



## REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, February 25, 2021, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

The City of Victoria is located on the homelands of the Songhees and Esquimalt People

Due to the COVID-19 Pandemic, public access to City Hall is not permitted. This meeting may be viewed on the City's webcast at [www.victoria.ca](http://www.victoria.ca).

Council is committed to ensuring that all people who speak in this chamber are treated in a fair and respectful manner. No form of discrimination is acceptable or tolerated. This includes discrimination because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or economic status. This Council chamber is a place where all human rights are respected and where we all take responsibility to create a safe, inclusive environment for everyone to participate.

Pages

A. APPROVAL OF AGENDA

\*B. POETRY READING

By Poet Laureate, John Barton

C. READING OF MINUTES

D. REQUESTS TO ADDRESS COUNCIL

\*D.1. Sean Kahil: Central Park

1

*Addendum: Presentation*

\*D.2. Withdrawn

~~Mark Cosgrove: Electoral Reform/Accountability/Councillor Salaries~~

D.3. Al Gallupe: Central Park Sheltering

D.4. Kate Holowatiuk: Canadian Union of Postal Workers - Delivering Community Power

11

D.5. Melanie Ransome: 2910 Shelbourne Project Follow-Up

\*D.6. Robin Bayley: Accessibility

*Addendum*

E. PROCLAMATIONS

## F. PUBLIC AND STATUTORY HEARINGS

Public and Statutory Hearings will be convened by electronic means as authorized by Ministerial Order No. M192:

"Local Government Meetings and Bylaw Process (COVID-19) Order No. 3"

To participate live at the hearing, phone 778-698-2440, participation code 1551794#

- You will be asked to state your name, and will then be placed on hold until it's your turn to speak.
- Please have your phone on mute or remain quiet when you join the call - any background noise or conversation will be heard in the live streamed meeting.
- When it is your turn to speak, staff will un-mute your call and announce the last 4 digits of your phone number.
- State your name, address and item you are speaking to.
- You will have 5 minutes to speak then will be cut off when the next speaker is connected.
- When speaking:
  - Using a 'speaker phone' is not recommended unless require by the user.
  - Turn off all audio from the meeting webcast.

For more information on Virtual Public Hearings, go

to: <https://www.victoria.ca/EN/meta/news/public-notice/virtual-public-hearings.html>

Please note that any videos you submit and the opinions you express orally will be webcast live and will be recorded to form a part of the public record. Correspondence you submit will form part of the public record and will be published on the agenda. Your phone number and email will not be included in the agenda. For more information on privacy and the FOIPPA Act please email [foi@victoria.ca](mailto:foi@victoria.ca).

### F.1. 1609 Fort Street: Development Permit with Variance Application No. 00148

14

*Council is considering an application to expand the existing liquor store with a variance for the additional floor area.*

#### F.1.a. Opportunity for Public Comment & Consideration of Approval

- Motion to approve development permit with variance

### F.2. 1035 Joan Crescent: Development Permit with Variance Application No. 00129

53

*Council is considering an application to build a semi-attached dwelling with a variance for the front yard setback.*



F.2.a. Opportunity for Public Comment & Consideration of Approval

- Motion to approve development permit with variance

G. REQUESTS TO ADDRESS COUNCIL

- \*G.1. Darrell Pfeifer: Electronic Bird Scaring Devices and the City of Victoria Noise Bylaw 149  
*Addendum*
- \*G.2. Josh Kube: The Proposal at Clover Point  
*Addendum*
- \*G.3. Andres Ocejio: Intern Design Options for Clover Park  
*Addendum*
- \*G.4. Jennifer Rebner: Reconsideration of Subdivision/Rezoning of 2700 Avebury Avenue 157  
*Addendum*
- \*G.5. Jean Anne Wightman: Reconsideration 2700 Avebury Small Lot Rezoning 167  
*Addendum*
- \*G.6. Linda Chang: Clover Point  
*Addendum*

H. UNFINISHED BUSINESS

I. REPORTS OF COMMITTEES

J. NOTICE OF MOTIONS

K. BYLAWS

L. CORRESPONDENCE

M. NEW BUSINESS

N. QUESTION PERIOD

O. ADJOURNMENT



North Park is largely made up of renters and low income families. Many rely on Central Park for their only access to free recreation, green space, and community gathering

#### Central Park is unsuitable for 7pm-7am or 24/7 sheltering

- No washrooms
- Annual flooding
- Bylaws do not result in a manageable number of structures
- Tiny Home Community and Arena already sheltering 75+
- North Park is already considered "green space deficient"



1

### Central Park floods every year and will continue to do so as weather events worsen



[2017 Geotechnical Study of Central Park](#) shows that Central Park is made up of

- topsoil, "sandy silt with fine to medium sand" described as "black, non-cohesive, moist and compact."
- "stiff to hard silty clay to clayey sand," "average natural water content from five samples was 23 percent."
- "very stiff to hard clayey sand and gravel"
- "soft to very soft gravelly clayey sand"
- bedrock



Yellow dot on flood zones map show where the tents above were located.

**Residents know that drainage in Central Park is very poor, and that the playing fields and grass areas of the park flood each year.**

2

We are not out of the rainy season yet. Allowing sheltering in Central Park again would inevitably lead to another emergency situation.

For those impacted by flooding, this has a significant effect on their health. For example, loss of warmth, mould accumulation, loss of belongings, immediate stress and the longer-term impact of relocation.

We are not out of the rainy season yet. **Allowing sheltering in Central Park again will inevitably lead to more flooding** resulting in decreased health for those sheltering and additional remediation.



These structures were not located in the "flood zones" indicated on slide 3.

They are on the berm along Pembroke and yet, they were also uninhabitable following the flooding.

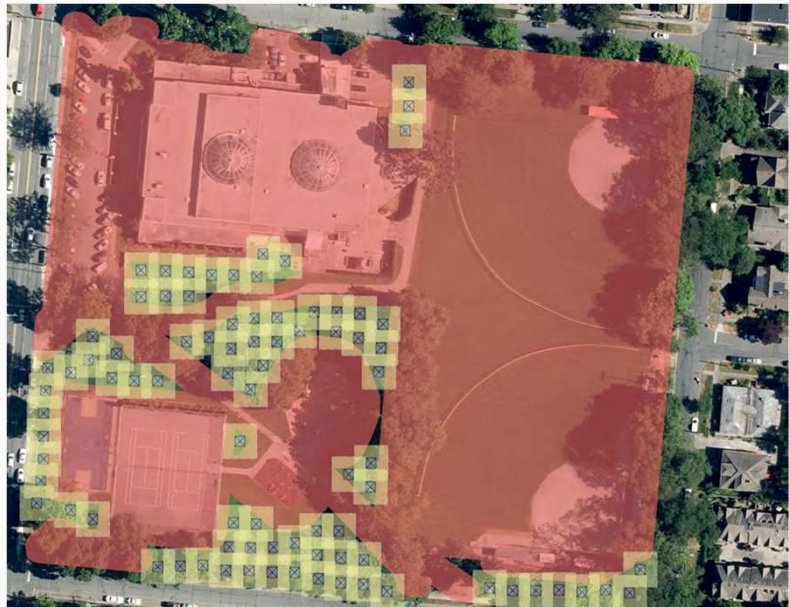
3

## Bylaws do not support a manageable number of structures in Central Park

The new and existing sheltering in parks bylaws do not result in a reasonable number of structures in Central Park. As demonstrated in this map, the **total number of permitted structures in Central Park would be 86.**

Furthermore, the bylaws prohibit sheltering on playing fields and hardscapes. This is not the primary value of Central Park. **Central Park is the backyard for people with no backyard.**

**The current bylaws push structures into the most socially important areas of the park, the lawn surrounding the playgrounds, under shady trees, where existing picnic tables are located.**



4



## There are no washroom facilities in Central Park

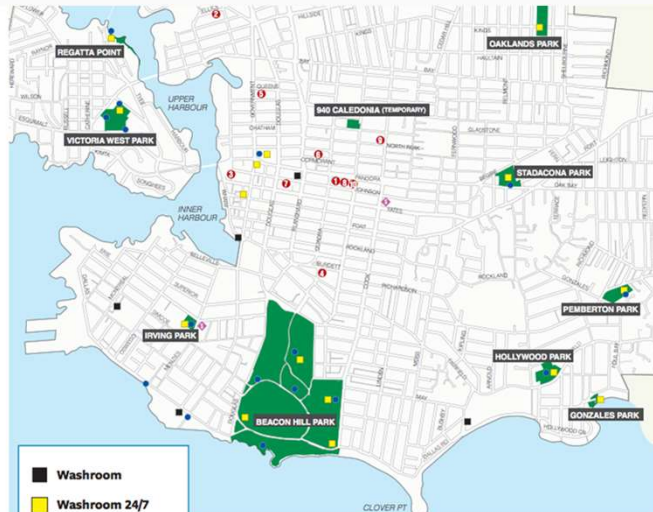
**There are no public washrooms in Central Park.**  
This is a previously established criteria for sheltering.

There are not even any public washroom facilities close to Central Park. This has led to many instances of human waste found on lawns and gardens of nearby housed residents.

Based on the [Environmental public health guidance for encampments during the COVID-19 pandemic](#) the minimum standards for hygiene are:

- one toilet per 20 persons
- one handwashing station per 15–20 persons

In 2020, the City of Victoria installed 4 portable washrooms and one handwashing station in Central Park. **These were cleaned and maintained at a cost of \$22k/month, and still this was not adequate.**



Yellow squares indicate 24/7 washroom facilities, closest is at Centennial Square. Note all 11 other parks have 24/7 washroom facilities.

5

## In order for the Arena and the Tiny Home Community to be successful and integrate into the community, Central Park must remain a community green space.

North Park is not saying “no” to sheltering in the community.

**We are saying “yes please” to locations that do not disproportionately affect already marginalized residents who rely on Central Park.**

In order for the Arena and the Tiny Home Community to be successful and integrate into the community, Central Park must remain a community green space.

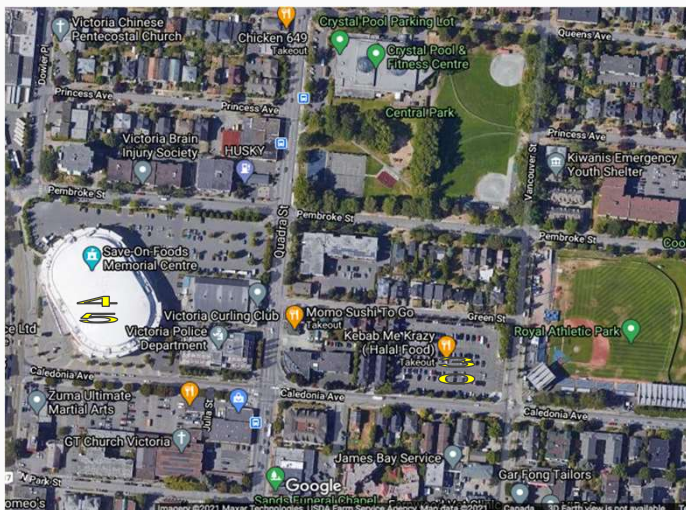
**North Park can not accommodate a third location for sheltering.**

Central Park has proven to be an unsuccessful location for sheltering.



6

North Park will be providing sheltering locations at the Tiny Home Community (30 beds) and Save on Foods Memorial Arena (45 beds)



Central Park is located within a block of two other locations where sheltering will be taking place.

- 45 beds at the Save on Foods Memorial Arena
- 30 shipping container tiny homes at Royal Athletic Park parking lot (940 Caledonia)

The NPNA has been clear that our support for both projects is contingent on Central Park being permanently removed from the list of parks where 7pm-7am or 24/7 sheltering is permitted.

7

North Park is already green space deficient, and equitable access to green space is incredibly important to North Park residents

According to the "[Community Values Survey](#)" conducted by the NPNA in October 2020

- 57% of respondents indicated that they feel that there is not enough access to green space
  - Respondents want to see community gardens, natural vegetation, open/flexible green space, shelters for gathering, and Indigenous cultural presence in parks
- 86% of respondents felt that Royal Athletic Park should be open for activities other than paid admission events
- 80% of respondents identified "Access to green space/parks" as the most important value to guide North Park development for the next 10-20 years

**North Park has been disproportionately impacted by homelessness and other social challenges. Sheltering in Central Park has, and would continue to have a larger impact on the neighbourhood and residents than in other neighbourhoods.**



June 2020 (top) August 2020 (bottom)

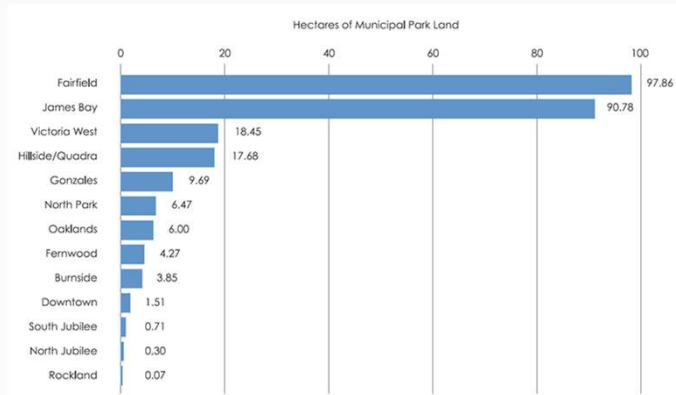
8

The amount of *accessible* green space to residents of North Park is **0.71ha/1000** residents, compared to Victoria average of 3.16/1000 residents

North Park has 6.47 hectares of municipal parkland. However, about half of that is made up of RAP.

If you include RAP there are 1.23 hectares of parkland/1000 residents. Once you remove RAP which is fenced off, and accessible only by paid admission, that decreases to **0.71ha/1000 residents**.

Compare this to the City average of 3.16ha/1000 residents.



9

Loss of use of remaining green space in Central Park disproportionately impacts the most marginalized residents in Victoria

The [October 2020 "Community Values Survey"](#) conducted by the NPNA identified that residents making less than **\$30k/year, refugees, immigrants, and racialized folks were the most likely to answer that there is not enough green space in the neighbourhood**. These groups are least likely to travel outside of the neighbourhood to access other areas of green space/parks.

Many residents in North Park live in multi-family buildings with no access to green space. Adequate and equitable access to public green space is important for the well-being of the community. In the 2012 OCP, two of the strategic directions for North Park were to "renew citywide recreational facilities," and create a new neighbourhood park (See proposed location at right).



Proposed Location of Additional Park in North Park, and existing Municipal Parks and Open Spaces in North Park.

10



The demographics of North Park support an equity centred decision that takes into account the disproportionate impact that sheltering in Central Park has on residents

The average resident in North Park is likely a **renter living in an 5+ storey apartment building**, who is more likely to use **transit** and is **less likely to own a car**. They are the most likely in Victoria to be **low income and financially vulnerable**. 15-30% of North Park residents live in **subsidized housing**, and nearly a quarter of North Park residents **live in poverty**. This is even higher for seniors and children (36% and 28%). Furthermore, North Park is already considered **green space deficient**. Despite several City owned facilities in North Park, there are no free to enter **community gathering spaces**.

In North Park, Harris Green, and Downtown

- 77% of residents are renters
- 57% of residents live in 5+ storey apartment buildings (highest in Victoria)
- 28% of households are considered low income (second highest in Victoria)
- 15-30% of households living in subsidized housing (versus less than 15%, City average)
- 21% of households identify as immigrants (3rd highest in Victoria)
- 4% of households are recent immigrants
- 5% of households identify as Indigenous
- 28% of children (0-17) live in poverty
- 23% of adults (18-64) live in poverty
- 36% of seniors (65+) live in poverty

11

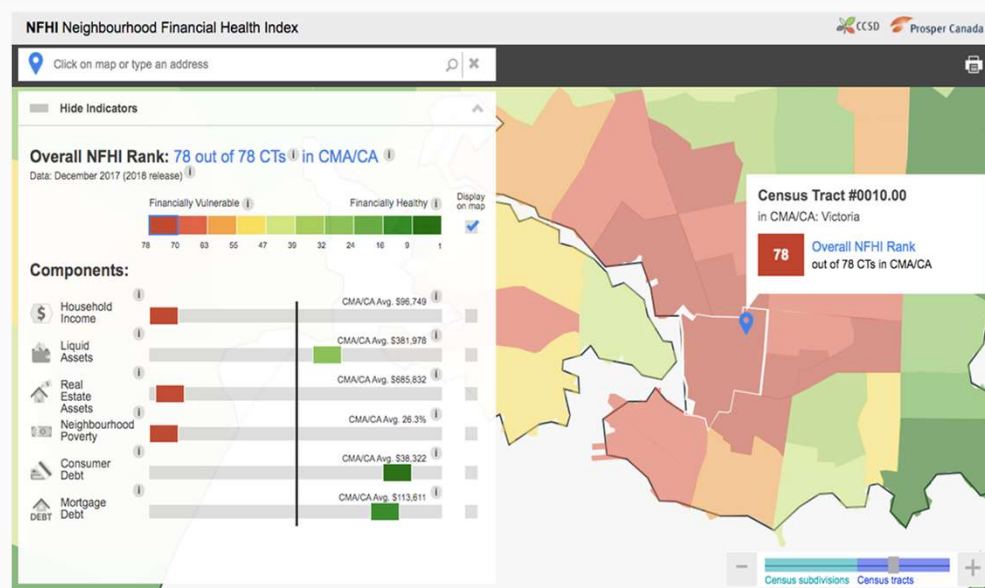
## North Park compared to City of Victoria average

The demographics of North Park support an **equity centred decision** that takes into account the **disproportionate impact that sheltering in Central Park has on residents** who do not have the resources or opportunity to seek out green space or recreation options in other neighbourhoods.

North Park	City of Victoria
Renters: <b>77%</b>	Renters: <b>60%</b>
<b>57%</b> of residents in 5+ storey apartment building	<b>18%</b> of residents in 5+ storey apartment building
<b>28%</b> of households are low income	<b>15%</b> of households are low income
<b>15-30%</b> of households live in subsidized housing	<b>Less than 15%</b> of households live in subsidized housing

12

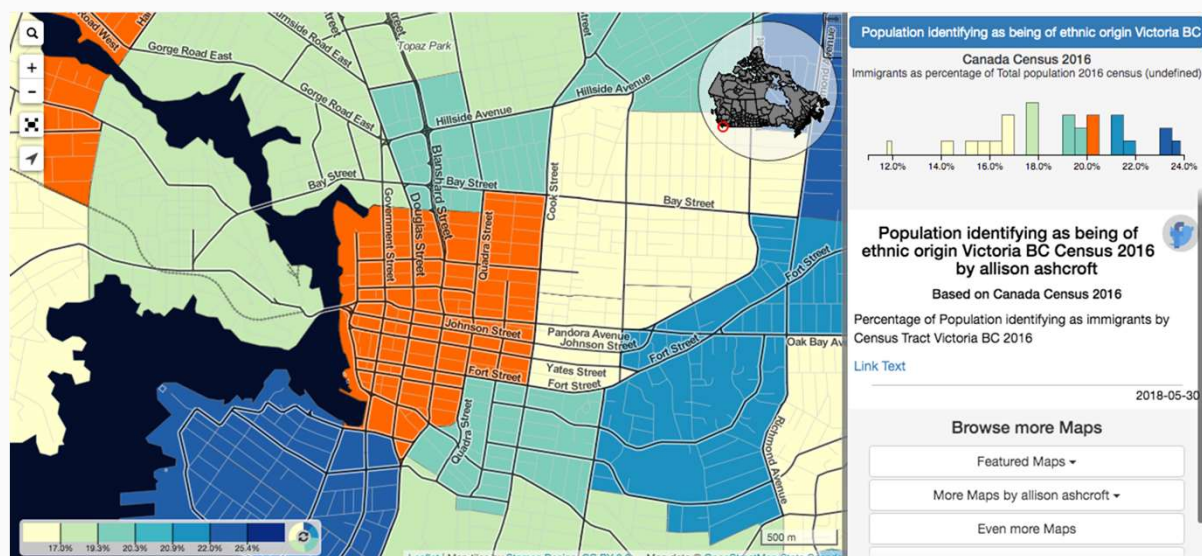
## Financial vulnerability of residents in North Park



**North Park is ranked 78 out of 78** for the most financially vulnerable neighbourhood in the CRD according to Prosper Canada's National Financial Health Index, a composite index of household financial health at the neighbourhood level.  
<https://communitydata.ca/NFHI/>

13

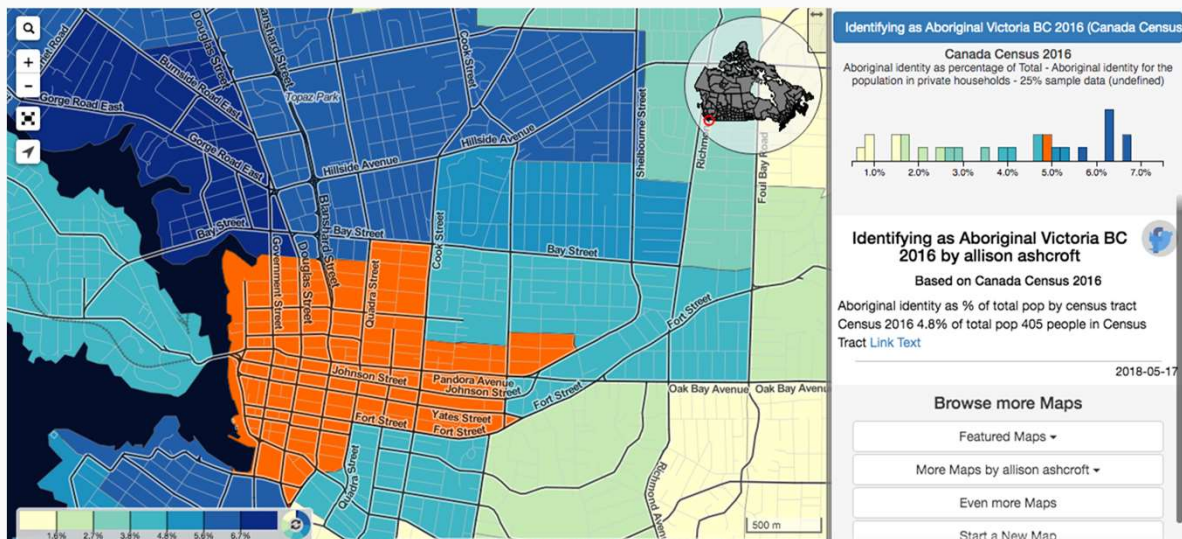
## 21% of households identify as being an immigrant (3rd highest in Victoria)



14



## 5% of households identify as Indigenous



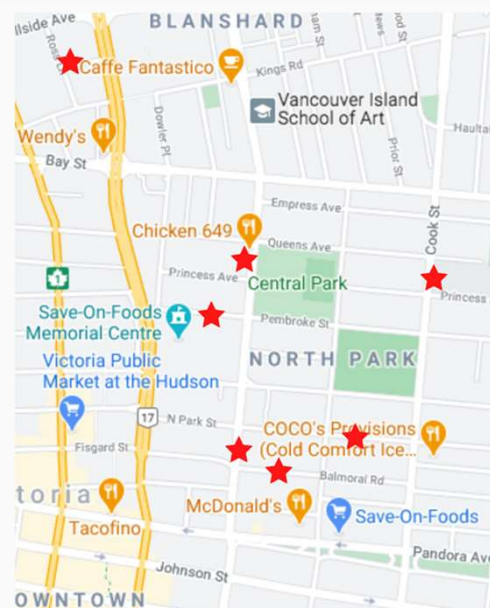
15

## Central Park is used by many community groups who rely on this centrally located green space

Stars represent:

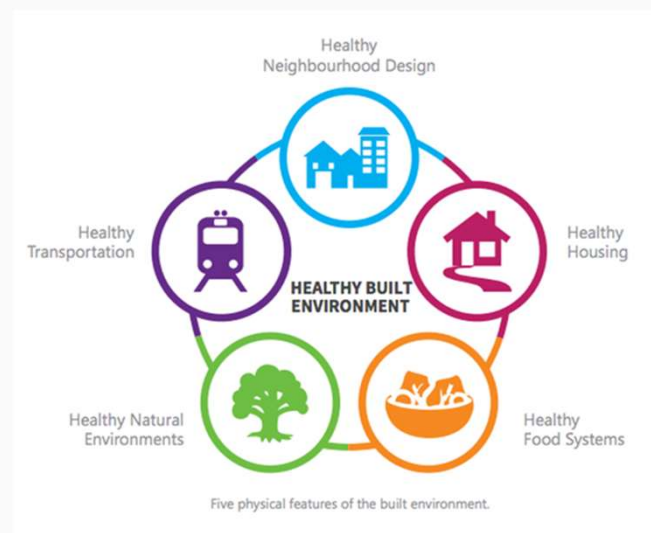
- Masjid Al-Iman Mosque,
- Inter-Cultural Association,
- Victoria Immigrant Refugee Centre,
- Bayanihan Filipino Community Centre,
- George Jay Elementary School,
- Quadra Village Community Centre,
- Victoria Brain Injury Society.

Central Park is also used by the City of Victoria for summer camps, and out-of-school care.



16

Studies shows that green space provides greater health benefits to lower socioeconomic status individuals and groups than to the general population



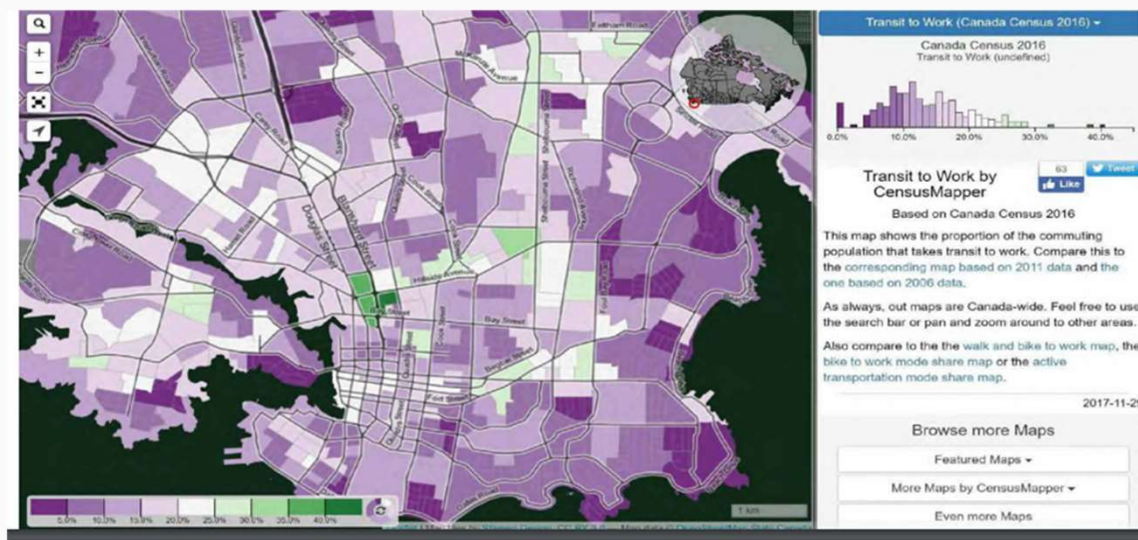
There is consistent evidence that **green space provides greater health benefits to lower socioeconomic status individuals and groups than to the general population**

- Strong positive associations between green space and healthy birth outcomes among mothers of lower socioeconomic status.
- Green space may decrease the effect of income deprivation on all-cause and cardiovascular mortality
- Associations between green space and reduced mortality are strongest in socioeconomically deprived neighbourhoods, and cannot be explained by increased physical activity

[Supporting Health Equity Through the Built Environment: BC Centre for Disease Control](#)

17

Map shows proportion of households that take transit to work, possibly indicating no household vehicle ownership and/or lower disposable income



18

## Admission costs for City owned recreation facilities in North Park

### Public Amenities



### Cost of admission for a family of four

Crystal Pool: \$12.25 (family swim)

Save on Foods Memorial Arena: \$11.45  
(plus skate and helmet rental)

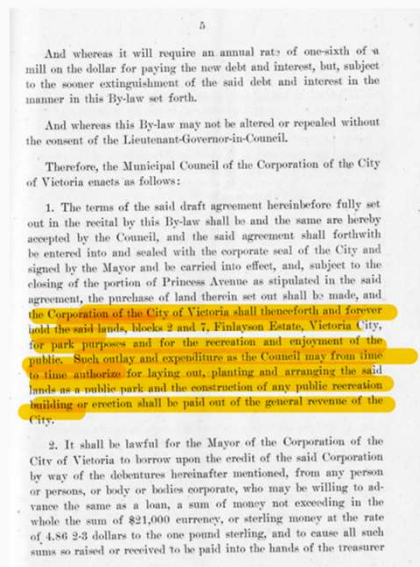
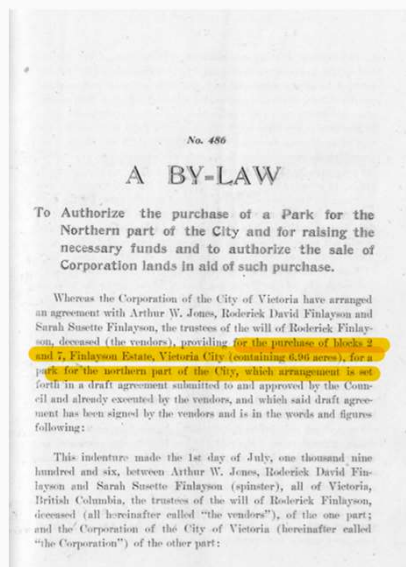
Royal Athletic Park: \$44  
(HarbourCats general admission for 2 adults and 2 children)

Despite being home to several City owned recreation facilities, **none of these facilities are free** to enter making Central Park even more important for North Park residents, many of whom are low income and do not have a backyard of their own.

19

## Central Park Land Covenant dictates that Central Park is to be used exclusively for "recreation and enjoyment of the public" in perpetuity

A land covenant applies to Central Park that stipulates that the "City of Victoria shall thenceforth and forever hold the said lands [Central Park] for park purposes and for the **recreation and enjoyment of the public**" in perpetuity.



20



## SUPPORT DELIVERING COMMUNITY POWER

**Whereas** there is an urgent need for banking services among the unbanked or underbanked, given that thousands of villages and rural municipalities do not have a bank branch and more than 900 municipalities have expressed their support for postal banking;

**Whereas** thousands of Canadians do not have access to affordable high-speed Internet, and the federal government has long promised to bridge the rural broadband gap;

**Whereas** urgent action is needed to establish a robust network of electric vehicle charging stations;

**Whereas** to achieve carbon-neutral targets by 2050, Canada Post must greatly accelerate the electrification of its fleet;

**Whereas** the extensive network of post offices in our communities can provide a wide range of services as community hubs;

**Whereas** Canada Post's letter carriers and RSMCs can check-in on vulnerable residents to help keep us in our homes longer as we age;

**Whereas** Canada Post must play its part for a more equitable post-pandemic recovery;

**Whereas** “The Way Forward for Canada Post,” the report of the 2016 federal public review of the postal service, recommended that Canada Post expand services and adapt its services to the changing needs of the public;

**Whereas** the Canadian Union of Postal Workers has advanced *Delivering Community Power*, a vision of the post-carbon digital-age postal service that address the above needs and more;

**Be it resolved that** \_\_\_\_\_ endorse *Delivering Community Power*, and write to the Honourable Anita Anand, Minister for Public Services and Procurement, with its rationale and a copy of this resolution.

February 12, 2021

**Subject: Request for Support for Delivering Community Power**

Dear Municipal Leaders,

In 2016, the Canadian Union of Postal Workers, with a coalition of allies, launched [Delivering Community Power](#) – a visionary program for Canada Post to confront climate change, promote better access to expanded services, bring financial inclusion to unbanked and underbanked communities, and address other social inequalities – all by making the most of our existing public postal service network.

Today, while progress has been made on many of the initiatives in the vision, the situation has become more urgent. Effects of climate change are deadly and are affecting nearly every part of society all around the world. The COVID-19 pandemic has revealed the need for a more equal, more resilient society that prioritizes the health of our most vulnerable neighbours and loved ones, *before* profit. We are relying more than ever on the internet to connect people and to do our business, but rural residents are getting second-class service.

The continuing decline of letters combined with a dramatic rise in parcels from e-commerce makes it plain to see: the postal service has to adapt to a new reality. This is a great opportunity to address multiple problems at once, with a valued public infrastructure that connects everyone in their own community.

Please consider proposing the attached resolution to have your municipality endorse the campaign for expanded services, financial viability, climate action, and – all through leveraging our public postal system. The time is now!

Thank you for your support!



Jan Simpson  
National President  
Canadian Union of Postal Workers

//dn cope 225

## MAILING INFORMATION

Please send your resolution to: Anita Anand, Minister of Public Services and Procurement, Rm 18A1, 11 Laurier Street Phase III, Place du Portage, Gatineau, QC, K1A 0S5

Please send copies of your resolution to:

Jan Simpson, President, Canadian Union of Postal Workers, 377 Bank Street, Ottawa, Ontario, K2P 1Y3

Your Member of Parliament. You can get your MP's name, phone number and address by calling 1-800 463-6868 (at no charge) or going to the Parliament of Canada website: <https://www.ourcommons.ca/Members/en>

*Please save this document using the name of your organization or municipality in the document's name.*

//dn cope 225

**F.1.a.b 1609 Fort Street: Development Permit with Variances  
Application No. 00148 (South Jubilee)**

**Moved By** Councillor Alto

**Seconded By** Councillor Thornton-Joe

Staff recommend that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00148 for 1609 Fort Street, in accordance with:

1. Plans date stamped December 21, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. Increase the maximum total floor area for liquor retail sales from 241.00 m<sup>2</sup> to 327.00 m<sup>2</sup>.
3. The Development Permit lapsing two years from the date of this resolution.”

**CARRIED UNANIMOUSLY**

**E.2     1609 Fort Street: Development Permit with Variances Application No. 00148 (South Jubilee)**

Committee received a report dated December 31, 2020 from the Director of Sustainable Planning and Community Development regarding a Development Permit with Variance Application for the property located at 1609 Fort Street in order to expand the current liquor store within the existing building.

*Committee discussed:*

- *Concerns with the loss of a storefront in the building.*

**Moved By** Councillor Alto

**Seconded By** Councillor Potts

Staff recommend that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00148 for 1609 Fort Street, in accordance with:

1. Plans date stamped December 21, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances: Increase the maximum total floor area for liquor retail sales from 241.00 m<sup>2</sup> to 327.00 m<sup>2</sup>.
  - i. Increase the maximum total floor area for liquor retail sales from 241.00 m<sup>2</sup> to 327.00 m<sup>2</sup>.
3. The Development Permit lapsing two years from the date of this resolution.”

FOR (8): Mayor Helps, Councillor Alto, Councillor Andrew, Councillor Dubow, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, and Councillor Young

OPPOSED (1): Councillor Isitt

**CARRIED (8 to 1)**





## Committee of the Whole Report

### For the Meeting of January 14, 2021

---

**To:** Committee of the Whole **Date:** December 31, 2020

**From:** Karen Hoese, Director, Sustainable Planning and Community Development

**Subject:** **Development Permit with Variances Application No. 00148 for 1609 Fort Street**

---

### RECOMMENDATION

Staff recommend that Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00148 for 1609 Fort Street, in accordance with:

1. Plans date stamped December 21, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Increase the maximum total floor area for liquor retail sales from 241.00m<sup>2</sup> to 327.00m<sup>2</sup>.
3. The Development Permit lapsing two years from the date of this resolution."

### LEGISLATIVE AUTHORITY

In accordance with Section 489 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 491 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, and the 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 Variance Application for the property located at 1609 Fort Street. The proposal is to expand the current liquor store within the existing building. The variance is related to increasing the floor area of a liquor retail store above the maximum permitted in the zone.

The following points were considered in assessing this Application:

- The subject property is within Development Permit Area 5: Large Urban Village. The applicable design guidelines are the *Oak Bay Avenue Land Use and Design Guidelines (2001)*. There are changes proposed to the openings on the exterior of the building along Fort Street, and to materials
- The proposal is generally consistent with the *Liquor Retail Store Rezoning Policy*, which notes that stores larger than 275m<sup>2</sup> are to be considered on a case-by-case basis. The proposal is to increase the liquor store size from 241.00m<sup>2</sup> to 327.00m<sup>2</sup> to accommodate more retail space, offices, staff room and storage.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to expand the existing liquor retail store. Minor exterior changes to the building are also proposed. Specific details include:

- changing a door to a window on the Fort Street side
- adding accent wood cladding.

The proposed variances are related to the increase in maximum floor area of a liquor retail store from 241.00m<sup>2</sup> to 327.00m<sup>2</sup>. The interior liquor retail store would be expanded into another retail unit and would accommodate retail space, administration function, a small staff room and storage. Associated signage will be handled at a later date as part of a Sign Permit.

### **Sustainability**

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

### **Land Use Context**

The Fort Street and Oak Bay Avenue intersection is within the Stadacona Large Urban Village as identified in the *Official Community Plan*, and has a mix of commercial, mixed-use, and multi-unit buildings. There is a long-term care home located at 1650 Fort Street.

### **Public Realm**

No public realm improvements beyond City standard requirements are proposed in association with this Development Permit Application.

### **Accessibility**

*The British Columbia Building Code* regulates accessibility as it pertains to buildings.

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

The site is presently a two-storey commercial building. Under the current C1-J Zone, Limited Commercial Junction District, the property could be developed at a density of 0.55 to 1.0 Floor Space Ratio (FSR) and with the uses proposed; however, it could also be developed to accommodate retail, offices, restaurant, and residential mixed-use.

## Data Table

The following data table compares the proposal with the existing C1-J Zone, Limited Commercial Junction District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	Existing C1-J Zone
Site Area (m <sup>2</sup> )	1614.90	n/a
Total Floor Area (m <sup>2</sup> ) - maximum	existing	n/a
Floor Space Ratio	0.50	0.55
Liquor Retail Store Floor Area (m <sup>2</sup> ) – maximum	<b>327.00*</b>	241.00
Parking – minimum	20	19

## Relevant History

Rezoning and Development Permit Applications were approved May 28, 2015, to permit a Liquor Retail Store with a maximum floor area of 241.00m<sup>2</sup>. A Delegated Development Permit was approved December 8<sup>th</sup>, 2020 to enclose the balconies on the second storey in order to expand office space, as well as, replace exterior materials. As this is an existing building and the expansion was less than 100m<sup>2</sup> and changes met the design guidelines, the application was delegated to staff.

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on June 8, 2020 the application was referred for a 30-day comment period to the South Jubilee CALUC. At the time of writing this report, a letter from the CALUC had not been received.

Consistent with the *Liquor Retail Store Rezoning Policy*, the application was referred to School District No. 61 and the Victoria Police Department on July 3, 2020. No comments from the School District have been received at the time of writing this report. A letter dated November 24, 2020 was received from Victoria Police Department which stated they do not have further comments regarding this application.

Consistent with the Policy, the applicant also petitioned residents and owners of neighbouring lots as to the acceptability of the application. The petition and results are attached to this report.

Consistent with the Policy, a letter of preliminary approval from the Province of BC, Liquor and Cannabis Regulation Branch, has been obtained and 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**

### **Official Community Plan (OCP)**

The *Official Community Plan* (OCP) identifies this property within DPA 5: Large Urban Villages. The OCP supports liquor stores within Large Urban Villages to provide a range of commercial and community services. Within this DPA, the Oak Bay Village Design Guidelines apply. The proposal is generally consistent with the Guidelines in terms of revitalizing existing buildings, creating a coordinated approach to design and using 'traditional' building materials. Minor changes are proposed to the exterior, such as removing a door on the corner on the Fort Street elevation and adding windows and adding wood cladding. The building will also be repainted.

Other changes to the building were approved as part of a Delegated Development Permit (DDP) application and further detail can be found in the Relevant History section of this report. The proposed building plans show the building with all the changes, both those approved as part of the DDP application and this DPV application.

### **Local Area Plan – Jubilee Neighbourhood Plan**

The *Jubilee Neighbourhood Plan* envisions the area as needing physical improvements to reinforce the neighbourhood commercial areas as vibrant, pedestrian oriented places for local shopping and services. This is an important entry point to the neighbourhood as it's at the corner of two major roads, Fort Street and Oak Bay Avenue, and the proposed changes will help revitalize this building.

### **Liquor Retail Store Rezoning Policy**

Although not strictly applicable to a Development Permit with Variance Application, staff used the *Liquor Retail Stores Rezoning Policy* to assess the application. The application meets most of the goals of the policy, including locating in an existing liquor retail location, distance from a school and minimum parking requirements. The proposal also revitalizes an existing shop frontage. Finally, the proposal notes that liquor retail stores in excess of 275m<sup>2</sup> are to be considered on a case-by-case basis. In this instance, the store is existing and within a Large Urban Village, which supports ground-oriented commercial uses. Therefore, staff believe a larger liquor retail store is supportable.

### **Tree Preservation Bylaw and Urban Forest Master Plan**

There are no *Tree Preservation Bylaw* impacts with this application. Two Bylaw protected trees are located off site, and tree protection measures will be in place at the Building Permit stage.

### **Statutory Right of Way**

Staff requested statutory right-of-ways (SRW) as part of this application; however, the owner does not wish to provide these at this time, but would consider it if there is a future overall redevelopment proposal.

Fort Street is classified as an arterial street. The standard right-of-way for an arterial street is 30.0m, however future transportation-related needs on the Fort Street corridor can be met in a right-of-way width of 28.53m. To help achieve this minimum width on this portion of Fort Street, a SRW of 2.743m was requested. Fort Street has been identified as part of the All Ages and Abilities (AAA) Bicycle Network and is a corridor that would benefit from the inclusion of protected cycling facilities. Fort Street would also benefit from enhanced pedestrian amenities and a treed boulevard.

Oak Bay Avenue is classified as a secondary arterial street. The standard right-of-way for a secondary arterial street is 25.0m, however future transportation-related needs on the Oak Bay Avenue corridor can be met in a right-of-way width of 23.89m. To help achieve this minimum width on this portion of Oak Bay Avenue, a SRW of 2.15m was requested. Oak Bay Avenue has been identified as part of the cities all ages and abilities cycling network and would benefit from enhanced pedestrian amenities, protected bike lanes, and a treed boulevard.

### **Regulatory Considerations**

A variance is proposed to increase the floor area for a liquor retail from 241.00m<sup>2</sup> to 327.00m<sup>2</sup>. This is supportable given it is an existing liquor store that is expanding within the building.

### **CONCLUSIONS**

The proposal to relocate and expand the existing liquor store 1609 Fort Street would improve an existing commercial building and bring activity to a currently vacant store front. In this instance, a liquor retail store larger than 275m<sup>2</sup> in the *Liquor Retail Policy* is considered acceptable due to the location of the property on a prominent corner within an existing building in the Large Urban Village designation and meeting the advisory policies found within the *Liquor Retail Store Rezoning Policy*. Staff therefore recommend that Council consider supporting the application.

### **ALTERNATE MOTION**

That Council decline Development Permit with Variance Application No. 00148 for the property located at 1609 Fort Street.

Respectfully submitted,

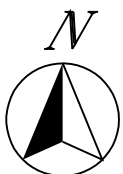
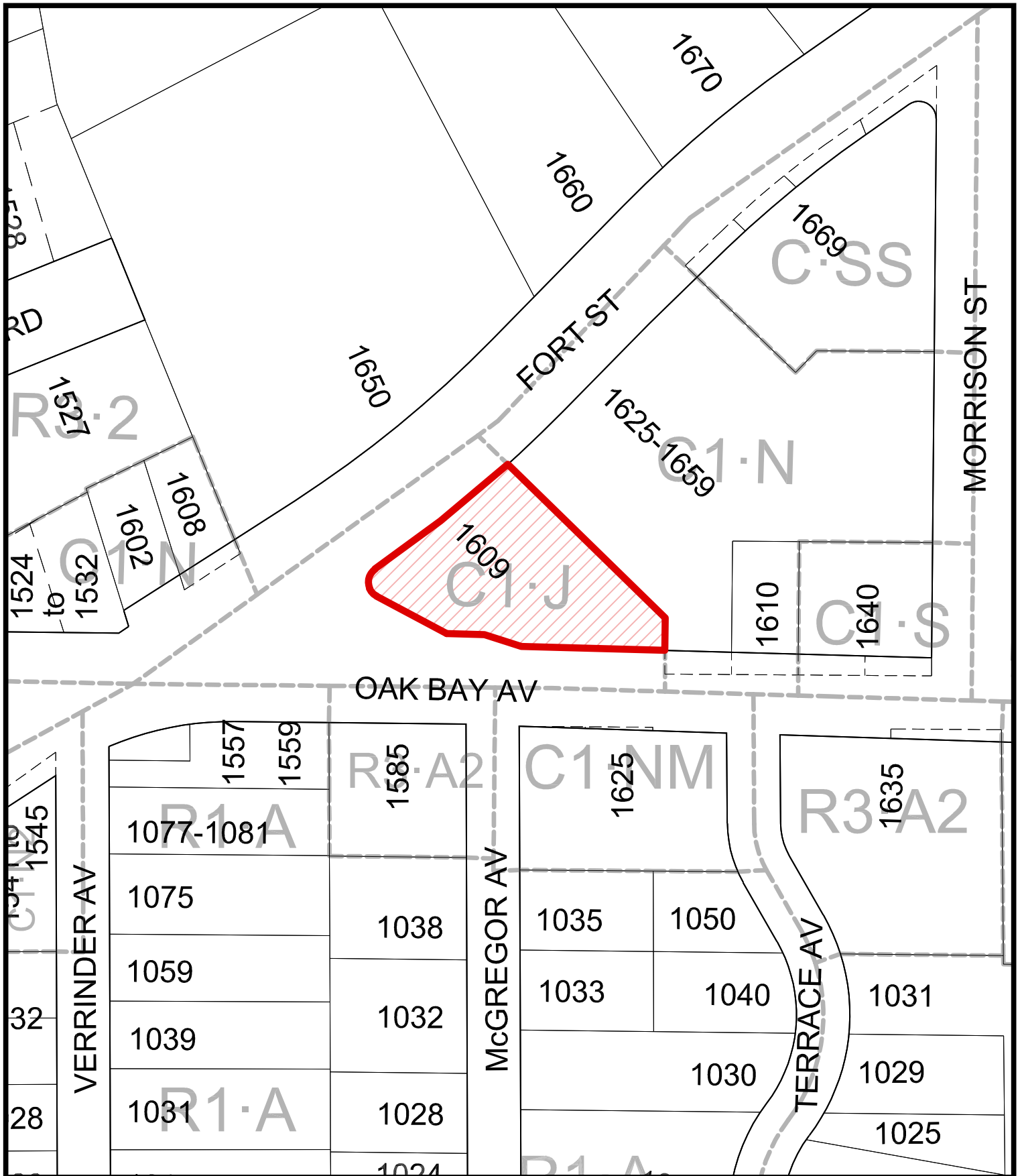
Chelsea Medd  
Planner  
Development Services

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

### **List of Attachments**

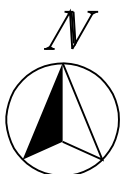
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped December 21, 2020
- Attachment D: Letter from applicant to Mayor and Council dated November 3, 2020
- Attachment E: Letter of Plan Approval in Principal from Province of BC, Liquor and Cannabis Regulation Branch dated July 28, 2020
- Attachment F: Petitions and Summary
- Attachment G: Referral Response from Victoria Police Department dated November 24, 2020



1609 Fort Street  
Development Permit with Variance No.00148







1609 Fort Street  
Development Permit with Variance No.00148







EXISTING SITE LOCATION



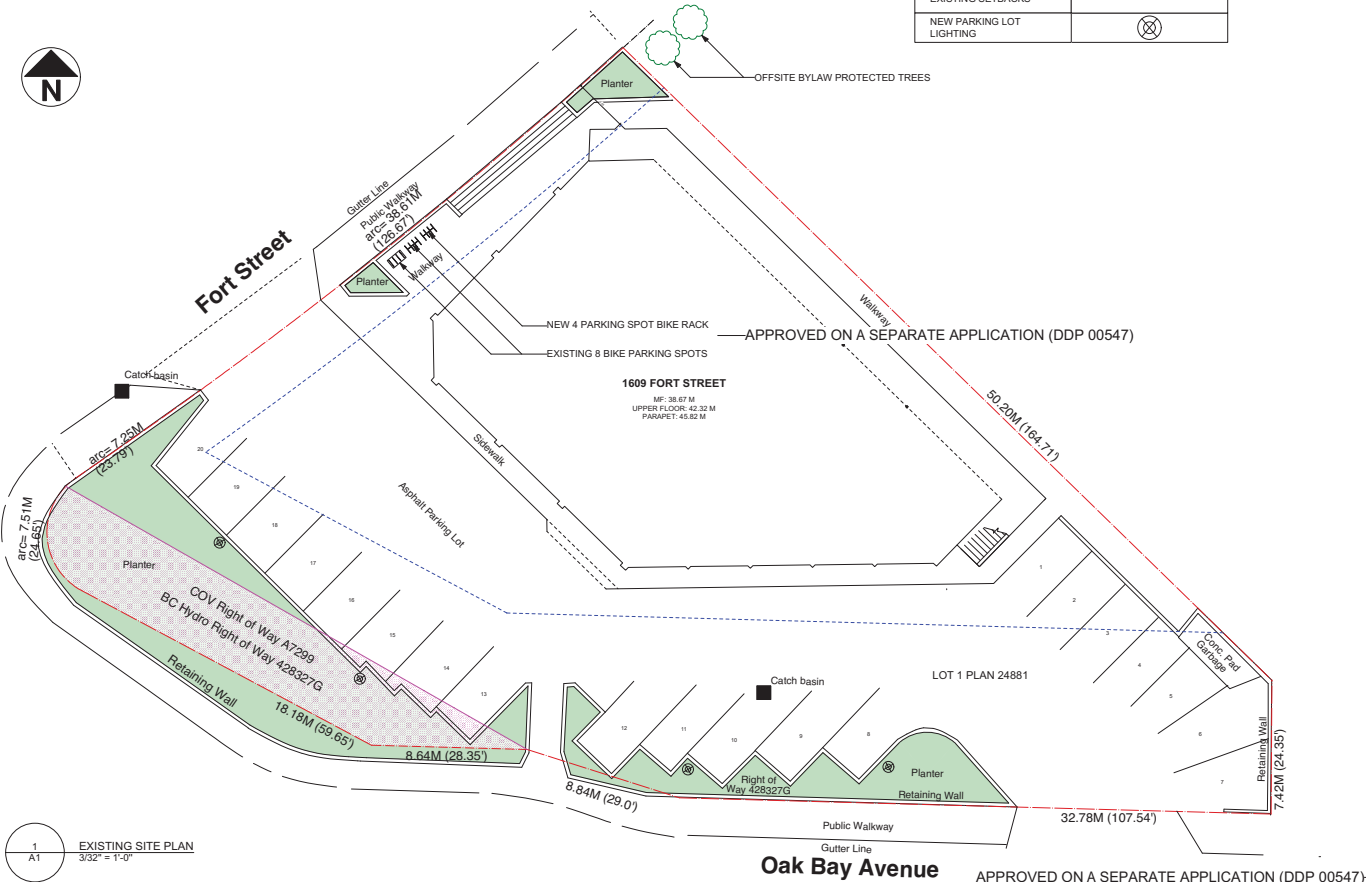
EXISTING BUILDING - FORT STREET



EXISTING BUILDING - OAK BAY AVENUE

DRAWING LEGEND	
EXISTING PROPERTY LINE	---
EXISTING SETBACKS	---
NEW PARKING LOT LIGHTING	⊗

ZONING DATA TABLE					
	ZONE STANDARD	PROPOSAL (IF DIFFERENT FROM ZONE STANDARD)			
ZONING	C1-J ZONE, LIMITED COMMERCIAL JUNCTION DISTRICT	-			
SITE AREA (m2)	NOT MENTIONED IN ZONE STANDARD	1614.9 sqm			
TOTAL FLOOR AREA (m2)	TOTAL ALLOWABLE IS 888.2 sqm	EXISTING: 755.2 sqm EXPANSION: 91.1 sqm TOTAL: 886.3 sqm			
FLOOR SPACE RATIO	0.55 TO 1	0.549 TO 1			
SITE COVERAGE %	SHALL NOT EXCEED 30%	28.7%			
OPEN SITE SPACE %	NOT MENTIONED IN ZONE STANDARD	14.15%			
HEIGHT (m)	SHALL NOT EXCEED 8 m	7.15 m TO PARAPET			
NUMBER OF STOREYS	NOT MENTIONED IN ZONE STANDARD	2 STOREYS			
PARKING STALLS (NUMBER) ON SITE	SHALL BE PROVIDED IN ACCORDANCE WITH SCHEDULE 'C' - 18 REQUIRED	20 PARKING STALLS PROVIDED ON SITE			
BUILDING SETBACK (m)					
OAK BAY AVENUE	10.6 m	-			
FORT STREET	3 m	-			
INTERSECTION OF OAK BAY AVE AND FORT STREET	10.6 m	-			
VEHICLE PARKING REQUIREMENTS (BASED ON CITY OF VICTORIA SCHEDULE C)					
BUSINESS	USE	AREA (sqm)	SCHEDULE C CALCULATION	TOTAL SPACES REQUIRED	
SECOND FLOOR OFFICE SPACE	OFFICE	432.5	1 SPACES PER 55 sqm	7.9 (8)	
DRAGON GATE RESTAURANT	RESTUARANT	126.8	1 SPACES PER 25 sqm	5.1 (5)	
VESSEL LIQUOR STORE	RETAIL	240.8	1 SPACES PER 50 sqm	4.8 (5)	
MONEY MART	FINANCIAL SERVICE	86.2	1 SPACES PER 40 sqm	2.1 (2)	
20 PARKING SPOTS ARE REQUIRED, 20 PARKING SPOTS ARE PROVIDED					
BIKE PARKING REQUIREMENTS					
BUSINESS	USE	AREA (sqm)	LONG TERM CALCULATION	SHORT TERM CALCULATION	TOTAL SPACES REQUIRED
2ND FLOOR OFFICE SPACE	OFFICE	432.5	0 SPACES PER DDP 00547	1 SPACES PER 400 sqm = 1.1	1
DRAGON GATE RESTAURANT	RESTAURANT	126.8	0 SPACES (existing building)	1 SPACES PER 100 sqm = 1.3	1.3 (1)
VESSEL LIQUOR STORE	RETAIL	240.8	0 SPACES (existing building)	1 SPACES PER 200 sqm = 1.2	1.2 (1)
MONEY MART	FINANCIAL SERVICE	86.2	0 SPACES (existing building)	1 SPACES PER 200 sqm = 0.4	0.4 (1)
4 BIKE PARKING SPOTS ARE REQUIRED 8 SHORT TERM BIKE SPOTS ARE EXISTING & 4 MORE SPOTS WERE PROVIDED ON DDP 00547 IN LIEU OF 1 LONG TERM BIKE PARKING SPACE (12 TOTAL)					



PROJECT:  
**VESSEL LIQUOR STORE DVP**

PROJECT ADDRESS:  
1609 FORT STREET  
VICTORIA, BC

CLIENT:  
**VESSEL LIQUOR STORE**

**steller**  
ARCHITECTURAL  
CONSULTING  
214-6122 Commercial Drive  
Victoria BC V8M 1K6  
(250) 380-3876

**Revisions**  
Received Date:  
**December 21, 2020**

ISSUED FOR: DATE:

REVISION NO.: DATE:

1	AUG 19, 2020
2	NOV 12, 2020
3	DEC 21, 2020

SAC PROJECT NO.:  
**VES-01-19**

DRAWN BY:  
**SL**

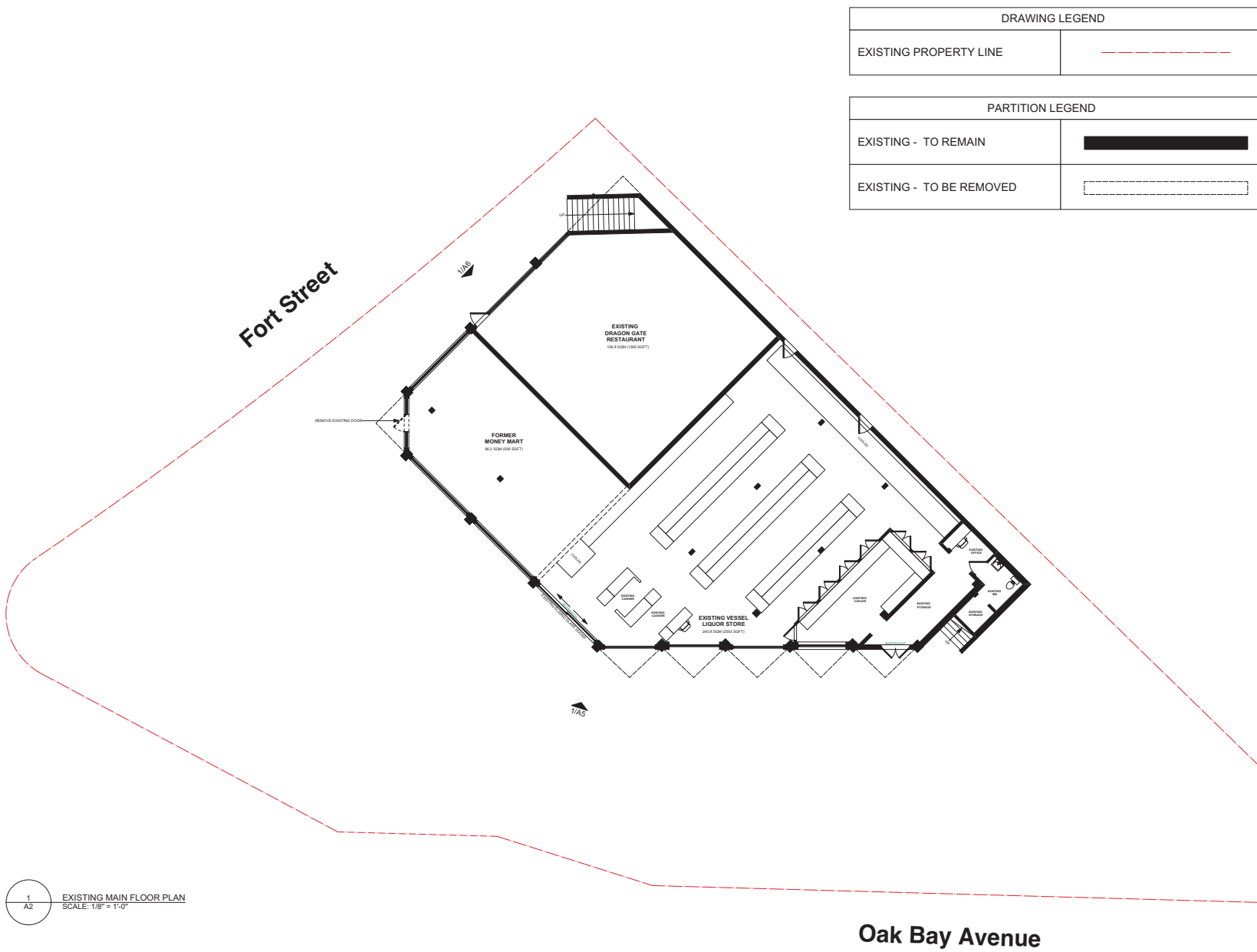
DATE:  
**DECEMBER 21, 2020**

SCALE:  
**AS NOTED**

DRAWING TITLE:  
**SITE PLAN**

DRAWING NUMBER:  
**A1**





DRAWING LEGEND	
EXISTING PROPERTY LINE	
PARTITION LEGEND	
EXISTING - TO REMAIN	
EXISTING - TO BE REMOVED	



1  
A2  
EXISTING MAIN FLOOR PLAN  
SCALE: 1/8" = 1'-0"

PROJECT:

VESEL LIQUOR STORE DVP

PROJECT ADDRESS:

1609 FORT STREET  
VICTORIA, BC

CLIENT:

VESEL LIQUOR STORE

ISSUED FOR:

DATE:

REVISION NO.:

DATE:

1

AUG 19, 2020

2

NOV 12, 2020

3

DEC 21, 2020

SAC PROJECT NO.:

VES-01-19

DRAWN BY:

SL

DATE:

DECEMBER 21, 2020

SCALE:

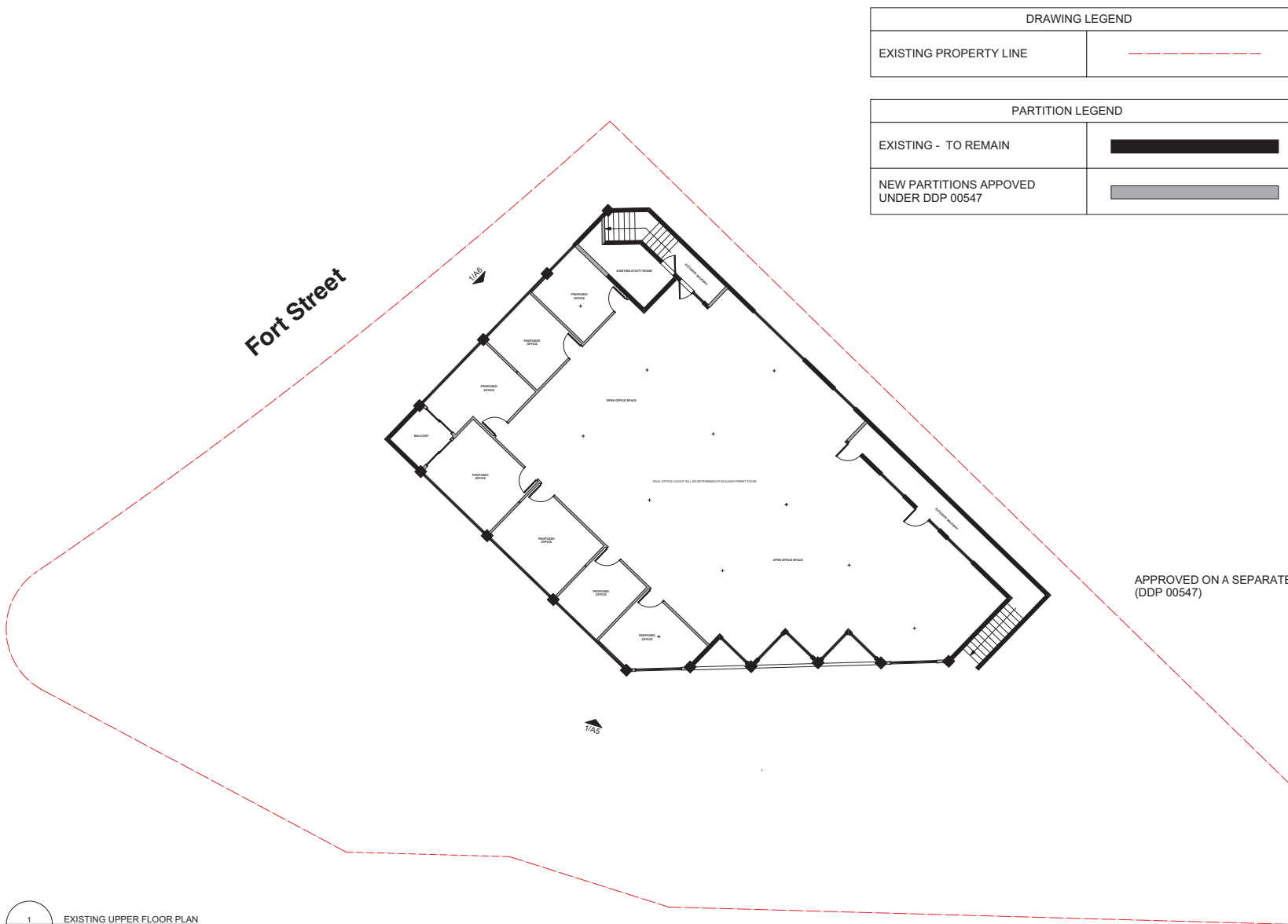
AS NOTED

DRAWING TITLE:

EXISTING MAIN FLOOR PLAN

DRAWING NUMBER:

A2



DRAWING LEGEND	
EXISTING PROPERTY LINE	

PARTITION LEGEND	
EXISTING - TO REMAIN	
NEW PARTITIONS APPROVED UNDER DDP 00547	



APPROVED ON A SEPARATE APPLICATION  
(DDP 00547)

1  
A3  
EXISTING UPPER FLOOR PLAN  
SCALE: 1/8" = 1'-0"

PROJECT:

VESEL LIQUOR STORE DVP

PROJECT ADDRESS:

1609 FORT STREET  
VICTORIA, BC

CLIENT:

VESEL LIQUOR STORE

ISSUED FOR:

DATE:

REVISION NO.:

DATE:

1

AUG 19, 2020

2

NOV 12, 2020

3

DEC 21, 2020

SAC PROJECT NO.:

VES-01-19

DRAWN BY:

SL

DATE:

DECEMBER 18, 2020

SCALE:

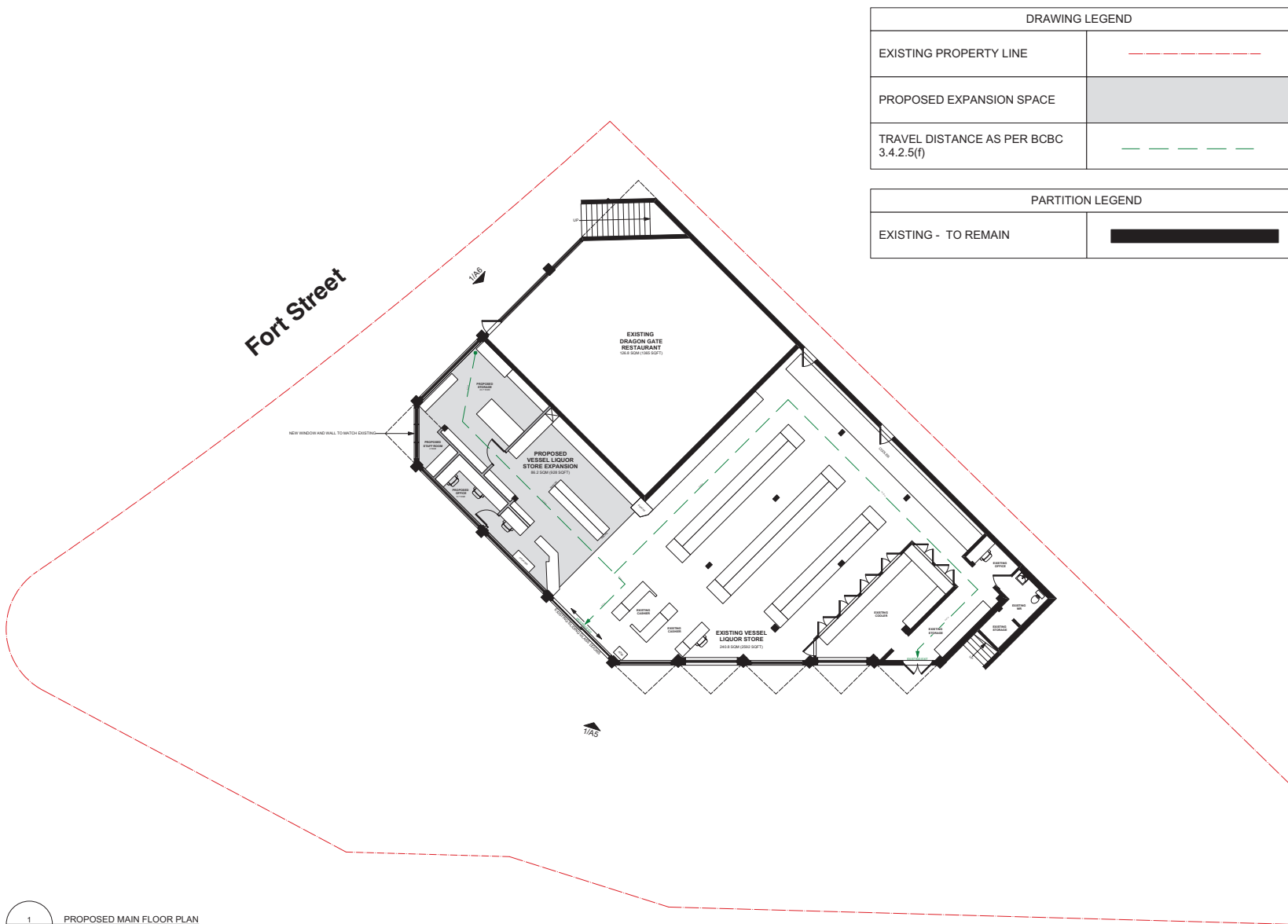
AS NOTED

DRAWING TITLE:

EXISTING UPPER FLOOR PLAN

DRAWING NUMBER:

A3



DRAWING LEGEND	
EXISTING PROPERTY LINE	---
PROPOSED EXPANSION SPACE	
TRAVEL DISTANCE AS PER BCBC 3.4.2.5(f)	---

PARTITION LEGEND	
EXISTING - TO REMAIN	



1  
A4  
PROPOSED MAIN FLOOR PLAN  
SCALE: 1/8" = 1'-0"

PROJECT:  
**VESSEL LIQUOR STORE DVP**

PROJECT ADDRESS:  
1609 FORT STREET  
VICTORIA, BC

CLIENT:  
**VESSEL LIQUOR STORE**

**steller**  
ARCHITECTURAL  
CONSULTING  
214-452 Commerce Court  
Victoria, BC V8M 1K6  
250-250-0070

ISSUED FOR:	DATE:
REVISION NO.:	DATE:
1	AUG 19, 2020
2	NOV 12, 2020
3	DEC 21, 2020
SAC PROJECT NO.:	VES-01-19
DRAWN BY:	SL
DATE:	DECEMBER 21, 2020
SCALE:	AS NOTED
DRAWING TITLE:	PROPOSED MAIN FLOOR PLAN
DRAWING NUMBER:	<b>A4</b>



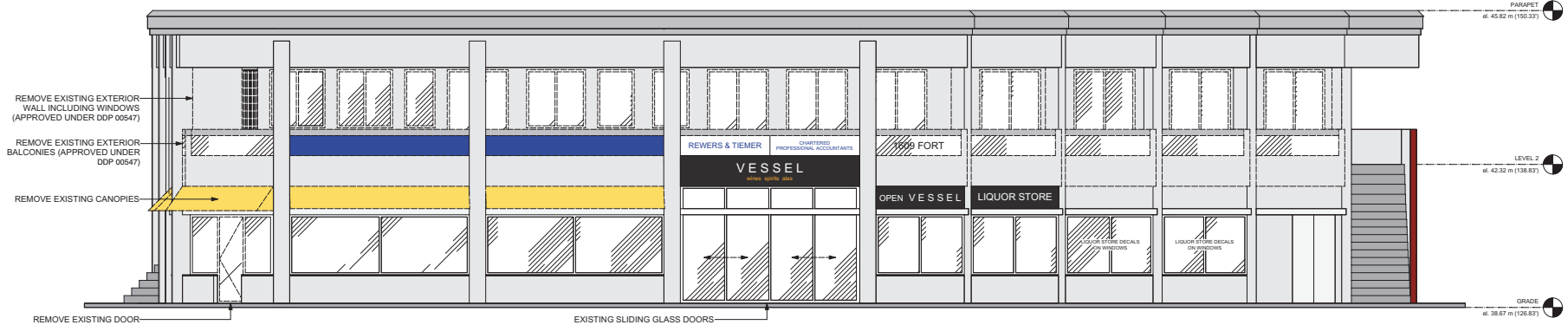
EXISTING VIEW FROM OAK BAY AVE



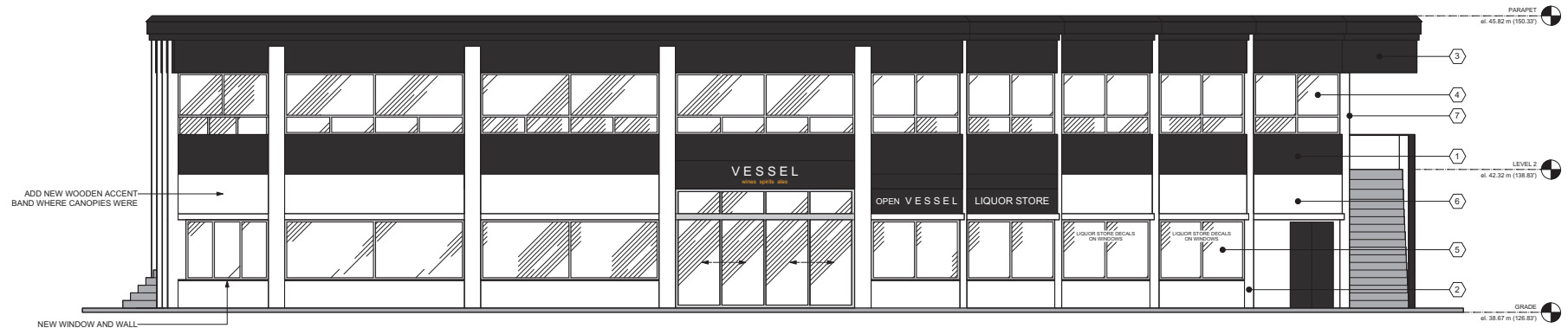
PROPOSED VIEW FROM OAK BAY AVE

FINISHES LEGEND	
①	PAINT EXISTING STUCCO BENJAMIN MOORE "SIMPLY WHITE" 2143-70
②	PAINT ALL EXISTING BRICK BENJAMIN MOORE "SIMPLY WHITE" 2143-70
③	PAINT EXISTING TRIM BENJAMIN MOORE "BLACK JACK" 2133-20
④	EXISTING PATIOS TO BE REMOVED. CREATE CONTINUOUS EXTERIOR WALL TO RECEIVE NEW GLAZING
⑤	OPTION TO REPLACE EXISTING WINDOWS WITH NEW TO MATCH NEW WINDOWS ON SECOND FLOOR
⑥	ACCENT WOOD CLADDING AT SIGN BAND LEVEL & SOFFITS
⑦	OPTIONAL PAINTED OR PIN-MOUNTED SIGNAGE, FACE-LIT W/ NEW WALL MOUNT GOOSE NECK BLACK METAL LIGHTS

MATERIALS	
	<b>BUILDING/TRIM PAINT -</b> BENJAMIN MOORE "BLACK JACK" 2133-20
	<b>BRICK PAINT -</b> BENJAMIN MOORE "SIMPLY WHITE" 2143-70
	<b>ALUMINUM WINDOWS -</b> BLACK (IF ALL NEW) OR ANNOXIDIZED ALUMINUM IF MATCHING EXISTING
	<b>WOOD -</b> VERTICAL TONGUE & GROOVE CEDAR SIDING IN NATURAL STAIN (OR SIMILAR)



1  
A5  
EXISTING ELEVATION  
SCALE: 1:50



2  
A5  
PROPOSED ELEVATION  
SCALE: 1:50  
APPROVED ON A SEPARATE APPLICATION (DDP 00547)

PROJECT:  
**VESSEL LIQUOR  
STORE DVP**

PROJECT ADDRESS:  
  
1609 FORT STREET  
VICTORIA, BC

CLIENT:  
**VESSEL LIQUOR  
STORE**

**steller**  
ARCHITECTURAL  
CONSULTING  
214-422-0000  
VICTORIA, BC V8N 1A6  
250-555-0575

ISSUED FOR: DATE:

REVISION NO.	DATE
1	AUG 19, 2020
2	NOV 12, 2020
3	DEC 21, 2020

SAC PROJECT NO.:  
**VES-01-19**

DRAWN BY:  
**SL**

DATE:  
**DECEMBER 21, 2020**

SCALE:  
**AS NOTED**

DRAWING TITLE:  
**EXISTING & PROPOSED  
ELEVATIONS**

DRAWING NUMBER:

**A5**



EXISTING VIEW FROM FORT STREET



PROPOSED VIEW FROM FORT STREET

FINISHES LEGEND	
①	PAINT EXISTING STUCCO BENJAMIN MOORE "SIMPLY WHITE" 2143-70
②	PAINT ALL EXISTING BRICK BENJAMIN MOORE "SIMPLY WHITE" 2143-70
③	PAINT EXISTING TRIM BENJAMIN MOORE "BLACK JACK" 2133-20
④	EXISTING PATIOS TO BE REMOVED, CREATE CONTINUOUS EXTERIOR WALL TO RECEIVE NEW GLAZING
⑤	OPTION TO REPLACE EXISTING WINDOWS WITH NEW TO MATCH NEW WINDOWS ON SECOND FLOOR
⑥	ACCENT WOOD CLADDING AT SIGN BAND LEVEL & SOFFITS

MATERIALS	
	BUILDING/TRIM PAINT - BENJAMIN MOORE "BLACK JACK" 2133-20
	BRICK PAINT - BENJAMIN MOORE "SIMPLY WHITE" 2143-70
	ALUMINUM WINDOWS - BLACK (IF ALL NEW) OR ANODIZED ALUMINUM IF MATCHING EXISTING
	WOOD - VERTICAL TONGUE & GROOVE CEDAR SIDING IN NATURAL STAIN (OR SIMILAR)

PROJECT:

VESSEL LIQUOR  
STORE DVP

PROJECT ADDRESS:

1609 FORT STREET  
VICTORIA, BC

CLIENT:

VESSEL LIQUOR  
STORE



ISSUED FOR: DATE:

REVISION NO.	DATE
1	AUG 19, 2020
2	NOV 12, 2020
3	DEC 21, 2020

SAC PROJECT NO.:

VES-01-19

DRAWN BY:

SL

DATE:

DECEMBER 21, 2020

SCALE:

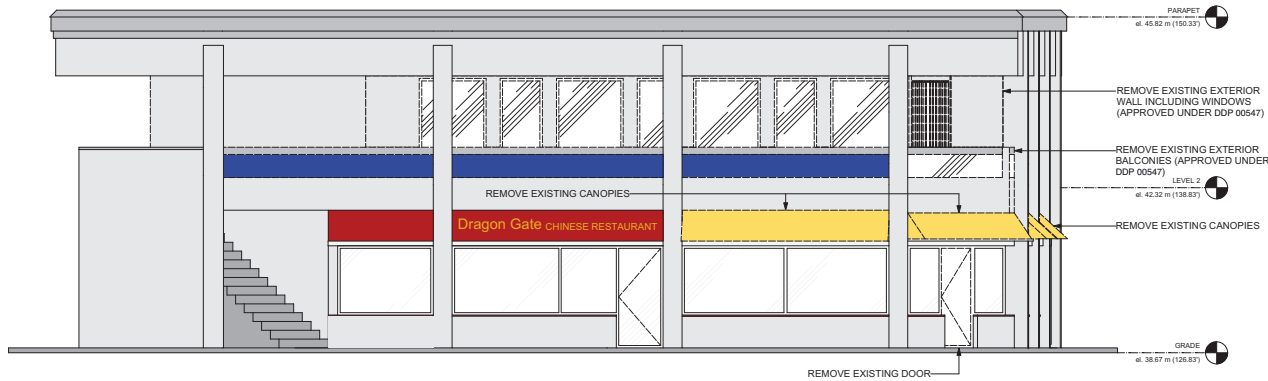
AS NOTED

DRAWING TITLE:

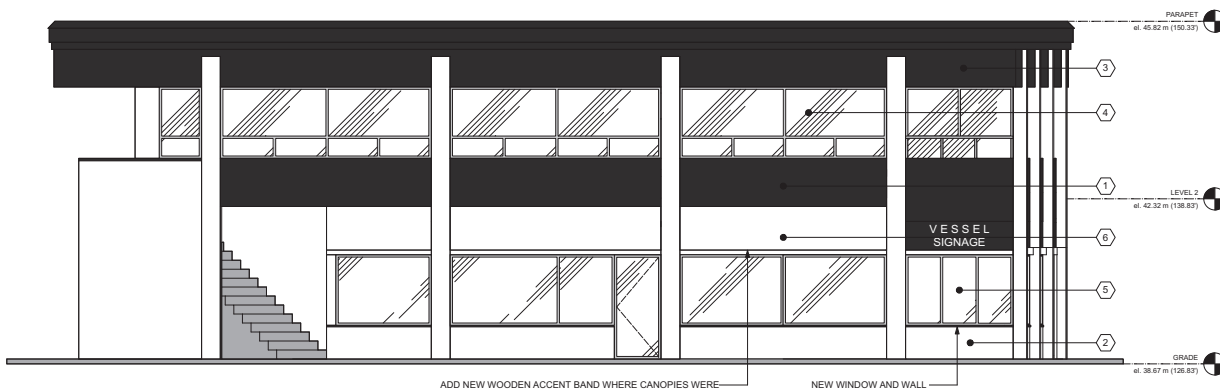
EXISTING & PROPOSED  
ELEVATIONS

DRAWING NUMBER:

A6



1  
A6  
EXISTING ELEVATION  
SCALE: 1:50



2  
A6  
PROPOSED ELEVATION → APPROVED ON A SEPARATE APPLICATION (DDP 00547)  
SCALE: 1:50

Trevor Dickie  
Suite 202 – 1609 Fort Street  
Victoria, BC  
V8K 2N8

November 3, 2020

City of Victoria  
1 Centennial Square  
Victoria, BC  
V8W 1P6

Dear Mayor and Council

**Re: Development Permit with Variance for the Expansion of Vessel Liquor Store at 1609 Fort Street**

Please see attached an application for the approval of a Development Permit with Variance (**"DP"**) to facilitate an expansion of the Vessel Liquor Store (**"Vessel"**).

**Summary of Proposed Development**

The proposal is to expand the current 2,592 sqft Vessel operation by 928 sqft, resulting in a total area of 3,520 sqft. This expansion would replace the Money Mart that formerly operated in this adjacent space. A DP is required for the internal expansion and minor changes to the exterior of the building and a variance is required as the total area of the expanded liquor store would be 3,520 sqft which exceeds C1-J bylaw maximum for liquor stores of 2,594 sqft. Most of the expansion area will be used to for loading, storage and administration functions that will result in less congestion and more efficiency for the existing store.

**Background**

The site (1609 Fort Street) was rezoned to allow for a Liquor Retail store on May 28, 2015 and the operations at Vessel commenced on December 12, 2015. Over the past 5 years Vessel has delivered on everything they promised in the original zoning approval and have developed the store into a first-class operation that provides quality product, superior service and product knowledge. They have also been a consistent supporter of community events. Their dedication to the business and the community has resulted in being named the winner of the Times Colonist's Readers' Choice Award for the top liquor store for the past three years (2017, 2018 and 2019). The location has become a key amenity to the area and has been further enhanced now that the Urban Grocer store has commenced operations on the adjacent property.

**Technical Details**

Aside from the variance noted above, the proposed change complies with all other zoning and development guidelines. There is no expansion of the building proposed and one retail use (Money Mart) is being replaced with another retail use (Vessel) so there are no additional parking requirements.

At present there are two additional parking stalls provided over the required number (18 required, 20 provided).

### **Crime Prevention Through Environmental Design (CPTED) Principles**

The landscaping beds at the front of the property have been refurbished with vegetation that is visually attractive but will remain lower in profile to maintain sightlines. In the past, the vegetation had become overgrown which blocked the site lines to and from the site which created a safety concern. In addition to the landscaping updates, the lighting in the parking lot is being upgraded to further advance the CPTED principles on the site.

### **Regulatory Approval**

The expansion plans proposed through this DP application has been reviewed and approved by the British Columbia Liquor & Cannabis Regulation Branch and a letter confirming the approval was issued on July 28, 2020 and has been provided to Planning staff.

### **Consultation**

Prior to submitting the DP with Variance application, Ross Borland (the founder of Vessel) and I met with the members of the South Jubilee Community Association Land Use Committee (CALUC). The CALUC members included Julie Brown, Ben Ziegler and Gail Anthony and a full description and detail of the proposed expansion was provided. There were no objections noted and they advised that they would provide their comments when the application is circulated to them.

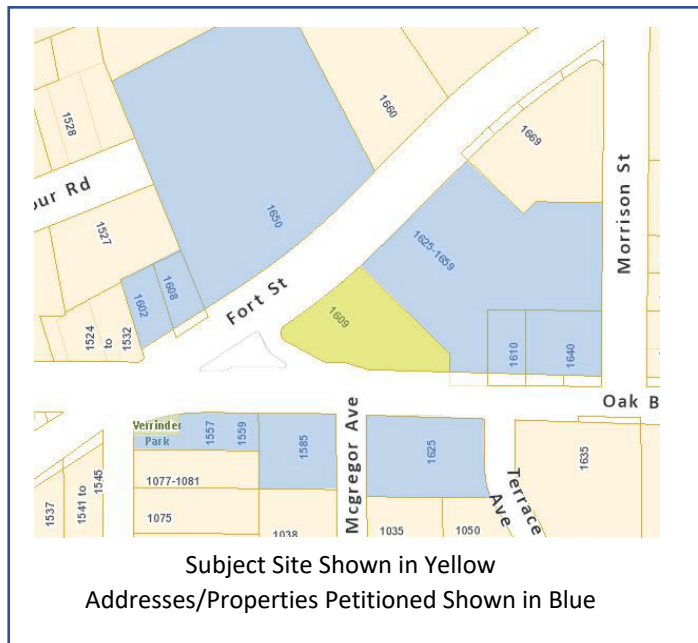
Although not a formal requirement for the DP approval process, it was suggested by Planning that a petition of the neighbours be undertaken in the same manor as was done for the rezoning. Pursuant to this direction by Planning, a petition was circulated via hand delivery on August 12<sup>th</sup> to the adjacent businesses and residents as per the relevant policy. We received a total of 5 responses from our circulation with all 5 in support of the application and none opposed. These responses have been provided to Planning. Attachment #1 includes a map and list of the addresses/properties that were included in the petition.

We look forward to your review of the application and hope that you can support Vessel in continuing to build the on their past success at this location.

Sincerely,



Trevor Dickie  
trevor@radcliffelane.com  
(250) 585-5740



#### Addresses List for Petition Circulation

Address
1557 Oak Bay Avenue
1559 Oak Bay Avenue
1585 Oak Bay Avenue
Unit #1 - 1585 Oak Bay Avenue
Unit #2 - 1585 Oak Bay Avenue
Unit #3 - 1585 Oak Bay Avenue
Unit #4 - 1585 Oak Bay Avenue
Unit #5 - 1585 Oak Bay Avenue
Unit #6 - 1585 Oak Bay Avenue
Unit #7 - 1585 Oak Bay Avenue
Unit #8 - 1585 Oak Bay Avenue
Unit #9 - 1585 Oak Bay Avenue
Unit #10 - 1585 Oak Bay Avenue
Unit #11 - 1585 Oak Bay Avenue
Unit #12 - 1585 Oak Bay Avenue
Unit #14 - 1585 Oak Bay Avenue
101 – 1625 Oak Bay Avenue
102 – 1625 Oak Bay Avenue
103 – 1625 Oak Bay Avenue
104 – 1625 Oak Bay Avenue
301 & 305 – 1625 Oak Bay Avenue
302 – 1625 Oak Bay Avenue
303 – 1625 Oak Bay Avenue
306 – 1625 Oak Bay Avenue
307 – 1625 Oak Bay Avenue
1610 Oak Bay Avenue

101 - 1640 Oak Bay Avenue
200 - 1640 Oak Bay Avenue
201 - 1640 Oak Bay Avenue
202 - 1640 Oak Bay Avenue
203 - 1640 Oak Bay Avenue
204 - 1640 Oak Bay Avenue
300 - 1640 Oak Bay Avenue
301 - 1640 Oak Bay Avenue
200 - 1625 Fort Street
1627 Fort Street
200 - 1627 Fort Street
222 - 1627 Fort Street
224 - 1627 Fort Street
225 - 1627 Fort Street
233 - 1627 Fort Street
235 - 1627 Fort Street
244 - 1627 Fort Street
245 - 1627 Fort Street
285 - 1627 Fort Street
300 - 1627 Fort Street
301 - 1627 Fort Street
305 - 1627 Fort Street
315 - 1627 Fort Street
325 - 1627 Fort Street
345 - 1627 Fort Street
350 - 1627 Fort Street
355 - 1627 Fort Street
400 - 1627 Fort Street
1629 Fort Street
1631 Fort Street
1633 Fort Street
1635 Fort Street
1637 Fort Street
1639 Fort Street
1641 Fort Street
1643 Fort Street
1645 Fort Street
1647 Fort Street
1649 Fort Street
1651 Fort Street
1653 Fort Street
1657 Fort Street
1659 Fort Street
1609 Fort Street
1602 Fort Street
1608 Fort Street
1650 Fort Street





Job#: 002301043-022

July 28, 2020

Vessel Liquor Store Ltd.  
Via email: [adminoffice@radcliffelane.com](mailto:adminoffice@radcliffelane.com)

Dear Leigh Large:

**Re: Structural Change Application – Alteration / Renovation  
Vessel Liquor Store  
Licensee Retail Store (LRS) - Liquor Licence #: 195411  
Located at: 1609 Fort Street, Victoria, BC V8R 1H8  
Plan Approval in Principle – Expires January 28, 2021**

This is in response to your submission of a structural change application which was received by the Liquor and Cannabis Regulation Branch (the Branch) on June 19, 2020.

As per the information provided in your application, as well as the submitted floor plans, you have proposed to expand the existing licensee retail store into the adjacent space.

The proposed renovation will consist of:

- Demolishing the wall separating the existing and proposed area;
- Expanding the retail space;
- Enclosing the doorway in the proposed area – no change to LRS entry; and
- Adding extra storage, a staff room, workstations and an office.

Based on my review of the floor plan layout, I am satisfied that the proposed layout complies with statutory and Liquor and Cannabis Regulation Branch policy provisions specific to an LRS. Please find attached one yellow lined floor plan bearing an “Approved, in Principle” (AIP) stamp.

**In granting this approval in principle, please note that it is conditional upon the licensee’s understanding and compliance with, but not limited to the following:**

- All existing terms and conditions on the face of the LRS license will remain in effect;
- Minors must be accompanied by a parent or guardian who is shopping;
- When you verify a customer’s age, you and your employees must ask for two pieces of identification;

**Liquor and Cannabis  
Regulation Branch**

Mailing Address:  
PO Box 9292 Stn Prov Govt  
Victoria BC V8W 9J8

Location:  
4<sup>th</sup> floor 645 Tye Road  
Victoria BC V9A 6X5  
Phone: 250 952-5787  
Facsimile: 250 952-7066

Website:  
[www.gov.bc.ca/liquorregulationandlicensing](http://www.gov.bc.ca/liquorregulationandlicensing)

- Line of sight from the sales counter must be adequate in order for staff to maintain effective management of the entire licensed establishment and must meet the liquor inspector's satisfaction at the time of the final inspection; and
- The LRS Terms and Conditions Guidebook is updated from time to time and it is important to be aware of any changes as noted within the guide. Click [here](#) to view the guide.

**This approval in principle allows you to proceed with the changes as applied for; however, it does not imply final approval. If there are any changes to the submitted application, you are responsible for notifying the Branch as soon as possible. Please be aware that significant changes to your submitted proposal will require a new application, supporting documentation, and fees.**

### **YOUR NEXT STEPS:**

**Please contact Liquor Inspector, Gord Fearn at 250-419-8719 or email [Gord.Fearn@gov.bc.ca](mailto:Gord.Fearn@gov.bc.ca) for a final inspection once the changes are complete.**

- Please ensure that this letter as well as the enclosed approved in principle floor plan are both available for review at time of inspection. The floor plan has been yellow-lined, so please print in colour.
- It is recommended that an authorized signatory attend the final inspection; however, you may ask someone to attend on your behalf. Please ensure that the person attending the final inspection can make a decision or answer questions with respect to any compliance concerns on behalf of the licensees.

**This plan approval in principle expires on January 28, 2021** If you are unable to complete construction and arrange for a final inspection prior to the expiry date, you **MUST** submit a written request to the Branch 30 days prior to expiry of AIP. The request should be accompanied by evidence demonstrating that the delay is beyond the control of the applicant. Where another authority is responsible for the delay, a letter from that authority outlining current status and schedule for completion should accompany the request for extension. Failure to request an extension will result in the application being considered abandoned and subsequently terminated on the expiry date noted above.

If all is in order and upon receipt of inspection photographs, comments and confirmation from Inspector Fearn that the physical layout of the establishment is as depicted on the enclosed floor plans and the final inspection is satisfactory, you will receive a final approval letter, an updated licence and an official validated floor plan to post within your establishment.

**Please allow five business days for staff to finalize the application process once the final inspection has been successfully concluded.**

If you require any further assistance, please do not hesitate to contact me at 778-974-3386 or at [Danielle.Reimer@gov.bc.ca](mailto:Danielle.Reimer@gov.bc.ca).

Sincerely,

*D Reimer*

Danielle Reimer  
Licensing Analyst  
Liquor & Cannabis Regulation Branch

Attachment – AIP Floor Plan

cc: Gord Fearn, Liquor Inspector (via email)

LIQUOR AND CANNABIS REGULATION BRANCH  
APPROVAL IN PRINCIPLE

Subject to the terms and/or conditions specified in the  
approval in principle letter(s) dated: July 28, 2020

Job #: 002301043-022 Max Person Capacity: N/A

Authority: DReimer

Authority: Dreimer

LIQUOR AND CANNABIS REGULATION BRANCH  
APPROVAL IN PRINCIPLE

Subject to the terms and/or conditions specified in the approval in principle letter(s) dated: July 28, 2020

#: 002301043-022 Max Person Capacity: N/A

Authority: DREimer

Dragon Gate Restaurant

Storage/Staff Only Area

Customer Service

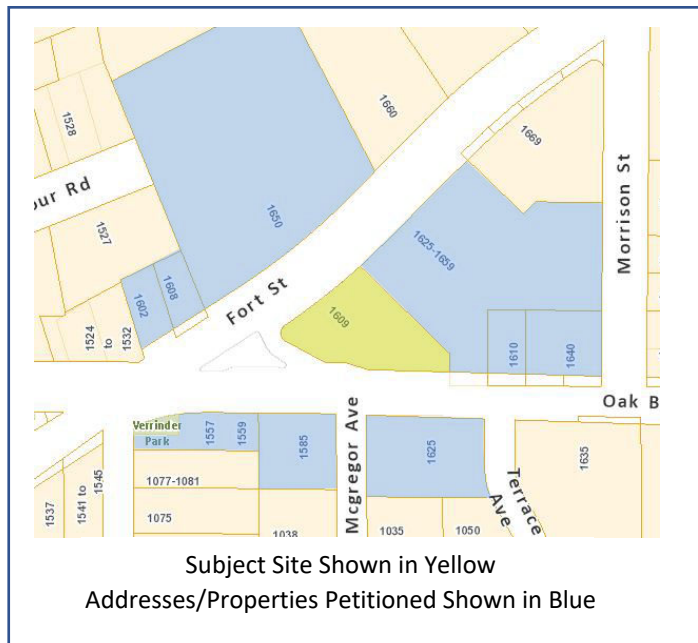
Entry/Exit

Proposed floor plan (exp

## Proposed floor plan (expansion)

scale  $\frac{1}{8}$  (on 11x17 paper)





## Addresses List for Petition Circulation

Address
1557 Oak Bay Avenue
1559 Oak Bay Avenue
1585 Oak Bay Avenue
Unit #1 - 1585 Oak Bay Avenue
Unit #2 - 1585 Oak Bay Avenue
Unit #3 - 1585 Oak Bay Avenue
Unit #4 - 1585 Oak Bay Avenue
Unit #5 - 1585 Oak Bay Avenue
Unit #6 - 1585 Oak Bay Avenue
Unit #7 - 1585 Oak Bay Avenue
Unit #8 - 1585 Oak Bay Avenue
Unit #9 - 1585 Oak Bay Avenue
Unit #10 - 1585 Oak Bay Avenue
Unit #11 - 1585 Oak Bay Avenue
Unit #12 - 1585 Oak Bay Avenue
Unit #14 - 1585 Oak Bay Avenue
101 – 1625 Oak Bay Avenue
102 – 1625 Oak Bay Avenue
103 – 1625 Oak Bay Avenue
104 – 1625 Oak Bay Avenue
301 & 305 – 1625 Oak Bay Avenue
302 – 1625 Oak Bay Avenue
303 – 1625 Oak Bay Avenue
306 – 1625 Oak Bay Avenue
307 – 1625 Oak Bay Avenue
1610 Oak Bay Avenue

101 - 1640 Oak Bay Avenue
200 - 1640 Oak Bay Avenue
201 - 1640 Oak Bay Avenue
202 - 1640 Oak Bay Avenue
203 - 1640 Oak Bay Avenue
204 - 1640 Oak Bay Avenue
300 - 1640 Oak Bay Avenue
301 - 1640 Oak Bay Avenue
200 - 1625 Fort Street
1627 Fort Street
200 - 1627 Fort Street
222 - 1627 Fort Street
224 - 1627 Fort Street
225 - 1627 Fort Street
233 - 1627 Fort Street
235 - 1627 Fort Street
244 - 1627 Fort Street
245 - 1627 Fort Street
285 - 1627 Fort Street
300 - 1627 Fort Street
301 - 1627 Fort Street
305 - 1627 Fort Street
315 - 1627 Fort Street
325 - 1627 Fort Street
345 - 1627 Fort Street
350 - 1627 Fort Street
355 - 1627 Fort Street
400 - 1627 Fort Street
1629 Fort Street
1631 Fort Street
1633 Fort Street
1635 Fort Street
1637 Fort Street
1639 Fort Street
1641 Fort Street
1643 Fort Street
1645 Fort Street
1647 Fort Street
1649 Fort Street
1651 Fort Street
1653 Fort Street
1657 Fort Street
1659 Fort Street
1609 Fort Street
1602 Fort Street
1608 Fort Street
1650 Fort Street

## LIQUOR RETAIL STORE DEVELOPMENT PERMIT WITH VARIANCE NOTICE

I Trevor Dickie have applied to the City of Victoria for the approval of a Development Permit with Variance of a property located at 1609 Fort Street to permit the expansion of the existing retail liquor store.

The City of Victoria has requested that the applicant inform residents and owners of neighbouring lots to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print): Dyan Dawson  
ADDRESS: #101-1625 Oak Bay Avenue

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:

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

---

August 13/2020  
Date

D Dawson  
Signature



I Trevor Dickie have applied to the City of Victoria for the approval of a Development Permit with Variance of a property located at 1609 Fort Street to permit the expansion of the existing retail liquor store.

Please review the plans and indicate the following:

Are you the registered owner? Yes ☒ No ☐

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

- Comments:

M. Rao  
Signature



## LIQUOR RETAIL STORE DEVELOPMENT PERMIT WITH VARIANCE NOTICE

I Trevor Dickie have applied to the City of Victoria for the approval of a Development Permit with Variance of a property located at 1609 Fort Street to permit the expansion of the existing retail liquor store.

The City of Victoria has requested that the applicant inform residents and owners of neighbouring lots to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print): DR. Steven WYLLIE  
ADDRESS: 306-1625 Oak Bay Ave  
VICTORIA BC V8R 1B1

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:

Looking forward to seeing the expansion.  
/s/

Aug 13/20  
Date

[Signature]  
Signature



## LIQUOR RETAIL STORE DEVELOPMENT PERMIT WITH VARIANCE NOTICE

I Trevor Dickie have applied to the City of Victoria for the approval of a Development Permit with Variance of a property located at 1609 Fort Street to permit the expansion of the existing retail liquor store.

The City of Victoria has requested that the applicant inform residents and owners of neighbouring lots to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print): KEN GRANT - INDIVIDUAL DRY CLEANERS  
ADDRESS: 1602 FORT 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:

VESSEL LIQUOR STORE HAS BEEN A GREAT FIT  
FOR THE AREA.  
I HAVE NO PROBLEM WITH THE EXPANSION.

AUG 13/20  
Date

Ken Grant  
Signature

## Information for Development Permit with Variance Application

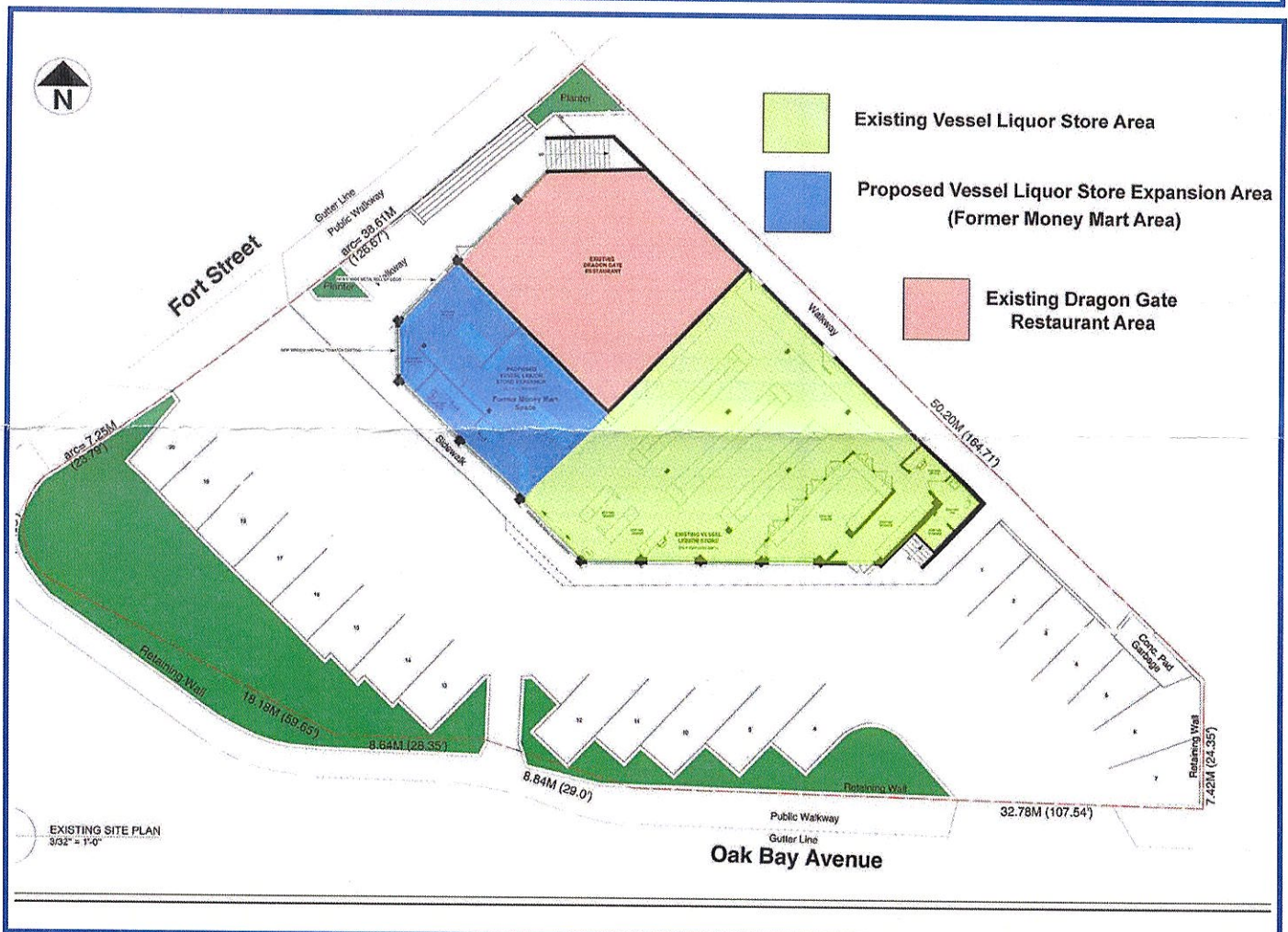
### Vessel Liquor Store

Vessel Liquor Store has made an application to the City of Victoria for the approval of a Development Permit with Variance that would allow the expansion of their existing operation into the former Money Mart space at 1609 Fort Street. The total expansion area is 928 square feet as illustrated in the blue shaded area in the drawing below. There will be minor changes to the building's windows, the addition of a new receiving door as well as site upgrades including landscaping. As part of the approval process, we are providing this information to the surrounding properties to receive any feedback you may have on the application or to answer any questions you may have.

We encourage you to complete the attached form and return it via mail, email, or you can text a photo of the completed form. The contact for the return of the form or any additional questions is:

Trevor Dickie  
Email: [trevor@radcliffelane.com](mailto:trevor@radcliffelane.com)  
Cell/Text: (250) 858-5740

Vessel Liquor Store  
1609 Fort Street  
Victoria, BC, V8R 1H8  
Attn: Trevor Dickie



## LIQUOR RETAIL STORE DEVELOPMENT PERMIT WITH VARIANCE NOTICE

I Trevor Dickie have applied to the City of Victoria for the approval of a Development Permit with Variance of a property located at 1609 Fort Street to permit the expansion of the existing retail liquor store.

The City of Victoria has requested that the applicant inform residents and owners of neighbouring lots to determine the acceptability of the proposal.

Please review the plans and indicate the following:

NAME: (please print): Jaime Tiampo  
ADDRESS: 1625 Fort 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:

I'm in favour of the expansion of the retail space but  
have concerns with the increase of space will have a  
corresponding increase in customer parking  
requirements.

We would ask that additional signage be added to the  
facility to inform customers that parking for the  
location is only on site and not on neighbouring  
properties.

August 14 2020

Date

  
Signature



**Chelsea Medd**

---

**From:** Michael Angrove  
**Sent:** November 24, 2020 9:24 AM  
**To:** Chelsea Medd  
**Cc:** Andrea Walker-Collins  
**Subject:** FW: Revised Plans Received for Liquor Retail Storefront - 1609 Fort Street - Rez No. 00148

I think this is for you Chelsea!

---

**From:** Andrea Walker-Collins <[awalkercollins@victoria.ca](mailto:awalkercollins@victoria.ca)>  
**Sent:** November 24, 2020 8:33 AM  
**To:** Michael Angrove <[mangrove@victoria.ca](mailto:mangrove@victoria.ca)>  
**Subject:** Fw: Revised Plans Received for Liquor Retail Storefront - 1609 Fort Street - Rez No. 00148

---

**From:** Watson, Cliff <[cliff.watson@vicpd.ca](mailto:cliff.watson@vicpd.ca)>  
**Sent:** Tuesday, November 24, 2020 7:27 AM  
**To:** Andrea Walker-Collins <[awalkercollins@victoria.ca](mailto:awalkercollins@victoria.ca)>; Development Services email inquiries <[DevelopmentServices@victoria.ca](mailto:DevelopmentServices@victoria.ca)>  
**Subject:** RE: Revised Plans Received for Liquor Retail Storefront - 1609 Fort Street - Rez No. 00148

We do not have any comments related to this application.

Regards,



**Sgt Cliff Watson**  
 Operational Planning  
 Victoria Police Department  
 850 Caledonia Ave  
 Victoria BC, V8T 5J8  
 Office. 250-995-7218  
 Mobile. 250-812-0872  
[cliff.watson@vicpd.ca](mailto:cliff.watson@vicpd.ca)

---

**From:** Andrea Walker-Collins <[awalkercollins@victoria.ca](mailto:awalkercollins@victoria.ca)>  
**Sent:** November 23, 2020 1:40 PM  
**To:** Watson, Cliff <[cliff.watson@vicpd.ca](mailto:cliff.watson@vicpd.ca)>; Whiskin, Jamie <[jamie.whiskin@vicpd.ca](mailto:jamie.whiskin@vicpd.ca)>  
**Subject:** Revised Plans Received for Liquor Retail Storefront - 1609 Fort Street - Rez No. 00148

Dear Sgt. Cliff Watson & Jamie Whiskin,

Re: Storefront Liquor Retailer Rezoning Application for 1609 Fort Street– Rez No. 00148

City staff have received revised plans for the Rezoning Application for the above listed address to allow for a expansion of a Storefront Liquor Retailer.

The details of this application can be found on the Development Tracker at [1609 Fort Street](#). If identified, you will be notified of any variances associated with this application and if necessary, any revisions made to the plans.

Comments specifically related to this application's adherence to the Crime Prevention through Environmental Design (CPTED) standards may be submitted to the Sustainable Planning and Community Development Department.

Please forward comments by mail to the address noted below, or by email to [developmentsservices@victoria.ca](mailto:developmentsservices@victoria.ca)

Kind Regards,

**Andrea Walker Collins**

Planning Secretary  
Sustainable Planning and Community Development  
Development Services Division  
City of Victoria  
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0283





Development Permit with  
Variance Application No. 00148  
for  
1609 Fort Street



1



2

## Subject Site



3

## 1585 Oak Bay Avenue (South)



4

---

## 1625 Oak Bay Avenue (South)



5

---

## 1650 Fort Street (North)

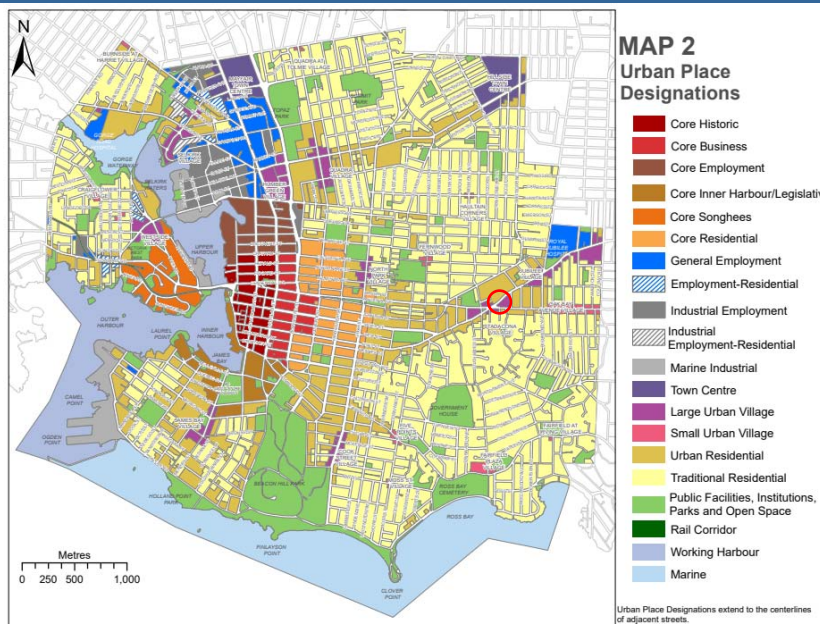


6

## 1625 Fort Street (East)

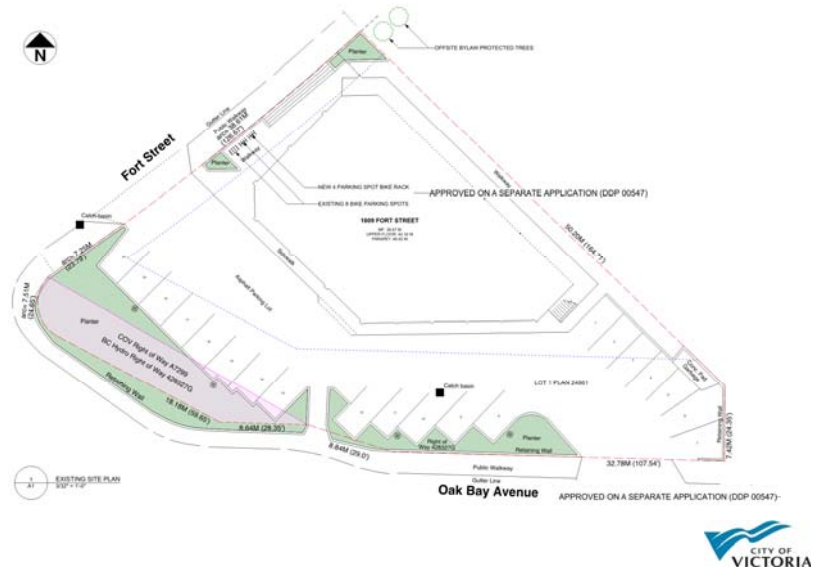


7



8

## Site Plan



9

## Existing 1<sup>ST</sup> Floor Plan



10



## Proposed 1<sup>ST</sup> Floor Plan



11

## Elevation (South-West)



12

## Rendering (South-West)



EXISTING VIEW FROM OAK BAY AVE



PROPOSED VIEW FROM OAK BAY AVE

MATERIALS	
	BUILDING TRIM FINISH - INCLUDES ROOFLINE, BLACK JACOBI 2110-01
	BRICK FINISH - INCLUDES ROOFLINE, WHITE JACOBI 2110-01
	ALUMINUM WINDOWS - BLACK AT ALL NEW OR REWORKED ALUMINUM WINDOW UNITS
	WOOD - VERTICAL, TONGUE & GROOVE CEDAR SIDING IN VERTICAL, 2x6 OR 2x8



13

## Elevation (North)

Existing



Proposed



14

## Elevation (North)



EXISTING VIEW FROM FORT STREET



PROPOSED VIEW FROM FORT STREET

REVISIONS
<ul style="list-style-type: none"> <li>REVISION 1: EXISTING VIEW FROM FORT STREET</li> <li>REVISION 2: PROPOSED VIEW FROM FORT STREET</li> <li>REVISION 3: EXISTING VIEW FROM FORT STREET</li> <li>REVISION 4: PROPOSED VIEW FROM FORT STREET</li> </ul>



**F.1.a.f 1035 Joan Crescent: Update on Development Permit with  
Variance Application No. 00129 (Rockland)**

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00129 for 1035 Joan Crescent, in accordance with:

1. Plans date stamped September 29, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - i. reduce the front yard setback from 10.50 metres to 3.22 metres.
3. The Development Permit lapsing two years from the date of this resolution.”

**CARRIED UNANIMOUSLY**

**E.4     1035 Joan Crescent: Update on Development Permit with Variance Application No. 00129 (Rockland)**

Committee received a report dated January 14, 2021 from the Director of Sustainable Planning and Community Development regarding a Development Permit with Variance Application for the property located at 1035 Joan Crescent to allow for the construction of a semi-attached dwelling and reducing the front setback from 10.5 metres to 3.22 metres.

*Committee discussed:*

- *How the requirements vary for duplexes.*

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00129 for 1035 Joan Crescent, in accordance with:

1. Plans date stamped September 29, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - i. reduce the front yard setback from 10.50 metres to 3.22 metres.
3. The Development Permit lapsing two years from the date of this resolution.”

**CARRIED UNANIMOUSLY**





## Committee of the Whole Report For the Meeting of January 28, 2021

---

**To:** Committee of the Whole **Date:** January 14, 2021

**From:** Karen Hoese, Director, Sustainable Planning and Community Development

**Subject:** Update on Development Permit with Variance Application No. 00129 for 1035 Joan Crescent

---

### RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00129 for 1035 Joan Crescent, in accordance with:

1. Plans date stamped September 29, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. reduce the front yard setback from 10.50 metres to 3.22 metres.
3. The Development Permit lapsing two years from the date of this resolution.”

### LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official 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 491 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, and the siting, form, exterior design and finish of buildings and other structures.

### EXECUTIVE SUMMARY

The purpose of this report is to present Council with updated information, analysis and recommendations for a Development Permit with Variance Application for the property located at 1035 Joan Crescent. The proposal is to construct a semi-attached dwelling. The variance is related to reducing the front setback from 10.5 metres to 3.22 metres.

## BACKGROUND

On May 21, 2020, Council passed a motion (attached) referring this Development Permit with Variance Application back to staff to work with the applicant to ensure greater consistency with the duplex design guidelines. In this instance, the duplex design guidelines do not apply because the property is in Development Permit Area (DPA) 15C: Intensive Residential – Rockland instead of DPA 15D: Intensive Residential – Duplex. However, the design guidelines noted in DPA 15C: Intensive Residential – Rockland do apply and a review of the proposal's consistency with these guidelines is provided below.

## UPDATE

### Consistency with Design Guidelines

The *Official Community Plan, 2012* (OCP) identifies this property with in DPA 15C: Intensive Residential – Rockland. The design guidelines that apply are the *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981) and the *Design Guidelines for Attached and Semi-Attached Dwelling in the Rockland Neighbourhood* (2011). The guidelines emphasis the importance of the relationship between buildings and the surrounding landscape, both natural and man made, encouraging new semi-attached buildings to respect this established character of the neighbourhood. The proposal is considered consistent with these Guidelines in the following ways:

- existing and natural landscape features are retained and incorporated into the development, including historic rock walls and stairs along the front and west side of the property, several Garry oaks and other mature trees
- new landscaping in the front yard would contribute to the pattern of established front yard landscaping along the street
- the traditional design of the semi-attached dwelling is sympathetic to the character of the area, incorporating details such as a low-pitched roof with deeper eaves, soffit and window trim details and vertical window bays that are complimentary to nearby buildings with heritage significance
- the staggered façade of the building helps to break up the building massing into smaller forms that are generally consistent in scale with nearby contemporary buildings
- the proposed building maintains the established setback from Joan Crescent respecting the existing streetscape and does not intrude upon views of any historic buildings on the street
- parking is not a dominant feature of the development and the proposed driveway would be surfaced with permeable pavers which reduces run-off and minimizes the impact of hard surfacing on the critical root zones of nearby trees
- the proposed building would have minimal impact on the privacy of adjacent properties.

### Common Roof

The R1-A Zone requires a common roof connection for semi-attached dwellings while allowing the dwelling units to be separated horizontally (i.e., no common wall requirement). This provision allows for greater flexibility in building design so that new developments can respond to and preserve unique characteristics which may be present on a site. The proposed semi-attached dwelling is designed as two distinct yet complimentary dwellings which are structurally connected but staggered on the irregular shaped lot. With the revised proposal, the dwellings

are now connected on the second storey and share a common main roof. The modified roofline and second storey connection create a stronger visual connection between the two units; however, by staggering the two units, the proposed building is able to provide larger side yard setbacks, which preserves more of the landscape features that contribute to the neighbourhood character of the area, which is consistent with the design guidelines and the R1-A Zoning regulations.

### Data Table

The following data table compares the current and previous proposals with the existing R1-A Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Current Proposal	Previous Proposal	R1-A Zone
Site area (m <sup>2</sup> ) – minimum	1729.69	1729.69	1670 (for semi-attached dwelling)
Site area per unit (m <sup>2</sup> ) – minimum	864.85	864.85	835
Number of units – maximum	2	2	2
Density (Floor Space Ratio) – maximum	0.33	0.31	N/A
Total floor area (m <sup>2</sup> ) – maximum	562.37	538.42	N/A
Lot width (m) – minimum	41.14	41.14	24
Height (m) – maximum	7.42	7.35	7.60
Storeys – maximum	2	2	2.5
Site coverage (%) – maximum	23.08	23.08	25
<b>Setbacks (m) – minimum</b>			
Front	<b>3.22</b>	<b>3.22 *</b>	10.50
Rear (north)	7.91	7.91	7.50
Side (west)	7.07	7.07	3.00
Side (east)	4.63	4.63	3.00
Parking – minimum	3	3	2

## **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on October 5, 2020 the application was referred to the Rockland CALUC. A response had not been received from the CALUC at the time of writing. The applicant also indicates in the attached letter to Mayor and Council that they consulted with members of the CALUC prior to making the latest revisions to the proposal.

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.

## **CONCLUSIONS**

The applicant has made modifications to the proposal to strengthen the degree of connection between the semi-attached dwelling units and the proposal is considered consistent with the Design Guidelines for DPA 15C; therefore, it is recommended that the application proceed to an opportunity for public comment.

## **ALTERNATE MOTION**

That Council decline Development Permit with Variance Application No. 00129 for the property located at 1035 Joan Crescent.

Respectfully submitted,

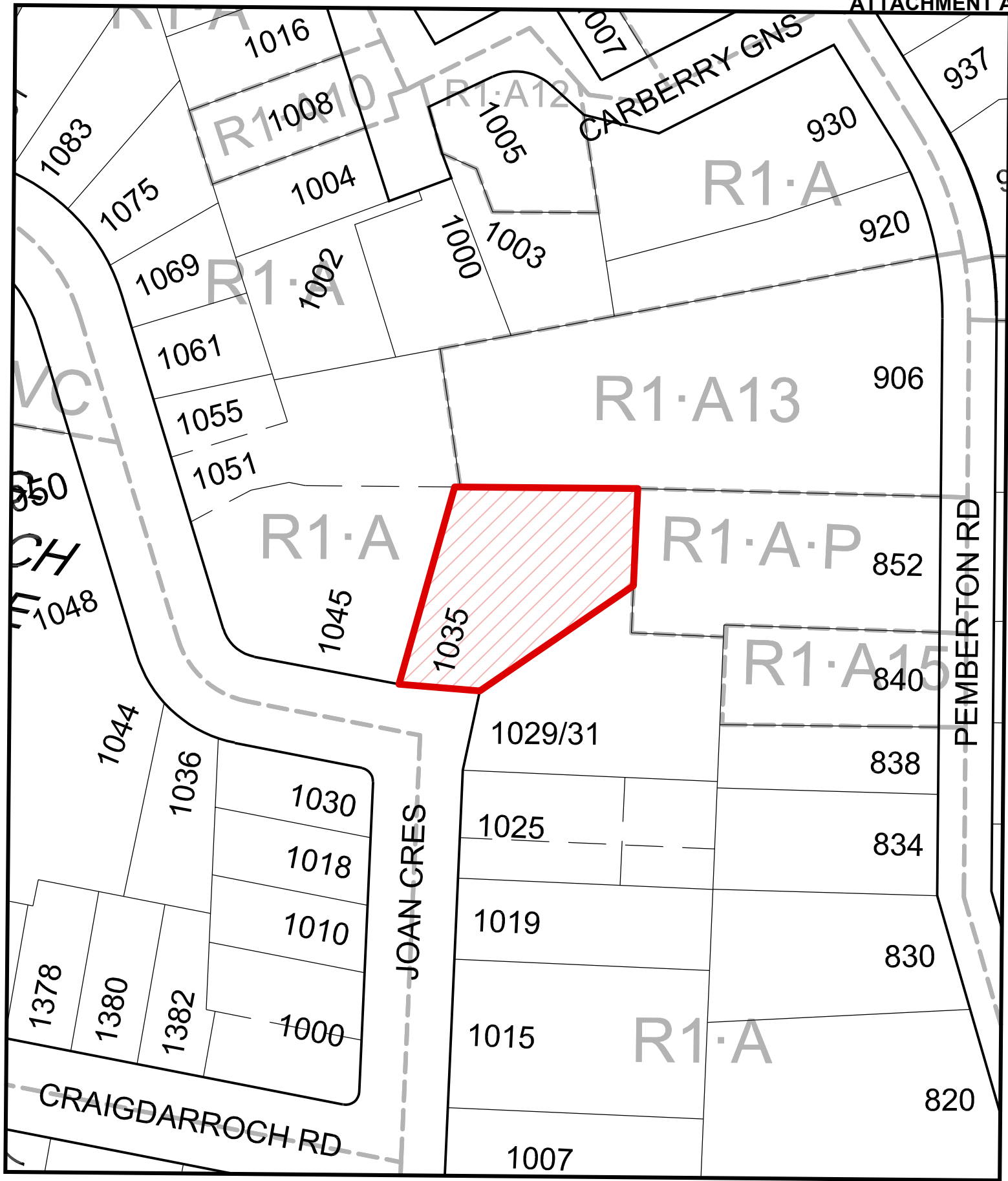
Alec Johnston  
Senior Planner  
Development Services Division

Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

**Report accepted and recommended by the City Manager.**

## **List of Attachments**

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped January 12, 2021
- Attachment D: Letter from applicant to Mayor and Council
- Attachment E: Staff report and attachments presented at the May 21, 2020 Committee of the Whole meeting
- Attachment F: May 21, 2020 Committee of the Whole meeting minutes
- Attachment G: May 28, 2020 Council meeting minutes.



1035 Joan Crescent

Development Permit with Variance #00129





1035 Joan Crescent  
Development Permit with Variance #00129





Christine Lintott  
ArchitectsSuite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1969  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE	7 OCT 2019
DPV #00129 REVISION	6 JAN 2020
DPV #00129 REVISION 2	24 SEP 2020

No.	Description	Date
1	DPV (REVISED)	6 JAN 2020
2	DPV (REVISION 2)	24 SEP 2020

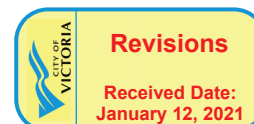
Consultant

1035 Joan Crescent

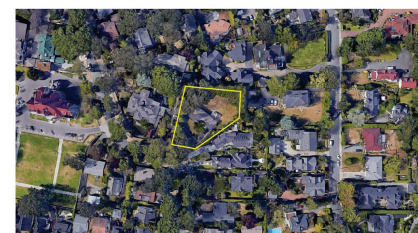
1035 Joan Crescent,  
Victoria, BC V8S 3L3

Cover Sheet

Date	2020-09-24 1:37:26 PM
Drawn by	TK
Checked by	CL
A0.01	
Scale	As indicated



## 1035 Joan Crescent

Semi-Attached Dwellings Project - DEVELOPMENT VARIANCE PERMIT APPLICATION (REVISION 2)  
24 September 2020

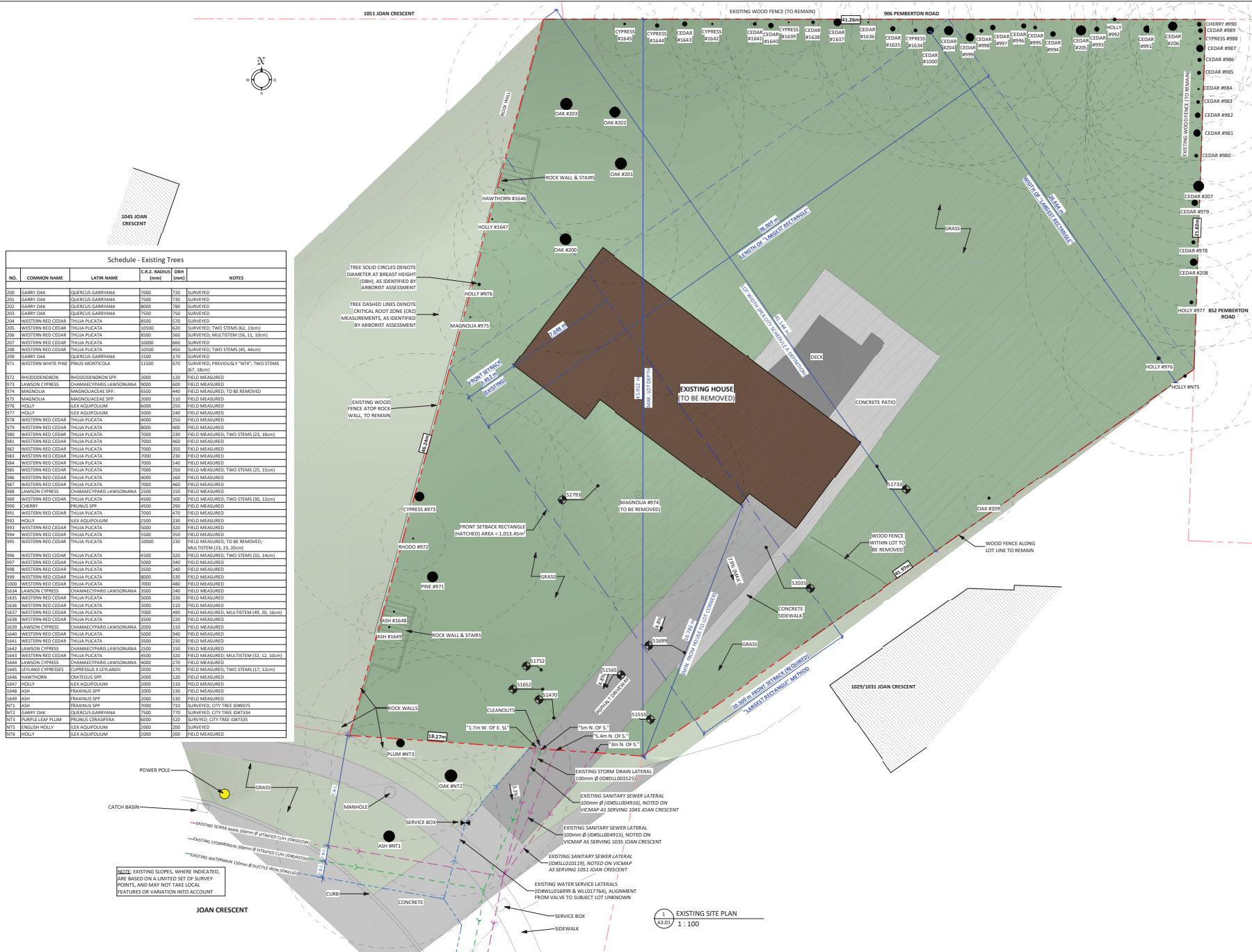
Drawing List	
Number	Name
A0.01	Cover Sheet
A1.00	Survey Plan
A1.01	Site Plan - Existing
A1.02	Site Plan - Proposed
A1.03	Landscape Plan
A1.04	Neighbourhood Context
A2.01	Floor Plans
A2.02	Plan Plans
A3.01	Elevations
A3.02	Elevations
A3.03	Elevations
A3.04	Spatial Separations Analysis
A4.01	Sectional Section
A4.02	3D Perspective



## Average Grade Calculation

Station	Area (sq. m)	Area (sq. ft)	Area (sq. m)
A-B	52,439	21.00	1166.782
B-C	52,359	7.05	366.025
C-D	52,821	8.05	412.159
D-E	52,760	4.40	227.876
E-F	52,767	5.79	299.728
F-G	52,752	0.26	13.455
G-H	52,774	2.40	124.258
H-I	52,784	3.40	176.064
I-J	52,821	8.04	410.771
J-K	52,886	0.74	38.395
L-M	52,900	1.74	90.306
M-N	52,863	5.58	289.393
N-P	52,782	1.77	89.605
P-Q	52,750	0.74	38.295
Q-R	52,680	18.04	912.296
R-S	52,625	0.49	25.286
S-T	52,620	0.11	5.642
T-U	52,645	1.42	73.336
U-V	52,728	1.42	73.453
V-W	52,762	0.11	5.664
X-Y	52,762	0.29	15.008
Y-Z	52,761	1.58	81.340
Z-AA	52,784	2.35	121.082
AA-AB	52,861	1.54	79.453
BB-CC	52,796	3.75	194.233
CC-DD	52,861	0.42	21.236
DD-EE	52,799	1.00	51.799
EE-FF	52,868	4.04	209.628
FF-GG	52,872	0.26	13.513
GG-HH	52,778	7.60	396.549
HH-IJ	52,513	3.95	207.424
IJ-KK	52,857	0.41	21.080
KK-LL	52,759	1.95	102.880
LL-MM	52,843	0.43	21.660
MM-NN	52,862	0.43	21.902
NN-PP	52,862	0.11	5.664
PP-QQ	52,866	7.42	375.070
QQ-RR	52,871	1.17	59.487
RR-S	52,819	1.42	73.145
S-T	52,841	0.11	5.664
T-U	52,854	0.43	21.902
U-V	52,868	4.04	209.628
V-W	52,872	0.26	13.513
W-X	52,778	7.60	396.549
X-Y	52,513	3.95	207.424
Y-Z	52,857	0.41	21.080
Z-AA	52,759	1.95	102.880
AA-AB	52,843	0.43	21.660
AB-BC	52,862	0.43	21.902
BC-CD	52,862	0.11	5.664
CD-DE	52,866	7.42	375.070
DE-FE	52,871	1.17	59.487
FE-GF	52,819	1.42	73.145
GF-HG	52,841	0.11	5.664
HG-IH	52,854	0.43	21.902
IH-JI	52,868	4.04	209.628
JI-KJ	52,872	0.26	13.513
KJ-LK	52,778	7.60	396.549
LK-ML	52,513	3.95	207.424
ML-NM	52,857	0.41	21.080
NM-ON	52,759	1.95	102.880
ON-PO	52,843	0.43	21.660
PO-QO	52,862	0.43	21.902
QO-RO	52,862	0.11	5.664
RO-SO	52,866	7.42	375.070
SO-TO	52,871	1.17	59.487
TO-UO	52,819	1.42	73.145
UO-VO	52,841	0.11	5.664
VO-WO	52,854	0.43	21.902
WO-XO	52,868	4.04	209.628
XO-YO	52,872	0.26	13.513
YO-ZO	52,778	7.60	396.549
ZO-AA	52,513	3.95	207.424
AA-AB	52,857	0.41	21.080
AB-BC	52,759	1.95	102.880
BC-CD	52,843	0.43	21.660
CD-DE	52,862	0.43	21.902
DE-FE	52,862	0.11	5.664
FE-GF	52,866	7.42	375.070
GF-HG	52,871	1.17	59.487
HG-IH	52,819	1.42	73.145
IH-JI	52,841	0.11	5.664
JI-KJ	52,854	0.43	21.902
KJ-LK	52,868	4.04	209.628
LK-ML	52,872	0.26	13.513
ML-NM	52,778	7.60	396.549
NM-ON	52,513	3.95	207.424
ON-PO	52,857	0.41	21.080
PO-QO	52,759	1.95	102.880
QO-RO	52,843	0.43	21.660
RO-SO	52,862	0.43	21.902
SO-TO	52,862	0.11	5.664
TO-UO	52,866	7.42	375.070
UO-VO	52,871	1.17	59.487
VO-WO	52,819	1.42	73.145
WO-XO	52,841	0.11	5.664
XO-YO	52,854	0.43	21.902
YO-ZO	52,868	4.04	209.628
ZO-AA	52,872	0.26	13.513
AA-AB	52,778	7.60	396.549
AB-BC	52,513	3.95	207.424
BC-CD	52,857	0.41	21.080
CD-DE	52,759	1.95	102.880
DE-FE	52,843	0.43	21.660
FE-GF	52,862	0.43	21.902
GF-HG	52,862	0.11	5.664
HG-IH	52,866	7.42	375.070
IH-JI	52,871	1.17	59.487
JI-KJ	52,819	1.42	73.145
KJ-LK	52,841	0.11	5.664
LK-ML	52,854	0.43	21.902
ML-NM	52,868	4.04	209.628
NM-ON	52,872	0.26	13.513
ON-PO	52,778	7.60	396.549
PO-QO	52,513	3.95	207.424
QO-RO	52,857	0.41	21.080
RO-SO	52,759	1.95	102.880
SO-TO	52,843	0.43	21.660
TO-UO	52,862	0.43	21.902
UO-VO	52,862	0.11	5.664
VO-WO	52,866	7.42	375.070
WO-XO	52,871	1.17	59.487
XO-YO	52,819	1.42	73.145
YO-ZO	52,841	0.11	5.664
ZO-AA	52,854	0.43	21.902
AA-AB	52,868	4.04	209.628
AB-BC	52,872	0.26	13.513
BC-CD	52,778	7.60	396.549
CD-DE	52,513	3.95	207.424
DE-FE	52,857	0.41	21.080
FE-GF	52,759	1.95	102.880
GF-HG	52,843	0.43	21.660
HG-IH	52,862	0.43	21.902
IH-JI	52,862	0.11	5.664
JI-KJ	52,866	7.42	375.070
KJ-LK	52,871	1.17	59.487
LK-ML	52,819	1.42	73.145
ML-NM	52,841	0.11	5.664
NM-ON	52,854	0.43	21.902
ON-PO	52,868	4.04	209.628
PO-QO	52,872	0.26	13.513
QO-RO	52,778	7.60	396.549
RO-SO	52,513	3.95	207.424
SO-TO	52,857	0.41	21.080
TO-UO	52,759	1.95	102.880
UO-VO	52,843	0.43	21.660
VO-WO	52,862	0.43	21.902
WO-XO	52,862	0.11	5.664
XO-YO	52,866	7.42	375.070
YO-ZO	52,871	1.17	59.487
ZO-AA	52,819	1.42	73.145
AA-AB	52,841	0.11	5.664
AB-BC	52,854	0.43	21.902
BC-CD	52,868	4.04	209.628
CD-DE	52,872	0.26	13.513
DE-FE	52,778	7.60	396.549
FE-GF	52,513	3.95	207.424
GF-HG	52,857	0.41	21.080
HG-IH	52,759	1.95	102.880
IH-JI	52,843	0.43	21.660
JI-KJ	52,862	0.43	21.902
KJ-LK	52,862	0.11	5.664
LK-ML	52,866	7.42	375.070
ML-NM	52,871	1.17	59.487
NM-ON	52,819	1.42	73.145
ON-PO	52,841	0.11	5.664
PO-QO	52,854	0.43	21.902
QO-RO	52,868	4.04	209.628
RO-SO	52,872	0.26	13.513
SO-TO	52,778	7.60	396.549
TO-UO	52,513	3.95	207.424
UO-VO	52,857	0.41	21.080
VO-WO	52,759	1.95	102.880
WO-XO	52,843	0.43	21.660
XO-YO	52,862	0.43	21.902
YO-ZO	52,862	0.11	5.664
ZO-AA	52,866	7.42	375.070
AA-AB	52,871	1.17	59.487
AB-BC	52,819	1.42	73.145
BC-CD	52,841	0.11	5.664
CD-DE	52,854	0.43	21.902
DE-FE	52,868	4.04	209.628
FE-GF	52,872	0.26	13.513
GF-HG	52,778	7.60	396.549
HG-IH	52,513	3.95	207.424
IH-JI	52,857	0.41	21.080
JI-KJ	52,759	1.95	102.880
KJ-LK	52,843	0.43	21.660
LK-ML	52,862	0.43	21.902
ML-NM	52,862	0.11	5.664
NM-ON	52,866	7.42	375.070
ON-PO	52,871	1.17	59.487
PO-QO	52,819	1.42	73.145
QO-RO	52,841	0.11	5.664
RO-SO	52,854	0.43	21.902
SO-TO	52,868	4.04	209.628
TO-UO	52,872	0.26	13.513
UO-VO	52,778	7.60	396.549
VO-WO	52,513	3.95	207.424
WO-XO	52,857	0.41	21.080
XO-YO	52,759	1.95	102.880
YO-ZO	52,843	0.43	21.660
ZO-AA	52,862	0.43	21.902
AA-AB	52,862	0.11	5.664
AB-BC	52,866	7.42	375.070
BC-CD	52,871	1.17	59.487
CD-DE	52,819	1.42	73.145
DE-FE	52,841	0.11	5.664
FE-GF	52,854	0.43	21.902
GF-HG	52,868	4.04	209.628
HG-IH	52,872	0.26	13.513
IH-JI	52,778	7.60	396.549
JI-KJ	52,513	3.95	207.424
KJ-LK	52,857	0.41	21.080
LK-ML	52,759	1.95	102.880
ML-NM	52,843	0.43	21.660
NM-ON	52,862	0.43	21.902
ON-PO	52,862	0.11	5.664
PO-QO	52,866	7.42	375.070
QO-RO	52,871	1.17	59.487
RO-SO	52,819	1.42	73.145
SO-TO	52,841	0.11	5.664
TO-UO	52,854	0.43	21.902
UO-VO	52,868	4.04	209.628
VO-WO	52,872	0.26	13.513
WO-XO	52,778	7.60	396.549
XO-YO	52,513	3.95	207.424
YO-ZO	52,857	0.41	21.080
ZO-AA	52,759	1.95	102.880
AA-AB	52,843	0.43	21.660
AB-BC	52,862	0.43	21.902
BC-CD	52,862	0.11	5.664
CD-DE	52,866	7.42	375.070
DE-FE	52,871	1.17	59.487
FE-GF	52,819	1.42	73.145
GF-HG	52,841	0.11	5.664
HG-IH	52,854	0.43	21.902
IH-JI	52,868	4.04	209.628
JI-KJ	52,872	0.26	13.513
KJ-LK	52,778	7.60	396.549
LK-ML	52,513	3.95	207.424
ML-NM	52,857	0.41	21.080
NM-ON	52,759	1.95	102.880
ON-PO	52,843	0.43	21.660
PO-QO	52,862	0.43	21.902
QO-RO	52,862	0.11	5.664
RO-SO	52,866	7.42	375.070
SO-TO	52,871	1.17	59.487
TO-UO	52,819	1.42	73.145
UO-VO	52,841	0.11	5.664
VO-WO	52,854	0.43	21.902
WO-XO	52,868	4.04	209.628
XO-YO	52,872	0.26	13.513
YO-ZO	52,778	7.60	396.549
ZO-AA	52,513	3.95	207.424
AA-AB	52,857	0.41	21.080
AB-BC	52,759	1.95	102.880
BC-CD	52,843	0.43	21.660
CD-DE	52,862	0.43	21.902
DE-FE	52,862	0.11	5.664
FE-GF	52,866	7.42	375.070
GF-HG	52,871	1.17	59.487
HG-IH	52,819	1.42	73.145
IH-JI	52,841	0.11	5.664
JI-KJ	52,854	0.43	21.902
KJ-LK	52,868	4.04	209.628
LK-ML	52,872	0.26	13.513
ML-NM	52,778	7.60	396.549
NM-ON	52,513	3.95	207.424
ON-PO	52,857	0.41	21.080
PO-QO	52,759	1.95	102.880
QO-RO	52,843	0.43	21.660
RO-SO	52,862	0.43	21.902
SO-TO	52,862	0.11	5.664
TO-UO	52,866	7.42	375.070
UO-VO	52,871	1.17	59.487
VO-WO	52,819	1.42	73.145
WO-XO	52,841	0.11	5.664
XO-YO	52,854	0.43	21.902
YO-ZO	52,868	4.04	209.628
ZO-AA	52,872	0.26	13.513
AA-AB	52,778	7.60	396.549
AB-BC	52,513	3.95	207.424
BC-CD	52,857	0.41	21.080
CD-DE	52,759	1.95	102.880
DE-FE	52,843	0.43	21.660
FE-GF	52,862	0	





Christine Lintott Architects  
Suite 1 - 804 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.5569  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020
Revision	
No. Description Date	
1 DVP (REVISED) 6 JAN 2020	

Consultant

1035 Joan Crescent  
1035 Joan Crescent,  
Victoria, BC V8S 3L3

Site Plan - Existing

Date	2019-12-31 11:37:18 AM
Drawn by	TK
Checked by	CL
Scale	1 : 100





Christine Lintott Architects

Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1500  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision	No.	Description	Date
1	DVP (REVISED)		6 JAN 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Site Plan - Proposed

Date2019-12-31 11:37:43 AM  
Drawn byTK  
Checked byCL

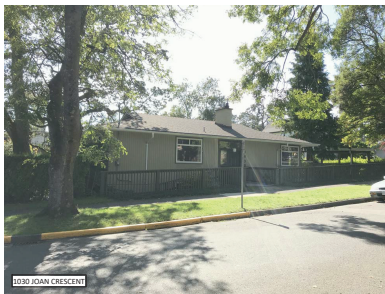
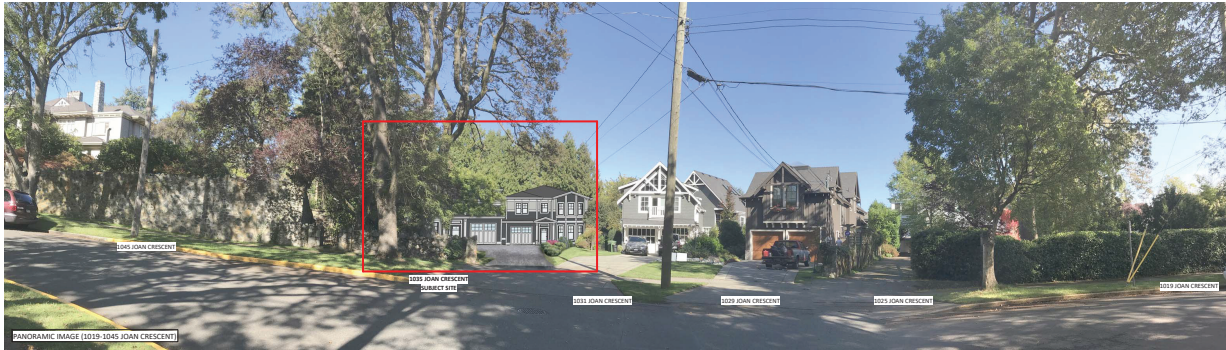
A1.02

Scale1 : 100

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.







Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1500  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

Consultant

## 1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

## Neighbourhood Context

Date	2019-12-31 11:38:44 AM
Drawn by	TK
Checked by	CL

A1.04

Scale

THIS DRAWING IS A COPYRIGHT DRAWING AND SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.





Issue	Date
DEVELOPMENT PERMIT W/VARIANCE	7 OCT 2019
DPV #00129 REVISION	6 JAN 2020
DPV #00129 REVISION 2	24 SEP 2020

Revision		
No.	Description	Date
1	DPV (REVISED)	6 JAN 2020
2	DPV (REVISION 2)	24 SEP 2020

Consultant

1035 Joan Crescent

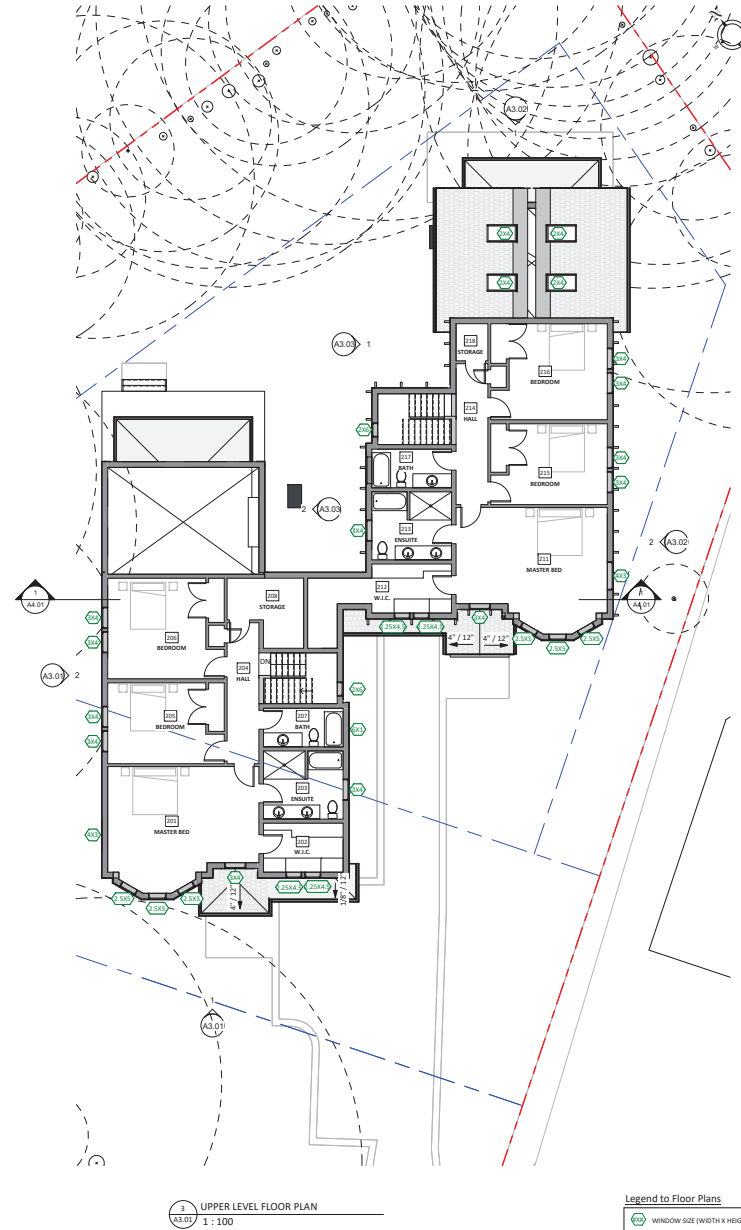
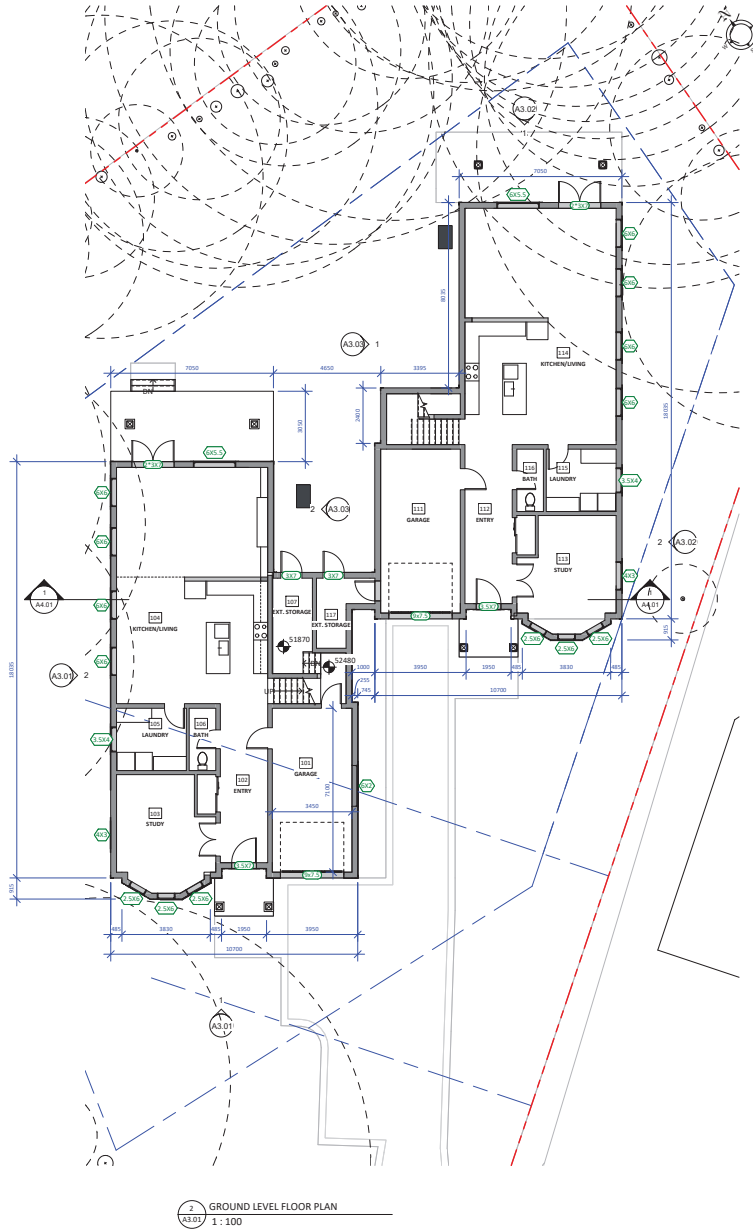
1035 Joan Crescent,  
Victoria, BC V8S 3L3

Floor Plans

Date: 2020-09-24 1:37:28 PM  
Drawn by: TK  
Checked by: CL

A2.01

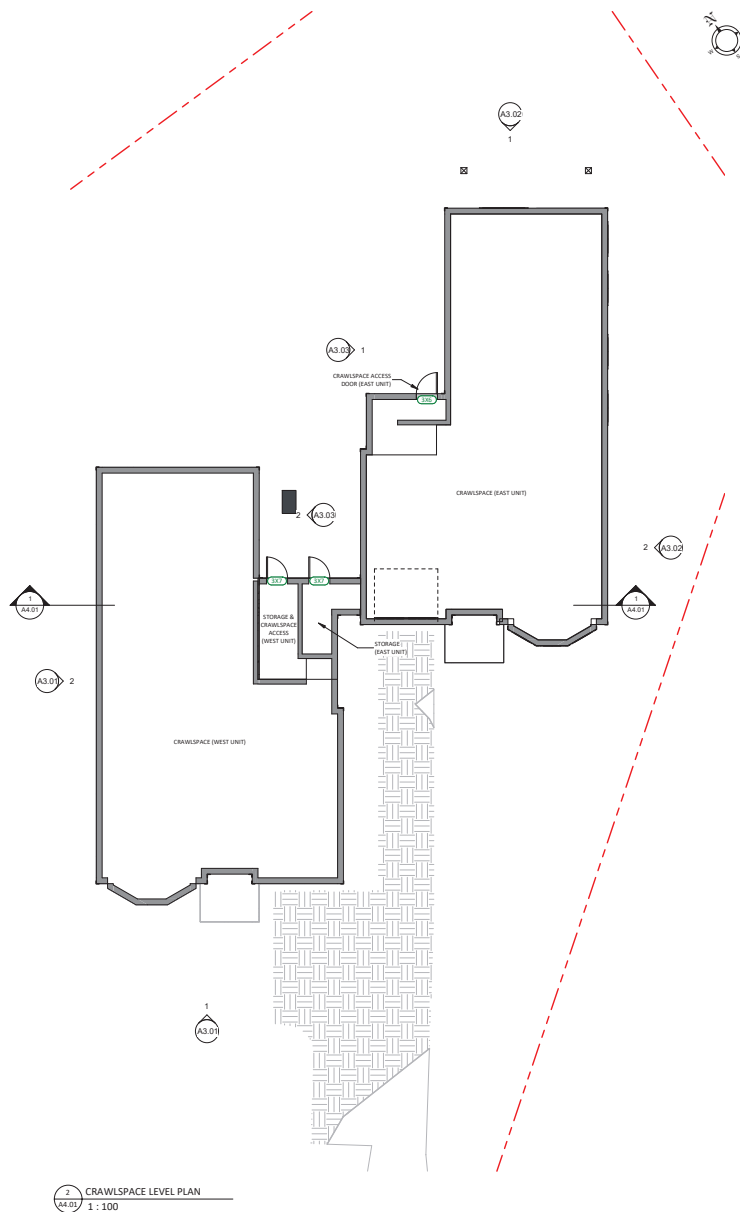
Scale: 1 : 100



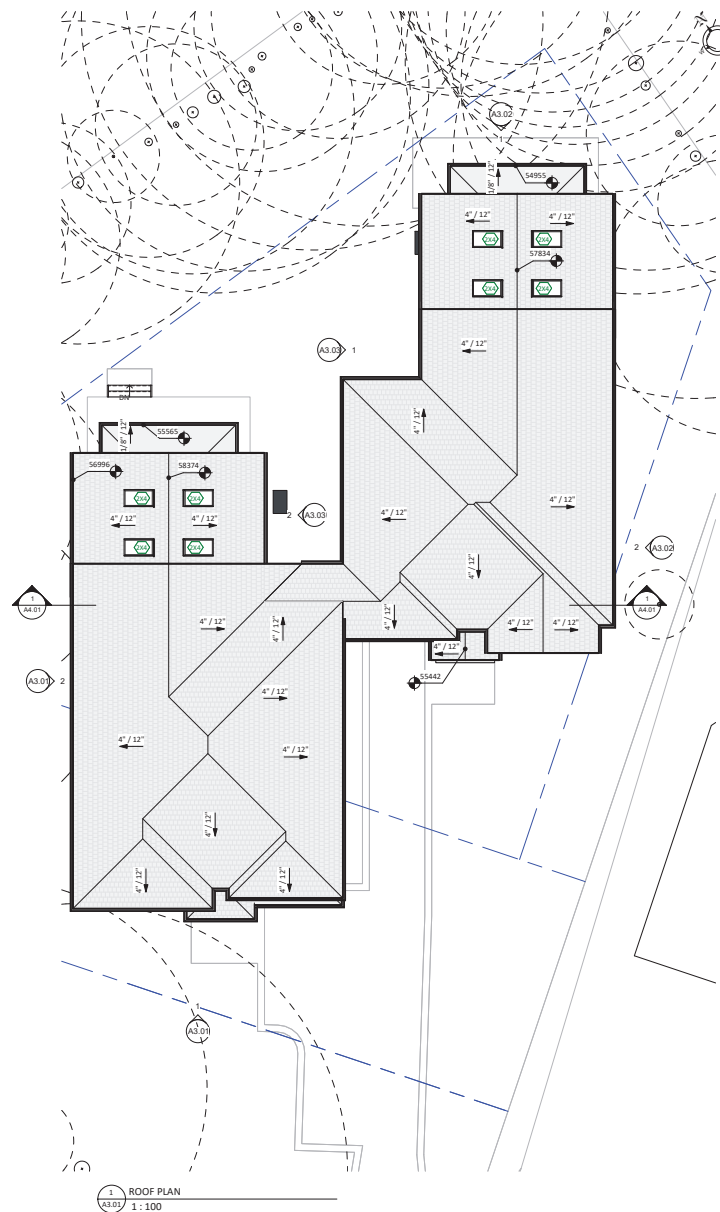
Legend to Floor Plans

WINDOW SIZE (WIDTH X HEIGHT, IN FEET)  
DOOR SIZE (WIDTH X HEIGHT, IN FEET)





2 CRAWLSPACE LEVEL PLAN  
A3.01 1:100



1 ROOF PLAN  
A3.01 1:100

Legend to Floor Plans  
 WINDOW SIZE (WIDTH X HEIGHT, IN FEET)  
 DOOR SIZE (WIDTH X HEIGHT, IN FEET)

Christine Lintott Architects

Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
 Telephone: 250.384.1369  
 www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE	7 OCT 2019
DPV #00129 REVISION	6 JAN 2020
DPV #00129 REVISION 2	24 SEP 2020

Revision		
No.	Description	Date
1	DPV (REVISED)	6 JAN 2020
2	DPV (REVISION 2)	24 SEP 2020

Consultant

1035 Joan Crescent

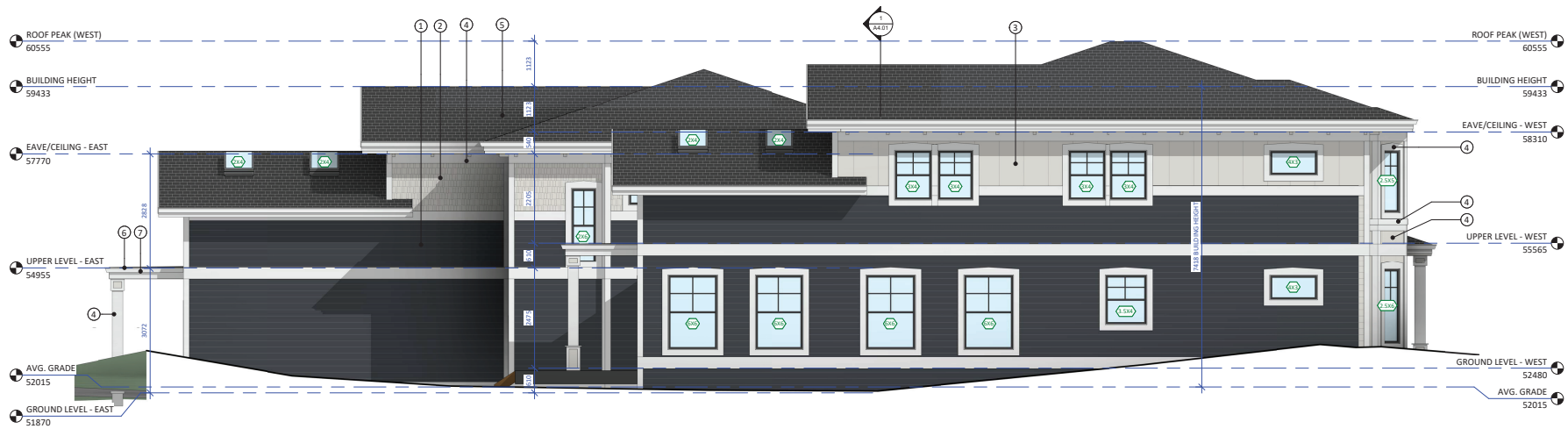
1035 Joan Crescent,  
Victoria, BC V8S 3L3

Floor Plans

Date	2020-09-24 1:37:31 PM
Drawn by	TK
Checked by	CL
A2.02	
Scale	1:100



1 BUILDING ELEVATION - SOUTH  
1:50



2 BUILDING ELEVATION - WEST  
1:50

MATERIALS LEGEND	
1	CEMENTITIOUS LAP SIDING, PAINTED
2	CEMENTITIOUS SHINGLE SIDING, PAINTED
3	CEMENTITIOUS BOARD & BATTEN, PAINTED
4	WOOD TRIM, PAINTED
5	ASPHALT SHINGLE ROOFING
6	LOW SLOPE ROOFING SYSTEM
7	METAL ROOF GUTTER, PREFINISHED

#### Legend to Exterior Colours

BLACK / DARK GRAY - FIBERGLASS ROOF SHINGLES - LOW SLOPE ROOFING - DOOR & WINDOW FRAMES	"OBSIDIAN" (COVERDALE #C404) - CEMENTITIOUS SIDING	"MIDST" (COVERDALE #C403) - CEMENTITIOUS SIDING	"STANDARD WHITE" (COVERDALE #C405) - EXTERIOR TRIM

Christine Lintott  
Architects

Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1569  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE	7 OCT 2019
DPV #00129 REVISION	6 JAN 2020
DPV #00129 REVISION 2	24 SEP 2020

Revision		
No.	Description	Date
	DPV (REVISED)	6 JAN 2020
	DPV (REVISION 2)	24 SEP 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Elevations

Date 2020-09-24 1:37:43 PM  
Drawn by TK  
Checked by CL

A3.01

Scale As indicated

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.

Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1569  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE	7 OCT 2019
DPV #00129 REVISION	6 JAN 2020
DPV #00129 REVISION 2	24 SEP 2020

Revision		
No.	Description	Date
	DPV (REVISED)	6 JAN 2020
	DPV (REVISION 2)	24 SEP 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Elevations

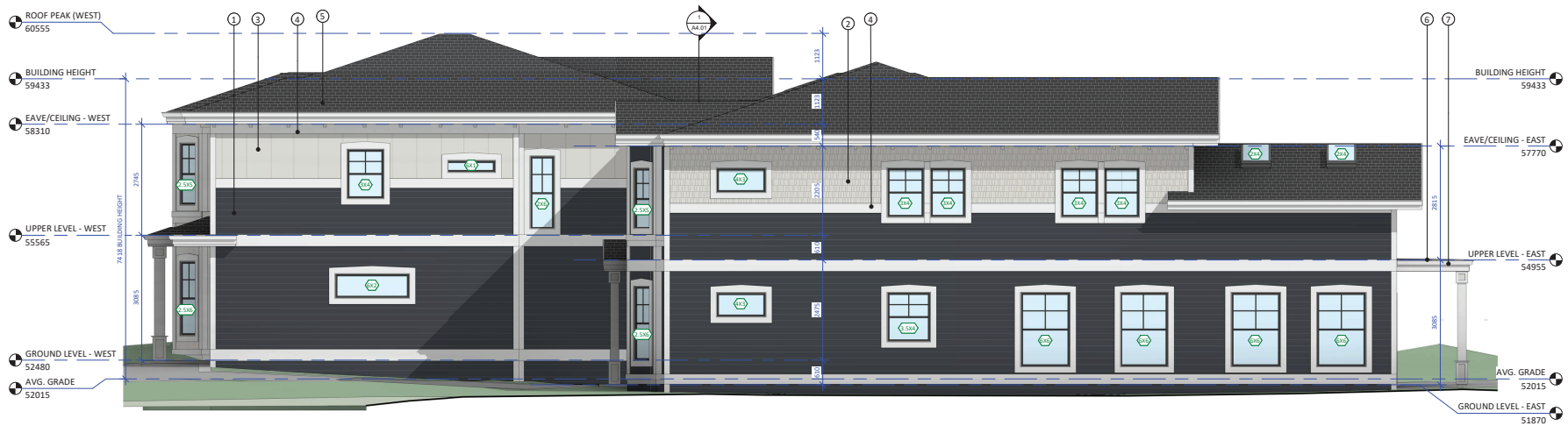
Date 2020-09-24 1:37:56 PM  
Drawn by TK  
Checked by CL

A3.02

Scale As indicated



1 BUILDING ELEVATION - NORTH  
A3.02 1:50



2 BUILDING ELEVATION - EAST  
A3.02 1:50

MATERIALS LEGEND	
1	CEMENTITIOUS LAP SIDING, PAINTED
2	CEMENTITIOUS SHINGLE SIDING, PAINTED
3	CEMENTITIOUS BOARD & BATTEN, PAINTED
4	WOOD TRIM, PAINTED
5	ASPHALT SHINGLE ROOFING
6	LOW SLOPE ROOFING SYSTEM
7	METAL ROOF GUTTER, PREFINISHED

Legend to Exterior Colours

BLACK / DARK GRAY - FIBERGLASS ROOF SHINGLES - LOW SLOPE ROOFING - DOOR & WINDOW FRAMES	"OBSIDIAN" (COVERDALE #C404) - CEMENTITIOUS SIDING	"MIST" (COVERDALE #C403) - CEMENTITIOUS SIDING	"STANDARD WHITE" (COVERDALE #C405) - EXTERIOR TRIM

Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1569  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE	7 OCT 2019
DPV #00129 REVISION	6 JAN 2020
DPV #00129 REVISION 2	24 SEP 2020

Revision	No.	Description	Date
1	DPV (REVISED)	6 JAN 2020	
2	DPV (REVISION 2)	24 SEP 2020	

Consultant

1035 Joan Crescent

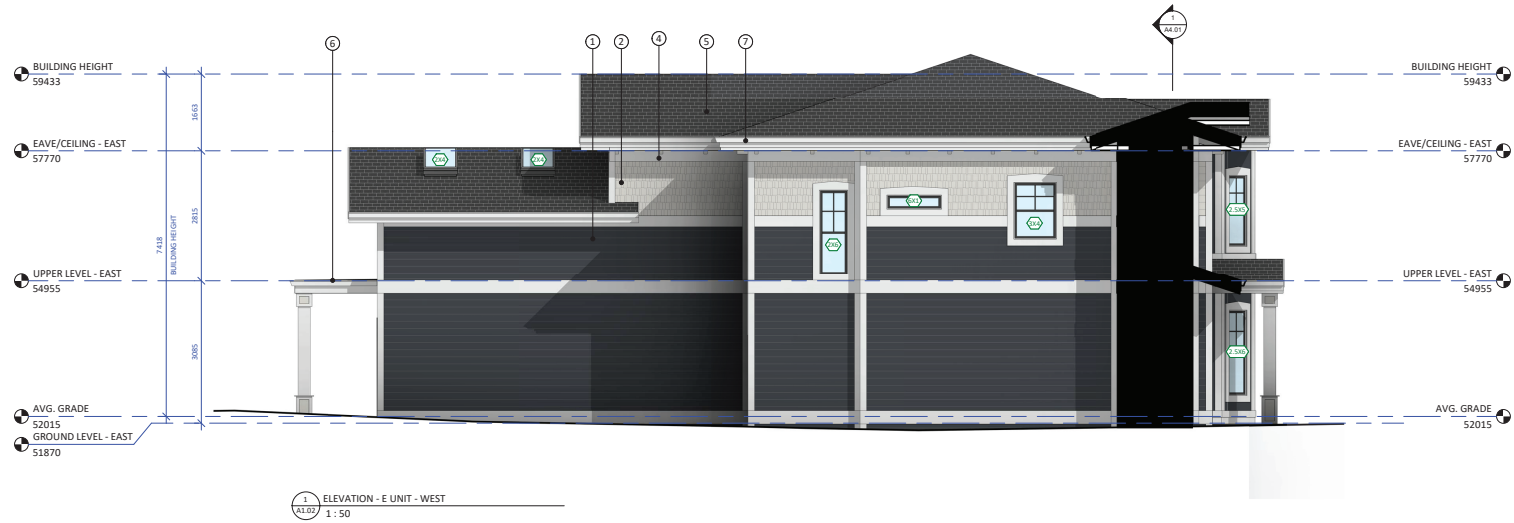
1035 Joan Crescent,  
Victoria, BC V8S 3L3

Elevations

Date 2020-09-24 1:38:05 PM  
Drawn by TK  
Checked by CL

A3.03

Scale As indicated

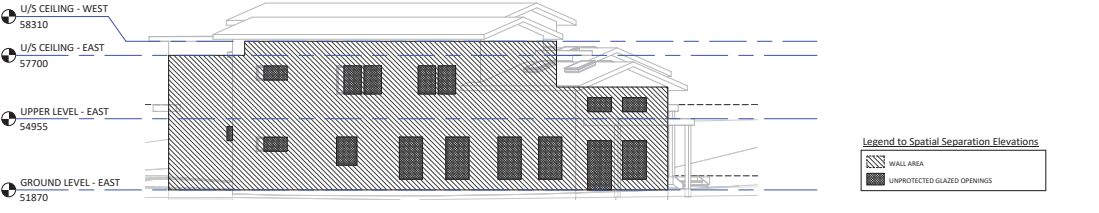
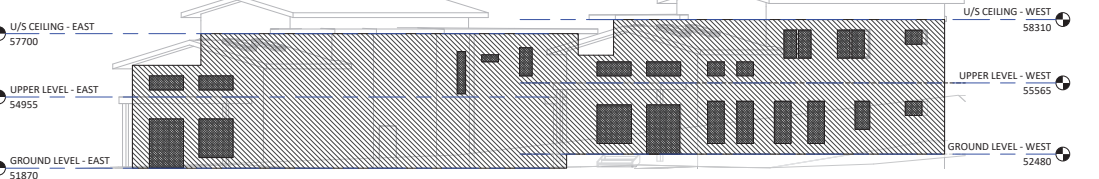
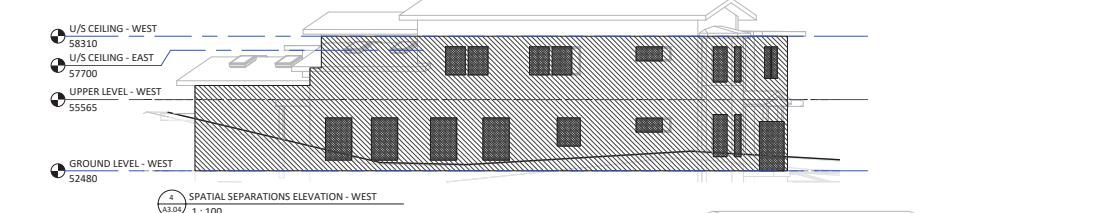
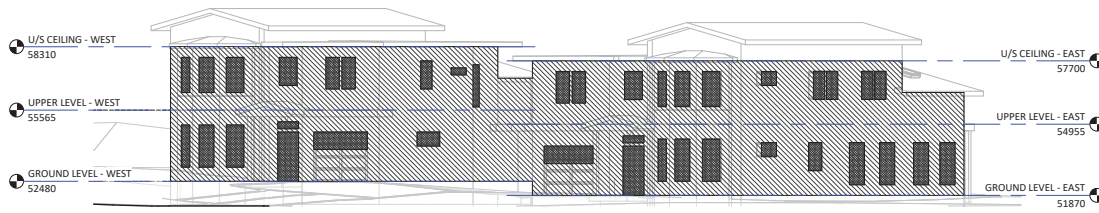
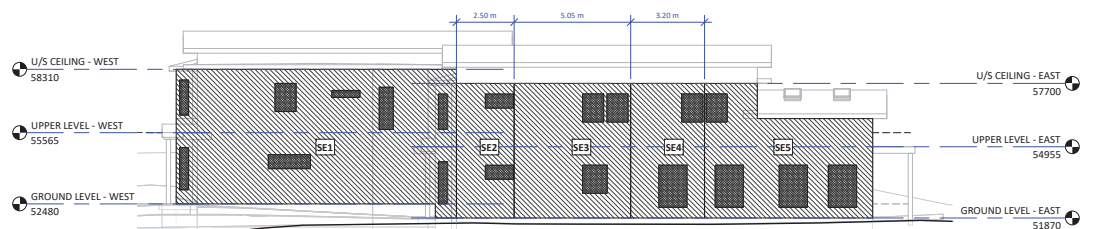


MATERIALS LEGEND	
1	CEMENTITIOUS LAP SIDING, PAINTED
2	CEMENTITIOUS SHINGLE SIDING, PAINTED
3	CEMENTITIOUS BOARD & BATTEN, PAINTED
4	WOOD TRIM, PAINTED
5	ASPHALT FLTNGLE ROOFING
6	LOW SLOPE ROOFING SYSTEM
7	METAL ROOF GUTTER, PREFINISHED

Legend to Exterior Colours

BLACK / DARK GRAY - FIBERGLASS ROOF SHINGLES - LOW SLOPE ROOFING - DOOR & WINDOW FRAMES	"OBSDIAN" (COVERDALE #C4204) - CEMENTITIOUS SIDING	"MIST" (COVERDALE #C4202) - CEMENTITIOUS SIDING	"STANDARD WHITE" (COVERDALE #C4203) - EXTERIOR TRIM





**Legend to Spatial Separation Elevations**

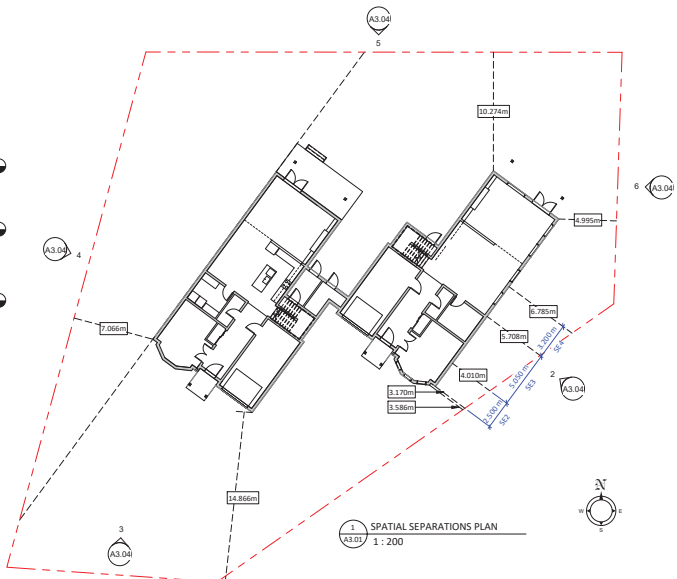
WALL AREA

UNPROTECTED GLAZED OPENINGS

### Building Code Analysis - Spatial Separations

6 - SPATIAL SEPARATIONS									
NO.	ITEM	DESCRIPTION	LOCATION	WALL AREA	LISTING DISTANCE	MINIMUM GLAZING	PROPOSED GLAZING	WALL TYPE	GLAZING TYPE
6-1 SPATIAL SEPARATION AND EXPOSURE PROTECTION & CONSTRUCTION OF EXPOSING BUILDING FACE				168.823	VARIES	VARIES	VARIES	VARIES	VARIES
10	(DE1)		SOUTHWEST	71.324	3.380	13.37	8.79	1	REQUIRED
10	(DE2)			14.575	3.370	10.34	10.33	1	REQUIRED
10	(DE3)			29.492	4.010	12.89	12.89	1	REQUIRED
10	(DE4)			18.470	3.700	17.98	17.98	1	REQUIRED
10	(DE5)			34.987	6.790	22.53	22.42	1	REQUIRED
SOUTH				194.757	14.880	81.53	18.05	1	REQUIRED
WEST				118.340	7.890	23.80	15.55	1	REQUIRED
NORTH				198.388	10.270	42.06	13.53	1	REQUIRED
EAST				127.024	8.990	15.48	14.64	1	REQUIRED

\* AT SOUTHEAST ELEVATION, ARBITRARY WALL DIVISION METHOD USED TO DEMONSTRATE COMPLIANCE. SEE REAR FIGURES A-9.10.13.4.2) B & C.



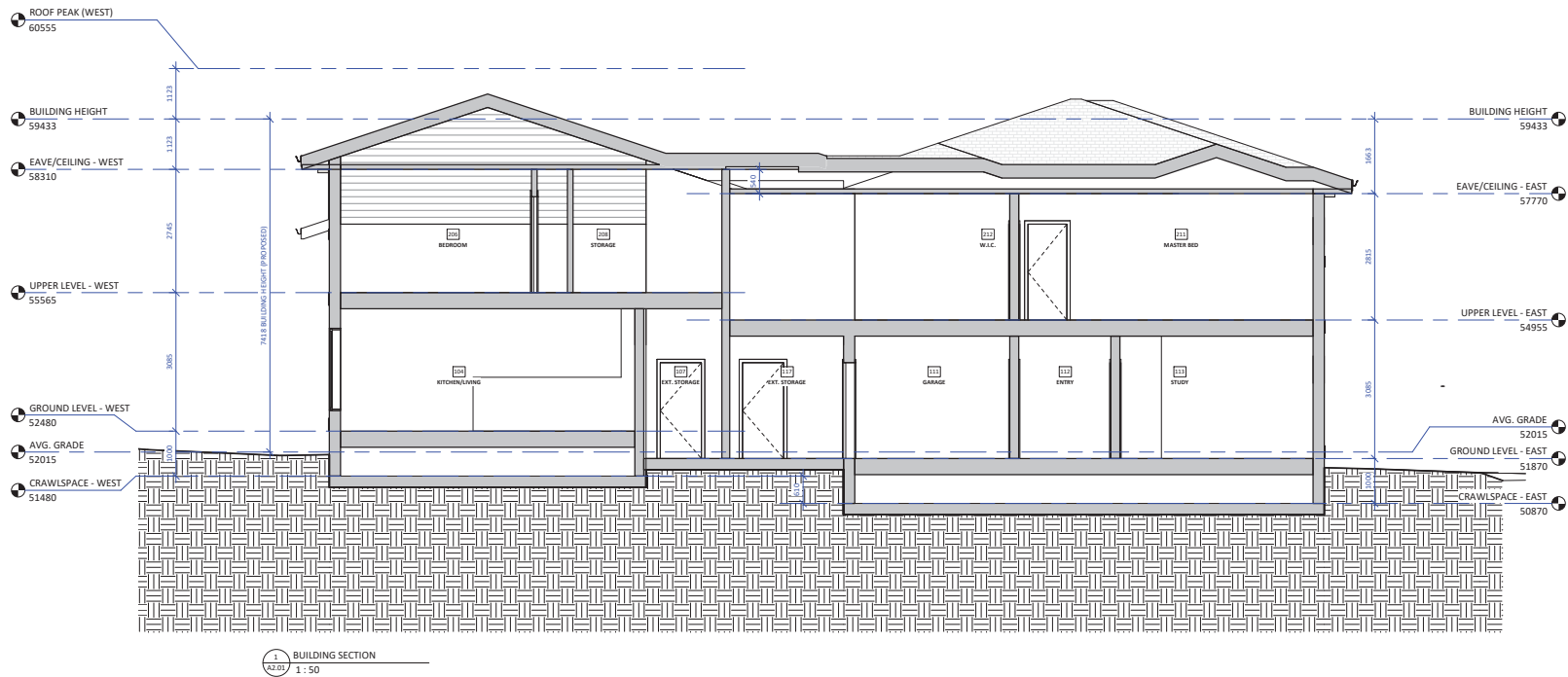
Revision		
No.	Description	Date
1	DPV (REVISED)	6 JAN 2020
2	DPV (REVISION 2)	24 SEP 2020

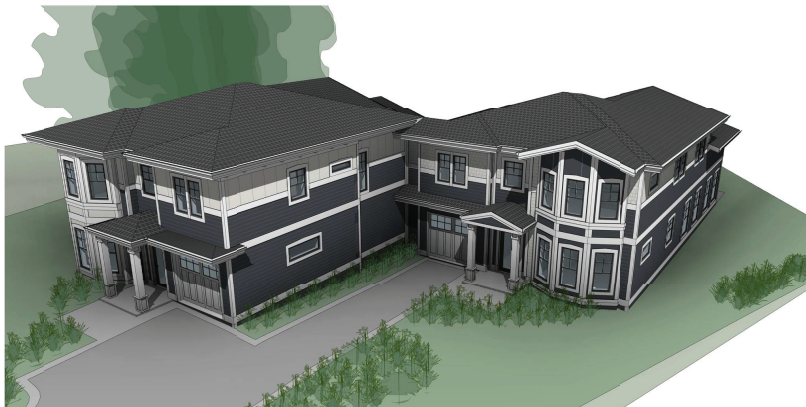
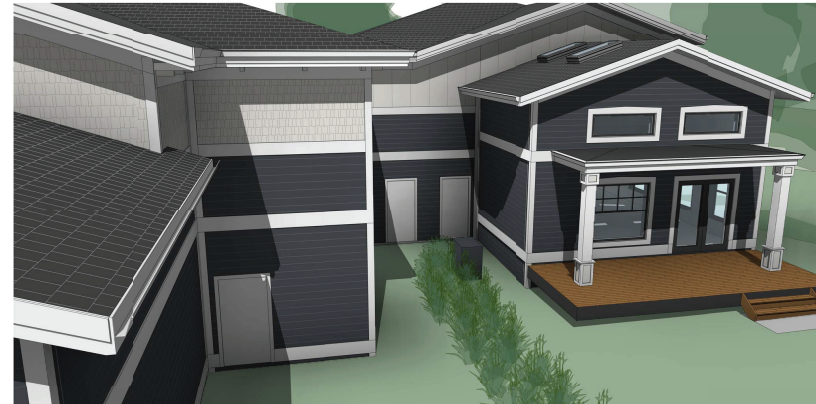
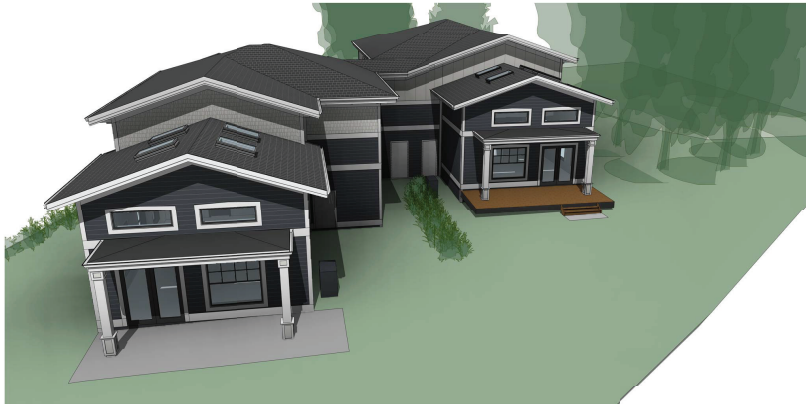
---

### Building Section

A4.01

Scale 1 : 50





Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1500  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE	7 OCT 2019
DPV #00129 REVISION	6 JAN 2020
DPV #00129 REVISION 2	24 SEP 2020

No.	Description	Date
1	DPV (REVISED)	6 JAN 2020
2	DPV (REVISION 2)	24 SEP 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

3D Perspectives

Date 2020-09-24 1:38:27 PM  
Drawn by TK  
Checked by CL

A8.01

Scale

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.

## 1035 Joan Crescent – Semi-Attached Dwellings Proposal (DPV#00129)

To Mayor and Council:

The Rockland neighbourhood is home to a rich history of stately traditional houses and lush, well-tended landscaping. As part of its evolution, a mix of townhouses, apartments, and care facilities now complement these heritage aspects while retaining an elegant and leafy character.

This proposal is for a pair of semi-attached dwellings in an irregular lot at 1035 Joan Crescent, designed to quietly integrate into the neighbourhood with gentle density. The heritage style, three-bedroom, two-and-a-half bath homes each comprise approximately 280 square meters over two levels, with attached garages. Variations to height, finish, and massing differentiate the two halves, while a common roof unifies them.

A variance to the front setback is requested, due to the measurement methodology required for irregular lots. The existing house on the property would also require this variance, as it would encroach on this setback by almost the same distance.

The project manages to situate two high quality homes in a lot governed by the strictest lot coverage limit for one or two family dwellings in the City (25%), with just 23.08% lot coverage. By contrast, a single family home on this site would be permitted 40% coverage and not be subject to a form and character development permit.

In keeping with neighbourhood character, and to minimize impervious hardscaping, the proposed development will share the existing driveway access to Joan Crescent. A combination of permeable paving stones with concrete borders will be used for driveway and parking surfaces, to increase natural water infiltration and minimize the municipal stormwater load. By contrast, the existing 1950s residence has over 150 square meters of non-permeable surfacing.

Careful consideration has also been given to the siting of the building to preserve existing mature trees. As described in the Arborist's tree preservation plan, this project will preserve 56 trees on the property, and avoid impacting the four (4) City trees on public property. Only one tree of a non-Bylaw-protected variety is proposed to be removed, and much of the front yard will be planted with locally appropriate species.

Multiple green design features and metrics have been incorporated, including construction to BC Energy Step Code 3 for energy efficiency, heat pumps, water- and power- efficient fixtures and appliances, and a dedicated electric vehicle charger for each unit.

A single family detached house currently exists on the property and is being rented in the interim period to tenants who are currently building a new home elsewhere, thus ensuring that no tenants will be displaced.

This proposed development was previously brought before Committee of the Whole on May 21st, at which time a letter from the Rockland Neighbourhood Association Land Use



Committee (RNA-LUC) dated November 18, 2019, precipitated a motion for Staff to work with the Applicant to ensure consistency with the guidelines. Unfortunately, this letter predated the revisions dated January 6th, 2020, and it was later learnt that the RNA-LUC had not received the latest version for their comments.

After review with Staff and discussions with members of the RNA-LUC, revisions have been made to the configuration of the common roof between the units to strengthen the common roofline and address the form and character concern. The main roofline now continues through the upper storey for a more solid appearing connection.

As stated in the report prepared by City Staff, "the proposal is generally consistent with the Design Guidelines for Attached and Semi-Attached Dwellings in Rockland" and "is generally consistent with the Rockland Neighbourhood Plan which encourages attached dwellings and the preservation of large lots and features that contribute to the character of the area."

The minimum front yard setback in the R1-A zone for a rectangular lot is 10.5 meters. A variance to the front setback is requested, due to the "largest rectangle" measurement methodology required for irregular lots. A variance of 7.277 meters is needed to accommodate the siting of the new semi-attached building, placing it 3.223 meters from the front setback. The nearest corner of the proposed building in relation to the nearest point of the front property line would be 14.988 meters; the building would sit over 29.5 meters from the road.

In comparison, 26 out of the 36 buildings on Joan Crescent are situated less than 14.988 meters from the nearest point of the front lot line. Fourteen buildings on Joan Crescent – including the existing house on the subject property – are situated on irregular lots would be considered non-conforming, would require a front setback variance. A similar development built next door, at 1029/1031 Joan Crescent, was built in 2010 on an irregular lot did not require a variance at that time but would now require a variance using the "largest rectangle" method and thus be considered non-conforming.

In conclusion, in spite of the front setback variance being requested, the new semi-attached building will be situated further back from the front lot line than the majority of homes on Joan Crescent, with the nearest corner of the new building only 1.8 meters closer to the front property line than the existing house. Moreover, this development adds two high quality homes respectful of the Rockland neighbourhood while preserving and enhancing its natural features. Thank you for your consideration of this proposal.

Sincerely,

Jon Roler

# 1035 Joan Crescent – Semi-Attached Dwellings Proposal (DPV#00129)

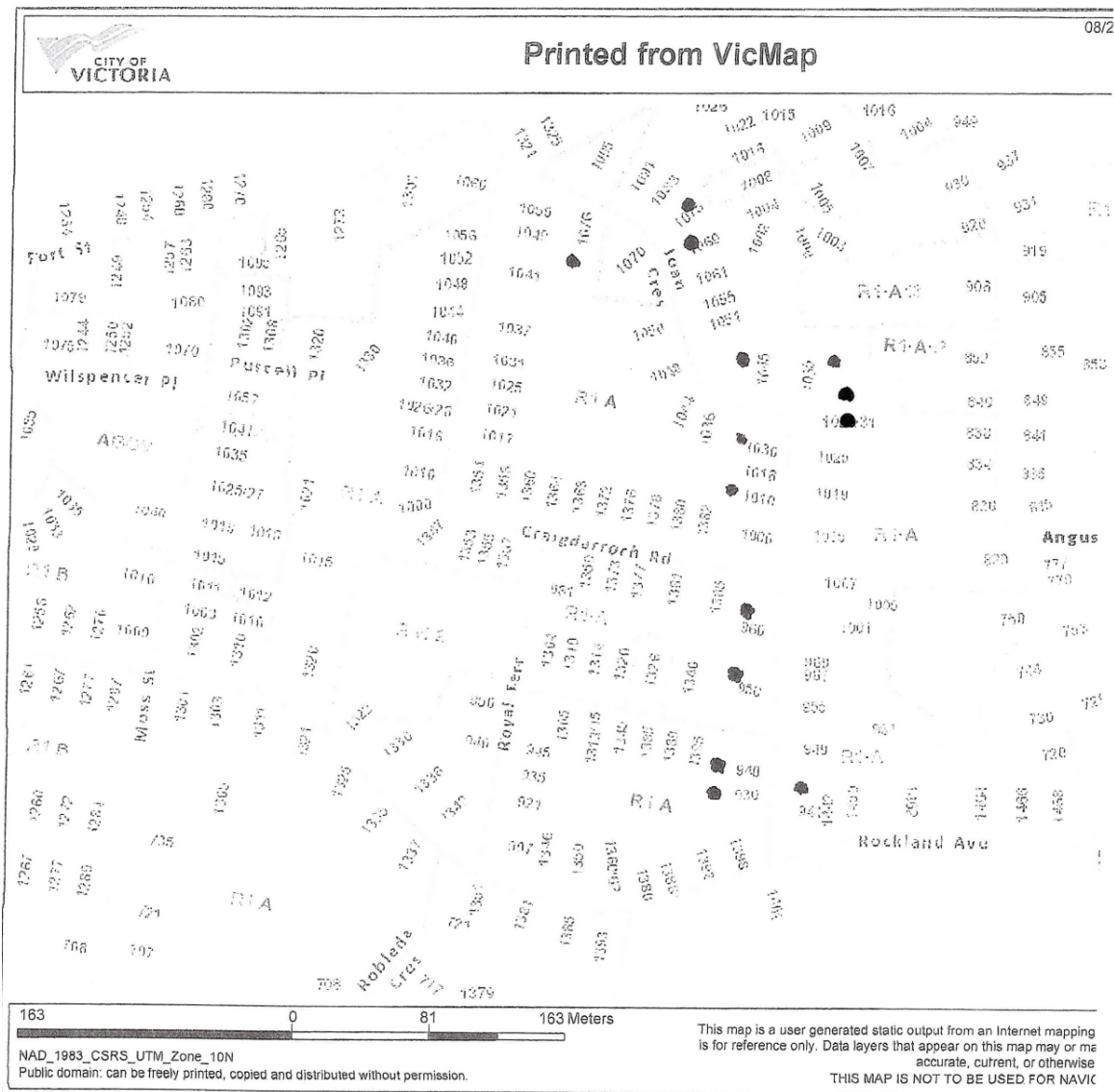


Figure 1: Fourteen (14) buildings on irregular shaped lots that would be considered non-conforming without a setback variance

# 1035 Joan Crescent – Semi-Attached Dwellings Proposal (DPV#00129)

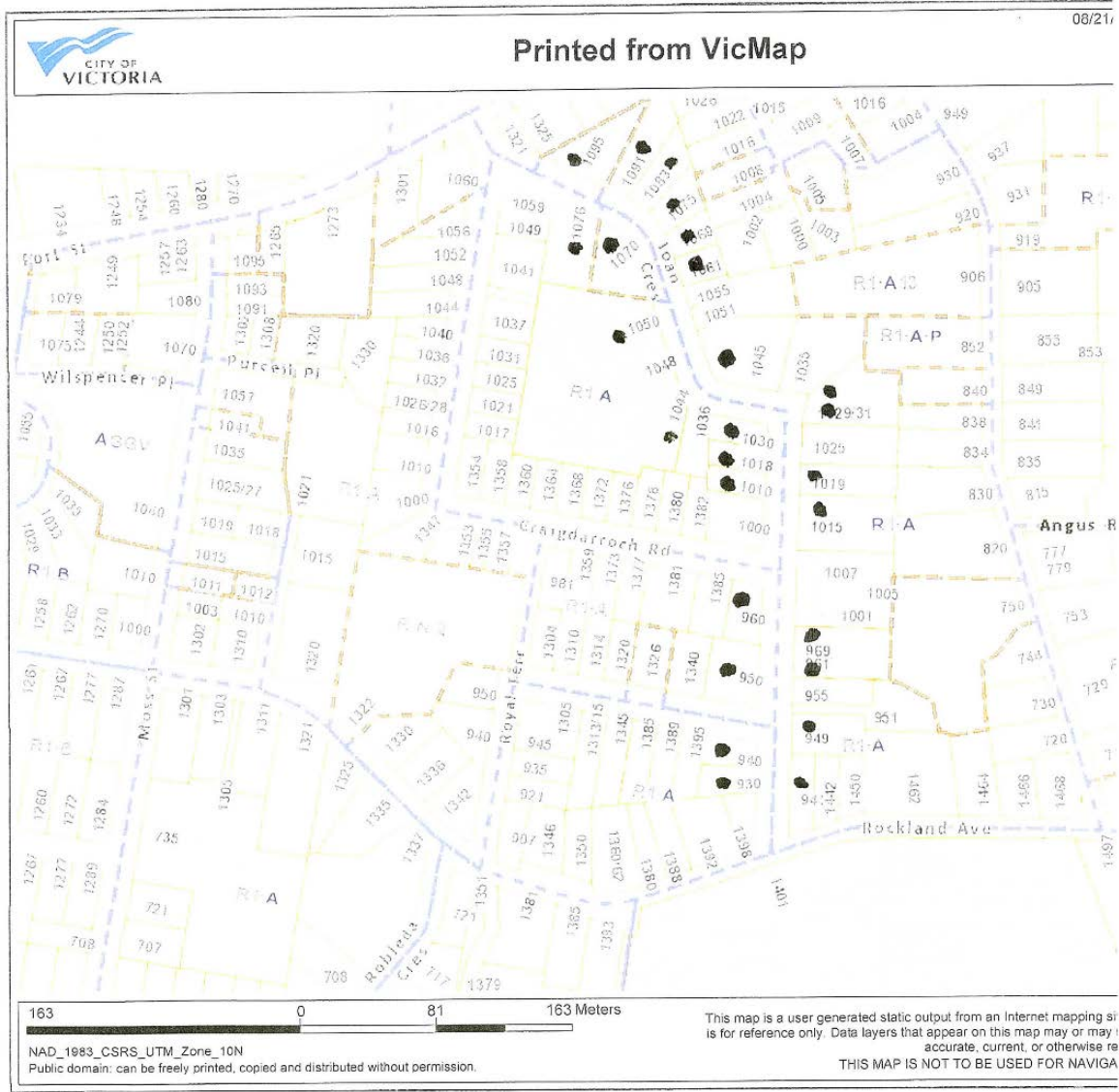


Figure 2. Twenty-six (26) buildings situated less than 14.988m from nearest point of front lot line



## Committee of the Whole Report

### For the Meeting of May 21, 2020

---

**To:** Committee of the Whole **Date:** May 7, 2020

**From:** Karen Hoese, Director, Sustainable Planning and Community Development

**Subject:** Development Permit with Variance Application No. 00129 for 1035 Joan Crescent

---

### RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Permit with Variance Application No. 00129 for 1035 Joan Crescent, in accordance with:

1. Plans date stamped January 7, 2020.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. reduce the front yard setback from 10.50 metres to 3.22 metres.
3. The Development Permit lapsing two years from the date of this resolution.”

### LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official 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 491 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, and the 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 Variance Application for the property located at 1035 Joan Crescent. The proposal is to construct a semi-attached dwelling. The variance is related to



reducing the front setback from 10.5 metres to 3.22 metres.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Design Guidelines for Attached and Semi-Attached Dwellings in Rockland
- the proposal is generally consistent with the Rockland Neighbourhood Plan which encourages semi-attached dwellings and the preservation of the large lots and features that contribute to the character of the area
- the front setback variance is due to the irregular shape of the lot and is considered supportable because the proposed front yard setback is consistent with the setbacks along Joan Crescent, allows ample room for front yard landscaping and helps preserve existing trees on the subject property.

## **BACKGROUND**

### **Description of Proposal**

The proposal is to demolish the existing single-family dwelling and construct a semi-attached dwelling. The variance is related to reducing the front setback from 10.5 metres to 3.22 metres.

### **Affordable Housing**

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

### **Tenant Assistance Policy**

The existing house is currently rented; however, the tenant has been renting the house for less than a year and is therefore not considered an eligible tenant under the Tenant Assistance Policy. As indicated in the applicant's letter to Mayor and Council, the tenant is renting the house during construction of their new house.

### **Sustainability**

As indicated in the applicant's letter, the following sustainability features are proposed:

- building construction to BC Energy Step Code 3
- electric vehicle charging capabilities
- heat pumps for each unit
- water and energy efficient fixtures and appliances.

### **Active Transportation**

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

## Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Development Permit Application.

## Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings.

### Existing Site Development and Development Potential

The site is presently developed as a single family dwelling.

Under the R1-A Zone, the property could be developed with the use proposed; however, it could also be developed as a single family dwelling with either a secondary suite or garden suite.

## Data Table

The following data table compares the proposal with the existing R1-A Zone. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	R1-A Zone
Site area (m <sup>2</sup> ) – minimum	1729.69	1670 (for semi-attached dwelling)
Site area per unit (m <sup>2</sup> ) – minimum	864.85	835
Number of units – maximum	2	2
Density (Floor Space Ratio) – maximum	0.31	N/A
Total floor area (m <sup>2</sup> ) – maximum	538.42	N/A
Lot width (m) – minimum	41.14	24
Height (m) – maximum	7.35	7.60
Storeys – maximum	2	2.5
Site coverage (%) – maximum	23.08	25
<b>Setbacks (m) – minimum</b>		
Front	<b>3.22 *</b>	10.50
Rear (north)	7.91	7.50
Side (west)	7.07	3.00
Side (east)	4.63	3.00

Zoning Criteria	Proposal	R1-A Zone
Parking – minimum	3	2

## Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on October 28, 2019 the application was referred to the Rockland CALUC. A letter from the CALUC dated November 18, 2019 is attached.

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, 2012) identifies this property with in DPA 15C: Intensive Residential – Rockland. The design guidelines that apply are the *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981) and the *Design Guidelines for Attached and Semi-Attached Dwelling in the Rockland Neighbourhood* (2011). The proposal is considered consistent with these Guidelines in the following ways:

- existing and natural landscape features are retained and incorporated into the development, including historic rock walls and stairs along the front and west side of the property, several Garry Oaks and other mature trees
- new landscaping in the front yard would contribute to the pattern of established front yard landscaping along the street
- the traditional design of the semi-attached dwelling is sympathetic to the character of the area, incorporating details such as a low pitched roof with deeper eaves, soffit and window trim details and vertical window bays that are complimentary to nearby buildings with heritage significance
- the proposed building maintains the established setback from Joan Crescent respecting the existing streetscape and does not intrude upon views of any historic buildings on the street
- parking is not a dominant feature of the development and the proposed driveway would be surfaced with permeable pavers which reduces run-off and minimizes the impact of hard surfacing on the critical root zones of nearby trees
- the proposed building would have minimal impact on the privacy of adjacent properties.

### Rockland Neighbourhood Plan

The proposal is consistent with the *Rockland Neighbourhood Plan* (1987), which encourages semi-attached dwellings as an appropriate form of residential infill development. The proposal also furthers the objectives of the Plan through design that is complimentary to nearby heritage buildings and sensitive site planning that preserves and enhances features of the lot that

contribute to neighbourhood character, such as the rock walls, steps and mature trees and front yard landscaping.

## **Tree Preservation Bylaw and Urban Forest Master Plan**

The goals of the Urban Forest Master Plan include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods.

This permit application was received prior to October 24, 2019, so it falls under Tree Preservation Bylaw No. 05-106 (consolidated June 1, 2015). The tree inventory for the proposal, outlined in the attached arborist report dated April 29, 2020, includes 61 trees that have been assessed: nine bylaw-protected, 49 unprotected, and three City trees. A summary of the impacts to trees is as follows:

- one unprotected magnolia tree is proposed for removal due to conflict with the proposed house
- 60 trees in proximity to construction areas are to be retained, with mitigation measures such as tree protection fencing, arborist supervision and low impact excavation near trees.
- among the trees to be retained, two bylaw-protected Western redcedars will have excavation within their critical root zones for the construction of the east unit's foundation, porch, and patio. The arborist report notes that cedars have poor tolerance to root loss and this could result in reduced growth and canopy dieback, but concludes that there is a high likelihood the trees can be retained long-term.
- Site servicing will have to be carefully planned in coordination with Parks and Engineering to ensure that negative impacts to City trees are minimized.

## **Regulatory Considerations**

### Front Setback Variance

Because this property is an irregular shape, the technical measurement of the proposed front yard setback is 3.22 metres, even though the actual distance from the front property line to the proposed house is approximately 15 metres. The requirement of the R1-A Zone is for a front yard setback of 10.5 metres; therefore the application is to reduce the front setback from 10.5 metres to 3.22 metres. The variance is considered supportable because the proposed building siting maintains the established setback along Joan Crescent, provides ample space for front yard landscaping and retains all but one of the existing trees on site.

### Common Roof

The R1-A Zone requires a common roof connection for semi-attached dwellings while allowing the dwelling units to be separated horizontally (i.e. no common wall requirement). This provision allows for greater flexibility in building design so that new developments can respond to and preserve unique characteristics which may be present on a site. The proposed semi-attached dwelling is designed as two distinct yet complimentary dwellings which are staggered



on the irregular shaped lot and are connected by a common roof on the first storey of the building. This secondary roofline extends over storage rooms for the two units, as well as the garage and covered front entry of one of the units. By staggering the two units, the proposed building is able to provide larger side yard setbacks, which preserves more of the landscape features that contribute to the neighbourhood character of the area, which is consistent with the design guidelines.

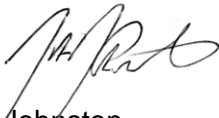
## CONCLUSIONS

The proposal for a semi-attached dwelling with a front setback variance is consistent with the design guidelines for Development Permit Area 15C – Intensive Residential Rockland and the architectural and heritage policies of the Rockland Neighbourhood Plan. Therefore, staff recommend that Council consider supporting the application.


## ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00129 for the property located at 1035 Joan Crescent.

Respectfully submitted,



Alec Johnston  
Senior Planner  
Development Services Division



Karen Hoese, Director  
Sustainable Planning and Community  
Development Department

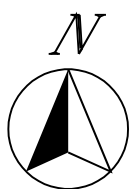
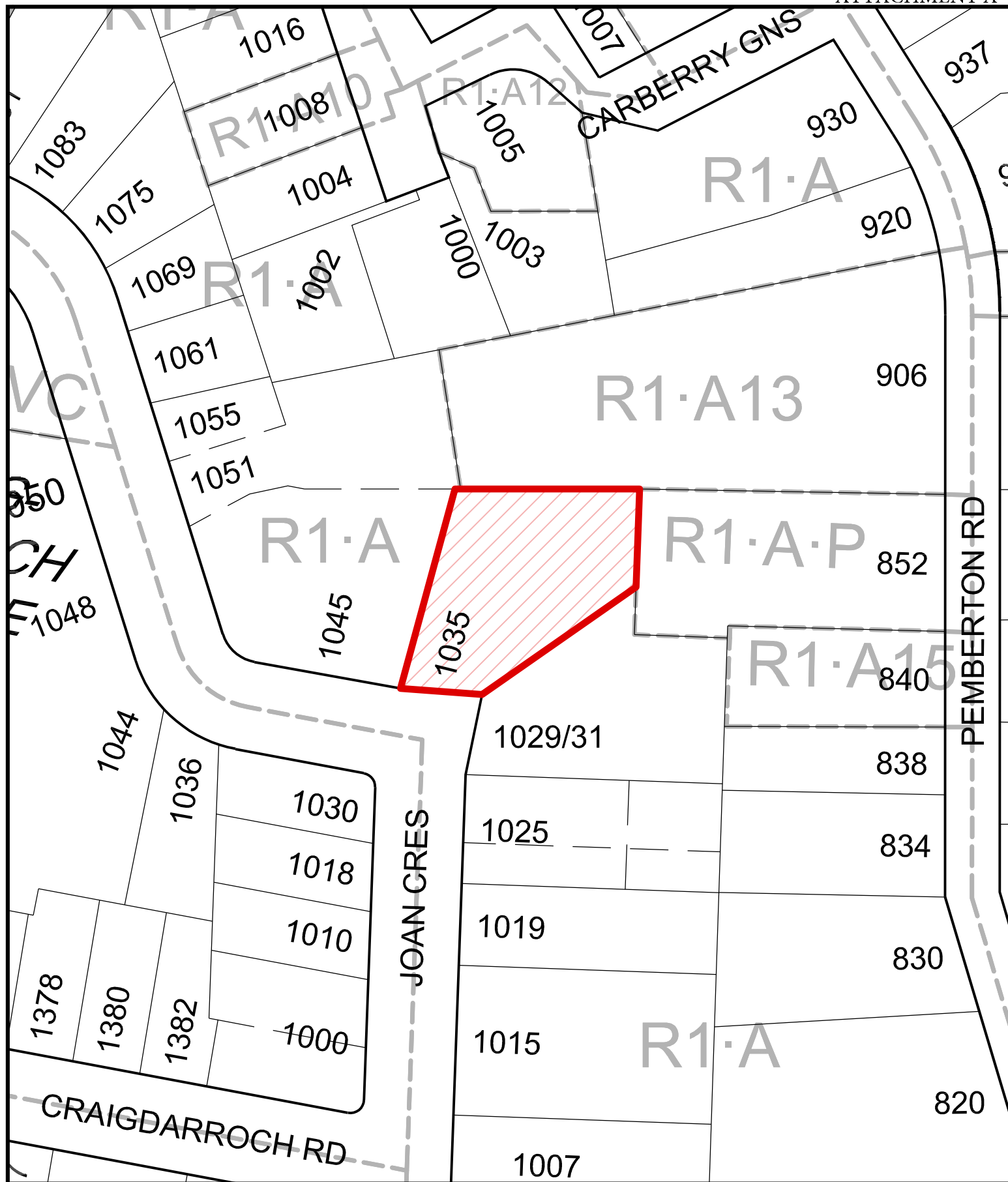
Report accepted and recommended by the City Manager:



Date: May 11, 2020

## List of Attachments

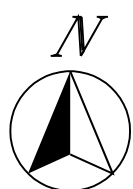
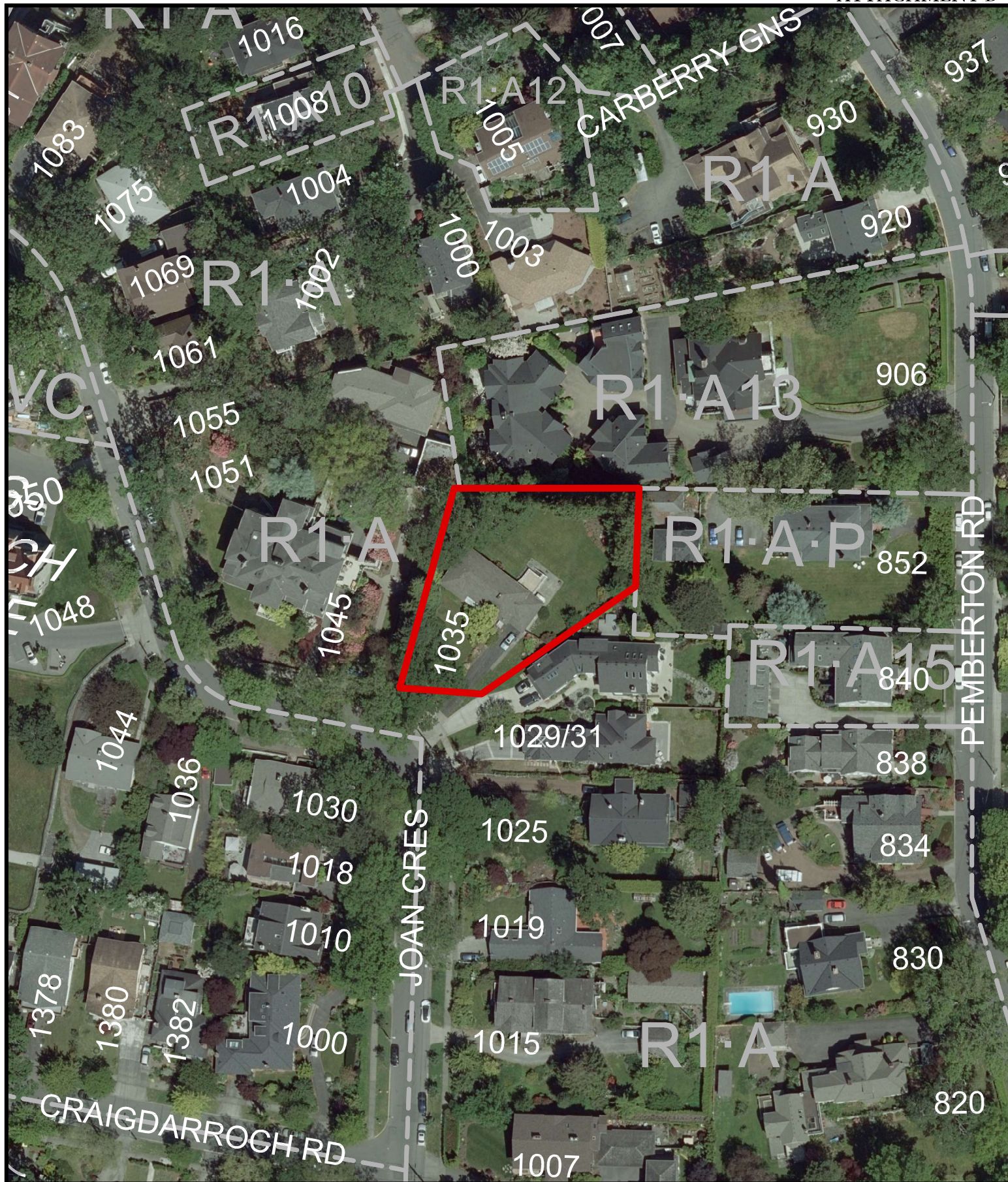
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped January 7, 2020
- Attachment D: Letter from applicant to Mayor and Council dated January 7, 2020
- Attachment E: Arborist report dated April 29, 2020
- Attachment F: Letter from the Rockland CALUC dated November 18, 2019.



1035 Joan Crescent  
Development Permit with Variance #00129







1035 Joan Crescent  
Development Permit with Variance #00129





Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M1  
Telephone: 250.384.1909  
www.linkedtoarchitecture.ca

DEVELOPMENT PERMIT W/VARIANCE 7 OCT 2019  
DRA-11004520-073-MELON 6 JAN 2020

No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

1035 Joan Crescent  
1035 Joan Crescent,  
Victoria, BC V8S 3L3

A0.01	
Scale	As indicated

	AGE	HT (cm)	WT (kg)	FM (%)	FM (kg)	FM (L)
A-B	32.679	1.709	72.097	13.062	9.413	13.062
C-D	32.679	1.709	72.097	13.062	9.413	13.062
E-F	32.679	1.709	72.097	13.062	9.413	13.062
G-H	32.679	1.709	72.097	13.062	9.413	13.062
I-J	32.679	1.709	72.097	13.062	9.413	13.062
K-L	32.679	1.709	72.097	13.062	9.413	13.062
M-N	32.679	1.709	72.097	13.062	9.413	13.062
O-P	32.679	1.709	72.097	13.062	9.413	13.062
Q-R	32.679	1.709	72.097	13.062	9.413	13.062
S-T	32.679	1.709	72.097	13.062	9.413	13.062
U-V	32.679	1.709	72.097	13.062	9.413	13.062
W-X	32.679	1.709	72.097	13.062	9.413	13.062
Y-Z	32.679	1.709	72.097	13.062	9.413	13.062
AA-BB	32.679	1.709	72.097	13.062	9.413	13.062
CC-DD	32.679	1.709	72.097	13.062	9.413	13.062
EE-FF	32.679	1.709	72.097	13.062	9.413	13.062
GG-HH	32.679	1.709	72.097	13.062	9.413	13.062
II-JJ	32.679	1.709	72.097	13.062	9.413	13.062
KK-LL	32.679	1.709	72.097	13.062	9.413	13.062
MM-NN	32.679	1.709	72.097	13.062	9.413	13.062
OO-PP	32.679	1.709	72.097	13.062	9.413	13.062
QQ-RR	32.679	1.709	72.097	13.062	9.413	13.062
SS-TT	32.679	1.709	72.097	13.062	9.413	13.062
UU-VV	32.679	1.709	72.097	13.062	9.413	13.062
WW-XX	32.679	1.709	72.097	13.062	9.413	13.062
YY-ZZ	32.679	1.709	72.097	13.062	9.413	13.062
AAA-AAA	32.679	1.709	72.097	13.062	9.413	13.062
BBB-BBB	32.679	1.709	72.097	13.062	9.413	13.062
CCC-CCC	32.679	1.709	72.097	13.062	9.413	13.062
DDD-DDD	32.679	1.709	72.097	13.062	9.413	13.062
EEE-EEE	32.679	1.709	72.097	13.062	9.413	13.062
FFF-FFF	32.679	1.709	72.097	13.062	9.413	13.062
GGG-GGG	32.679	1.709	72.097	13.062	9.413	13.062
HHH-HHH	32.679	1.709	72.097	13.062	9.413	13.062
III-III	32.679	1.709	72.097	13.062	9.413	13.062
JJJ-JJJ	32.679	1.709	72.097	13.062	9.413	13.062
KKK-KKK	32.679	1.709	72.097	13.062	9.413	13.062
LLL-LLL	32.679	1.709	72.097	13.062	9.413	13.062
MMM-MMM	32.679	1.709	72.097	13.062	9.413	13.062
NNN-NNN	32.679	1.709	72.097	13.062	9.413	13.062
OOO-OOO	32.679	1.709	72.097	13.062	9.413	13.062
PPP-PPP	32.679	1.709	72.097	13.062	9.413	13.062
QQQ-QQQ	32.679	1.709	72.097	13.062	9.413	13.062
RRR-RRR	32.679	1.709	72.097	13.062	9.413	13.062
SSS-SSS	32.679	1.709	72.097	13.062	9.413	13.062
TTT-TTT	32.679	1.709	72.097	13.062	9.413	13.062
UUU-UUU	32.679	1.709	72.097	13.062	9.413	13.062
VVV-VVV	32.679	1.709	72.097	13.062	9.413	13.062
WWW-WWW	32.679	1.709	72.097	13.062	9.413	13.062
XXX-XXX	32.679	1.709	72.097	13.062	9.413	13.062
YYY-YYY	32.679	1.709	72.097	13.062	9.413	13.062
ZZZ-ZZZ	32.679	1.709	72.097	13.062		

GENERAL PROPERTY INFORMATION	
PROJECT DESCRIPTION	1456 PROJECT PROPOSES THE REMOVAL OF AN EXISTING SINGLE FAMILY DETACHED STRUCTURE, AND THE CONSTRUCTION OF TWO (2) NEW SEMI-DETACHED DWELLINGS.
CIVIC ADDRESS	1035 JOAN CRESCENT, VICTORIA BC, V8S 3L3
LEGAL DESCRIPTION	LOT 4, PLAN 122050 SECTION FAIRFIELD, VICTORIA
PROPERTY IDENTIFICATION (P.I.D.)	004-982-681
AUTHORITY HAVING JURISDICTION	CITY OF VICTORIA
APPLICABLE ZONING CODE	BRITISH COLUMBIA BUILDING CODE, 2014 EDITION, INCLUDING ALL AMENDMENTS
PREPARED BY:	SPENCER ADAMS

PROJECT INFORMATION TABLE	EXISTING / REQUIRED	PROPOSED
ZONING DISTRICT	RS-A SINGLE FAMILY	NO CHANGE
SITE AREA (±)'	1,373.69	NO CHANGE
TOTAL LOT/ACREAGE (±)'	1.10	138.42
FLOOR SPACE RATIO	NO REQUIREMENT	0.51
STREET COVERAGE (%)	≥ 25	23.08
MINIMUM FRONT YARD SETBACK (±)'	NO REQUIREMENT	25.00
MINIMUM SIDE/REAR SETBACK (±)'	≥ 7.5	7.50
REAR YARD SETBACK (±)'	≥ 2.10	2
PARKING SPACES ON SITE	1	1 (30' x 2 (GARAGE))
BIKE/PARKING	N/A	N/A
<b>VEHICLE/STORAGE</b> MAXIMUM VEHICLE/STORAGE SPACES (±) PER LOT REAR YARD (±)' SIDE YARD (±)' SIDE/REAR (±)' MAXIMUM VEHICLE/STORAGE SPACES (±) PER LOT SIDE YARD (±)' SIDE/REAR (±)' MAXIMUM VEHICLE/STORAGE SPACES (±) PER LOT	FRONT YARD (±)' 1.5 REAR YARD (±)' 7.5 SIDE YARD (±)' 0.0 SIDE/REAR (±)' 7.5	3.23 7.21 7.00 7.50
<b>RECREATION USE DETAILS</b>	TOTAL NUMBER OF UNITS	1 2
UNIT TYPE	SINGLE FAMILY	SINGLE-ATTACHED
GROUND ORIENTED UNITS	1	2
MINIMUM LOT/ACREAGE (±)'	150.00	150.00
TOTAL PERSONAL LOT/ACREAGE (±)'	150.00	150.00

Preliminary Zoning Compatibility Summary				
0 - Zoning Summary		Compatibility		Bylaw Reference
NO.	ITEM	REQUIREMENT	COMPLIANCE	
0-1	ZONING DISTRICT	<b>RS-1 (SINGLE FAMILY)</b>	(NOTHING CHANGES PROPOSED)	80-190
0-2	DEVELOPMENT THREAT AREA (DTA)	<b>DPA 35C</b>	(NOTHING CHANGES PROPOSED)	OCF
0-3	NEIGHBORHOOD	<b>10</b>	(NOTHING CHANGES PROPOSED)	80-223
0-4	PRELIM PLAC	<b>200A ATTACHED (SINGLE)</b>	(NOTHING CHANGES PROPOSED)	13-0.1.1
0-5	SITE AREA AND LOT WIDTH:	<b>1,885</b> REQUIRED <b>1,372.88</b> EXISTING <b>LOT WIDTH: 48.00' (SINGLE)</b> <b>LOT WIDTH: 48.00' (SINGLE)</b> <b>2.24</b> REQUIRED <b>41.544</b> EXISTING <b>ADJACENT LOTS:</b> <b>1</b> EXISTING <b>N/A</b> <b>ADJACENT LOTS: 1</b> EXISTING <b>200A (SINGLE)</b> <b>2</b> EXISTING <b>200B (SINGLE)</b> <b>3</b> EXISTING <b>200B (SINGLE)</b> <b>4</b> EXISTING <b>200B (SINGLE)</b> <b>5</b> EXISTING <b>200B (SINGLE)</b> <b>6</b> EXISTING <b>200B (SINGLE)</b> <b>7</b> EXISTING <b>200B (SINGLE)</b> <b>8</b> EXISTING <b>200B (SINGLE)</b> <b>9</b> EXISTING <b>200B (SINGLE)</b> <b>10</b> EXISTING <b>200B (SINGLE)</b> <b>11</b> EXISTING <b>200B (SINGLE)</b> <b>12</b> EXISTING <b>200B (SINGLE)</b> <b>13</b> EXISTING <b>200B (SINGLE)</b> <b>14</b> EXISTING <b>200B (SINGLE)</b> <b>15</b> EXISTING <b>200B (SINGLE)</b> <b>16</b> EXISTING <b>200B (SINGLE)</b> <b>17</b> EXISTING <b>200B (SINGLE)</b> <b>18</b> EXISTING <b>200B (SINGLE)</b> <b>19</b> EXISTING <b>200B (SINGLE)</b> <b>20</b> EXISTING <b>200B (SINGLE)</b> <b>21</b> EXISTING <b>200B (SINGLE)</b> <b>22</b> EXISTING <b>200B (SINGLE)</b> <b>23</b> EXISTING <b>200B (SINGLE)</b> <b>24</b> EXISTING <b>200B (SINGLE)</b> <b>25</b> EXISTING <b>200B (SINGLE)</b> <b>26</b> EXISTING <b>200B (SINGLE)</b> <b>27</b> EXISTING <b>200B (SINGLE)</b> <b>28</b> EXISTING <b>200B (SINGLE)</b> <b>29</b> EXISTING <b>200B (SINGLE)</b> <b>30</b> EXISTING <b>200B (SINGLE)</b> <b>31</b> EXISTING <b>200B (SINGLE)</b> <b>32</b> EXISTING <b>200B (SINGLE)</b> <b>33</b> EXISTING <b>200B (SINGLE)</b> <b>34</b> EXISTING <b>200B (SINGLE)</b> <b>35</b> EXISTING <b>200B (SINGLE)</b> <b>36</b> EXISTING <b>200B (SINGLE)</b> <b>37</b> EXISTING <b>200B (SINGLE)</b> <b>38</b> EXISTING <b>200B (SINGLE)</b> <b>39</b> EXISTING <b>200B (SINGLE)</b> <b>40</b> EXISTING <b>200B (SINGLE)</b> <b>41</b> EXISTING <b>200B (SINGLE)</b> <b>42</b> EXISTING <b>200B (SINGLE)</b> <b>43</b> EXISTING <b>200B (SINGLE)</b> <b>44</b> EXISTING <b>200B (SINGLE)</b> <b>45</b> EXISTING <b>200B (SINGLE)</b> <b>46</b> EXISTING <b>200B (SINGLE)</b> <b>47</b> EXISTING <b>200B (SINGLE)</b> <b>48</b> EXISTING <b>200B (SINGLE)</b> <b>49</b> EXISTING <b>200B (SINGLE)</b> <b>50</b> EXISTING <b>200B (SINGLE)</b> <b>51</b> EXISTING <b>200B (SINGLE)</b> <b>52</b> EXISTING <b>200B (SINGLE)</b> <b>53</b> EXISTING <b>200B (SINGLE)</b> <b>54</b> EXISTING <b>200B (SINGLE)</b> <b>55</b> EXISTING <b>200B (SINGLE)</b> <b>56</b> EXISTING <b>200B (SINGLE)</b> <b>57</b> EXISTING <b>200B (SINGLE)</b> <b>58</b> EXISTING <b>200B (SINGLE)</b> <b>59</b> EXISTING <b>200B (SINGLE)</b> <b>60</b> EXISTING <b>200B (SINGLE)</b> <b>61</b> EXISTING <b>200B (SINGLE)</b> <b>62</b> EXISTING <b>200B (SINGLE)</b> <b>63</b> EXISTING <b>200B (SINGLE)</b> <b>64</b> EXISTING <b>200B (SINGLE)</b> <b>65</b> EXISTING <b>200B (SINGLE)</b> <b>66</b> EXISTING <b>200B (SINGLE)</b> <b>67</b> EXISTING <b>200B (SINGLE)</b> <b>68</b> EXISTING <b>200B (SINGLE)</b> <b>69</b> EXISTING <b>200B (SINGLE)</b> <b>70</b> EXISTING <b>200B (SINGLE)</b> <b>71</b> EXISTING <b>200B (SINGLE)</b> <b>72</b> EXISTING <b>200B (SINGLE)</b> <b>73</b> EXISTING <b>200B (SINGLE)</b> <b>74</b> EXISTING <b>200B (SINGLE)</b> <b>75</b> EXISTING <b>200B (SINGLE)</b> <b>76</b> EXISTING <b>200B (SINGLE)</b> <b>77</b> EXISTING <b>200B (SINGLE)</b> <b>78</b> EXISTING <b>200B (SINGLE)</b> <b>79</b> EXISTING <b>200B (SINGLE)</b> <b>80</b> EXISTING <b>200B (SINGLE)</b> <b>81</b> EXISTING <b>200B (SINGLE)</b> <b>82</b> EXISTING <b>200B (SINGLE)</b> <b>83</b> EXISTING <b>200B (SINGLE)</b> <b>84</b> EXISTING <b>200B (SINGLE)</b> <b>85</b> EXISTING <b>200B (SINGLE)</b> <b>86</b> EXISTING <b>200B (SINGLE)</b> <b>87</b> EXISTING <b>200B (SINGLE)</b> <b>88</b> EXISTING <b>200B (SINGLE)</b> <b>89</b> EXISTING <b>200B (SINGLE)</b> <b>90</b> EXISTING <b>200B (SINGLE)</b> <b>91</b> EXISTING <b>200B (SINGLE)</b> <b>92</b> EXISTING <b>200B (SINGLE)</b> <b>93</b> EXISTING <b>200B (SINGLE)</b> <b>94</b> EXISTING <b>200B (SINGLE)</b> <b>95</b> EXISTING <b>200B (SINGLE)</b> <b>96</b> EXISTING <b>200B (SINGLE)</b> <b>97</b> EXISTING <b>200B (SINGLE)</b> <b>98</b> EXISTING <b>200B (SINGLE)</b> <b>99</b> EXISTING <b>200B (SINGLE)</b> <b>100</b> EXISTING <b>200B (SINGLE)</b> <b>101</b> EXISTING <b>200B (SINGLE)</b> <b>102</b> EXISTING <b>200B (SINGLE)</b> <b>103</b> EXISTING <b>200B (SINGLE)</b> <b>104</b> EXISTING <b>200B (SINGLE)</b> <b>105</b> EXISTING <b>200B (SINGLE)</b> <b>106</b> EXISTING <b>200B (SINGLE)</b> <b>107</b> EXISTING <b>200B (SINGLE)</b> <b>108</b> EXISTING <b>200B (SINGLE)</b> <b>109</b> EXISTING <b>200B (SINGLE)</b> <b>110</b> EXISTING <b>200B (SINGLE)</b> <b>111</b> EXISTING <b>200B (SINGLE)</b> <b>112</b> EXISTING <b>200B (SINGLE)</b> <b>113</b> EXISTING <b>200B (SINGLE)</b> <b>114</b> EXISTING <b>200B (SINGLE)</b> <b>115</b> EXISTING <b>200B (SINGLE)</b> <b>116</b> EXISTING <b>200B (SINGLE)</b> <b>117</b> EXISTING <b>200B (SINGLE)</b> <b>118</b> EXISTING <b>200B (SINGLE)</b> <b>119</b> EXISTING <b>200B (SINGLE)</b> <b>120</b> EXISTING <b>200B (SINGLE)</b> <b>121</b> EXISTING <b>200B (SINGLE)</b> <b>122</b> EXISTING <b>200B (SINGLE)</b> <b>123</b> EXISTING <b>200B (SINGLE)</b> <b>124</b> EXISTING <b>200B (SINGLE)</b> <b>125</b> EXISTING <b>200B (SINGLE)</b> <b>126</b> EXISTING <b>200B (SINGLE)</b> <b>127</b> EXISTING <b>200B (SINGLE)</b> <b>128</b> EXISTING <b>200B (SINGLE)</b> <b>129</b> EXISTING <b>200B (SINGLE)</b> <b>130</b> EXISTING <b>200B (SINGLE)</b> <b>131</b> EXISTING <b>200B (SINGLE)</b> <b>132</b> EXISTING <b>200B (SINGLE)</b> <b>133</b> EXISTING <b>200B (SINGLE)</b> <b>134</b> EXISTING <b>200B (SINGLE)</b> <b>135</b> EXISTING <b>200B (SINGLE)</b> <b>136</b> EXISTING <b>200B (SINGLE)</b> <b>137</b> EXISTING <b>200B (SINGLE)</b> <b>138</b> EXISTING <b>200B (SINGLE)</b> <b>139</b> EXISTING <b>200B (SINGLE)</b> <b>140</b> EXISTING <b>200B (SINGLE)</b> <b>141</b>		

## An aerial photograph of a suburban neighborhood. A yellow rectangle is drawn around a house in the center-left of the image. The house has a dark roof and is surrounded by trees and a lawn. Other houses with various roof colors (red, grey, brown) are visible throughout the neighborhood, along with streets and green spaces.

Drawing List	
Number	Name
A4.01	Cover Sheet
A4.00	Survey Plan
A4.01	Site Plan - Existing
A4.02	Site Plan - Proposed
A4.03	Landscape Plan
A4.04	Neighbourhood Context
A4.01	Floor Plans
A4.02	Floor Plans
A4.01	Elevations
A4.02	Elevations
A4.03	Elevations
A4.04	Spatial Separations Analysis
A4.01	Building Section
A4.02	Building Section



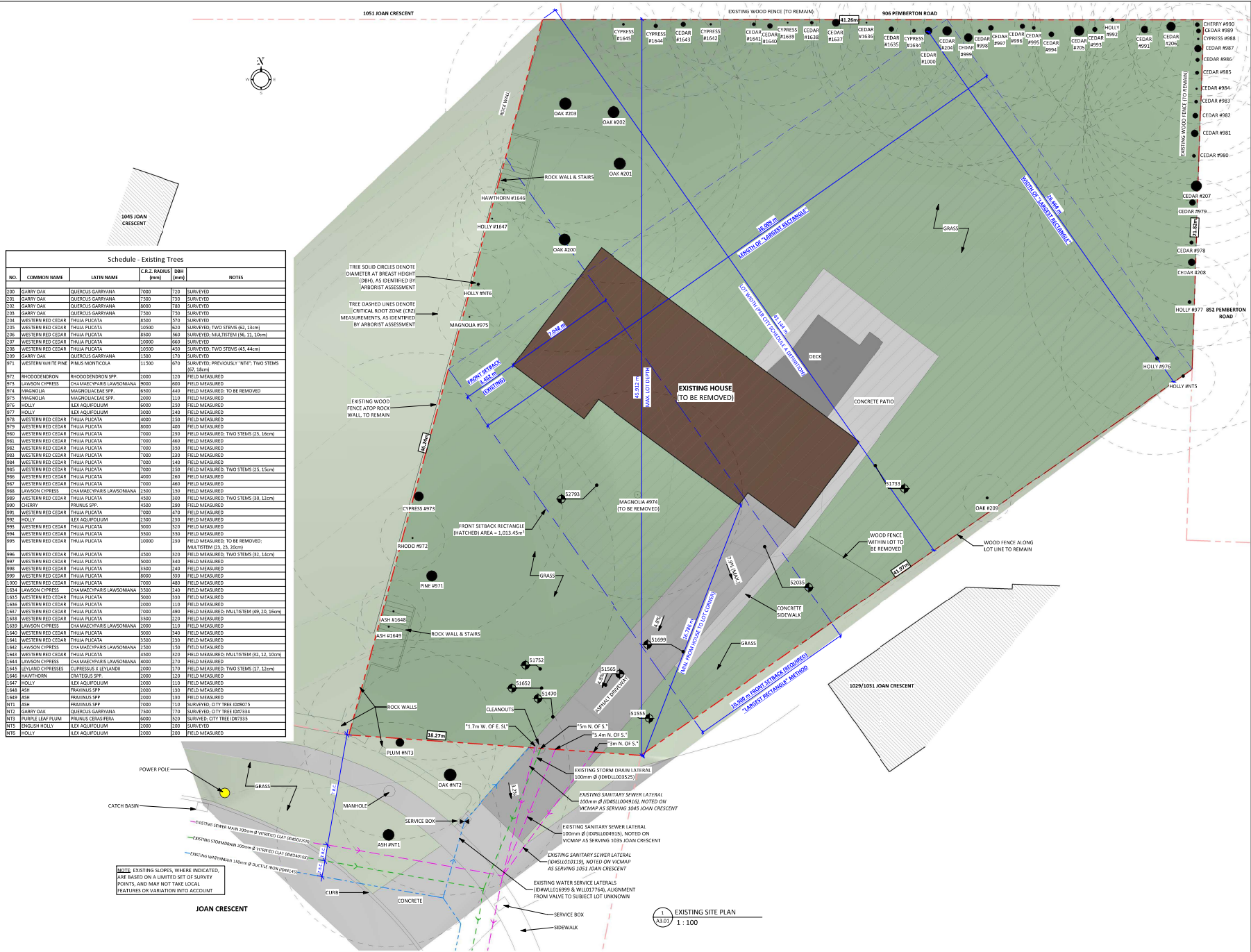
Contact: Jon Roler

Contact: Tim Kindrat

Contact: R.L. Johns

Contact: Michael Marcucci





Christine Lintott Architects

Suite 1, 804 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.884.1369  
www.lintottarchitect.ca

Issue Date

DEVELOPMENT PERMIT W/VARIANCE 7 OCT 2019  
DPV #00129 REVISION 6 JAN 2020

Revision

No. Description Date  
1 DVP (REVISED) 6 JAN 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Site Plan - Existing

Date 2019-12-31 11:37:18 AM

Drawn by TK

Checked by CL

A1.01

Scale 1 : 100

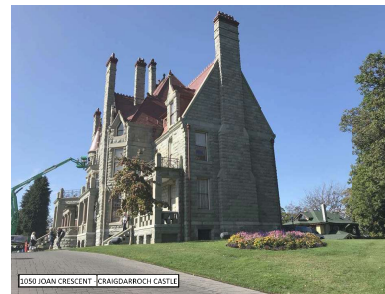
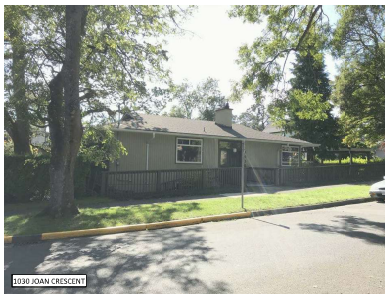
THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.











Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision		
No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

Consultant

## 1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

## Neighbourhood Context

Date	2019-12-31 11:38:44 AM
Drawn by	TK
Checked by	CL

A1.04

Scale

THIS DRAWING IS A COPYRIGHT DRAWING AND SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.



Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision		
No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

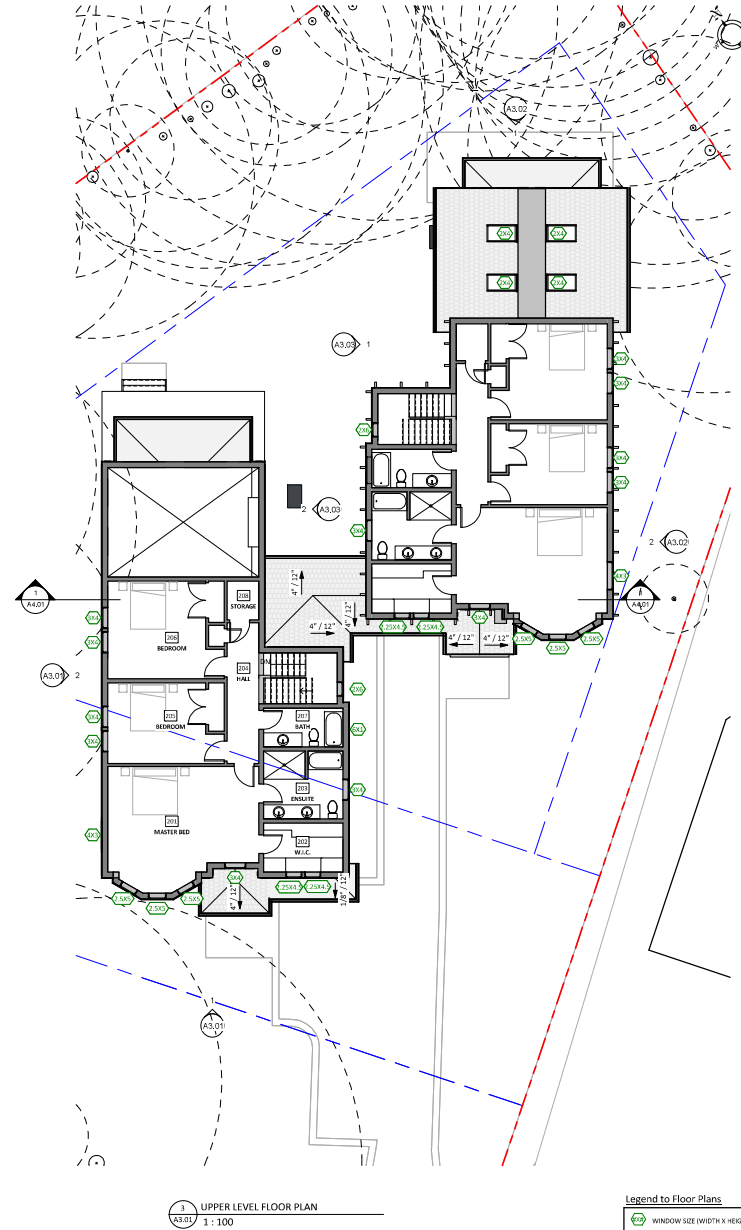
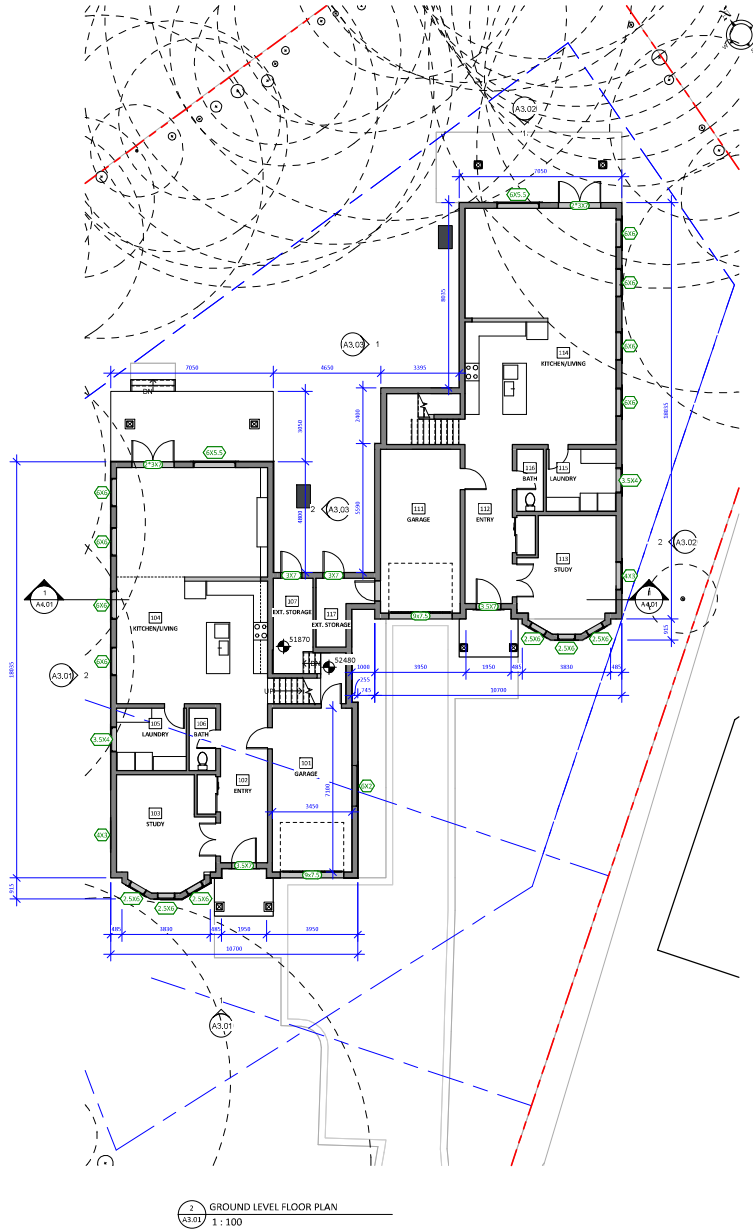
Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Floor Plans

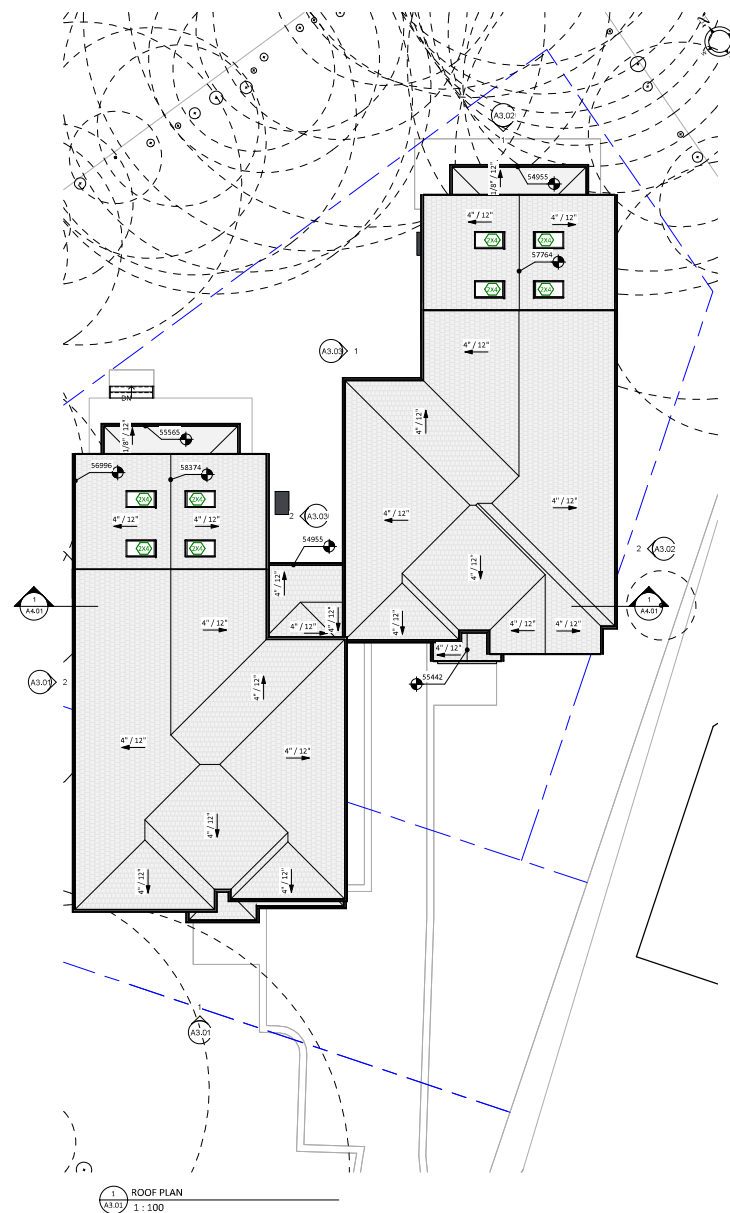
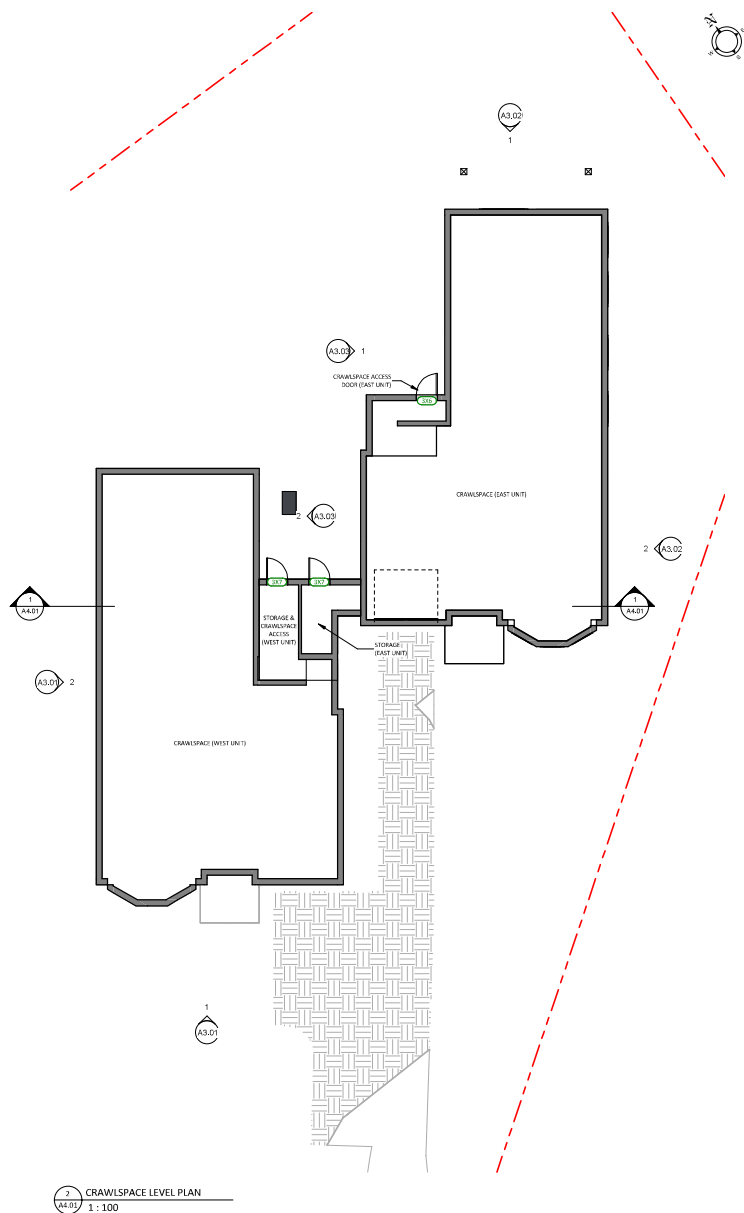
Date	2019-12-31 11:38:48 AM
Drawn by	TK
Checked by	CL
<b>A2.01</b>	
Scale	1 : 100



Legend to Floor Plans

- WINDOW SIZE (WIDTH X HEIGHT, IN FEET)
- DOOR SIZE (WIDTH X HEIGHT, IN FEET)

THIS DRAWING IS A COPYRIGHT DRAWING AND SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.



**Legend to Floor Plans**

WINDOW SIZE (WIDTH X HEIGHT, IN FEET)

DOOR SIZE (WIDTH X HEIGHT, IN FEET)

Christine Lintott  
Architects

Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

**Issue** **Date**

DEVELOPMENT PERMIT W/VARIANCE 7 OCT 2019  
DPV #00129 REVISION 6 JAN 2020

**Revision**

No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

**Consultant**

**1035 Joan Crescent**

1035 Joan Crescent,  
Victoria, BC V8S 3L3

**Floor Plans**

Date 2019-12-31 11:38:52 AM  
Drawn by TK  
Checked by CL  
**A2.02**  
Scale 1 : 100



1 BUILDING ELEVATION - SOUTH  
1:50



2 BUILDING ELEVATION - WEST  
1:50

MATERIALS LEGEND	
1	CEMENTITIOUS LAP SIDING, PAINTED
2	CEMENTITIOUS SHINGLE SIDING, PAINTED
3	CEMENTITIOUS BOARD & BATTEN, PAINTED
4	WOOD TRIM, PAINTED
5	SHINGLE SIDING, PAINTED
6	LOW SLOPE ROOFING SYSTEM
7	METAL ROOF GUTTER, PREFINISHED

#### Legend to Exterior Colours

BLACK / DARK GRAY - FIBREGLAS ROOF SHINGLES - LOW SLOPE ROOFING - DOOR & WINDOW FRAMES	"OBSIDIAN" (COVERGALF #CA304) - CEMENTITIOUS SIDING	"MSB" (COVERGALF #CA352) - CEMENTITIOUS SIDING	"STANDARD WHITE" (COVERGALF #CA353) - EXTERIOR TRIM

Christine Lintott  
Architects

Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision	No.	Description	Date
1	DVP (REVISED)	6 JAN 2020	

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Elevations

Date	2019-12-31 11:39:21 AM
Drawn by	TK
Checked by	CL

A3.01

Scale: As indicated

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.



Issue	Date
DEVELOPMENT PERMIT W/VARIANCE	7 OCT 2015
DPV #00129 REVISION	6 JAN 2020

Revision		
No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

---

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Date	2019-12-31 11:39:36 AM
Drawn by	T
Checked by	C

Scale	As indicated
-------	--------------



<b>MATERIALS LEGEND</b>	
1	CEMENTITIOUS LAP SIDING, PAINTED
2	CEMENTITIOUS SHINGLE SIDING, PAINTED
3	CEMENTITIOUS BOARD & BATTEN, PAINTED
4	WOOD TRIM, PAINTED
5	ASPHALT SHINGLE ROOFING
6	LOW SLOPE ROOFING SYSTEM
7	METAL ROOF GUTTER, PREFINISHED

			
<p><b>BLACK / DARK GRAY</b>          - FIBERGLASS ROOF SHINGLES          - LOW SLOPE SPOKING          - DOOR &amp; WINDOW FRAMES</p>	<p><b>"OBSIDIAN"</b>          (CLOVERDALE AC404)          - CEMENTITIOUS SIDING</p>	<p><b>"MIST"</b>          (CLOVERDALE AC402)          - CEMENTITIOUS SIDING</p>	<p><b>"STANDARD WHITE"</b>          (CLOVERDALE AC403S)          - EXTERIOR TRIM</p>



Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision	No.	Description	Date
1	DVP (REVISED)		6 JAN 2020

Consultant

1035 Joan Crescent

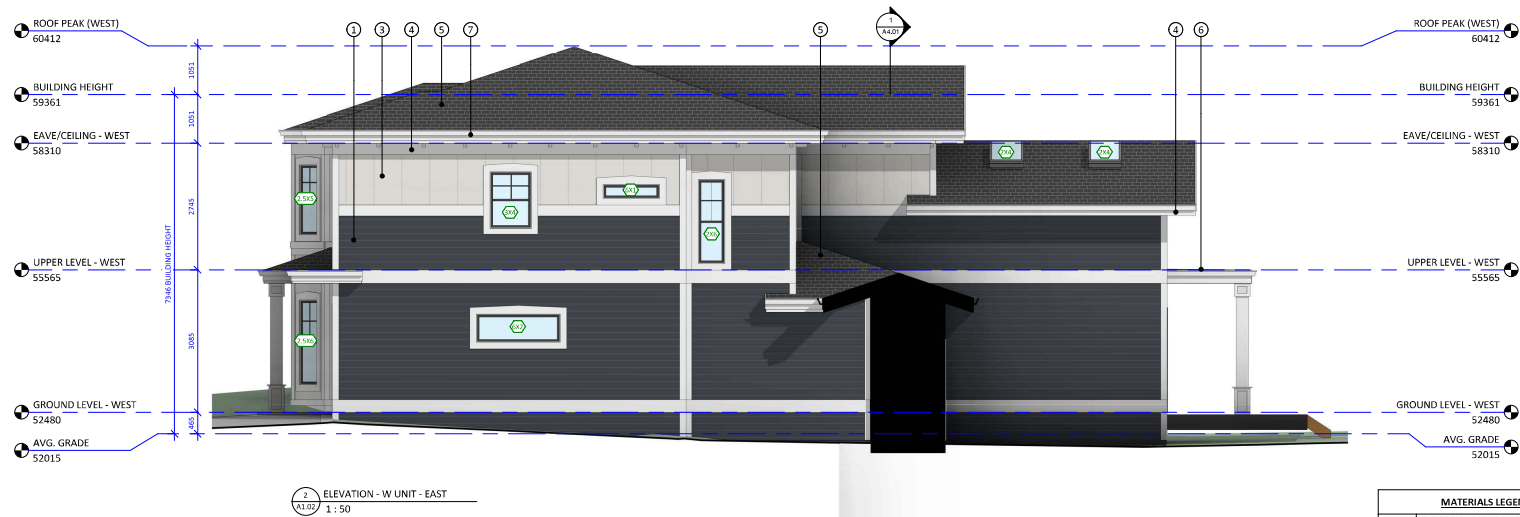
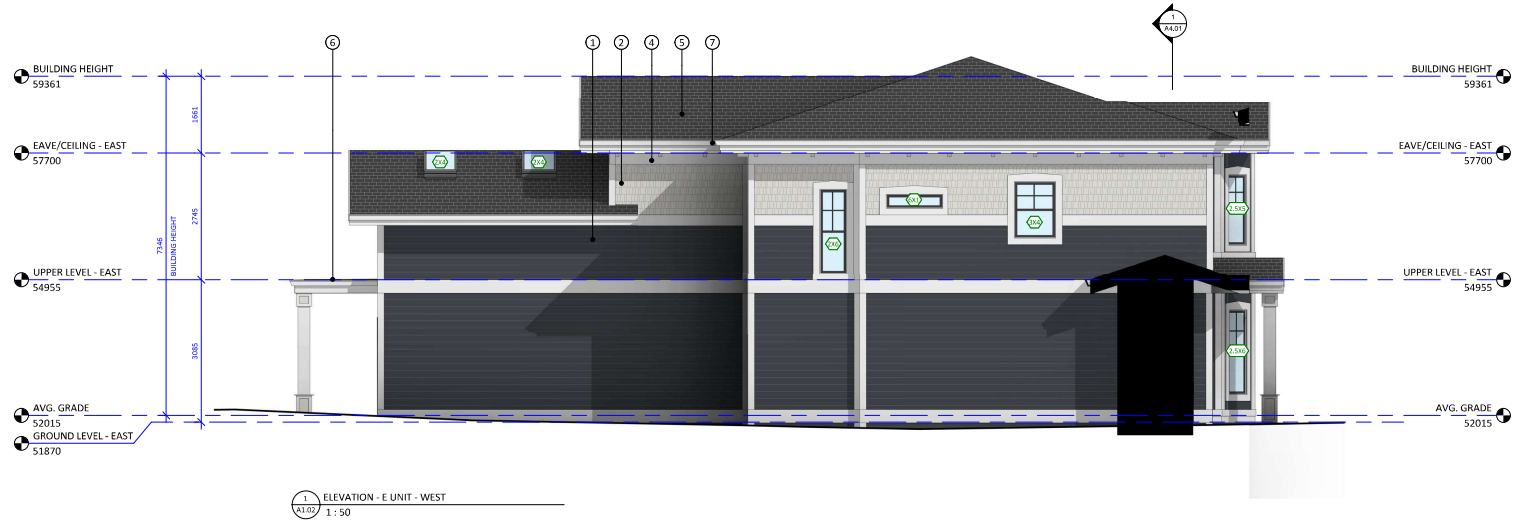
1035 Joan Crescent,  
Victoria, BC V8S 3L3

Elevations

Date 2019-12-31 11:39:51 AM  
Drawn by TK  
Checked by CL

A3.03

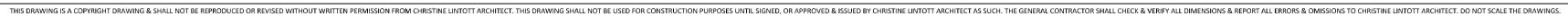
Scale As indicated

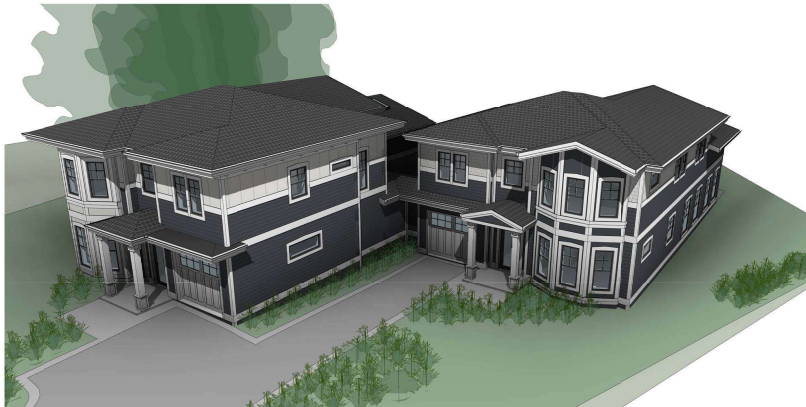
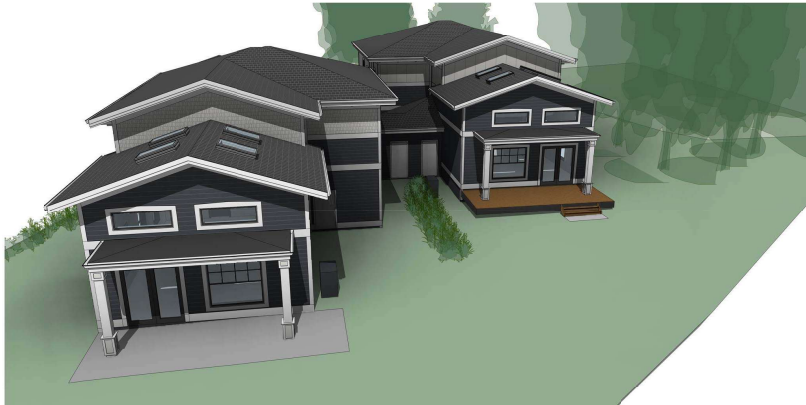


MATERIALS LEGEND	
1	CEMENTITIOUS LAP SIDING, PAINTED
2	CEMENTITIOUS SHINGLE SIDING, PAINTED
3	CEMENTITIOUS BOARD & BATTEN, PAINTED
4	WOOD TRIM, PAINTED
5	UPPALA SHINGLE ROOFING
6	LOW SLOPE ROOFING SYSTEM
7	METAL ROOF GUTTER, PREFINISHED

Legend to Exterior Colours

BLACK / DARK GRAY - FIBERGLASS ROOF SHINGLES - LOW SLOPE ROOFING - DOOR & WINDOW FRAMES	"OBSIDIAN" (COVERSCALE #A304) - CEMENTITIOUS SIDING	"MIST" (COVERSCALE #A303) - CEMENTITIOUS SIDING	"STANDARD WHITE" (COVERSCALE #A305) - EXTERIOR TRIM





Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision		
No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

3D Perspectives

Date	2019-12-31 11:40:17 AM
Drawn by	TK
Checked by	CL

A8.01

Scale

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.

To Mayor and Council

Page 1

Proposed for 1035 Joan Crescent is the construction of two semi-attached dwellings. Tim Kindrat AIBC, MRAIC from Christine Lintott Architects provided the design for the semi-attached dwellings and lot improvements. Michael Marcucci ISA certified # ON-1943A from Talbot Mackenzie and Associates completed the arborist reports. Ron Johns BCLS, R.L. Johns Surveying Ltd. provided the necessary survey documents.

A development permit for form and character is required for this proposal and also due to the irregular shape of the 1727.69 square meter lot, a variance is required for the front yard setback. (please see attached regarding variance)

The heritage style 3 bedroom, 2.5 bathroom semi-attached dwellings are 270 square meters on two levels including the single attached garage. Construction will comply with the B.C. Energy Step Code 3 for energy efficiency. Each dwelling will have a heat pump and a dedicated electric vehicle charging receptacle. Water conserving fixtures and energy efficient appliances will be used throughout.

Site coverage for the proposed development is 23.08% including exterior decks. In comparison the allowable site coverage for a single family dwelling is 40% and no development permit for form and character would be required.



In keeping with the neighbourhood look and to minimize hardscape the proposed development will share the existing driveway access to Joan Crescent. A combination of permeable paving stones with concrete bordering will be used for driveway and parking areas. The existing residence has over 150 square meters of non permeable surfacing.

Trees on the property will be retained with the exception of a Magnolia tree located within the building envelope. Existing shrubs and plants will be relocated around the property.

The existing house is being rented in the interim while the tenants are building a new home.

In conclusion, this proposal is consistent with the design guidelines for semi-attached dwellings in the Rockland neighbourhood. It provides respectful development in keeping with the established character of the surrounding properties in this unique area of Victoria.

Thank you for consideration of this proposal.

Sincerely



Jon Roler



Talbot Mackenzie & Associates

Consulting Arborists

# **1035 Joan Crescent, Victoria, BC**

## **Construction Impact Assessment &**

## **Tree Preservation Plan**

Prepared For: Jon Roler  
Victoria BC

Prepared By: Talbot, Mackenzie & Associates  
Michael Marcucci  
ISA Certified # ON-1943A  
TRAQ – Qualified

Date of Issuance: October 17, 2019 (TPP#1)  
Reissued: January 6, 2019 (TPP#2)  
Reissued: April 29, 2020 (TPP#3)  
(changes in April 29<sup>th</sup> report are noted with a red asterisk \*)

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6

Ph: (250) 479-8733

Fax: (250) 479-7050

Email: tmtreehelp@gmail.com



## Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 1035 Joan Crescent, Victoria, BC

Date of Site Visit(s): April 16, 2019 – December 13, 2019

Site Conditions: No ongoing construction activity.

### **Summary:**

- \*The report has been revised to show bylaw protected trees based on the 2015 bylaw and not the 2019 amendment, as per the Parks department comments (dated January 7, 2020). A section on the rear patio grading has been added to the report; “no-dig” construction methods will not be possible in all areas of the CRZs of Cedars #207 and 208.
- Magnolia #974 (multi-stem: 22, 19, 18cm) will require removal due to being located within the proposed building; no other trees will require removal due to construction related impacts.
- Oaks #201, 209 and Western Red Cedars #207 and 208 could be impacted by the foundation and patio excavations, but we believe they all have a high likelihood of recovering and being retained without significant health or stability impacts.
- Oak #201 will require clearance pruning from the building (one 20cm limb); pruning is recommended regardless of development if this tree is to be retained, as per the Tree Risk Assessment completed.

### **Scope of Assignment:**

- Inventory the existing bylaw protected trees and any trees on municipal or neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line
- Review the proposal to demolish the existing house and construct two semi-attached dwellings. Storm, sanitary and water services will also be installed.
- Comment on how construction activity may impact existing trees
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts

### **Methodology:**

- We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet.
- Each tree with a single stem measuring 10cm or greater was identified using a numeric metal tag attached to its lower trunk. Municipal trees and neighbours’ trees were not tagged.

- Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory.
- The conclusions reached were based on the information provided within the attached plans from Christine Lintott Architects (dated January 6, 2020)
- A Tree Protection Site Plan was created using the Site Plan provided.

#### **Limitations:**

- Except adjacent to oak #201, no other comprehensive exploratory excavations have been conducted and thus the conclusions reached are based solely on critical root zone calculations, observations of site conditions, and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.
- Plans show existing sanitary and storm services on the municipal frontage. The location of the water service at the property line is not known. Hydro and telecommunications services locations are not shown on the plans. It is our understanding that the services will run within the footprint of the proposed driveway on private property.

#### **Trees to be Removed**

Magnolia #974 (multi-stem: 22, 19, 18cm) will require removal due to being located within the new building footprint. No other trees will require removal due to construction related impacts.

#### **Potential Impacts on Trees and Mitigation Measures**

##### **#200 Garry Oak (72cm DBH)**

The proposed house will be farther from the tree than the existing house, which has a partially finished basement where rock is exposed. Therefore, few roots are expected to be encountered during the excavation for the new house. The removal of the existing foundation should be supervised by the project arborist.

##### **#201 Garry Oak (73cm DBH)**

A Tree Risk Assessment (dated June 5, 2019) was completed on this tree to assess the decay associated with the open cavity at the base of the tree.

The proposed house is 6m from the tree. Exploratory excavations were conducted by hand-digging at 4.5m from the tree (east and north-east of the tree) to a depth of 40-50cm where a hard clay layer was encountered. Pictures are at the end of this report.



The following roots were observed within the trench:

- 2.5-3cm x 6
- 2cm x 3
- 1.5cm x 4
- High density of roots 1cm or less in areas of the trench

All roots were damaged by the hand-digging and were pruned back to sound tissue. We anticipate the oak will recover from this root loss with no significant impact on its health or stability. If the excavation required for the foundation is deeper than 40-50cm, there is the possibility of more roots being encountered, but based on observations of root density and depths within the trench, we do not anticipate a significant amount will be encountered below this area.

The lowest limb of the oak will require pruning for building clearance and at most, will require pruning back to the upright lateral ~4m from the trunk; the pruning cut would be approximately ~20cm at most. We recommend part of this pruning take place first at the beginning of construction to raise the canopy of the limb away from potential machinery, and second during the framing stage of the project.

#### **#207 Western Red Cedar (66cm)**

Cedar #207 is ~5m from the excavation for the patio footing. Minimal working room is expected for the patio footing and the foundation excavation will be a further 1m away at its closest point to the tree. A small test hole was dug near the footing location, 5m west from the tree. A moderate density of fibrous roots and two 1cm roots were observed.

#### **#208 Western Red Cedar (45 and 44cm)**

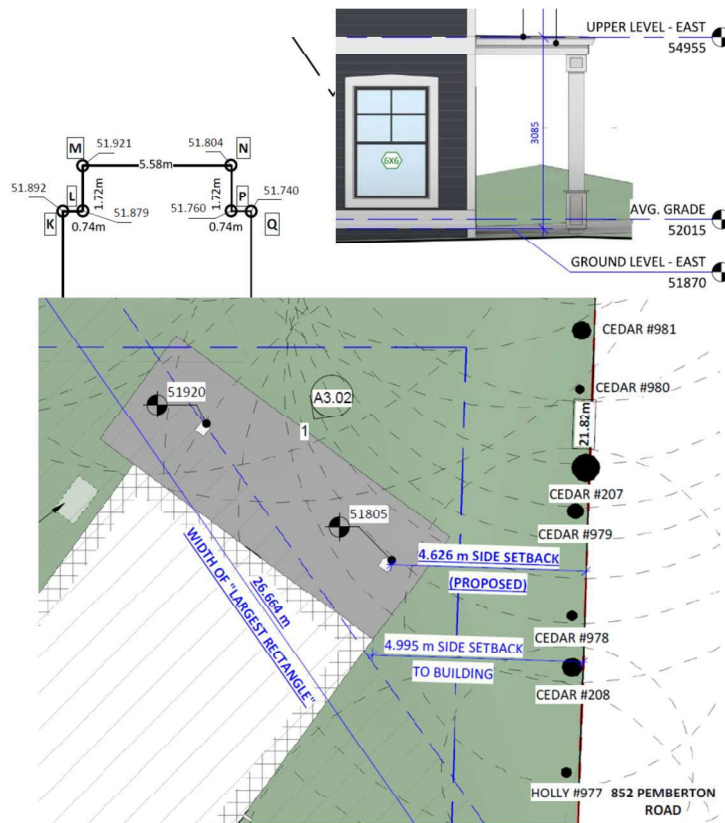
This tree is at the end of the row of trees and is ~4.7m from the proposed house foundation corner (at its closest point). If only 1m of working room is required, the house foundation excavation will extend to 3.7m from the tree. A test hole was dug 4m west from the trunk. One 6cm and a high density of small fibrous roots were observed. Root loss is therefore expected, but considering the remaining protected root zone, we anticipate the tree will recover.

#### **\*Rear Patio (Cedars #207 and 208)**

The applicant has committed to reducing the excavation for the patio as much as possible to reduce impacts to Western Red Cedars #207 and 208, but no-dig construction will not be possible due to the desired grading and therefore some additional root loss could occur as a result of the patio excavation.

At its closest point the patio is ~3.5m from the trunk of Cedar #207. Note that the south part of the patio closest to the house will be within the foundation excavation and excavation will be required for the porch support beams. According to the grades on the architectural plans provided (see excerpts below), some additional excavation will be required within the CRZs of #207 and 208 for the rear patio if it is to be the same grade as the building ground level. Existing grade is 51.80m (patio east side) to 51.92m (patio west side) within the CRZ of the tree that overlaps the northern

part of the patio and the grade of the patio/ground level is 51.87m. This means the east side of the patio is only 7cm above existing grade and the west side is 5cm below existing grade. Assuming the patio pavers are 5cm in depth, this will result in a small amount of excavation within the east side of the patio (enough to allow base layers to be installed) and a minimum of 10cm of excavation into existing grade required in the western portion. The applicant does not wish to raise the elevation of the building ground level, but is willing to reduce the excavation depth and base layers to avoid additional root loss. Most cedar roots will likely be encountered close to the surface however.



Western Red Cedars do not typically have a high tolerance to root loss, so there is the potential for some reduced growth and dieback within the canopies as a result of the foundation, porch and patio excavations. Considering the remaining protected critical-root-zone area, we believe there is a high likelihood the trees can be retained in the long-term. The screening function of this hedge/row of trees will not be significantly impacted in our opinion.

### **#978 and 979 Western Red Cedars**

Similar to Cedars #208 and 209, we anticipate these smaller trees within the row of cedars can be retained (#979 is now protected size under the 2019 bylaw amendment).

### **#209 Garry Oak (17cm DBH)**

This small tree is located 2.6m from the foundation of the house at its closest point. The project arborist should supervise the excavation and if a significant amount of roots are encountered, they will recommend reducing the amount of working room to 60cm if possible. This would put the excavation at 2m from the tree at the closest point. Considering the tree is young and in good health, in our opinion there is a good chance the tree can be retained. Minimal pruning will be required for building clearance if only 0.5m of clearance is desired. Some pruning to raise the canopy may be required for pedestrian access around the side of the building.

### **NT #1 Ash (71cm) & NT #2 Garry Oak (77cm): Services and Driveway**

Based on discussions with the client, it is our understanding that water, storm and sanitary services are to be replaced at least to the property line within the proposed driveway on private property. This will not have a significant impact on oak #2. The driveway is to be re-graded slightly to meet the existing driveway at the property line and this could also result in some root loss, but it is expected that most roots will have already been cut for the services.

If the water line requires replacing to the existing water service box or if any of the services on municipal property require replacement, this could result in additional root loss to ash #1 and oak #2. These should be supervised by the project arborist or a municipal arborist; less invasive digging techniques may be recommended (i.e. a hydro-vac or hand-digging in combination with an excavator machine).

If the driveway on the municipal frontage is to be replaced within the CRZs of these two municipal trees, the recommendations within the “Paved Surfaces Above Tree Roots” section below should be followed.

- **Arborist Supervision:** All excavation occurring within the critical root zones of protected trees should be completed under the direction or supervision of the project arborist. This includes (but is not limited to) the following activities within CRZs:
  - Removal of existing foundation: #200
  - Foundation excavation: Oaks #200, 201, 202, 209, Cedars #207, 208
  - Rear patio excavation: Cedars #207, 208
  - Installation of any underground services that cross the CRZs of trees to be retained
- **Pruning Roots:** Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. Backfilling the excavated area around the roots should be done as soon as possible to keep the roots moist and aid in root regeneration. Ideally, the area surrounding exposed roots should be watered; this is particularly important if excavation occurs or the roots are exposed during a period of drought. This can be accomplished in a number of ways, including wrapping the roots in burlap or installing a root curtain of wire mesh lined with burlap, and watering the area periodically throughout the construction process.

- **Barrier fencing:** The 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.

The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. 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 must be consulted before this fencing is removed or moved for any purpose.

- **Minimizing Soil Compaction:** In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods (depending on the size of machinery and the frequency of use):
  - Placing a layer of geogrid (such as Combigrid 30/30) over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top or a layer of hog fuel or coarse wood chips at least 30 cm in depth and maintaining it in good condition until construction is complete.
  - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
  - Placing two layers of 19mm plywood.
  - Placing steel plates
- **Demolition of the existing building:** The demolition of the existing house and any services that must be removed or abandoned, must take the critical root zone of the trees to be retained into account. If any excavation or machine access is required within the critical root zones of trees to be retained, it must be completed under the supervision and direction of the project arborist. If temporarily removed for demolition, barrier fencing must be erected immediately after the supervised demolition.
- **Paved Surfaces Above Tree Roots** (ie rear patio and driveway where possible/necessary)

If the new paved surfaces within the CRZ of retained trees require excavation down to bearing soil and roots are encountered in this area, this could impact the health or stability of the retained trees. If tree retention is desired, a raised and ideally permeable paved surface should be constructed in the areas within the critical root zone of the trees.

The objective is to avoid root loss and to instead raise the paved surface and its base layer above the roots. This may result in the grade of the paved surface being raised above the existing grade (the amount depending on how close roots are to the surface and the depth of the paving material and base layers). Final grading plans should take this potential change into



account. This may also result in soils which are high in organic content being left intact below the paved area.

Within the CRZs, the project arborist should supervise any excavation associated with constructing these hard surfaces, including the removal of the existing paving or turf. If an excavator machine is used, the project arborist may recommend this be completed in combination with hand-digging and using a flat-edged bucket to avoid accidental root damage.

If significant roots are encountered, excavation should be stopped and a geogrid material (such as CombiGrid 30/30 or similar) placed over the area to reduce compaction and to disperse weight over soils high in organics and roots. The base material for the paving should be placed above this material and should be well-draining (filter cloth or geotextile fabric may be recommended to separate coarse and fine layers in order to ensure this layer is well-aerated). Ultimately, a geotechnical engineer should be consulted and, in consultation with the project arborist, may specify their own materials and methods that are specific to the site's grading, soil conditions and requirements, while also avoiding root loss, reducing compaction to the sub-grade and ensuring long-term permeability.


Ideally, to allow water to drain into the root systems below, the project arborist may recommend that the surface be made of a permeable material (instead of conventional asphalt or concrete) such as permeable asphalt, paving stones, or other porous paving materials and designs such as those utilized by Grasspave, Gravelpave, Grasscrete and open-grid systems. The driveway could also be constructed as a "ribbon driveway" with an unpaved area between the two-tracks.

- **Mulching:** Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See "methods to avoid soil compaction" if the area is to have heavy traffic.
- **Blasting:** Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.
- **Scaffolding:** This assessment has not included impacts from potential scaffolding including canopy clearance pruning requirements. If scaffolding is necessary and this will require clearance pruning of retained trees, the project arborist should be consulted. Depending on the extent of pruning required, the project arborist may recommend that alternatives to full scaffolding be considered such as hydraulic lifts, ladders or platforms. Methods to avoid soil compaction may also be recommended (see "Minimizing Soil Compaction" section).

- **Landscaping and Irrigation Systems:** The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.
- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
  - Locating the barrier fencing
  - Reviewing the report with the project foreman or site supervisor
  - Locating work zones, where required
  - Supervising any excavation within the critical root zones of trees to be retained
  - Reviewing and advising of any pruning requirements for machine clearances
- **Review and site meeting:** Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

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

Thank you,



Michael Marcucci  
ISA Certified # ON-1943A  
TRAQ – Qualified

Talbot Mackenzie & Associates  
ISA Certified Consulting Arborists

Encl. 5-page exploratory excavation photos, 1-page tree resource spreadsheet, 1-page tree protection site plan, 12-page building plans, 1-page paved surfaces specification, 1-page barrier fencing specifications, 2-page tree resource spreadsheet methodology and definitions

**Disclosure Statement**

The tree inventory attached to the Tree Preservation Plan can be characterized as a limited visual assessment from the ground and should not be interpreted as a “risk assessment” of the trees included.

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure 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 or 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.

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m, diameter)	CRZ (m, radius)	Relative Tolerance	Health	Structure	Remarks and Recommendations	Bylaw Protected (as per 2015 bylaw)	Retention Status	Impacts
200	Garry Oak	<i>Quercus garryana</i>	72	15.0	7.0	G	Good	Fair	Asymmetric canopy and slight lean with flaking bark on tension side. Historical pruning wounds	Protected	Retain	Removal of existing foundation
201	Garry Oak	<i>Quercus garryana</i>	73	17.0	7.5	G	Good	Poor	Historical stem removal at base has led to significant decay and cavity at base on opposite side of lean. Tree Risk Assessment completed (dated June 5, 2019).	Protected	Retain	Foundation excavation
202	Garry Oak	<i>Quercus garryana</i>	78	12.0	8.0	G	Fair	Fair	Significant lean (almost 45 degrees). Most of canopy obscured within row of conifers. Deadwood and some dieback.	Protected	Retain	
203	Garry Oak	<i>Quercus garryana</i>	75	11.0	7.5	G	Fair	Fair	Asymmetric canopy. Some twig dieback and sparse branching. Historic scaffold limb removal. Wound on buttress root. Removal of girdling root covering 35% of circumference at base recommended.	Protected	Retain	
204	Western Red Cedar	<i>Thuja plicata</i>	57	8	8.5	P	Good	Good	Growing near property boundary. Not bylaw protected as per Parks memo. Within row of trees.	No	Retain	
205	Western Red Cedar	<i>Thuja plicata</i>	62, 13	8.0	10.5	P	Fair	Fair	Growing near property boundary. Recent lower limb pruning and asymmetric canopy due to pruning on neighbour's side.	Protected	Retain	
206	Western Red Cedar	<i>Thuja plicata</i>	56, 11, 10*	8.0	8.5	P	Fair	Fair	Growing near property boundary. *Bylaw protected if one or both of small stems included in calculation. Competing for light with much of lower canopy dead.	Possibly *	Retain	
207	Western Red Cedar	<i>Thuja plicata</i>	66	9.0	10.0	P	Fair	Fair	Growing near property boundary. Recent lower limb pruning. Brush piled against base. In middle of row of trees	Protected	Retain	Rear patio & foundation excavation
208	Western Red Cedar	<i>Thuja plicata</i>	45, 44	9.0	10.5	P	Fair	Fair	Growing near property boundary at end of row. Codominant at base. Recent lower limb pruning. 71.4cm calculated diameter.	Protected	Retain	Rear patio & foundation excavation
209	Garry Oak	<i>Quercus garryana</i>	17	6.0	1.5	G	Good	Fair/poor	Codominant union with included bark. Crossing limbs.	Protected	Retain	Foundation excavation & clearance pruning
971	Western White Pine	<i>Pinus monticola</i>	67, 18	11	11.5	P	Good	Good	Previously labelled NT #4. Pruning wounds on lower trunk	No	Retain	Driveway
972	Rhododendron	<i>Rhododendron</i>	12	4	2.0	M	Fair	Fair		No	Retain *	
973	Lawson Cypress	<i>Chamaecyparis lawsoniana</i>	59 *	8	#####	P	Fair	Fair/poor	*Not bylaw protected as per Parks memo. Codominant union at 2.5m with included bark.	No	Retain	
974	Magnolia	<i>Magnolia species</i>	22, 19, 18	9	6.5	M	Fair	Fair	44cm cumulative dbh total. Codominant unions at base with included bark and small decay opening at old removal wound. Pruning wounds. Tearout injury on one stem	No	Removal	House footprint



Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m, diameter)	CRZ (m, radius)	Relative Tolerance	Health	Structure	Remarks and Recommendations	Bylaw Protected (as per 2015 bylaw)	Retention Status	Impacts
975	Magnolia	<i>Magnolia species</i>	11	4	2.0	M	Fair	Fair		No	Retain *	
976	Holly	<i>Ilex aquifolium</i>	25	5.0	6.0	G	Fair	Fair		No	Retain *	
977	Holly	<i>Ilex aquifolium</i>	24	5.0	3.0	G	Fair	Fair		No	Retain *	
978	Western Red Cedar	<i>Thuja plicata</i>	25	6.0	4.0	P	Fair/poor	Fair	Somewhat suppressed. Recently pruned to raise canopy	No	Retain	
979	Western Red Cedar	<i>Thuja plicata</i>	40	7.0	8.0	P	Fair	Fair	Recently pruned to raise canopy	No	Retain	
980	Western Red Cedar	<i>Thuja plicata</i>	23, 16	6.0	7.0	P	Fair	Fair/poor	Recently pruned to raise canopy. Larger stem topped at 7m	No	Retain	
981	Western Red Cedar	<i>Thuja plicata</i>	46	7.0	7.0	P	Fair	Fair	Recently pruned to raise canopy. 13cm wide pruning wound	No	Retain	
982	Western Red Cedar	<i>Thuja plicata</i>	35	6	7.0	P	Fair	Fair	Recently pruned to raise canopy	No	Retain	
983	Western Red Cedar	<i>Thuja plicata</i>	23	6	7.0	P	Fair	Poor	Recently pruned to raise canopy. Large stem removal wound at base, 50cm wide	No	Retain	
984	Western Red Cedar	<i>Thuja plicata</i>	14	5	7.0	P	Fair	Fair	Recently pruned to raise canopy	No	Retain	
985	Western Red Cedar	<i>Thuja plicata</i>	25, 15	6	7.0	P	Fair	Fair	Recently pruned to raise canopy	No	Retain	
986	Western Red Cedar	<i>Thuja plicata</i>	26	6	4.0	P	Fair	Fair	Crown raised recently	No	Retain	
987	Western Red Cedar	<i>Thuja plicata</i>	46	7	7.0	P	Fair	Fair	Crown raised recently	No	Retain	
988	Lawson Cypress	<i>Chamaecyparis lawsoniana</i>	15	3	2.5	P	Fair/poor	Fair	Suppressed	No	Retain	
989	Western Red Cedar	<i>Thuja plicata</i>	30 + 12	6	4.5	P	Fair	Fair	12cm stem potentially separate tree growing against base	No	Retain	
990	Cherry	<i>Prunus species</i>	29	7	4.5	M	Fair	Fair	Leaning over neighbours	No	Retain	
991	Western Red Cedar	<i>Thuja plicata</i>	47	8	7.0	P	Fair	Good		No	Retain	
992	Holly	<i>Ilex aquifolium</i>	23	7	2.5	G	Fair/poor	Fair	Growing potentially on property line	No	Retain *	
993	Western Red Cedar	<i>Thuja plicata</i>	32	5	5.0	P	Fair	Good		No	Retain	
994	Western Red Cedar	<i>Thuja plicata</i>	35	7	5.5	P	Fair	Good		No	Retain	
995	Western Red Cedar	<i>Thuja plicata</i>	23, 23, 20	8	10.0	P	Fair	Fair		No	Retain	

Prepared by:

Talbot Mackenzie &amp; Associates

ISA Certified and Consulting Arborists

Phone: (250) 479-8733

Fax: (250) 479-7050

email: tmtreehelp@gmail.com

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m, diameter)	CRZ (m, radius)	Relative Tolerance	Health	Structure	Remarks and Recommendations	Bylaw Protected (as per 2015 bylaw)	Retention Status	Impacts
996	Western Red Cedar	<i>Thuja plicata</i>	32 + 14	6	4.5	P	Fair	Fair	14cm stem growing against base is likely separate tree	No	Retain	
997	Western Red Cedar	<i>Thuja plicata</i>	34	8	5.0	P	Fair	Fair	15cm Lawson Cypress tree growing against base is possibly dead	No	Retain	
998	Western Red Cedar	<i>Thuja plicata</i>	24	8	3.5	P	Good	Good		No	Retain	
999	Western Red Cedar	<i>Thuja plicata</i>	53	8	8.0	P	Good	Fair	Low hanging branches	No	Retain	
1000	Western Red Cedar	<i>Thuja plicata</i>	48	8	7.0	P	Good	Good		No	Retain	
1634	Lawson Cypress	<i>Chamaecyparis lawsoniana</i>	24	5	3.5	P	Fair	Fair		No	Retain	
1635	Western Red Cedar	<i>Thuja plicata</i>	33	7	5.0	P	Fair	Fair		No	Retain	
1636	Western Red Cedar	<i>Thuja plicata</i>	11	3	2.0	P	Fair/poor	Fair	Suppressed	No	Retain	
1637	Western Red Cedar	<i>Thuja plicata</i>	49, 16, + 20	7	7.0	P	Fair	Fair	20cm stem likely separate tree (west of larger stem)	No	Retain	
1638	Western Red Cedar	<i>Thuja plicata</i>	22	6	3.5	P	Fair	Fair		No	Retain	
1639	Lawson Cypress	<i>Chamaecyparis lawsoniana</i>	11	3	2.0	P	Fair/poor	Fair	Suppressed	No	Retain	
1640	Western Red Cedar	<i>Thuja plicata</i>	34	7	5.0	P	Good	Fair		No	Retain	
1641	Western Red Cedar	<i>Thuja plicata</i>	23	5	3.5	P	Fair	Fair	Codominant at 4m	No	Retain	
1642	Lawson Cypress	<i>Chamaecyparis lawsoniana</i>	15	5	2.5	P	Fair/poor	Fair	Suppressed	No	Retain	
1643	Western Red Cedar	<i>Thuja plicata</i>	32 + ~10 + ~12	6	4.5	P	Good	Good	2 smaller trees on either side, less than 1m from trunk of larger tagged tree.	No	Retain	
1644	Lawson Cypress	<i>Chamaecyparis lawsoniana</i>	27	5	4.0	P	Good	Good		No	Retain	
1645	Leyland Cupresses	<i>Cupressus x leylandii</i>	17 + 12	4	2.0	G	Good	Fair	Two trees at west end of row	No	Retain *	
1646	Hawthorn	<i>Crataegus</i> species	12	3	2.0	G	Fair	Fair	Growing out of stairs	No	Retain *	
1647	Holly	<i>Ilex aquifolium</i>	11	2	2.0	G	Fair	Fair		No	Retain *	
1648	Ash	<i>Fraxinus spp</i>	13	5	2.0	G	Fair	Fair/poor	Growing out of cracks in old stairs	No	Retain *	
1649	Ash	<i>Fraxinus spp</i>	13	5	2.0	G	Fair	Fair/poor	Growing out of cracks in old stairs	No	Retain *	

Prepared by:

Talbot Mackenzie &amp; Associates

ISA Certified and Consulting Arborists

Phone: (250) 479-8733

Fax: (250) 479-7050

email: tmtreehelp@gmail.com

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m, diameter)	CRZ (m, radius)	Relative Tolerance	Health	Structure	Remarks and Recommendations	Bylaw Protected (as per 2015 bylaw)	Retention Status	Impacts
NT 1	Ash	<i>Fraxinus spp</i>	71	18	7.0	G	Fair	Fair	Municipal boulevard tree (ID: 20919). Extended endweighted limb. Some epicormic growth. Asymmetric canopy	No	Retain	
NT 2	Garry Oak	<i>Quercus garryana</i>	77	19	7.5	G	Fair	Fair	Municipal. Large deadwood. Some twig dieback. Base beginning to grow against wall.	Protected	Retain	Water, SD & SS services
NT 3	Purple Leaf Plum	<i>Prunus cerasifera</i>	52	12	6.0	M	Fair	Fair	Municipal. Extended limbs. Unions with included bark. Twig dieback.	No	Retain	
NT 5	English Holly	<i>Ilex aquifolium</i>	~20	4.0	2.0	G	Fair	Good	Neighbour's, growing beside fence at corner.	No	Retain	
NT 6	Holly	<i>Ilex aquifolium</i>	~20	4	2.0	G	Good	Fair/poor	Topped at 4m	No	Retain *	



## Talbot Mackenzie & Associates

Consulting Arborists

Box 48153 RPO Uptown

Victoria, BC V8Z 7H6

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

Email: tmtreehelp@gmail.com

### **1035 Joan Crescent Exploratory Excavation Photos May 10, 2019**



A trench was hand-dug at the approximate location of the proposed foundation excavation, 4.5m from Oak #201.









Pruned oak roots damaged or severed during hand-digging



Test hole at patio deck footing location, ~5m from Cedar #207..

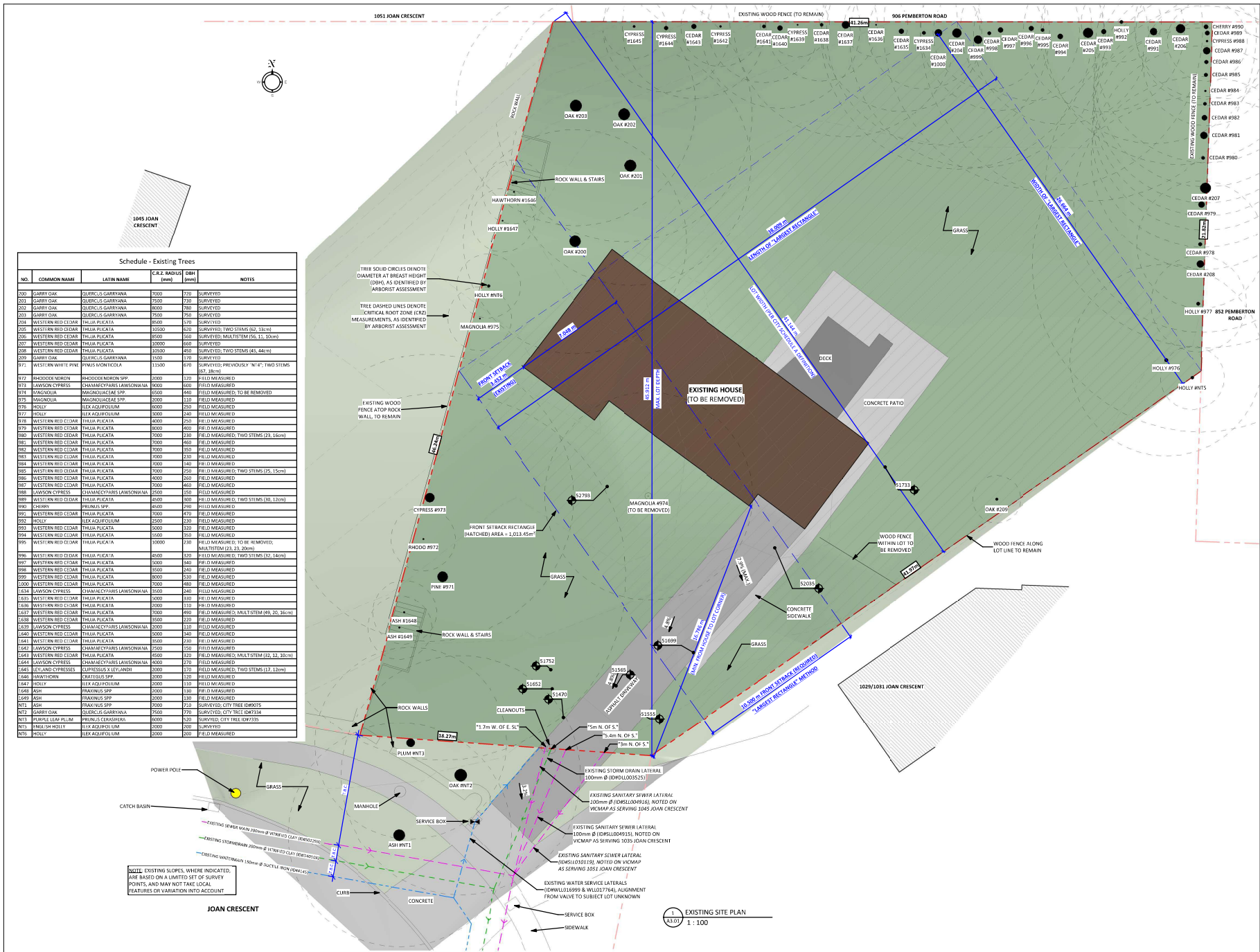




Test hole 4m west from Cedar #208 at approximate location of foundation excavation. One 6cm root was encountered (following picture).







Christine Lintott  
Architects

Suite 1, 804 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.884.1369  
www.lintottarchitect.ca

Issue Date

DEVELOPMENT PERMIT W/VARIANCE 7 OCT 2019  
DPV #00129 REVISION 6 JAN 2020

Revision

No. Description Date  
1 DVP (REVISED) 6 JAN 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Site Plan - Existing

Date 2019-12-31 11:37:18 AM

Drawn by TK

Checked by CL

A1.01

Scale 1:100

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.



Tree Protection Plan (mark-up)  
Talbot Mackenzie &  
Associates  
January 6, 2019

Tree Protection Fencing  
locations are approximate and  
should be finalized during pre-  
demolition site meeting with  
contractor and project arborist.

Fencing to CoV  
Parks standards:  
30cm from  
sidewalk, 60cm  
from curb

SHORT DASHED LINE DENOTES  
EXTENTS OF EXISTING STRUCTURE  
TO BE REMOVED

MAX. 8% DRIVEWAY SLOPE  
WITHIN 6m OF PROPERTY  
LINE

MAX. 10% DRIVEWAY SLOPE  
WHERE > 6m FROM PROPERTY  
LINE

PROPOSED SITE PLAN  
1 : 100

Christine Lintott  
Architects

Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision	No.	Description	Date
1	DVP (REVISED)		6 JAN 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Site Plan - Proposed

Date	2019-12-31 11:37:43 AM
Drawn by	TK
Checked by	CL

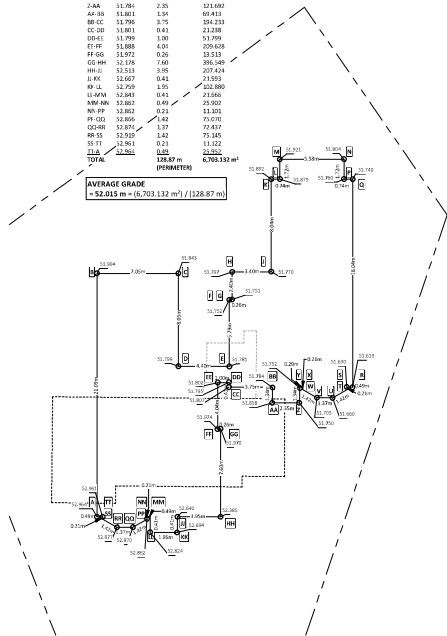
A1.02

Scale 1 : 100

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.



	1990	1991	1992
A-S	52,479	21,05	1366,782
B-S	10,000	1,000	100,000
C	18,821	8,205	41,370
D	10,000	1,000	277,870
E-F	5,767	5,767	299,728
G	10,000	1,000	100,000
H-W	11,771	2,405	124,558
X	10,000	1,000	100,000
Y	10,000	1,000	100,000
Z	10,000	1,000	100,000
AA	10,000	1,000	100,000
AB	10,000	1,000	100,000
AC	10,000	1,000	100,000
AD	10,000	1,000	100,000
AE	10,000	1,000	100,000
AF	10,000	1,000	100,000
AG	10,000	1,000	100,000
AH	10,000	1,000	100,000
AI	10,000	1,000	100,000
AJ	10,000	1,000	100,000
AK	10,000	1,000	100,000
AL	10,000	1,000	100,000
AM	10,000	1,000	100,000
AN	10,000	1,000	100,000
AO	10,000	1,000	100,000
AP	10,000	1,000	100,000
AQ	10,000	1,000	100,000
AR	10,000	1,000	100,000
AS	10,000	1,000	100,000
AT	10,000	1,000	100,000
AU	10,000	1,000	100,000
AV	10,000	1,000	100,000
AW	10,000	1,000	100,000
AX	10,000	1,000	100,000
AY	10,000	1,000	100,000
AZ	10,000	1,000	100,000
BA	10,000	1,000	100,000
BB	10,000	1,000	100,000
BC	10,000	1,000	100,000
BD	10,000	1,000	100,000
BE	10,000	1,000	100,000
BF	10,000	1,000	100,000
BG	10,000	1,000	100,000
BH	10,000	1,000	100,000
BI	10,000	1,000	100,000
BJ	10,000	1,000	100,000
BK	10,000	1,000	100,000
BL	10,000	1,000	100,000
BM	10,000	1,000	100,000
BN	10,000	1,000	100,000
BO	10,000	1,000	100,000
BP	10,000	1,000	100,000
BQ	10,000	1,000	100,000
BR	10,000	1,000	100,000
BS	10,000	1,000	100,000
BT	10,000	1,000	100,000
BU	10,000	1,000	100,000
BV	10,000	1,000	100,000
BW	10,000	1,000	100,000
BX	10,000	1,000	100,000
BY	10,000	1,000	100,000
BZ	10,000	1,000	100,000
CA	10,000	1,000	100,000
CB	10,000	1,000	100,000
CC	10,000	1,000	100,000
CD	10,000	1,000	100,000
CE	10,000	1,000	100,000
CF	10,000	1,000	100,000
CG	10,000	1,000	100,000
CH	10,000	1,000	100,000
CI	10,000	1,000	100,000
CJ	10,000	1,000	100,000
CK	10,000	1,000	100,000
CL	10,000	1,000	100,000
CM	10,000	1,000	100,000
CN	10,000	1,000	100,000
CO	10,000	1,000	100,000
CP	10,000	1,000	100,000
CQ	10,000	1,000	100,000
CR	10,000	1,000	100,000
CS	10,000	1,000	100,000
CT	10,000	1,000	100,000
CU	10,000	1,000	100,000
CV	10,000	1,000	100,000
CW	10,000	1,000	100,000
CX	10,000	1,000	100,000
CY	10,000	1,000	100,000
CZ	10,000	1,000	100,000
DA	10,000	1,000	100,000
DB	10,000	1,000	100,000



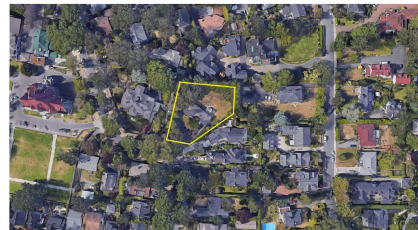
1  
A3.01

GENERAL PROPERTY INFORMATION	
PROJECT DESCRIPTION	THIS PROJECT PROPOSES THE REMOVAL OF AN EXISTING SINGLE FAMILY DETACHED STRUCTURE, AND THE CONSTRUCTION OF TWO (2) NEW SEMI-DETACHED DWELLINGS.
CIVIC ADDRESS	3035 JOAN CRESCENT, VICTORIA BC, V8S 3J3
LEGAL DESCRIPTION	LOT A, PLAN 12 280 SECTION FAIRFIELD, VICTORIA
PROPERTY IDENTIFICATION (P.I.D.)	004-962-681
AUTHORITY HAVING JURISDICTION	CITY OF VICTORIA
APPLICABLE BUILDING CODE	BRITISH COLUMBIA BUILDING CODE, 2018 EDITION, INCLUDING ALL AMENDMENTS
NEIGHBOURHOOD	ROCKLAND

<b>PROJECT INFORMATION TABLE</b>		<b>EXISTING / REQUIRED</b>	<b>PROPOSED</b>
ZONING DISTRICT		R-1 (SINGLE-FAMILY)	(NO CHANGE)
SITE AREA (sq-ft)		3,727.69	(NO CHANGE)
TOTAL FLOOR AREA (sq-ft)		0	588.42
FLOOR SPACE RATIO		NO REQUIREMENT	6.61
SIDE YARD SETBACK		0	5.00
OPEN YD SPACE (%)		NO REQUIREMENT	66.7
BLINDING HEIGHT (in)		27.6	9.366
NUMBER OF STOREYS		2 / 1/2	2
PARKING SPACES ON SITE		5	1 (TEXT - 2 GARAGE)
BICYCLE PARKING		N/A	N/A
RECYCLING UNIT		0.15 (1 TEXT - 0.1)	0.221
SEWER & DISCHARGE		27.6	3.793
VIEW NAD - SOUTHERLY ATTRACTION		0	1.066
MANAGEMENT ZONES		0	1.066
LARGEST RECTANGLE THAT CAN BE INCORPORATED IN THAT		> 1.0	> 5.0
<b>PERMITS AND UTILITIES</b>			
TOTAL NUMBER OF LINES	1		
UTILITY TYPE	SINGLE FAMILY		
GROUND COVERED (sq-ft)	NONE ATTACHED		
MINIMUM UNIT FLOOR AREA (sq-ft)	100.02 (APPROX.)		
TOTAL RESIDENTIAL UNIT AREA	588.42 (APPROX.)		

[illegible]

**Semi-Attached Dwellings Project - DEVELOPMENT VARIANCE PERMIT APPLICATION (REVISED)**  
6 January 2020



Number	Name
A0.01	Cover Sheet
A1.00	Survey Plan
A1.01	Site Plan - Existing
A1.02	Site Plan - Proposed
A1.03	Landscape Plan
A1.04	Neighborhood Context
A2.01	Floor Plans
A2.02	Floor Plans
A3.01	Elevations
A3.02	Elevations
A3.03	Elevations
A3.04	Spatial Separations Analysis
A4.01	Building Section
A6.01	3D Perspectives

Contact: Jon Roler

Contact: Tim Kindrat

Contact: R.L. Johns

Contact: Michael Marcucci



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1969  
[www.lintottarchitect.ca](http://www.lintottarchitect.ca)

DEVELOPMENT PERMIT W/VARIANCE 7 OCT 2019  
DPV #00129 REVISION 6 JAN 2020

No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

103

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Cover Sheet

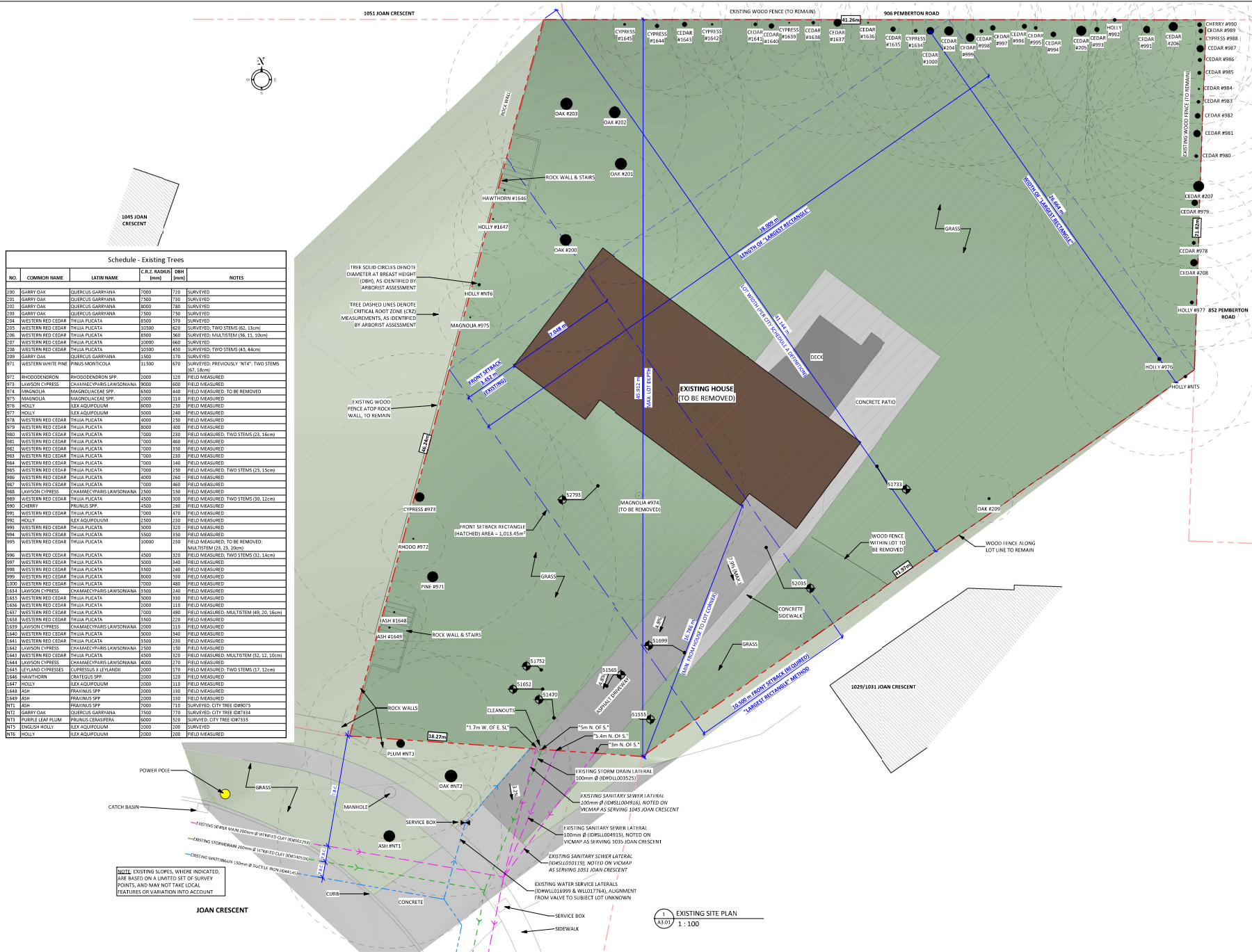
Date 2019-12-31 11:36:52 AM

Drawn by	TH
----------	----

Source of	Ch
1. 2. 3. 4.	

A0.01

Scale	As indicated
-------	--------------



Christine Lintott Architects  
 Suite 1, 804 Queens Avenue, Victoria, BC V8T 1M5  
 Telephone: 250.884.1369  
 www.lintottarchitect.ca

Issue	Date	
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020	
Revision		
o.	Description	Date
	DVP (REVISED)	6 JAN 2020

Consultant

1035 Joan Crescent  
 1035 Joan Crescent,  
 Victoria, BC V8S 3L3

Site Plan - Existing

Date	2019-12-31 11:37:18 AM
Drawn by	TK
Checked by	CL
<b>A1.01</b>	
Scale	1 : 100

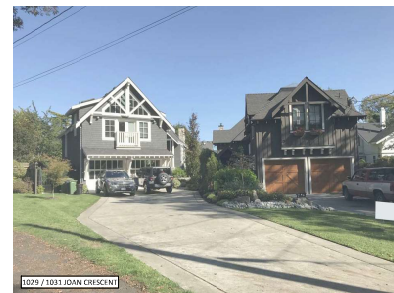
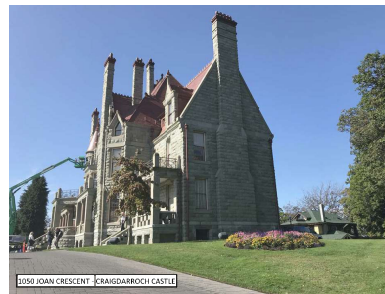
THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.













Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue Date

DEVELOPMENT PERMIT W/VARIANCE 7 OCT 2019  
DPV #00129 REVISION 6 JAN 2020

Revision

No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Floor Plans

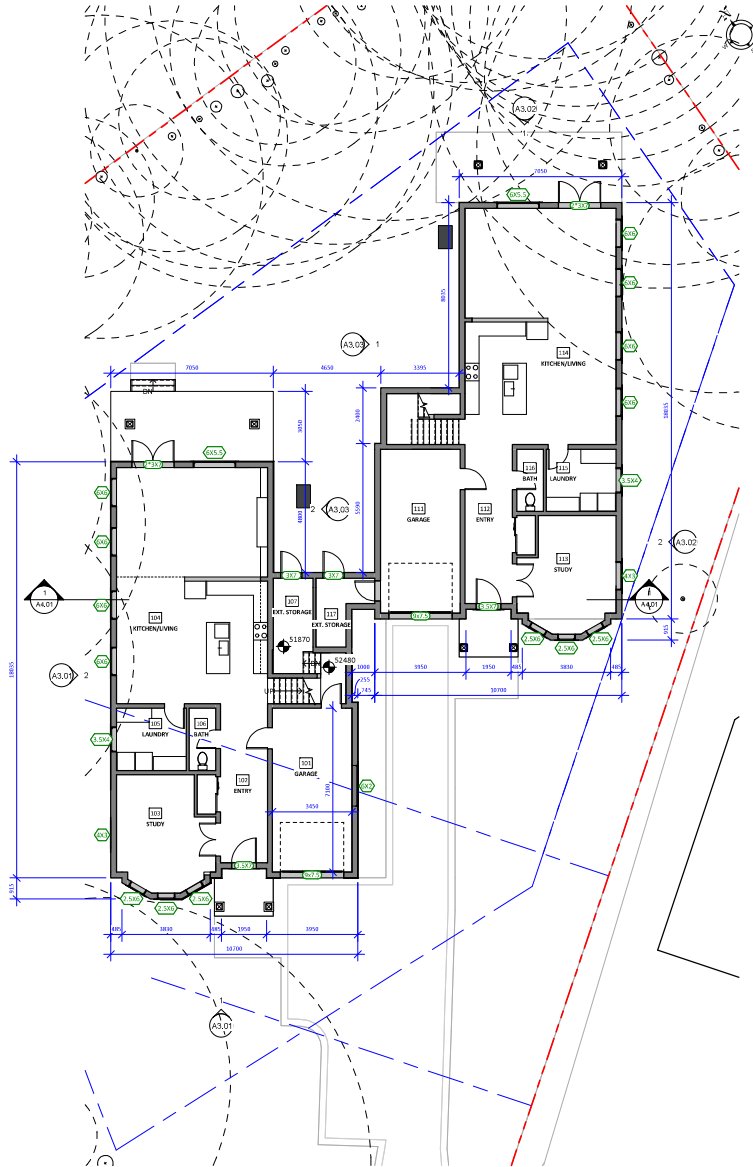
Date 2019-12-31 11:38:48 AM

Drawn by TK

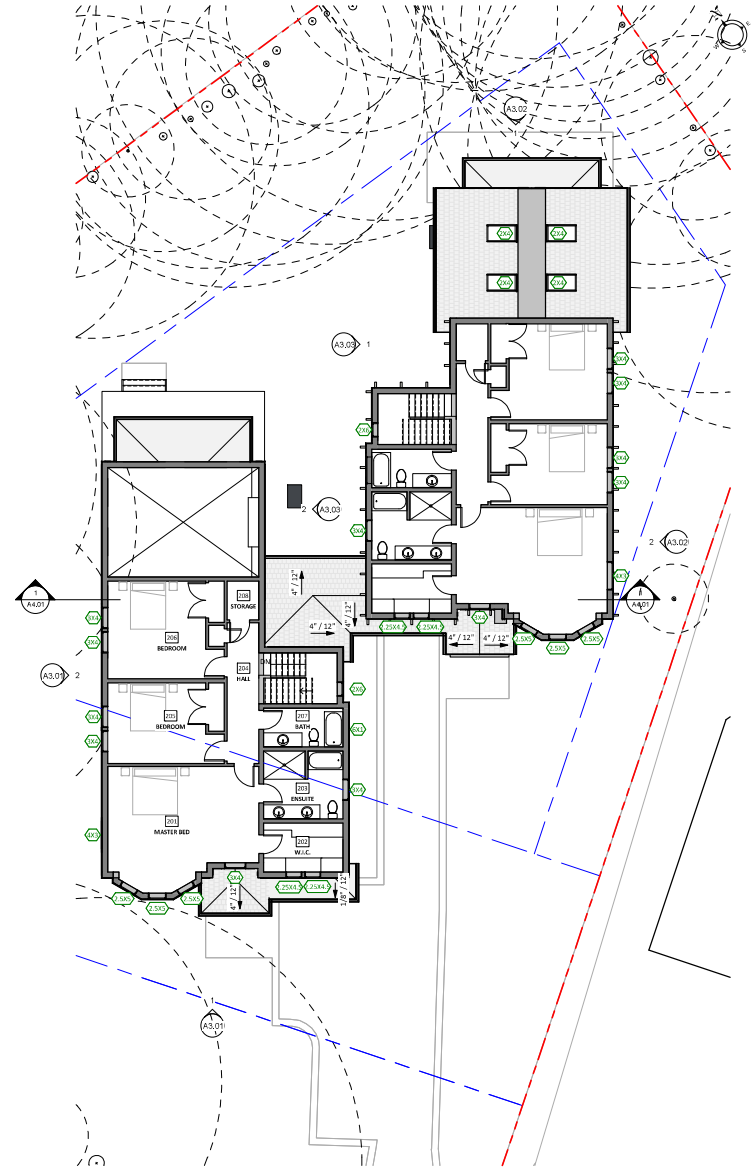
Checked by CL

A2.01

Scale 1 : 100



2 GROUND LEVEL FLOOR PLAN  
A3.01 1 : 100



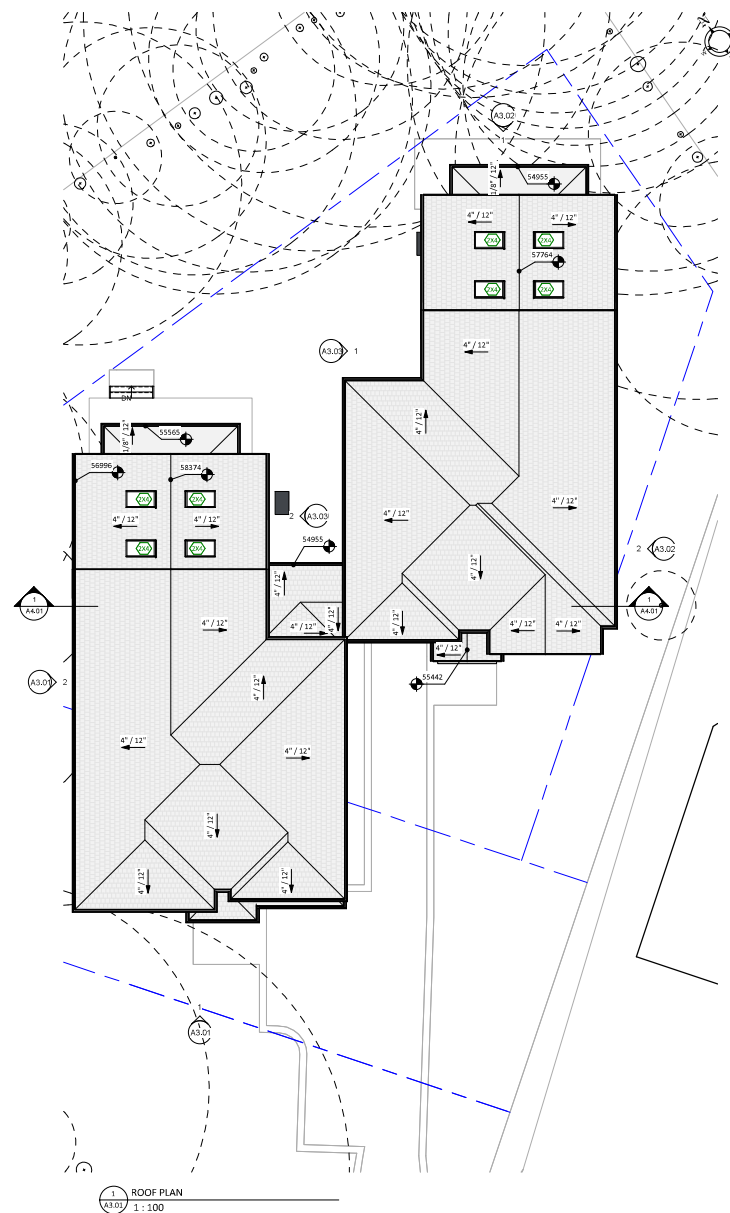
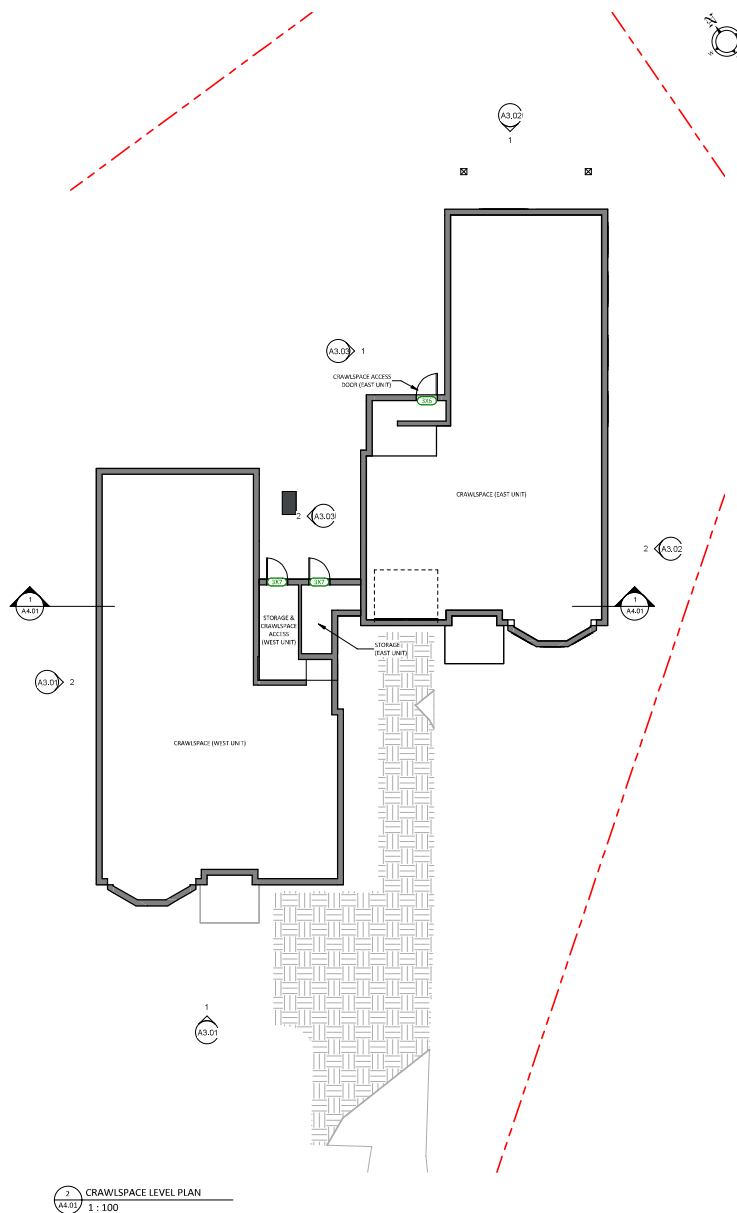
1 UPPER LEVEL FLOOR PLAN  
A3.02 1 : 100

Legend to Floor Plans

WINDOW SIZE (WIDTH X HEIGHT, IN FEET)  
DOOR SIZE (WIDTH X HEIGHT, IN FEET)

THIS DRAWING IS A COPYRIGHT DRAWING AND SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.





**Legend to Floor Plans**

- WINDOW SIZE (WIDTH X HEIGHT, IN FEET)
- DOOR SIZE (WIDTH X HEIGHT, IN FEET)

Christine Lintott  
Architects

Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision		
No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

Consultant

**1035 Joan Crescent**

1035 Joan Crescent,  
Victoria, BC V8S 3L3

**Floor Plans**

Date 2019-12-31 11:38:52 AM

Drawn by TK

Checked by CL

**A2.02**

Scale 1:100



1 BUILDING ELEVATION - SOUTH  
1:50



2 BUILDING ELEVATION - WEST  
1:50

MATERIALS LEGEND	
1	CEMENTITIOUS LAP SIDING, PAINTED
2	CEMENTITIOUS SHINGLE SIDING, PAINTED
3	CEMENTITIOUS BOARD & BATTEN, PAINTED
4	WOOD TRIM, PAINTED
5	SHIPSLAP SHINGLE ROOFING
6	LOW SLOPE ROOFING SYSTEM
7	METAL ROOF GUTTER, PREFINISHED

#### Legend to Exterior Colours

BLACK / DARK GRAY - FIBREGLAS ROOF SHINGLES - LOW SLOPE ROOFING - DOOR & WINDOW FRAMES	"OBSIDIAN" (COVERGALF #CA304) - CEMENTITIOUS SIDING	"MIDNIGHT" (COVERGALF #CA352) - CEMENTITIOUS SIDING	"STANDARD WHITE" (COVERGALF #CA353) - EXTERIOR TRIM

Christine Lintott  
Architects

Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.884.1369  
www.lintottarchitect.ca

Issue Date

DEVELOPMENT PERMIT W/VARIANCE 7 OCT 2019  
DPV #00129 REVISION 6 JAN 2020

#### Revision

No.	Description	Date
1	DVP (REVISED)	6 JAN 2020

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Elevations

Date 2019-12-31 11:39:21 AM

Drawn by TK

Checked by CL

A3.01

Scale As indicated

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.



Issue	Date
-------	------

Revision

Consultant

1035 Joan Crescent,  
Victoria, BC V8S 3L3

Date 2019-12-31 11:39:36 AM

Drawn by	
Checked by	

Checked by \_\_\_\_\_

### A3.02

Scale	As indicated
-------	--------------



Legend to Exterior Colours



THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE UNTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE UNTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE UNTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.

Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision	No.	Description	Date
1	DVP (REVISED)		6 JAN 2020

Consultant

1035 Joan Crescent

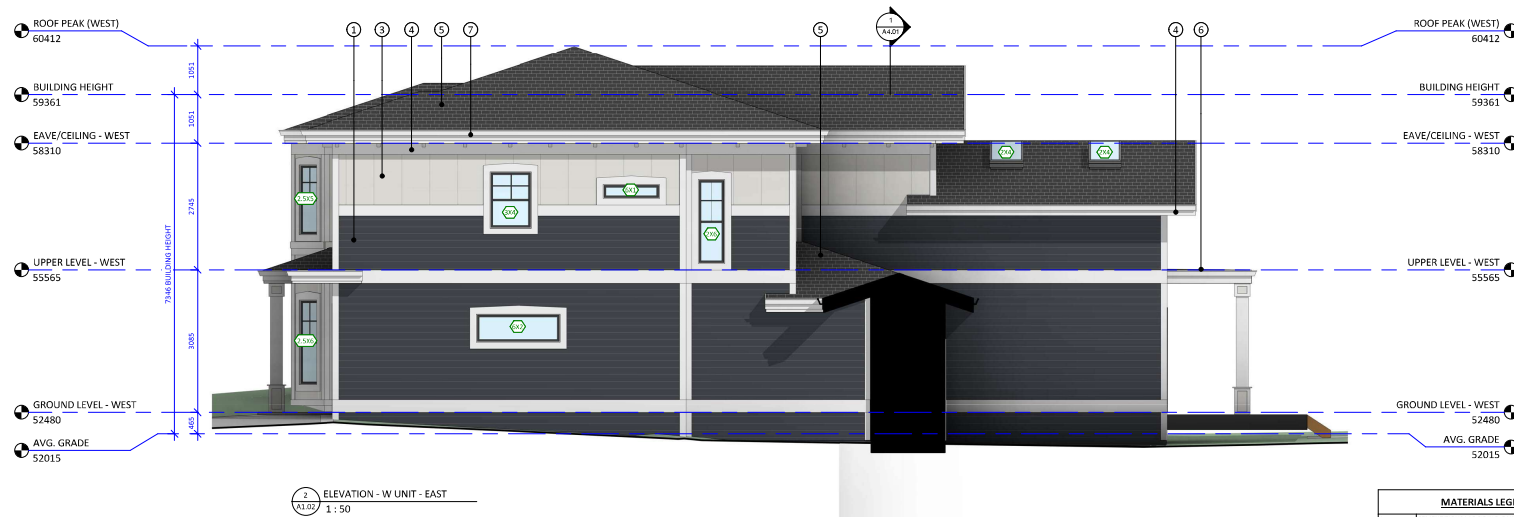
1035 Joan Crescent,  
Victoria, BC V8S 3L3

Elevations

Date 2019-12-31 11:39:51 AM  
Drawn by TK  
Checked by CL

A3.03

Scale As indicated



MATERIALS LEGEND	
1	CEMENTITIOUS LAP SIDING, PAINTED
2	CEMENTITIOUS SHINGLE SIDING, PAINTED
3	CEMENTITIOUS BOARD & BATTEN, PAINTED
4	WOOD TRIM, PAINTED
5	UPPALS FIBREGLASS ROOFING
6	LOW SLOPE ROOFING SYSTEM
7	METAL ROOF GUTTER, PREFINISHED

Legend to Exterior Colours

BLACK / DARK GRAY - FIBREGLASS ROOF SHINGLES - LOW SLOPE ROOFING - DOOR & WINDOW FRAMES	"OBSIDIAN" (COVERSCALE #A204) - CEMENTITIOUS SIDING	"MIST" (COVERSCALE #A203) - CEMENTITIOUS SIDING	"STANDARD WHITE" (COVERSCALE #A205) - EXTERIOR TRIM



Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision	No.	Description	Date
1	DVP (REVISED)		6 JAN 2020

Consultant

1035 Joan Crescent

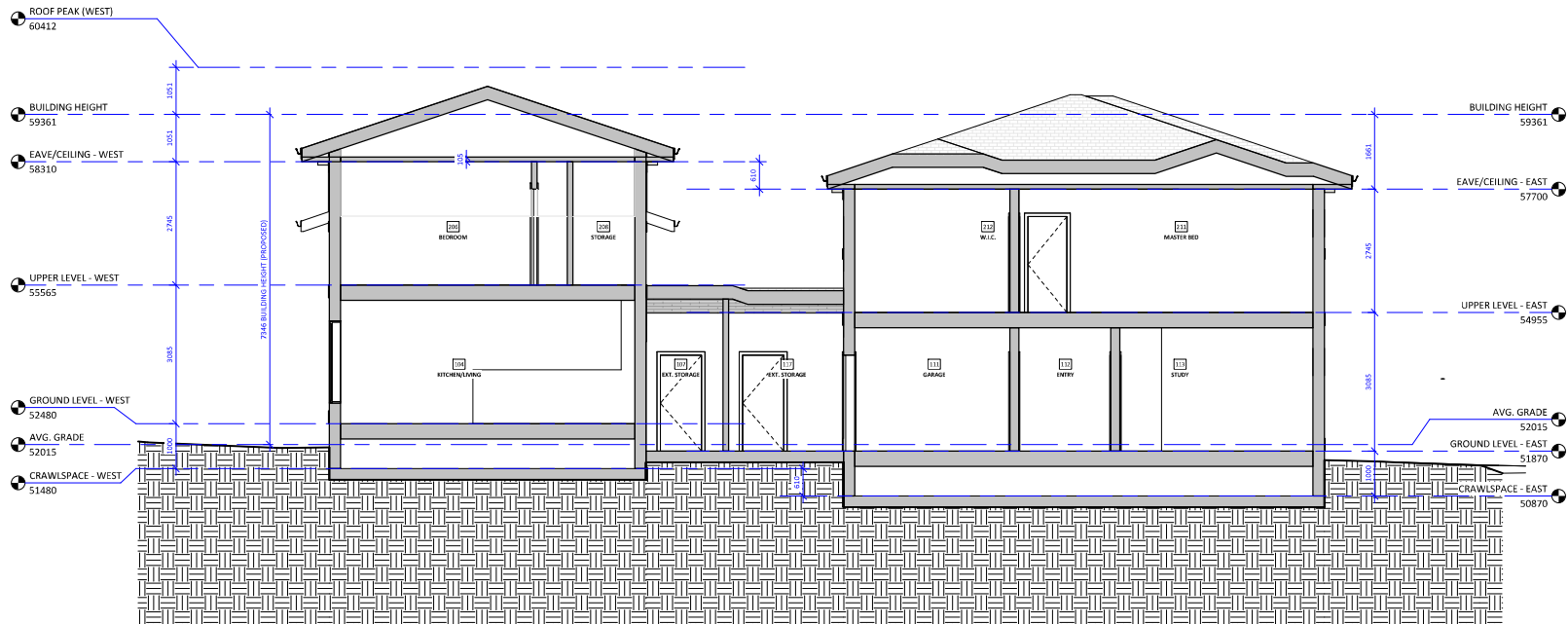
1035 Joan Crescent,  
Victoria, BC V8S 3L3

Building Section

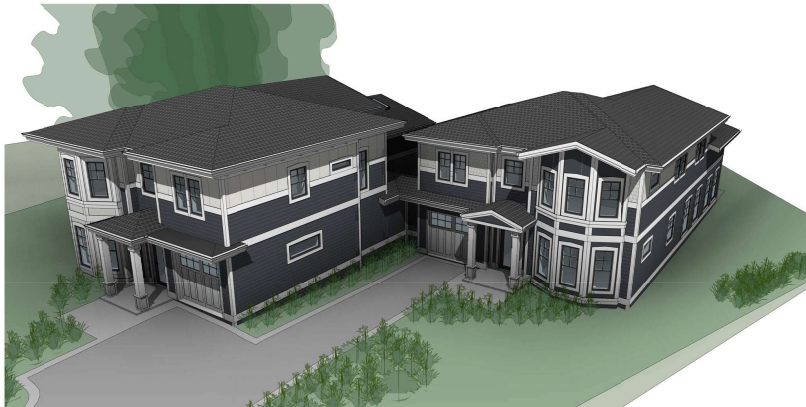
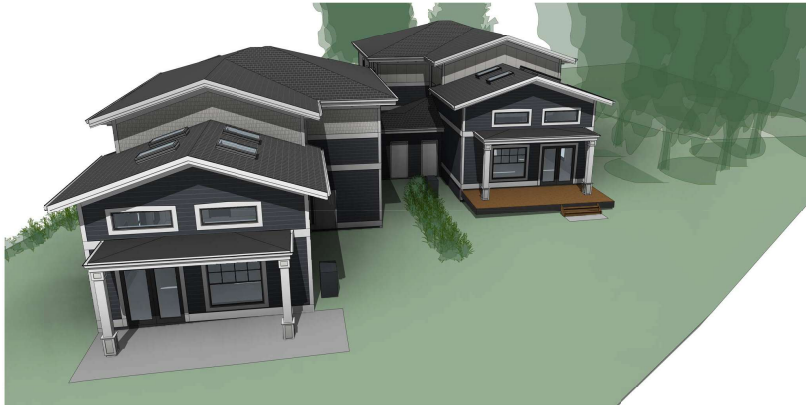
Date	2019-12-31 11:39:54 AM
Drawn by	TK
Checked by	CL

A4.01

Scale	1 : 50
-------	--------



1 BUILDING SECTION  
A4.01  
1 : 50



Christine Lintott  
Architects



Suite 1 - 864 Queens Avenue, Victoria, BC V8T 1M5  
Telephone: 250.384.1369  
www.lintottarchitect.ca

Issue	Date
DEVELOPMENT PERMIT W/VARIANCE DPV #00129 REVISION	7 OCT 2019 6 JAN 2020

Revision	No.	Description	Date
1	DVP (REVISED)	6 JAN 2020	

Consultant

1035 Joan Crescent

1035 Joan Crescent,  
Victoria, BC V8S 3L3

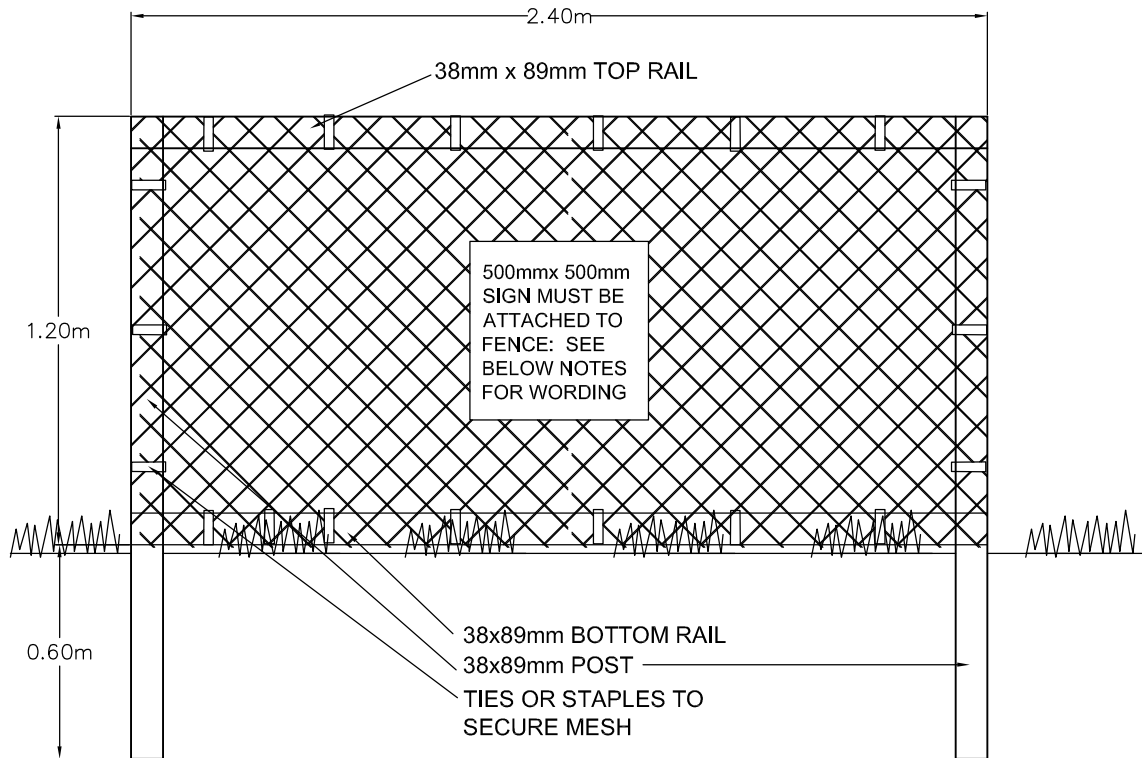
3D Perspectives

Date	2019-12-31 11:40:17 AM
Drawn by	TK
Checked by	CL

A8.01

Scale

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REVISED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LINTOTT ARCHITECT. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNTIL SIGNED, OR APPROVED & ISSUED BY CHRISTINE LINTOTT ARCHITECT AS SUCH. THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & OMISSIONS TO CHRISTINE LINTOTT ARCHITECT. DO NOT SCALE THE DRAWINGS.



**TREE PROTECTION FENCING**

1. FENCE WILL BE CONSTRUCTED USING 38 mm X 89mm WOOD FRAME: TOP, BOTTOM AND POSTS \* USE ORANGE SNOW-FENCING MESH AND SECURE THE WOOD FRAME WITH "ZIP" TIES OR GALVANIZED STAPLES.
  2. ATTACH A 500mm X 500mm SIGN WITH THE FOLLOWING WORDING: WARNING- TREE PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METERS.
- \* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED



## Talbot Mackenzie & Associates

Consulting Arborists

Box 48153 RPO - Uptown Victoria, BC V8Z 7H6

Ph: (250) 479-8733

Fax: (250) 479-7050

Email: tmtreehelp@gmail.com

### **Tree Resource Spreadsheet Methodology and Definitions**

Revised July 24, 2019

**Tag:** Tree identification number on a metal tag attached to tree with nail or wire, generally at eye level. Trees on municipal or neighboring properties are generally not tagged (“NT #”).

**DBH:** Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.

~ Approximate due to inaccessibility or on neighbouring property

**Crown Spread:** Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

**Relative Tolerance Rating:** Relative tolerance of the tree species to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes, and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned based on our knowledge and experience with the tree species: Poor (P), Moderate (M) or Good (G).

**Critical Root Zone:** A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the tree’s Relative Tolerance Rating. This methodology is based on the methodology used by Nelda Matheny and James R. Clark in their book “Trees and Development: A Technical Guide to Preservation of Trees During Land Development.”

- 15 x DBH = Poor Tolerance of Construction
- 12 x DBH = Moderate
- 10 x DBH = Good

This method is solely a mathematical calculation that does not consider factors such as restricted root growth, limited soil volumes, age, crown spread, health, or structure (such as a lean). To calculate the critical root zone of trees with multiple stems below 1.4m, the diameter is considered the sum of 100% of the diameter of the largest stem and 60% of the diameter of the next two largest stems. This however can result in multi-stem trees having exaggerated CRZs. Where noted, sometimes the CRZ for trees with multiple stems will be calculated using the diameter of the trunk below the unions.



**Health Condition:**

- Poor - significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair - signs of stress
- Good - no visible signs of significant stress and/or only minor aesthetic issues

**Structural Condition:**

- Poor - Structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair - Structural concerns that are possible to mitigate through pruning
- Good - No visible or only minor structural flaws that require no to very little pruning

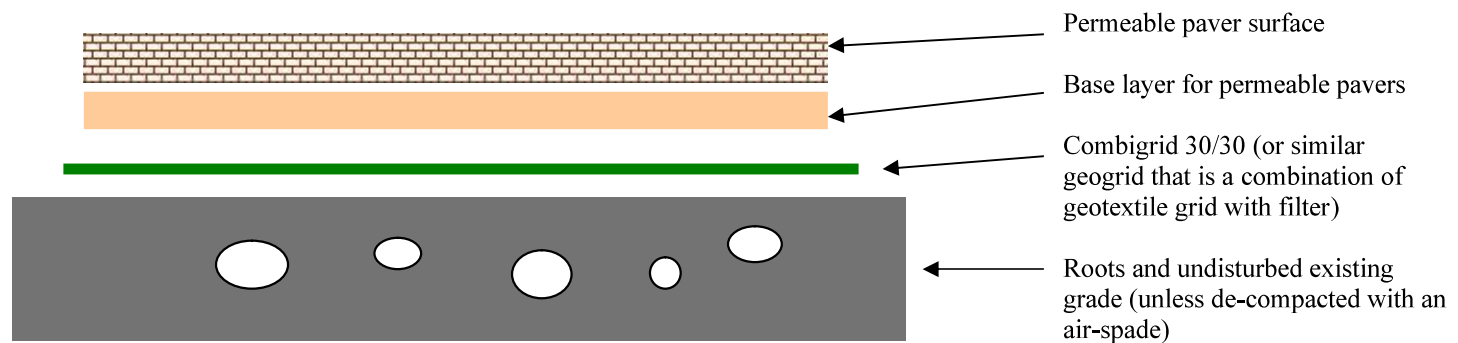
**Retention Status:**

- Removal (or “X”)- Not possible to retain given proposed construction plans
- Retain - It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our **recommended mitigation measures are followed**
- Retain \* - See report for more information regarding potential impacts
- TBD (To Be Determined) - The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts, but concerned parties should be aware that the tree may require removal.
- NS - Not suitable to retain due to health or structural concerns

# **Talbot Mackenzie & Associates**

Consulting Arborists

**Diagram – Permeable paver surface crossing over Critical Root Zone**



## **Specification #1 for Paved Surfaces Over Critical Root Zones (driveway, parking or walkway areas)**

1. Minimal excavation to remove turf and loose soil for the required permeable surface, under the supervision of the project arborist. Root loss to be avoided.
2. A layer of Combigrd 30/30 geotextile is to be installed over the existing grade.
3. Construct base layer of well-draining material and permeable surface over geogrid layer to required grade.



November 18, 2019

Mayor and Council

Re: DPV00129, 1035 Joan Crescent

The Rockland Neighborhood Association Land Use Committee (RNA LUC) have a concern about DP00129 in that proposal suggests a co-joining of the semi-attached residents by main floor storage areas.

This is not a common roof as referenced in R1-A, 1.1.6, c. The RNA LUC has understood a “common roofline” is meant to be the main roofline of semi-adjacent homes and not a simplistic structure such as a garden or storage shed or any other type of utility enclosure with a roof.

The Governance and Priorities Committee Report of November 23, 2010 refers to; Para. 1 “Attached and semi attached being attached thru a common-roof structure. This would help ensure there is a structural connection between dwellings.” In the plans presented structural connection appears to be minimized.

Effort to retrieve the notes of the staff conversation leading to and clarifying this amendment have been unsuccessful. More research may be necessary to confirm the

Further, while the Roof Plan, Page 8, 1-A3.01 appears to show a co-joined roof line the architects drawing of Page 1 clearly shows the main roof line is not joined.

The RNA LUC requests that Planning and Land Use Committee clarify the issue of the common- roof structure.

Respectfully;

Bob June, co-chair  
Land Use Committee  
Rockland Neighborhood Association

**H.4 1035 Joan Crescent: Development Permit with Variance Application No. 00129 (Rockland)**

Committee received a report dated May 7, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Development Permit with Variance Application for 1035 Joan Crescent in order to construct a semi-attached dwelling.

*Committee discussed the following:*

- *Duplex common use areas*
- *Common roof line shared between units*
- *CALUC's comments on design guidelines*

**Moved By** Mayor Helps  
**Seconded By** Councillor Alto

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00129 for 1035 Joan Crescent, in accordance with:

1. Plans date stamped January 7, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - i. reduce the front yard setback from 10.50 metres to 3.22 metres.
3. The Development Permit lapsing two years from the date of this resolution."

**Motion to refer:**

**Moved By** Councillor Isitt  
**Seconded By** Councillor Young

That the matter be referred back to staff to work with the applicant to ensure greater consistency with the spirit and letter of the duplex guidelines.

FOR (6): Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, Councillor Thornton-Joe, Councillor Young

OPPOSED (2): Mayor Helps, Councillor Alto

**CARRIED (6 to 2)**



**H.1.c.e1035 Joan Crescent: Development Permit with Variance  
Application No. 00129 (Rockland)**

**Moved By** Councillor Young

**Seconded By** Councillor Thornton-Joe

That the matter be referred back to staff to work with the applicant to ensure greater consistency with the spirit and letter of the duplex guidelines.

**CARRIED UNANIMOUSLY**

**From:** JON ROLER [REDACTED]  
**Sent:** January 25, 2021 2:37 PM  
**To:** Alec Johnston <[ajohnston@victoria.ca](mailto:ajohnston@victoria.ca)>  
**Subject:** Fwd: 1035 Joan Crescent

Hi Alec, could you please include this letter from the RNA in your report to Mayor and Council on the 28th? I think it would be helpful.  
Thanks.  
Jon

---

**From:** "Bob June" [REDACTED]  
**To:** "jonroler" [REDACTED]  
**Sent:** Monday, January 25, 2021 2:20:03 PM  
**Subject:** re: 1035 Joan Crescent



ROCKLAND NEIGHBOURHOOD ASSOCIATION  
P.O. Box 5276, Station B, Victoria BC, V8R 6N4

[rockland.bc.ca](http://rockland.bc.ca)

January 23, 2021

Mayor and Council  
City of Victoria

Re: 1035 Joan Crescent. DPV00129

While a Land Use Committee has limited place in Development Permit process The Rockland committee has followed the refinement of the plan for 1035 Joan Crescent.

On November 18, 2019 we wrote to Mayor and Council questioning the application of the new R1-A zoning requirement of a common roof rather than the previous attachment of trellis, etc.

We appreciate that this design was re-configured to include the now required "common roof"; an upgrade to the R1-A zone which we believe paves the way for all semi-attached residence's going forward.

Regards:  
Bob June, co-chair  
RNA LUC

1

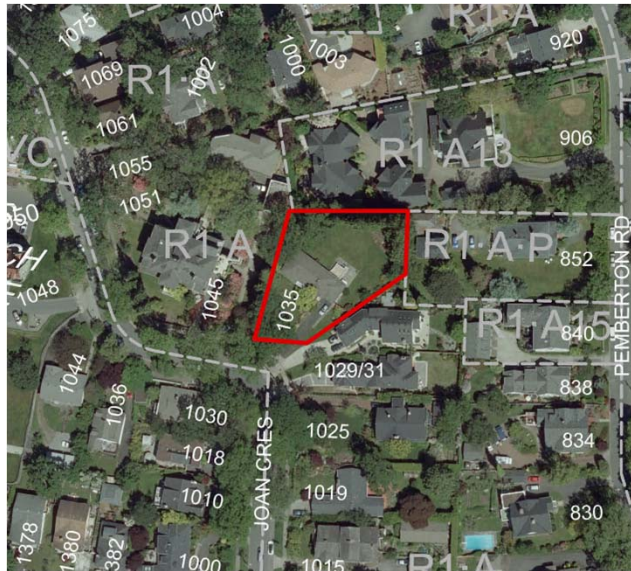
## Development Permit with Variance Application for 1035 Joan Crescent



1

### Aerial View

2



2

## Subject Site

3



3

## Neighbouring Properties

4



4



## Neighbouring Properties

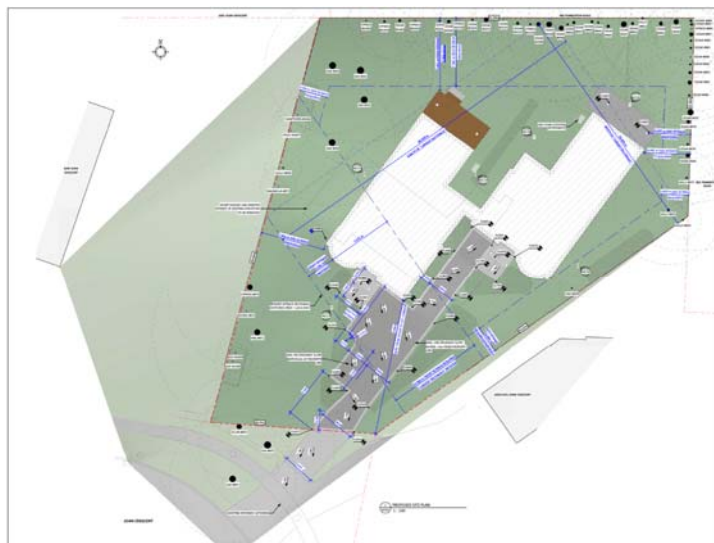
5



5

## Site Plan

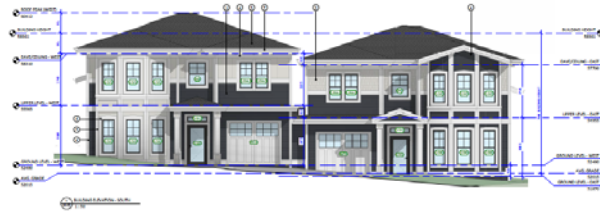
6



6

## Elevations

7



Previous Design



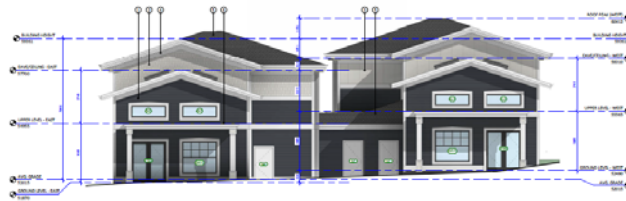
Revised Design



7

## Elevations

8



Previous Design



Revised Design



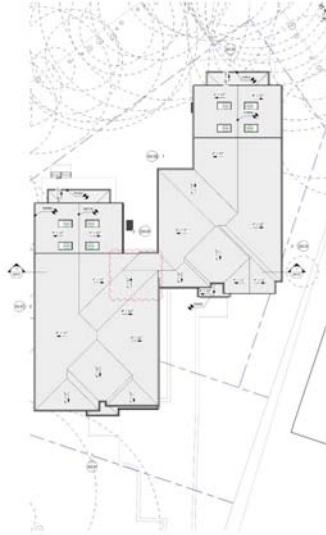
8

## Floor/Roof Plans

9



Previous Design



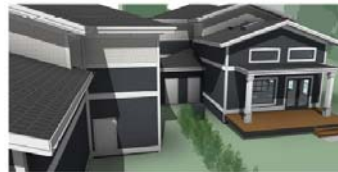
Revised Design



9

## Previous Design

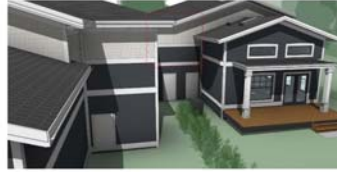
10



10

## Revised Design

11



11

12



12



## Landscape Plan

13



13

## Subject Site

14



14

# Electronic Bird Deterrents and the COV Noise Bylaw

Darrell Pfeifer, February 25, 2021

# Bird Noisemakers

- Typically used on farms to scare birds from crops
- Make the sound of a bird in distress or an attacking raptor
- The Farm Act and Ministry of Agriculture limits these devices
  - Must be more than 100 meters from a dwelling
  - Noise events cannot exceed more than once every 5 minutes
- Farm in semi-rural Blenkinsop valley was required to follow the guidelines
- Ministry requires municipalities to implement for their jurisdiction

# Bird Noisemakers in City of Victoria

- Placed on rooftops to keep gulls away
- Not audible to residents of the noisemaking building since they are below their roofline
- Bayview One
  - Once per minute 15 second noise since April 1
  - Audible to residents of Promontory who are facing Bayview and above their roofline
  - Multiple Promontory residents have complained to COV bylaw
- Near the Regency Hotel
  - Clearly audible across the water at the Delta Hotel and the Songhees Totem
  - Well known to kayakers and harbour ferry captains on the water but unheard on Wharf Street
  - Random every five or so minutes



# Effect on people

- A once per minute noise in itself is disturbing
- The distress call from an animal is extremely upsetting to most humans
  - One new resident of Promontory was prepared to contact the SPCA to help rescue the animal on the Bayview rooftop
- In the past few years, the World Health Organization has established new guidelines for effects of urban noise

# ● Effect on birds

- Gulls habituate quickly to noises which are not threats
- Active bird scaring devices are contrary to the neighborhood ecology
  - Victoria harbour is a federally protected migratory bird sanctuary
    - People would not be allowed to use bird scaring devices standing at the shoreline, so should not be allowed to use them on building rooftops
  - Promontory building has peregrine falcons on the rooftop
    - These are a species of special interest due to their small numbers
    - Most cities welcome these birds to help control the bird population

# Noise bylaw is ineffective

- Noise Disturbing Neighborhood (Section 11) applies at night, but does not apply during daytime hours, which are only governed by decibels
- (b) a person who is the owner or occupier of, or is in possession or control of, real property must not make, suffer, or permit any other person to make, a noise or sound, on that real property, which can be easily heard by a person not on the same premises and which disturbs or tends to disturb the quiet, peace rest, enjoyment, comfort or convenience of persons in the neighbourhood or vicinity.

# Another example of ineffective noise bylaw

- A barking dog is covered under the animal control bylaw
  - There are specific metrics
  - also a “disturbance” clause
- However, it is possible to play the sound of dog barking all day (so not a real dog) but not violate the current daytime noise bylaw
  - As long as the barking sound doesn’t exceed a “conversational level” is it will not meet the decibel requirements
  - There is no “disturbance” clause during the daytime



# Please consider changes to noise bylaw

- For the specific case of bird scaring devices
  - Implement the Ministry of Agriculture guidelines, particularly the 100 meter rule in urban Victoria
- For the general case of daytime noise
  - Allow the “disturbance” clause during the daytime
- For the longer term
  - Consider a review that simplifies and modernizes the noise bylaw in accordance with newer health standards
- More information and video/sound examples at **[stopthesquawk.ca](http://stopthesquawk.ca)**

## **Reconsideration of**

### **2700 Avebury Avenue Small Lot Rezoning**

**From:**

Bill Moffat, 1336 Kings Road;  
Joanne Moffat, 1336 Kings Road;  
Anita Loudon, 1326 Kings Road;  
Ed Rebner, 2710 Avebury Avenue;  
Jennifer Rebner, 2710 Avebury Avenue;  
Eric Sager, 2713 Avebury Avenue;  
Jean Anne Wightman, 2713 Avebury Avenue;  
Susan Kershbaumer, 2718 Avebury Avenue;  
Adem Tepedelen, 2718 Avebury Avenue;  
Bobby Rebner, 2710 Avebury Avenue (former occupants);  
Dr. Bruce Rebner, 2710 Avebury Avenue (former occupants);  
Cindy Dunphy, 2725 Roseberry Avenue;  
Travis Koivula, 1444 Ryan Street;  
Ludo Bertsch, 2758 Asquith Street;

**Date:** Feb 23, 2021

**Overall recommendations:**

We believe there were many administrative justice issues<sup>1</sup> with the process of the recent rezoning application for 2700 Avebury Avenue, such that we recommend that the rezoning application decision should be reconsidered according to Reconsideration Clause 30 of the Council Bylaw<sup>2</sup> with a Reconsideration vote at the February 25 Council meeting, and that the development process should be sent back to Committee of the Whole (COTW). The following issues support these recommendations.

**Issue #1 - Neighbouring lots:**

**Discussion:**

The Small Lot House Rezoning Policy states: *"Recognizing the impact on this type of application, all residents and owners of neighbouring lots must be polled by the*

---

<sup>1</sup> Code of Administrative Justice 2003; BC Ombudsperson; <https://bcombudsperson.ca/assets/media/Public-Report-No-42-Code-of-Administrative-Justice.pdf>

<sup>2</sup> From City Bylaw No. 09-046

*Reconsideration*

30. (1) A Council member may, at the next Council meeting,

(a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken; and  
(b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.

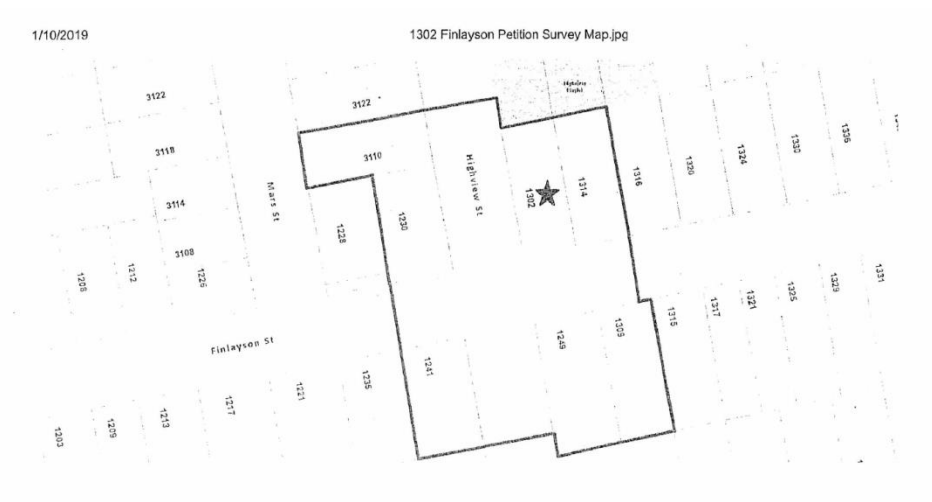
*application as to the acceptability of the application with the results mapped and submitted as part of the site plan information.”<sup>3</sup>*

While other recent similar small lot applications have followed the above City of Victoria process for the neighbouring lot map, the 2700 Avebury Avenue application has not followed the same process. This means that the judgement of this application is not consistent with other similar small lot applications, is misleading, and limits understanding of the application. It creates an unfair and unjust basis for decisions about the 2700 Avebury Avenue application, and results in improper discriminatory treatment.

*Recent Similar Small Lot Applications by City of Victoria:*

Small Lot Address	COTW date	Council Meeting Date
1302 Finlayson Street	July 9, 2020	Nov 28, 2019
2920 Prior Street	July 9, 2020	Oct 8, 2020
202 Raynor Avenue	Aug 6, 2020	Sep 17, 2020
<b>2700 Avebury Avenue</b>	<b>Nov 26, 2020</b>	<b>Feb 11, 2021</b>

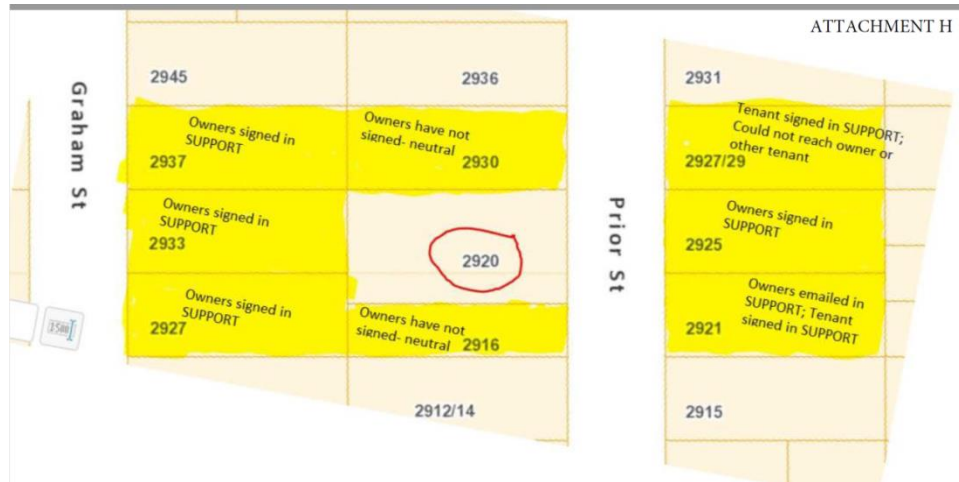
1302 Finlayson Street



<sup>3</sup> Small Lot House Rezoning Policy, Policy 4.4

*“Neighbouring lots” means all properties with at least one point in common with the property for which an amendment application is sought, with property lines deemed to be the centre line of streets and lanes plus lots less than 10 m away.” [Section 5.1]*

## 2920 Prior Street

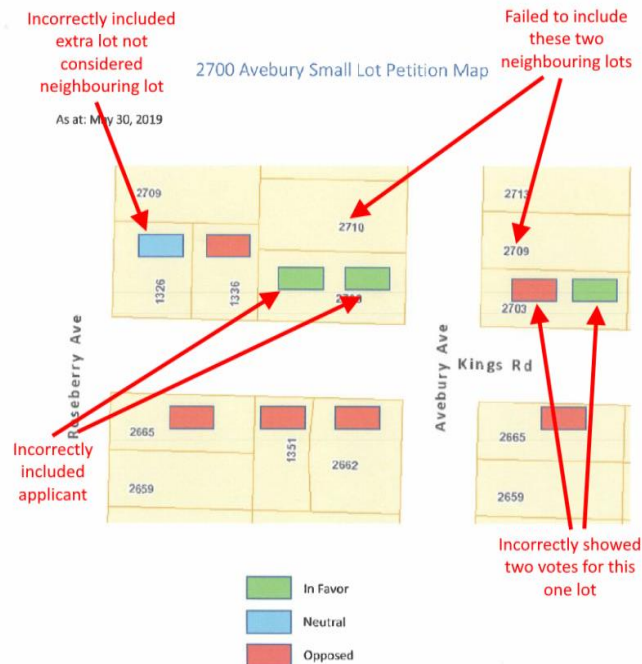


## 202 Raynor Avenue





## 2700 Avebury Avenue



### Issues of 2700 Avebury neighbouring lot map:

- Incorrectly included the applicant; the Summary Small Lot Rezoning Petition Form says: "Do not include petitions from the applicant or persons occupying the property subject to rezoning."<sup>4</sup>
- Incorrectly included extra lot not considered a neighbouring lot (1326 Kings)
- Failed to include two neighbouring lots (2710 and 2709 Avebury Avenue)
- Incorrectly showed two votes for one of the lots
- As shown in the comparison table below, 2700 Avebury Avenue is the only application that fails in all categories.

### Summary comparison of maps:

	Highlight All Neighbouring Lots	Do Not Include Applicant	Do Not Include Lots beyond Neighbouring Lots	Show only 1 Vote Per Lot
1302 Finlayson Street	Yes	Yes	Yes	Yes
2920 Prior Street	Yes	Yes	Yes	Yes
202 Raynor Avenue	Yes	Yes	Yes	Yes
<b>2700 Avebury Avenue</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

<sup>4</sup> Small Lot House Rezoning Policy, Page 15, Summary Small Lot House Rezoning Petition

*Petition date:*

The petition summary form clearly states: “*Note that petitions that are more than six months old will not be accepted by the City*”. The petitions for 2700 Avebury Avenue are dated August 8, 2019 while the City of Victoria Executive Summary is signed November 19, 2020, which is more than one year later.

The Executive Summary states: “*In accordance with the City’s Small Lot House Rezoning Policy, the applicant has polled the immediate neighbours . . .*”<sup>5</sup>

We suggest that this statement claiming to be in “*accordance*” with the policy is a mistake of fact as the polling of neighbours was done more than one year earlier, well beyond the limit set by the policy.

*Irrelevant support from person occupying property:*

The Executive Summary states: “*In accordance with the City’s Small Lot House Rezoning Policy, the applicant has polled the immediate neighbours and reports that 14% support the application.*”<sup>6</sup>

The Executive Summary clarifies: “*The applicant has not included these petitions [residents of the subject parcel] in the calculation.*” At the February 11 hearing, the developer was given an opportunity for further clarification, but contradicted this observation by stating: “*The property that supports is the existing home, they are the people that rent the home.*”

We suggest this number should actually be 0%. The importance of this number cannot be understated. This number, 0%, represents the key requirement of the Small Lot Rezoning Policy at 75% that this application fails to meet. The wide dispersal of “14%” throughout the hearing and process underscores its importance, but also re-enforces the importance that this number be supportable and defensible. Otherwise, all decisions made are in question. If the public and councillors knew the number was actually “0%” and not “14%”, the positions presented by the public might have been different, and the voting from the councillors might have changed.

We suggest that these statements (written and oral) suggesting the “*14% support*” are besides being contradictory, are also mistakes of fact. We suggest decisions made subsequently are not fair as they are based upon irrelevant grounds (as the position the person occupying the property is irrelevant).

---

<sup>5</sup> Nov 26, COTW Report for 2700 Avebury Avenue, Page 9, Community Consultation

<sup>6</sup> Nov 26, COTW Report for 2700 Avebury Avenue, Page 9, Community Consultation

**Expectations:**

We would have expected, and neighbourhood residents would have expected, if the application had progressed to this point, that the map would have clearly highlighted which lots were considered contiguous (and only those lots - for clarity, not included the applicant's lot at 2700 Avebury), and shown all contiguous lots as opposed.

A further expectation is that the summary petition table would contain exactly the same lots with the same positions, that the calculations would be accurate and that the date would have been in the last six months.

If for some reason, the map and petitions could not meet these expectations, then a further expectation is that the Committee of the Whole Report would clearly indicate where the report failed to meet these expectations, and not state or imply that the polling was done in accordance with the City's Small Lot House Rezoning Policy.

**Further recommendations:**

We recommend that new up-to-date petitions be filled in for the neighbouring lots, and a new and accurate neighbouring lot map be generated following the Small Lot House Rezoning policy.

**Issue #2 - Neighbourhood-shared decision making process****Discussion:**

The Small Lot House Rezoning Policy states: *"Where an unsatisfactory level of support is evident, a neighbourhood-shared decision making process will be required indicating a substantial consensus as a precondition of advancing to a public hearing. Note: The neighbourhood-shared decision making process would be developed in consultation with the Community Association Network and Urban Development Institute; costs would be born(e) by the applicant."*<sup>7</sup>

The 2700 Avebury Avenue application did not meet the level of contiguous neighbour support, which meant that a *"neighbourhood-shared decision making process"* would have been required to move the application forward. That process should have involved the Community Association Network and Urban Development Institute, but instead for the 2700 Avebury Avenue application it was conducted by the proponent herself resulting in an unfair procedure that is inherently biased and not impartial.

On December 10, the 2700 Avebury Avenue application was voted by City of Victoria Council to move the application to a public hearing.

The only information provided regarding the neighbourhood process is contained in Appendix I of the Nov 26 COTW package. This process was conducted by the proponent with no indication that any other party was involved – no mention of the

---

<sup>7</sup> Section 4.4, Small Lot House Rezoning Policy

Community Association Network or Urban Development Institute. Besides violating the city's own Small Lot Rezoning policy, the proponent is inherently biased and this results in an arbitrary and unfair procedure.

In addition, the "*Alternate Motion*" expressed in the COTW package suggested to move forward to a Public Hearing, which is contrary to the written policy, as noted above, where a "*neighbourhood-shared decision making process*" is required. We suggest this approach results in an arbitrary and unreasonable procedure that might be convenient but is not a reasonable approach and is not based upon the written policy. We suggest it is also an unfair procedure to not provide adequate and appropriate reasons for deviating from the written policy.

It is further noted that the "*neighbourhood-shared decision making process*" was not mentioned anywhere in the COTW package.

At the February 11 public hearing, several speakers questioned how the development process allowed this application to progress to the public, including stating: "*A neighbourhood-shared decision making process is required indicating a substantial consensus as a precondition to advancing to a public hearing.*" Again, we don't believe any reasons were provided for neither the deviation at this point nor any recognition of the deviation.

#### **Expectations:**

We would have expected, and the neighbourhood residents would have expected, if the applicant could not pass the contiguous neighbour threshold from the Policy, that the "*Alternative Motion*" would have been the "*neighbourhood-shared decision making process*" as a precondition to advancing to a public hearing through an unbiased process. This is particularly important where the applicant may have done its own polling, so as to clarify the Small Lot House Rezoning process versus other processes by the applicant.

It is further expected that if for some reason there was a requirement to deviate from the "*neighbourhood-shared decision making process*" as the Alternate Motion, that this process should have still been highlighted in the COTW report, and adequate and appropriate reasons provided for deviating from the written policy.

#### **Further recommendations:**

We recommend that the application not go forward to a public hearing until an unbiased neighbourhood process as described in the policy is followed, in which the Community Association Network and Urban Development Institute (UDI) be tasked to conduct and that such results be included in the COTW package being voted on by Council.



### Issue #3 - Notice and process for December 10 public meeting

#### Discussion:

On December 3, 2020, at the daytime Council meeting, it was announced by Mayor Helps: *"We have received a letter from the applicant asking if we can postpone consideration of this matter until she can address us at a public meeting on December 10. So I feel that is a courtesy we would extend sometimes when are making decisions during the day. We wait until the evening in order to hear from people who have a matter of concern."*

A motion was carried by Council to postpone the decision to the evening of December 10, 2020.

While the applicant could line up her position and supporters for the December 10, 2020 Council meeting, the most affected people, those immediately neighbouring the lot under consideration, were not given the same "courtesy" of being informed that such a public opportunity was going to be presented. In addition, it is normal practice to provide a minimum 10 days notice for public opportunities (i.e. the same time frame for posting the rezoning sign prior to a Small Lot Public Hearing) for participants to prepare their position. That preparation time was not given.

No notice was provided to the contiguous neighbours of the Dec 10 meeting. At the February 11 meeting they expressed their desire to attend: *"If we had known that this original decision could be reversed in a few weeks, then we would have attended that December 10 meeting to present our opposition. We should have been notified and given the right to be heard when Kim Colpman petitioned you to re-present her development agenda for the owner."*

The December 10 meeting used the agenda item of "Requests to Address Council" to allow the applicant and supporters to present their case. As we understand, this agenda item is intended to provide the public the opportunity to present any topic they wish, but is not intended to further an application in progress. If that agenda item was being for such purposes, then it would seem reasonable and fair to give all sides of the ongoing application the opportunity and notice to speak.

This is especially relevant as the following item on the December 10 agenda (within "Unfinished Business") was a discussion and vote from Council regarding the application, called: *"2700 Avebury Avenue: Rezoning Application No. 0700 Development Permit Application No. 000583, Development Variance Permit Application No. 00230, Development Variance Permit No. 000229"*.

Several of the councillors in weighing their decision on which way to vote, referenced the public participation of the applicant and supporters earlier in the December 10 meeting.

We suggest that this amounts effectively to a Public Hearing. To allow the applicant and

her public supporters to speak on the matter before a Council vote that same evening is essentially a public hearing, especially in regards for the need for public notice.

This action of essentially giving a public opportunity for one side of the debate and not the other is clearly an unfair procedure in not informing those opposing the application, and in not providing sufficient time to prepare (Dec 3 to Dec 10 is only 7 days). It is unfair to allow the use of the “*Requests to Address Council*” agenda item to be used to advance the on-going application without all parties being informed. We suggest this action improperly discriminates against those opposing the application.

**Expectations:**

We would have expected, and the neighbourhood residents would have expected that the December 10 meeting not to occur at all and remain as a COTW process following the Small Lot House Rezoning Policy.

It is further expected that if the December 10 meeting was deemed to be appropriate, that it would have been considered a public meeting, that a public notice would have been provided, that all affected parties, including the immediate neighbours would have been notified by a minimum of 10 days and that a clear explanation be provided as to the process and how participants could engage.

**Further recommendations:**

We recommend that the City of Victoria provide sufficient notice and explanation of process for all participants when the public is invited (including allowing for mail time), whether officially called a public hearing or not.

**Issue #4 - 10 day notice for Public Hearings:**

**Discussion:**

Many people of the neighbouring lots did not receive their mailed notices for the February 11 meeting within the 10 day window - some receiving them as late as February 8 (only 3 days). As noted above, this is not sufficient time to prepare. All participants should be given the full 10 days. It is noted that the final Council meeting regarding this application was on January 28 to approve the bylaws, at which time notices could be sent out.

We suggest that setting February 11 as the meeting date ensured that there would have been insufficient notice for the key parties, such as the contiguous neighbours, resulting in unfair procedures.

**Expectations:**

We would have expected, and the neighbourhood residents would have expected that to

ensure that proper notice is provided to all parties that the date for the Public Hearing would not have been February 11, but instead would have been February 25.

**Further recommendations:**

We recommend the City of Victoria clarify its public notice procedure for Public Hearings to ensure that all participants receive their notices within the 10 day period, including allowing for mailing delivery delays.

## **Reconsideration of**

### **2700 Avebury Avenue Small Lot Rezoning**

**From:**

Bill Moffat, 1336 Kings Road;  
Joanne Moffat, 1336 Kings Road;  
Anita Loudon, 1326 Kings Road;  
Ed Rebner, 2710 Avebury Avenue;  
Jennifer Rebner, 2710 Avebury Avenue;  
Eric Sager, 2713 Avebury Avenue;  
Jean Anne Wightman, 2713 Avebury Avenue;  
Susan Kershbaumer, 2718 Avebury Avenue;  
Adem Tepedelen, 2718 Avebury Avenue;  
Bobby Rebner, 2710 Avebury Avenue (former occupants);  
Dr. Bruce Rebner, 2710 Avebury Avenue (former occupants);  
Cindy Dunphy, 2725 Roseberry Avenue;  
Travis Koivula, 1444 Ryan Street;  
Neil Williams, 2741 Asquith Street;  
Ludo Bertsch, 2758 Asquith Street;

**Date:** Feb 23, 2021

**Overall recommendations:**

We believe there were many administrative justice issues<sup>1</sup> with the process of the recent rezoning application for 2700 Avebury Avenue, such that we recommend that the rezoning application decision should be reconsidered according to Reconsideration Clause 23 of the Council Bylaw<sup>2</sup> with a Reconsideration vote at the February 25 Council meeting, and that the development process should be sent back to Committee of the Whole (COTW). The following issues support these recommendations.

**Issue #1 - Neighbouring lots:**

**Discussion:**

The Small Lot House Rezoning Policy states: *"Recognizing the impact on this type of application, all residents and owners of neighbouring lots must be polled by the*

---

<sup>1</sup> Code of Administrative Justice 2003; BC Ombudsperson; <https://bcombudsperson.ca/assets/media/Public-Report-No-42-Code-of-Administrative-Justice.pdf>

<sup>2</sup> From City Bylaw No. 16-011

*Reconsideration*

23. (1) A Council member may, at the next Council meeting,

(a) move to reconsider a matter on which a vote, other than to postpone indefinitely, has been taken, and  
(b) move to reconsider an adopted bylaw after an interval of at least 24 hours following its adoption.



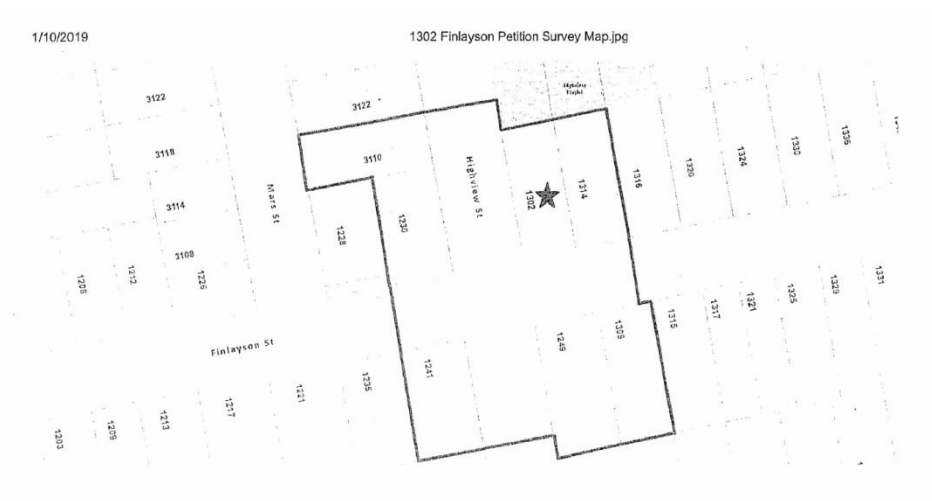
*application as to the acceptability of the application with the results mapped and submitted as part of the site plan information.”<sup>3</sup>*

While other recent similar small lot applications have followed the above City of Victoria process for the neighbouring lot map, the 2700 Avebury Avenue application has not followed the same process. This means that the judgement of this application is not consistent with other similar small lot applications, is misleading, and limits understanding of the application. It creates an unfair and unjust basis for decisions about the 2700 Avebury Avenue application, and results in improper discriminatory treatment.

*Recent Similar Small Lot Applications by City of Victoria:*

Small Lot Address	COTW date	Council Meeting Date
1302 Finlayson Street	July 9, 2020	Nov 28, 2019
2920 Prior Street	July 9, 2020	Oct 8, 2020
202 Raynor Avenue	Aug 6, 2020	Sep 17, 2020
<b>2700 Avebury Avenue</b>	<b>Nov 26, 2020</b>	<b>Feb 11, 2021</b>

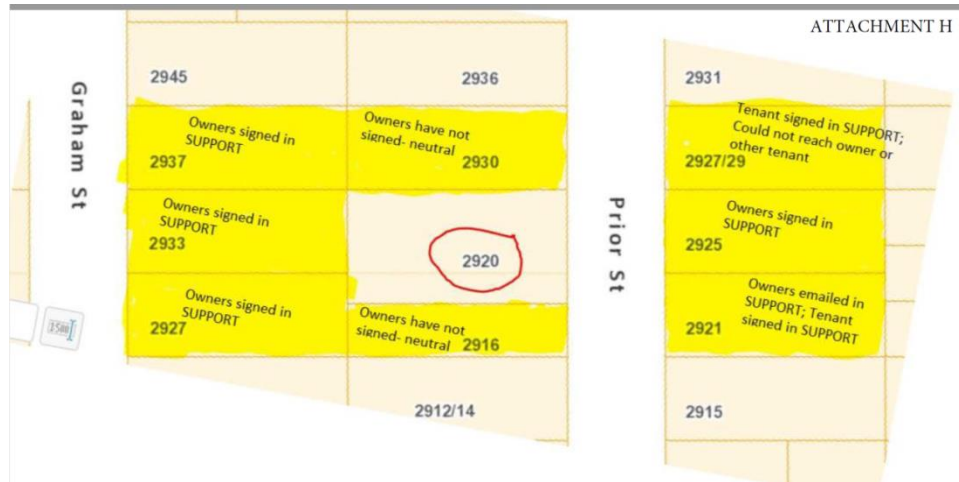
1302 Finlayson Street



<sup>3</sup> Small Lot House Rezoning Policy, Policy 4.4

“Neighbouring lots” means all properties with at least one point in common with the property for which an amendment application is sought, with property lines deemed to be the centre line of streets and lanes plus lots less than 10 m away.” [Section 5.1]

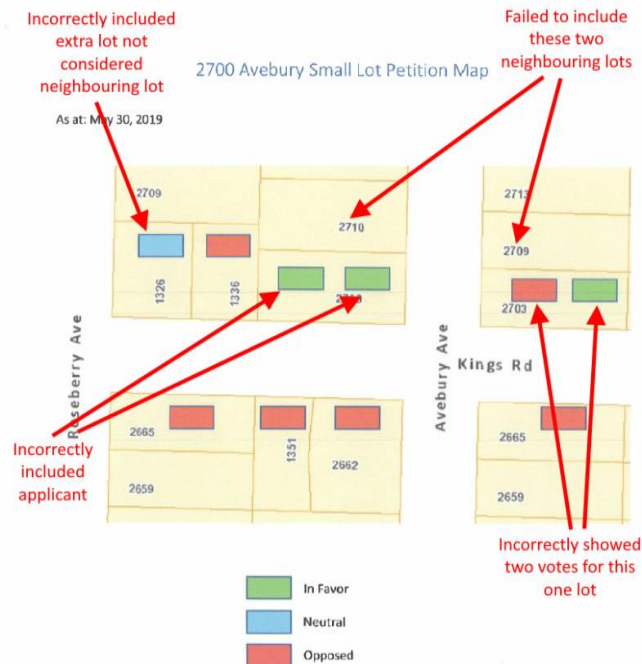
## 2920 Prior Street



## 202 Raynor Avenue



## 2700 Avebury Avenue



### Issues of 2700 Avebury neighbouring lot map:

- Incorrectly included the applicant; the Summary Small Lot Rezoning Petition Form says: "Do not include petitions from the applicant or persons occupying the property subject to rezoning."<sup>4</sup>
- Incorrectly included extra lot not considered a neighbouring lot (1326 Kings)
- Failed to include two neighbouring lots (2710 and 2709 Avebury Avenue)
- Incorrectly showed two votes for one of the lots
- As shown in the comparison table below, 2700 Avebury Avenue is the only application that fails in all categories.

### Summary comparison of maps:

	Highlight All Neighbouring Lots	Do Not Include Applicant	Do Not Include Lots beyond Neighbouring Lots	Show only 1 Vote Per Lot
1302 Finlayson Street	Yes	Yes	Yes	Yes
2920 Prior Street	Yes	Yes	Yes	Yes
202 Raynor Avenue	Yes	Yes	Yes	Yes
<b>2700 Avebury Avenue</b>	<b>No</b>	<b>No</b>	<b>No</b>	<b>No</b>

<sup>4</sup> Small Lot House Rezoning Policy, Page 15, Summary Small Lot House Rezoning Petition

*Petition date:*

The petition summary form clearly states: “*Note that petitions that are more than six months old will not be accepted by the City*”. The petitions for 2700 Avebury Avenue are dated August 8, 2019 while the City of Victoria Executive Summary is signed November 19, 2020, which is more than one year later.

The Executive Summary states: “*In accordance with the City’s Small Lot House Rezoning Policy, the applicant has polled the immediate neighbours . . .*”<sup>5</sup>

We suggest that this statement claiming to be in “*accordance*” with the policy is a mistake of fact as the polling of neighbours was done more than one year earlier, well beyond the limit set by the policy.

*Irrelevant support from person occupying property:*

The Executive Summary states: “*In accordance with the City’s Small Lot House Rezoning Policy, the applicant has polled the immediate neighbours and reports that 14% support the application.*”<sup>6</sup>

The Executive Summary clarifies: “*The applicant has not included these petitions [residents of the subject parcel] in the calculation.*” At the February 11 hearing, the developer was given an opportunity for further clarification, but contradicted this observation by stating: “*The property that supports is the existing home, they are the people that rent the home.*”

We suggest this number should actually be 0%. The importance of this number cannot be understated. This number, 0%, represents the key requirement of the Small Lot Rezoning Policy at 75% that this application fails to meet. The wide dispersal of “14%” throughout the hearing and process underscores its importance, but also re-enforces the importance that this number be supportable and defensible. Otherwise, all decisions made are in question. If the public and councillors knew the number was actually “0%” and not “14%”, the positions presented by the public might have been different, and the voting from the councillors might have changed.

We suggest that these statements (written and oral) suggesting the “*14% support*” are besides being contradictory, are also mistakes of fact. We suggest decisions made subsequently are not fair as they are based upon irrelevant grounds (as the position the person occupying the property is irrelevant).

---

<sup>5</sup> Nov 26, COTW Report for 2700 Avebury Avenue, Page 9, Community Consultation

<sup>6</sup> Nov 26, COTW Report for 2700 Avebury Avenue, Page 9, Community Consultation



**Expectations:**

We would have expected, and neighbourhood residents would have expected, if the application had progressed to this point, that the map would have clearly highlighted which lots were considered contiguous (and only those lots - for clarity, not included the applicant's lot at 2700 Avebury), and shown all contiguous lots as opposed.

A further expectation is that the summary petition table would contain exactly the same lots with the same positions, that the calculations would be accurate and that the date would have been in the last six months.

If for some reason, the map and petitions could not meet these expectations, then a further expectation is that the Committee of the Whole Report would clearly indicate where the report failed to meet these expectations, and not state or imply that the polling was done in accordance with the City's Small Lot House Rezoning Policy.

**Further recommendations:**

We recommend that new up-to-date petitions be filled in for the neighbouring lots, and a new and accurate neighbouring lot map be generated following the Small Lot House Rezoning policy.

**Issue #2 - Neighbourhood-shared decision making process****Discussion:**

The Small Lot House Rezoning Policy states: *"Where an unsatisfactory level of support is evident, a neighbourhood-shared decision making process will be required indicating a substantial consensus as a precondition of advancing to a public hearing. Note: The neighbourhood-shared decision making process would be developed in consultation with the Community Association Network and Urban Development Institute; costs would be born(e) by the applicant."*<sup>7</sup>

The 2700 Avebury Avenue application did not meet the level of contiguous neighbour support, which meant that a *"neighbourhood-shared decision making process"* would have been required to move the application forward. That process should have involved the Community Association Network and Urban Development Institute, but instead for the 2700 Avebury Avenue application it was conducted by the proponent herself resulting in an unfair procedure that is inherently biased and not impartial.

On December 10, the 2700 Avebury Avenue application was voted by City of Victoria Council to move the application to a public hearing.

The only information provided regarding the neighbourhood process is contained in Appendix I of the Nov 26 COTW package. This process was conducted by the proponent with no indication that any other party was involved – no mention of the

---

<sup>7</sup> Section 4.4, Small Lot House Rezoning Policy

Community Association Network or Urban Development Institute. Besides violating the city's own Small Lot Rezoning policy, the proponent is inherently biased and this results in an arbitrary and unfair procedure.

In addition, the "*Alternate Motion*" expressed in the COTW package suggested to move forward to a Public Hearing, which is contrary to the written policy, as noted above, where a "*neighbourhood-shared decision making process*" is required. We suggest this approach results in an arbitrary and unreasonable procedure that might be convenient but is not a reasonable approach and is not based upon the written policy. We suggest it is also an unfair procedure to not provide adequate and appropriate reasons for deviating from the written policy.

It is further noted that the "*neighbourhood-shared decision making process*" was not mentioned anywhere in the COTW package.

At the February 11 public hearing, several speakers questioned how the development process allowed this application to progress to the public, including stating: "*A neighbourhood-shared decision making process is required indicating a substantial consensus as a precondition to advancing to a public hearing.*" Again, we don't believe any reasons were provided for neither the deviation at this point nor any recognition of the deviation.

#### **Expectations:**

We would have expected, and the neighbourhood residents would have expected, if the applicant could not pass the contiguous neighbour threshold from the Policy, that the "*Alternative Motion*" would have been the "*neighbourhood-shared decision making process*" as a precondition to advancing to a public hearing through an unbiased process. This is particularly important where the applicant may have done its own polling, so as to clarify the Small Lot House Rezoning process versus other processes by the applicant.

It is further expected that if for some reason there was a requirement to deviate from the "*neighbourhood-shared decision making process*" as the Alternate Motion, that this process should have still been highlighted in the COTW report, and adequate and appropriate reasons provided for deviating from the written policy.

#### **Further recommendations:**

We recommend that the application not go forward to a public hearing until an unbiased neighbourhood process as described in the policy is followed, in which the Community Association Network and Urban Development Institute (UDI) be tasked to conduct and that such results be included in the COTW package being voted on by Council.

### Issue #3 - Notice and process for December 10 public meeting

#### Discussion:

On December 3, 2020, at the daytime Council meeting, it was announced by Mayor Helps: *"We have received a letter from the applicant asking if we can postpone consideration of this matter until she can address us at a public meeting on December 10. So I feel that is a courtesy we would extend sometimes when are making decisions during the day. We wait until the evening in order to hear from people who have a matter of concern."*

A motion was carried by Council to postpone the decision to the evening of December 10, 2020.

While the applicant could line up her position and supporters for the December 10, 2020 Council meeting, the most affected people, those immediately neighbouring the lot under consideration, were not given the same "courtesy" of being informed that such a public opportunity was going to be presented. In addition, it is normal practice to provide a minimum 10 days notice for public opportunities (i.e. the same time frame for posting the rezoning sign prior to a Small Lot Public Hearing) for participants to prepare their position. That preparation time was not given.

No notice was provided to the contiguous neighbours of the Dec 10 meeting. At the February 11 meeting they expressed their desire to attend: *"If we had known that this original decision could be reversed in a few weeks, then we would have attended that December 10 meeting to present our opposition. We should have been notified and given the right to be heard when Kim Colpman petitioned you to re-present her development agenda for the owner."*

The December 10 meeting used the agenda item of "Requests to Address Council" to allow the applicant and supporters to present their case. As we understand, this agenda item is intended to provide the public the opportunity to present any topic they wish, but is not intended to further an application in progress. If that agenda item was being for such purposes, then it would seem reasonable and fair to give all sides of the ongoing application the opportunity and notice to speak.

This is especially relevant as the following item on the December 10 agenda (within "Unfinished Business") was a discussion and vote from Council regarding the application, called: *"2700 Avebury Avenue: Rezoning Application No. 0700 Development Permit Application No. 000583, Development Variance Permit Application No. 00230, Development Variance Permit No. 000229"*.

Several of the councillors in weighing their decision on which way to vote, referenced the public participation of the applicant and supporters earlier in the December 10 meeting.

We suggest that this amounts effectively to a Public Hearing. To allow the applicant and

her public supporters to speak on the matter before a Council vote that same evening is essentially a public hearing, especially in regards for the need for public notice.

This action of essentially giving a public opportunity for one side of the debate and not the other is clearly an unfair procedure in not informing those opposing the application, and in not providing sufficient time to prepare (Dec 3 to Dec 10 is only 7 days). It is unfair to allow the use of the “*Requests to Address Council*” agenda item to be used to advance the on-going application without all parties being informed. We suggest this action improperly discriminates against those opposing the application.

**Expectations:**

We would have expected, and the neighbourhood residents would have expected that the December 10 meeting not to occur at all and remain as a COTW process following the Small Lot House Rezoning Policy.

It is further expected that if the December 10 meeting was deemed to be appropriate, that it would have been considered a public meeting, that a public notice would have been provided, that all affected parties, including the immediate neighbours would have been notified by a minimum of 10 days and that a clear explanation be provided as to the process and how participants could engage.

**Further recommendations:**

We recommend that the City of Victoria provide sufficient notice and explanation of process for all participants when the public is invited (including allowing for mail time), whether officially called a public hearing or not.

**Issue #4 - 10 day notice for Public Hearings:**

**Discussion:**

Many people of the neighbouring lots did not receive their mailed notices for the February 11 meeting within the 10 day window - some receiving them as late as February 8 (only 3 days). As noted above, this is not sufficient time to prepare. All participants should be given the full 10 days. It is noted that the final Council meeting regarding this application was on January 28 to approve the bylaws, at which time notices could be sent out.

We suggest that setting February 11 as the meeting date ensured that there would have been insufficient notice for the key parties, such as the contiguous neighbours, resulting in unfair procedures.

**Expectations:**

We would have expected, and the neighbourhood residents would have expected that to



ensure that proper notice is provided to all parties that the date for the Public Hearing would not have been February 11, but instead would have been February 25.

**Further recommendations:**

We recommend the City of Victoria clarify its public notice procedure for Public Hearings to ensure that all participants receive their notices within the 10 day period, including allowing for mailing delivery delays.