0 Conclusions**

The resulting visual effect of using a painted grid versus a tile mosaic for the image will not be significant, however, the proposed increase in the size of the grid will likely have a considerable visual effect resulting from the contemporary interpretation of the existing wave mural. Staff therefore recommend that Council authorize Development Permit #000347, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

**8.0 Recommendation**

That Council authorize Development Permit #000347 for 845 Yates Street, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

**9.0 List of Attachments**

- Zoning map
- Aerial map
- Letters from applicant dated January 20, 2014, and March 18, 2014
- Plans stamped "Revised drawings Planning & Development DP #000347" dated March 19, 2014.

## Planning and Land Use Committee Report

---

**Date:** May 22, 2014      **From:** Murray G. Miller, Senior Heritage Planner

**Subject:** **Development Permit Application #000347 for 845 Yates Street**  
Application to remove existing tile on the east elevation and apply a painted mural.

---

### Executive Summary

The purpose of this report is to present Council with updated information, analysis and recommendations regarding a Development Permit Application for the property located at 845 Yates Street. This report responds to the Planning and Land Use Committee (PLUC) motion of April 17, 2014 which was:

*That Committee recommends that Council postpone consideration of the motion until the applicant provides more information on the need for replacement of the tiling.*

The applicant has provided this information and while it is noted that technically tiles could be used in a new mosaic, the applicant's preferred approach is to remove the existing wave mural (quartzite tiles) from the east elevation and replace it with a painted mural.

The key issues associated with this Application are the appearance of the proposed wave image that would likely result from the change in materials and the contemporary interpretation of the original image and the durability and resulting maintenance requirements of a painted finish. The subject property is within the DPA 2 (HC): Core Business Urban Place Designation and the Downtown and Harris Green Neighbourhood.

Staff recommends that Committee support this application subject to the applicant reducing the size of the proposed grid to be more representative of the existing grid.

### Recommendation

That Council authorize the issuance of Development Permit #000347, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

Respectfully submitted,

Murray G. Miller  
Senior Heritage Planner  
Community Planning

Deb Day, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

\_\_\_\_\_  
Jason Johnson

Date: \_\_\_\_\_

MGM:aw



## 1.0 Purpose

The purpose of this report is to present Council with additional information regarding the reasons why the quartzite tile failed and outline specifications for materials that were considered by the applicant as potential substitutes for the tile.

## 2.0 Background

### 2.1 Description of Proposal

This proposal consists of the removal of the existing quartzite tile that extends from the second floor level up to the roof. The area of work would be within the narrow section of wall that forms the east elevation of the exit stair tower. The scope of work includes the repair and reconditioning of the existing concrete substrate prior to the application of a painted mural.

The proposed work would increase the colour pallet of the original design from eight to dozens of colours. It would also increase the grid size of the existing mural, making the proposed grid approximately three times the size of the present design. Staff have concerns that the size of the grid proposed which is discussed in the original report and the staff recommendation aims to address these concerns. The proposed mural will be an abstract contemporary interpretation of the present design. The balance of the wall that is not a mural could be painted concrete.

### 2.2 Legal Description

Strata Lots 1-100 of Lots 318, 319 and 322, Victoria City, Strata Plan VIS6115 together with an interest in the common property in proportion to the unit entitlement of the Strata Lot as shown on Form V.

### 2.3 Relevant History

At its regular meeting of April 17, 2014, the Planning & Land Use Committee considered Development Permit Application # 000347 for 845 Yates Street (report attached) and discussed whether a painted mural was an appropriate substitute for the tile. The Planning & Land Use Committee moved:

*That Committee recommends that Council postpone consideration of the motion until the applicant provides more information on the need for replacement of the tiling.*

## 3.0 Issues

The key issues associated with the additional information are:

- reasons why the quartzite tile failed
- options considered by the applicant as potential substitutes for the tile.

## 4.0 Analysis

### 4.1 Reasons Why the Quartzite Tile Failed

The findings of the report entitled *RDH Building Engineering Ltd. Performance Review of Tile and Adhered Thin Stone* (attached) can be summarized as follows:

- surface irregularity of stone resulted in offsets and ledges at most joints

- cracks and gaps in the grout at stone/tile joints were widespread
- removal of "hollow" sounding stone/tile units revealed poor adhesion
- the joint between the stone and the concrete structure was filled with mortar. The mortar had failed in locations providing an opening for water entry.
- the tile and adhered thin stone should have been installed in accordance with the British Columbia Building Code with professional design and field review
- insufficient levelling prior to installation
- lack of consistent "back buttering" resulting in inconsistent contact between stone and mortar
- improper installation of control joints and/or lack of control joints
- lack of sealant at tile/stone interfaces
- it was recommended that the Owners review options to remove the existing tile and adhered thin stone
- it was recommended that if the Owners wish to reinstate the "mosaic-like" wave representation, that alternate assemblies be identified and the installation of exterior tile or adhered thin stone on the existing concrete substrate be avoided.

#### 4.2 Options Considered by the Applicant as Potential Substitutes for the Tile

In RDH's presentation of options to the Strata Corporation (attached) entitled *Stone Tile Repair – Design Option Presentation*, the three key approaches can be summarized as follows:

- Option 1: New Mosaic Tile and Stone Cladding
- Option 2: Painted Mural and Stone Cladding
- Option 3: Painted Mural and Painted Concrete.

In discussions with the applicant, staff learned that although a new tile mosaic is possible the strong preference, primarily related to costs, is to introduce a painted mural and painted concrete (Option 3.) Staff also explored with the applicant the possibility of introducing a tile mosaic in the location of the existing wave mosaic and then using painted concrete on the lower portions of this elevation to reduce costs. However, the contractor, through the applicant, indicated that such an option had not been considered because of a desire to eliminate the current liability of having tile on the side of the building.

#### 5.0 Conclusions

The resulting visual effect of using a painted grid versus a tile mosaic for the image will not be significant; however, the proposed increase in the size of the grid will likely have a considerable visual effect resulting from the contemporary interpretation of the existing wave mural. Staff therefore recommend that Council authorize Development Permit #000347, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.

#### 6.0 Recommendations

##### 6.1 Staff Recommendation

That Council authorize Development Permit #000347 for 845 Yates Street, subject to the applicant reducing the size of the proposed grid to the satisfaction of the Director of Sustainable Planning and Community Development.



**6.2 Alternate Recommendation** (Application as submitted.)

That Council authorizes the Development Permit #000347, as submitted.

**6.3 Alternate Recommendation** (Decline.)

That Council decline the application.

**7.0 List of Attachments**

- Staff report for Development Permit Application #000347, dated April 3, 2014
- *RDH Building Engineering Ltd. Performance Review of Tile and Adhered Thin Stone*, dated January 20, 2012
- *Stone Tile Repair – Design Option Presentation*, dated July 18, 2013



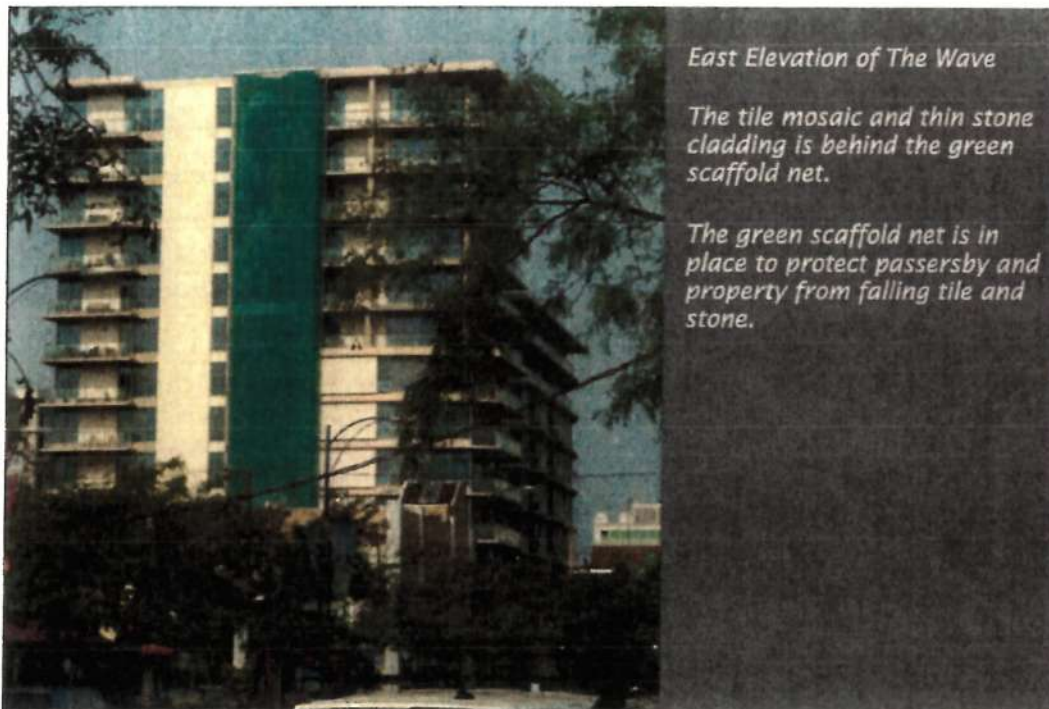
TO **Mayor and Council**  
**C/O Charlotte Wain**  
Senior Planner – Urban Design  
Development Services Division  
City of Victoria  
1 Centennial Square  
Victoria BC V8W 1P6

**5098.054**  
**845 Yates Street**  
**Development Permit**

DATE November 05, 2015

REGARDING **The Wave - 845 Yates Street**  
**Development Permit Application for the Replacement of Tile Mosaic and Thin Stone Cladding**

This development permit application pertains to the replacement of the existing ceramic tile mosaic and thin stone cladding on the east, and a portion of the north, facing exterior walls of the concrete stair enclosure at the building known as The Wave located at 845 Yates Street. It is proposed that the tile mosaic be recreated in paint, and the thin stone cladding be replaced with paint.



## Background

Built 2006, The Wave is decorated with a ceramic tile mosaic of a wave installed on the exterior wall of the concrete stair enclosure at the east facing elevation of the building. The remainder of the stair enclosure wall is finished with adhered thin stone and painted concrete. Both the ceramic tiles and thin stone are adhered directly to the cast-in-place concrete substrate with mortar.





Sometime after installation, tiles were found to have fallen from the building. In December 2011 the strata retained RDH Building Engineering Ltd. (RDH) to review the condition of the tiles and thin stone and in January 2012 RDH issued a Performance Review (See Appendix A) that made the following recommendations:

- Remove the existing tile and thin stone
- Avoid installation of exterior tile or adhered thin stone directly to the existing concrete substrate
- Install a different assembly for reinstatement of the "mosaic-like" wave image.

In May of 2013, RDH was retained by the Strata to develop Design Options for the replacement of the tile and thin stone and in July of 2013 presented three design options to the Strata for consideration. None of the options involved adhering tile or stone directly to concrete. The three options presented were:

1. New Tile Mosaic embedded in a stucco assembly that is attached to girts fastened to the existing concrete wall (girts allow the assembly to be made plumb, and provide a drainage space behind the tile and stucco) and 3" thick Stone. The stone would be built up in rows bonded with mortar, supported on steel angles bolted to the existing concrete wall, and tied back to the concrete with masonry ties.
2. Painted Mural and 3" thick Stone assembly as above
3. Painted Mural and Painted Concrete

Each option was evaluated in terms of construction costs and the municipal approval process.

Shortly after having received the presentation of the above design options, the Strata attempted to reach a negotiated settlement with a number of the parties associated with the original construction. In June of 2014 the conditions of an initial settlement related to what was a painted solution ended when it was rejected by City Council.

Subsequently, in November of 2014, the Strata approved the replacement of the existing adhered thin stone and tile with RDH's design for engineered stone and tile assemblies. However, because of the high cost of the new assemblies and the uncertainty of reaching a monetary settlement to cover their cost, the Strata approached City Council to reconsider a Development Permit application based on a painted solution. In March of 2015, City Council indicated that it would consider such a Development Permit application.

The following is a description of the essential qualities and characteristics of the proposed method of replacing the tile and thin stone that is the basis of this Development Permit application.

### **Painted Replacement of Existing Ceramic Tile and Thin Stone**

Two critical issues were identified in the April 2014 Planning and Land Use Committee Report prepared by the Planning Department for the original Development Permit application. These were:

- The appearance of the proposed wave image.

- The durability and maintenance requirements of the painted finish.

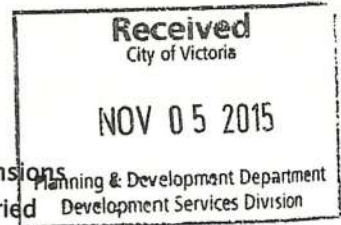
### Appearance

It is the intention that the replacement wave image replicate the original grid dimensions and colours as exactly as practical. To accomplish this the following has been carried out:

- The existing mosaic has been recorded in detail with photographs and these photographs examined to:
  - Determine the number of rows and columns that make up the grid
  - Identify the colour of each square.
- Field review confirmed the existing tile module as 100mm x 100mm (4"x4").
- Sample tiles of each of the eight tile colours were collected
- Standard Benjamin Moore colours that are close matches to the original tile colours have been selected. (These colours will be further refined prior to carrying out the project by use of colour matching technology).

Each colour has been given a number, and each square within the grid has been assigned the colour number corresponding with the original tile colour. Once the concrete substrate has been prepared, and the grid laid out, colour will be applied to each square according to its colour number. This is graphically represented on sheet A-4, Methodology, of the Development Permit application drawing set.

Because of the distances from which it can be seen, there will be little or no change in the visual aspect of the wave image from tile to paint. The stylized adaptation of Hokusai's wood cut print, "The Great Wave of Kanawaga", will once again be present in the streetscape.







The thin stone will also be replaced with paint. The texture of the stone and sparkle of the mica flecks within it are not possible to replicate with paint. However, the majority of the stone on the stair tower is hidden behind buildings (see street views on sheet A-0, Cover, of the Development Permit application drawing set). Rather than try to replicate the stone in paint, a neutral grey, similar in hue and tone to the stone, has been selected. This will provide a suitable 'frame' for the mural.

### **Durability and Maintenance**

Tile and stone are generally naturally durable materials and in themselves have the potential to maintain their visual qualities for the lifetime of a building. Paint, however, is subject to fading and deterioration and requires maintenance over the life of a building.

An issue with stone and tile, in this application, is not the quality of the materials but the method employed to fasten them to the building. Tile or stone adhered with mortar to a smooth concrete surface are subject to delamination. This can be caused, for instance, by the accumulated effects of differential expansion and contraction of the cladding materials and concrete substrate from solar heat gain, or the forces generated by the expansion of ice formed from water that has infiltrated behind the tile or stone. These potentials are further exacerbated where materials are applied in a substandard manner. Whereas paint failure will only have a deleterious effect on visual qualities, on a high wall, the failure of tile and stone are a safety concern. When properly specified, applied, and maintained, paint can be effectively as durable a material as tile and much safer.

The following is a general description of the methodology employed to ensure a high quality paint application and is based on the Master Painters Institute (MPI) guidelines and specifications. MPI approved products will be used and the work inspected by an MPI Accredited Quality Assurance Association inspector.

#### → Preparation

- Remove existing tile, stone and mortar.
- Grind residual mortar off of concrete surface.
- Clean the concrete surface (acid etch if necessary).

#### → Paint

- Apply one coat of water based, alkali resistant, latex primer.
- Apply two coats of colour exterior acrylic latex to create the wave image.
- Apply UV resistant clear protective coating over the image.

The clear coat is to maintain the integrity, vividness and colour fastness of the colour coat, and to act as the 'wear' course

To maintain the painted surfaces the following procedures will be carried out:

- Every two years - low pressure wash-down of painted area to remove particulates from city traffic, organic growth, etc.
- Every seven years - Renew clear coat



rdh.com

- At 20 years
  - Sand clear coat
  - Clean surfaces
  - Apply two new colour coats
  - Apply new clear coat



By conducting the above maintenance tasks as scheduled, the mural will maintain its appearance indefinitely.

### Summary

By replacing the existing ceramic tile mosaic and surrounding thin stone cladding with a painted mural as described above, the public space along Yates will once again be enhanced with the presence of the wave image as originally conceived. Visually the painted wave image will be identical to the ceramic tile version, its durability assured by the quality of the paint application and a commitment to an ongoing maintenance program, and public safety will also be assured.

Yours truly,

**Grant Laing** | Architect MAIBC, MRAIC  
Project Architect  
glaing@rdh.com  
**RDH Building Engineering Ltd.**

encl.

cc Geoff Kearney, Cornerstone Properties Ltd.  
Eric Metson, Strata Plan VIS6115

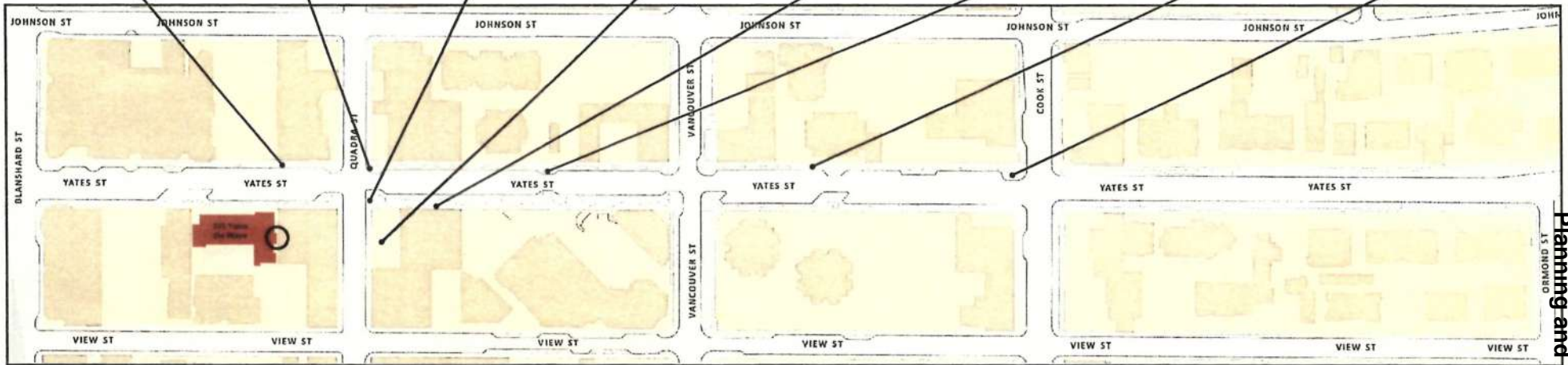
EMAIL [geoff@cornerstoneproperties.bc.ca](mailto:geoff@cornerstoneproperties.bc.ca)



# 845 YATES STREET

## THE WAVE

### REPLACEMENT OF TILE MOSAIC AND THIN STONE CLADDING



LOCATION PLAN & STREET VIEWS



Owner	Strata Plan V56115
Civic Address	845 Yates Street, Victoria BC
Legal Address	Lot 100, Strata Plan V56115
Project Description	Replacement of Tile Mural and Thin Stone Cladding
Zoning	R-48
DP Area	DPA 2 (HC)



TILE



THIN STONE

cover sheet

**the Wave**  
845 Yates Street, Victoria BC  
replacement of tile mosaic and thin stone cladding

#### CONTENTS

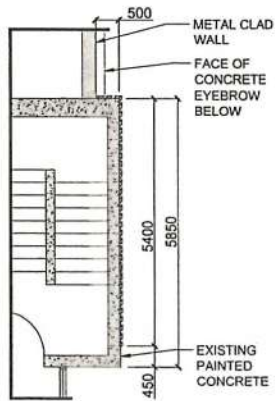
- A-0 COVER SHEET
- A-1 PLANS
- A-2 ELEVATIONS
- A-3 METHODOLOGY
- A-4 COLOUR BOARD



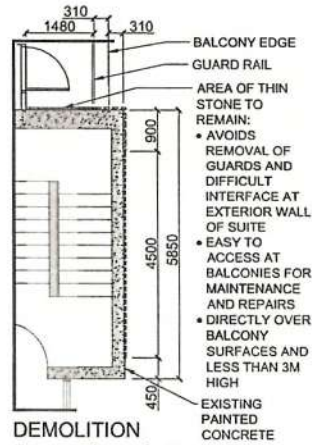
3795 Carey Road #500  
Victoria, BC V8Z 6T8

Date: November 05, 2015  
Scale: as noted

A-C



DEMOLITION  
floors 2 through 7



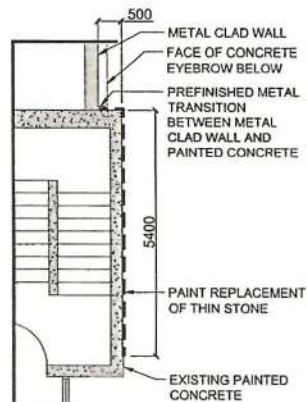
DEMOLITION  
floors 8 through 13

### LEGEND

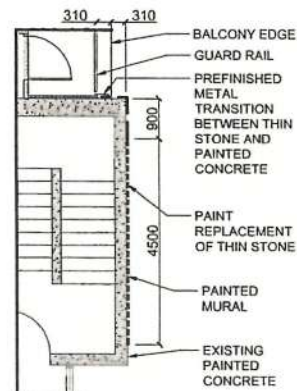
- DEMOLISHED CERAMIC TILE
- DEMOLISHED THIN STONE
- EXISTING THIN STONE TO REMAIN
- PAINT TO REPLACE THIN STONE
- PAINTED MURAL



METAL TRANSITION



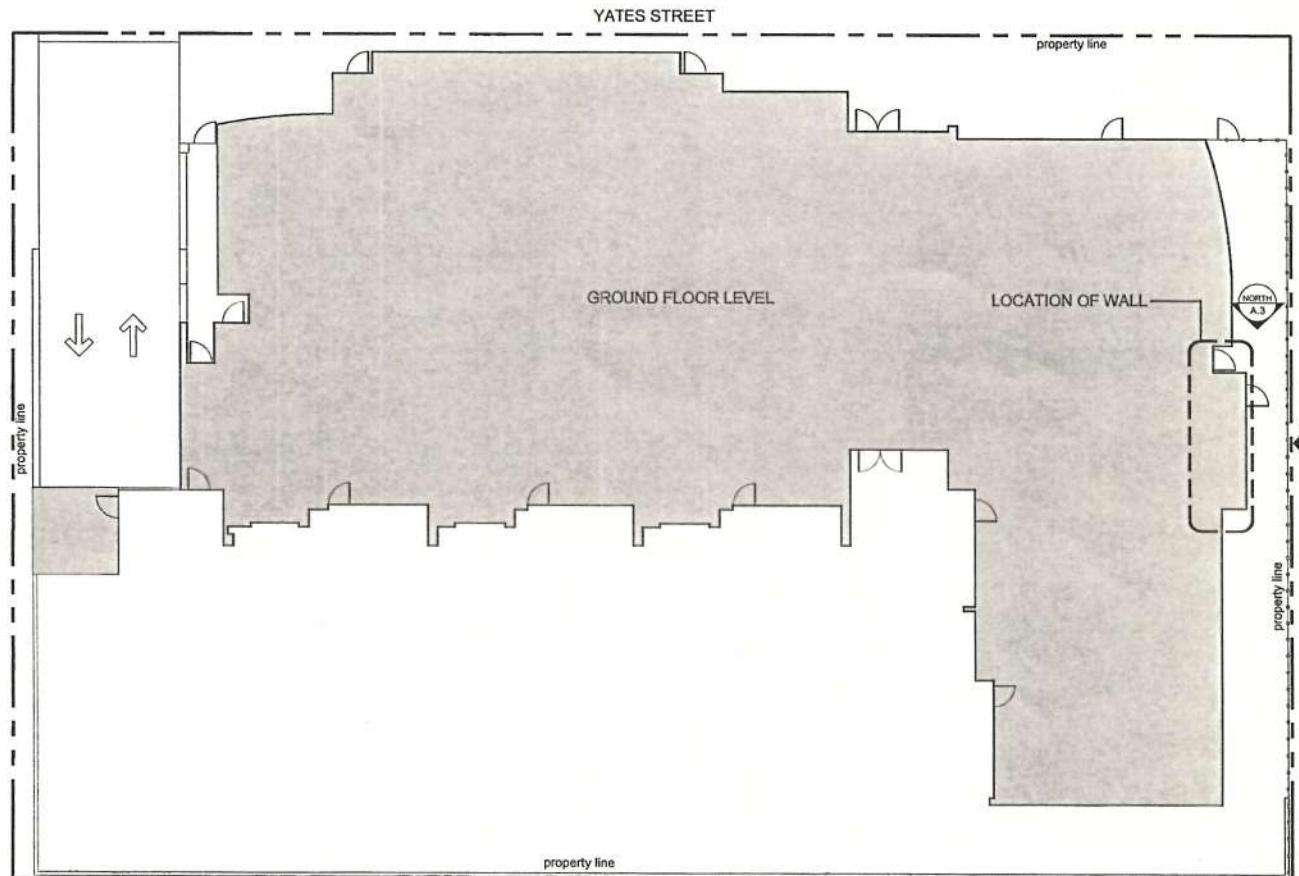
EXTENT OF RENEWAL  
floors 2 through 7



EXTENT OF RENEWAL  
floors 8 through 13

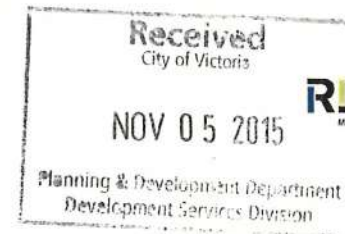


ZONING



SITE PLAN

plans



3795 Carey Road #500  
Victoria, BC V8Z 6T8

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## EXISTING



EAST ELEVATION

NORTH.

**the Wave**  
845 Yates Street, Victoria BC  
replacement of tile mosaic and thin stone cladding

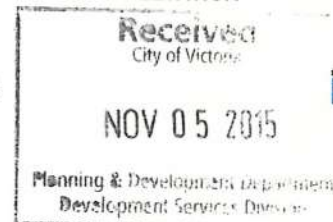
elevations

## PROPOSED



EAST ELEVATION

NORTH



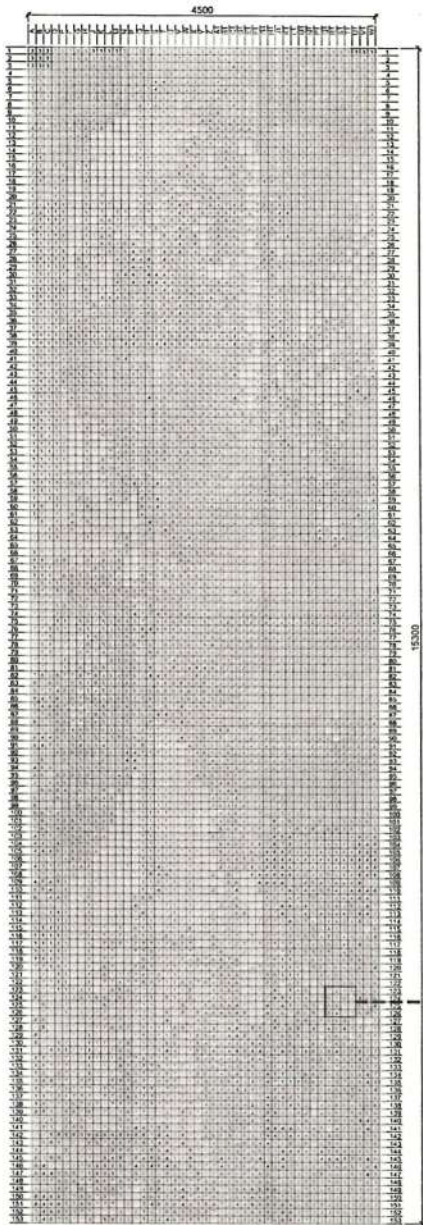
**RDH**  
Making Buildings Better

3795 Carey Road #500  
Victoria, BC V8Z 6T8

Date: November 05, 2015  
Scale: as noted

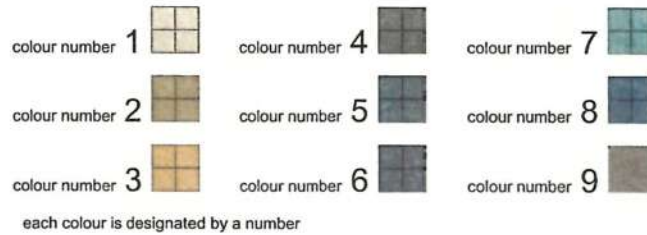
A





the mural forms a grid of 6885 squares

SCALE - 1:30



#### LOCATION

- The mural is a grid of 6885, 100mm x 100mm squares.
- It is 153 squares high and 45 squares wide.
- A number designates each horizontal row of squares.
- A letter designates each vertical column of squares.
- Each individual square in the grid can be located by row number and column letter [eg. the square at row 23, column S].

#### COLOUR

- There are a total of 9 existing colours - 8 tile colours plus the colour of the thin stone veneer.
- Each existing tile is colour matched with a paint colour.
- Each of the paint colours has a number designation.
- Each individual square in the mural is given a colour number corresponding to the original tile colour at that location.

#### IMAGE

- The grid of 100mm x 100mm squares will be layed out on the wall.
- Each individual square will be painted with the colour corresponding to its colour number.
- At a distance, the image of the wave will emerge as the individual squares are painted.

	COLUMN Q1	COLUMN R1	COLUMN S1	COLUMN T1
ROW 123	7	2	4	6
ROW 124	8	7	8	3
ROW 125	8	8	7	1
ROW 126	5	4	7	7

each square is given a colour number

SCALE - 1:2

	COLUMN Q1	COLUMN R1	COLUMN S1	COLUMN T1
ROW 123				
ROW 124				
ROW 125				
ROW 126				

each square is painted in the colour corresponding to its number

SCALE - 1:2



from numbers to colours, to wave image

SCALE - 1:30

**the Wave**  
845 Yates Street, Victoria BC  
replacement of tile mosaic and thin stone cladding

## methodology

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Victoria, BC V8Z 6T8

Date: November 05, 2015  
Scale: as noted

A-



**RDH Building Engineering Ltd**4396 WEST SAANICH RD #130  
VICTORIA BC V8Z 3E9TEL 250 479 1110  
FAX 250 479 0988VIC@RDHBE.COM  
WWW.RDHBE.COM

TO **Geoff Kearney**  
Cornerstone Properties Ltd.  
301- 1001 Cloverdale Avenue  
Victoria BC V8X 4C9

**5098.10 – 845 Yates Street  
Adhered Stone and Tile Review**

January 20, 2012

EMAIL geoff@cornerstoneproperties.bc.ca

REGARDING **Performance Review of Tile and Adhered Thin Stone**

Dear Mr. Kearney,

RDH Building Engineering Limited was retained by Strata Plan VIS 6115 to review the condition of the tile and adhered thin stone applied to the east exterior concrete wall of the building known as the Wave, located at 845 Yates Street, Victoria, BC (refer to RDH proposal dated November 30, 2011).

### Background Information

Construction of the Wave was completed in or around the fall of 2006. The building is a concrete structure 13 stories in height containing approximately 101 residential suites. The tile and adhered thin stone in question is located on the east elevation of the building. The tile is located above the ninth floor level arranged with multi-colour units to provide a mosaic-like representation of a wave. The thin stone is applied from the 2<sup>nd</sup> floor level to the 13<sup>th</sup> floor. The wall area in question is the exterior wall of a stair tower.

The writer has been advised that at some prior time the owners became aware that tiles have fallen from the building. The ground area below the wall area in question is an area with restricted access designated as a means of emergency egress from the building.

Out of concern for additional falling tiles, the owners retained Knight Contracting to arrange access and review the installed tile and thin stone. A swing stage was erected and a review of the wall area confirmed three areas of loose tile and/or stone. Large areas of stone were removed from the 5<sup>th</sup> and 9<sup>th</sup> floor levels, a small area of tile was removed from the 9<sup>th</sup> floor level, and a large area of tile was removed from the 11<sup>th</sup> floor level.

### Tile and Adhered Thin Stone

RDH was not provided with a set of construction documents or any formal confirmation of the materials and processes approved for use during construction. A review of previous correspondence from the Project Architect (Mr. Michael Levin, MAIBC of Praxis Architects Inc.) indicates that the project specifications may not have been followed.

At the present time the following summary represents the writer's understanding of the materials and processes implemented during the installation of the adhered tile and thin stone at the Wave:

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- the tile was specified and reviewed by Praxis and supplied by C&S Ceramic Tile Distributors of Vancouver
- the stone (quartzite) was approved and supplied by the developer (source of stone is unknown)
- the thin set mortar used for both the tile and stone was "Megalite", manufactured by Custom Building Products,
- no information was provided for the grout material used at the tile and stone joints
- the tile and stone were installed by Pacific Coast Floor Coverings after the wall surface was washed and prepared by the general contractor. The details of surface preparation are not known. Once the surface was washed, the tile and stone installer proceeded as described below:
  - › acid washed surface
  - › installed control joints
  - › applied thin set
  - › installed the tile/stone
  - › applied grout & sealer (no information related to materials or sequence)
- no information has been provided related to project specific testing, site inspections, certification or any independent quality control/assurance processes implemented during construction

### Codes and Industry Standards

Without review of the design documentation and construction drawings, it is not possible to confirm which version of the BCBC was in effect for the design and construction of the Wave.

The 1998 and 2006 British Columbia Building Codes (BCBC) do not provide specific requirements for exterior tile or adhered thin stone installation. The tile and adhered thin stone would however have been required to satisfy the performance requirements outlined in Part 5 of either edition of the code, including referenced Canadian Standards Association standard "*CSA A371 Masonry Construction*". Although the A371 standard provides mandatory design requirements and prescriptive installation procedures for "*thin veneers secured individually by mortar adhesion*" the standard only applies where the stone is installed at elevations less than 3 meters above the foundation level (clause 10.5.1 and Annex A). The requirements outlined in A371 would not have been applicable to the adhered thin stone at the Wave.

In addition to the BCBC and CSA standards, the following associations and industry standards provide assistance and guidance with respect to the installation of tile and adhered stone:

- Marble Institute of America (MIA)
- Building Stone Institute (BSI)
- Terrazzo Tile & Marble Association of Canada (TTMAC)



The design and installation of the tile and adhered thin stone at the Wave would have also been beyond the prescribed application of the above standards and would have required professional design and field review to confirm compliance with the BCBC.

### Performance Review

The writer attended the site on December 6, 2011 to review the condition of the tile and adhered thin stone. Access to the building face was provided by swing stage.



The condition of the tile and stone was assessed by hammer tapping, removal of "hollow" sounding stones, removal of grout at stone and tile joints, and visual examination. The following key observations are provided:

### Thin Stone

- The stone is a natural grey quartzite stone (metamorphic sandstone) containing quartz grains and mica. With close visual review, some of the original sedimentary layers that persist after metamorphism are still identifiable. The surface condition is considered somewhat friable raising a question as to the long term reliability of any bond achieved at time of placement.
- The stone was placed on the wall with the stone grain parallel to the wall surface.
- The stones vary in thickness with cut edges measuring 10-20 mm in thickness, the majority being approximately 15 mm.
- Joints between stones also varied from tight to approximately 5 mm (Photo 4,5)
- Surface irregularity of stone resulted in offsets and ledges at most joints (Photo 6).
- Cracks and gaps in the grout at stone joints were widespread (Photo 7).
- Efflorescence (white staining) at stone joints was widespread (Photo 6).
- At locations of prior stone removal, observations were made of large areas of undisturbed notched mortar (Photo 8 & 9).
- Removal of "hollow" sounding stone units revealed poor adhesion (Photo 9).
- One removed stone had been scored with a saw (Photo 9).
- A metal control joint was covered with grout (Photo 10 & 11)
- The joint between the stone and the concrete structure was filled with mortar. The mortar had failed in locations providing an opening for water entry (Photo 12).
- The joint between the stone and an adjacent cladding panel was filled with mortar. The mortar has failed in locations providing an opening for water entry (Photo 13).

### Tile Observations

- The tile can be described a "100x 100 mm vitreous through coloured clay tile".
- The width of grout joints in the tile varied from 1/8 to 3/8 of an inch (Photo 14).
- Metal control joints were installed in the tile (Photo 14 & 15).
- Cracks and gaps in the grout between tiles were observed (Photo 14, 16 & 17).

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- White staining was observed on the surface of the tiles. The stains originate from joints between tiles (Photo 14 & 18).
- Removal of "hollow" sounding tiles confirmed poor adhesion (Photo 19 & 20).
- The mortar at locations of tile removal appear compressed and in contact with the back of the tiles (Photo 21).
- Tile and concrete interfaces were not sealed to prevent water entry (Photo 22 & 23).
- Removed tiles revealed poor mortar adhesion (Photo 24).

## Discussion

The following comments are provided related to the design, installation and performance of the tile and adhered thin stone at the Wave.

### Design

At the time of this review there was no confirmation which design professional was responsible for the design of the installed tile and adhered thin stone at the Wave. In addition to missing design information there also appears to have been a lack of inspection or certification of the work by a design professional.

By any industry standard, the tile and adhered thin stone at the Wave should have been installed in accordance to the BCBC with professional design and field review.

### Installation

The tile and stone appear to have been installed with a modified Portland cement mortar that was applied to the wall with a notched trowel and some level of "notched and/or spot back-buttering" for the installed stone. Observations of the installed tile and adhered thin stone indicate that (1) the bond between the stone and the mortar appears poor and (2) the bond between the mortar and the concrete appears satisfactory.

The poor bond could be the result of a general incompatibility between the stone and the mortar. The surface condition of the stone does not appear conducive to achieving a reliable bond (friable mica content and/or possible pyrite content). Improper surface preparation (lack of leveling) and/or excessive setting of the mortar prior to stone/tile installation could also have had a negative impact on the amount of bond achieved at time of installation. Additional testing of the stone and mortar would be required to further examine the significance of the above factors.

Other installation issues observed:

- Insufficient leveling prior to installation.
- Lack of consistent "back buttering" resulting in inconsistent contact between stone and mortar (much less than the normally required 95% - 100%).
- Improper installation of control joints (covered by grout) and/or lack of control joints.
- Lack of sealant at tile/stone interfaces with adjacent cladding surfaces



## Performance

There are two main problems with the performance of the tile and adhered thin stone at the Wave.

### Poor Bond

Falling tile/stone, hollow sounding tile/stone and easily removed tile/stone are all conditions that confirm "poor bond". Poor bond is a significant performance problem and safety hazard.



Hollow sounding stone units and stone surfaces free of mortar adhesion are observations that confirm poor bond. The degree of bond will not improve over time, and depending on the cause of the poor bond, it is likely that the condition will worsen with time resulting in additional incidences of loose/falling tile/stone units.

Poor bond could be a result of:

- poor design (incompatible stone and mortar),
- excessive stress in the mortar as a result of restrained movement caused by improperly installed and spaced control joints (concrete shrinks, tile/stone undergo cyclic thermal movements)
- poor tile/stone installation (mortar exposed too long before tile/stone placement, insufficient back-buttering/leveling), or
- deterioration due to water ingress and weather effects such as freeze/thaw.

### Lack of Water-Tightness

Unsealed grout joints that have weathered, deteriorated or cracked and allow excessive water entry behind the tile/stones also represent a significant performance problem.

White stains on the surface of the tile/stone is an indication that an excessive amount of moisture is present behind the surface of the tile/stone causing dissolved salts to wash to the exterior and reform on the tile/stone surface – causing the white stain (efflorescence). Although this efflorescence can be washed away it is an indication of a moisture problem that needs to be resolved to prevent ongoing deterioration of the mortar from erosion and/or freeze/thaw damage.

The lack of water-tightness could result from:

- poor grout installation,
- poor sealing of potential water entry points such as interface joints with adjacent construction,
- cracks in the grout caused by restrained movement resulting from improper movement joint installation, or
- voids behind stone due to poor workmanship (poor surface leveling and/or poor stone installation)



## Discussion

Poor bond and a lack of water tightness are performance problems that share common potential causes.

In order to assess the contribution of potential mortar and stone incompatibility requires highly specialised material testing. The testing will require the collection of additional samples and the costs of testing would be approximately \$5,000 to \$10,000.

In the event that testing confirms an inherent material incompatibility, it will be necessary to remove the stone from the building.

In the event that testing confirms that the stone and mortar are compatible, the existing condition of poor bond will be attributed to poor tile/stone installation, defective control joint installation, water ingress and/or weather effects (freeze/thaw). The recommended repairs that would be necessary to resolve the poor bond condition and existing deficiencies (in a manner including professional design assurance and certification) would likely result in full removal and replacement of the existing tile and adhered thin stone.

## Recommendations

Based on the information reviewed, and the writer's field assessment of the existing performance problems, it is recommended that the Owners review options to remove the existing tile and adhered thin stone.

Confirmation of compatibility between the thin stone and the mortar will require material testing. Testing will however not address the existing performance problems or resolve concerns related to public safety. If the matter is not likely to be resolved in the short term, the installation of netting over the wall area in question, to contain any additional falling tile or stone, is recommended.

If the Owners wish to reinstate the "mosaic-like" wave representation it is recommended that alternate assemblies be identified and the installation of exterior tile or adhered thin stone on the existing concrete substrate be avoided.

Yours truly,

RDH Building Engineering Ltd.

Michael Wilson M.Eng., P.Eng., BEP  
Senior Building Science Specialist, Principal  
mjw@rdhbe.com

encl.



January 20, 2012



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The Wave

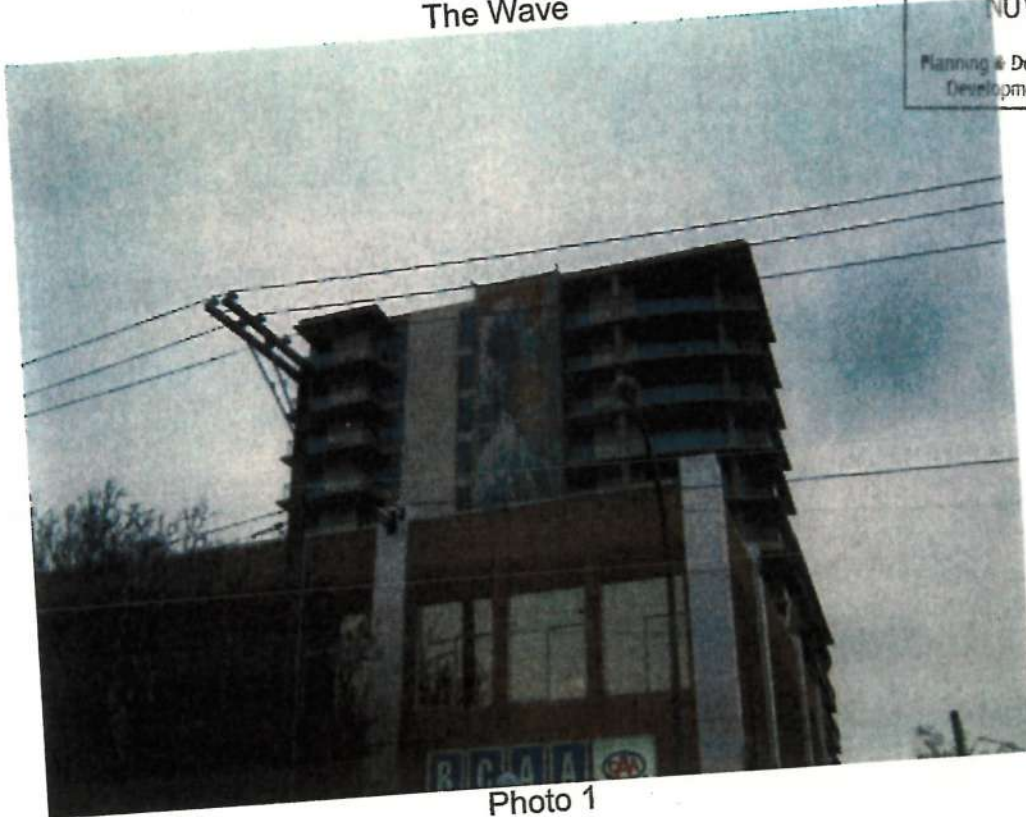


Photo 1



Photo 2

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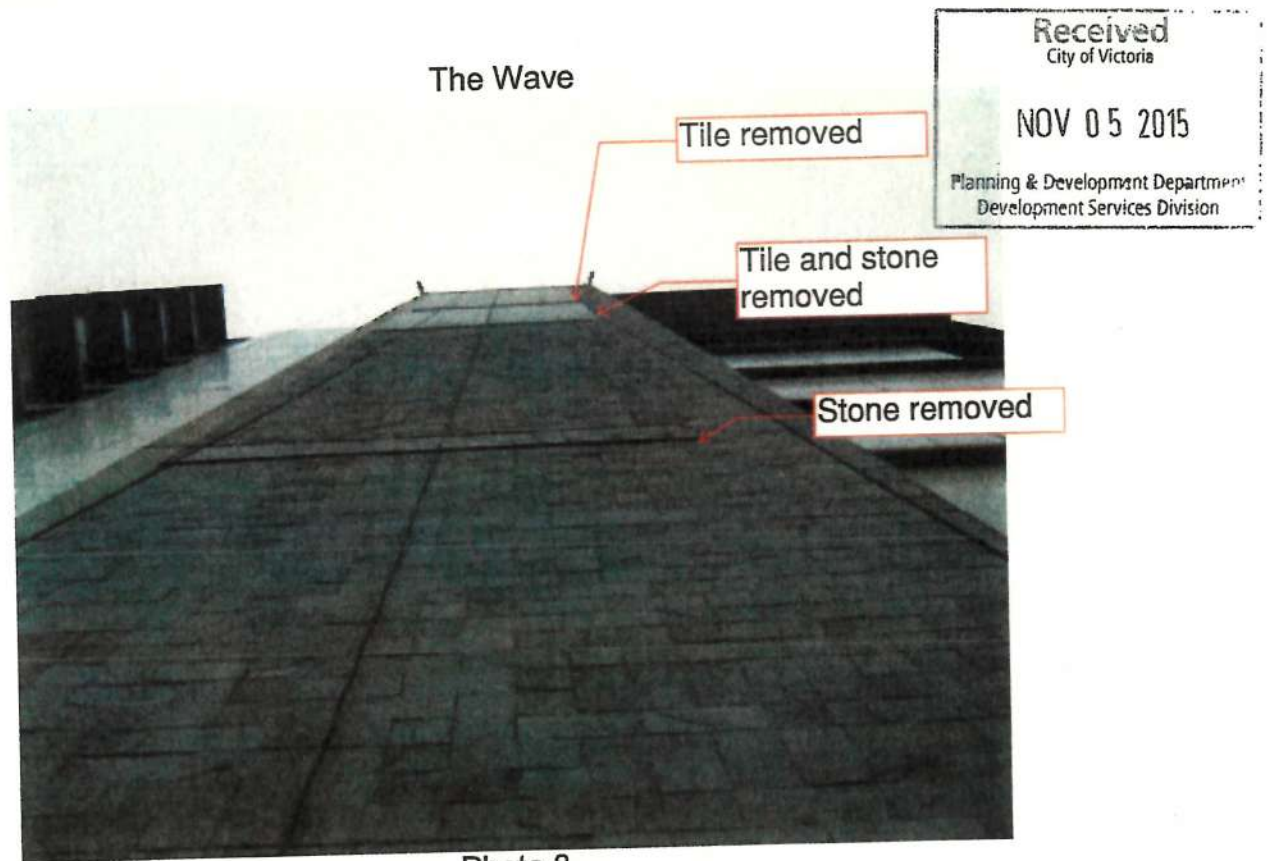


Photo 3

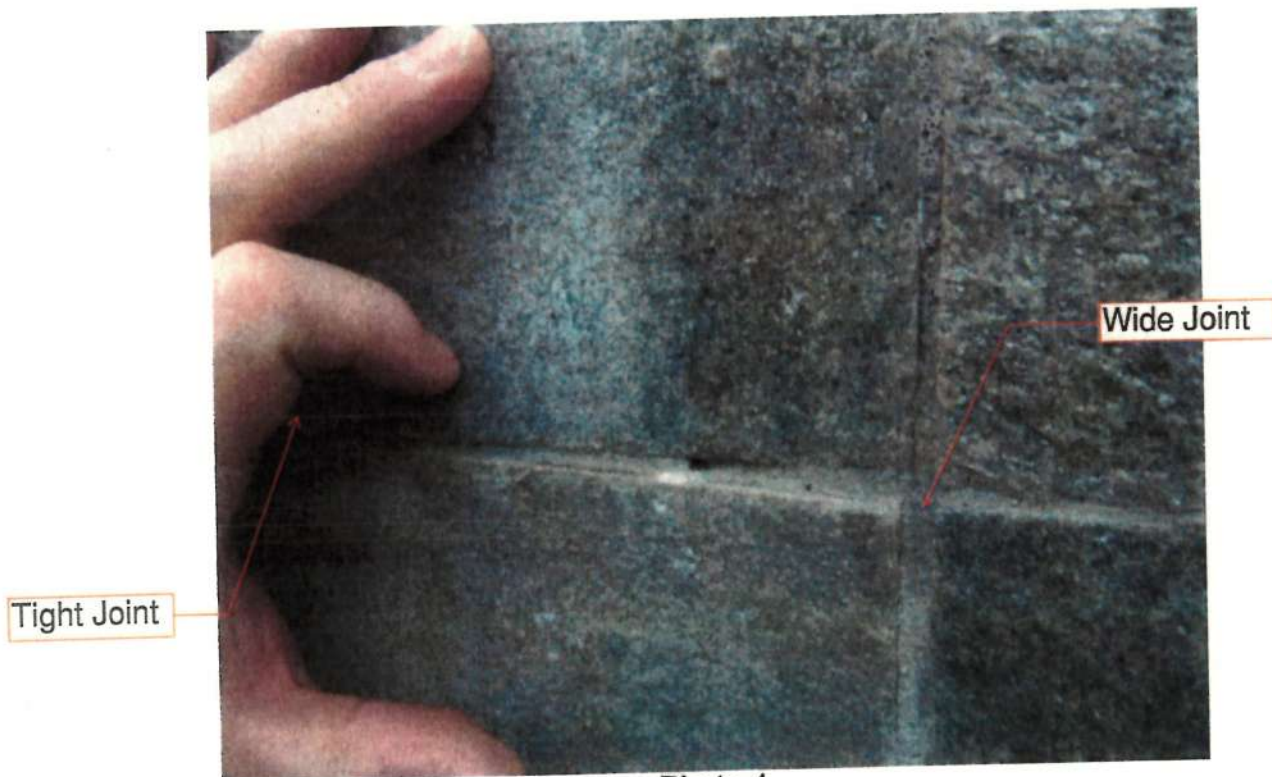
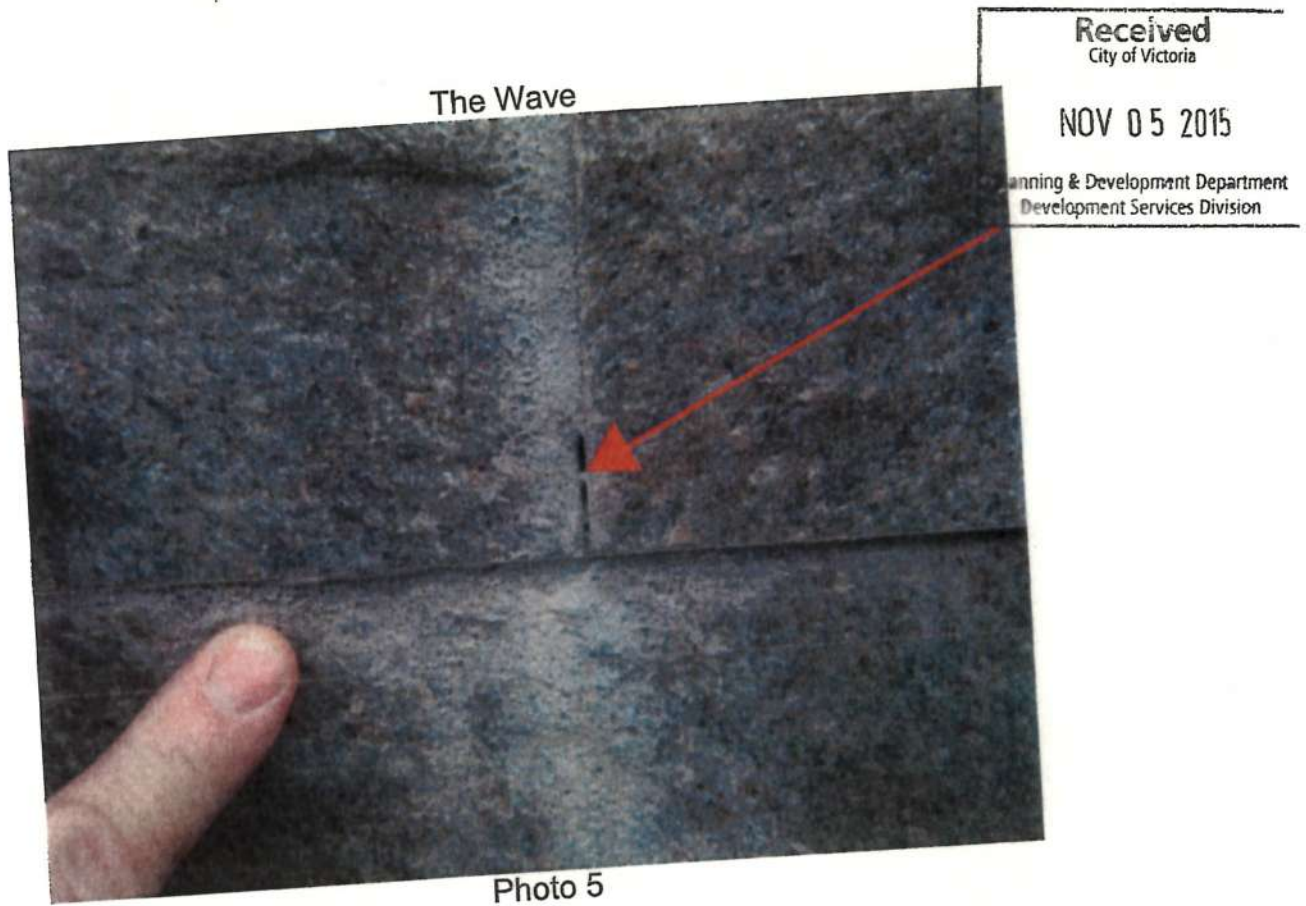
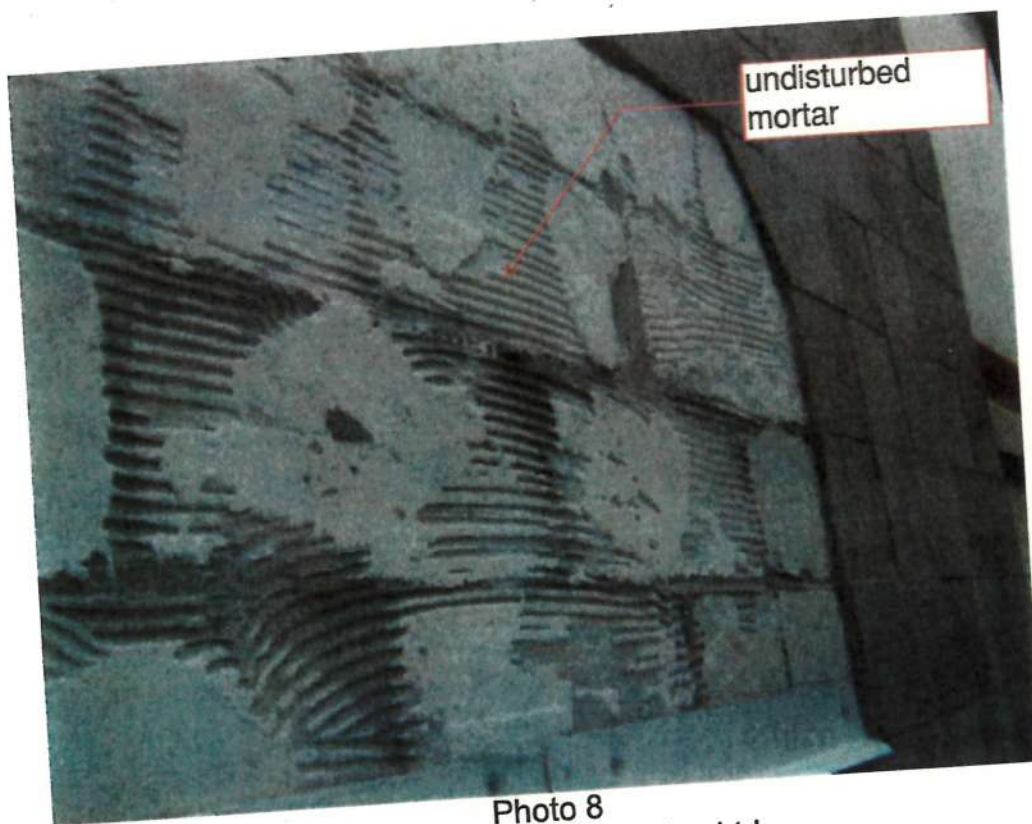
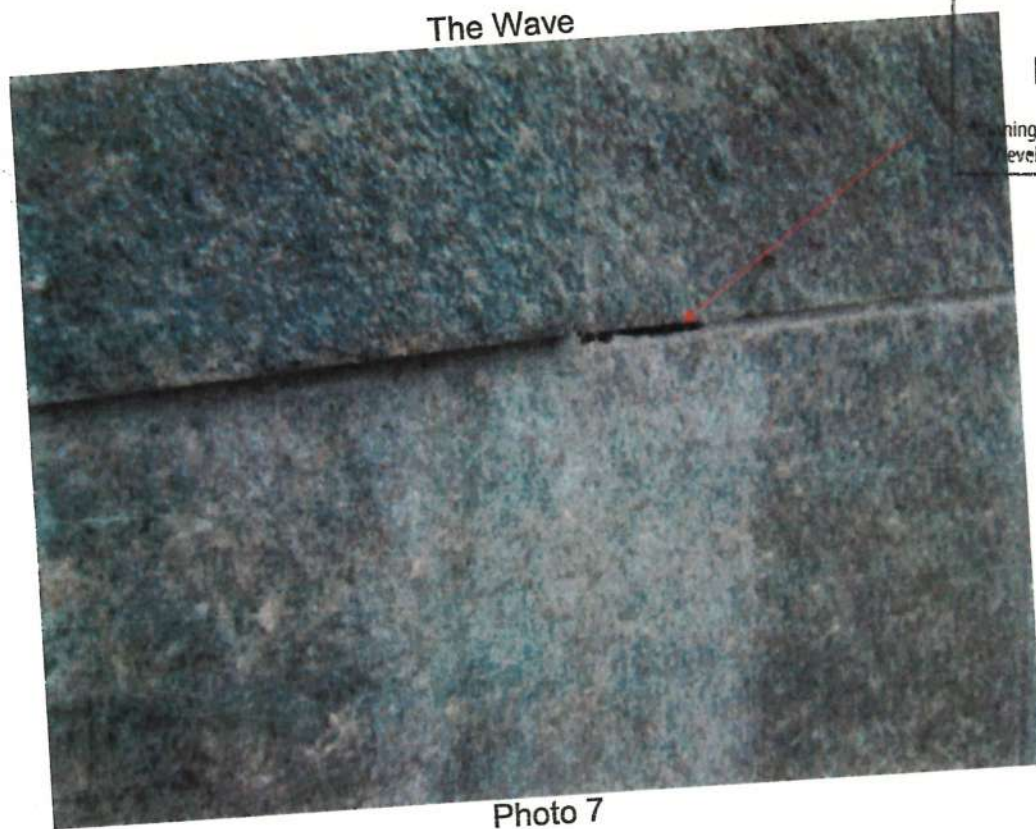


Photo 4  
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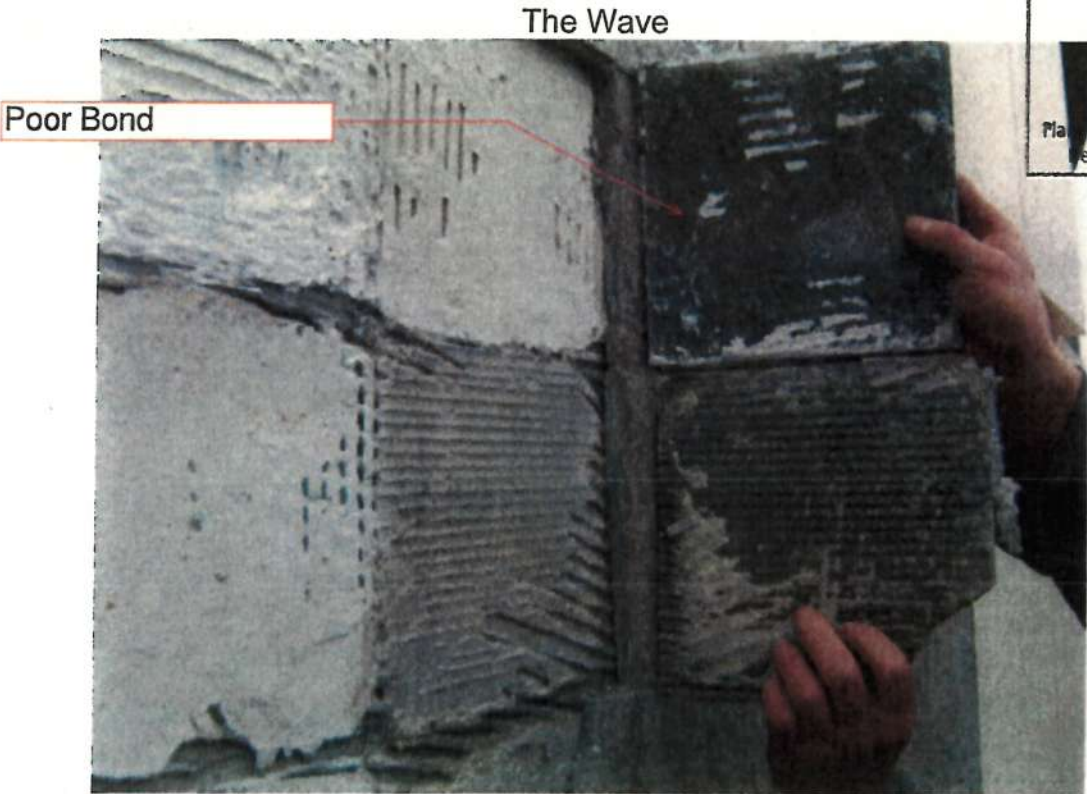


Photo 9



Photo 10  
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The Wave

control joint  
covered by  
grout

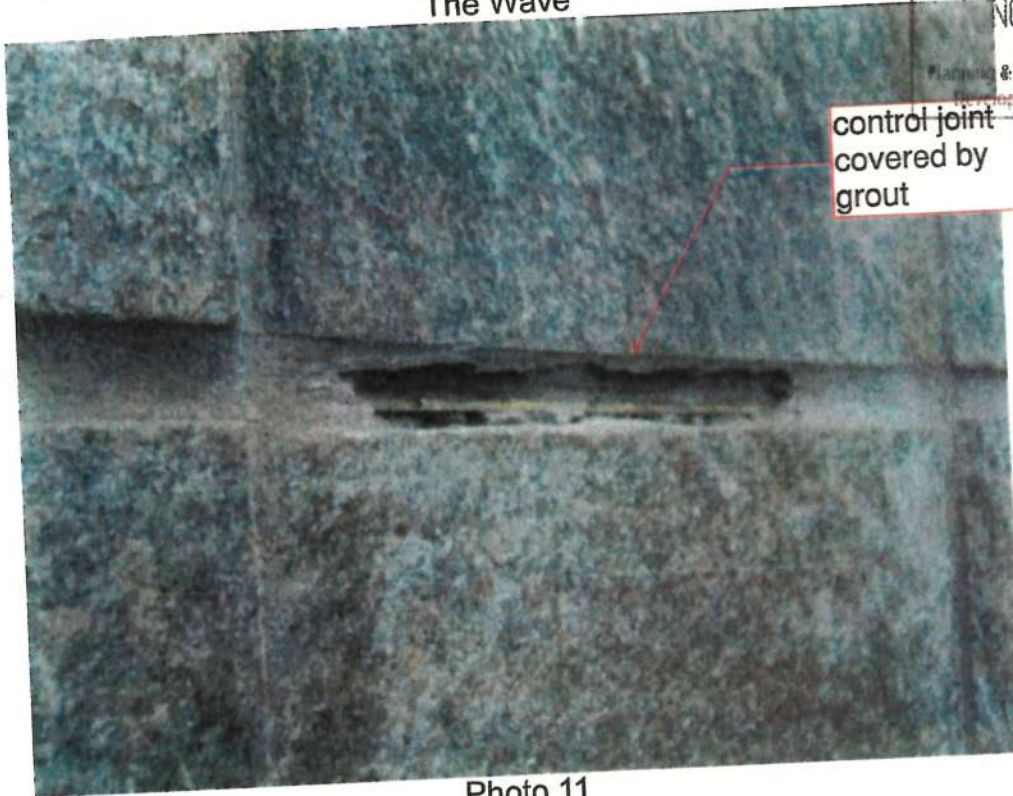


Photo 11

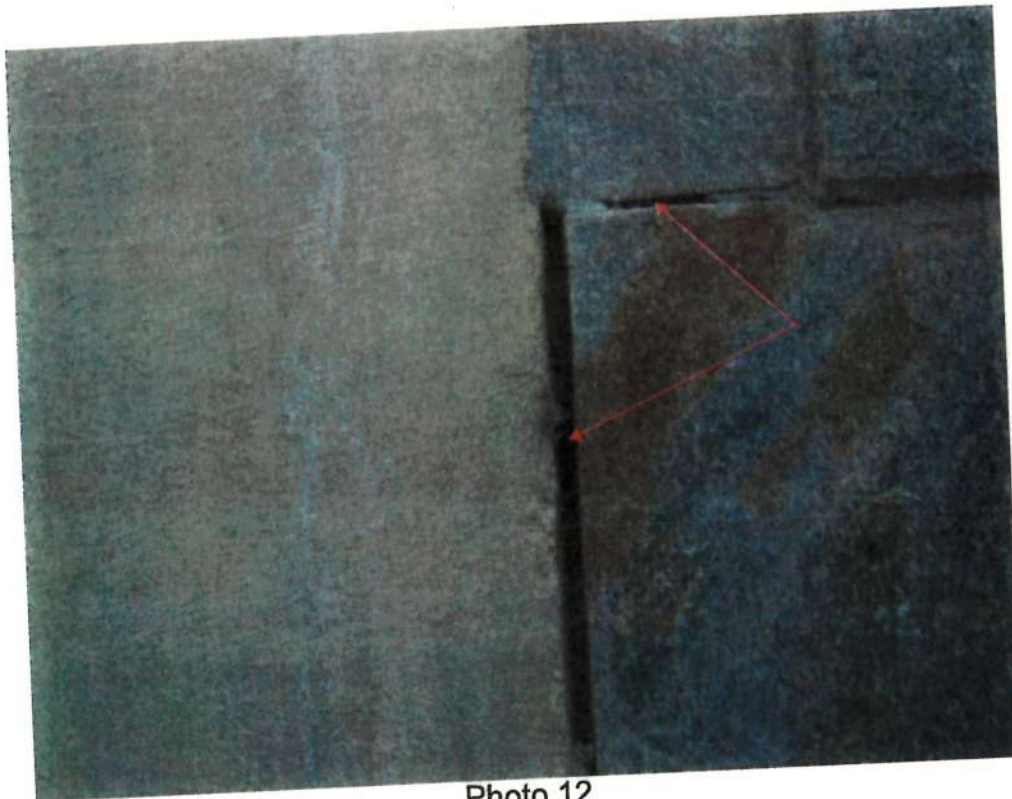


Photo 12

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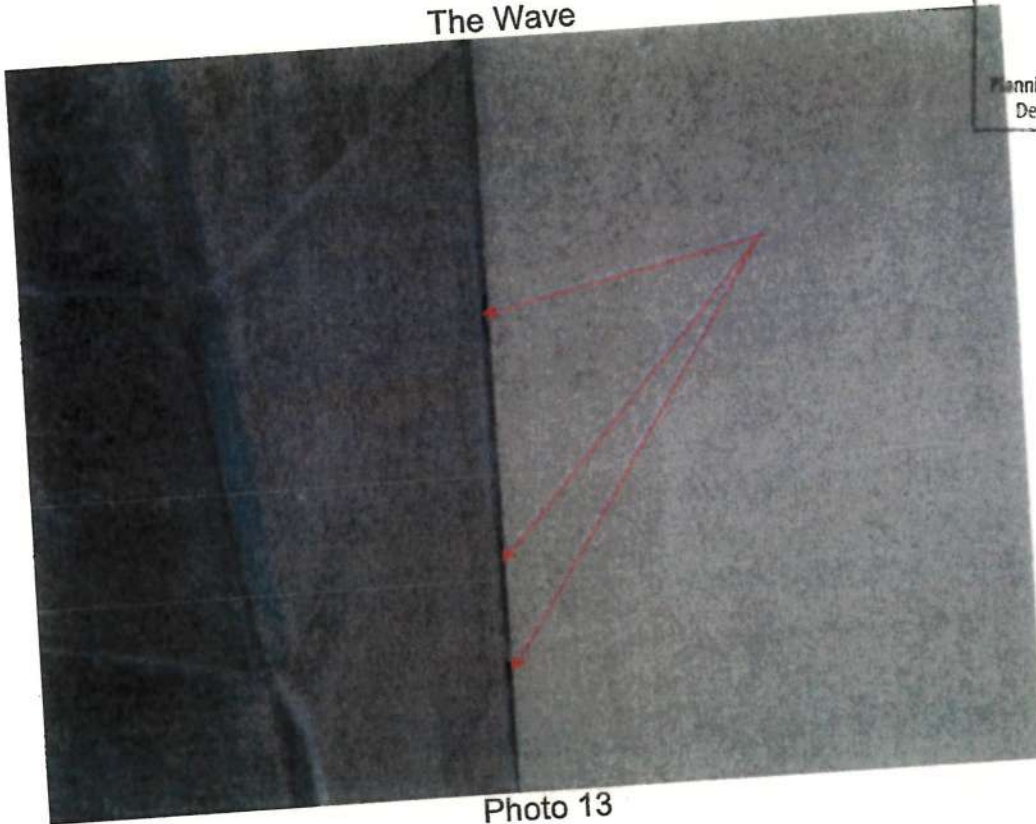


Photo 13



Photo 14  
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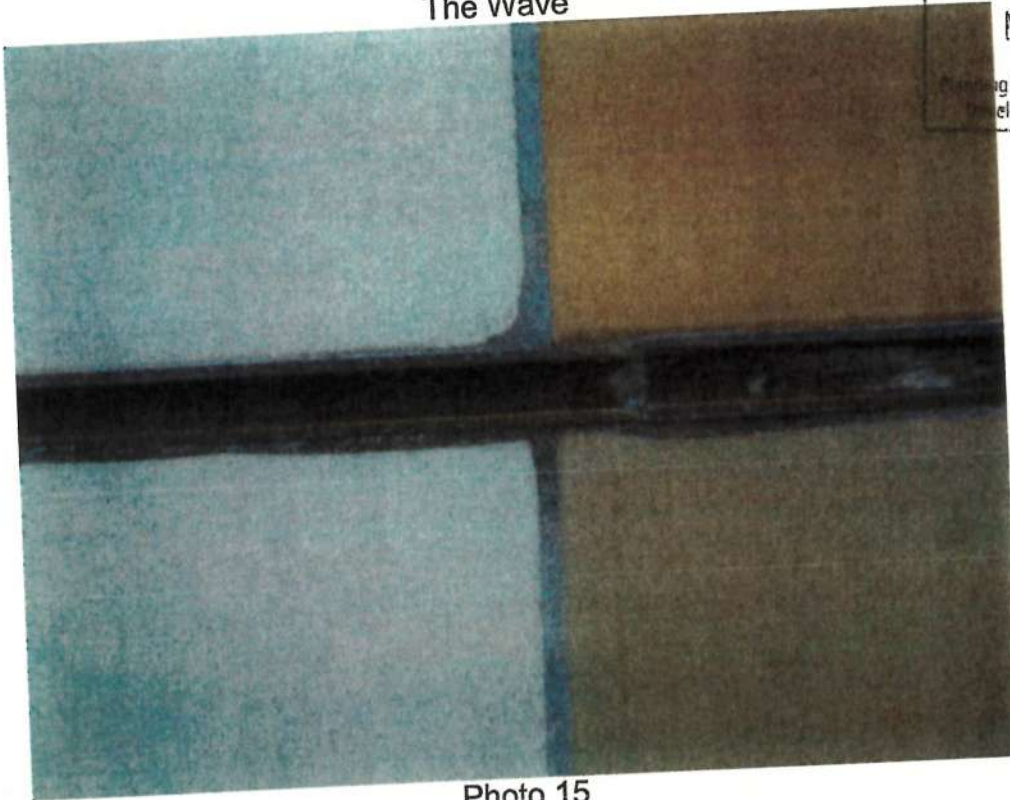


Photo 15

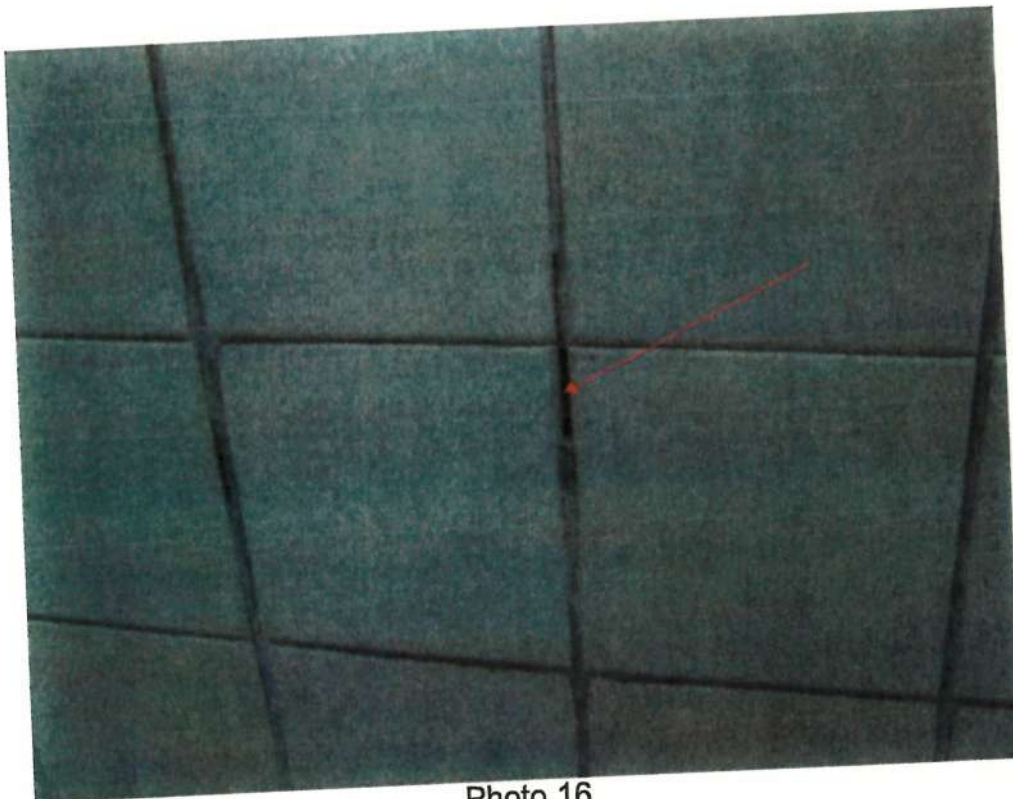


Photo 16

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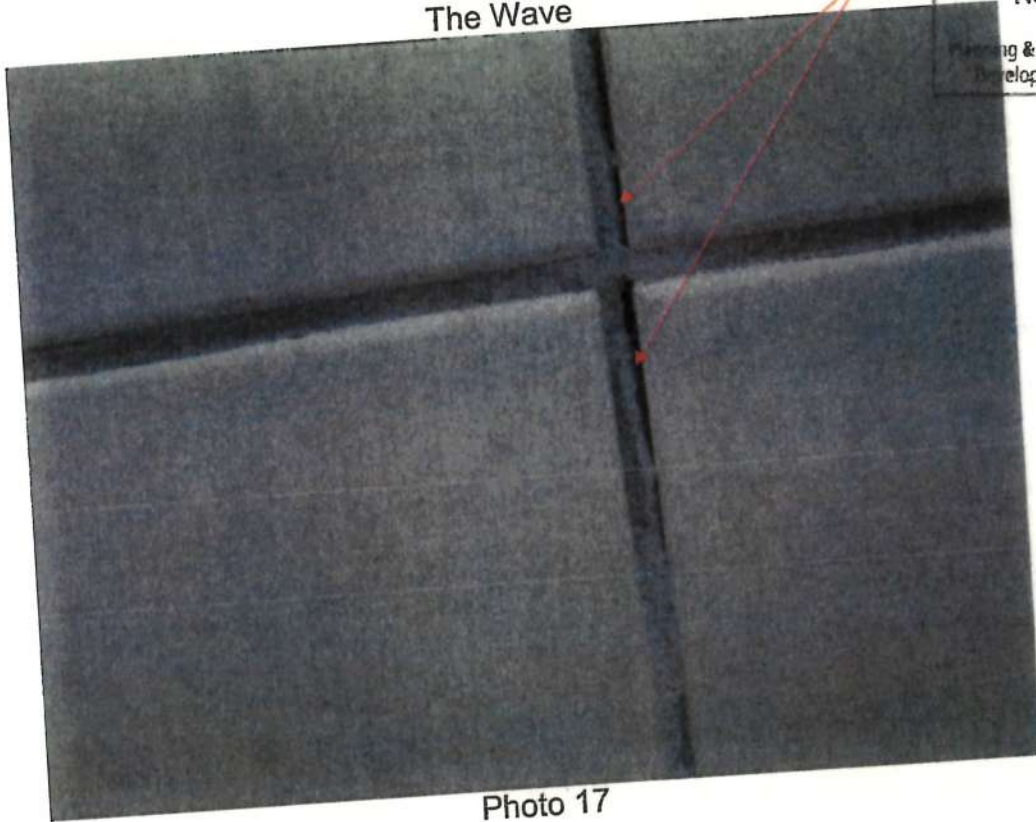


Photo 17



Photo 18  
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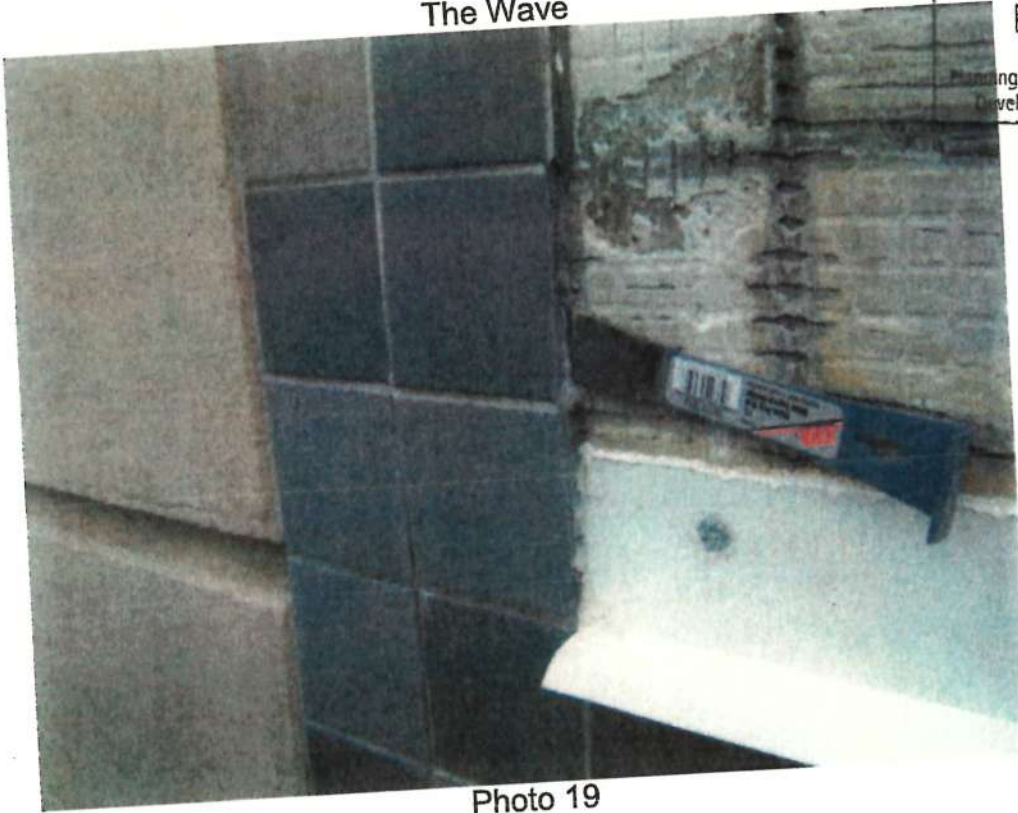


Photo 19



Photo 20  
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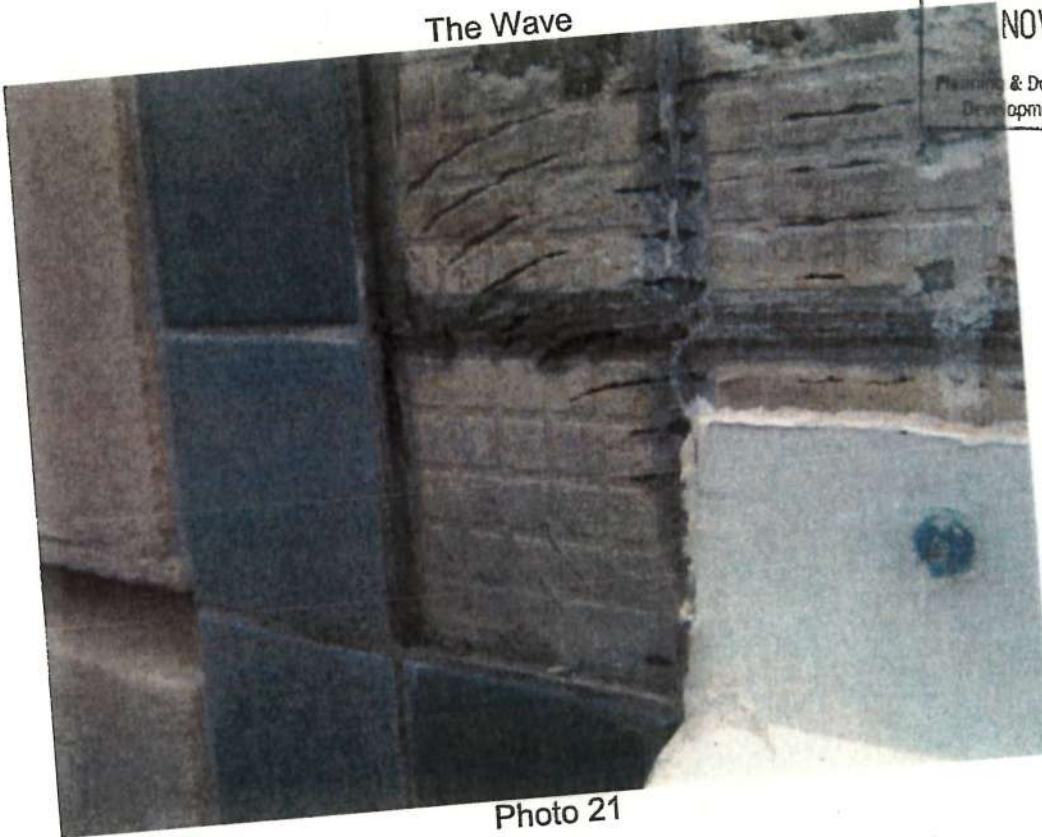


Photo 21

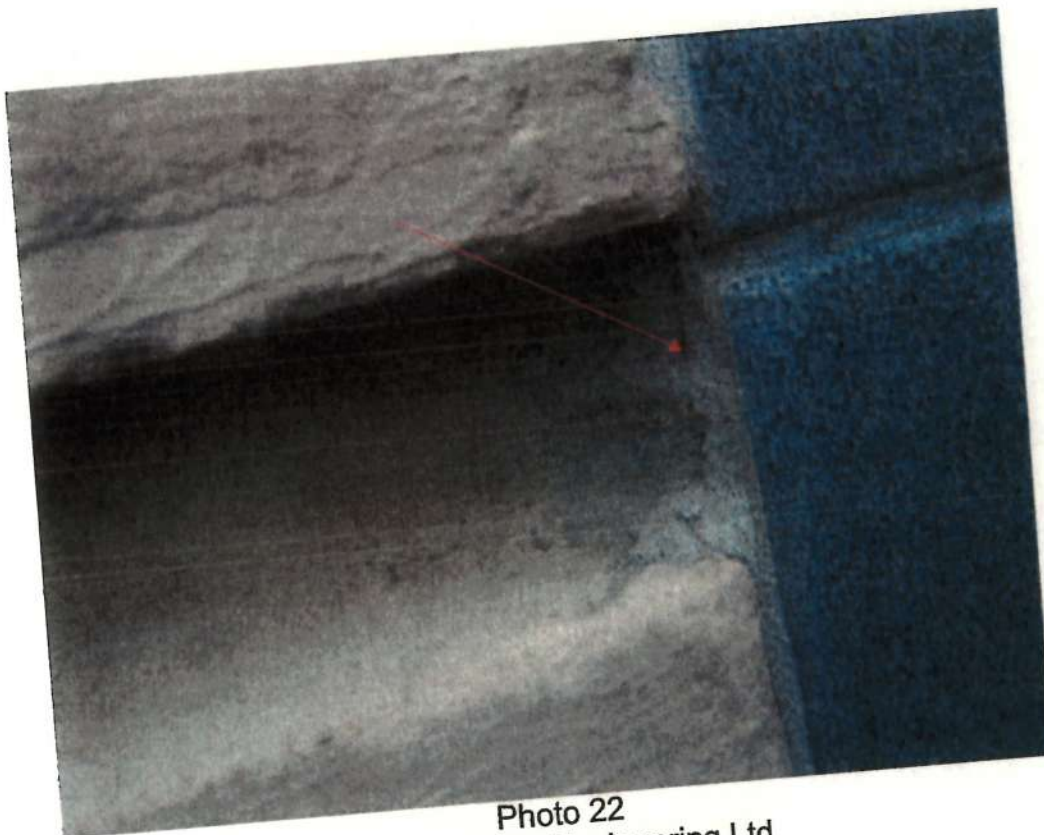


Photo 22

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The Wave

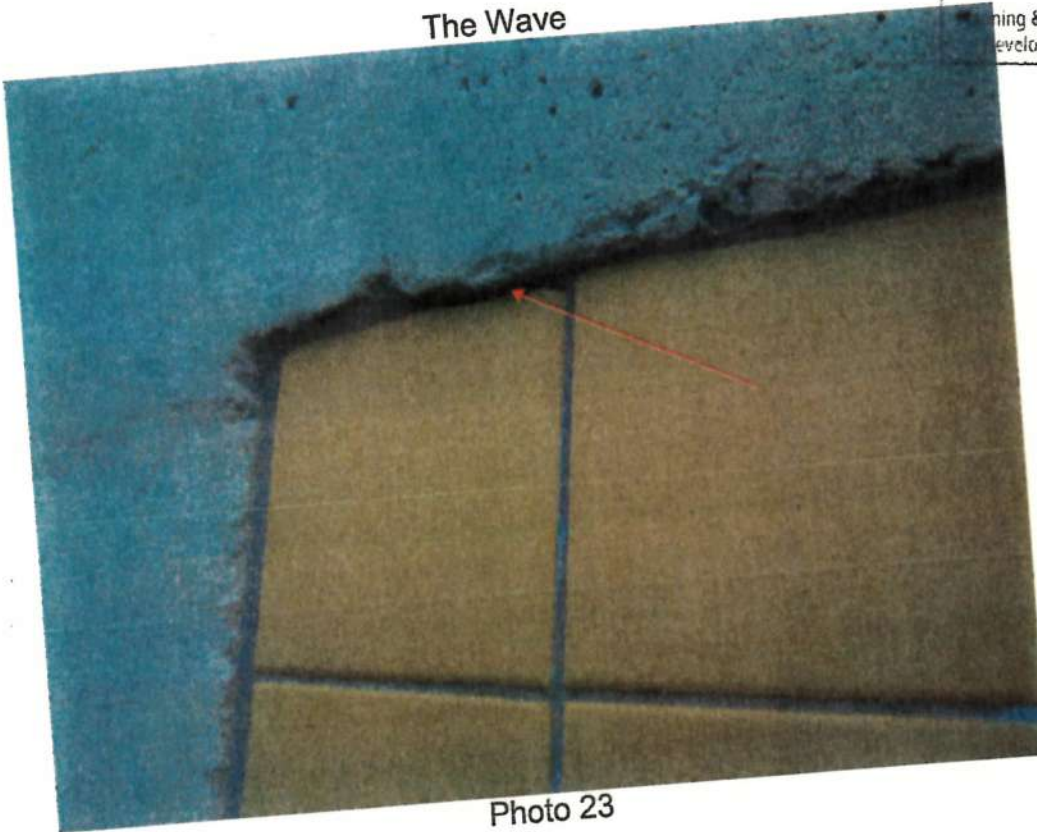


Photo 23



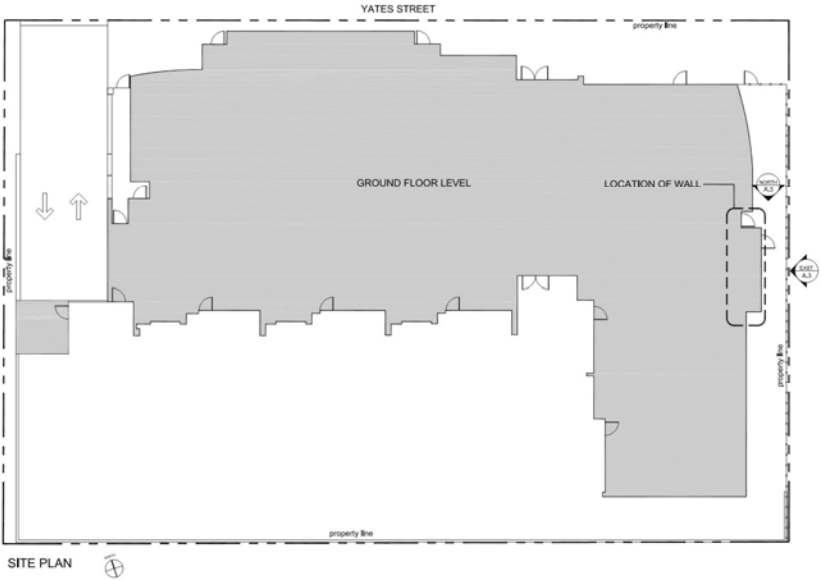
Photo 24  
RDH Building Engineering Ltd



# Development Permit Application for 845 Yates Street



Site Plan



Context





## Existing Building



## The Wave Mural - Detail



## Thin Stone Cladding



## History

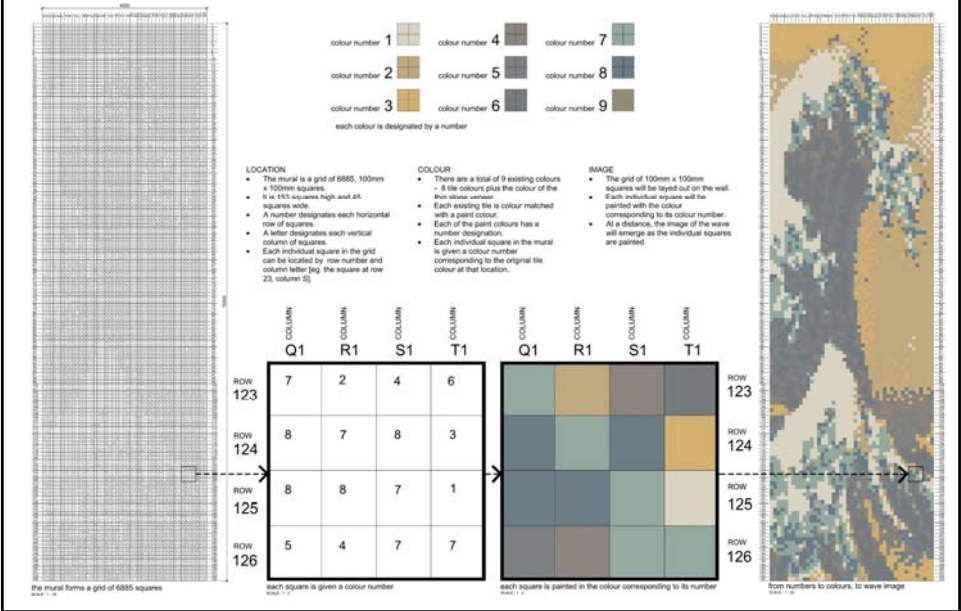




## Elevations



## Painted Mosaic Grid Detail



## Colour Match



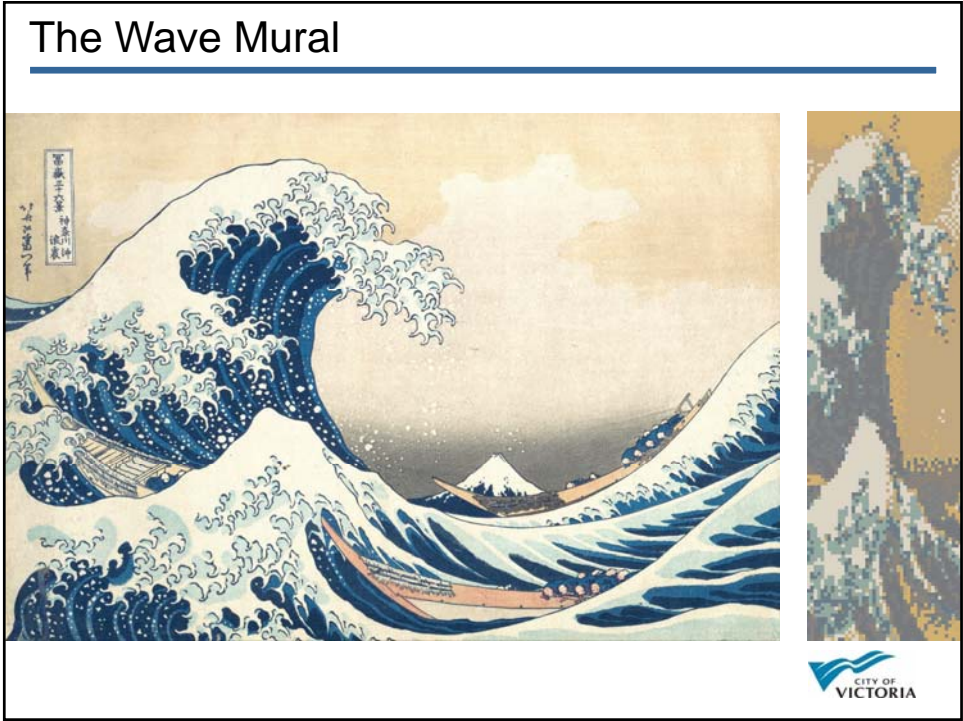
## Maintenance and Renewal Program

The mural will maintain its appearance indefinitely with the following maintenance and renewal schedule.

- Every two years - *low pressure wash-down of painted area to remove particulates from city traffic, organic growth, etc.*
- Every seven years - *Renew clear coat*
- At 20 years
  - *Sand clear coat*
  - *Clean surfaces*
  - *Apply two new colour coats*
  - *Apply new clear coat*



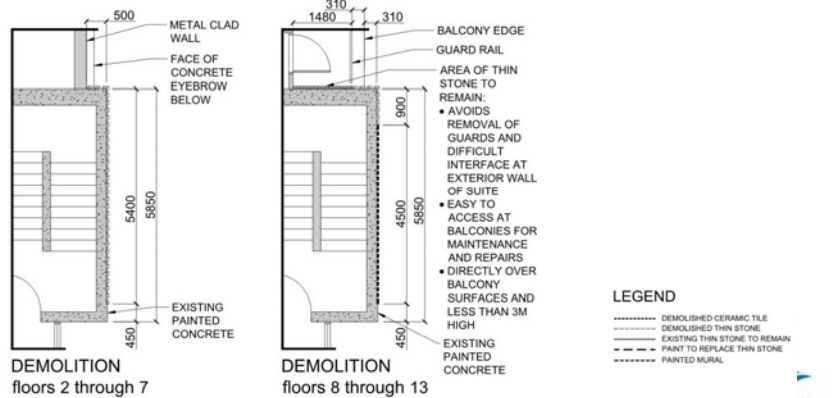




## Preparation Methodology

### Preparation

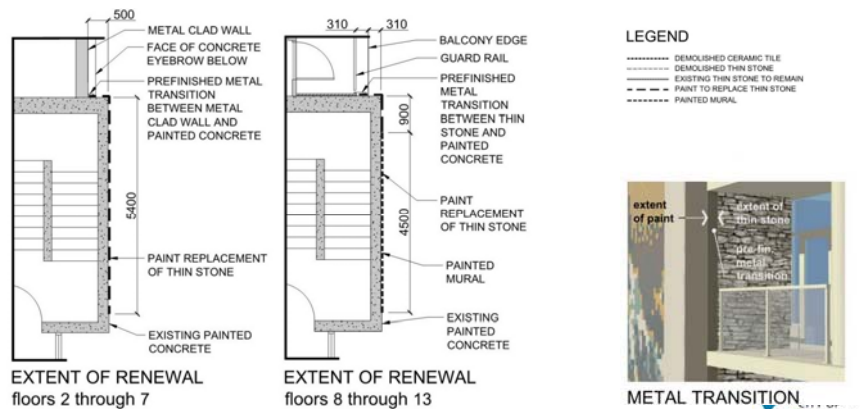
- Remove existing tile, stone and mortar.
- Grind residual mortar off of concrete surface.
- Clean the concrete surface (acid etch if necessary).



## Paint Methodology

### Paint

- Apply one coat of water based, alkali resistant, latex primer.
- Apply two coats of colour exterior acrylic latex to create wave image.
- Apply UV resistant clear protective coating over image to maintain integrity, vividness and colour fastness of colour coat, and to act as 'wear' course







## Planning and Land Use Committee Report

### For the Meeting of January 14, 2016

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**To:** Planning and Land Use Committee      **Date:** December 30, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Variance Permit No. 00161 for 1000 Chamberlain Street

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment at a meeting of Council, that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00161 for 1000 Chamberlain Street, in accordance with:

1. Plans date-stamped November 25, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Section 1.6.4.a - Relaxation to increase the maximum building height from 7.60m to 10.68m
  - ii. Section 1.6.5.a - Relaxation to reduce the front yard setback from 7.50m to 4.70m (Cantilever) and 4.96m for the building façade
  - iii. Section 1.6.5.b - Relaxation to reduce the rear yard setback from 9.10m to 3.39m
  - iv. Schedule F, Section 1 - Relaxation to permit an accessory building within the side yard (west) and the front yard instead of the rear yard
  - v. Schedule F, Section 2.a - Relaxation to increase the maximum floor area of an accessory building from 37.00m<sup>2</sup> to 40.30m<sup>2</sup>
  - vi. Schedule J, Section 2.a - Relaxation to permit an increase in the enclosed floor area of an addition to a building from 20.00m<sup>2</sup> to 47.25m<sup>2</sup> with the installation of a secondary suite.
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 922 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1000 Chamberlain Street. The proposal is to construct a 47.25m<sup>2</sup> addition to the existing house as part of its renovation with the installation of a secondary suite and the relocation of an existing accessory (workshop) building currently encroaching on a neighbour's property. The variances are related to the floor area of the addition to the single family dwelling as well as its height and setbacks and the location and floor area of the existing accessory building.

The following points were considered in assessing this application:

- the design of the proposed addition is in keeping with the existing house
- the requested variances are largely technical in nature and due to the siting and size of the existing house and accessory building will have minimal impacts on adjacent properties and the surrounding neighbourhood.

## BACKGROUND

### Description of Proposal

The proposal is to construct a 47.25m<sup>2</sup> rear addition and deck on an existing house as part of its renovation with the installation of a secondary suite. Relocation of an existing accessory (workshop) building is proposed to remove its encroachment on the neighbouring property to the west. Specific details include:

- installation of the two-bedroom, 81m<sup>2</sup> secondary suite on the lower floor
- a storage area and workshop on the lower floor of the addition with a deck and mudroom above
- new lower floor windows and an entrance to the secondary suite
- exterior siding on the addition to match siding on the existing house
- new vehicle parking pad and sidewalks on the site with permeable pavers.

The proposed variances are related to:

#### Main House

- A building addition exceeding 20m<sup>2</sup> with the installation of a secondary suite.
- Front and rear setbacks less than the required minimum due to the *Zoning Regulation Bylaw* definition of front yard.
- A small increase in building height due to a change in average grade.

#### Accessory Building

- A location in front yard and side yard due to the *Zoning Regulation Bylaw* definition of front yard.
- A floor area slightly greater than the maximum permitted.



## Sustainability Features

As indicated in the applicant's letter date-stamped November 25, 2015 the following sustainability features are associated with this application:

- upgraded weather stripping/caulking installed on doors and windows
- high-efficiency in-floor heating
- solar hot water system with associated mechanical room.

## Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this application.

## Public Realm Improvements

No public realm improvements are proposed in association with this Development Variance Permit Application.

## Existing Site Development and Development Potential

The site is a large corner lot currently occupied by a single family dwelling built in 1911. While the front of the house faces Chamberlain Street, the front yard as defined in the *Zoning Regulation Bylaw* is on Brighton Avenue.

Under the existing R1-G Zone, the house could be replaced with a new single family detached dwelling with a maximum floor area of 300 m<sup>2</sup>, which could include a secondary suite. The size and corner location of the lot meet the criteria for consideration of a rezoning for a duplex.

## Data Table

The following data table compares the proposal with the existing R1-G Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R1-G
Site area (m <sup>2</sup> ) - minimum	667.06	460.00
Density (Floor Space Ratio) - maximum	0.43:1	0.5:1
Total floor area (m <sup>2</sup> ) - maximum	290.00	300.00
Secondary suite floor area	80.93	90.00
Lot width (m) - minimum	18.30	15.00
Height (m) - maximum	10.68*	7.60
Storeys - maximum	3*	2
Site coverage % - maximum	29.30	30.00
Open site space % - minimum	70.70	50.00

Zoning Criteria	Proposal	Zone Standard R1-G
Setbacks (m) – minimum		
Front (Brighton Ave.)	4.70*	7.50
Rear (north)	3.39*	9.00
Side (west)	10.43	2.75
Side (Chamberlain St.)	7.92	3.5
Combined Side Yards	18.35	5.40
Parking – minimum	1	1
<b>Accessory Building</b>		
Location	Front and side yard*	Rear yard
Floor area - maximum	40.30*	37.00
Height – maximum	3.50	3.50
Setbacks (m) – minimum		
East (separation space)	4.91	2.40
Rear (north)	7.85	0.60
West	0.91	0.60
Rear yard site coverage %	n/a	25

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on December 2, 2015 the application was referred for a 30-day comment period to the CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires a notice, sign posting and a meeting of Council to consider the variances.

### ANALYSIS

#### Proposed Variances

The requested setback variances for the existing house and the locational variance for the existing accessory building are largely technical and the result of existing front and rear yards that differ in location from the definitions in the *Zoning Regulation Bylaw*. The requested height relaxation for the existing house reflects its existing height with an adjustment to the average grade. The requested variance for the floor area of the accessory building reflects its existing floor area. Staff recommend that Council consider the requested variance to permit an addition to the existing house with a greater floor area than permitted when a secondary suite is installed, as its design is in keeping with the existing house.



## CONCLUSIONS

Staff have reviewed the proposal and the proposed variances will have minimal impacts on adjacent properties and the surrounding neighbourhood and the design of the proposed addition is in keeping with the existing building. Staff, therefore, recommend that Council consider supporting the proposal and the requested variances.

## ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00161 for the property located at 1000 Chamberlain Street.

Respectfully submitted,



Brian Sikstrom  
Senior Planner  
Development Services Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

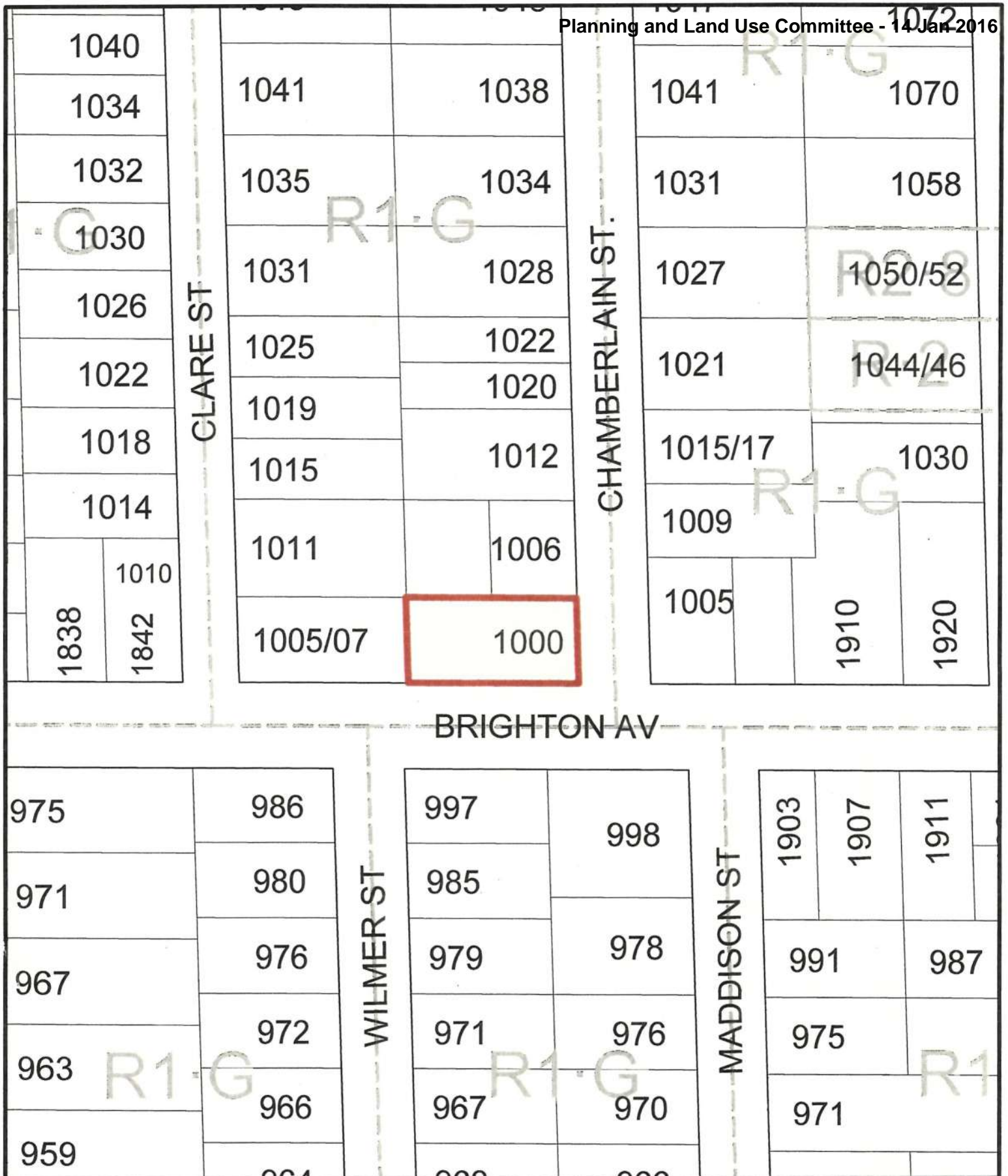
Report accepted and recommended by the City Manager:



Date: December 30, 2015

## List of Attachments

- Zoning map
- Aerial map
- Letter from applicant date-stamped November 25, 2015
- Plans date-stamped November 25, 2015.

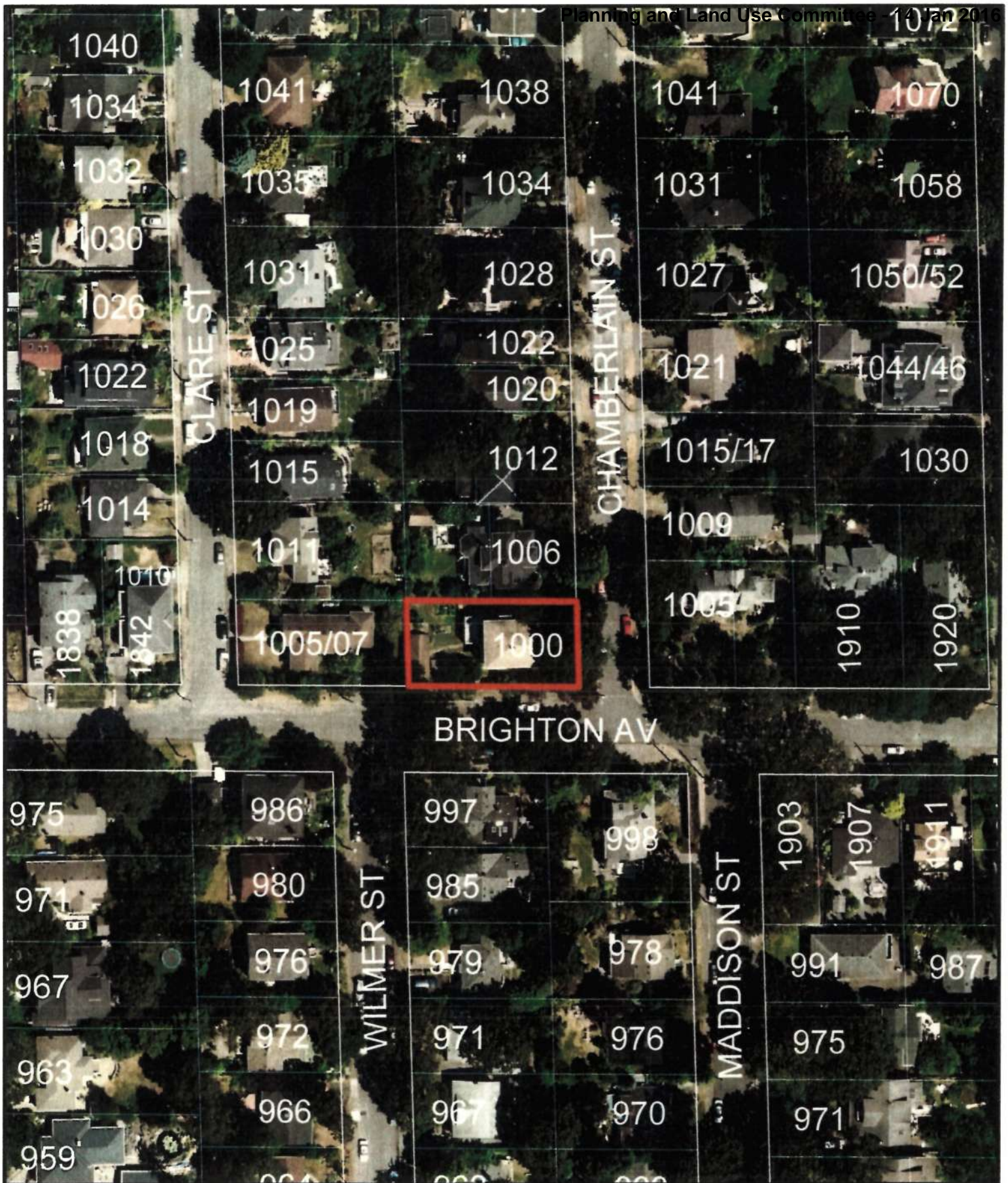


1000 Chamberlain Street  
Development Variance Permit #00161

Development Variance Permit No. 00161 for 1000 Chamberlain S...







1000 Chamberlain Street

Development Variance Permit #00161

Development Variance Permit No. 00161 for 1000 Chamberlain S...

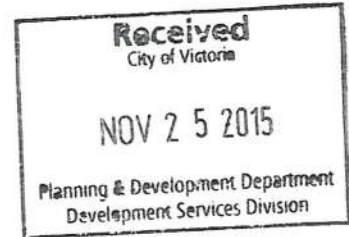




Leonard Weaver  
1000 Chamberlain Street  
Victoria, BC V8S 4B9  
l.weaver@me.com  
205-8121-1013

Mayor Lisa Helps and the Victoria City Council  
1 Centennial Square  
Victoria, BC V8W 1P6

November 20, 2015



Dear Ms. Help and Members of the Victoria City Council,

**RE: Development Variance Permit Application #00161**

The house at 1000 Chamberlain Street is a grand old Victorian built in the early 1900s. My wife and I would like to see it stand proud among its neighbours; to do that it will need major renovation. Our application for a development permit aims to achieve five goals.

1. Restore and improve the character features of the home and improve the aesthetics of the house and lot for the enjoyment of the occupants and for enhancement of the neighbourhood.
2. Reduce our carbon footprint and augment the home's thermal efficiency.
3. Improve the functionality of the home's interior to better align with modern living.
4. Install a high-end, income-earning suite to assist with financing the costs of the upgrades and the mortgage.
5. Eliminate the encroachment of the garage onto the neighbour's property.

The manner in which the proposed plan meets these goals is discussed below.

**Variances Requested**

The city plan considers Brighton Street to be the fronting street despite the home's address and obvious orientation to Chamberlain Street. This poses a hardship with regards to meeting flanking and fronting street setback requirements. Accordingly, the following 6 variances are requested.

1. Section 1.6.4.a - Relaxation for the maximum building height from 7.60m to 10.68m due to the proposed average grade change. The existing building height is 10.47m.



2. Section 1.6.5.a - Relaxation for the front yard setback from 7.50m to 4.96m. The existing front yard setback is 4.70m (Cantilever).
3. Section 1.6.5.b - Relaxation for the rear yard setback from 9.10m to 3.39m. The existing rear yard setback is 4.24m
4. Schedule F, Section 1 - Relaxation for the location of an accessory building from the rear yard to partially within the side yard (west) and the front yard.
5. Schedule F, Section 2 - Relaxation for the maximum size of an accessory building from 37.00 meters squared to 40.30 meters squared
6. Schedule J, Section 2.a - Relaxation to permit an extension to a building that creates more than 20.00 meters squared of enclosed floor area to 47.25 meters squared of enclosed floor area.

### **The Addition and Deck**

To bring the home up to modern standards and increase resale value, we feel it is important to have the following.

- a main-floor bathroom
- a mudroom, coat closet, and pantry storage off of the kitchen
- a deck for enjoying outdoor space and a BBQ

There is currently a bathroom in the front foyer that was installed without permit and compromises the character of the entryway and staircase. We plan to restore the front entry and move the powder room to the addition. Relinquishing the basement to build the suite necessitates that the freezer move to the main floor addition. The current back entrance to the house offers nowhere to remove and store wet coats and muddy shoes. The addition satisfies all of these concerns.

### **The Storage Areas Beneath the Addition and Deck**

The on-site garage is my workshop. The space is adequate but leaves no room for storing gardening equipment, outdoor furniture, or personal items. Giving up the basement furthers the need for an alternate storage space. The area beneath the addition will serve as a gardening shed with room to organize tools, bin space for over-wintering bulbs and tubers, and cold storage for vegetables. It will also provide dry, secure storage for camping gear and bikes and winter storage for patio furniture.

My wife was a renter for 17 years and now works for a property management firm. One chief complaint among residential tenants is a lack of storage space. To attract quality, long-term tenants, we plan to offer a dedicated storage space with the suite. The area beneath the deck will provide a secure, indoor space for tenants to store bicycles, sporting equipment, case-lot shopping, and household items used infrequently, such as Christmas decorations.

## **Our Carbon Footprint**

As expected with a home built in 1911, the following energy efficiency issues must be addressed.

- Poor insulation.
- Drafty doors and windows.
- Under-efficient, forced air heating.
- Inefficient electric hot water tank.

Insulation will be upgraded and weather-stripping/caulking installed on doors and windows. The furnace will be replaced with high-efficient, radiant, in-floor heating. Radiant heat reduces energy consumption. Heat molecules are absorbed by floors, furniture, and other surfaces. Because occupants are not dependent on the warm air currents, they experience a greater feeling of warmth and comfort at lower air temperatures. The most significant upgrade to the efficiency of the home will be the installation of the CamoSun solar hot water system (see <http://www.camosunsolar.ca>). The planned mechanical room plays an important part in the solar hot water plans for the house.

## **The Mechanical Room**

The mechanical room placement was purposefully designed using my expertise as a professional plumbing and heating contractor and solar installer trained to NABCEP standards. The tubing that carries heated water, or glycol, from the solar panels on the roof to the storage tanks must be graded downward 1/4 inch for every foot of horizontal run. In our home, the distance from where the piping must exit the attic to the rear of the house prohibits installing the solar hot water tank at the rear of the house in the area beneath the addition. Doing so would require drilling through the floor joists from the centre of the house to the back, compromising structural integrity. The addition of the mechanical room allows me to run the tubing parallel to the floor joists and to achieve the proper grade. Another consideration is the installation of two gas boilers for the in-floor heating. The following gas installation code requirements are all satisfied by the mechanical room placement.

- outdoor venting with a minimum of elbows.
- maximum exhaust-vent lengths.
- minimum vertical and horizontal distances from opening windows.

The 1.5 foot variance requested for the mechanical room still allows for a side-yard setback in excess of requirements. The room also improves the aesthetics of the exterior as the current bump-out design is not particularly attractive.

## **Neighbourhood Improvement**

Finally, I would like to speak to the importance of neighbourhood improvement in this plan. We have strong ties and close friendships in our neighbourhood. Brighton Avenue, which runs along the south side of our home, has been identified as a People Priority Greenway. The rundown nature of the fencing, yard, and exterior of the home is a source of concern for us. Painting and restoring the original siding and window trim, replacing and/or repairing fences



and gates, and creating off-street parking area are all part of the plan to beautify the property and improve the Brighton Walkway.

The existing garage encroaches on the adjacent property to the west, known as 1005 Clare Street. The owner of this property, Mr. Michael Vellella, requested on April 27th, 2015, that the garage be removed from his property. The proposed plan relocates the garage fully onto our property eliminating the encroachment.

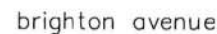
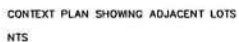
In closing, my wife and I thank you for your time in considering this development plan. The renovation will make this house a wonderful home, provide quality rental living space, and improve the neighbourhood. The plan is good for us, and it's good for the city.

Sincerely,

Leonard Weaver

					Project Title <b>LEONARD WEAVER AND GAIL CARYN</b>				
10 19/10/15 Development Variance Permit 9 09/05/15 Development Variance Permit 8 30/08/15 Development Variance Permit 7 27/04/15 Development Variance Permit 6 23/07/15 Preliminary Plans 5 23/07/15 Preliminary Plans 4 02/12/15 Preliminary Plans 3 03/02/2015 Preliminary Plans 2 26/01/2015 As-Built Plans 1 18/01/2015 As-Built Plans					Project Location: <b>1000 CHAMBERLAIN ST.          VICTORIA, B.C. V8S 4B9</b>				
No. Date Issue Description					Sheet Title <b>SITE PLAN</b>				
THIS PLAN IS PROPERTY OF DAVID COULSON DESIGN AND MAY NOT BE REPRODUCED OR RE-USED WITHOUT THE WRITTEN CONSENT OF DAVID COULSON DESIGN LTD.					Drawn By <b>TRACY</b> Sheet <b>1</b> of <b>8</b> Issues				





SCALE = 1:100

ALL TREES, SHRUBS AND LANDSCAPING STRUCTURES WILL BE RETAINED EXCEPT WHERE NOTED.  
EXISTING GRASS WILL BE RE-SEEDED AROUND HOUSE ONCE CONSTRUCTION HAS BEEN COMPLETED.

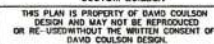


EXISTING GRASS (TO BE RE-SEEDING  
AFTER COMPLETION OF  
CONSTRUCTION)

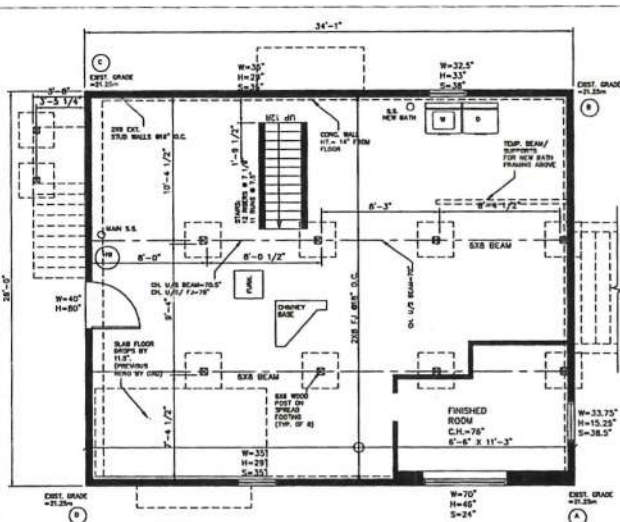
PARKING:  
ONE LARGE PARKING SPACE WILL BE ADDED OFF  
BRIGHTON ST.  
PERMEABLE CONCRETE PARKING PAVERS TO BE  
USED FOR PARKING SPACE AND WALKWAYS ON  
EITHER SIDE OF PARKING.  
OLD BRICKS WILL BE USED FOR EDGING AROUND  
PAVERS.  
DRIVEWAY CROSSING OVER RIGHT OF WAY WILL  
PAVED ASPHALT.



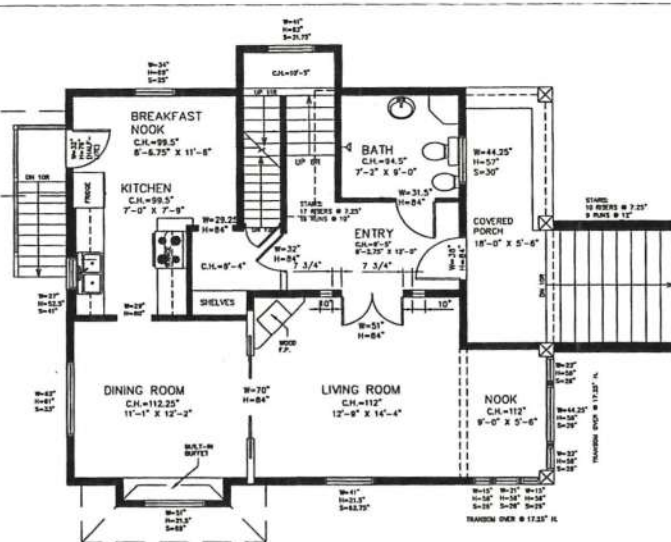
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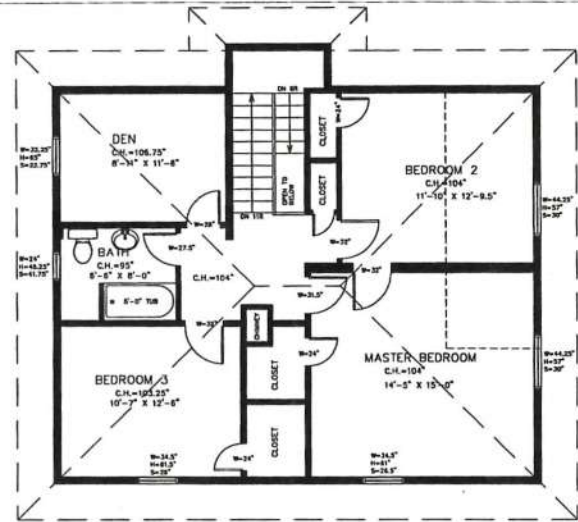
Drawn By: TRUCY	Sheet Number: 2 of 8	Issue: 10
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**EXISTING BASEMENT FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
FLOOR AREA = 81.4 m<sup>2</sup> / 876.3 FT<sup>2</sup> (INCL. INT. STAIRS)  
AVERAGE GRADE CALCULATION  
GRADES: A=21.25m, B=21.25, C=21.15m, D=21.25m  
PTS A AND B (21.25 + 21.25) / 2 = 8.534m = 181.4m  
PTS B AND C (21.25 + 21.15) / 2 = 10.389m = 220.2m  
PTS C AND D (21.15 + 21.25) / 2 = 8.534m = 180.8m  
PTS D AND A (21.25 + 21.25) / 2 = 10.389m = 220.8m  
TOTAL GRADES = 603.3m / 37 848m = 21.25m



**EXISTING MAIN FLOOR PLAN**  
SCALE: 3/8" = 1'-0"  
FLOOR AREA = 75.12 m<sup>2</sup> / 808.66 FT<sup>2</sup> (INCLUGES INT. STAIRS)



**EXISTING SECOND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"  
FLOOR AREA = 83.29 m<sup>2</sup> / 898.56 FT<sup>2</sup> (INCL. INTERIOR STAIRS)

SITE DATA	R1-G	PROPOSED LOT
ITEMS	PERMITTED	PROPOSED
ITE AREA (MAXIMUM)	480m <sup>2</sup> (4951.38 F2)	487.08m <sup>2</sup> (5248.2 F2)
LOT WIDTH	15m	15.30m
FLOOR SPACE RATIO (MAX.)	0.5:1	0.44:1
FLOOR AREA - LOWER FLOOR (FIRST FLOOR - MAX.)	N/A	115.07m <sup>2</sup> (1248.45 F2)
FLOOR AREA - MAIN FLOOR (SECOND FLOOR - MAX.)	N/A	81.4m <sup>2</sup> (876.45 F2)
FLOOR AREA - SECOND FLOOR (THIRD FLOOR - MAX.)	N/A	83.29m <sup>2</sup> (898.56 F2)
FLOOR AREA - FIRST AND SECOND FLOOR - MAX.	240m <sup>2</sup> (2593.33 F2)	206.7m <sup>2</sup> (2257.10 F2)
FLOOR AREA (MAXIMUM-ALL LEVELS)	360m <sup>2</sup> (3889.17 F2)	299.912 (321.66 F2)
***** BUILDING HEIGHT (MAX.)	7.6m (24.93 FT)	10.8m (35.43 FT)
AVERAGE GRADE	N/A	20.55m
STORYS (MAX.)	3	3
BASEMENT	PERMITTED	NO
UTRACKS		
***** FRONT (BROADVIEW AVE.)	7.3m	4.85m Addition 4.70m (Excl. carport) 5.10m (Excl. Bulding Feet)
***** REAR (N)	8.10m	2.81m (Rear Room) 4.85m Addition 4.25m (Garage Bulding Feet)
***** SIDE (E)	2.75m	12.43m
SIDE ON PLANNING ST. (CHAMBERLAIN ST.)	3.5m	7.92m
COVERED SIDE YARDS	5.40m	16.35m
SITE COVERAGE	30%	28.24%
OPEN SITE SPACE (MINIMUM %)	SIDE	73.7%
OPEN SITE SPACE-FRONT YARD (MINIMUM %)	FROM CURB TO P.A.-LESS GARAGE AND 1/2M PORTION	77.1%

SITE DATA	R1-G	PROPOSED LOT
PARKING		
PARKING (MINIMUM - NOT IN FRONT YARD)	1 SPACE	1 SPACE
PARKING SCREENING		
DRIVEWAY - PARKING SLOPE (MAXIMUM %)	8%	1% (1/11.12)
DRIVEWAY PARKING MATERIAL	PERMEABLE PAVES	PERMEABLE PAVES
ITEMS	PERMITTED	PROPOSED
SECONDARY SITE		
FLOOR AREA (MAXIMUM m <sup>2</sup> )	150m <sup>2</sup>	298.8m <sup>2</sup>
ADDED FLOOR AREA (MAXIMUM m <sup>2</sup> )	30m <sup>2</sup>	47.25m <sup>2</sup>
ADDED BUILDING HEIGHT (MAXIMUM m)	30m	N/A
SITE FLOOR AREA (MAXIMUM m <sup>2</sup> )	90m <sup>2</sup>	80.83m <sup>2</sup>
SITE FLOOR AREA RATIO (MAXIMUM %)	40%	37.88%
ACCESSORY BUILDING-GARAGE		
***** LOCATION	REAR YARD	FRONT AND SIDE YARDS
***** COVERED FLOOR AREA (MAXIMUM m <sup>2</sup> )	37m <sup>2</sup>	40.35m <sup>2</sup>
***** HEIGHT	3.5m	2.3m
***** FRONT SETBACK		8.5m (EXISTING AND PROPOSED)
***** REAR SETBACK	8.0m	7.65m
***** SIDE SETBACK	8.0m	6.1m
***** SEPARATION SPACE BETWEEN ACCESSORY BUILDING AND PRINCIPAL BUILDING (MINIMUM)	2.40m	6.1m
***** REAR YARD SITE COVERAGE (MAXIMUM %)		

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NOV 25 2015  
Planning & Development Department  
Development Services Division

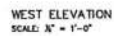
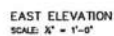
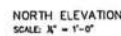
10/18/15 Development Variance Permit  
9/09/15 Development Variance Permit  
8/20/15 Development Variance Permit  
7/27/15 Development Variance Permit  
6/23/15 Preliminary Plans  
5/22/15 Preliminary Plans  
4/18/15 Preliminary Plans  
3/03/15 Preliminary Plans  
2/26/15 As-Built Plans  
1/18/15 As-Built Plans

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Project Location: 1000 CHAMBERLAIN ST. VICTORIA, B.C. V8S 4B9  
Sheet Title: AS-BUILT PLANS AND DATA TABLE  
Drawn By: TRUDY  
Sheet Number: 3 of 6  
Book: 10

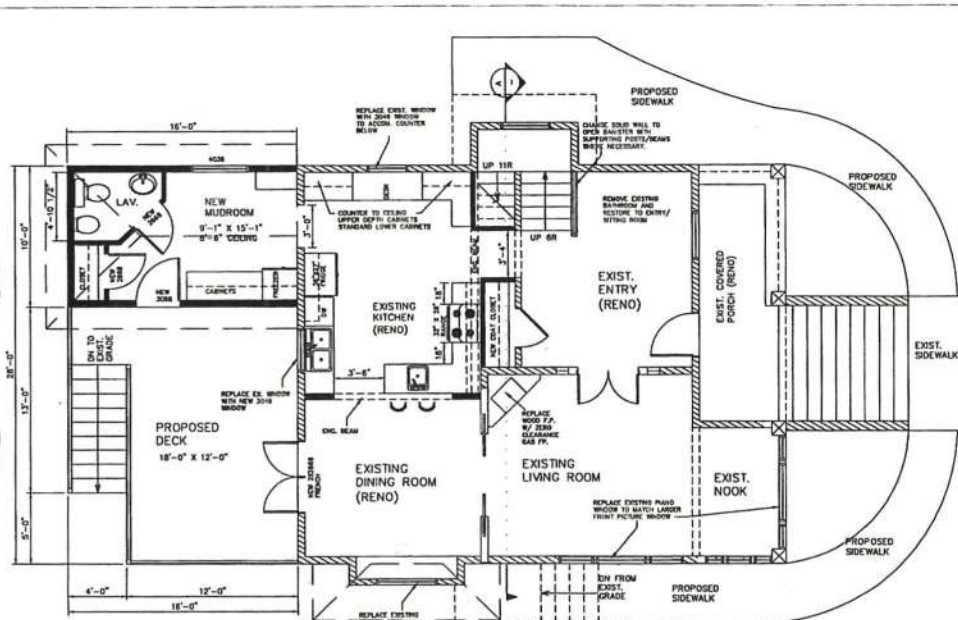
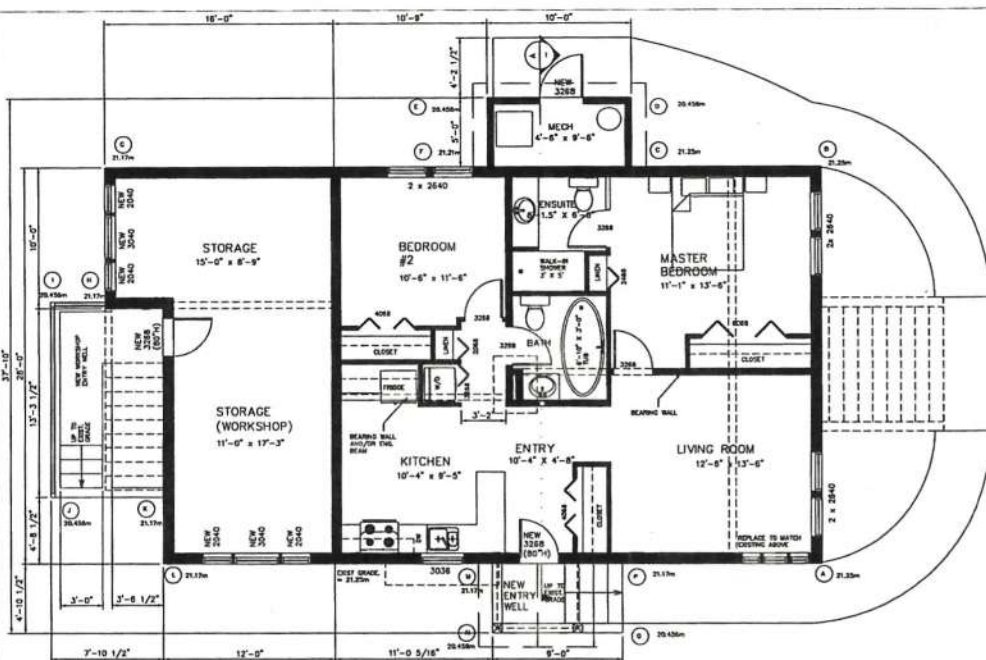




NOV 25 2015

Planning & Development Department  
Development Services Division

CONCEPT ONLY - NOT FOR CONSTRUCTION  
E. & O. E.  
SUBJECT TO ENGINEER'S DRAWINGS  
AND SPECIFICATIONS



**PROPOSED BASEMENT FLOOR PLAN**

SCALE: 1/8" = 1'-0"

- NEW 2X8 STUD WALL
- NEW 2X4 STUD WALL

FLOOR AREA  
 SUITE = 80.93 m<sup>2</sup> / 871.18 FT<sup>2</sup>  
 STORAGE/AVCL = 34.13 m<sup>2</sup> / 367.47 FT<sup>2</sup>  
 TOTAL = 115.07 m<sup>2</sup> / 1238.65 FT<sup>2</sup>

**AVERAGE GRADE CALCULATION**

GRADES: A=21.25m, B=21.25, C=21.25m, D=20.45m,  
 E=20.45, F=21.21, G=21.170, H=20.456, I=20.456, J=20.456,  
 K=20.456,  
 L=21.17, M=20.456, N=20.456, O=20.456, P=20.456,

PTS A AND B (21.25 + 21.25) / 2 x 8.534m = 91.64m  
 PTS B AND C (21.25 + 21.25) / 2 x 4.55m = 98.88m  
 PTS C AND D (21.25 + 20.456) / 2 x 1.524m = 31.77m  
 PTS D AND E (20.456 + 20.456) / 2 x 1.304m = 26.89m  
 PTS E AND F (20.456 + 21.21) / 2 x 1.524m = 31.74m  
 PTS F AND G (21.21 + 21.17) / 2 x 8.153m = 172.76m  
 PTS G AND H (21.17 + 21.17) / 2 x 2.899m = 61.3m  
 PTS H AND I (21.17 + 20.456) / 2 x 1.181m = 34.58m  
 PTS I AND J (20.456 + 20.456) / 2 x 4.181m = 85.73m  
 PTS J AND K (20.456 + 21.17) / 2 x 2.4m = 49.95m  
 PTS K AND L (21.17 + 21.17) / 2 x 1.155m = 20.37m  
 PTS L AND M (21.17 + 21.17) / 2 x 7.010m = 148.49m  
 PTS M AND N (21.17 + 20.456) / 2 x 1.486m = 30.83m  
 PTS N AND O (20.456 + 20.456) / 2 x 2.743m = 56.11m  
 PTS O AND P (20.456 + 21.17) / 2 x 1.486m = 30.92m  
 PTS P AND A (21.17 + 21.25) / 2 x 4.285m = 80.5m

TOTAL GRADES = 1149.82m / 55.99m = 20.53m

**PROPOSED MAIN FLOOR PLAN**

SCALE: 1/8" = 1'-0"  
 FLOOR AREA = 91.64 m<sup>2</sup> / 988.45 FT<sup>2</sup> (INCLUDES INT. STAIRS)

- EXISTING 2X8 STUD WALL
- NEW 2X8 STUD WALL
- EXISTING 2X4 STUD WALL
- NEW 2X4 STUD WALL

CONCEPT ONLY -  
 NOT FOR CONSTRUCTION

E. & O. E.  
 SUBJECT TO ENGINEER'S DRAWINGS  
 AND SPECIFICATIONS

<p>Project Title: LEONARD WEAVER AND GAIL CARY</p>		<p>Project Location: 1000 CHAMBERLAIN ST. VICTORIA, B.C. V8S 4B9</p>	
<p>Sheet Title: PROPOSED FLOOR PLANS</p>		<p>Drawn By: TRUCKY Sheet Number: 3 of 8</p>	
<p>16/10/15 Development Variance Permit                  09/09/15 Development Variance Permit                  20/06/15 Development Variance Permit                  27/04/15 Development Variance Permit                  23/03/15 Preliminary Plans                  23/03/15 Preliminary Plans                  19/02/15 Preliminary Plans                  03/02/15 Proposed Plans                  26/01/15 As-Built Plans                  18/01/15 As-Built Plans</p>		<p>THIS PLAN IS PROPERTY OF DAVID COULSON DESIGN AND MAY NOT BE REPRODUCED OR RE-USED WITHOUT THE WRITTEN CONSENT OF DAVID COULSON DESIGN.</p>	

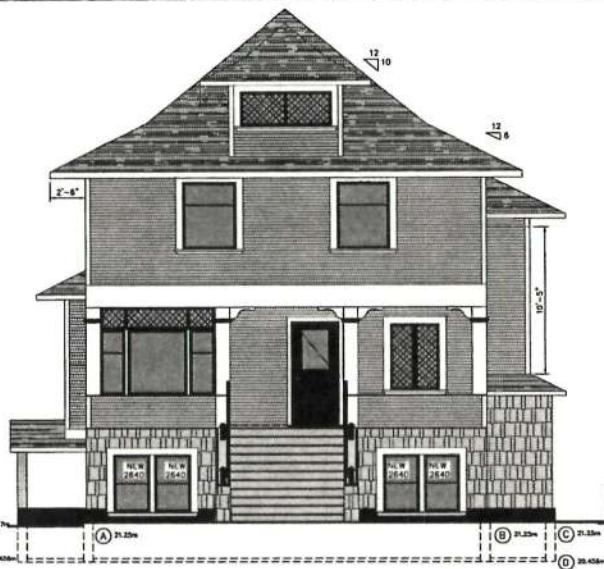


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NOV 25 2015

Planning & Development Department  
 Development Services Division





**PROPOSED EAST ELEVATION**  
 SCALE: 1/4" = 1'-0"  
 EXISTING GRADES (NO CHANGE):  
 $21.25m + 21.25m + 21.25m + 21.15m = 84.9m / 4 = 21.22m$  (existing average grade)  
 PROPOSED GRADES - SEE BASEMENT FLOOR PLAN FOR TABLE



**PROPOSED NORTH ELEVATION**  
 SCALE: 1/4" = 1'-0"  
 EXISTING GRADES (NO CHANGE):  
 $21.25m + 21.25m + 21.25m + 21.15m = 84.9m / 4 = 21.22m$  (existing average grade)  
 PROPOSED GRADES - SEE BASEMENT FLOOR PLAN FOR TABLE



**PROPOSED SOUTH ELEVATION**  
 SCALE: 1/4" = 1'-0"  
 EXISTING GRADES (NO CHANGE):  
 $21.25m + 21.25m + 21.25m + 21.15m = 84.9m / 4 = 21.22m$  (existing average grade)  
 PROPOSED GRADES - SEE BASEMENT FLOOR PLAN FOR TABLE



**PROPOSED WEST ELEVATION**  
 SCALE: 1/4" = 1'-0"  
 EXISTING GRADES (NO CHANGE):  
 $21.25m + 21.25m + 21.25m + 21.15m = 84.9m / 4 = 21.22m$  (existing average grade)  
 PROPOSED GRADES - SEE BASEMENT FLOOR PLAN FOR TABLE

CONCEPT ONLY - NOT FOR CONSTRUCTION

E.& O.E.  
 SUBJECT TO ENGINEER'S DRAWINGS AND SPECIFICATIONS

Received  
 City of Victoria

NOV 25 2015

Planning & Development Department  
 Development Services Division

<p>10 18/10/15 Development Variance Permit</p> <p>9 09/09/15 Development Variance Permit</p> <p>8 30/08/15 Development Variance Permit</p> <p>7 27/04/15 Development Variance Permit</p> <p>6 23/03/15 Preliminary Plans</p> <p>5 23/02/15 Preliminary Plans</p> <p>4 18/02/15 Preliminary Plans</p> <p>3 03/02/2015 Preliminary Plans</p> <p>2 28/01/2015 A-Built Plans</p> <p>1 18/01/2015 A-Built Plans</p>		<p>Project Title: LEONARD WEAVER AND GAIL CARYN</p> <p>Project Location: 1000 CHAMBERLAIN ST. VICTORIA, B.C. V8S 4B9</p> <p>Sheet Title: PROPOSED ELEVATIONS</p> <p>Drawn By: TUDY Sheet Number: 6 of 8</p>	
<p>DAVID COULSON DESIGN LTD.</p> <p>CUSTOM BUILDER</p> <p>THIS PLAN IS PROPERTY OF DAVID COULSON DESIGN AND MAY NOT BE REPRODUCED OR RE-USED WITHOUT THE WRITTEN CONSENT OF DAVID COULSON DESIGN.</p>		<p>10</p>	

## Aerial Photo



## 1000 Chamberlain Street – Development Permit Application # 00161

View from Chamberlain Street



## 1000 Chamberlain Street

Chamberlain Street – Neighbouring House to the North





## 1000 Chamberlain Street

Brighton Avenue



## 1000 Chamberlain Street

Brighton Avenue





## 1000 Chamberlain Street

Brighton Avenue – Garage



## 1000 Chamberlain Street

Brighton Avenue – Garage and Neighbouring House





## 1000 Chamberlain Street

Brighton Avenue – Neighbouring House to the West



## 1000 Chamberlain Street

Brighton Avenue – South side



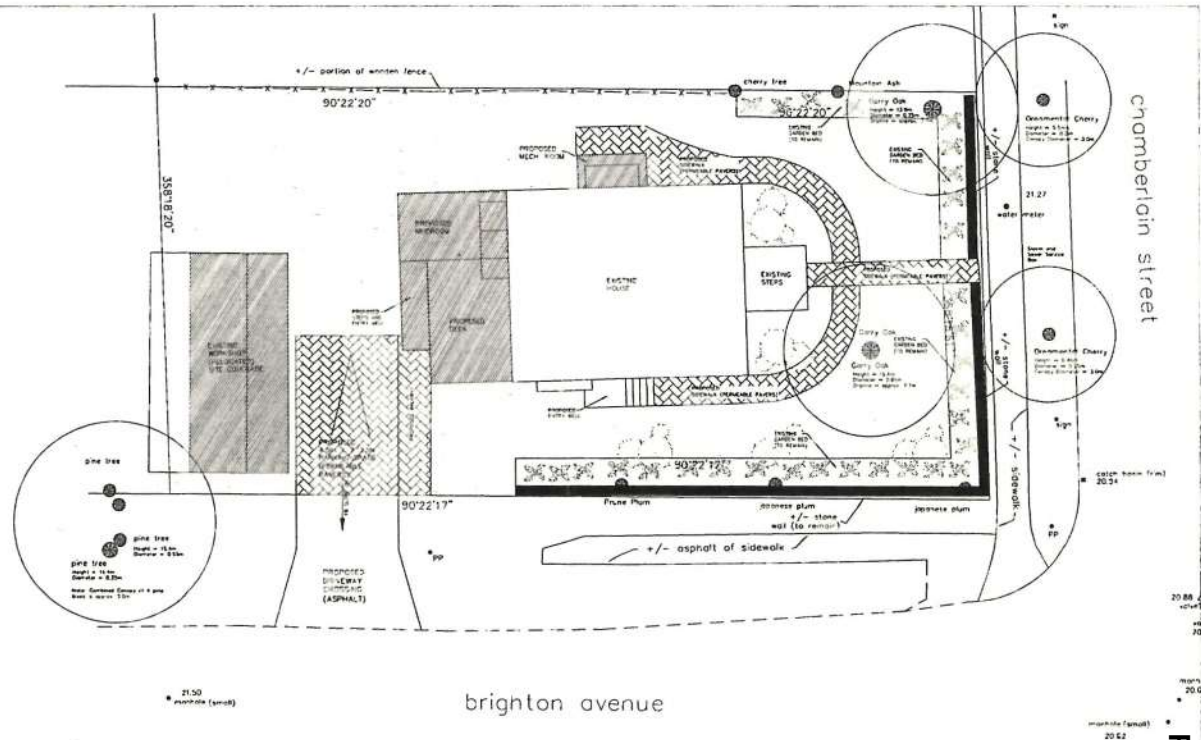
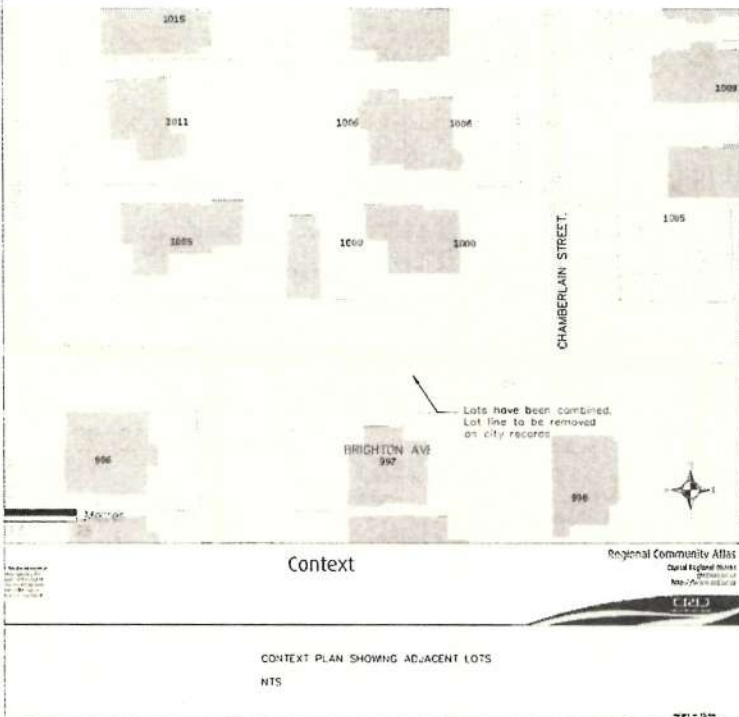


## 1000 Chamberlain Street

Brighton Avenue – South Side



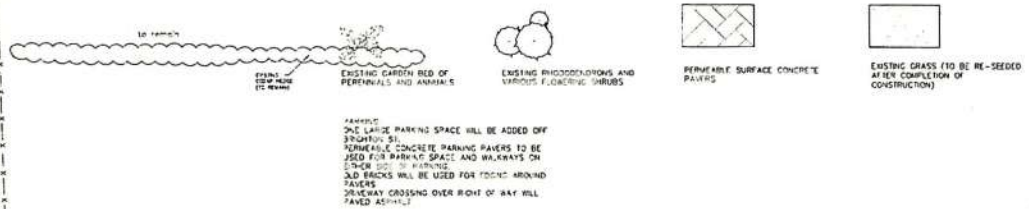
# 1000 Chamberlain Street Site Plan and Context



## LANDSCAPING PLAN AND NOTES:

SCALE = 1:100

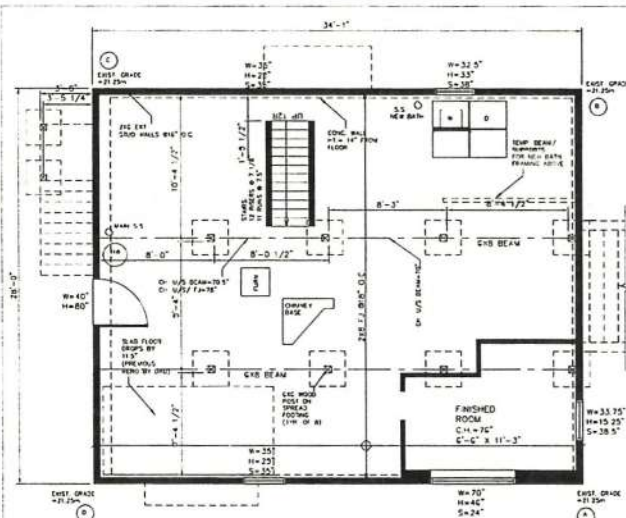
ALL TREES, SHRUBS AND LANDSCAPING STRUCTURES WILL BE RETAINED EXCEPT WHERE NOTED  
EXISTING GRASS WILL BE RE-SEEDED AROUND HOUSE ONCE CONSTRUCTION HAS BEEN COMPLETED



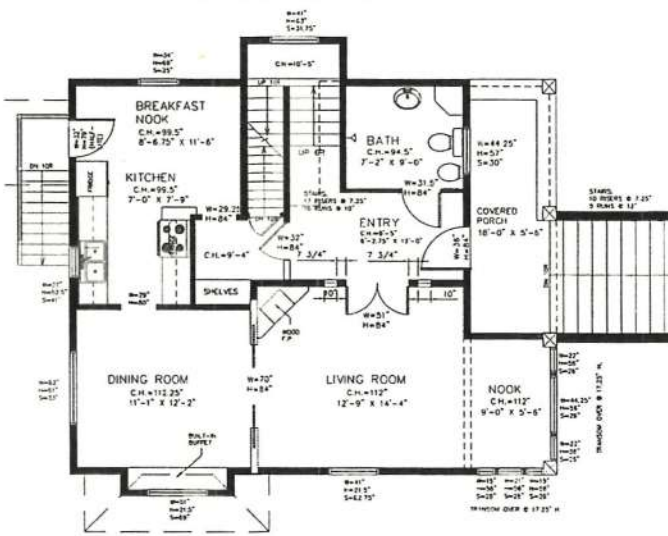
<p>10 15/10/15 Development Variance Permit</p> <p>9 02/09/15 Development Variance Permit</p> <p>8 30/06/15 Development Variance Permit</p> <p>7 27/04/15 Development Variance Permit</p> <p>6 23/02/15 Preliminary Plans</p> <p>5 19/02/15 Preliminary Plans</p> <p>4 03/02/2015 Preliminary Plans</p> <p>3 26/01/2015A-B-Built Plans</p> <p>2 15/01/2015A-B-Built Plans</p>	<p><b>DAVID COULSON DESIGN Ltd.</b></p> <p>CUSTOM BUILDER</p> <p>THIS PLAN IS PROPERTY OF DAVID COULSON DESIGN AND MAY NOT BE REPRODUCED OR RE-USED WITHOUT THE WRITTEN CONSENT OF DAVID COULSON DESIGN</p>	<p>Project Location: 1000 CHAMBERLAIN, ST. VICTORIA, B.C. V8S 4B9</p> <p>Sheet Title: CONTEXT PLAN AND LANDSCAPING PLAN, NOTES</p> <p>Drawn by: 01-3 Sheet Number: 2 of 6</p>
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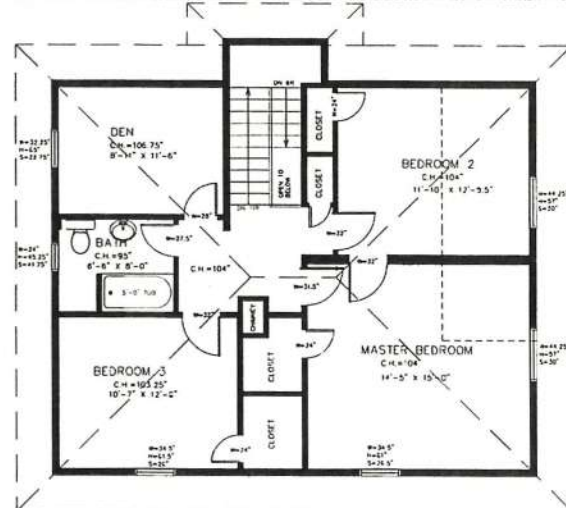
Lot A, Section 4,  
Victoria District  
Plan EPP50692



EXISTING BASEMENT FLOOR PLAN  
 SCALE: 1" = 1'-0"  
 FLOOR AREA = 81.4 m<sup>2</sup> / 875.3 FT<sup>2</sup> (INCL. INT. STAIRS)  
 AVERAGE GRADE CALCULATION



EXISTING MAIN FLOOR PLAN  
 SCALE: 1" = 1'-0"  
 FLOOR AREA = 75.12 m<sup>2</sup> / 808.6 FT<sup>2</sup> (INCLUDES INT. STAIRS)



EXISTING SECOND FLOOR PLAN  
 SCALE: 1" = 1'-0"  
 FLOOR AREA = 83.23 m<sup>2</sup> / 896.56 FT<sup>2</sup> (INCL. INTERIOR STAIRS)

SITE DATA	R1-G	PROPOSED LOT
ITEMS	PERMITTED	PROPOSED
SITE AREA (TERRACE)	450m <sup>2</sup> (4851.35 M <sup>2</sup> )	457.0m <sup>2</sup> (4922.2 M <sup>2</sup> )
LOT WIDTH	15m	16.30m
FLOOR SPACE RATIO (MAX)	0.5:1	0.4:1
FLOOR AREA - LOWER FLOOR (FIRST FLOOR - MAX)	N/A	115.0m <sup>2</sup> (1238.65 FT <sup>2</sup> )
FLOOR AREA - MAIN FLOOR (SECOND FLOOR - MAX)	N/A	31.6m <sup>2</sup> (340.45 FT <sup>2</sup> )
FLOOR AREA - SECOND FLOOR (THIRD FLOOR - MAX)	N/A	83.2m <sup>2</sup> (896.56 FT <sup>2</sup> )
FLOOR AREA - FIRST AND SECOND FLOOR - MAX	210m <sup>2</sup> (2261.55 FT <sup>2</sup> )	206.7m <sup>2</sup> (2232.10 FT <sup>2</sup> )
FLOOR AREA (BANKING - ALL LEVELS)	100m <sup>2</sup> (1076.39 FT <sup>2</sup> )	293.07 (3141.66 FT <sup>2</sup> )
BUILDING HEIGHT (MAX)	7.6m (24.93 FT)	10.68m (35.02 FT)
AVERAGE COEFF	N/A	23.53m
STORY-15 (MAX)	3	3
EXTENT/DEPTH	PERMITTED	NO
STAIRWAYS		
FRONT (BONHOMME AVE)	7.5m	1.75m (5'9" continuous) 3.42m (11'2" Existing Face)
REAR (N)	9.10m	2.80m (Main Room) 4.60m (Existing Building Face)
SIDE (N)	2.75m	10.43m
SIDE ON PLANNING ST (CHAMBERLAIN ST)	3.3m	1.53m
FINISHED SIDE YARDS	5.40m	18.35m
SITE COVERAGE	30%	21.71%
OPEN SITE SPACE (TERRACE)	30%	70.76%
OPEN SITE SPACE-FRONT YARD (TERRACE)	30%	77.1%
FROM 5.0m TO 10.0m LESS COVERAGE AND 10.0m PORTION		

SITE DATA	R1-G	PROPOSED LOT
ITEMS	PERMITTED	PROPOSED
PARKING	1 SPACE	1 SPACE
PARKING (TERRACE - 100' IN FRONT YARD)	1 SPACE	1 SPACE
PARKING (TERRACE)	1 SPACE	1 SPACE
DRIVEWAY - PARKING (TERRACE)	1 SPACE	1 SPACE
DRIVEWAY PARKING MATERIAL	PERMEABLE PAVERS	PERMEABLE PAVERS
ITEMS	PERMITTED	PROPOSED
SECONDARY SPACE		
FLOOR AREA (BANKING - M <sup>2</sup> )	150m <sup>2</sup>	250m <sup>2</sup>
AREED FLOOR AREA (TERRACE - M <sup>2</sup> )	20m <sup>2</sup>	47.5m <sup>2</sup>
AREED BUILDING HEIGHT (BANKING - M)	6.0m	N/A
SLATE FLOOR AREA (TERRACE - M <sup>2</sup> )	50m <sup>2</sup>	10.5m <sup>2</sup>
SLATE FLOOR AREA RATIO (TERRACE - %)	40%	27.8%
APPROXIMATE BUILDING (BANKING)		
LOCATION	REAR YARD	FRONT AND SIDE YARDS
FINISHED FLOOR AREA (BANKING - M <sup>2</sup> )	25m <sup>2</sup>	40.5m <sup>2</sup>
HEIGHT	3.5m	3.5m
FRONT SETBACK		35m (EXISTING BAY PROPOSED)
REAR SETBACK	60m	7.5m
SIDE SETBACK	60m	6.5m
SEPARATION SPACE BETWEEN ACCESSORY BUILDING AND PRINCIPAL BUILDING (BANKING)	2.40m	4.2m
REAR YARD SITE COVERAGE (TERRACE - %)	25%	N/A

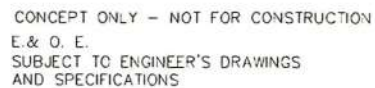
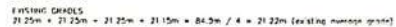
## 1000 Chamberlain Street Existing Floor Plan


10/10/15	Development Variance Permit	Project Title: LEONARD WEAVER AND GAIL CHAMBERLAIN
9/20/15	Development Variance Permit	Project Location: 1000 CHAMBERLAIN ST, VICTORIA, B.C. V8S 4B9
7/27/15	Development Variance Permit	Sheet Title: AS-BUILT PLANS AND DATA TABLE
5/27/15	Preliminary Plans	Drawn By: [Signature]
4/16/15	Site Plan	Sheet Number: 3 of 3
3/23/15	Preliminary Plans	
2/16/15	Preliminary Plans	
1/17/15	AS-BUILT PLANS	
10/10/15	Issue Description	





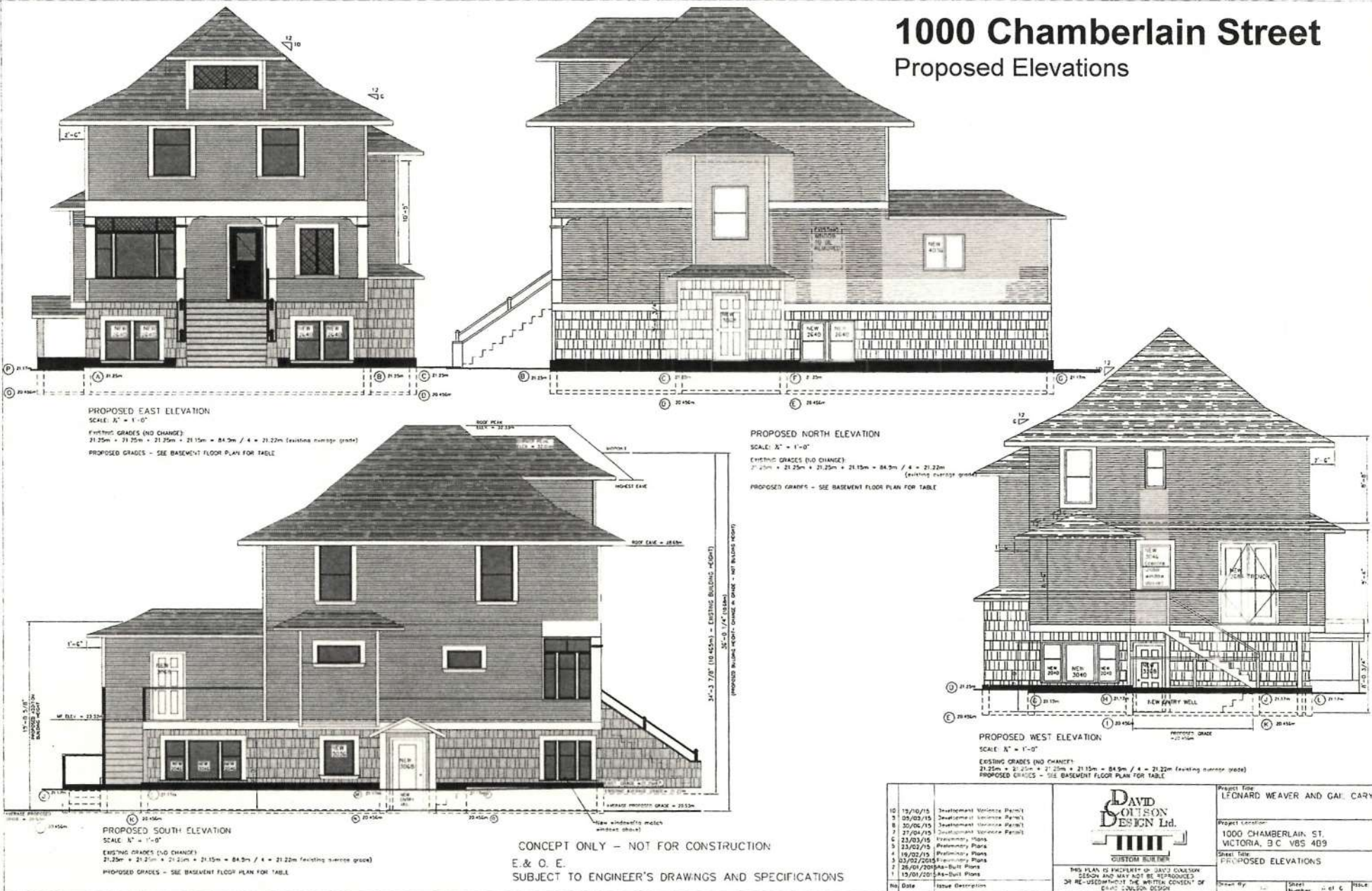
## Existing Elevations



Project Title: LEONARD WEAVER AND GAIL CARYN			
Project Location: 1000 CHAMBERLAIN ST. VICTORIA, B.C. V8S 4B9			
Sheet Title: AS-BUILT ELEVATIONS AND PROPOSED SECTION			
Drawn By:	Sheet Number:	# of S.	Total S.
 <p>THIS DRAWING IS THE PROPERTY OF DAVID COULSON DESIGN AND MAY NOT BE REPRODUCED OR BE USED WITHOUT THE WRITTEN CONSENT OF DAVID COULSON DESIGN.</p>			
10	13/02/15	Development	Variances Permitted
11	03/05/15	Development	Variances Permitted
12	30/06/15	Development	Variances Permitted
13	27/04/15	Development	Variances Permitted
14	25/03/15	Preliminary	Plans
15	23/02/15	Preliminary	Plans
16	19/02/15	Preliminary	Plans
17	01/02/15	Preliminary	Plans
18	28/01/2015	Preliminary	Design
19	15/01/2015	Preliminary	Design
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# 1000 Chamberlain Street Proposed Elevations









### 1000 Chamberlain Street – Development Permit Application # 00161

View from Chamberlain Street



**1000 Chamberlain Street**

Chamberlain Street – Neighbouring House to the North

**1000 Chamberlain Street**

Brighton Avenue





**1000 Chamberlain Street**  
Brighton Avenue



**1000 Chamberlain Street**  
Brighton Avenue – Garage



**1000 Chamberlain Street**

Brighton Avenue – Garage and Neighbouring House

**1000 Chamberlain Street**

Brighton Avenue – Neighbouring House to the West





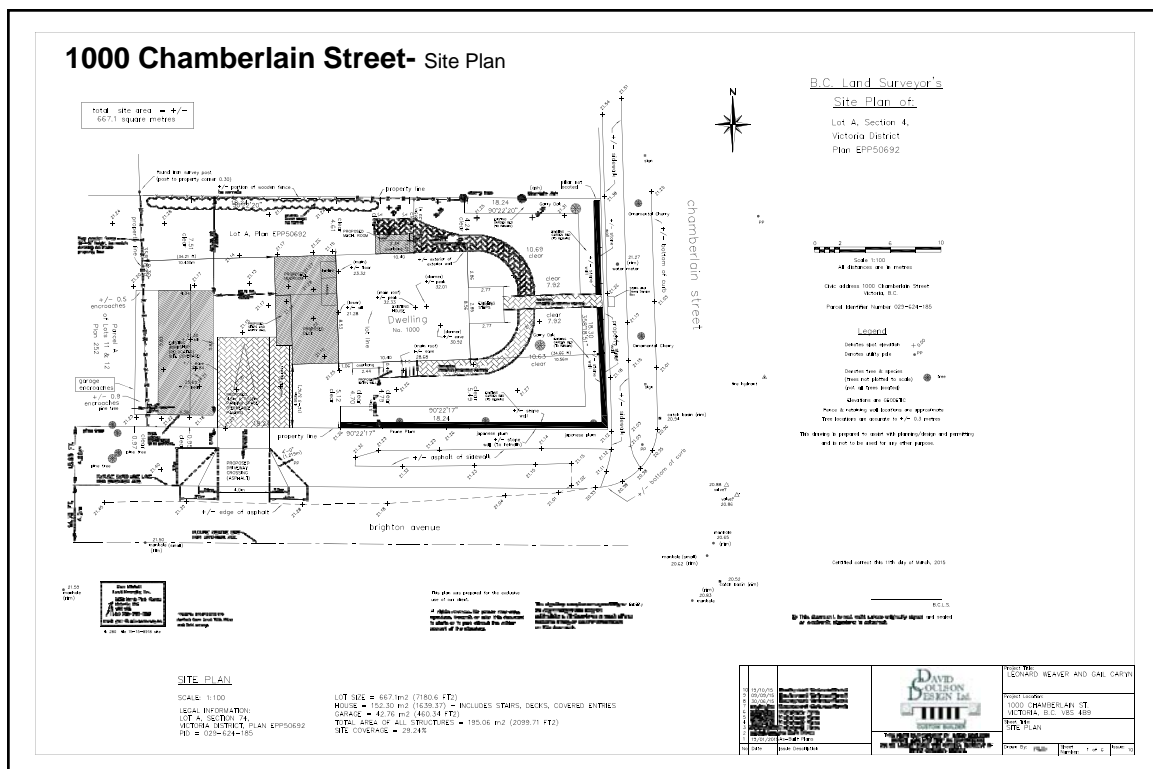
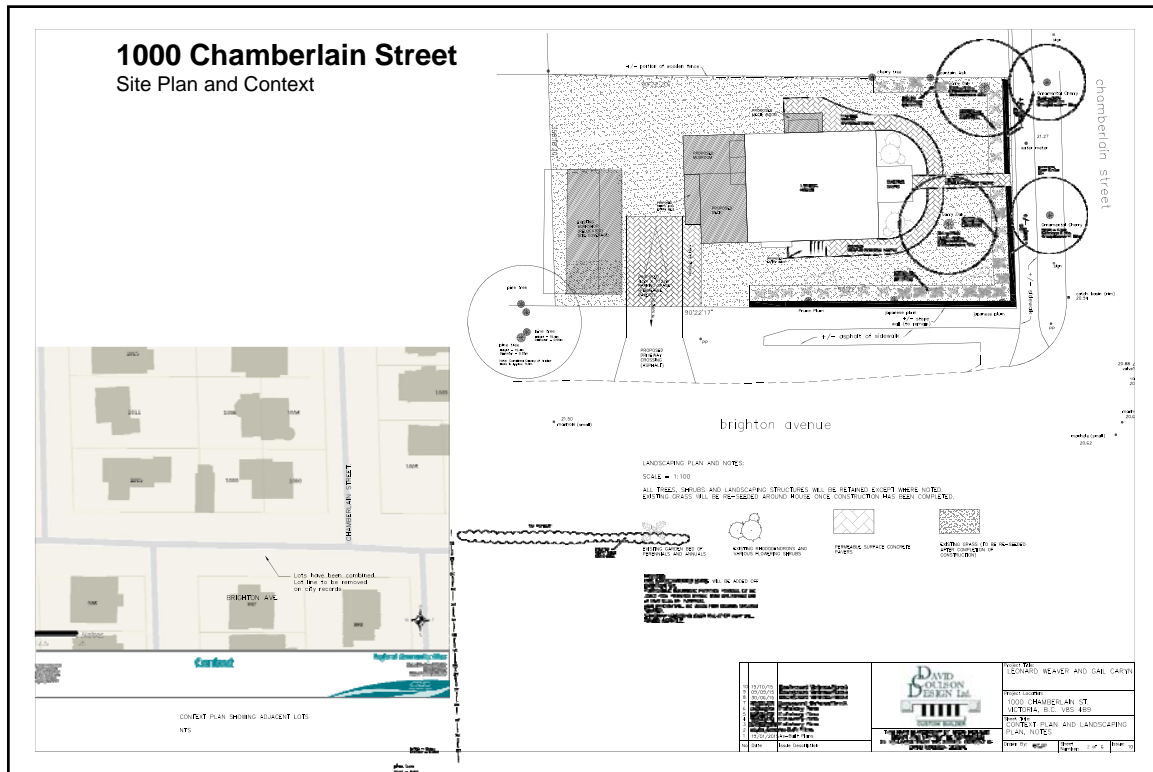
**1000 Chamberlain Street**

Brighton Avenue – South side

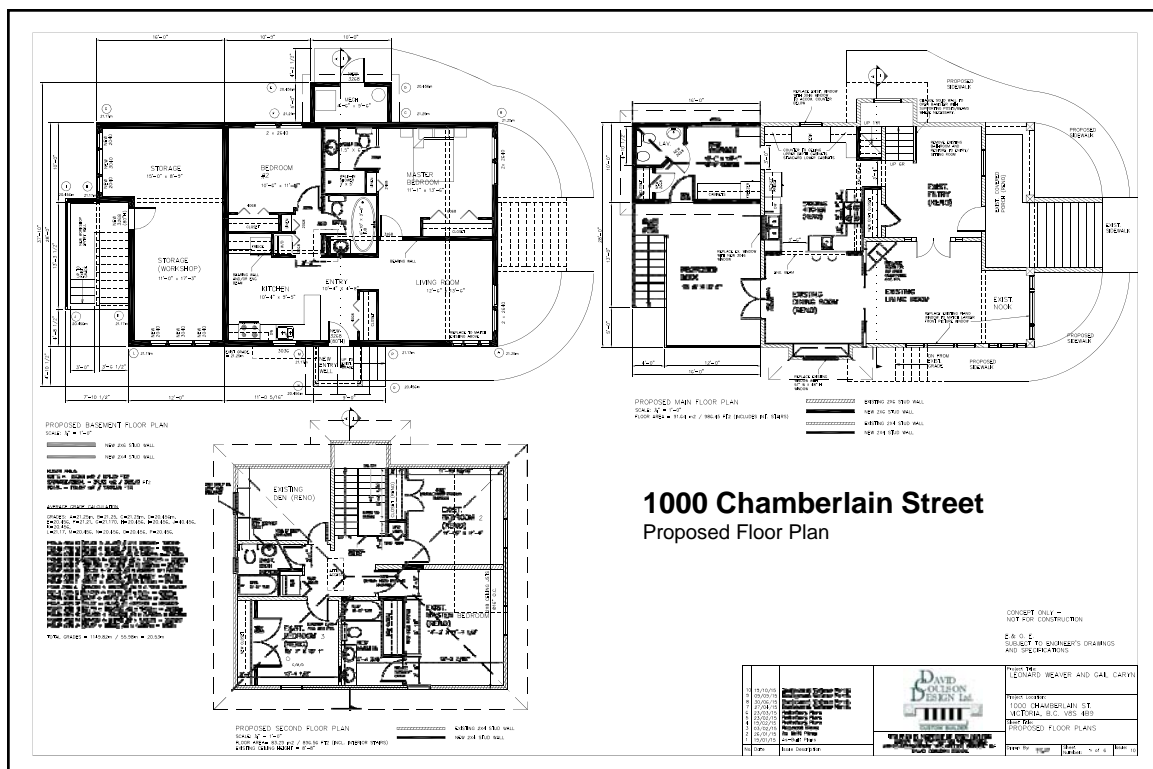
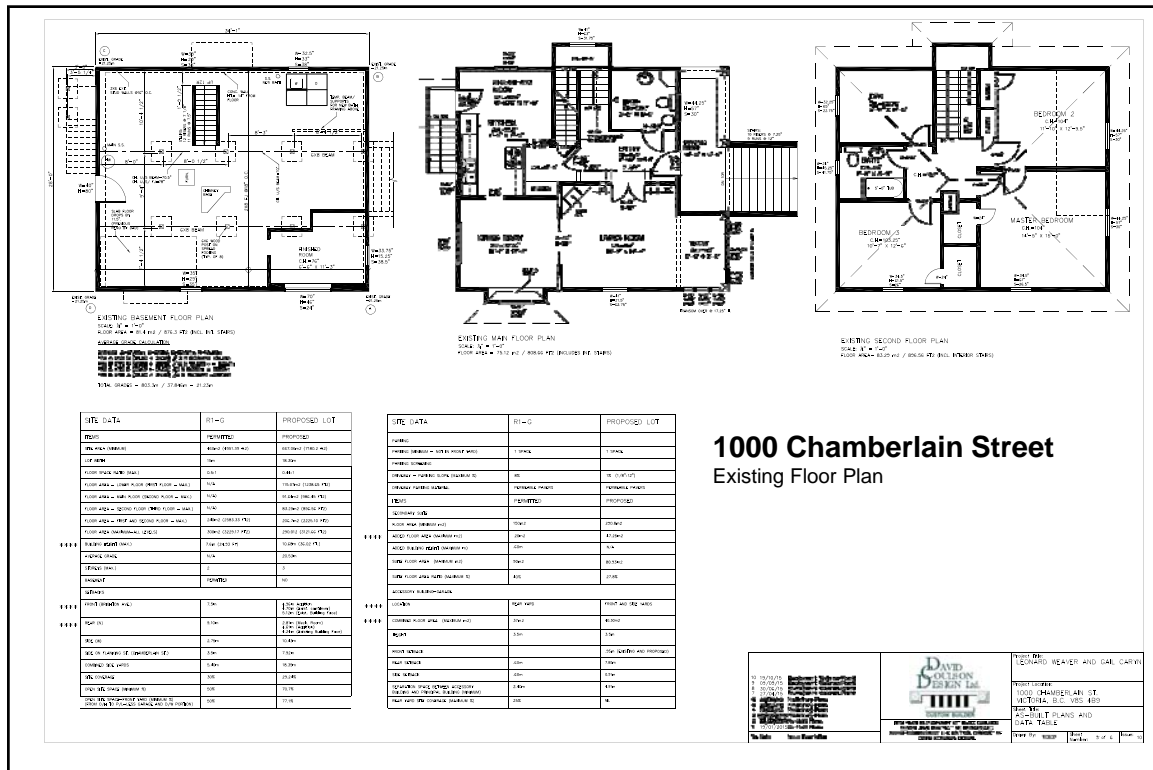
**1000 Chamberlain Street**

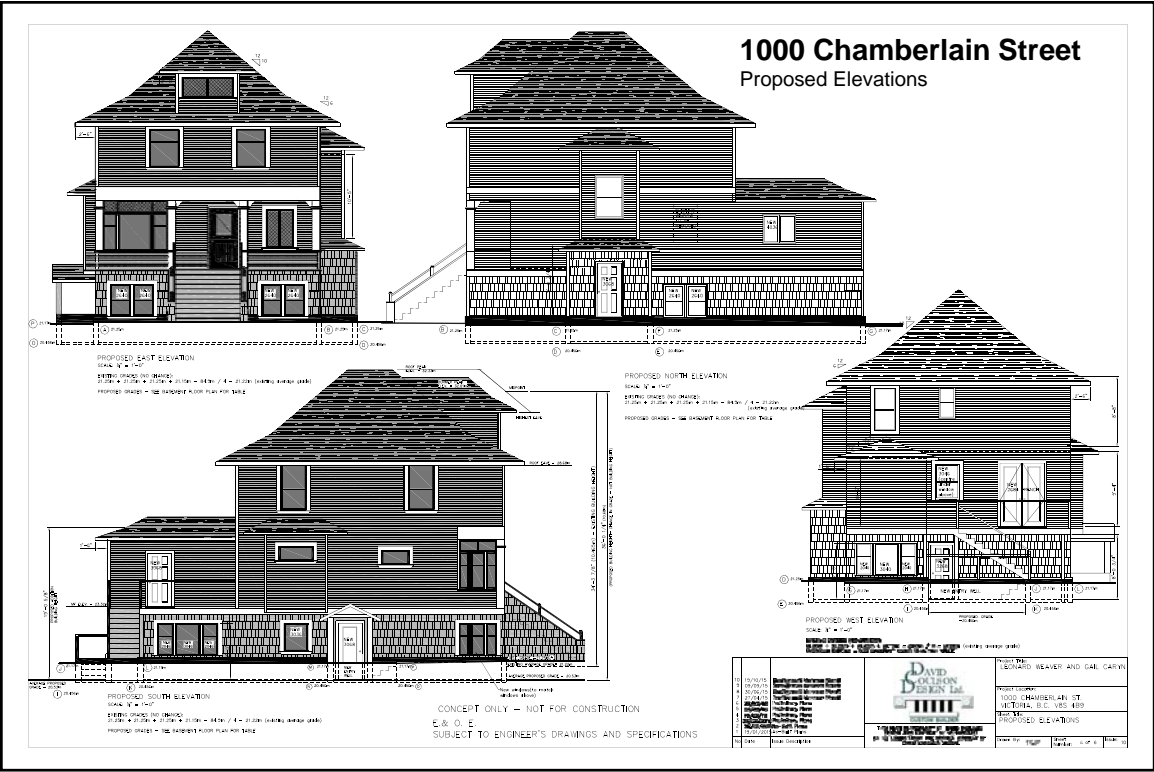
Brighton Avenue – South Side















## Planning and Land Use Committee Report

For the Meeting of January 14, 2016

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**To:** Planning and Land Use Committee      **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Variance Permit No. 000158 for 950 Rockland Avenue

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that after giving notice and allowing an opportunity for public comment, that Council consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000158 for 950 Rockland Avenue in accordance with:

1. Plans date stamped September 18, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. parking requirements reduced from 1.3 parking stalls per dwelling unit to 0.66 stalls per unit;
  - ii. bicycle storage requirements reduced from 1 storage space per dwelling unit to 0.49 storage space per unit.
3. That Council authorize staff to register a Section 219 Covenant on title in a form satisfactory to staff.
4. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 922 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the Permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendation for a Development Variance Permit Application for the property located at 950 Rockland Avenue. The proposal is to reduce the parking requirements from one required parking stall to zero following the transformation of a resident amenity space on the fifth floor of the building into a residential suite.

The following points were considered in assessing this Application:

- The Application is generally consistent with the Official Community Plan (OCP) Design Guidelines for Development Permit Area 14: Cathedral Hill Precinct.
- The requested vehicle and bike parking variance is minor in nature, will have minimal impact and is offset by the addition of a publicly accessible bicycle repair station.

## BACKGROUND

### Description of Proposal

The proposal is to reduce the parking requirements for the property so that one residential unit may be added within the existing building. The proposed variances are related to:

- Schedule C Section 16.A. 11(c) – parking requirements reduced from 1.3 parking stalls per dwelling unit to 0.66 stalls per unit
- Schedule C Section 17(2) – bicycle storage requirements reduced from 1 storage space per dwelling unit to 0.49 storage spaces per unit.

### Sustainability Features

As indicated in the applicant's letter dated August 21, 2015, the following sustainability features are associated with this Application. To compensate for not adding an additional bicycle storage space, the applicant plans to provide a public bicycle repair station outside of the building. The applicant will supply the following items at the station:

- a bike mount
- eight repair tools attached to cables
- an air pump
- single bike rack.

The bicycle amenities are designed to be vandalism and theft resistant, would be located by the front entrance of the building and adjacent to the public sidewalk along Rockland Avenue. The location of 950 Rockland Avenue lends itself well to bike traffic and commuters entering and exiting the Downtown.

### Existing Site Development and Development Potential

The site is presently developed as a four- storey multiple-dwelling apartment building with a standing height of 13.1m. The building has a total 40 residential units. There are 27 existing vehicle parking stalls and 20 bicycle stalls available on site.

### Data Table

The following data table compares the proposal with the existing CHP-R3 Zone, Cathedral Hill Precinct. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk is used to identify an existing non-conformity.



Zoning Criteria	Proposal	Zone Standard CHP-R3
Site area (m <sup>2</sup> ) - minimum	1,962.0	920.0
Site area per unit (m <sup>2</sup> ) - minimum	56.0	37.0
Number of units - maximum	41	-
Density (Floor Space Ratio) - maximum	1.5**	1.2 to 1.0
Total floor area (m <sup>2</sup> ) - maximum	2952.0**	2354.4
Lot width (m) - minimum	-	-
Height (m) - maximum	13.1	16.0
Storeys - maximum	4	5
Site coverage % - maximum	41%	24%
Open site space % - minimum	19%	30%
Number of dwellings units in an attached dwelling	-	-
Separation space between buildings (within the site) (m) - minimum	-	-
Setbacks (m) - minimum		9
Front (Rockland Ave)	7.6	-
Rear	12.6	-
Side (north)	5.5	-
Side (south)	4.0	-
Parking - minimum	27*	41
Visitor parking (minimum) included in the overall units	-	-
Bicycle parking stalls (minimum)	20*	21

### Relevant History

The property located at 950 Rockland Avenue received a parking variance in 2012 to allow a relaxation of the required 1.3 parking spaces to 0.67 parking spaces per dwelling unit. This resulted in a reduction of 54 parking stalls to 27 stalls.

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on October 5, 2015, the Application was

referred for a 30-day comment period to the Fairfield Gonzales CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

## ANALYSIS

### Development Permit Area (DPA) 14: Cathedral Hill Precinct

The *Official Community Plan* (OCP) identifies this property within DPA 14, Cathedral Hill Precinct. The proposal is generally consistent with the objectives of the OCP and design guidelines of DPA 14 because it intensifies multi-unit residential growth within the confines of an existing building envelope. The proposal directs growth into an area close to the amenities of the Downtown. The building's location is in close walking proximity to numerous bus stations thus reducing the residents' reliance on personal vehicle transportation and lowering the demand for off-street parking. The proposal also assists in meeting the OCP objectives related to active transportation through the provision of a publicly-accessible bicycle repair station and bicycle rack.

### Maintenance Covenant

It will be important that the public bike repair station is kept in good repair. Staff recommend that a Section 219 Covenant be registered on title requiring the property owner to maintain the equipment to ensure its functionality in perpetuity.

## CONCLUSIONS

The proposed work to transform an existing amenity space into a residential suite at 950 Rockland Avenue is generally consistent with relevant City policies and guidelines. The layout of the existing parking stalls on site would not allow for the addition of another parking stall that could meet the current stall size requirements of the *Zoning Regulation Bylaw*. The applicant proposes to compensate for not adding one additional vehicle stall nor one additional bicycle storage space by building a publicly-accessible bicycle repair station outside of the building and installing a public bicycle rack that would accommodate one bicycle.

## ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 000158 for the property located at 950 Rockland Avenue.

Respectfully submitted,


  
Adrian Brett  
Heritage Planner  
Community Planning

am

  
Jonathan Tinney, Director  
Sustainable Planning and  
Community Development

Report accepted and recommended by the City Manager:

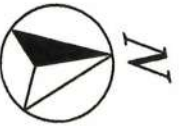
Date:

  
December 30, 2015



### List of Attachments

- Subject map
- Letter from applicant date-stamped September 18, 2015
- Consent letter regarding Section 219 Covenant date-stamped December 18, 2015
- Plans date-stamped December 18, 2015.



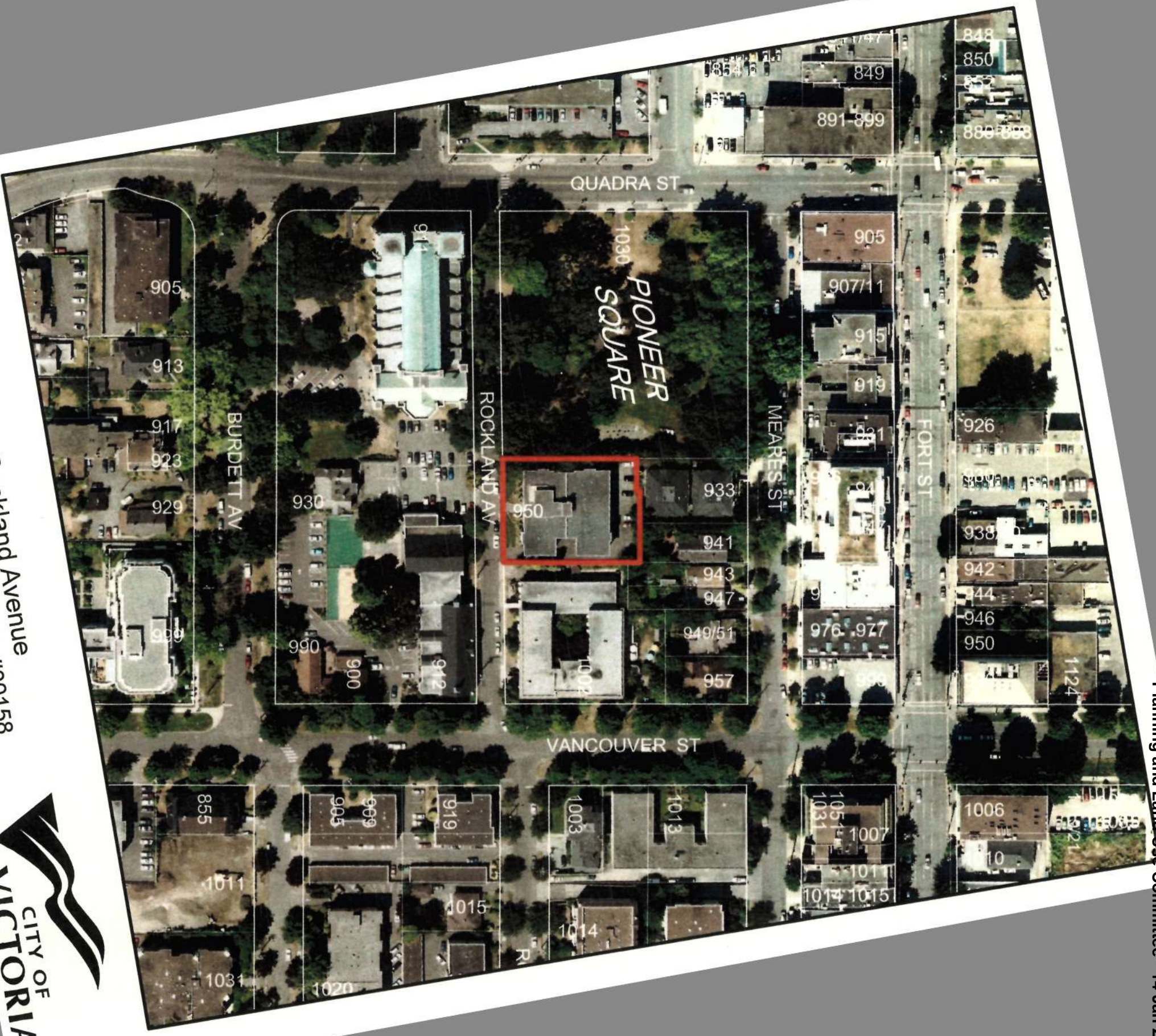
Development Variance Permit #00158  
950 Rockland Avenue







950 Rockland Avenue  
Development Variance Permit #00158

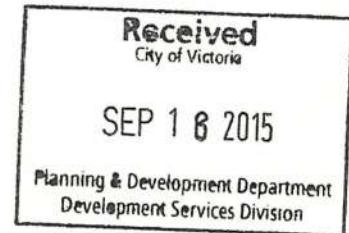






August 21, 2015

Mayor and Council  
City of Victoria – City Hall  
1 Centennial Square  
Victoria, British Columbia  
V8W 1P6



**Re : Request for Development Variance**

To Mayor Fortin and Council,

The current owner of the multi-dwelling residential property at 950 Rockland Avenue in Victoria, British Columbia is applying for a development permit to relax the parking requirements to transform an amenity space on the 5th floor into a residential suite.

The building was built in 1964. The property is zoned for CHP-R3. The uses permitted in this zone include dwelling units and dwelling unit accessory uses. The Zoning By-Law (Part 3.3, art.2) requires that a residential unit be no smaller than 33m<sup>2</sup>. The off-street parking requirement, as per Schedule C (art. 16.11.b), requires 1.3 parking stalls per residential unit.

The proposed unit is 56m<sup>2</sup>. We are requesting a relaxation of the off-street parking requirements, outlined in Schedule C so as to not add any additional parking stalls on site. We are requesting this based on the following:

1. **Existing building:** the layout of the existing parking stalls on site does not allow for the addition of a parking stall that would meet all of the requirements of the current Schedule C in terms of stall size, clearance to adjacent structures and setbacks from the property lines. The addition of a stall on this site would not comply with the requirements of Schedule C.
2. **Previous parking/bike upgrades :** The original parking lot already received a relaxation from 1.3 spaces to 0.67 spaces per dwelling units in 2012, resulting in a reduction of 52 parking stalls to 27 stalls. This relaxation allowed us to convert 2 of the existing 29 stalls into a secure and covered bicycle parking (Class 1) area.

VANCOUVER

WINNIPEG

MONTREAL

460, rue Sainte-Catherine, O., bureau 606, Montréal, Québec, H3B 1A7

T. 514.276.9595

F. 514 735.8476

[www.goTAD.ca](http://www.goTAD.ca)

2015-08-21 - 14:12

\\srivani01\02\_of\projets\travail\bc\bc-1166\_950\_rockland\_victoria\_de\_appl\documentation\4\_coordination\4.3\_blog\_permit\bc-1166\_development variance permit letter\_2015-08-21.docx



Date : 20 August 2015

Reference : EC-1166

3. **Proximity to public transit:** there are numerous bus lines, with frequent buses, within a five (5) minute walking distance from the building. These bus lines include numbers 6, 11, 14, 24, and 25.
4. **Proximity to the downtown core:** the property is located within walking distance of the downtown core and the access to necessities are within a ten (10) minute walk in each direction. The need for a car in this location is not necessary.
5. **Rental property:** the dwelling units in the building are all rentals. None of the dwelling units are owned. The average occupancy of one of the dwelling units is 2 to 3 years. The turnaround of the tenants is quite frequent.

To make up for not adding a stall, we are proposing the following:

1. Build a public bike repair station. The reason we find this to be the best option is because the tenants of the building do not seem to require extra parking nor bike stalls. This observation was based on a questionnaire (see attached: Questionnaire) we sent to the owner.

The location of 950 Rockland lends itself well to a pit stop for incoming/outgoing bike traffic from Oak Bay, Cadboro Bay and even James Bay or for anyone in the neighborhood. It is a place where cyclists can fill up on air or tighten their bearings before they head home. The station is intended to promote a more sustainable form of transportation for the tenants as well as the public. It ensures a safe, convenient and attractive mode of transportation which can be enjoyed by everyone. The bike maintenance station would include the following:

- A bike mount to hoist and repair
- 8 tools attached to cables
- An air pump
- A single bike rack

The above mentioned items would be secured/mounted on a 4" thick concrete pad. They are vandalism and theft resistant and would be located by the front entrance adjacent to the sidewalk.

2. Install additional public rack for six bikes

Based on the above noted information, we would like to request a minor variance to Schedule C, to allow for an additional dwelling unit without an additional parking stall. We would replace this parking stall with a public bike maintenance station.

Date : 20 August 2015

Reference : BC-1166

I am available at your convenience to discuss the above and respond to any comments or questions you may have.

Best regards,

A handwritten signature in dark ink, appearing to read 'Patrick Schilling', with a large, stylized flourish extending from the end.

Patrick Schilling

Architect + Principal

Architect AIBC AIA MRAIC LEED AP BD+C

**Attachments:**

1. Questions Submitted to Landlord/Property Manager



Date : 20 August 2015

Reference : BC-1166

Questionnaire Submitted to Property Manager, with answers:

- 1) What is the current demand for parking on the property?

*The current parking demand has been low. There are currently 10 out of 28 parking stalls being used as most tenants here do not own cars.*

- 2) How many vehicles are owned/used by residents of the property?

*Out of the vehicles parking here, we have 9 vehicles owned by residents and one vehicle that is owned by someone who does not live at the building.*

- 3) Is there demand for more bicycle parking?

*There is not a need for additional bicycle parking.*

- 4) How many bicycles are owned/used by residents of the building?

*Only 7 of the 20 resident bicycle parking stalls are currently in use.*

- 5) How many units will there be on the property?

*There will be 41 units. In 2012 the council authorized a relaxation from 1.3 spaces to 0.67 spaces per dwelling, resulting in a reduction from 52 to 27 stalls.*

- 6) What have been the comments from nearby properties regarding the additional requested variance?

*Our neighbours include Christ Church Cathedral & School and the vacant building next door (formerly the senior's home) thus there has not been much response to the change.*

Viscount Manor Holdings Ltd.  
330-1639 West 2nd Ave.  
Vancouver, BC  
V6J 1H3

December 11, 2015

Re: BC-1166, 950 Rockland DP application

To: City Of Victoria,

Please accept this letter as commitment from the owner of the above property that, pending a successful development permit application, they will register a Section 219 Covenant on title that indicates the owner will maintain the Public Bike Repair Station equipment.

Regards,



Andrew Rennison

Director and signing officer

Viscount Manor Holdings Ltd. and Pacific Cove Island Properties Ltd.







# 950 ROCKLAND AVENUE

Victoria, British Columbia

## Tenant Improvements (Rooftop Sunroom)

### CODE:

THE LATEST VERSION OF THE BRITISH COLUMBIA BUILDING CODE APPLIES TO THIS PROJECT.

### DISCUSSION:

Group A2 Assembly Occupancy (Art. 3.1.2.1)

The building is an existing structure, built in 1984, not sprinklered and built of non-combustible materials. It is 4 stories high and 2,852sq (31,781sq) in area.

There is a fire separation between this space and the Group C (Restaurant) Occupancy below (Art. 3.1.2.1.3). This fire separation is required to have a 1 hour fire-resistance rating (Art. 3.1.2.1.3). Any penetration of this separation will need to be properly protected (Art. 3.1.2.1.3).

### AREA:

Total gross area of the Group A2 space (to exterior face of envelope): 55,562 (55562)

Total net area of the Group A2 space (to interior face of envelope): 43,862 (43862)

Occupant load (Art. 3.1.2.1.3)

Accessory Unit: 55,562 (55562)

Occupant load: 1.85 (one per person) (31,171) - 30 people

Proposed Use: 55,562 (55562)

Proposed Occupant Load: 3 persons per seating unit - 2 people

Art. 3.1.2.1.3 (Art. 3.1.2.1.3)

6.7m per person (185cm seating)

Single door provided - 1500mm width: 150 persons

Door not standard (Art. 3.1.2.1.3)

Maximum distance of door exit corridor to be 5m.

Door width (Art. 3.1.2.1.3)

Doors that swing in a corridor shall swing in the direction of travel to exit

Exits (Art. 3.1.2.1.3)

An egress door is an access to exit serving a specified use area is permitted to be equipped with a locking device that can be released either locally or remotely.

Art. 3.1.2.1.3 (Art. 3.1.2.1.3)

Every exit door shall have an exit sign placed over or adjacent to the door.

Exit sign illumination (Art. 3.1.2.1.3)

The exit sign shall be visible from the exit approach, have legible lettering for the word "exit" and be illuminated continuously while the building is occupied.

The intent is to comply to as many of the current 2000 requirements as possible. For accessibility and feasibility reasons, some will not be followed.

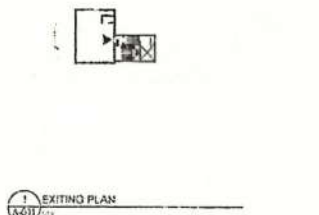
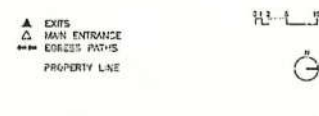
### CONTEXT PLAN



### SITE PLAN



### EXITING/EGRESS PLAN



### PROJECT DESCRIPTION:

TRANSFORMATION OF AN EXISTING AMENITY SPACE, LOCATED ON THE ROOF, INTO A RESIDENTIAL UNIT. THE EXISTING MULTI-UNIT BUILDING WAS CONSTRUCTED IN 1984.

THE CURRENT USE OF THIS SPACE IS MULTIPLE-UNIT RESIDENTIAL USE. THE USE WILL BE CHANGED TO RESIDENTIAL.

THERE IS NO WORK PROPOSED ON THE EXTERIOR OR ENVELOPE OF THIS SPACE.

### PROJECT ADDRESS:

950 Rockland Avenue  
Victoria, British Columbia  
V8T 2G6

### LEGAL DESCRIPTION:

Municipal Short Legal:  
Lot 1 of Lot 205, VICTORIA, PLAN 17100

BCA Short Legal/Long Legal:  
Lot 1 of Lot 205, VICTORIA,  
Lot 1 Plan 17100 VICTORIA

### ZONING:

The zoning is CMR-B3, Commercial Mid-Rise District. Except as provided in this plan, all uses are subject to the bylaws for zones B3-1 and B3-2 Zone, Multiple Dwelling District.

### MINOR VARIANCE:

Request is made for a relaxation of the off-street parking requirements, outlined in Schedule C so as to not add any additional parking stalls on site.

There are currently 27 parking stalls on site, 9 of these are being used by residents and 1 is being used by a non-resident. There are currently 25 Class 1, single parking stalls in the east as well as 6 Class 2 bicycle parking stalls in the front.

### PROJECT STATISTICS

Site Area:	1,352m <sup>2</sup> (21,429sq)
Total Floor Area:	2,912m <sup>2</sup> (31,781sq)
Floor Space Ratio:	1.55 (existing)
Site Coverage (35):	41% (existing)
Open Site Space (35):	13% (existing)
Height:	13.1m (43'-0") (existing)
Number of Storeys:	5 (existing)
Number of Dwelling Units:	41 (proposed)
Parking (35):	27 (existing)
Single Parking (Class 1):	25 (existing)
Double Parking (Class 2):	2 (existing)
Front Yard Setback:	3.6m (12'-0") (existing)
Rear Yard Setback:	17.5m (57'-4") (existing)
Side Yard Setback:	2.5m (8'-0") (existing) on east 4.0m (13'-0") (existing) on west

### IMAGES



PHOTO 1 - AMENITY ROOM



PHOTO 2 - OVERALL BUILDING VIEW



PHOTO 3 - BUILDING ENTRANCE

### LIST OF DRAWINGS:

ARCHITECTURAL DRAWINGS	
ADD: EXIST. SPLIT	•
ADD: GENERAL NOTES	•
ADD: MATERIAL NOTES	•
ADD: SITE PLAN	•
ADD: EXISTENTIAL CONSTRUCTION & CEILING PLAN	•

### PROJECT TEAM

#### CLIENT:

Primer Investments  
204 - 1851 West Broadway  
Vancouver, British Columbia  
V6J 1G5

Project Manager: Dave Brown  
T: 604.813.3507  
E: davebrown@primerinvestments.com

#### ARCHITECT:

Thaddeus Architecture + Design  
1640 - 18th Avenue  
Vancouver, British Columbia  
V6J 1G5

Project Manager: Patrick Kelling  
T: 778.550.1155 ext. 0001  
E: paulkelling@pdp.ca

Received  
City of Victoria

DEC 18 2015

Planning & Development Department  
Development Services Division



Original  
Submission  
Received Date:  
September 16/15

950 ROCKLAND AVENUE  
TENANT IMPROVEMENT  
950 Rockland Avenue  
Victoria, British Columbia  
V8T 1G7

THEODORUS  
ARCHITECTURE + DESIGN

PROJECT NUMBER: BC-1166

DATE: 11/15

DATE: 11/15

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**Received**  
City of Victoria  
Planning & Development Department  
Development Services Division  
DEC 18 2015

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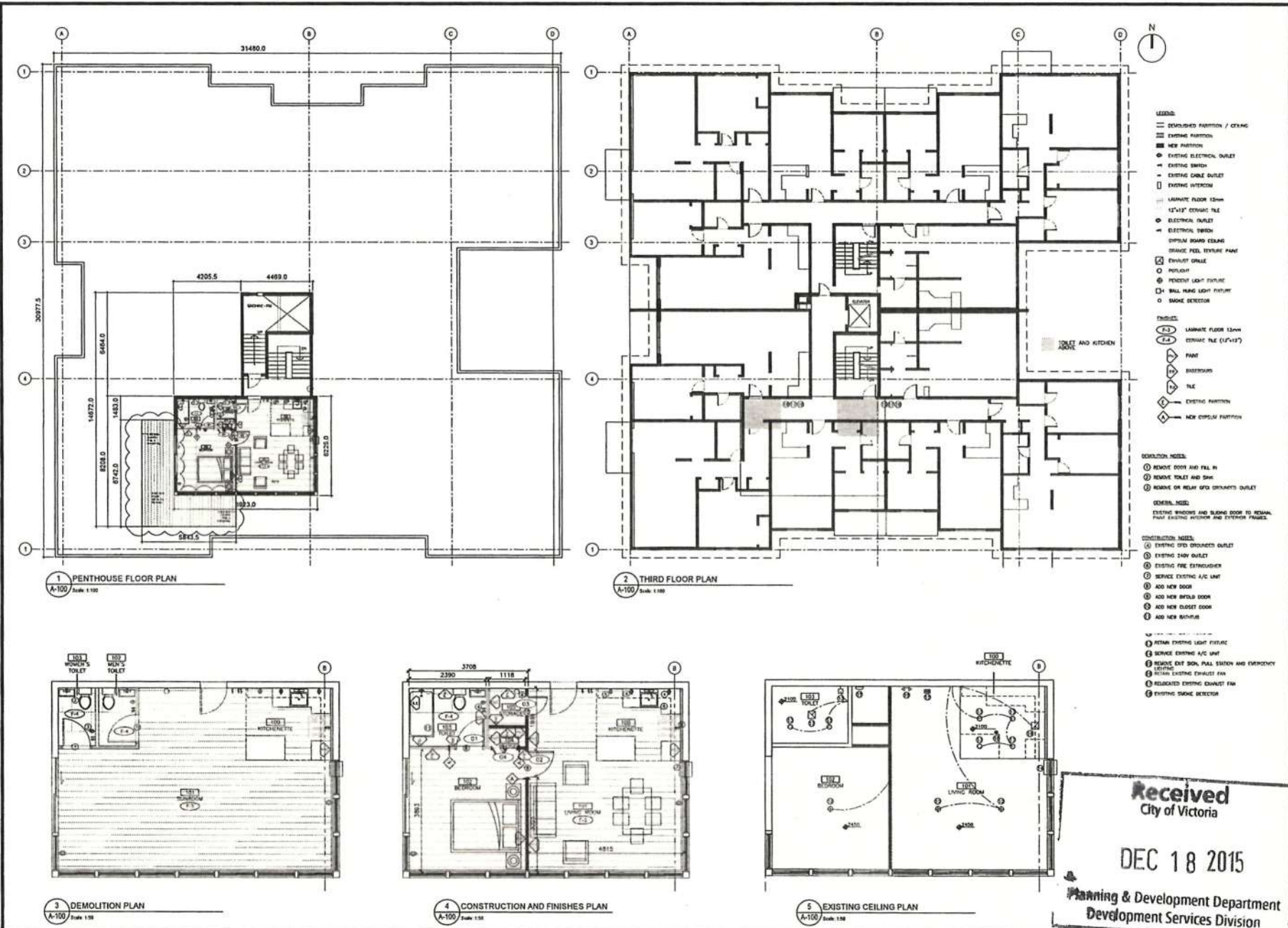


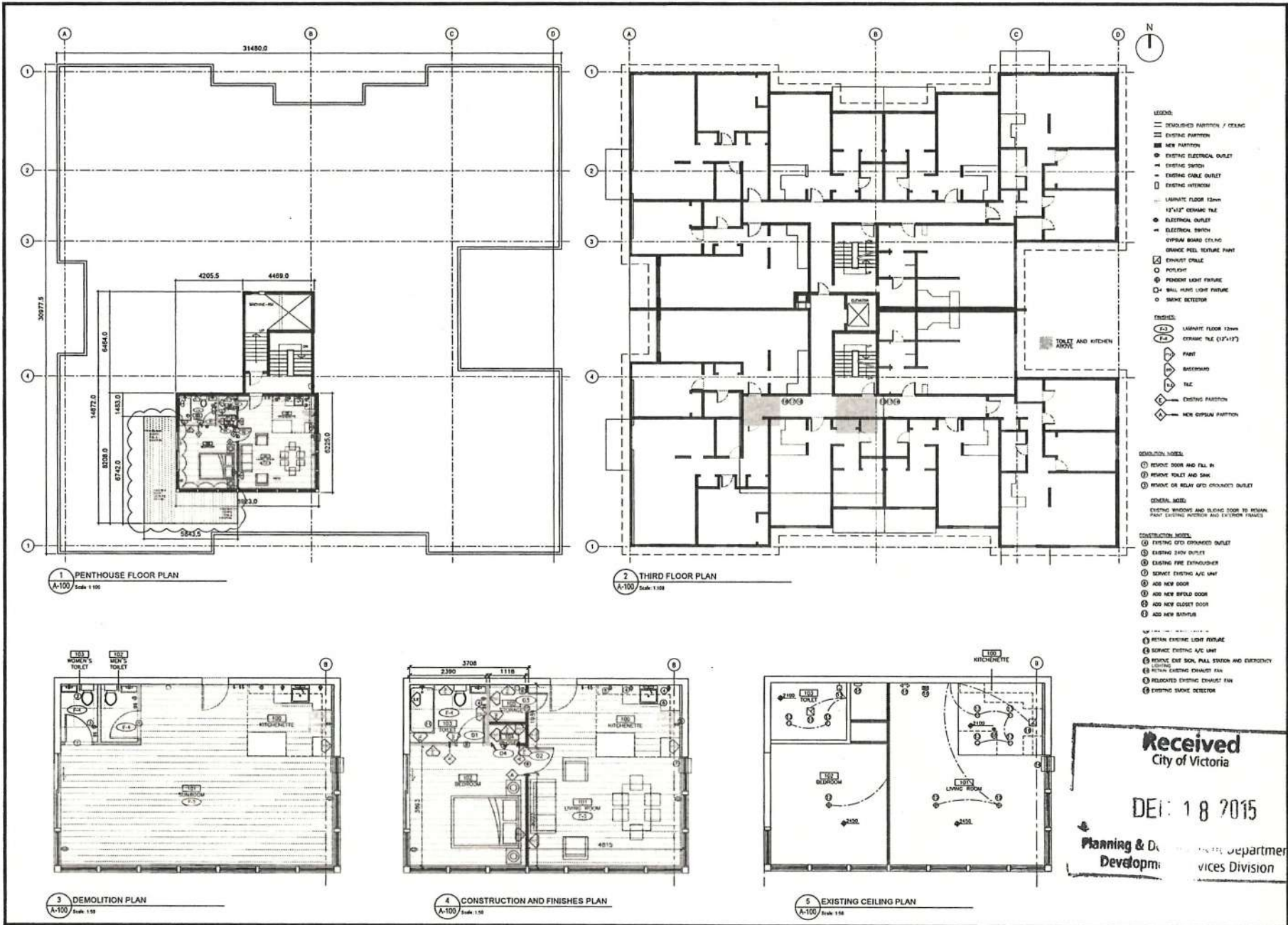


950 ROCKLAND AVENUE  
TENANT IMPROVEMENT  
950 Rockland Avenue  
Victoria, British Columbia  
V8H 1G7

THRODDEAU  
ARCHITECTURE+DESIGN  
Project number BC-111  
Scale 1/8" = 1'-0"  
Date 12/18/2015  
Sheet 1 of 1  
A-100

Received  
City of Victoria  
DEC 18 2015  
Planning & Development Department  
Development Services Division





NO.	DATE	DESCRIPTION
1	08.20.15	ISSUED FOR PERMIT
2	08.20.15	ISSUED FOR PERMIT
3	08.20.15	ISSUED FOR PERMIT
4	08.20.15	ISSUED FOR PERMIT
5	08.20.15	ISSUED FOR PERMIT
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8	08.20.15	ISSUED FOR PERMIT
9	08.20.15	ISSUED FOR PERMIT
10	08.20.15	ISSUED FOR PERMIT

Project Manager

Architect/Client Engineer

Engineer

950 ROCKLAND AVENUE  
TENANT IMPROVEMENT  
950 Rockland Avenue  
Victoria, British Columbia  
V8H 1G7

**Received**  
City of Victoria

DEC 18 2015

Planning & Development Services Division

Project	950 ROCKLAND AVENUE
Client	RENOVATION & IMPROVEMENT
Project Number	BC-116
Drawn By	BC-116
Scale	1:50
Checked By	BC-116

A-100



# Development Variance Permit – 950 Rockland Avenue

Planning and Land Use Committee – January 14, 2016



950 Rockland Avenue

## Existing Conditions

- Four-storey apartment building
- 40 dwelling units
- 27 existing vehicle parking stalls
- 20 existing bicycle storage spaces



## Proposed Alteration

- Convert existing amenity space (rooftop sunroom) into one additional dwelling unit.
- *Zoning Regulation Bylaw* requires one additional vehicle parking stall and one additional bicycle storage space



2 PHOTO 1 - AMENITY ROOM  
A-011



3 PHOTO 2 - OVERALL BUILDING VIEW  
A-017





- Provide one publically accessible bicycle repair station at front of building in lieu of one vehicle parking stall and one bicycle storage space.









## Planning and Land Use Committee Report

### For the Meeting of January 14

---

**To:** Planning and Land Use Committee **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** Development Variance Permit Application No. 000166 for 1082 Richmond Avenue

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 000166 for 1082 Richmond Avenue, in accordance with:

1. Plans date stamped November 13, 2015.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - visitor parking requirements reduced from no less than 10% of total parking stalls to 5% of total parking stalls.
3. The Development Variance Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 922 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the Permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 1082 Richmond Avenue. The proposal is to reduce the off-street visitor parking requirements from three parking stalls to one parking stall.

The following points were considered in assessing this Application:

- The Application is generally consistent with the *Official Community Plan*.
- The requested vehicle parking variance is minor in nature and will have minimal impact on on-street parking.

## BACKGROUND

### Description of Proposal

The proposal is to reduce the required visitor parking from three stalls to one. The existing parking configuration consists of three visitor parking stalls inside a secured parking structure. The applicant is seeking a variance to change two of the three secured parking stalls to resident stalls. One stall inside the secured parking structure will remain available as visitor parking.

### Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

### Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this Application.

### Existing Site Development and Development Potential

The site is approved to be developed as a four-storey multiple-dwelling apartment building with a standing height of 13.6m, however, construction has not yet commenced. The building as designed has a total of 22 residential units with 25 resident vehicle parking stalls, three visitor parking stalls and 22 bicycle storage stalls on site.

### Data Table

The following data table compares the proposal with the existing R-76 Zone, Oak Bay Avenue Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R-76
Site area (m <sup>2</sup> ) - minimum	1087.0	1080.0
Site area per unit (m <sup>2</sup> ) - minimum	70.0	33.0
Number of units - maximum	22	-
Density (Floor Space Ratio) - maximum	2	2
Total floor area (m <sup>2</sup> ) - maximum	2182	2185
Lot width (m) - minimum	-	-
Height (m) - maximum	13.6	15.0
Storeys - maximum	4	4
Site coverage % - maximum	57.7%	58.0%
Open site space % - minimum	38.6%	35.0%



Zoning Criteria	Proposal	Zone Standard R-76
Setbacks (m) - minimum	2.85	2.85
Front – Richmond Ave (East)	4.25	4.25
Rear – (West)	3.8	3.8
Side – Oak Bay Ave (North)	3.65	3.65
Side (south)		
Parking - minimum	27	25
Visitor parking (minimum) included in the overall units	1*	3
Bicycle parking stalls (minimum)	22	22

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on December 9, 2015, the Application was referred for a 30-day comment period to the Rockland CALUC. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances, therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

### ANALYSIS

#### Development Permit Area (DPA) 7A: Corridors – Oak Bay Avenue

The *Official Community Plan (OCP)* identifies this property within DPA 7A, Oak Bay Avenue Corridor. The proposal is generally consistent with the objectives of the OCP. The applicant seeks to reduce the number of required on-site visitor parking from three stalls to two stalls. The visitor parking and resident parking spaces are all located behind a security gate within a parking structure below the building. The applicant proposes that two of the three visitor stalls be changed to parking for residents of the building. It is anticipated that the current existing two hour maximum parking zone along the front of the property on Richmond Avenue will provide adequate capacity to handle the additional parking demands generated by this proposal. However, it should be noted that the retention of the short term on-street parking cannot be guaranteed in perpetuity.

### CONCLUSIONS

Overall, the requested reduction in visitor parking stalls is minor in nature and will have minimal impact on the existing on-street parking demands of the area. Given the minor nature of this requested variance and given that the overall parking supply remains unchanged, staff recommend that Council consider approving it.


**ALTERNATE MOTION**

That Council decline Development Variance Permit Application No. 000166 for the property located at 1082 Richmond Avenue.

Respectfully submitted,



Adrian Brett  
Heritage Planner  
Community Planning



Jonathan Tinney, Director  
Sustainable Planning and  
Community Development

Report accepted and recommended by the City Manager:

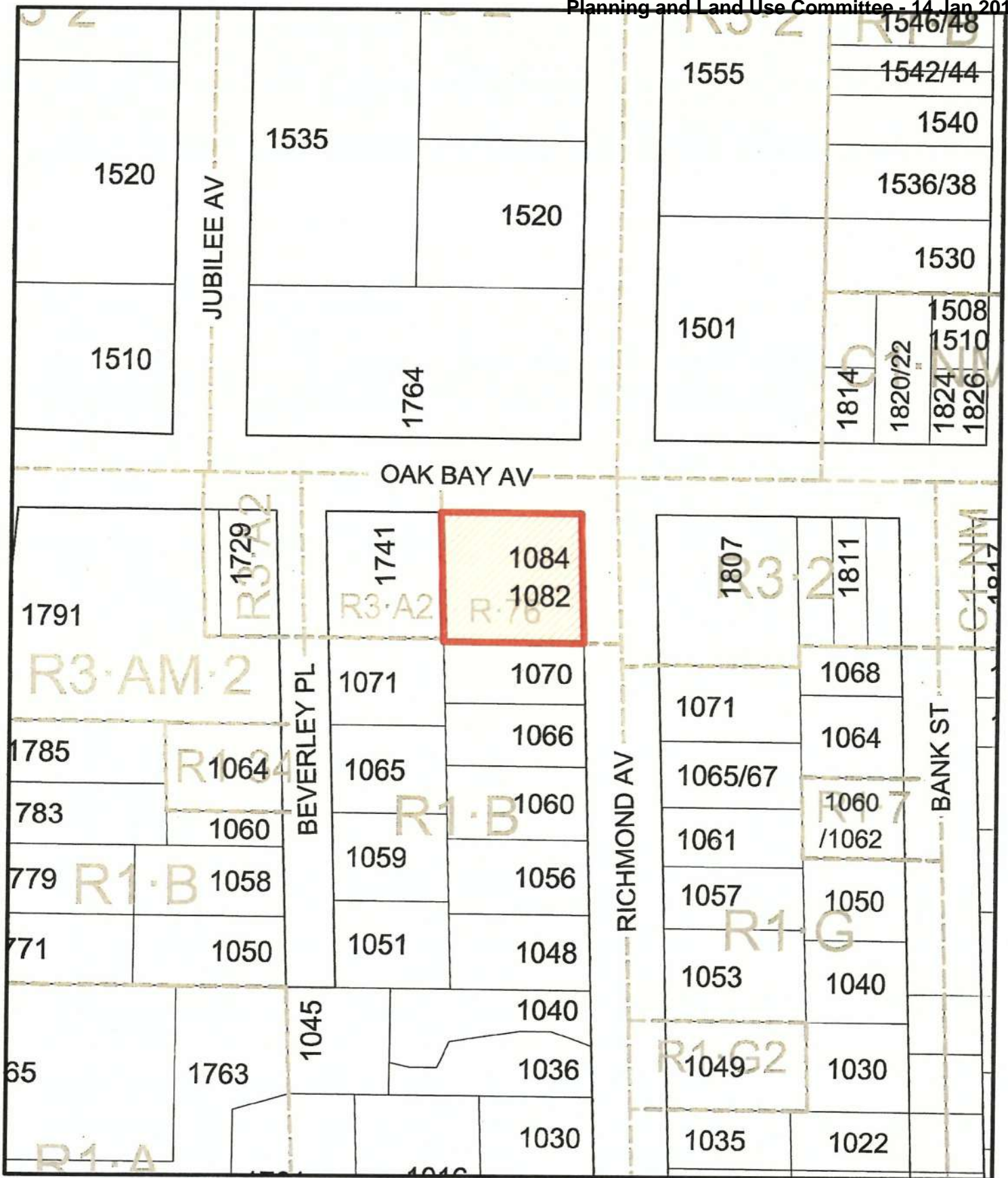


Date: December 29, 2015

**List of Attachments**

- Subject map
- Letter from applicant date-stamped November 13, 2015
- Plans date-stamped November 13, 2015.





1765 Oak Bay Avenue and  
1082 Richmond Avenue  
Development Variance Permit #00166







Page 354 of 45





P 250 883 5579 F 250 995 8611  
www.abstractdevelopments.com

November 13, 2015

City of Victoria  
No. 1 Centennial Square  
Victoria, BC V8W 1P6

Attn: Lucina Baryluk, Senior Planner  
Alison Meyer, Assistant Director – Development Services

Re: Development Variance Permit  
1765 Oak Bay Avenue (1082 Richmond Avenue), Victoria, BC

---

Dear Lucina Baryluk and Alison Meyer,

This Development Variance Permit is to request a minor change to the visitor parking requirements for our current project underway at 1765 Oak Bay Avenue (1082 Richmond Avenue). We are requesting that the off street visitor parking requirement be reduced from three stalls to one stall. Our intention would be to reallocate the two stalls as additional residential parking for our project.

This variance is appropriate and necessary due to the inability to meaningfully separate the three visitor parking stalls from the rest of the residential stalls and due to the provision of new a new 2 hour maximum parking zone adjacent the project along Richmond Avenue. Since our project is a smaller multifamily building with an underground parkade there is a limited amount of space to arrange the parking, bicycle storage and other necessary facilities. Ideally visitor parking would not be located behind the main parkade gate due to accessibility, convenience and security concerns. Unfortunately it is unfeasible to arrange the gate and the three visitor parking stalls in any manner that would place the gate after the three visitor stalls. Due to convenience most visitors will choose to park on the street instead. In the case of the subject property, the parking along Richmond Avenue was formerly designated as all *Residential Only* parking and is being changed to a 2 hour maximum parking zone. This new designation works well as visitor parking since it is convenient and the time limit would prevent local residents from utilizing it as permanent parking.

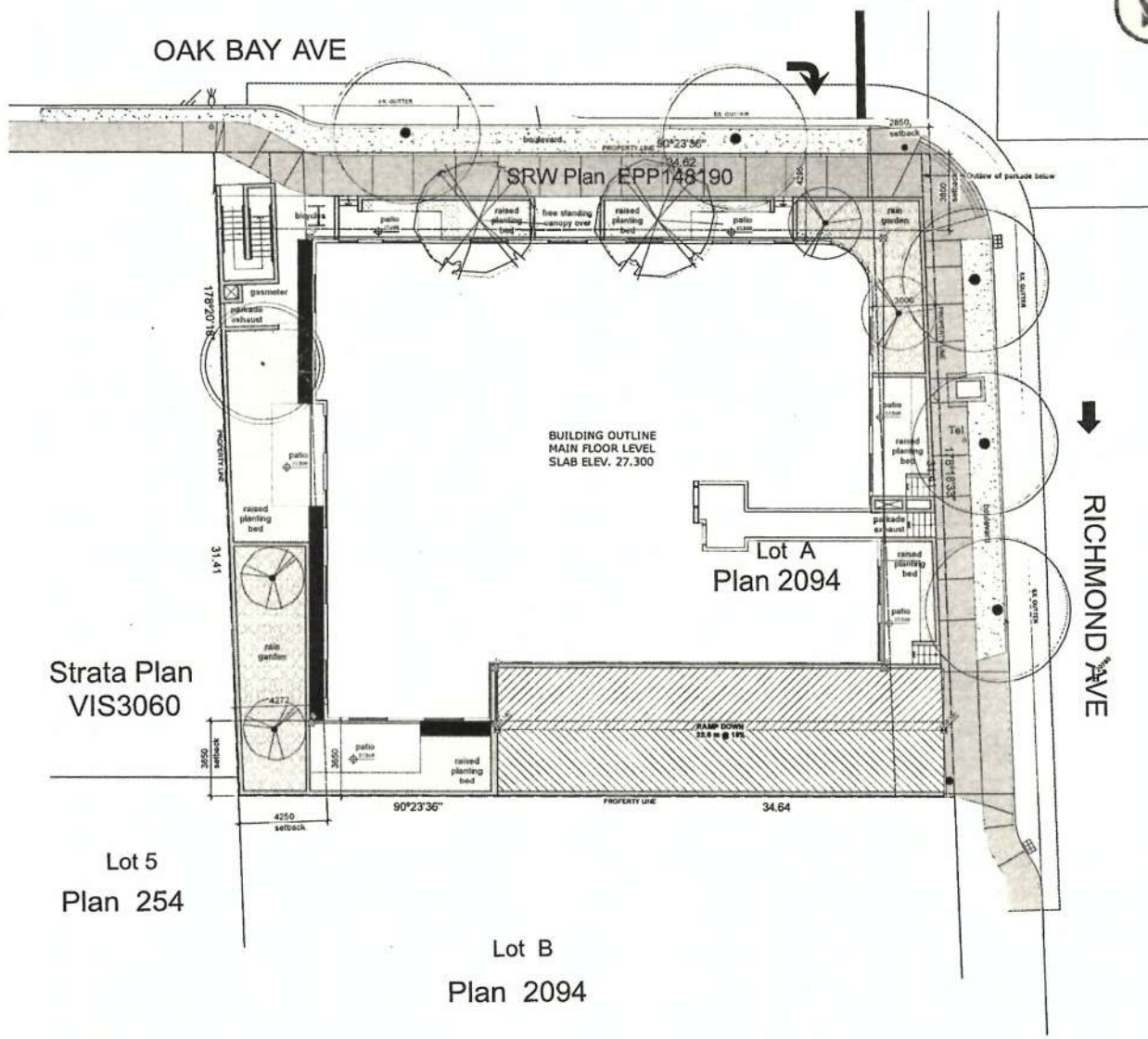
Since the three visitor parking stalls within the parkade would be used on a very limited basis, it makes sense for those parking stalls to be utilized to provide additional parking to any residents within the new development who do have multiple cars and would have otherwise had to utilize the residential on street parking within the area. In the case where a resident may have a visitor for an extended period of time or overnight, the visitor parking stall within the parkade is available. Based on the current market demands and the location of this project we believe that being able to provide more parking to our residents is an important factor for this project. We have decreased the number of proposed units on several occasions while keeping the same number of parking stalls in the parkade to increase our available parking ratio.

We feel this allocation and use of the underground parking stalls will better serve the building's residents, visitors, and the surrounding neighbourhood more effectively. If you have any additional questions regarding the requested variance, please do not hesitate to let us know.

Korbin daSilva  
Development Coordinator

T 250.883.5579 C 778.989.4160  
E kdasilva@abstractdevelopments.com

**Original Submission**  
Received Date:  
November 13/15



**Average Grade Calculation**

GRADE POINTS	DISTANCE	START	END	AVERAGE	TOTAL
A-B	8.86	26.85	26.84	26.85	237.85
B-C	2.71	26.84	26.83	26.84	72.75
C-D	18.92	26.83	26.77	26.80	507.64
D-E	20.38	26.77	26.70	26.74	540.96
E-F	27.38	26.70	27.31	27.01	736.20
F-A	23.83	27.31	26.85	27.08	641.53
	102.94				26.911



**de Hoog & Kienitz architects**

1755 Oak Bay Avenue  
Victoria, BC

**The Maddison**  
1755 Oak Bay Avenue  
Victoria, BC

**Site**

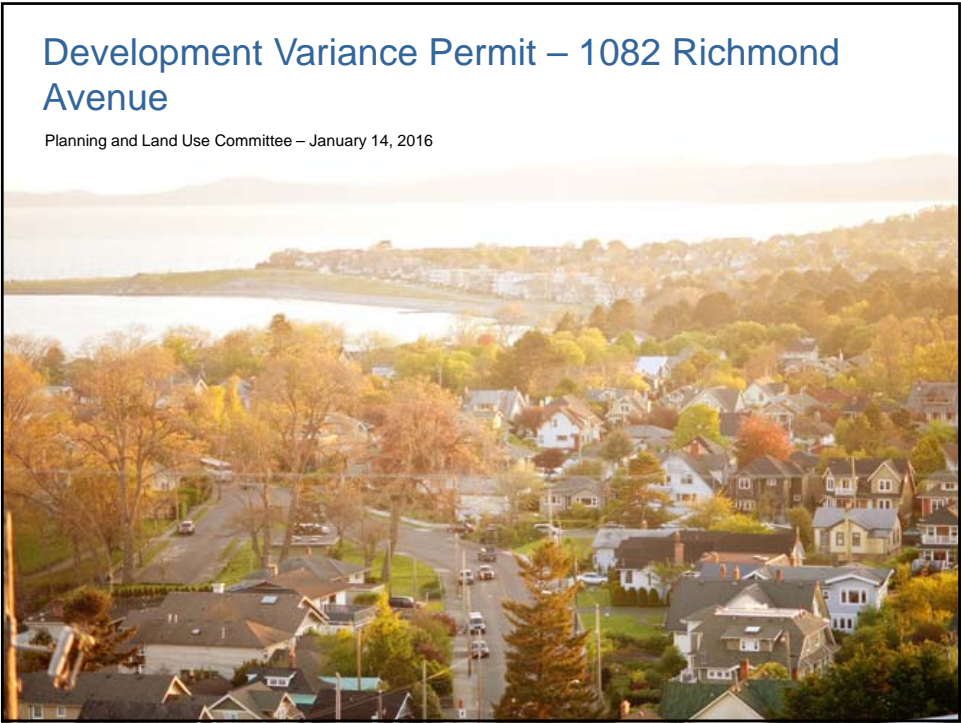
**A101**



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1082 Richmond Avenue

## Approved Development

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- Four-storey apartment building
- 22 dwelling units
- Total of 28 vehicle parking stalls
- 25 vehicle parking stalls for residents
- 3 vehicle parking stalls for visitors



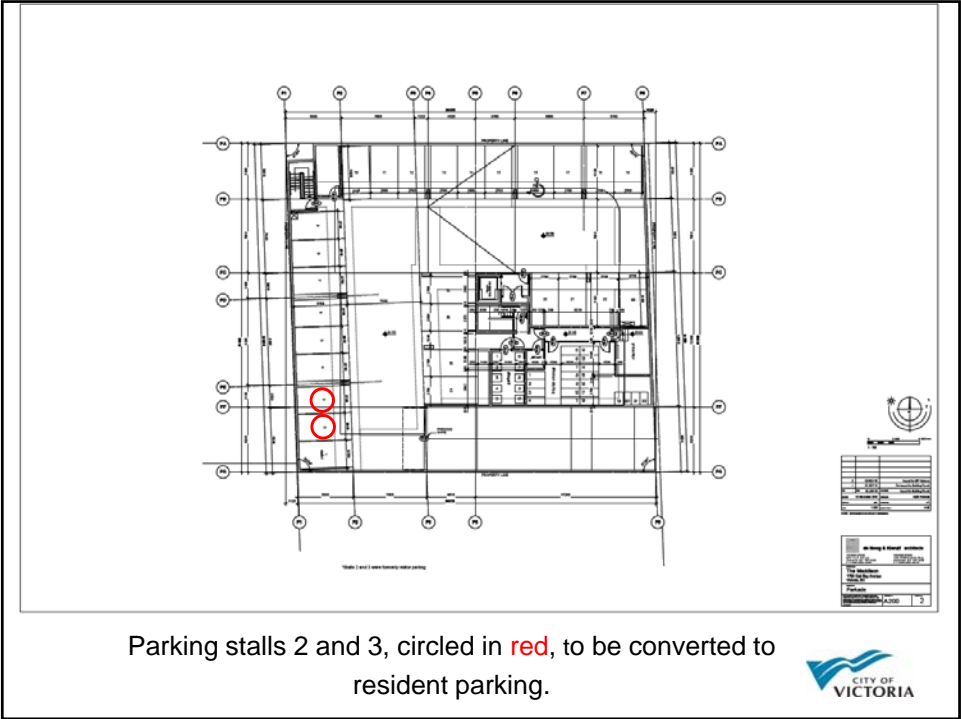
## Proposed Variance

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- Zoning Regulation Bylaw requires three off-street visitor vehicle parking stalls.
- Applicant is seeking to convert two of the three required visitor parking stalls to resident parking.













## Planning and Land Use Committee Report For the Meeting of January 14, 2016

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**To:** Planning and Land Use Committee      **Date:** December 18, 2015  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Heritage Designation Application No. 000155 for 59 Cook Street

---

### RECOMMENDATION(S)

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

“That Council consider the designation of the property located at 59 Cook Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site.”

### LEGISLATIVE AUTHORITY

In accordance with section 967 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the exterior of the property located at 59 Cook Street.

The following points were considered in assessing this application:

- general consistency with the *Official Community Plan* (OCP)
- Statement of Significance.

The application was reviewed by the Heritage Advisory Panel at its December 8, 2015 meeting and was recommended for approval.

### BACKGROUND

#### Description of Proposal

59 Cook Street is a Classic Revival architectural style home built in 1912. An application to designate the exterior of 59 Cook Street as a Municipal Heritage Site was received from the property owner Conrad Nyren on November 13, 2015.

## **Zoning/Land Use**

The proposed designation is consistent with the R1-B: Single Family Dwelling District and surrounding land uses.

## **Condition/Economic Viability**

The exterior of the building is in good condition. The windows, roof, chimney, and ionic columns all appear in good condition and have been well maintained. The exterior of the home has been stuccoed, which most likely occurred in 1945 during the war years when many of the finer building materials became scarce. A full building condition assessment is attached to this report.

## **Heritage Advisory Panel**

The Heritage Advisory Panel considered the applicant's request for heritage designation at its regular meeting on December 8, 2015, and recommended the following:

"That Council consider the designation of the property located at 59 Cook Street as a Municipal Heritage Site."

## **ANALYSIS**

The following sections provide a summary of the application's consistency with the relevant City policies and guidelines.

### **Official Community Plan**

This application is consistent with the OCP because it contributes to the identification of the heritage value of an individual property and its surrounding context, e.g. Beacon Hill Park. It contributes to the goal of protecting and celebrating Victoria's cultural and natural heritage resources. The OCP encourages the consideration of tools available under legislation to protect heritage property such as heritage designation. The application is consistent with the OCP where it considers the heritage value of individual properties.

### **Statement of Significance**

A statement of significance which describes the historic place and outlines its heritage value in terms of its relevance to the themes and subthemes of the City's Heritage Thematic Framework is attached to this report.

## **CONCLUSIONS**

This application for the heritage designation of the property located at 59 Cook Street as a Municipal Heritage Site is for a building that is a good example of a Classic Revival style home from the early twentieth century. The house is also notable for its association with architect Thomas Hooper, who designed other notable buildings in Victoria such as Saint Anne's Academy and the Carnegie Library. The many windows on the front of the house, coupled with the large, columned entrance were designed to take advantage of the view to and from Beacon Hill Park just across Cook Street. The house exemplifies the residential and park relation of this area of the city before development expanded along Cook Street in the mid part of the twentieth century.



Staff therefore recommend that Council consider the designation of the property located at 59 Cook Street as a Municipal Heritage Site.

### ALTERNATE MOTION

That Council decline Heritage Designation Application No. 000155 for the property located at 59 Cook Street.

Respectfully submitted,

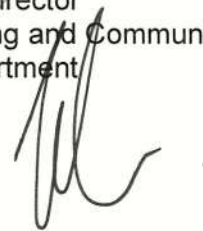


Adrian Brett  
Heritage Planner  
Community Planning



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

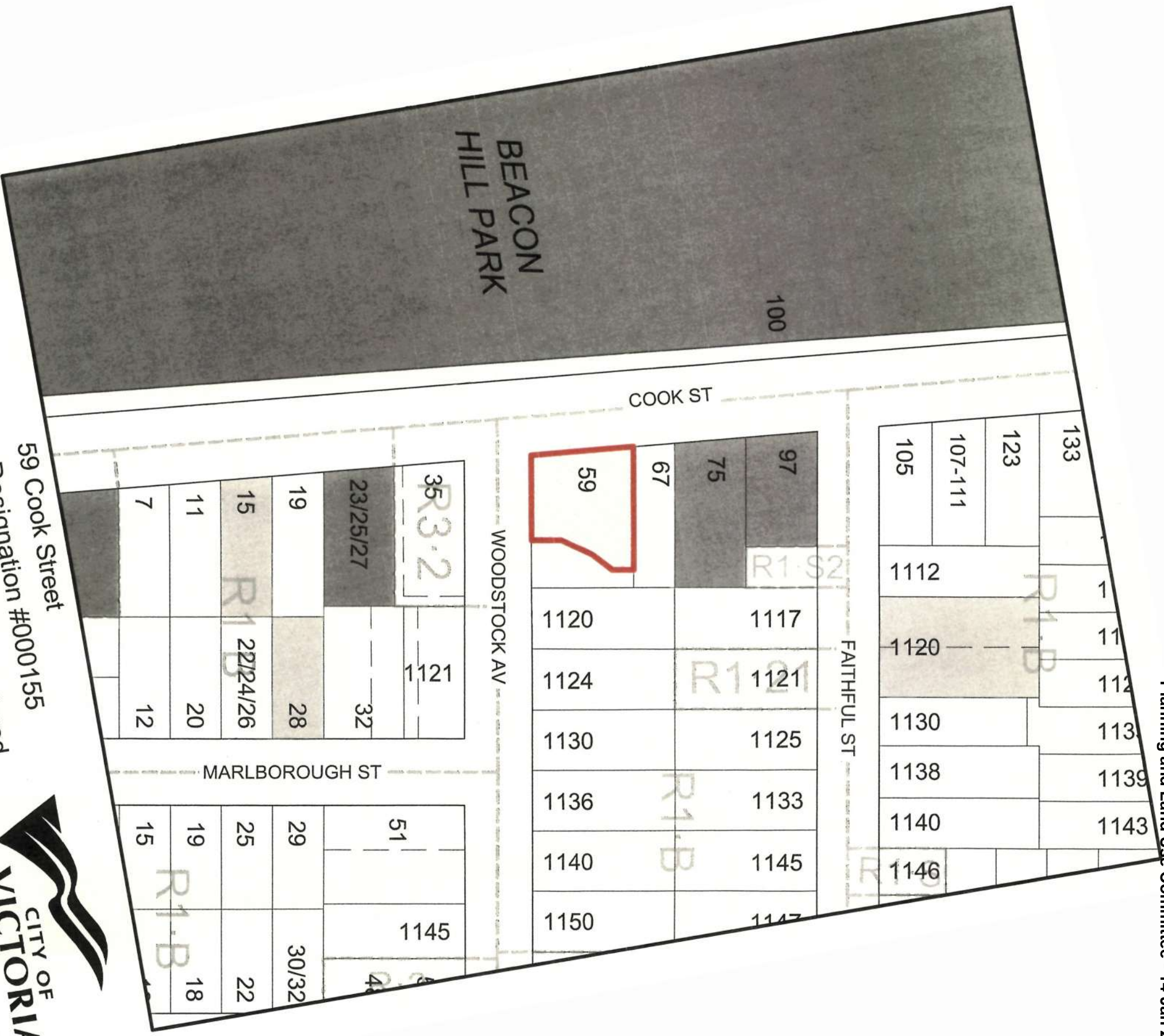
Report accepted and recommended by the City Manager:



Date: December 30, 2015

### List of Attachments

- Subject map
- Aerial map
- Photographs
- Building Condition Report, date stamped November 25, 2015
- Statement of Significance
- Letter from the applicant, date stamped November 13, 2015.









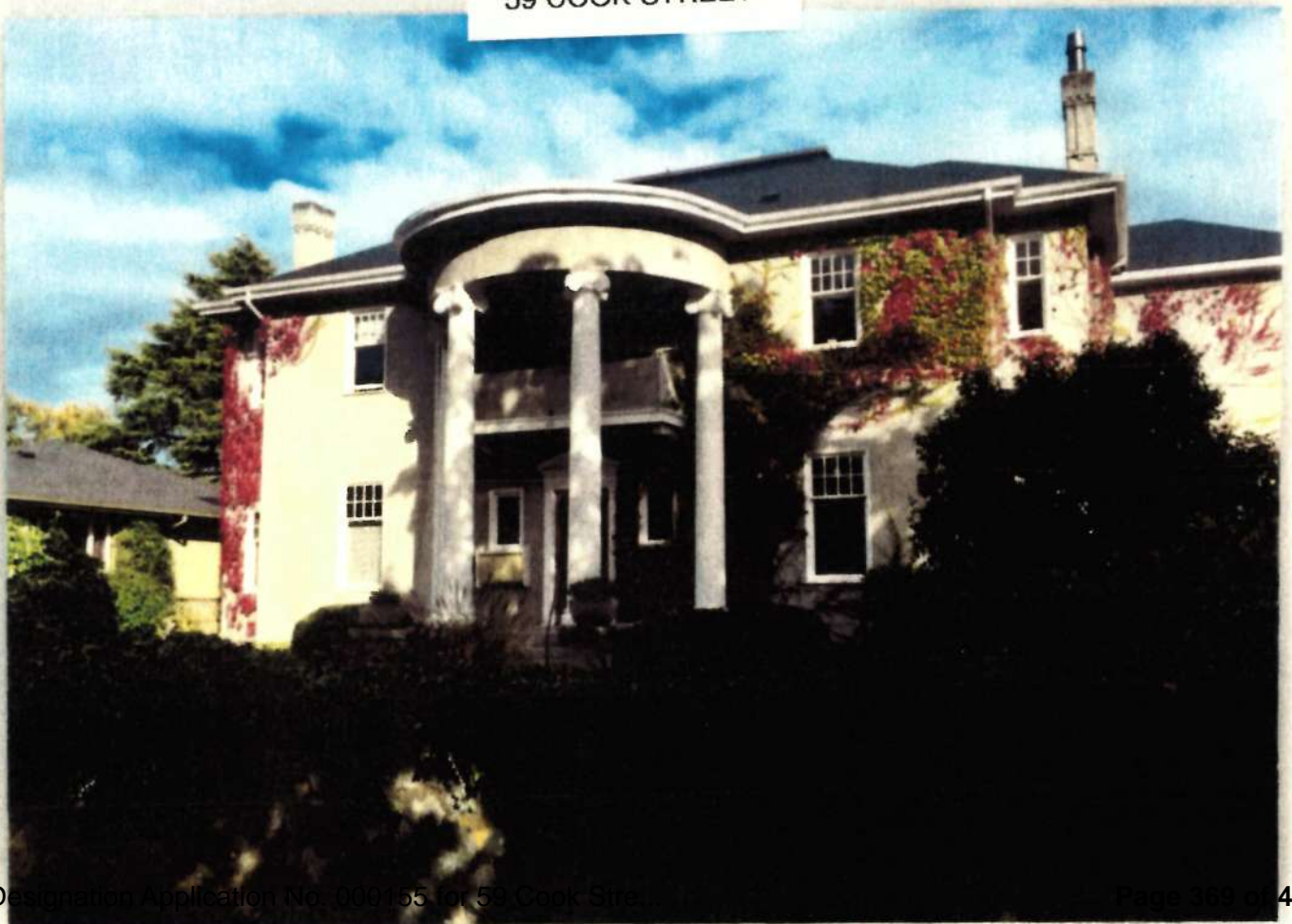
59 COOK STREET







59 COOK STREET



### Condition Notes for:

59 Cook Street, Victoria BC

Owner: Conrad Nyren

Compiled By: Keith Thomas

### Historical Elements:

- Exterior arrangement and footprint remains mostly intact
- Window placement matches original plans
- Chimneys appear original
- Small amount of leaded art glass windows remain
- Ionic columns and cement steps on Cook Street entry
- Granite retaining walls
- Roof has been maintained and in good condition
- Windows are wooden and appear in good condition
- Terrazzo floor in Porte Cochere

### Major Changes:

- Converted to suites in 1945 (City Hall Permits)
- Driveway concrete added in 1955 (City Hall Permits)
- Porte Cochere door filled in 1956 (City Hall Permits)
- Balcony above Porte Cochere covered over, most likely in 1945 when converted to suites
- Terrazzo floor in front entrance has been removed/covered
- Exterior has been stuccoed, most likely in 1945 when converted to suites (see quote below)

"Scarce and substandard building materials during the war years may have further popularized the stucco finished look among the local contractors." *The Emergence of Modernism*

### Condition Issues:

- Boston Ivy on exterior is regularly maintained and was chosen for its less invasive nature

### Sources:

- Original 1912 Building Plans
- Current Site Photographs
- City Permits
- "The Emergence of Modernism" UVic Maltwood Gallery



## Statement of Significance

### 59 Cook Street

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#### Description of Historic Place

59 Cook Street is a two story house located in the Fairfield neighbourhood of Victoria, in close proximity to the historic Beacon Hill Park. Built in 1912, from plans drafted by renowned architect Thomas Hooper, this house is fine example of the Classic Revival style. The form, scale and massing remain intact including the impressive Ionic columns on the front entrance and some art glass and terrazzo flooring. The house has been well maintained and is a significant building in an established neighbourhood along a busy transportation corridor.

#### Heritage Value of the Historic Place

The heritage value of 59 Cook is summarized below in accordance with Victoria's Heritage Thematic Framework.

#### Theme 1: COSTAL SETTLEMENT

##### Subtheme 1.3: Pioneer Farms to First Suburbs

Development along the Cook Street corridor and of the Fairfield neighbourhood was a result of the subdivision of the original farms and houses such as 59 Cook Street are evidence of this residential expansion. The creation of a residential infrastructure during the post war period, with development along a strict rectilinear grid, similar to that in downtown Victoria, reminds us of speculative confidence in the early years of the twentieth century in the anticipated growth of the city population. A building permit was issued in 1912 for 59 Cook Street with a value of \$15,000, which reflects the development of the Fairfield neighbourhood and its relationship the historic downtown core.

#### Theme 4: COMMUNITY OF NEIGHBOURHOODS

##### Subtheme 4.5: Parks, Recreation and Sport

59 Cook Street is notable under this theme due to its very close proximity to Beacon Hill Park. The layout of the house on the property is evidence of the importance placed on park in designating the alignment of the house on the lot. The many windows on the front of the house, coupled with the large, columned entrance were designed to take advantage of the view to and from the park just across Cook Street. The location and permanence of the Beacon Hill Park influenced the construction of the surrounding neighbourhoods and the development of the transportation corridors which serviced them.

## **Theme 5: CULTURAL EXCHANGE**

### **Subtheme 5.1: Architectural Expression**

59 Cook Street is a four-square house built in the Classic Revival style featuring a semicircular front porch with double-storey classical columns, porte-cochere and two verandahs.

The house is notable for its association with Thomas Hooper, whose name appears on the plans but does not appear in his portfolio. Hooper arrived in Vancouver in 1886 and established a flourishing practice in that city in 1887. He established an office in Victoria in 1890 and proceeded to design such notable buildings as Saint-Annes Academy, E.A. Morris Tobacconists, the Carnegie Library and several substantial private residences.

59 Cook Street is also notable due to the personal history of the first owners. The house was originally built for Christina Haas who, after arriving from California in 1912, took over an establish brothel on Broughton Street and bought the two lots where 59 Cook Street stands and commissioned Thomas Hooper to build the house which was then used as another brothel. The house was then sold to John Day, a wealthy businessman, who owned the Esquimalt Hotel until it was taken over by the Navy in 1943, and later managed the Silver Springs Brewery and the Phoenix Brewery with his associates Harry Maynard and Phillip Crombie.

### **Character Defining Elements**

Key elements that express the heritage value of 59 Cook Street include:

- Original design by Thomas Hooper
- Close proximity to Beacon Hill Park
- Location in the Fairfield neighbourhood along Cook Street

Key elements that define the heritage character of the building's exterior include:

- Semi-circular front porch with two-story Ionic columns and decorative capitals
- Two verandahs, one directly above the front entrance
- Double hung, half Georgian wooden sash windows
- Corbelled grey brick chimneys
- Decorative Georgian pediment and pilasters around front door
- Small amount of leaded art glass windows remain
- Granite retaining walls
- Cement steps on Cook Street entry
- Hipped roof with simple deep eaves
- Porte Cochere on West elevation with Terrazzo flooring

*Author: Keith Thomas*

*Date: December 09, 2015*



Conrad Nyren  
3-59 Cook Street  
Victoria BC V8V3W7



November 12, 2015

Mayor and Council - City of Victoria

Re: Request for Heritage Designation of 59 Cook Street, Victoria BC

Please accept this letter and application as my request to have the City of Victoria designate 59 Cook Street a heritage building.

I feel that the building, designed by the prolific British Columbian 19th century architect Thomas Hooper, should be given the designation "heritage", as suggested by the accompanying "Statement of Significance", and that this application is consistent with the City's Official Community Plan policies that give consideration to tools available under legislation to protect or conserve heritage property, including heritage designation.

Thank you for your consideration of this application.

Sincerely,

Conrad Nyren  
cc. Murray Miller, City of Victoria Heritage Planner





# Heritage Designation – 59 Cook Street

Planning and Land Use Committee – January 14, 2016



59 Cook Street



59 Cook Street



59 Cook Street





## Planning and Land Use Committee Report

For the Meeting of January 14, 2016

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**To:** Planning and Land Use Committee      **Date:** December 18, 2015  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Heritage Designation Application No. 000157 for 534 Pandora Avenue

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

“That Council consider the designation of the property located at 534 Pandora Avenue pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site.”

### LEGISLATIVE AUTHORITY

In accordance with section 967 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the exterior of the heritage-registered property located at 534 Pandora Avenue.

The following points were considered in assessing this Application:

- general consistency with the *Official Community Plan* (OCP)
- Statement of Significance.

The Application was reviewed by the Heritage Advisory Panel at its December 8, 2015 meeting and was recommended for approval.

This report fulfills the requirements of Section 968(5) of the *Local Government Act*.

### BACKGROUND

#### Description of Proposal

534 Pandora Avenue, also referred to as the Lum Sam & Look Den Building, is a brick building built in 1883. An Application to designate the exterior of 534 Pandora Avenue as a Municipal Heritage Site was received from the property owner, Christopher Le Fevre, on November 26, 2015.

## **Zoning/Land Use**

The exterior fabric appears to be in sound condition. The viability of the property will be strengthened by the owner's intention to seismically upgrade and rehabilitate the exterior of the building.

## **Heritage Advisory Panel**

The Heritage Advisory Panel considered the applicant's request for heritage designation at its regular meeting on December 8, 2015, and recommended the following:

"That Council consider the designation of the property located at 534 Pandora Avenue as a Municipal Heritage Site."

## **ANALYSIS**

The following sections provide a summary of the Application's consistency with the relevant City policies and guidelines.

### **Official Community Plan**

This Application is consistent with the OCP because it contributes to the identification of the heritage value of districts and individual properties; it contributes to the goal of protecting and celebrating Victoria's cultural and natural heritage resources; and in accordance with a key strategic direction of the Downtown, aims to conserve the historic character of Old Town and Chinatown.

The OCP encourages the consideration of tools available under legislation to protect heritage property such as heritage designation. The Application is consistent with the OCP where it considers the heritage value of individual properties.

### **Statement of Significance**

A Statement of Significance, describing the historic place, outlining its heritage value and identifying its character-defining elements, is attached to this report.

## **CONCLUSIONS**

This Application for the heritage designation of the property located at 534 Pandora Avenue as a Municipal Heritage Site is for a building that is a good example of the type of decorative commercial building erected by members of the Chinese-Canadian community from the late nineteenth century. The building's decorative brickwork and symmetrical Italianate windows are illustrative of the architectural styling of commercial buildings in the late 1800s. The building exemplifies the character of Chinatown before the turn of the twentieth century, making it a significant contributor to the integrity of the historic streetscape in this area.

Staff therefore recommend that Council consider the designation of the property located at 534 Pandora Avenue as a Municipal Heritage Site.

## **ALTERNATE MOTION**

That Council decline Heritage Designation Application No. 000157 for the property located at 534 Pandora Avenue.



Respectfully submitted,



Adrian Brett  
Heritage Planner  
Community Planning



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

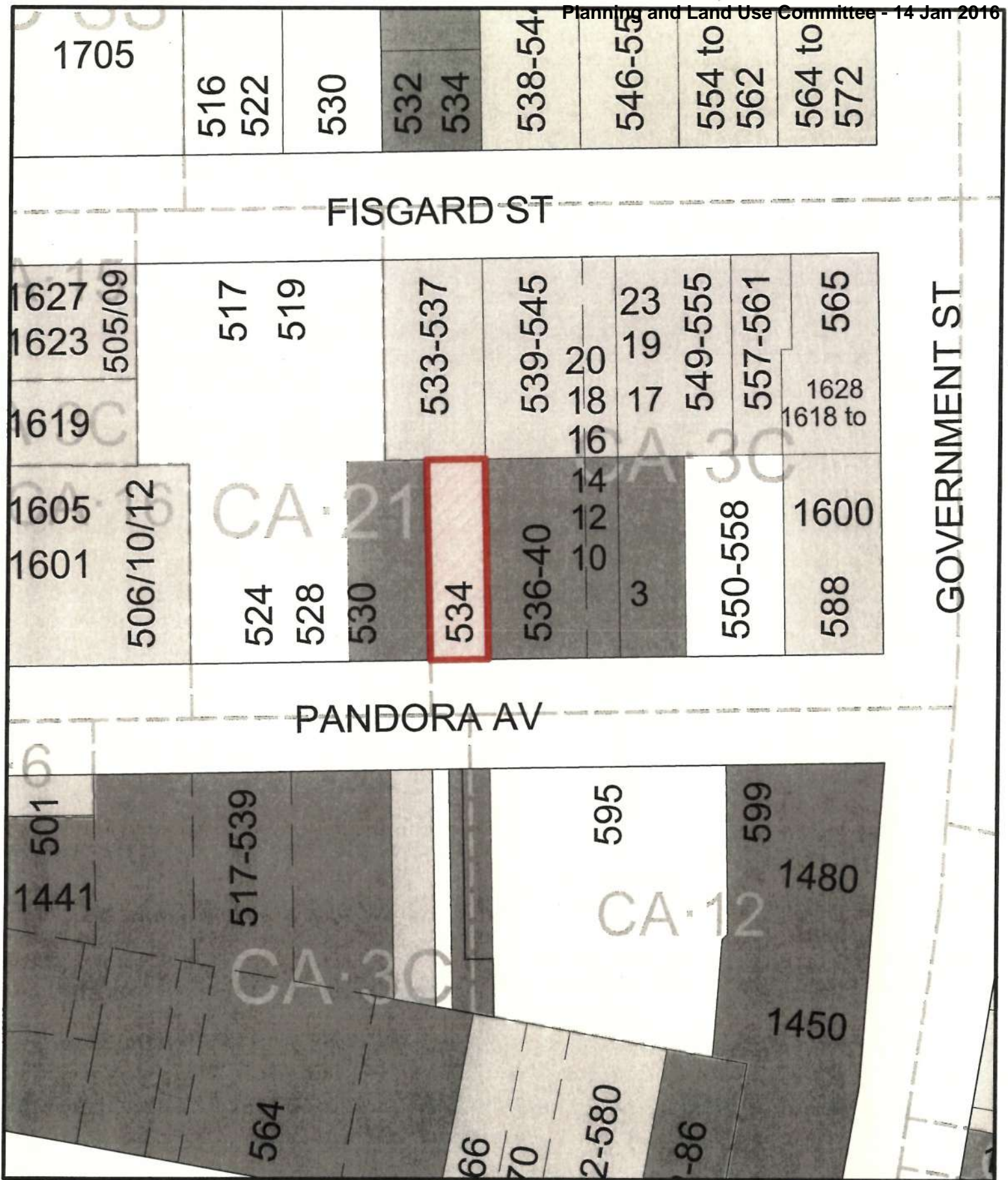
Report accepted and recommended by the City Manager:



Date: December 30, 2015

#### List of Attachments

- Subject map
- Aerial map
- Photograph
- Statement of Significance
- Letter from the applicant, date stamped November 26, 2015.



534 Pandora Avenue

Heritage Designation #000157



Heritage Designation Application No. 000157 for 534 Pandora Avenue

Designated Registered







534 Pandora Avenue

Heritage Designation #000157



Heritage Designation Application No. 000157 for 534 Pandora ...







534 PANDORA AVENUE



## CITY OF VICTORIA DOWNTOWN STATEMENTS OF SIGNIFICANCE 2009

## LUM SAM & LOOK DEN BUILDING

### 534-534 1/2 PANDORA AVENUE

**Owner:** Lum Sam and Look Den

**Architect:** John Teague

**Date:** 1884

#### Description of Historic Place

The Lum Sam & Look Den Building is a two-storey, Late Victorian-era brick commercial structure. It stands on the north side of Pandora Street on the southern edge of Victoria's Chinatown National Historic Site. It is also located across the street from historic Old Town and Market Square, a rehabilitated complex of late nineteenth century buildings with continuous streetfronts. The ground floor has a large storefront window and two doors, the one to the east at 534½ providing access to the upper level. The second storey has two windows flanking a door to the full-width balcony. The exterior is richly articulated with stringcourses and corbelled brickwork.

#### Heritage Value of Historic Place

The Lum Sam & Look Den Building is valued as a significant contributing resource to a grouping of historic structures that marks the southern edge of Victoria's Chinatown National Historic Site. This block of Pandora Avenue originally faced the Johnson Street Ravine, a swamp that marked the boundary between the European business area to the south and Chinatown to the north that illustrated a physical and cultural divide in the early city. During the early 1880s, the wooden shacks on the north side of the ravine were replaced with brick commercial blocks to house Chinese businesses, prompted by a dramatic increase in the Chinese population. These merchants set up much-needed smaller shops such as laundries, grocery stores, medicinal shops and restaurants in buildings that were often developed and owned by European pioneers. Victoria's Chinatown is expressive of a duality in architecture and cultural landscape. On each block, street façades link together, forming a wall that shields interior spaces and narrow alleyways between and through buildings are linked to central courtyards which were the hidden location of tenements, opium dens, theatres and gambling houses. This configuration is a traditional south Chinese urban pattern. The Lum Sam & Look Den Building is consistent with such a duality. Its commercial façade exhibits Italianate elements such as segmental-arched window openings, stringcourses and a decorative cornice. However, a passageway existed on the west side that provided access to the interior of the block. As the Chinese population continued to grow, the wooden buildings on Fisgard Street were replaced with brick blocks, and the interior network of alleys grew more complicated as tenements and businesses were added behind façades visible from the street.

This site is also significant as part of the forty-two hectare land holdings of Hudson's Bay Company factor, Roderick Finlayson (1818-1892), who was influential in the development of the future province and the City of Victoria. He first came to Vancouver Island in 1843 to oversee the construction of the new Hudson's Bay Company (HBC) trading post, Fort Victoria. Finlayson was made Chief Factor of HBC in 1859, after James Douglas resigned from that position to be appointed Governor of the new Crown Colony of British Columbia. Finlayson served on the Council of Vancouver Island and as Mayor of Victoria in 1878. He became wealthy from land dealings and in 1872 retired to attend to his real estate and business interests. Finlayson was described in an obituary in the *Vancouver Daily World*, as 'a



## CITY OF VICTORIA DOWNTOWN STATEMENTS OF SIGNIFICANCE 2009

prominent figure amongst the business men in the Commercial quarter of the Capital'. Numerous geographical features of the province and the city are named for Finlayson.

The Lum Sam & Look Den Building is also a significant example of the vernacular Italianate style that characterized Chinatown at this time. It was the work of local architect John Teague (1835-1902). Born in Cornwall, England, Teague followed the lure of gold, first in California and then in the Fraser Valley. After some time in the gold fields, he settled in Victoria in 1860, where he lived and worked until his death. Teague served the city as councillor in 1885, and as mayor for two terms, 1892 and 1893. During his prolific career Teague designed over 350 buildings, mostly in Victoria. He was adept at all the current architectural styles, ranging from Italianate to Queen Anne Revival. For many years he was the architect for the Royal Navy at the Dockyard and Hospital at Esquimalt; his clients included most of the city's leading businessmen for whom he built commercial as well as residential buildings. Four of his buildings in Victoria: City Hall, #1 Centennial Square 1878-91; St. Ann's Academy, 835 Humboldt Street 1886; Church of Our Lord, 626 Blanshard Street, 1875-76; and the Pemberton Memorial Operating Room, 1900 Fort Street, 1896; and five buildings in the Historic Naval District, Esquimalt, 1888-91, are designated as National Historic Sites.

### Character-Defining Elements

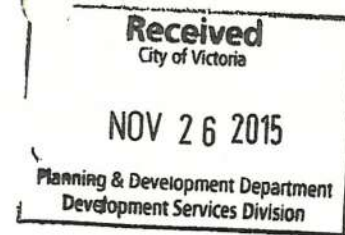
Key elements that define the heritage character of the Lum Sam & Look Den Building include its:

- mid-block location on Pandora Avenue, part of a grouping of late-nineteenth and early-twentieth century historic masonry buildings in Victoria's Chinatown National Historic Site, just north of Victoria's historic Old Town and Market Square
- commercial form, scale and massing as expressed by its two-storey height built to the property lines, symmetrical rectangular plan and flat roof
- masonry construction, including brick walls and continuous granite threshold along the street frontage
- Italianate-style details such as: segmental-arched window openings; decorative brick cornice with dentils, round-arched motif and corbelling; and rhythmic stringcourse encompassing the window heads
- additional exterior details such as the full-width metal balcony with ornamental brackets, and side wall chimneys
- double-hung wooden sash windows, including 6-over-6 windows on the front façade and 2-over-2 windows on the west wall



Donald Luxton & Associates





November 20, 2015

Mayor and Council  
City of Victoria  
#1 Centennial Square,  
Victoria, BC V8W 1P6

**Re: 534 Pandora Avenue - Heritage Designation**



**Victoria**  
977 Fort Street V8V 3K3  
T 250-658-3367  
F 250-658-3397  
**Nanaimo**  
102-5190 Dublin Way V9T 2K8  
T 250-585-5810  
[www.dhka.ca](http://www.dhka.ca)  
[info@dhka.ca](mailto:info@dhka.ca)

Your Worship and Members of Council,

We are making this application to the City of Victoria for formal heritage degeneration of this building on behalf of Le Fevre and Company who have recently purchased the above noted property, known as the 'Lum Sam' Building. It is connected through a series of courtyards and alleyways to 533-537 Fisgard Street, known the 'Lee Chong' Building. These two buildings were purchased at the same time and the intention is to redevelop both lots simultaneously.

The 'Lum Sam Building' is a 2 storey brick structure that was constructed c. 1884, and is on the heritage registry and is designated as a National Historic Site within a Heritage Conservation area. Although the building is 132 years old, it is in remarkably good condition and has been maintained and actively used to the present day. The owners wish to seismically upgrade and refurbish the exterior of the building as part of a conversion of the building into 9 strata units: 8 residential condominiums and one street front live-work studio on Pandora Avenue.

The proposed upgrading and conversion of these historic properties will make a significant contribution to the vibrancy and economic vitality of the Chinatown precinct.

We trust the forgoing is acceptable.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Peter de Hoog". The signature is stylized with a large, sweeping 'P' and a long horizontal stroke at the end.

Peter de Hoog Architect AIBC MRAIC  
de Hoog & Kierulf architects

November 2015

1 of 1





# Heritage Designation Application for 534 Pandora Avenue



## Aerial View



## Pandora Avenue View







## Planning and Land Use Committee Report

For the Meeting of January 14, 2016

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**To:** Planning and Land Use Committee      **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** **Heritage Alteration Permit Application No. 00211 for 534 Pandora Avenue (Lum Sam & Look Den Building)**

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### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00211 for the property located at 534 Pandora Avenue, in accordance with:

1. Revised plans date stamped December 11, 2015
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development."

### LEGISLATIVE AUTHORITY

In accordance with Sections 972 and 973 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Heritage Alteration Permit Application for the property located at 534 Pandora Avenue. The proposal is to rehabilitate the heritage-registered building as part of its conversion to strata units, residential condominiums and existing retail space.

The following points were considered in assessing this Application:

- consistency with the *Official Community Plan* (2012)
- consistency with the *Downtown Core Area Plan* (2011)

- consistency with the *Standards and Guidelines for the Conservation of Historic Places in Canada*
- Statement of Significance.

The Heritage Advisory Panel considered the Application at its meeting on December 8, 2015, and recommended that Council authorize the issuance of the Heritage Alteration Permit and that the applicant consider alterations to the design of the balconies.

The rehabilitation of the heritage-registered Lum Sam & Look Den Building is consistent with City policies and would make an important contribution to the vitality and character of the Chinatown National Historic Site. Staff recommend that Council consider authorizing the issuance of Heritage Alteration Permit Application No. 00211 for 534 Pandora Avenue.

## BACKGROUND

### Description of Proposal

The purpose of this report is to present Council with information, analysis and recommendations regarding a Heritage Alteration Permit Application for the property located at 534 Pandora Avenue, including:

#### Side Alley Elevation (West)

- construction of balconies
- reconfiguration of openings

#### Courtyard Elevation (North)

- construction of balconies
- reconfiguration of openings
- ground floor addition for service room and upper floor addition for terrace roof

#### Pandora Avenue Elevation (South)

- construction of code-compliant balconies
- installation of a gate to the alley.

### Heritage Advisory Panel

The Heritage Advisory Panel considered the Application at its meeting on December 8, 2015, and recommended the following:

“That Council authorize the issuance of the Heritage Alteration Permit Application No. 00211 for 534 Pandora Avenue in accordance with plans date stamped October 23, 2015, with the proviso that the front balcony be treated in a simpler, more historic fashion.”

The applicant has revised the design of the balconies in response to comments received from the Heritage Advisory Panel by making the balcony continuous and simplifying the design.

## ANALYSIS

The following sections provide a summary of the Application's consistency with the relevant City policies, regulations and the *Standards and Guidelines for the Conservation of Historic Places in Canada*.



## Official Community Plan (OCP)

The proposal is consistent with the OCP because it conserves the heritage value of the Lum Sam & Look Den Building and the character and appearance of the Chinatown National Historic Site. In addition, two key strategic directions of the Downtown would be met by the proposed development - continuing to conserve the historic character of Chinatown and accommodating a share of housing in the Urban Core.

## Development Permit Area (DPA 1 (HC): Core Historic)

The OCP identifies this property within DPA 1 (HC): Core Historic, which includes a requirement to consider the *Downtown Core Area Plan* (DCAP) and the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Standards and Guidelines).

## Downtown Core Area Plan

The proposal is consistent with the DCAP where it conserves heritage values of the Downtown Core Area and its character-defining elements, such as individual buildings and streetscapes.

## Standards and Guidelines for the Conservation of Historic Places in Canada

### Exterior Walls

The proposed modification to exterior walls of the side alley elevation (west) and courtyard elevation (north) to accommodate a new use respects the heritage value of the Lum Sam & Look Den Building and the character and appearance of the Chinatown National Historic Site.

### Exterior Form

The proposed location of the service room addition and upper floor roof extension over a new terrace ensures that the heritage value of the Lum Sam & Look Den Building is maintained. The materials are distinguishable and the massing is compatible with the exterior form and setting of the place.

### Windows, Doors and Storefronts

The proposed installation of doors and windows in existing and new openings on the courtyard elevation (north) and the side alley elevation (west) are generally compatible with the character of the historic place.

### Entrances, Porches and Balconies

The proposed code-compliant balconies to be installed on the courtyard elevation (north), side alley elevation (west) and the Pandora Avenue elevation are required by the new use and are compatible with the character of the historic place. The proposed gate to be located on the Pandora Avenue elevation is compatible with the character of the historic place.

## CONCLUSIONS

The applicant has revised the design of the balconies in response to comments received from the Heritage Advisory Panel by making the balcony continuous and simplifying the design. The proposed development is consistent with relevant City policies and guidelines because it conserves the heritage value of the Lum Sam & Look Den Building and the character and appearance of the Chinatown National Historic Site. In addition, two key strategic directions of

the Downtown would be met by the proposed development – continuing to conserve the historic character of Chinatown and accommodating a share of housing in the Urban Core. Staff therefore recommend that Council authorize the issuance of the Heritage Alteration Permit for 534 Pandora Avenue.

### ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application No. 00211 for the property located at 534 Pandora Avenue.

Respectfully submitted,



Murray G. Miller  
Senior Heritage Planner  
Community Planning Division



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

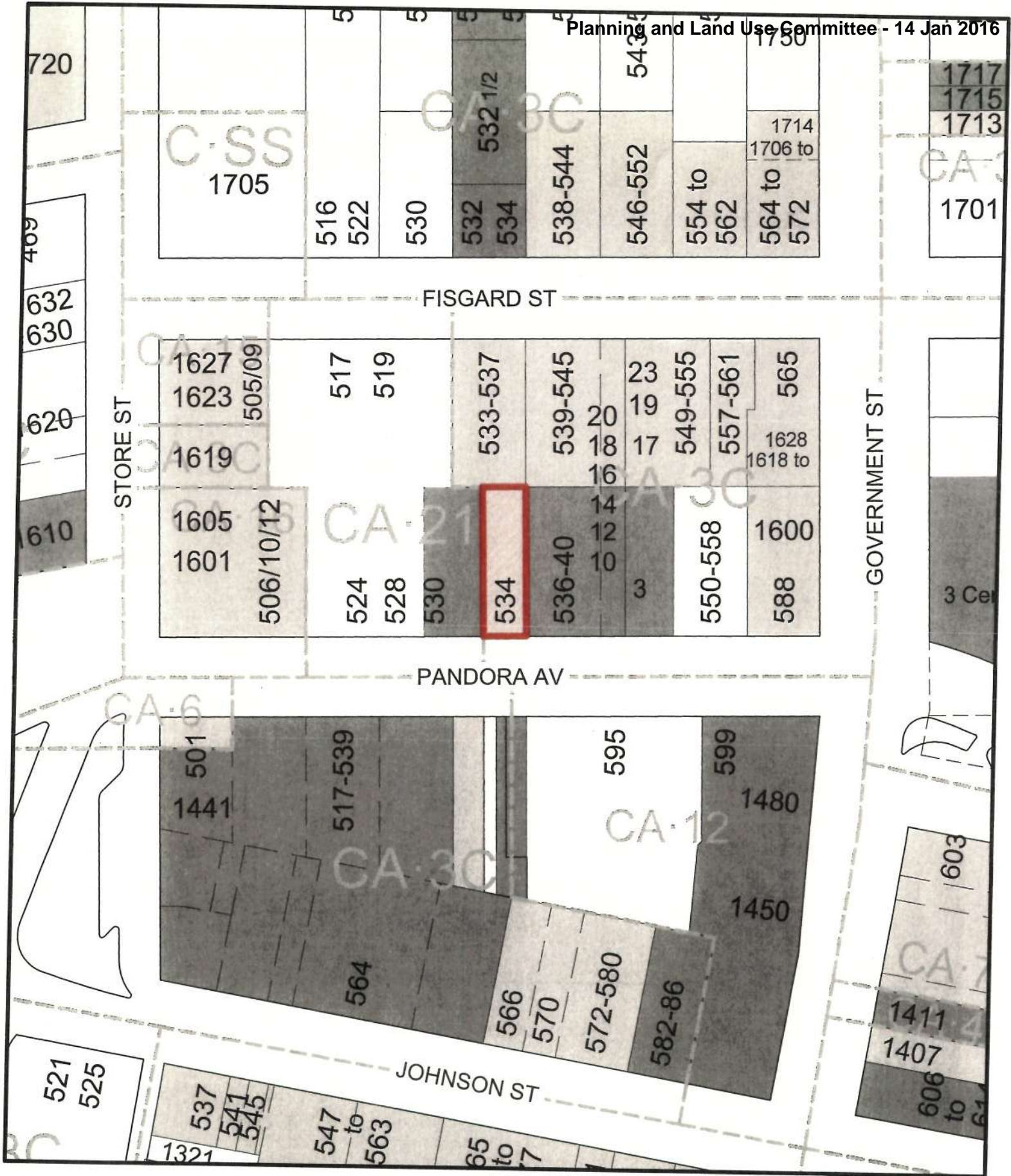


Date: December 30, 2015

### List of Attachments

- Subject map
- Aerial map
- Letter from the applicant dated October 21, 2015
- Revised plans date stamped December 11, 2015
- Statement of Significance.





534 Pandora Avenue

Heritage Alteration Permit #00211



Designated

Registered

Heritage Alteration Permit Application No. 00211 for 534 Pandora Avenue



CITY OF VICTORIA



*N*



National Heritage Area



CITY OF  
VICTORIA

Page 394 of 451





October 21, 2015

Mayor and Council  
City of Victoria  
#1 Centennial Square,  
Victoria, BC V8W 1P6



**Re: 534 Pandora Avenue - H.A.P. Application**

Your Worship and Members of Council,

**Victoria**  
977 Fort Street V8V 3K3  
**T** 250-658-3367  
**F** 250-658-3397  
**Nanaimo**  
102-5190 Dublin Way V9T 2K8  
**T** 250-585-5810  
<mailto:info@dika.ca>  
[www.dika.ca](http://www.dika.ca)

We are making this application on behalf of Le Fevre and Company who have recently purchased the above noted property, known as the 'Lum Sam' Building. It is connected through a series of courtyards and alleyways to 533-537 Fisgard Street, known the 'Lee Chong' Building. These two buildings were purchased at the same time and the intention is to redevelop both lots simultaneously.

The 'Lum Sam Building' is a 2 storey brick structure that was constructed c. 1884, and is designated as a heritage building. Although the building is 132 yeas old, it is in remarkably good condition and has been maintained and actively used to the present day. The owners wish to seismically upgrade and refurbish the exterior of the building as part of a conversion of the building into 9 strata units: 8 residential condominiums and one street front live-work studio on Pandora Avenue.

The building will be mostly left 'as-is'. The Pandora frontage will be refurbished and the existing balcony railing replaced with a new code compliant railing. The conversion to strata units requires the addition of some windows and doors to the west and north elevations that face onto the alleyway and courtyard. Part of the courtyard at the rear of the building will be used for a new service room to house sprinkler and electrical equipment. As well, there will be an enclosure for garbage and recycling. A new balcony will be added to the 2nd floor suite looking onto the alleyway and a roof terrace will be added to the second floor at rear of the building.

The Lee Chong building will also be converted into another 17 strata residential units for a total of 26 units for the two projects. Bicycle parking for

October 2015

1 of 2



**Victoria**

977 Fort Street V8V 3K3

**T** 250-658-3367

**F** 250-658-3397

**Nanaimo**

102-5190 Dublin Way V9T 2K8

**T** 250-585-5810

[info@dHka.ca](mailto:info@dHka.ca)

[www.dHka.ca](http://www.dHka.ca)

all 26 units will be located on the Lum Sam site. Although these two buildings will exist as two separate strata properties, the courtyard spaces and access will be shared for servicing and exit purposes.

The alleyway between the Lum Sam building and the adjacent Union Building is currently closed off with an overhead garage door and partial roof. These will be removed and replaced by a decorative metal gate and screen that will feature a circular 'maze' motive that will be used as a signature design element throughout the project.

The proposed upgrading and conversion of these historic properties will make a significant contribution to the vibrancy and economic vitality of the Chinatown precinct.

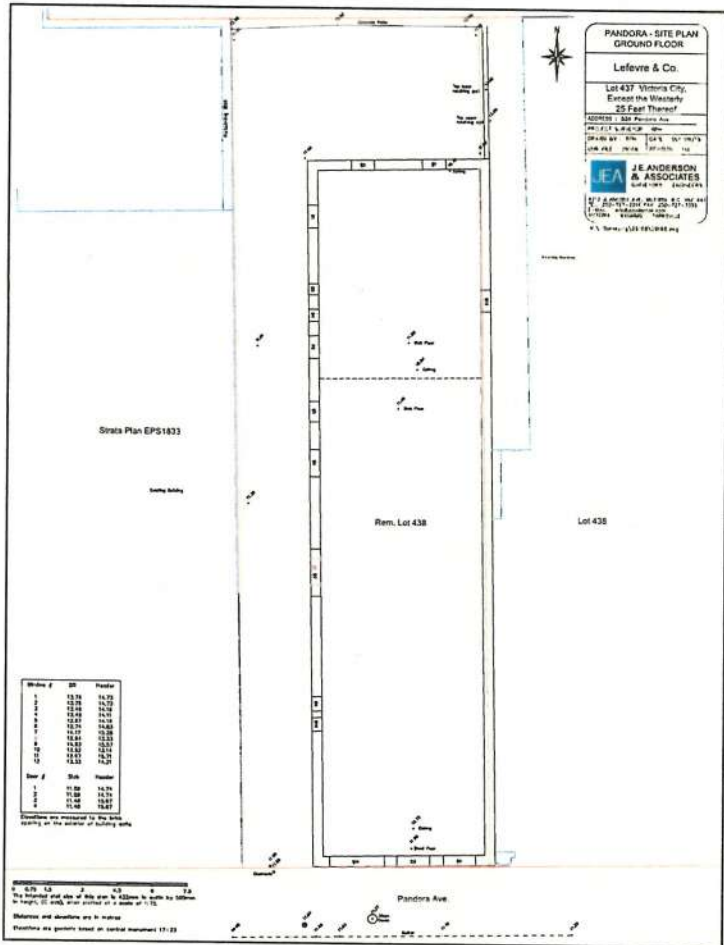
We trust the forgoing is acceptable.

Sincerely yours,

Peter de Hoog Architect AIBC MRAIC

de Hoog & Kierulf architects





#### ZONING SUMMARY

Address: 534 Pandora Ave., Victoria BC  
Legal Description: Lot 437, Victoria City, Except the Westerly 25 Feet Thereof 009-370-421  
Zoning: CA-3C - OLD TOWN DISTRICT  
Use: Retail (Main Floor) & Multiple Residential (Above)

	PERMITTED/REQUIRED	EXISTING	PROPOSED
Lot Area:		392 sq. m. (4, 219 sq. ft.)	no change
AREA SUMMARY			
Main Floor	Includes Stair, Includes shed	239 sq. m. (2, 573 sq. ft.)	249 sq. m. (2, 663 sq. ft.)
Second Floor	Excludes Stair	150 sq. m. (1, 619 sq. ft.)	no change
Total Floor Area		389 sq. m. (4, 187 sq. ft.)	389 sq. m. (4, 302 sq. ft.)
Floor Area Ratio	3 : 1	1 : 1	no change
Site Coverage		59%	64%
Open Site Space:		41%	36%
Grade:		(11.69+11.80+11.15+11.00) / 4 = 11.4 m = 37.4 ft. geotech	no change
Building Height	15 m (49.2 ft.)	10.48 m (34.4 ft.)	no change
Number of Storeys		2	no change
Setbacks:	Not required		
Off-street Parking:	Not required		
Bicycle Parking:	1 per unit + 6-space rack	0	26 - 1 per suite for Pandora building and Flagstaff Building (26 suites total)

#### BUILDING CODE SUMMARY

REFERENCED DOCUMENT  
British Columbia Building Code 2012 - Part 3

#### CONSULTANTS

**ARCHITECTURAL**  
de Hoog & Kneul architects  
977 Fort Street  
Victoria, B.C. V8V 3K3  
tel: 250-658-3397 fax: 250-658-3397

Contact:  
Peter J. de Hoog MAIBC MRAIC  
pjh@dhk.ca

#### ARCHITECTURAL DRAWING LIST

Sheet 2/2  
A101 Project Data & Site Plan  
A201 Floor Plans  
A301 Building Elevations  
A400 Typical Building Section

#### GENERAL NOTES

1. Create no more than one set of drawings for each project based on survey information.
2. All dimensions are in feet and inches of exterior wall and foundation unless noted otherwise.
3. All dimensions are to be finished unless noted otherwise. Dimensions to be permanently established and maintained with any subsequent or future changes.
4. Work within the 17000 of soil area.
5. Fully installed into a surface 100% impact.
6. All work to be installed and protected during construction.

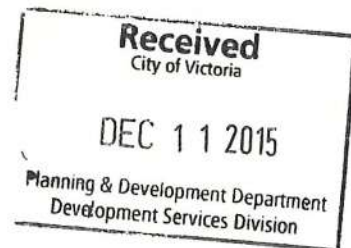
**Planning and Land Use Committee - 14 Jan 2016**

**Lum Sam Building**  
534 Pandora Ave.  
Victoria BC

**Project Data**

**A101**

de Hoog & Kneul architects  
977 Fort Street V8V 3K3  
Victoria  
Tel: 250-658-3397 Fax: 250-658-3397  
Email: pjh@dhk.ca





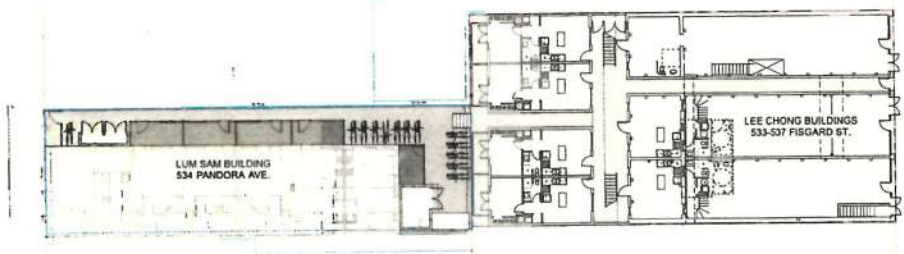
Rev	Date	Description	1519 A201
1	10 DEC 13	Issue for	
2	03 SEP 14	Revised	
3	04 SEP 14	Revised	

Lum Sam Building  
534 Pandora Ave.  
Victoria BC  
Site Plan & Floor Plans

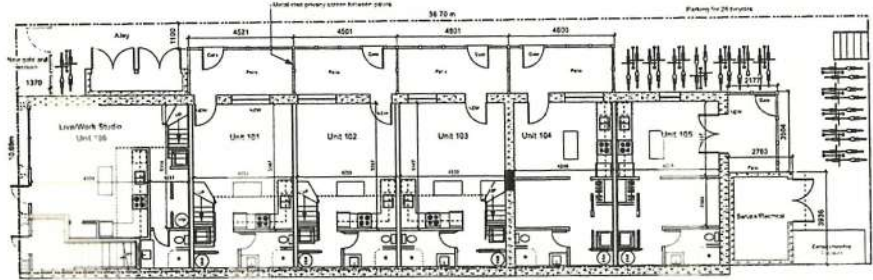


A201

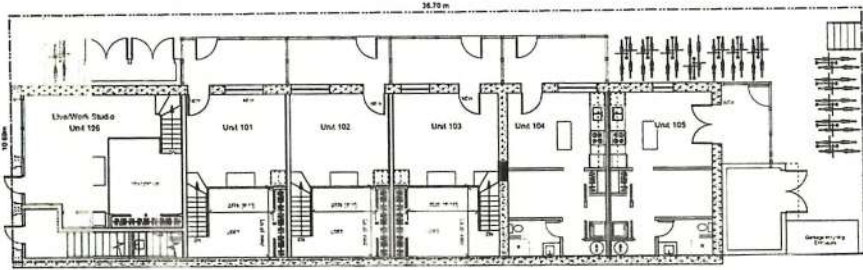
de Hong & Wai  
777 Fort Street V8V 3K3  
122 5180 Duden Way V8T 2K3  
T 1-250-888-1507  
F 1-250-888-1508  
www.dhw.ca



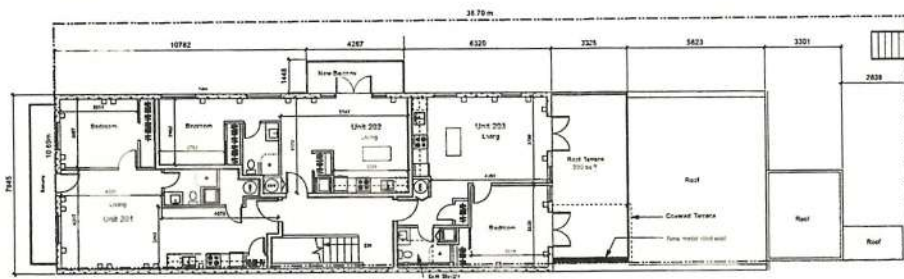
1 Site Plan  
A201  
Scale: 1:200



2 Ground Floor Plan  
A201  
Scale: 1:100

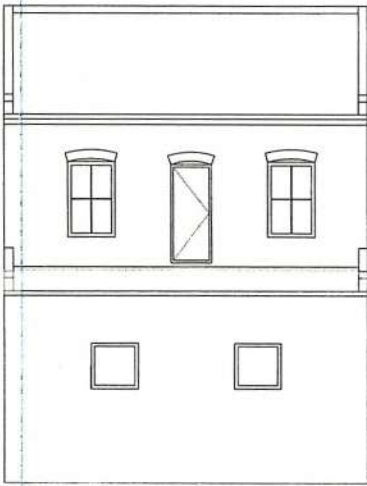


2 Loft Floor Plan  
A201  
Scale: 1:100



3 Second Floor Plan  
A201  
Scale: 1:100





Courtyard Elevation (North)



Pandora Avenue Elevation (South)



Street View



Courtyard



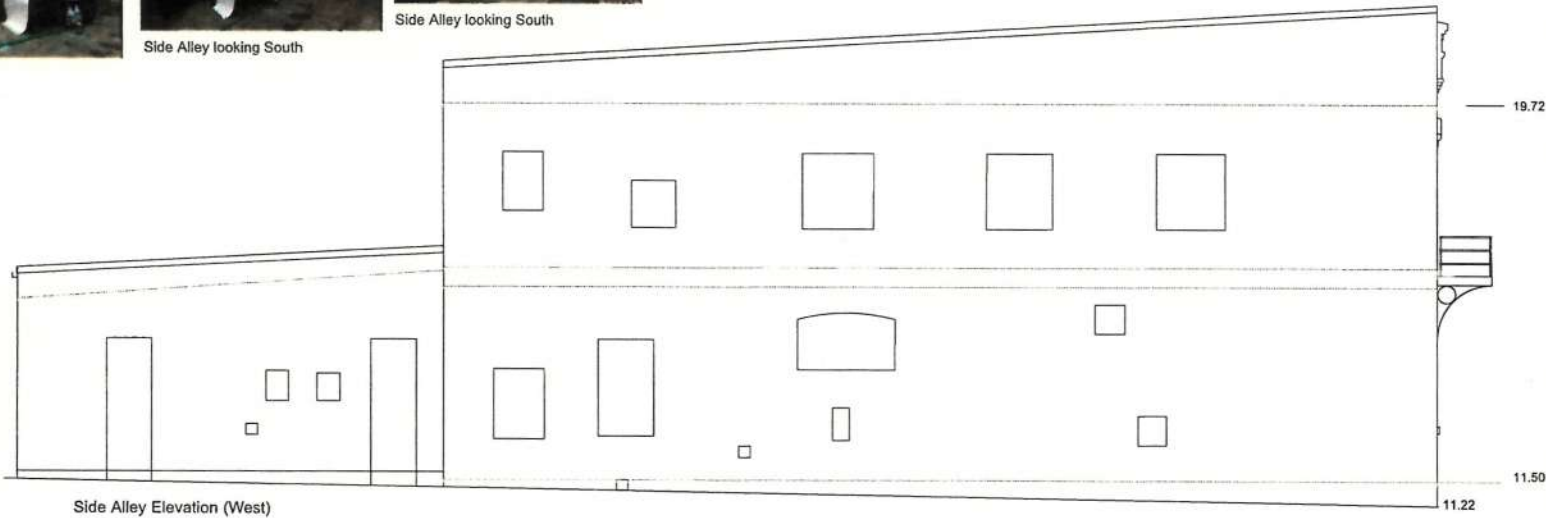
Side Alley looking South



Side Alley looking South



Side Alley looking North



Side Alley Elevation (West)



**Received**  
 City of Victoria  
 DEC 11 2015  
 Planning & Development Department  
 Development Services Division  
 Lum Sam Building  
 534 Pandora Ave.  
 Victoria BC  
 Existing Elevations  
 A301  
 11.50  
 11.22  
 19.72



1 Proposed Courtyard Elevation (North)  
A302 Scale: 1:50



2 Proposed Pandora Ave. Elevation (South)  
A302 Scale: 1:50



4 Detail of New Gate  
A302 Scale: 1:25



3 Proposed Side Alley Elevation (West)  
A302 Scale: 1:75



- Material Legend**
- 1 Polished Metal Cap Fashing (Old Zinc Gray)
  - 2 Roof (Gray)
  - 3 Field Colour (CP CAD37 Pure Paper)
  - 4 Trim Colour (CP CAD31 Paddock)
  - 5 Accent Colour (CP CAD64 Fossil)
  - 6 Galvanized Metal Siding
  - 7 Painted Metal Siding (Black)
  - 8 Galvanized Metal Siding Screen
  - 9 Painted Metal Siding (CP CAD41 Paddock)
  - 10 Polished Metal Fences (Black)
  - 11 Existing Brick (Unpainted)

10 DEC 15 10:11 AM  
534 Pandora Ave. Victoria BC  
Lum Sam Proposed

Lum Sam Building  
534 Pandora Ave.  
Victoria BC  
Lum Sam Proposed



A302

de Hong & Kaural Architects  
Victoria  
577 Elm Street V8T 3C3  
Phone: 250-688-1111  
Fax: 250-688-1112  
Email: info@dhk.ca  
Website: www.dhk.ca



## CITY OF VICTORIA DOWNTOWN STATEMENTS OF SIGNIFICANCE 2009

## LUM SAM & LOOK DEN BUILDING

### 534-534 1/2 PANDORA AVENUE

**Owner:** Lum Sam and Look Den

**Architect:** John Teague

**Date:** 1884

#### **Description of Historic Place**

The Lum Sam & Look Den Building is a two-storey, Late Victorian-era brick commercial structure. It stands on the north side of Pandora Street on the southern edge of Victoria's Chinatown National Historic Site. It is also located across the street from historic Old Town and Market Square, a rehabilitated complex of late nineteenth century buildings with continuous streetfronts. The ground floor has a large storefront window and two doors, the one to the east at 534½ providing access to the upper level. The second storey has two windows flanking a door to the full-width balcony. The exterior is richly articulated with stringcourses and corbelled brickwork.

#### **Heritage Value of Historic Place**

The Lum Sam & Look Den Building is valued as a significant contributing resource to a grouping of historic structures that marks the southern edge of Victoria's Chinatown National Historic Site. This block of Pandora Avenue originally faced the Johnson Street Ravine, a swamp that marked the boundary between the European business area to the south and Chinatown to the north that illustrated a physical and cultural divide in the early city. During the early 1880s, the wooden shacks on the north side of the ravine were replaced with brick commercial blocks to house Chinese businesses, prompted by a dramatic increase in the Chinese population. These merchants set up much-needed smaller shops such as laundries, grocery stores, medicinal shops and restaurants in buildings that were often developed and owned by European pioneers. Victoria's Chinatown is expressive of a duality in architecture and cultural landscape. On each block, street façades link together, forming a wall that shields interior spaces and narrow alleyways between and through buildings are linked to central courtyards which were the hidden location of tenements, opium dens, theatres and gambling houses. This configuration is a traditional south Chinese urban pattern. The Lum Sam & Look Den Building is consistent with such a duality. Its commercial façade exhibits Italianate elements such as segmental-arched window openings, stringcourses and a decorative cornice. However, a passageway existed on the west side that provided access to the interior of the block. As the Chinese population continued to grow, the wooden buildings on Fisgard Street were replaced with brick blocks, and the interior network of alleys grew more complicated as tenements and businesses were added behind façades visible from the street.

This site is also significant as part of the forty-two hectare land holdings of Hudson's Bay Company factor, Roderick Finlayson (1818-1892), who was influential in the development of the future province and the City of Victoria. He first came to Vancouver Island in 1843 to oversee the construction of the new Hudson's Bay Company (HBC) trading post, Fort Victoria. Finlayson was made Chief Factor of HBC in 1859, after James Douglas resigned from that position to be appointed Governor of the new Crown Colony of British Columbia. Finlayson served on the Council of Vancouver Island and as Mayor of Victoria in 1878. He became wealthy from land dealings and in 1872 retired to attend to his real estate and business interests. Finlayson was described in an obituary in the *Vancouver Daily World*, as 'a



## CITY OF VICTORIA DOWNTOWN STATEMENTS OF SIGNIFICANCE 2009

prominent figure amongst the business men in the Commercial quarter of the Capital'. Numerous geographical features of the province and the city are named for Finlayson.

The Lum Sam & Look Den Building is also a significant example of the vernacular Italianate style that characterized Chinatown at this time. It was the work of local architect John Teague (1835-1902). Born in Cornwall, England, Teague followed the lure of gold, first in California and then in the Fraser Valley. After some time in the gold fields, he settled in Victoria in 1860, where he lived and worked until his death. Teague served the city as councillor in 1885, and as mayor for two terms, 1892 and 1893. During his prolific career Teague designed over 350 buildings, mostly in Victoria. He was adept at all the current architectural styles, ranging from Italianate to Queen Anne Revival. For many years he was the architect for the Royal Navy at the Dockyard and Hospital at Esquimalt; his clients included most of the city's leading businessmen for whom he built commercial as well as residential buildings. Four of his buildings in Victoria: City Hall, #1 Centennial Square 1878-91; St. Ann's Academy, 835 Humboldt Street 1886; Church of Our Lord, 626 Blanshard Street, 1875-76; and the Pemberton Memorial Operating Room, 1900 Fort Street, 1896; and five buildings in the Historic Naval District, Esquimalt, 1888-91, are designated as National Historic Sites.

### Character-Defining Elements

Key elements that define the heritage character of the Lum Sam & Look Den Building include its:

- mid-block location on Pandora Avenue, part of a grouping of late-nineteenth and early-twentieth century historic masonry buildings in Victoria's Chinatown National Historic Site, just north of Victoria's historic Old Town and Market Square
- commercial form, scale and massing as expressed by its two-storey height built to the property lines, symmetrical rectangular plan and flat roof
- masonry construction, including brick walls and continuous granite threshold along the street frontage
- Italianate-style details such as: segmental-arched window openings; decorative brick cornice with dentils, round-arched motif and corbelling; and rhythmic stringcourse encompassing the window heads
- additional exterior details such as the full-width metal balcony with ornamental brackets, and side wall chimneys
- double-hung wooden sash windows, including 6-over-6 windows on the front façade and 2-over-2 windows on the west wall



Donald Luxton & Associates



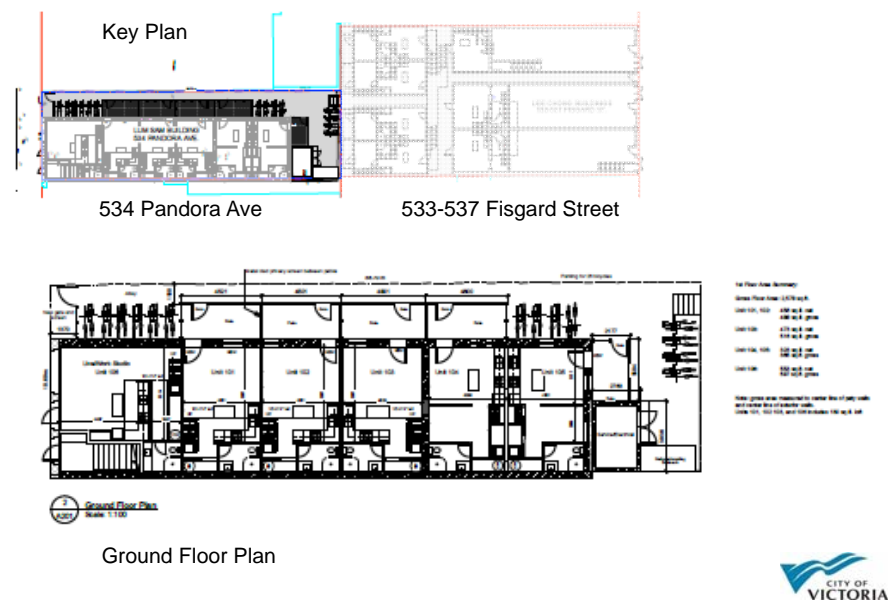
# Heritage Alteration Permit Application for 534 Pandora Avenue



## Aerial View



## Ground Floor Plan

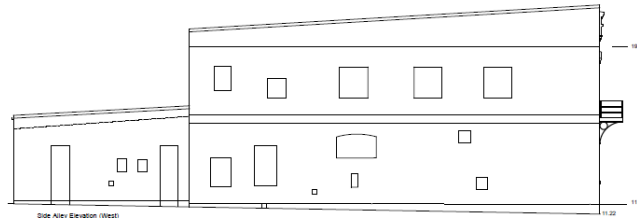


## Elevations





## Elevations









## Planning and Land Use Committee Report For the Meeting of January 14, 2016

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**To:** Planning and Land Use Committee      **Date:** December 18, 2015  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Heritage Designation Application No. 000156 533-537 Fisgard Street

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council consider the designation of the property located at 533-537 Fisgard Street pursuant to Section 967 of the *Local Government Act* as a Municipal Heritage Site."

### LEGISLATIVE AUTHORITY

In accordance with section 967 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations regarding an owner request to designate the exterior of the heritage-registered property located at 533-537 Fisgard Street.

The following points were considered in assessing this Application:

- general consistency with the *Official Community Plan* (OCP)
- Statement of Significance.

The Application was reviewed by the Heritage Advisory Panel at its December 8, 2015 meeting and was recommended for approval.

This report fulfills the requirements of Section 968(5) of the *Local Government Act*.

### BACKGROUND

#### Description of Proposal

533-537 Fisgard Street, also referred to as the Lee Cheong Building is a brick building built in 1901. An Application to designate the exterior of 533-537 Fisgard Street as a Municipal

Heritage Site was received from the property owner, Christopher Le Fevre, on November 26, 2015.

### **Zoning/Land Use**

The proposed designation is consistent with the CA-3C: Old Town District zoning and surrounding land uses.

### **Condition/Economic Viability**

The exterior fabric appears to be in sound condition. The viability of the property will be strengthened by the owner's intention to seismically upgrade and rehabilitate the exterior of the building.

### **Heritage Advisory Panel**

The Heritage Advisory Panel considered the applicant's request for heritage designation at its regular meeting on December 8, 2015, and recommended the following:

"That Council consider the designation of the property located at 533-537 Fisgard Street as a Municipal Heritage Site."

### **ANALYSIS**

The following sections provide a summary of the Application's consistency with the relevant City policies and guidelines.

#### **Official Community Plan**

This Application is consistent with the OCP because it contributes to the identification of the heritage value of districts and individual properties; it contributes to the goal of protecting and celebrating Victoria's cultural and natural heritage resources; and in accordance with a key strategic direction of the Downtown, aims to conserve the historic character of Old Town and Chinatown.

The OCP encourages the consideration of tools available under legislation to protect heritage property such as heritage designation. The Application is consistent with the OCP where it considers the heritage value of individual properties.

#### **Statement of Significance**

A Statement of Significance, describing the historic place, outlining its heritage value and identifying its character-defining elements, is attached to this report.

### **CONCLUSIONS**

This Application for the heritage designation of the property located at 533-537 Fisgard Street as a Municipal Heritage Site is for a building that is a good example of the type of modest commercial building erected by members of the Chinese-Canadian community from the early twentieth century. The building illustrates a transition period during the early 1900s toward plainer building styles for commercial buildings composed of brick, stone and wood. The building exemplifies the character of Chinatown at the turn of the twentieth century, making it a significant contributor to the integrity of the historic streetscape in this area.



Staff therefore recommend that Council consider the designation of the property located at 533-537 Fisgard Street as a Municipal Heritage Site.

### ALTERNATE MOTION

That Council decline Heritage Designation Application No. 000156 for the property located at 533-537 Fisgard Street.

Respectfully submitted,

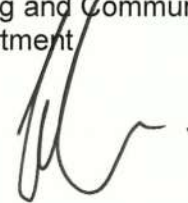


Adrian Brett  
Heritage Planner  
Community Planning



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

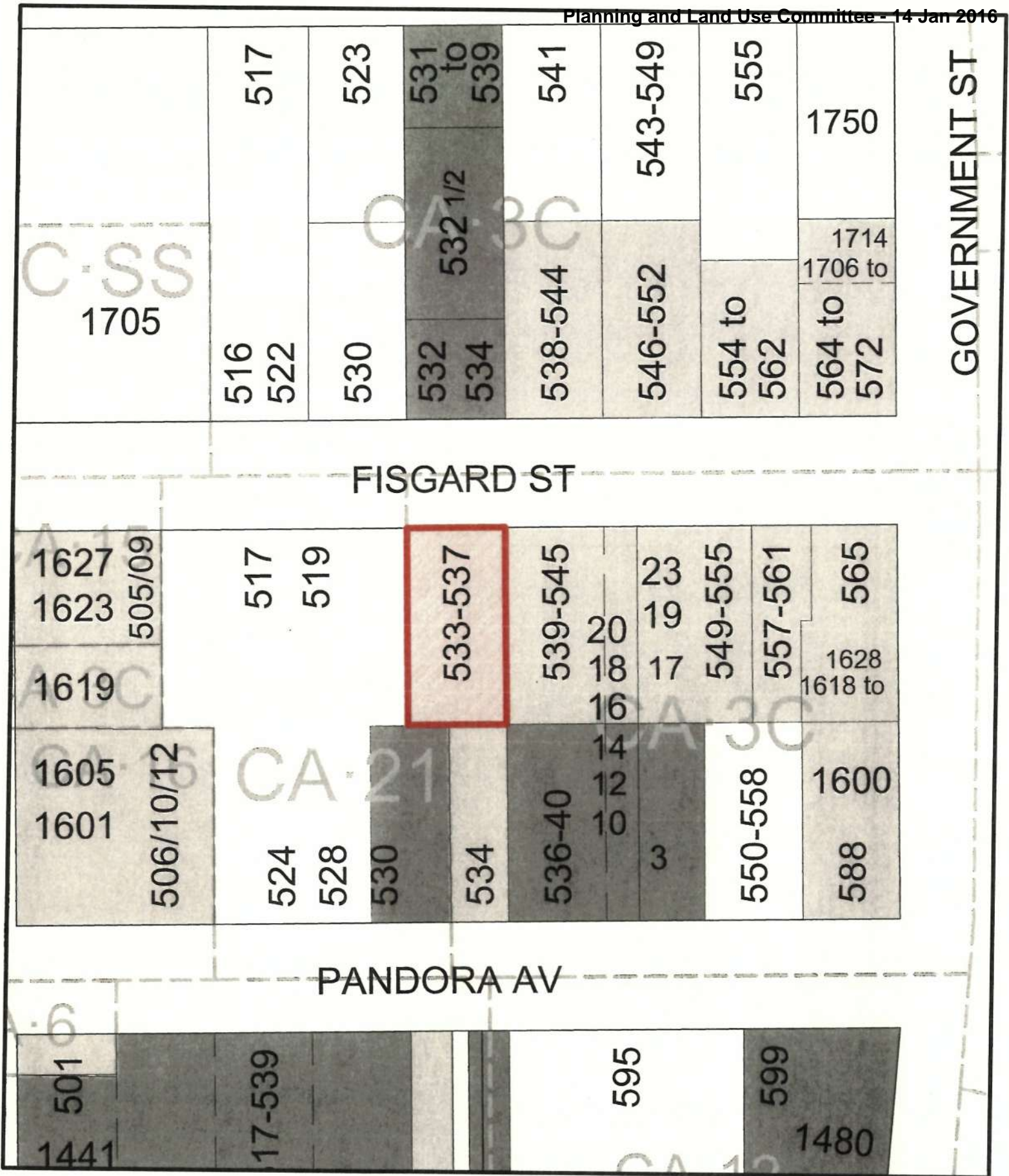
Report accepted and recommended by the City Manager:



Date: December 29, 2015

### List of Attachments

- Subject map
- Aerial map
- Photograph
- Statement of Significance
- Letter from the applicant, date stamped November 26, 2015.



533 - 537 Fisgard Street

Heritage Designation Permit #000156



Heritage Designation Application #000156 for 533-537 Fisgard Street

Designated Registered







533 - 537 Fisgard Street

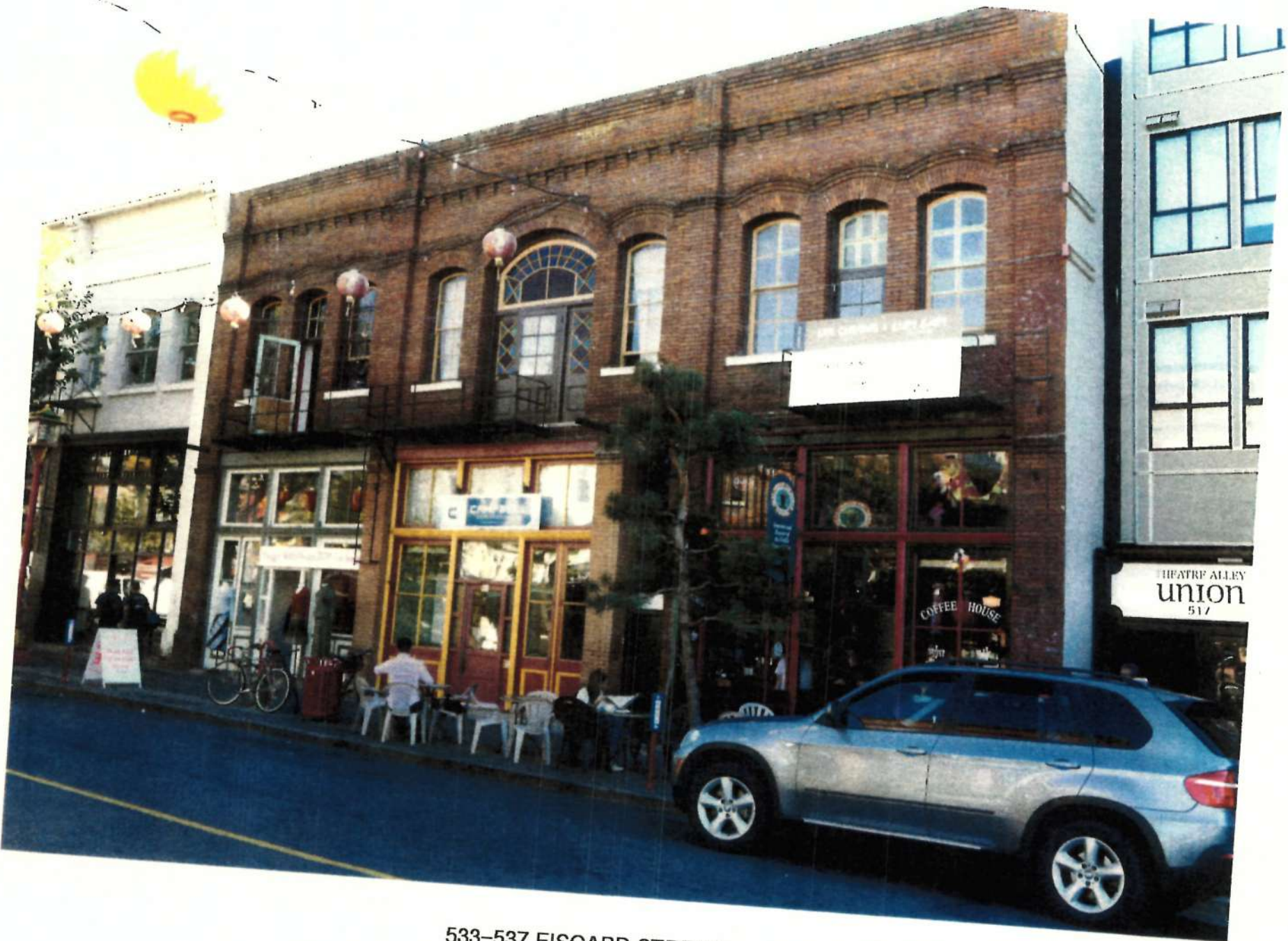
Heritage Designation Permit #000156



Heritage Designation Application No. 000156 for 533-537 Fisg...







533-537 FISGARD STREET



## LEE CHEONG BUILDING, 533-537½ FISGARD STREET

**Owners:** Lee Cheong and Lee Woy

**Date:** 1901

### **Description of Historic Place**

The Lee Cheong Building is a two-storey, brick-clad commercial and residential building located in the heart of Victoria's Chinatown National Historic Site. The front façade retains original storefront elements, including 'cheater' mezzanines. The upper storey is residential, and features segmental-arched window openings, brick corbelling, second floor doors and a central coloured glass door surround. A narrow passageway located between two of the storefronts connects to an internal courtyard and a brick tenement building behind.

### **Heritage Value of Historic Place**

The Lee Cheong Building is valued as part of a grouping of early buildings that contribute to the historic character and urban pattern of Victoria's Chinatown National Historic Site, the oldest and most intact Chinatown in Canada. In the 1850s, exacerbated by political and social turmoil in China, thousands of Chinese migrated from a small region in the southern province of Guangdong to frontier gold rush sites in California, setting up a permanent base in San Francisco. In 1858, the Fraser Gold Rush spurred the growth of Victoria as a significant port town, and prompted the movement of many Chinese into the province. Victoria was the primary point of entry for Chinese into Canada until the early twentieth century.

Victoria's Chinatown is expressive of a duality in architecture and cultural landscape. On each block, street façades link together, forming a wall that shields interior spaces and narrow alleyways between and through buildings are linked to central courtyards which were the hidden location of tenements, opium dens, theatres and gambling houses. This configuration allowed the Chinese community to adhere to follow traditional religion, kinship and economic practices while projecting the image of assimilation to Western society. The Lee Cheong building is consistent with such a duality. Externally, the building has a brick-clad commercial façade in a design that would not have been considered exotic at the time. A narrow passageway between two storefronts leads to an interior courtyard and simple tenement also clad in brick.

The Lee Cheong building is further valued as representative of the dominant role Chinese merchants played in Victoria's Chinatown. The first wave of powerful business owners had a monopoly until the early 1880s. Built in 1901, the Lee Cheong Building was the product of the second wave of merchants who immigrated to Victoria's Chinatown in the 1890s to 1910s, and included smaller clan or family proprietors who pooled their resources to purchase land to build their businesses. These merchants set up north of Pandora Avenue, bringing much-needed smaller shops such as laundries, grocery stores, medicinal shops and restaurants into the area. The original owners of the building, Lee Cheong and Lee Woy, purchased Lot 446 and built this structure in 1901. Built as 'stores and cabins', the building contained retail storefronts on the main floor, and residential

uses on the second storey, with a passageway to a separate tenement building to the rear. Lee Cheong was one of the earliest Chinese settlers, and soon became known as a leading businessman. The building was Chinese owned until 1933, when the City acquired it due to tax arrears.

### **Character-Defining Elements**

Key elements that define the heritage character of the Lee Cheong Building include its:

- location on Fisgard Street, part of a grouping of late-nineteenth and early-twentieth century historic masonry buildings in Victoria's Chinatown National Historic Site
- continuous commercial and residential use
- siting on the front property line, with no setbacks
- commercial form, scale and massing as expressed by its two-storey height with 'cheater' mezzanines, flat roof, and three storefronts facing Fisgard Street; rear tenement connected through a narrow passageway between two storefronts
- masonry construction, including red-brick walls with dark-grey mortar, brick corbelling and pilasters, granite thresholds and wood-frame interior structure
- exterior features such as segmental-arched window openings, brick corbelling, and second floor glazed, panelled wooden doors
- Chinese features such as a tall, narrow passageway that provides access to an internal courtyard and a rear tenement, and half-width wooden storefront doors leading to second floor entries
- original windows such as 4-over-4 double-hung wooden sash windows, and a central second-floor door surround with decorative coloured and textured glass in sidelights and arched transom
- interior features such as tongue-and-groove cladding, 'cheater' mezzanines, and wooden floors



Received  
City of Victoria

NOV 26 2015

Planning & Development Dept.  
Development Services Division

November 20, 2015

Mayor and Council  
City of Victoria  
#1 Centennial Square,  
Victoria, BC V8W 1P6

**Re: 533 - 537 Fisgard Street - Heritage Designation**



**Victoria**  
977 Fort Street V8V 3K3  
T 250-658-3367  
F 250-658-3397  
**Nanaimo**  
102-5190 Dublin Way V9T 2K8  
T 250-585-5810  
[mail@dhka.ca](mailto:mail@dhka.ca)  
[www.dhka.ca](http://www.dhka.ca)

Your Worship and Members of Council,

We are making this application to the City of Victoria for formal heritage degeneration of this building on behalf of Le Fevre and Company who have recently purchased the above noted property, known as the 'Lee Chong' Building. It is connected through a series of courtyards and alleyways to 535 Pandora Avenue, known the 'Lum Sam' Building. These two buildings were purchased at the same time and the intention is to redevelop both lots simultaneously.

The 'Lee Chong Building' site consists of a 2 storey brick heritage building that was constructed in 1901, as well as a later 2 storey residential building located in the courtyard on the south side. The building is on the heritage registry and is designated as a National Historic Site within a Heritage Conservation area. Although the building is 114 years old, it is in remarkably good condition and has been maintained and actively used to the present day. The owners wish to seismically upgrade and refurbish the exterior of both buildings as part of a conversion into 17 strata units: 14 residential condominiums as well as the 3 existing retail units.

The proposed upgrading and conversion of these historic properties will make a significant contribution to the vibrancy and economic vitality of the Chinatown precinct.

We trust the forgoing is acceptable.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Peter de Hoog'.

Peter de Hoog Architect AIBC MRAIC  
de Hoog & Kierulf architects

November 2015

1 of 1





# Heritage Designation Application for 533-537 Fisgard Street



## Aerial View



## Fisgard Street View







## Planning and Land Use Committee Report

For the Meeting of January 14, 2016

---

**To:** Planning and Land Use Committee      **Date:** December 18, 2015

**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development

**Subject:** **Heritage Alteration Permit Application No. 00210 for 533-537 Fisgard Street (Lee Cheong Building)**

---

### RECOMMENDATION

Staff recommend that Committee forward this report to Council and that Council consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application No. 00210 for the property located at 533-537 Fisgard Street, in accordance with:

1. Revised plans date stamped December 11, 2015
2. Development meeting all *Zoning Regulation Bylaw* requirements
3. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development."

### LEGISLATIVE AUTHORITY

In accordance with Sections 972 and 973 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Heritage Alteration Permit Application for the property located at 533-537 Fisgard Street. The proposal is to rehabilitate the heritage-registered building as part of its conversion to strata units, residential condominiums and existing retail space.

The following points were considered in assessing this Application:

- consistency with the *Official Community Plan* (2012)
- consistency with the *Downtown Core Area Plan* (2011)

- consistency with the *Standards and Guidelines for the Conservation of Historic Places in Canada*
- Statement of Significance.

The rehabilitation of the heritage-registered Lee Cheong Building is consistent with City policies and would make an important contribution to the vitality and character of the Chinatown National Historic Site. Staff recommend that Council consider authorizing the issuance of Heritage Alteration Permit Application No. 00210 for 533-537 Fisgard Street.

The Heritage Advisory Panel considered the Application at its meeting on December 8, 2015, and recommended that Council authorize the issuance of the Heritage Alteration Permit and that the applicant consider alterations to the design of the balconies.

The applicant has revised the design of the balconies in response to comments received from the Heritage Advisory Panel by making the balcony continuous and simplifying the design.

## **BACKGROUND**

### **Description of Proposal**

The purpose of this report is to present Council with information, analysis and recommendations regarding a Heritage Alteration Permit Application for the property located at 533-537 Fisgard Street, including:

#### Courtyard (South Elevation)

- construction of balconies
- reconfiguration of openings

#### Courtyard (North Elevation)

- construction of continuous walkway
- reconfiguration of openings

#### Fisgard Street Elevation (Courtyard Elevation - South)

- construction of code-compliant balconies
- installation of new doors in existing openings

#### Fisgard Street Elevation (North)

- construction of code-compliant balconies
- installation of gate to alley.

### **Heritage Advisory Panel**

The Heritage Advisory Panel considered the Application at its meeting on December 8, 2015, and recommended the following:

“That Council authorize the issuance of the Heritage Alteration Permit Application No. 00210 for 533-537 Fisgard Street in accordance with:

1. Plans date stamped October 23, 2015
2. Applicant to consider alterations to the design of the balconies on the Fisgard Street elevation to the original design of one continuous balcony
3. Applicant to consider a more utilitarian design to the satisfaction of the Senior Heritage Planner.”



The applicant has revised the design of the balconies in response to comments received from the Heritage Advisory Panel by making the balcony continuous and simplifying the design.

## **ANALYSIS**

The following sections provide a summary of the Application's consistency with the relevant City policies, regulations and the *Standards and Guidelines for the Conservation of Historic Places in Canada*.

### **Official Community Plan (OCP)**

The proposal is consistent with the OCP because it conserves the heritage value of the Lee Cheong Building and the character and appearance of the Chinatown National Historic Site. In addition, two key strategic directions of the Downtown would be met by the proposed development – continuing to conserve the historic character of Chinatown and accommodating a share of housing in the Urban Core.

### **Development Permit Area (DPA 1 (HC): Core Historic)**

The OCP identifies this property within DPA 1 (HC): Core Historic, which includes a requirement to consider the *Downtown Core Area Plan* (DCAP) and the *Standards and Guidelines for the Conservation of Historic Places in Canada* (Standards and Guidelines).

### **Downtown Core Area Plan**

The proposal is consistent with the DCAP where it conserves heritage values of the Downtown Core Area and its character-defining elements, such as individual buildings and streetscapes.

### **Standards and Guidelines for the Conservation of Historic Places in Canada**

#### **Exterior Walls**

The proposed modification to exterior walls of the courtyard building to accommodate a new use respects the heritage value of the Lee Cheong Building and the character and appearance of the Chinatown National Historic Site.

#### **Windows, Doors and Storefronts**

The proposed new doors to be installed in existing openings on the courtyard elevation of the Fisgard building are compatible with the character of the historic place.

#### **Entrances, Porches and Balconies**

The proposed code-compliant balconies to be installed on the courtyard and Fisgard Street elevations are required by the new use and are compatible with the character of the historic place. The proposed gate to be located on the Fisgard Street elevation (north) is compatible with the character of the historic place.

## **CONCLUSIONS**

The applicant has revised the design of the balconies in response to comments received from the Heritage Advisory Panel by making the balcony continuous and simplifying the design. The proposed development is consistent with relevant City policies and guidelines because it

conserves the heritage value of the Lee Cheong Building and the character and appearance of the Chinatown National Historic Site. In addition, two key strategic directions of the Downtown would be met by the proposed development - continuing to conserve the historic character of Chinatown and accommodating a share of housing in the Urban Core. Staff therefore recommend that Council authorize the issuance of the Heritage Alteration Permit for 533-537 Fiskard Street.

#### ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application No. 00210 for the property located at 533-537 Fiskard Street.

Respectfully submitted,

A blue ink signature of Murray G. Miller, consisting of stylized cursive letters followed by a long horizontal stroke ending in an arrowhead.

Murray G. Miller  
Senior Heritage Planner  
Community Planning Division

A black ink signature of Jonathan Tinney, written in a cursive style.

Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

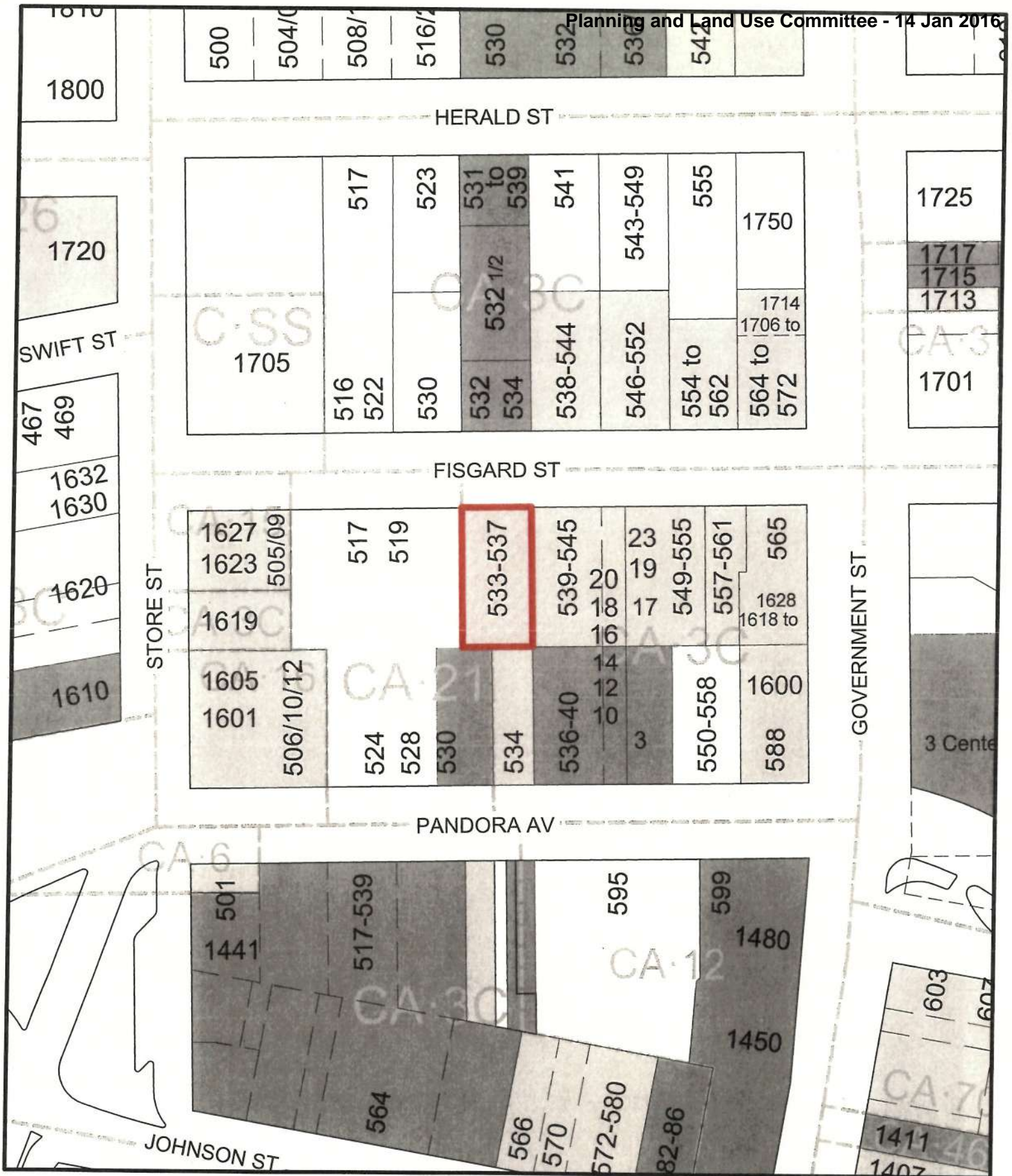
A black ink signature, likely of the City Manager, written in a cursive style.

Date: December 30, 2015

#### List of Attachments

- Subject map
- Aerial map
- Letter from the applicant dated October 21, 2015
- Revised plans date stamped December 11, 2015
- Statement of Significance.





533-537 Figgard Street

Heritage Alteration Permit #00210



Designated Registered







533-537 Figgard Street

Heritage Alteration Permit #00210



Heritage Alteration Permit Application No. 00210 for 533-537...





October 21, 2015

Mayor and Council  
City of Victoria  
#1 Centennial Square,  
Victoria, BC V8W 1P6



**Re: 533-537 Fisgard Street - H.A.P. Application**

Your Worship and Members of Council,

**Victoria**  
977 Fort Street V8V 3K3  
T 250-658-3367  
F 250-658-3397  
**Nanaimo**  
102-5190 Dublin Way V9T 2K8  
T 250-585-5810  
[mail@dhk.ca](mailto:mail@dhk.ca)  
[www.dhk.ca](http://www.dhk.ca)

We are making this application on behalf of Le Fevre and Company who have recently purchased the above noted property, known as the 'Lee Chong' Building. It is connected through a series of courtyards and alleyways to 535 Pandora Avenue, known the 'Lum Sam' Building. These two buildings were purchased at the same time and the intention is to redevelop both lots simultaneously.

The 'Lee Chong Building' site consists of is a 2 storey brick heritage building that was constructed in 1901, as well as a later 2 storey residential building located in the courtyard on the south side. Although the Fisgard building is 114 years old, it is in remarkably good condition and has been maintained and actively used to the present day. The owners wish to seismically upgrade and refurbish the exterior of both buildings as part of a conversion into 17 strata units: 14 residential condominiums and 3 street as well as the 3 existing retail units.

The buildings will be mostly left 'as-is'. The Fisgard building will be refurbished and the existing balconies replaced with a new code compliant balconies on both north and south building faces. The conversion of the courtyard building into strata units requires the addition of some windows and doors, to both the south and north elevations. As well, the second floor units will benefit from a new walkway along the second floor for access and new balconies on the south side.

Along with the Lum Sam building there will be a total of 26 strata residential units for the two projects. Bicycle parking for all 26 units will be located on the Lum Sam site. Although these two buildings will exist as two separate

October 2015

1 of 2



**Victoria**

977 Fort Street V8V 3K3

T 250-658-3367

F 250-658-3397

**Nanaimo**

102-5190 Dublin Way V9T 2K8

T 250-585-5810

[mail@dhk.ca](mailto:mail@dhk.ca)

[www.dhk.ca](http://www.dhk.ca)

strata properties, the courtyard spaces and access will be shared for servicing and exit purposes.

The alleyway running between the retail units on Fisgard Street will be retained and the existing wood door will be removed and replaced by a decorative metal gate and screen that will feature a circular 'maze' motive that will be used as a signature design element throughout the project.

The proposed upgrading and conversion of these historic properties will make a significant contribution to the vibrancy and economic vitality of the Chinatown precinct.

We trust the forgoing is acceptable.

Sincerely yours,

Peter de Hoog Architect AIBC MRAIC

de Hoog & Kierulf architects





Address:	533-537 Fiegard St. Victoria BC
Legal Description:	Lot 446, Victoria City
P.I.D.:	009-370-587
Zoning:	CA-3C - OLD TOWN DISTRICT
Use:	Retail (Main Floor) & Multiple Residential (Above)

**BUILDING CODE SUMMARY**  
**REFERENCED DOCUMENT**  
 British Columbia Building Code 2012 -- Part 3

Planning & Development Department  
Development Services Division

1. Create elevations for the plan and in matrix (ordinate based) on dimensions (horizontal)
2. All dimensions are in place of weighting of exterior wall and centroids of structural areas must reference
3. CO elevations to be located within the two bays
4. Dimensions to be permanently placed on the drawings with no dimension or better given
5. Steel sections to be 1200 of roof area
6. Fully insulated with a 2" R10, insulate
7. All steel to be insulated and protected during construction
8. and construction U.O

A101

de Hoog & Kienit architects  
Victoria  
977 Fort Street V8V 3K3 T 1-250-654-3387  
Nanaimo  
102-5180 Duffin Way V9T 2K8 T 1-250-54-5820

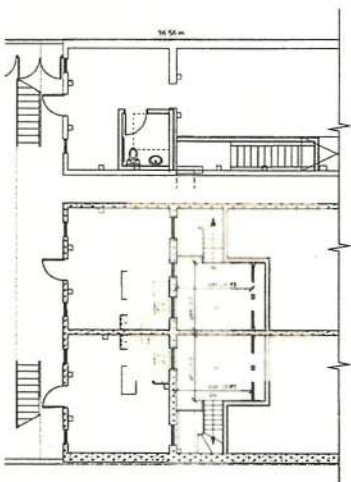


Date: 10 DEC 15  
 Drawing No: 1519-A201  
 Project: 533-537 Fisgard St.  
 Client: KIR & JAY  
 Design: KIR & JAY  
 Scale: 1:100

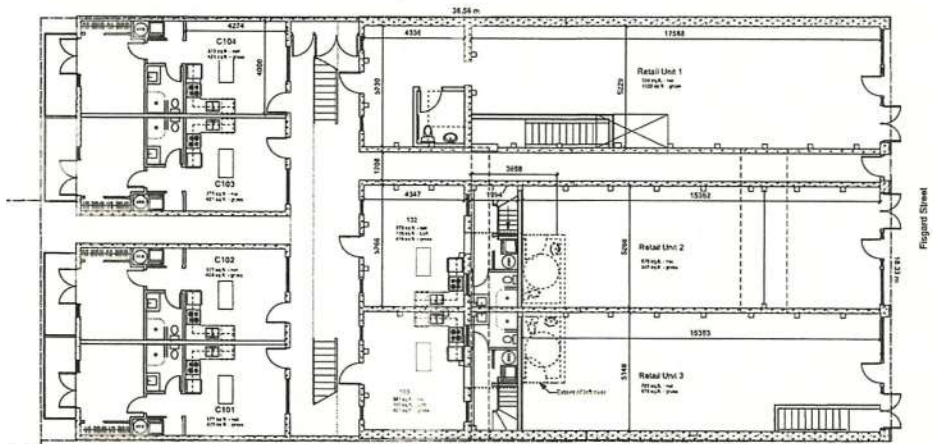
Lee Chong Building  
 533-537 Fisgard St.  
 Victoria BC  
 Site & Floor Plans

A201

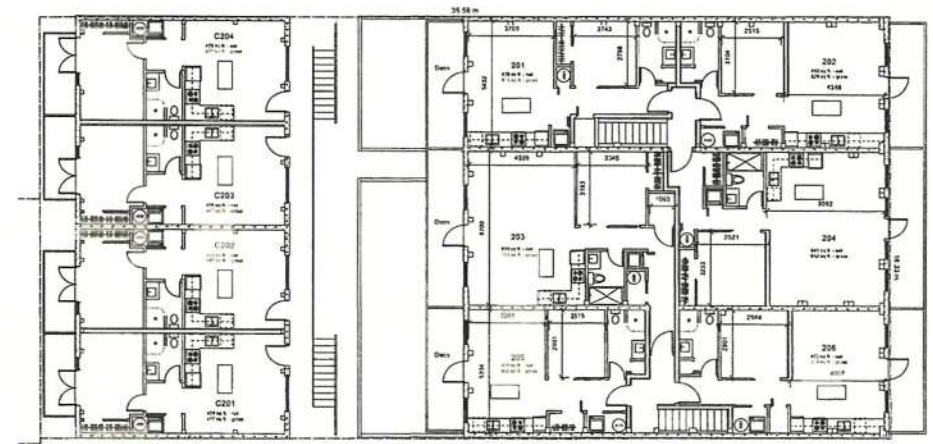
de Hong & Koral architects  
 Victoria  
 877 East Beaver - V8V 3K3  
 123 5190 Dunbar Hwy - V8T 2K6  
 Tel: 250-461-1111  
 Fax: 250-461-1112



3 Left Floor Plan  
A201 Scale: 1:100

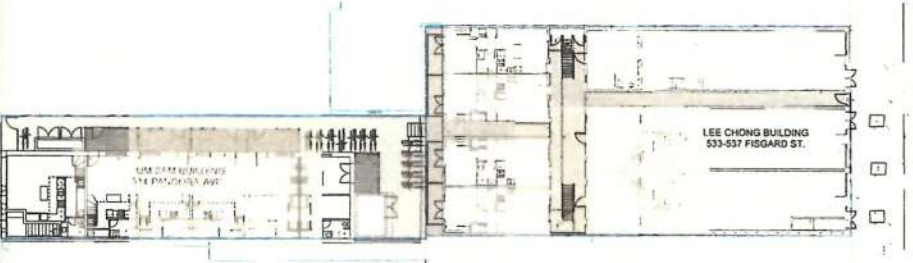


2 Main Floor Plan  
A201 Scale: 1:100



4 Second Floor Plan  
A201 Scale: 1:100

1 Site Plan  
A201 Scale: 1:200







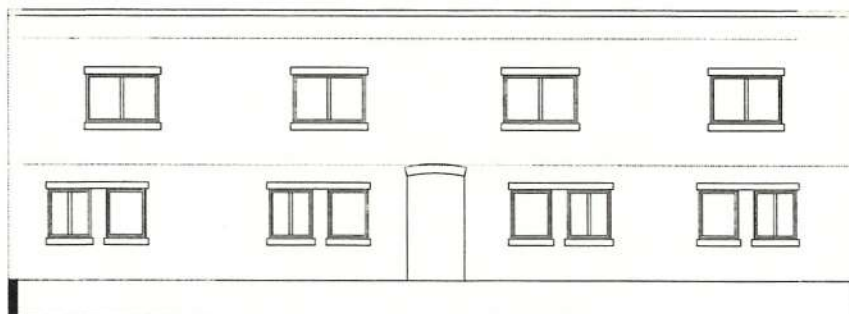
Fisgard Street Building Courtyard Elevation (South)



Courtyard Looking East



**Courtyard Building South Side**



**Courtyard Building Elevation (South)**



Alley to Pandora Avenue



Alley to Fiskard Street



Courtyard Looking West



Courtyard Building Elevation (North)

adHCa A301

De Hoop & Kienoff gijstarm  
Victoria  
877 Fort Street V8V 3M3 T1-251-658-31  
Humboldt  
103-6190 Ekhon Way V8T 2K8 T1-251-658-51

DEC 11 2015

Planning & Development Department  
Development Services Division



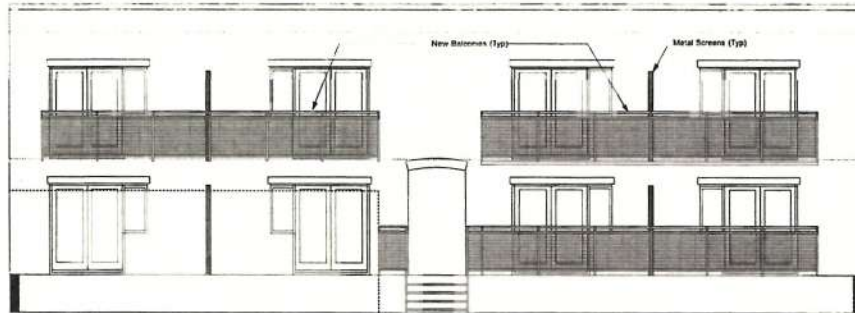
Proposed Figgard St. Elevation (North)  
Scale: 1:50



2 Proposed Courtyard Elevation (South)  
Scale: 1:50



5 Detail of New Gate  
Scale: 1:25



3 Proposed Courtyard Bldg Elevation (South)  
Scale: 1:50



4 Proposed Courtyard Bldg Elevation (North)  
Scale: 1:50

**Received**  
City of Victoria  
  
DEC 11 2015  
Planning & Development Department  
Development Services Division

Lee Chong Building  
534 Pandora Ave.  
Victoria BC  
Lee Chong Property  
  
A302  
  
Lee Chong & Property  
577 East Street  
Victoria BC  
112-1188 Southview Way  
V8V 2G8  
Tel: 250-383-2222  
Fax: 250-383-2223  
Email: info@lee-chong.com



## LEE CHEONG BUILDING, 533-537½ FISGARD STREET

**Owners:** Lee Cheong and Lee Woy

**Date:** 1901

### Description of Historic Place

The Lee Cheong Building is a two-storey, brick-clad commercial and residential building located in the heart of Victoria's Chinatown National Historic Site. The front façade retains original storefront elements, including 'cheater' mezzanines. The upper storey is residential, and features segmental-arched window openings, brick corbelling, second floor doors and a central coloured glass door surround. A narrow passageway located between two of the storefronts connects to an internal courtyard and a brick tenement building behind.

### Heritage Value of Historic Place

The Lee Cheong Building is valued as part of a grouping of early buildings that contribute to the historic character and urban pattern of Victoria's Chinatown National Historic Site, the oldest and most intact Chinatown in Canada. In the 1850s, exacerbated by political and social turmoil in China, thousands of Chinese migrated from a small region in the southern province of Guangdong to frontier gold rush sites in California, setting up a permanent base in San Francisco. In 1858, the Fraser Gold Rush spurred the growth of Victoria as a significant port town, and prompted the movement of many Chinese into the province. Victoria was the primary point of entry for Chinese into Canada until the early twentieth century.

Victoria's Chinatown is expressive of a duality in architecture and cultural landscape. On each block, street façades link together, forming a wall that shields interior spaces and narrow alleyways between and through buildings are linked to central courtyards which were the hidden location of tenements, opium dens, theatres and gambling houses. This configuration allowed the Chinese community to adhere to follow traditional religion, kinship and economic practices while projecting the image of assimilation to Western society. The Lee Cheong building is consistent with such a duality. Externally, the building has a brick-clad commercial façade in a design that would not have been considered exotic at the time. A narrow passageway between two storefronts leads to an interior courtyard and simple tenement also clad in brick.

The Lee Cheong building is further valued as representative of the dominant role Chinese merchants played in Victoria's Chinatown. The first wave of powerful business owners had a monopoly until the early 1880s. Built in 1901, the Lee Cheong Building was the product of the second wave of merchants who immigrated to Victoria's Chinatown in the 1890s to 1910s, and included smaller clan or family proprietors who pooled their resources to purchase land to build their businesses. These merchants set up north of Pandora Avenue, bringing much-needed smaller shops such as laundries, grocery stores, medicinal shops and restaurants into the area. The original owners of the building, Lee Cheong and Lee Woy, purchased Lot 446 and built this structure in 1901. Built as 'stores and cabins', the building contained retail storefronts on the main floor, and residential

uses on the second storey, with a passageway to a separate tenement building to the rear. Lee Cheong was one of the earliest Chinese settlers, and soon became known as a leading businessman. The building was Chinese owned until 1933, when the City acquired it due to tax arrears.

### **Character-Defining Elements**

Key elements that define the heritage character of the Lee Cheong Building include its:

- location on Fisgard Street, part of a grouping of late-nineteenth and early-twentieth century historic masonry buildings in Victoria's Chinatown National Historic Site
- continuous commercial and residential use
- siting on the front property line, with no setbacks
- commercial form, scale and massing as expressed by its two-storey height with 'cheater' mezzanines, flat roof, and three storefronts facing Fisgard Street; rear tenement connected through a narrow passageway between two storefronts
- masonry construction, including red-brick walls with dark-grey mortar, brick corbelling and pilasters, granite thresholds and wood-frame interior structure
- exterior features such as segmental-arched window openings, brick corbelling, and second floor glazed, panelled wooden doors
- Chinese features such as a tall, narrow passageway that provides access to an internal courtyard and a rear tenement, and half-width wooden storefront doors leading to second floor entries
- original windows such as 4-over-4 double-hung wooden sash windows, and a central second-floor door surround with decorative coloured and textured glass in sidelights and arched transom
- interior features such as tongue-and-groove cladding, 'cheater' mezzanines, and wooden floors



# Heritage Alteration Permit Application for 533-537 Fisgard Street



## Aerial View



## Ground Floor Plan



## Elevations



Existing Fisgard Street (North)



Proposed Fisgard Street





## Elevations



Existing Fisgard Street Courtyard (South)



Proposed Fisgard Courtyard









## Planning and Land Use Committee Report

For the Meeting of January 14, 2016

---

**To:** Planning and Land Use Committee Report    **Date:** December 31, 2015  
**From:** Chris Coates, City Clerk  
**Subject:** Application for a permanent change of hours for liquor service for the **Duke Saloon**, located at 502 Discovery Street, Licence No.167968 (Burnside Gorge Neighbourhood)

---

### RECOMMENDATION

That Council, after conducting a review with respect to noise and community impacts regarding the application to amend the hours of liquor service for the Liquor Primary Licence of the **Duke Saloon**, Liquor Licence No.167968 located at 502 Discovery Street supports:

1. The application of the Duke Saloon to amend its Liquor Primary Licence to allow a change in operating hours to include 12:00 PM to 2:00 AM liquor service seven days per week.
2. The Council provides the following comments on the prescribed considerations:
  - a. The location is within the Core Employment Urban Place designation in the Official Community Plan. The Core Area Employment area uses include: industrial, light industrial, high technology, marine industrial, research and development, commercial, office and complementary retail.
  - b. The views of the residents were solicited via a mailed notice to neighbouring property owners and occupiers within 50 metres of the hotel and a notice posted at the property. Seven written responses were received from residents, six opposed and one in favour of the application.

### EXECUTIVE SUMMARY

The purpose of this report is to seek a Council resolution, in accordance with the requirements of the *Liquor Control and Licensing Act*, regarding an application by the Duke Saloon in relation to their Liquor Primary Licence for the premises located at 502 Discovery Street, for a permanent change to extend their hours of operation in relation to their liquor service.

The requested change is to authorize liquor service between the hours of 12:00 PM to 2:00 AM seven days per week. The current hours of liquor service are from 07:00 PM to 2:00 AM seven days per week. The current occupancy is 293 persons. There would be no change in occupancy as a result of this application.

## PURPOSE

The purpose of this report is to seek a Council resolution regarding an application by the Duke Saloon, in relation to their Liquor Primary licensed business, located at 502 Discovery Street, for a change to their hours of liquor service.

## BACKGROUND

The Duke Saloon is located at 502 Discovery Street, in the Burnside Gorge Neighbourhood, and has been in operation since September 2014.

The current hours of liquor service are from 07:00PM to 2:00AM seven days per week.

The Duke has made application for an extension to its liquor licence hours of service, from 12:00PM until 2:00AM, seven days per week. As stated in the attached letter of intent, the applicant would like to provide more options for special occasions, sporting events, business parties and gatherings. These often happen during the day. At present, special occasion licences are required for these events and there is a limit to the number for which applications can be made.

The Duke Saloon will not be operating during daytime hours unless for special events and or bookings or until such time when a food preparation area can be installed. The requested hours of 12:00PM to 2:00AM would cover any and all of the above mentioned potential uses without the need for special licences. In addition, the extension to service hours will provide an opportunity to provide increased food service *within* the establishment.

### Location

#### *Official Community Plan:*

- The property is within the Core Employment Urban Place designation in the Official Community Plan. The Core Area Employment area uses include: industrial, light industrial, high technology, marine industrial, research and development, commercial, office and complementary retail.
- The area is covered by Development Permit Area #10B(HC) Rock Bay Heritage, which enables Council to review and approve the exterior design and finish of buildings and other structures as well as landscaping of commercial, industrial and multi-family residential developments.

#### *Downtown Core Area Plan:*

- The property is within the Rock Bay District of the Downtown Core Area Plan, which supports the redevelopment of the Rock Bay District as an employment focused area that provides a balance of industrial support services, light industrial, high-tech, with an accompanying balance of commercial and limited residential development.

#### *Zoning and Designations:*

- The property is zoned S-3 Zone, Modified Limited Service District
  - Permits restaurants, wholesale and retail sales offices, and light industrial activities
  - The site falls within the Activity Noise District
  - The building is Designated Heritage.



*Neighbourhood Compatibility:*

- The subject building is at the northeast corner of Store and Discovery Streets. The site is bounded by industrial zones on all sides.

Immediately adjacent uses include:

- North (across Pembroke St.): the BC Hydro site (currently vacant)
- West (across Store St.): Island Asphalt
- East: Sports Traders, Phillips Brewery
- South (across Discovery St.): Capital Iron parking lot

The closest residential use to the site is at the corner of Pembroke and Government Street, approximately 200 m door to door walking distance.

The potential for additional noise affecting neighbouring businesses and residential neighbours is minimal with the additional hours proposed for this liquor primary establishment.

Liquor Control and Licensing Branch

The General Manager of the provincial Liquor Control and Licensing Branch (LCLB) issues liquor licences under the authority of the *Liquor Control and Licensing Act* and regulations. Local government is to provide comments and recommendations to the LCLB on all liquor-primary licence applications regarding the potential for noise and impact on the community if the application is approved.

Relevant Policy/Bylaw

- a) Liquor Licensing Policy;
- b) Liquor Licensing Fee Bylaw.

**ISSUES & ANALYSIS**

The technical review of the application has been completed, with the findings as noted below:

Bylaw & Licensing Services Division

The Bylaw and Licensing Services Division has no concerns with the application. A Good Neighbour Agreement for the licensee, as required by the Business Licence Bylaw, is in place and in good standing.

Citizen Engagement and Strategic Planning – Downtown Community Development Section

The Downtown Community Development Section has no concerns with this application.

Engineering & Public Works Department

The Engineering and Public Works Department has no concerns with this application.

Sustainable Planning and Community Development Department

The Sustainable Planning and Community Development Department has no concerns.

Police

The Victoria Police Department has no concerns with the application.

Public Engagement and Consultation

In accordance with the City's Liquor Licensing Fee Bylaw and Liquor Licensing Policy, all owners

and occupiers within 50 metres of the applicant's location were solicited by a mailed notice to provide input regarding this application. In addition, the business displayed a poster at the access point to their business for a 4 week period, which also invited people to provide input to the City with respect to this application.

The consultation resulted in seven written responses from the community, with six persons opposed and one in favour of the application.

Official Community Plan

The proposed use of the property is consistent with the Official Community Plan objectives for this neighbourhood.

2015 – 2018 Strategic Plan

There are no implications for the strategic plan.

2015-2018 Financial Plan

There is no expenditure impact on the Financial Plan.

**CONCLUSIONS**

The request complies with the City's current liquor licensing policy, as the proposed opening and closing hours contained in the request is within the hours specified by City Policy, where such parameters have been set. The Liquor Primary Liquor Licence associated with the business has been operating since September 2014.

City staff from all Departments canvassed have no concerns about the proposed change to the proposed operating hours for liquor service.

Respectfully submitted,



Kim Ferris  
Business Licence Inspector  
Bylaw & Licensing Services Division



Janice Schmidt  
Manager, Legislative Services



Chris Coates  
City Clerk



Jocelyn Jenkyns  
Deputy City Manager

Report accepted and recommended by the City Manager: 

Date: January 5, 2016



### List of Attachments

1. Aerial photograph (map) of the property and surrounding area.
2. Letter of Intent from applicant dated August 18, 2014, explaining the rationale for the requested change.
3. Seven letters from area residents.



# Printed from VicMap (Internal Version)

11/03/2015



## Legend

Victoria Parcels



1: 3,488



## Notes

177 0 89 177 Meters

NAD\_1983\_CSRS\_UTM\_Zone\_10N

Public domain: can be freely printed, copied and distributed without permission.

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION



THE DUKE SALOON LTD  
502 Discovery St  
Tel 250-388-3000 Fax [Fax]  
info@thedukesaloon.com  
www.TheDukeSaloon.com



AUGUST 18, 2014

**City Of Victoria**

Re: Permanent Change to Liquor Licence Hours

Dear Heather,

Please let this letter serve as our "Letter of Intent" in regards to the "Application for Permanent Change to a Liquor Licence"

We the group of business's including Upstairs Cabaret and Darcy's Pub recently purchased BC Liquor Licence #167968 with the intention to operate as a "pub/bar style" establishment.

The Duke Saloon has been operating since August 21<sup>st</sup>, 2014 on Discovery St. Currently we operate from 9pm-2am Thursday, 8pm - 2am Friday & Saturday. We opened our doors opening from 7pm-2am Thursday to Sunday but found with the lack of a substantial food option that only the after diner hours worked.

The Duke is always live music when open at night supporting local original artists and touring artists.

Please let me briefly explain the reason for our application so more clarity can be understood as to our direction for The Duke Saloon.

We do have intention, though not immediately, to serve food beyond the free chips we currently offer to customers. We are currently consulting with local chefs to plan out space and technical restraints to install a small food preparation space.

We would like to have the option, in the future, to operate during the day as a place where locals in our area can stop in and enjoy a light sandwich and local brew.

We have started using our space in a more diverse way for meetings, conferences, demonstrations and gatherings. Currently the only way we can operate these types of events is to apply for a "Temporary Change to Liquor License". This option is only available 6 times a year with a cost of \$330 and approximately 6 week predate deadline.

Some events don't have that much advance notice but more importantly, such as in this year, we have already exceeded the 6 allowed amendments.

The Duke has over the past year tried to work with local food trucks however not being right outside our doors, winter weather and summer unavailability resulted inconsistent service and confusion for our customers. Paying their

monthly fee in the Capital Iron parking lot to be across from us still wasn't enough to keep them so with frustration we gave up on that option.

Corporate gatherings has worked great for us this holiday season and we were able to squeeze both Coast Capital Savings, CRD and The Keg for locally catered events in our space with rave reviews. The common response was the question why we don't do more of this.

The Duke would also like to offer viewing sports events in our space however most of these events take place during the daytime and again this is in conflict with our licensed hours.

I would like to be clear in that we have no intention to operate in what might consider the "old school" of day time bars which used to be found around Victoria. We are proud of The Duke and the clientele it brings through its doors and we are equally fond of our growing neighborhood and we would like to grow with it.

The Duke Saloon will not be operating during the daytime unless for special events and or bookings or until such time when we are able to install our food preparation area.

The requested hours of 12pm – 2am would blanket cover any and all of the above mentioned potential uses without the need for special amendments.

Warm regards,

**Joel Friesen**  
**Owner/Operator**  
**The Duke Saloon**  
**joel@thedukesaloon.com**



**Kim Ferris**

---

**From:** Peg <[REDACTED]>  
**Sent:** Wednesday, Nov 25, 2015 6:48 PM  
**To:** Liquor Licence Email  
**Subject:** The Duke

I am in favor of the liquor license modification the Duke is asking for. I'm confident that adults are capable of making reasonable decisions. Although there is a business nearby that hosts children; I am not overly concerned about serving liquor to adults at the same time children nearby are engaged in supervised play. Furthermore, the rest of the neighborhood is rather "adult-oriented" -- ie. it includes businesses rather than much residential and there is not any kid centric activities other than the gymnastics business. (I am also mindful of the fact that the gym is a for profit business, not a government run or mandated educational facility. Thus parents have free choice of whether to send kids there.) But again, I can't see how adults having the choice to drink during daytime even impacts the children down the street who are fully supervised by staff.

Thank you,  
Peggy Austin  
Sent from my iPad

**Kim Ferris**

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**From:** Suzanne <[REDACTED]>  
**Sent:** Wednesday, Nov 25, 2015 6:52 PM  
**To:** Liquor Licence Email  
**Subject:** Concerns over Duke Saloon application of liquor license

Dear Mayor and Esteemed Council of Victoria;

Many parents who bring their children to Victoria Gymnastics at 2051 Store St, Victoria, BC V8T 5L9 have been discussing the proposed liquor license change proposed by the Duke Saloon (at 502 Discovery Street). This establishment is proposing to change its liquor licensing to allow it serve liquor at 12:00pm.

We believe that there is a problem with neighborhood compatibility in this area. Children are taking gymnastic classes during this time, getting out of cars, riding bicycles, and walking to their gymnastics classes. Parents are concerned over the possibility of accidents with alcohol impaired drivers.

The Duke Saloon is only a few feet away from Victoria Gymnastics. Please help us to keep this high traffic area safe for children.

Sincerely,

Suzanne Harlan



**Kim Ferris**

---

**From:** Thomas Harlan [REDACTED]  
**Sent:** Wednesday, Nov 25, 2015 6:56 PM  
**To:** Liquor Licence Email  
**Subject:** Change of liquor license for Duke Saloon downtown

Hi,

writing as a dad who takes his two kids to Victoria Gymnastics during the afternoon, I'd really rather that the Duke \*not\* be selling alcohol starting at noon.

Right now it's a positive, safe environment to take the kids to SportsTraders, or Gymnastics or the natural foods store for a snack.

But adding a bunch of people drinking with the sun barely over the yardarm; that will change the complexion and make it not so nice, not so safe... Sportstraders is having a hard enough time staying in business, I wouldn't want to drive business away from them or the grocery store as well.

Thank you for your time,

--

Thomas Harlan  
[REDACTED]

**Kim Ferris**

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**From:** Carrie ann Heighton <[REDACTED]>  
**Sent:** Wednesday, Nov 25, 2015 7:26 PM  
**To:** Liquor Licence Email  
**Subject:** The duke saloon

To whom it may concern,  
I would like to bring up the issue of extending the liquor licence at the Duke saloon. My children go to Victoria Gymnastics and I would like it to be considered the amount of foot traffic that is parents and many children going to gymnastics. I believe this would h he the dynamics of the neighborhood for the worst as well as poss a huge issue with parking and safety. At this point it is a safe place and would be a concern to many if this was not the case.

Thank you  
Carrie Ann

Sent from my iPhone



**Kim Ferris**

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**From:** Susannah Garrett <[REDACTED]>  
**Sent:** Wednesday, Nov 25, 2015 8:31 PM  
**To:** Liquor Licence Email  
**Subject:** Duke saloon

Hi,  
Please don't allow Duke saloon to sell liquor in the afternoon. There are way too many kids in that area because of gymnastics classes.  
Susannah Garrett

Sent from my iPhone

**Kim Ferris**

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**From:** Jenny Jenny [REDACTED] >  
**Sent:** Thursday, Nov 26, 2015 7:54 AM  
**To:** Liquor Licence Email  
**Subject:** Duke Saloon

Hello,

As a mother, I am concerned that the Duke Saloon is applying for a change in liquor licensing which would allow them to offer alcohol beginning at noon.

This venue is beside a popular gymnastics location where children come and go for lessons.

My concern is for the safety and security of our children using the gym, and I hope you take this into consideration as you make your decision.

Sincerely,  
Jenny Rosenthal



The Duke Saloon

902 Discovery Street

1200h-0200h Monday-Sunday

I disagree as there are very young children  
d groups of school children that pass everyday  
by this business. Children do not need to be  
close to the behavior that comes from a Pub.

Thank you

Sherril Galt

Received  
K. J. J. J.  
Nov 27/15