

## REPORTS OF COMMITTEES

1. Committee of the Whole – September 14, 2017

4. Rezoning Application No. 00556 and Development Permit with Variances Application No. 00028 for 1417 May Street (Fairfield Gonzales)

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Alto:

**Rezoning Application No. 00556**

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00556 for 1417 May Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following legal agreements to the satisfaction of the City Solicitor:
  - a. Housing Agreement to ensure a future strata cannot restrict the rental of units;
  - b. A Section 219 Covenant ensuring the building is constructed to Passive House standards, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation of a technical report to the satisfaction of the Director of Engineering and Public Works, identifying how the site will manage all storm water generated on site and, if necessary, preparation of legal agreements for the design, inspection and long term maintenance requirements of the storm water system to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

**Development Permit with Variances Application No. 00028**

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00556, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00556 for 1417 May Street, in accordance with:

1. Plans date stamped July 12, 2017.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
  - i. reduce the minimum vehicle parking requirements from six stalls to four stalls;
  - ii. reduce the minimum visitor parking from one stall to zero stalls.
3. The Development Permit lapsing two years from the date of this resolution."

**Carried**

**For: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, and Thornton-Joe**  
**Opposed: Councillors Madoff and Young**

### 6.3 Rezoning Application No. 00556 for 1417 May Street (Fairfield Gonzales)

Committee received a report dated August 31, 2017, from the Director of Sustainable Planning and Community Development regarding the proposal to rezone the property located at 1417 May Street to a new site-specific zone to allow for the construction of a two-storey residential building with four ground-oriented self-contained units.

Committee discussed:

- The impact of privacy and shading on the neighbouring properties.
- How the property respects the character of the neighbourhood.

**Motion:** It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00556 for 1417 May Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following legal agreements to the satisfaction of the City Solicitor:
  - a. Housing Agreement to ensure a future strata cannot restrict the rental of units;
  - b. A Section 219 Covenant ensuring the building is constructed to Passive House standards, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation of a technical report to the satisfaction of the Director of Engineering and Public Works, identifying how the site will manage all storm water generated on site and, if necessary, preparation of legal agreements for the design, inspection and long term maintenance requirements of the storm water system to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

Committee discussed:

- Concerns with the style of the building not fitting in with the surrounding neighbourhood.
- Encouraging tasteful design in neighbourhoods.

CARRIED 17/COTW

For: Acting Mayor Alto, Councillors Isitt, Loveday, Lucas, and Thornton-Joe  
Against: Councillors Madoff and Young



## Committee of the Whole Report For the Meeting of September 14, 2017

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**To:** Committee of the Whole **Date:** August 31, 2017  
**From:** Jonathan Tinney, Director, Sustainable Planning and Community Development  
**Subject:** Rezoning Application No. 00556 for 1417 May Street

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### RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00556 for 1417 May Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation of the following legal agreements to the satisfaction of the City Solicitor:
  - a. Housing Agreement to ensure a future strata cannot restrict the rental of units;
  - b. A Section 219 Covenant ensuring the building is constructed to Passive House standards, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Preparation of a technical report to the satisfaction of the Director of Engineering and Public Works, identifying how the site will manage all storm water generated on site and, if necessary, preparation of legal agreements for the design, inspection and long term maintenance requirements of the storm water system to the satisfaction of the City Solicitor and the Director of Engineering and Public Works.

### LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

## EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 1417 May Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new site-specific zone in order to construct a two-storey residential building with four ground-oriented self-contained dwelling units.

The following points were considered in assessing this Application:

- the property is designated as Traditional Residential in the *Official Community Plan, 2012* (OCP). The proposed ground-oriented housing and density is consistent with the land designation and OCP policies related to sensitive infill in the Fairfield neighbourhood
- the proposal is consistent with the policies specified in *Suburban Neighbourhoods, 1984*
- one bylaw-protected tree is proposed for removal with this Application and the applicant has provided an arborist report outlining measures to mitigate the impact of development on the nearby trees
- the applicant is proposing Passive House certification with this proposal, which will be secured through a Section 219 Covenant.

## BACKGROUND

### Description of Proposal

This Application is to rezone the subject site from the R1-B Zone to a new site-specific zone in order to construct a two-storey ground-oriented residential building with four self-contained dwelling units at a floor space ratio of 0.33:1. The nearby property located at 1461 May Street is in the R-55 Zone, May Street Multiple Dwelling District, and is comparable in terms of density and height. The new zone would be similar to the R-55 Zone, but with the following differences:

- maximum floor space ratio (FSR) reduced from 0.5:1 to 0.33:1
- maximum of number of storeys reduced from three to two
- minimum side yard (west) reduced from 3.00m to 2.70m.

Variances related to parking are also being proposed and will be discussed in relation to the concurrent Development Permit with Variances Application:

- reduced vehicle parking from six stalls to four stalls
- reduced visitor parking from one stall to zero stalls.

The design aspects of this proposal are also reviewed in the concurrent Development Permit with Variances Application report.

### Affordable Housing Impacts

The applicant proposes the creation of four new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed which would ensure that future Strata Bylaws could not prohibit the rental of units to non-owners.

## Sustainability Features

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

## Active Transportation Impacts

The Application proposes four Class 1 bicycle parking stalls and one six-space Class 2 bicycle rack which supports active transportation.

## Public Realm Improvements

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

## Accessibility Impact Statement

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

## Land Use Context

The area is characterized by single family dwellings, duplexes and multiple dwelling unit house conversions. Moss Rocks Park is located north of the property on the opposite side of May Street.

## Existing Site Development and Development Potential

The site is presently developed as a single family dwelling.

Under the current R1-B Zone, the property could be developed as a single family dwelling with either a secondary suite or a garden suite, or converted to multiple dwelling units subject to the house conversion regulations under Schedule G of the *Zoning Regulation Bylaw*.

## Data Table

The following data table compares the proposal with the existing R1-B Zone and the R-55 Zone, May Street Multiple Dwelling District. An asterisk is used to identify where the proposal is less stringent than the R-55 zone.

Zoning Criteria	Proposal	Zone Standard R-55	Existing Zone R1-B
Site area (m <sup>2</sup> ) - minimum	926.85	555.00	460.00
Number of units in an attached dwelling - maximum	4	4	1
Density (Floor Space Ratio) - maximum	0.33:1	0.55:1	N/A
Floor area of all floors (m <sup>2</sup> ) - maximum	445.76	N/A	420.00
Lot width (m) - minimum	15.22	15.00	15.00

Zoning Criteria	Proposal	Zone Standard R-55	Existing Zone R1-B
Height (m) - maximum	8.28	8.50	7.60
Storeys - maximum	2	3	2
Site coverage % - maximum	31.00	40.00	40.00
Open site space % - minimum	47.60	30.00	N/A
Rear yard open site space % - minimum	61.00	33.00	N/A
Setbacks (m) - minimum:			
Front	6.00	6.00	7.50
Rear	31.19	19.00	15.12
Side (east)	3.00	3.00	3.00
Side (west)	2.7*	3.00	1.52
Parking - minimum	4*	6	1
Visitor parking (minimum) included in the overall units	0*	1	N/A
Bicycle parking stalls (minimum)			
Class 1	4	4	N/A
Class 2	6	6	N/A

### Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield Gonzales CALUC at a Community Meeting held on December 19, 2017. A summary of the meeting is attached to this report.

### ANALYSIS

#### Official Community Plan

The *Official Community Plan, 2012* (OCP) Urban Place Designation for the subject property is Traditional Residential, which supports ground-oriented residential uses. The OCP states that new development may have a density of generally up to 1:1 floor space ratio (FSR) and up to two storeys in height. The Application meets the place character features of the Traditional Residential urban place guidelines and housing policy in the OCP which supports a diversity of housing types to create more home ownership options such as ground-oriented multi-unit residential developments.

## Local Area Plans

The land use policies of *Suburban Neighbourhoods, 1984* that relate to Fairfield identify the subject lands as suitable for residential development and encourages infill development of small scale townhouses, small lot houses and duplexes. The proposal for a ground-oriented multi-unit residential building is consistent with this policy.

## Housing Agreement

The applicant is amenable to entering into a Housing Agreement with the City to ensure that a future strata corporation could not pass any bylaws that would prohibit or restrict the rental of units to non-owners.

## Tree Preservation Bylaw and Urban Forest Master Plan

There is an existing Bylaw protected Maple tree on the subject property. The tree was reviewed by an ISA consulting arborist and it was determined that the tree is unhealthy and would not survive the amount of excavation work for the proposed landscape plan and as such the tree will be removed. As per the Bylaw, two replacement trees will be planted by the applicant on site. There is an existing large Maple tree on the property to the east which will be negatively affected by the proposed driveway. This tree will be explored further by the consulting arborist prior to construction and tree protection measures will be put in place. There is an existing boulevard tree in poor health that will be removed and replaced on the city boulevard.

## CONCLUSIONS

The Application is consistent with the place character features of the Traditional Residential urban place guidelines, and housing policy in the OCP which supports the diversity of housing types to create more home ownership options such as ground-oriented multi-unit residential developments. Staff recommend that Council consider supporting the Application.

## ALTERNATE MOTION

That Council decline Rezoning Application No. 00556 for the property located at 1417 May Street.

Respectfully submitted,



Alec Johnston  
Senior Planner  
Development Services

Set.



Jonathan Tinney, Director  
Sustainable Planning and Community  
Development Department

Report accepted and recommended by the City Manager:

  
Date: Sept 7, 2017

## List of Attachments

- Attachment A - Subject Map
- Attachment B - Aerial Map
- Attachment C - Plans date stamped July 12, 2017
- Attachment D - Letters from applicant to Mayor and Council dated May 18, 2017 and December 26, 2016
- Attachment E - Community Association Land Use Committee Summary of December 19, 2016 Meeting
- Attachment F - Arborist Report dated August 20, 2017
- Attachment G - Neighbourhood Correspondence.





1417 May Street  
Rezoning No.00556



# ATTACHMENT C

## MAY STREET PASSIVE HOUSE

1417 MAY STREET, VICTORIA

ISSUED FOR REZONING & DEVELOPMENT RESUBMISSION

JULY 05, 2017

### DRAWING LIST

CASCADIA ARCHITECTS INC.

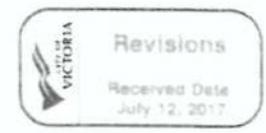
Sheet No.	Sheet Title
A000	COVER
A100	GENERAL NOTES & PROJECT DATA
A101	SITE PLAN, DEMOLITION & PROPOSED
A200	PROPOSED FLOOR PLANS
A201	PROPOSED FLOOR PLANS
A202	PROPOSED FLOOR PLANS
A203	PROPOSED FLOOR & ROOF PLAN
A300	ELEVATIONS & BUILDING SECTIONS
A301	ELEVATIONS
A400	EXTERIOR FINISHES & MATERIAL BOARD

BIOPHILIA DESIGN COLLECTIVE LTD.

Sheet No.	Sheet Title
L401	PROPOSED LANDSCAPE PLAN

NILA HOLDINGS  
MAY STREET PASSIVE HOUSE

DATE	BY	REVISION
11/22		



**CLIENT**  
NILA HOLDINGS LTD.  
185 - 911 Yates Street  
Victoria BC V8V 4Y9

Contact:  
Howard Sparks  
hsparks2@telus.net

**ARCHITECT**  
CASCADIA ARCHITECTS  
1060 Meares Street  
Victoria BC V8W 1E4  
250.590.3223

Contact:  
Peter Johanneknecht Architect AIBC LEED AP  
peter@cascadiaarchitects.ca

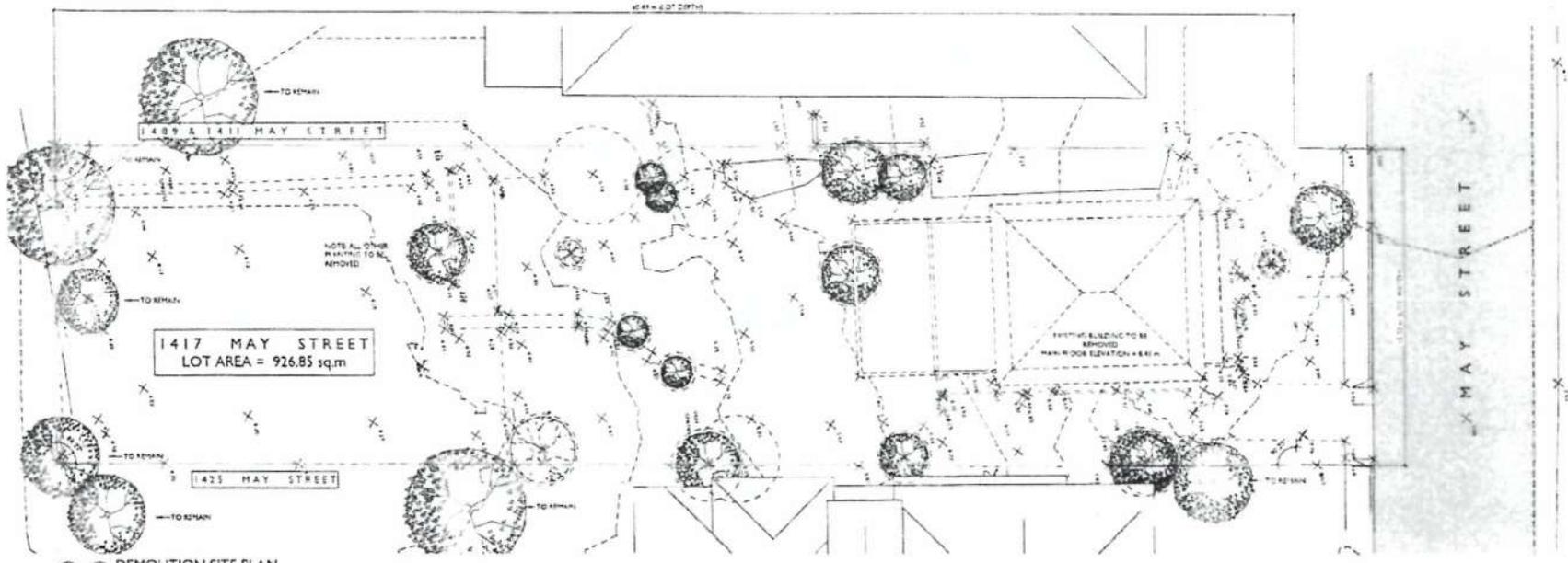
**LANDSCAPE DESIGN**  
BIOPHILIA design collective ltd.  
1719 Lee Avenue  
Victoria BC V8R 4W7  
250.589.8244

Contact:  
Banca Bodley  
biancabodley@gmail.com

CASCADIA ARCHITECTS INC.  
1888 Phoenix Street  
Victoria BC V8P 2B Canada

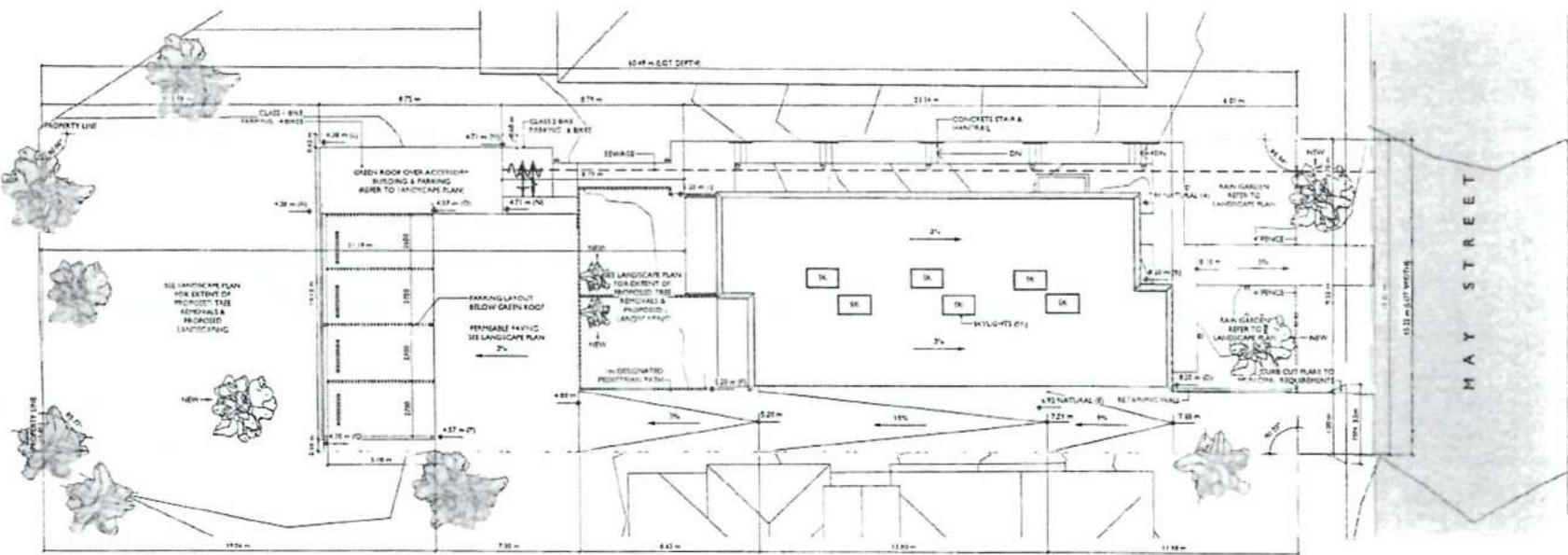
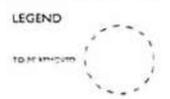






① DEMOLITION SITE PLAN  
SCALE = 1:100

**CASCADIA ARCHITECTS INC.**  
 1045 Main Street  
 Victoria BC V8V 1S8 Canada  
 T: 250.390.2222 • info@cascadiaarchitects.com



② PROPOSED SITE PLAN  
SCALE = 1:100

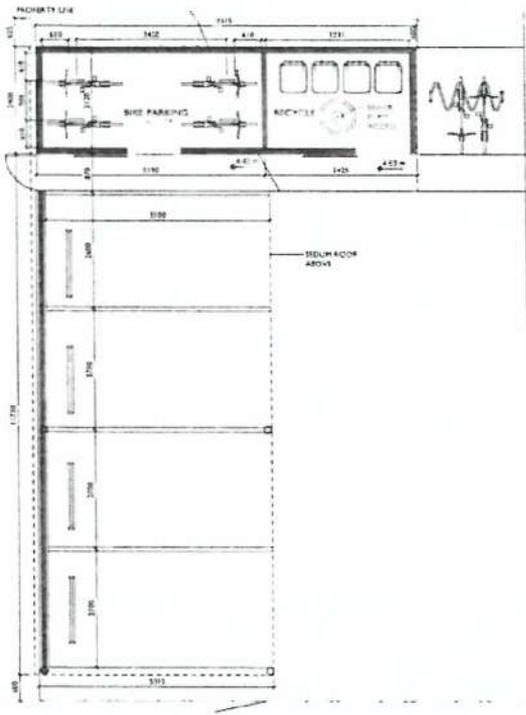
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**SITE PLANS - DEMOLITION & PROPOSED**

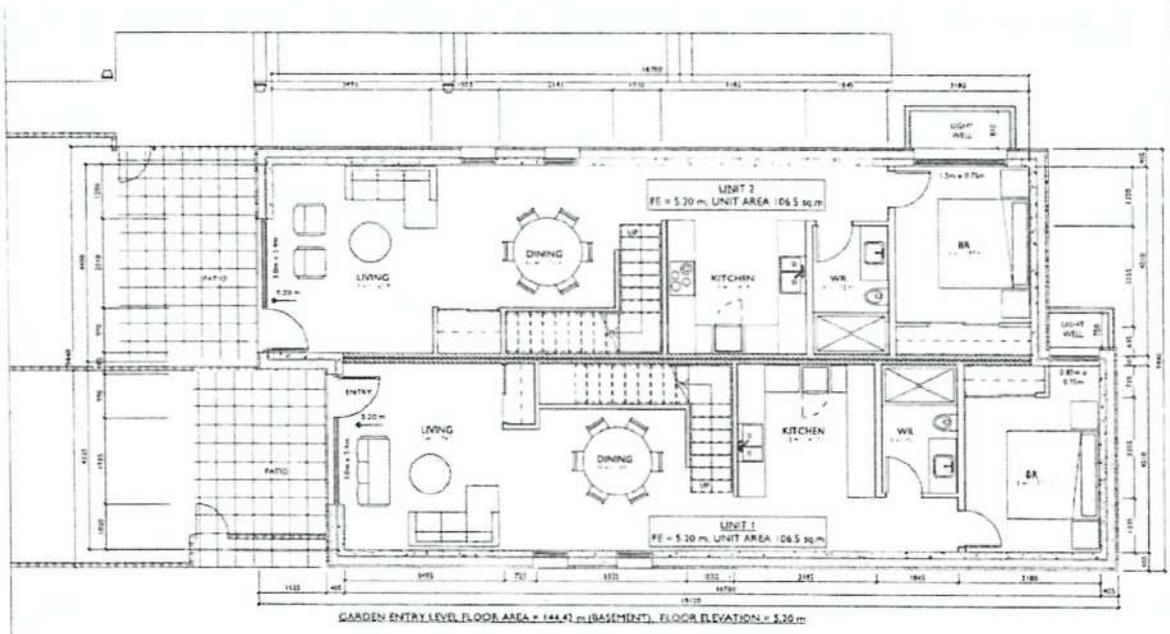
**MAY STREET PASSIVE HOUSING**  
 NELA HOULE  
 1417 MAY STREET  
 VICTORIA

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A102



③ PROPOSED BIKE PARKING / RECYCLE AREA PLAN  
 SCALE = 1:50



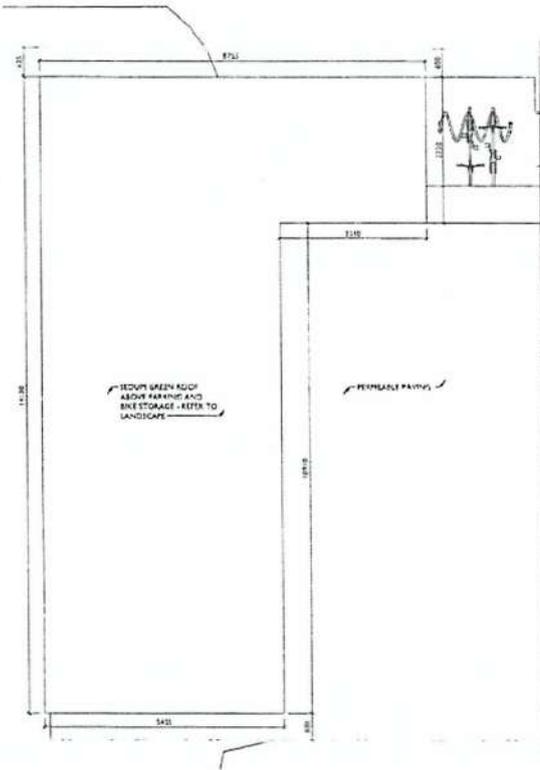
① PROPOSED GARDEN LEVEL PLAN  
 SCALE = 1:50

GARDEN ENTRY LEVEL FLOOR AREA = 144.41 m (BASEMENT). FLOOR ELEVATION = 5.20m

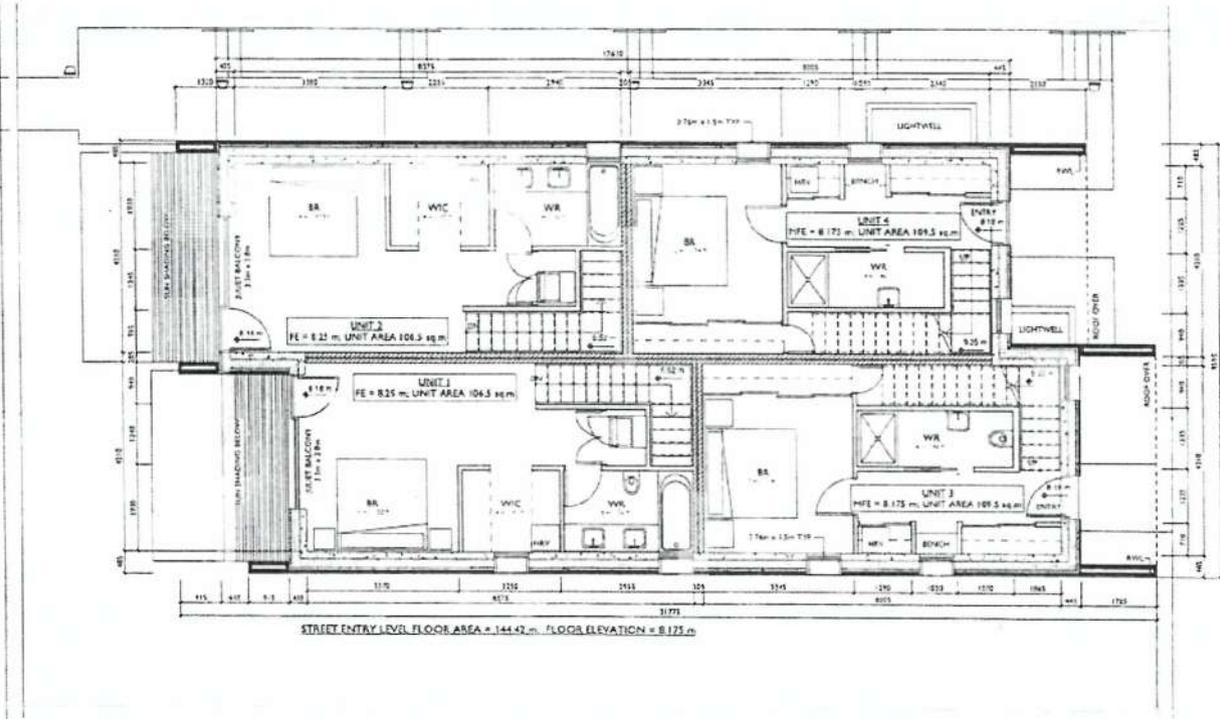
PROPOSED FLOOR PL

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⊕ 2 PROPOSED ACCESSORY BUILDING ROOF PLAN  
 SCALE = 1:30



⊕ 1 PROPOSED STREET LEVEL PLAN  
 SCALE = 1:20



PROPOSED FLOOR PLAN

MAY STR  
 PASSIVE HO  
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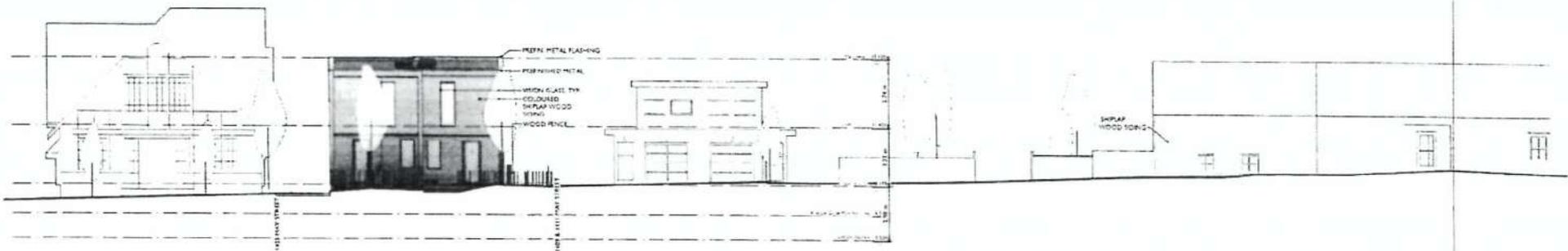
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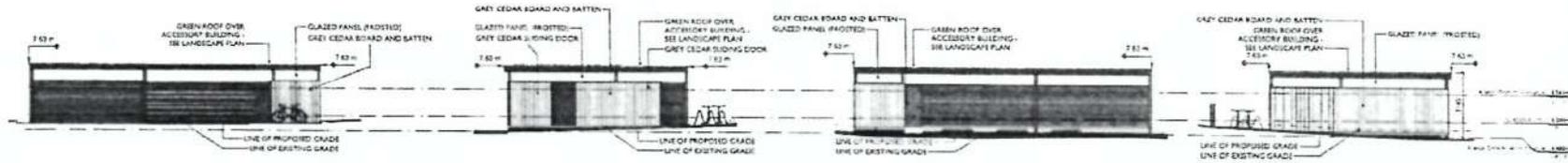
A202







**1 PROPOSED NORTH ELEVATION**  
 SCALE = 1 : 100



**2 PROPOSED NORTH ELEVATION ACC. BUILDING**  
 SCALE = 1 : 100

**3 PROPOSED EAST ELEVATION ACC. BUILDING**  
 SCALE = 1 : 100

**4 PROPOSED SOUTH ELEVATION ACC. BUILDING**  
 SCALE = 1 : 100

**5 PROPOSED WEST ELEVATION ACC. BUILDING**  
 SCALE = 1 : 100

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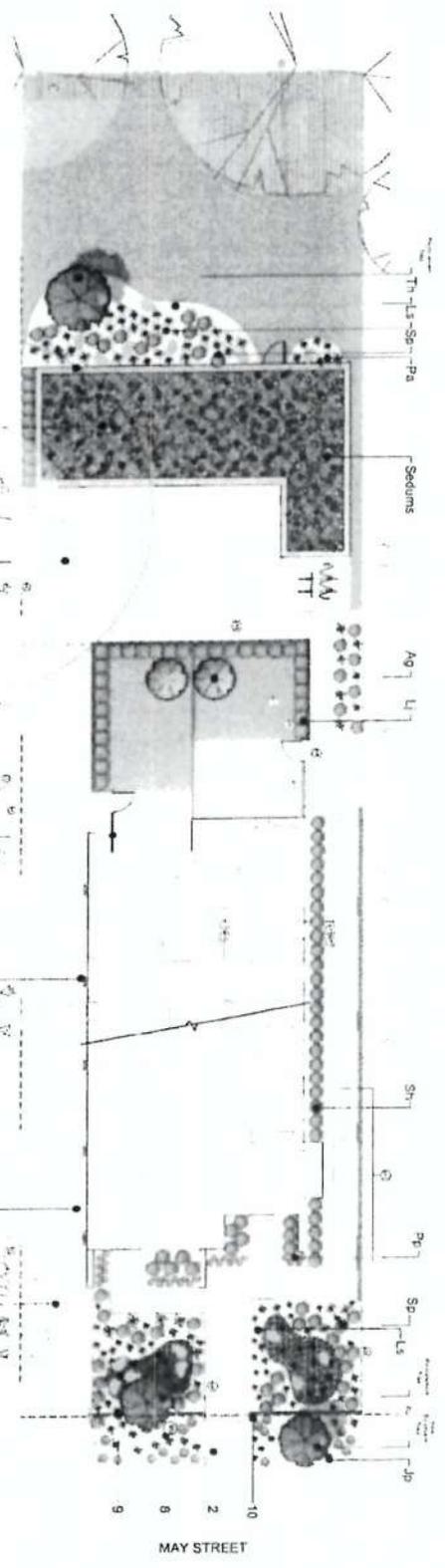
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**MAY STR**  
**PASSIVE HOI**  
 1817 MAY ST  
 VICTORIA  
 BC V8M 2C6  
 TEL: 250.590.1121  
 WWW.CASCADIAARCHITECTS.COM

1432 MAY 05  
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 SHEET NO. 1  
 1/4" = 1'-0"

**A301**





1 PROPOSED LANDSCAPE PLAN  
SCALE 1:100

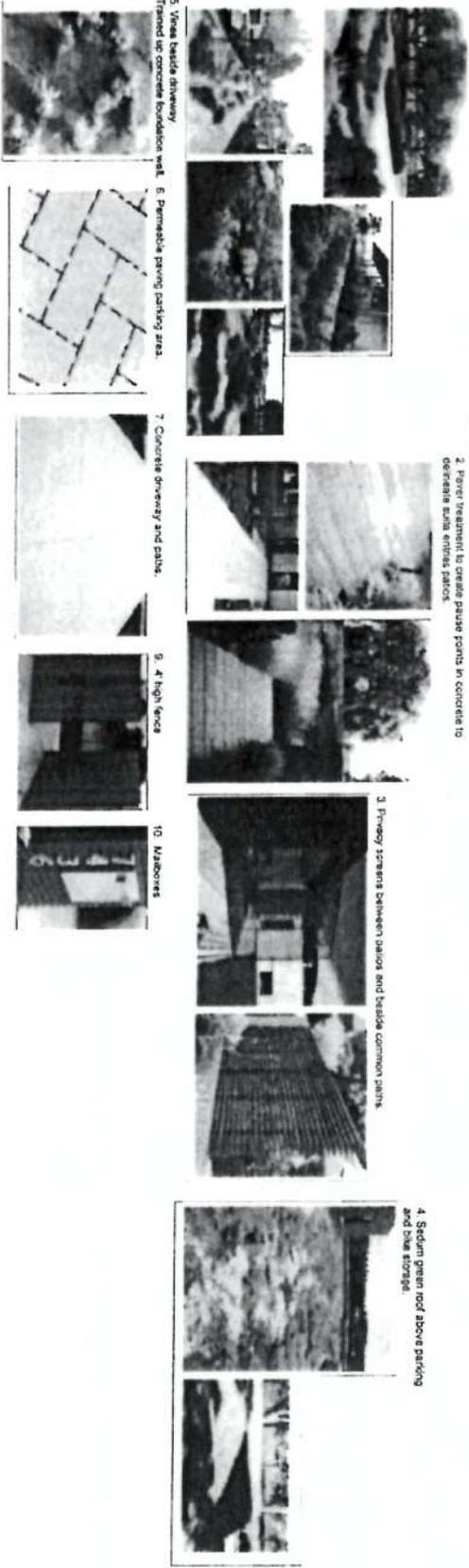
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3	1	Mallows	Mallows	1000
4	1	Sedums	Sedums	1000
5	1	Water plant	Water plant	1000
6	1	Fence	Fence	1000
7	1	Mallows	Mallows	1000
8	1	Sedums	Sedums	1000
9	1	Water plant	Water plant	1000
10	1	Fence	Fence	1000
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13	1	Water plant	Water plant	1000
14	1	Fence	Fence	1000
15	1	Mallows	Mallows	1000
16	1	Sedums	Sedums	1000
17	1	Water plant	Water plant	1000
18	1	Fence	Fence	1000
19	1	Mallows	Mallows	1000
20	1	Sedums	Sedums	1000

18. Bioretia to filter the run-off from the green roof only.  
19. Rain garden to filter storm water from the main residence roof.

2. Paver treatment to create pause points in concrete to deflect suns entries patios.

3. Privacy screens between patios and beside common garin.

4. Sedum green roof above parking and bike storage.



**CASCADE ARCHITECTS INC**  
 1001 Lower West Street  
 Victoria 3181  
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 F 03 959 3323  
 www.cascadearchitects.com.au

**PROJECT**  
 MAY STRE  
 PASSIVE HOU  
 1410 MAY STR  
 VICTORIA

**DATE**  
 18/07/14

**SCALE**  
 1:100

**PROJECT NUMBER**  
 L-0

May 18, 2017

City of Victoria  
No.1 Centennial Square  
Victoria BC  
V8W 1P6

**Attn.: Mayor & Council**

**Re: 1417 May Street - Rezoning and Development Resubmission**

Cascadia Architects, on behalf of Nila Holdings, is pleased to submit this revised application for Rezoning and Development Permit for 1417 May Street in Victoria British Columbia. This letter to Mayor and Council describes the ways in which the project's architectural rationale meets a variety of items laid out in the City of Victoria Official Community Plan and Design Guidelines for Multi-Unit Residential, Commercial and Industrial.

These items can be summarized as follows:

1. In reference to Design Guidelines for Multi-Unit Residential, Commercial and Industrial, paragraph 1.1.1, 1.1.2, 1.1.3, 1.5, 1.6.1, 3.3.2:
  - i. The form, massing, building articulation, features, and materials incorporated into the project's architectural approach provide coherence and unity in relation to existing place character and patterns of development. It has been sensitively designed to respond to its contexts, and to respect the character of the area that it is situated in. The project is situated across the street from Moss Rocks Park, upon which there is no urban development to which the project must respond. The property (zoned R1-MS) to the east has an articulated gable and valley roof and symmetrical street facing façade. It has larger massing and a higher maximum roof height than the proposal. The duplex (zoned R-2) on the adjacent property to the west has a flat roof, and also presents a symmetrical street facing façade, dominated by two garages. Its maximum roof height is lower than the proposal's. The Stuart Monuments building located two properties west of the proposal, is a distinct building with placemaking value in the greater contexts of the neighbourhood, with ship lap siding and a gable roof oriented to Eberts Street.
    - a. The maximum height of 1417 May Street provides a transition in form and massing between the duplex to the west and the multi-unit residential housing to the east, relating the three buildings together in a natural and logical manner.
    - b. The roof, sloping gently from south to north, also provides a transition in form and massing between the two buildings on either side, complementing their character without replication or mimicry.



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[office@cascadiaarchitects.ca](mailto:office@cascadiaarchitects.ca)

A Corporate Partnership

Principals

**GREGORY DAMANT**  
Architect AIBC, LEED AP

**PETER JOHANNKNECHT**  
Architect AIBC, LEED AP,  
Interior Architect AKNW Germany

- c. The project incorporates ship lap siding, a direct reference to the Stuart Monuments building, into its street facing façade, tying it materially to its contexts.
- 2. In reference to Design Guidelines for Multi-Unit Residential, Commercial and Industrial, paragraph 2.4, 2.5, 3.1.3, 3.3, 3.6:
  - ii. The architectural expression and internal layout of the proposal promotes interaction with the street, balanced access to natural light and ground floor access for its occupants, and a varied, human scale proportion to its public face.
    - a) Interaction with the street is promoted by a pathway which leads pedestrians directly from the sidewalk to the entryways facing the street, passing between two raingardens and the occupants' mailboxes, situated at the front property line.
    - b) Lit bollards augment this experience, while also guiding pedestrians along the east side of the building to the garden level units, bicycle storage, and parking in the rear yard.
    - c) The street facing entryways incorporate steps and alcoves as a means of providing a transition from the public realm of the street and sidewalk to the private realm of the residences, while their painted blue ship lap finish enhances their legibility and prominence.
    - d) The stepped site and internal organization of the units allow each to have a front door at grade and a large south facing patio or balcony overlooking the large backyard.
    - e) The mirrored floorplates of the units are offset from one another, creating rhythm and visual interest to the street facing façade, and reducing the perceived building mass of the proposal.
- 3. In reference to Design Guidelines for Multi-Unit Residential, Commercial and Industrial, paragraph 8.1, 8.3, 8.5:
  - iii. The proposal reduces the impact of parking on the streetscape appearance and the pedestrian experience of the site.
    - a) The parking is located entirely to the rear of the building.
    - b) High quality permeable paving materials are used for the parking area, while paver treatment creates pause points in the concrete and delineates suite entries and patios.
    - c) The bicycle storage is located in a freestanding accessory building in the rear yard, highly visible and secure.
- 4. In reference to the Official Community Plan, Section 12 Climate Change and Energy - Goals 12(B), paragraph 12.17, 12.17.2, 12.19:
  - iv. The applicant is committed to providing a building that is energy efficient, produces low greenhouse gas emissions, and creates energy resiliency.
    - a) The project will adhere to International Passive House standards, the world's leading standard in energy efficient construction. This rigorous standard requires that space heating demand does not exceed 15kWh annually per square meter of useable living space, that the primary energy demand does not exceed 120 kWh annually per square meter of usable living space, that there is a maximum of 0.6 air exchanges per hour at 50 Pascals pressure, and that thermal comfort must be met year round with not more than 10% of the hours in any given year over 25 degrees Celsius.
    - b) The landscaping elements, including a sedum green roof above the parking and bicycle storage area and correlating bioswale to filter its run-off, rain gardens which filter storm

- water from the main residence roof, and permeable pavers in the parking area which filter storm water from the driveway, allow the stormwater to be managed exclusively on-site.
- c) The low slope roof is designed to adapt to future sustainable technologies in photovoltaic energy.

This proposal carefully responds to key items laid out by the City as priorities for new multi-unit development in Victoria. Its relationship to both its surrounding contexts and to its site are methodical and considered, and are continually underscored by a commitment to sustainable building practice and a sensitivity to the existing character of the area.

Sincerely,

CASCADIA ARCHITECTS INC.

A handwritten signature in black ink, appearing to read 'Peter Johannknecht', written in a cursive style.

Peter Johannknecht, Architect AIBC, LEED AP  
Principal

## ATTACHMENT E

Minutes for the application for 1417 May Street  
From the FGCA CALUC meeting on Dec 19<sup>th</sup>

There were very few questions or comments about this application, however there were some specific concerns :

1. The adequacy of permeable surfaces
2. The adequacy of on site parking

There was also one comment concerning the lack of curbing on the north side of May St. which inhibits appropriate parking and drainage as well forces people to park on parkland. Resident J. Kell put it well when he said:

“I support the rezoning application, although I have **concerns about the parking:**

I do not see why the City of Victoria will not allow parking at the front, which was allowed for the duplex next door to the west, at 1407/1409 May Street. Having an enclosed garage or a carport at the front has two immediate benefits: it would remove the need for the long driveway, and provide more green space at the back.

I do not see why the City of Victoria continues to allow parking on the North side of May Street, on the public parkland of Moss Rock Park. May Street would really benefit from a curb on the North side, from Joseph Street to Memorial Crescent - perhaps with indented parking places to address the parking needs of the multi-family dwellings on May Street, and the weekend demands for parking at St. Sophia. A properly-cambered road with gutters and storm drains would help as well. May Street is a bus route, and deserves a bit of attention from City Engineering.”

ATTACHMENT F



D. Clark Arboriculture  
2741 The Rise Victoria B.C. V8T-3T4  
(250)474-1552 (250)208-1568  
clarkarbor@gmail.com  
www.dclarkarboriculture.com  
Certified Arborist PN-6523A  
TRAQ Certified  
ISA Tree Risk Assessor CTRA 459

Arborist Report for Development Purposes  
Re: Proposed Demolition/Construction

Site Location: 1417 May St., Victoria BC  
Darryl Clark PN-6253A TRAQ Certified  
August 20, 2017

August 23, 2017

For Biophillia Design Collective Ltd.

813 Fort St. Victoria BC V8W 1H6

Re. Proposed Demolition/Construction

1417 May St. Victoria BC V8S 1C2

### **Scope of Work**

D. Clark Arboriculture has been retained by Biophillia Design Collective Ltd. to provide comments on trees impacted by a potential house demolition, and a Tree Protection Plan for the property at 1417 May St. as per the requirements of the City of Victoria.

### **Summary**

Demolition of a building, and construction of a new multi-unit dwelling at 1417 May St. will impact the Protected Root Zone of 1 bylaw protected tree on the property, 1 non-bylaw protected tree on the property to the east at 1425 May St. and 1 city owned boulevard tree. The tree at 1425 May requires tree protection measures for retention including tree protection fencing, root zone barriers and supervision of activities in the protected root zone the tree. 1 protected tree on the property at 1417 May will require removal. A city owned boulevard tree at the front of 1417 May will require removal. All other vegetation will be removed from the site during demolition, including a number of unprotected trees. Demolition and construction can proceed following the recommendations in this report.

### **Introduction and Methodology**

I (Darryl Clark) visited the site on Aug. 21, 2017 at 11:30 to perform an assessment of protected trees on-property and off-property that could potentially be impacted by proposed development. Site conditions surrounding affected trees were dominated by overgrown grass at the front and the rear of the property. The yard is largely unmanaged and unmaintained. A design provided by our client indicates building and landscaping changes including modifications to the existing driveway on the east side of the residence, an addition of a covered parking area at the easterly midpoint of the property, and various landscaping elements in addition to a multi-unit dwelling. This report was completed on August 23, 2017.

### **Tasks performed include:**

- An aerial site map was marked indicating tree locations
- visual inspection of (1) on-property and (1) off-property "protected" trees was performed, and notes were collected on health and structural condition
- Photos were taken to document the site and affected on-property and off-property trees
- Tree height was estimated to the nearest metre.
- Crown spread was measured to the nearest metre

## Tree Inventory

Tree Inventory									
Tag #	Species	cm/DBH	Height/m	PRZ/m	Canopy/m	Structure	Health	Retain/Remove	Bylaw Protected
1	<i>Acer saccharinum</i>	83	20	10	14x14	Poor	Fair	Remove	Yes
2	<i>Acer saccharinum</i>	79	16	9	12x12	Fair	Fair	Retain	No
15105	<i>Prunus blireana</i>	14	4	2	1x1	Poor	Poor	Remove	City Owned

DBH-Diameter at Breast Height. Measured at 1.4m from the point of germination. Where the tree is multi-stemmed at 1.4m, the DBH shall be considered 100% of the largest stem and 60% of the sum of the remaining stems, rounded to the nearest cm.

PRZ-Protected Root Zone. The PRZ shall be considered 12x the DBH, rounded to the nearest whole meter.

N/I = not tagged

## Impacts of Demolition and Construction



The proposed demolition is to clear the lot to make way for a new multi-unit dwelling. Demolition is not expected to have an overall negative impact on the tree marked for retention, or its health and vitality.

Equipment traffic in and out of the site is expected to impact the root zone of tree #2. Access to the site will be from the front of the property.

Excavation for capping of services is not anticipated to impact protected trees.

Excavation for the removal of the existing foundation may impact the protected root zone of tree #2.

Excavation for new foundations including the main dwelling and the parking garage will impact tree #2.

New water sewer and potentially storm water services will be brought in from the north side for the property and excavation will not impact tree #2. Electrical service is not currently identified but will be brought in from the north side of the property and is not expected to impact tree #2. There is not currently a natural gas service but lateral lines may be installed. They will likely follow other services in

from the north and are not expected to impact tree #2. A new driveway will impact the protected root zone of tree #2.

### Tree Protection Plan

The Protected Root Zone (PRZ) of all protected trees recognized in this report shall be 12 times the diameter of the tree.<sup>1</sup>

During construction protection fencing will be installed, the construction and location of which will be approved by the project arborist. Tree protection fencing must be anchored in the ground and made of 2x4 or similar material frame, paneled with securely affixed orange snow fence or plywood and clearly marked as TREE PROTECTION AREA- NO ENTRY (See appendix A for an example). The area inside the fence will be free of all traffic and storage of materials. Areas outside the tree protection fence but still within the protected root zone (PRZ) may be left open for access, as work areas and for storage of materials. These areas will be protected by vehicle traffic with either 3/4" plywood or a minimum 20cm of coarse wood chips (see Site Plan for suggested locations of each). Tree protection measures will not be amended in any way without approval from the project arborist. Any additional tree protection measures will be documented in a memo to Victoria and the developer. The existing fence between 1417 and 1425 May St. provides a reasonable barrier to tree #2. Orange snow fence should be affixed to the existing fence to make everyone aware that this is a tree protection area.

Excavation inside the Protected Root Zone of any tree identified in this plan for any reason will take place under the supervision of the project arborist or their designate. Working radially inward toward the tree, the excavator will remove the soil incrementally with a non-toothed shovel allowing any exposed roots to be pruned to acceptable standard by the project arborist. Any excavation of the stump of a tree inside a PRZ must be supervised by the project arborist. As well, any excavation for underground services inside a PRZ will be supervised by the project arborist. Where applicable, a hydro-vac or Airspade® may be employed to expose critical roots and services.

Demolition will involve the existing house. All areas exposed to possible compaction from machines and equipment as well as waste bins must be armoured by a minimum 20cm of woodchips or 3/4" plywood. Any changes to the TPP layout or expectations must first be approved by the project arborist. Any changes will be documented in a memo to Victoria and the developer.

Any pruning of protected trees will be performed by an ISA (International Society of Arboriculture) certified arborist, to internationally recognised best management practices.

Excavation for two foundations, services and paved surfaces will be occurring in the PRZ of protected trees. Any excavation within or adjacent to the PRZ at any depth for any reason must be supervised by the project arborist. This includes excavation for all underground services, driveways and sidewalks, and structural foundations and the removal of any stumps in the PRZ by an excavator or similar machine. Working radially inward toward the tree, the excavator will remove the soil incrementally with a non-toothed shovel allowing any exposed roots to be pruned to acceptable standard by the project arborist.

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<sup>1</sup>Best Management Practices (BMP) - Managing Trees During Construction, Second Edition By Kelby Fite and E. Thomas Smiley

Roots that have been pruned are to be covered with a layer of burlap and kept damp for the duration of the project.

The excavation and construction of the garage will occur very close to tree #2. The garage impacts the southeast corner of the PRZ of this tree. The foundation will be slab on grade with a shallow excavation for base material. It is suggested that an exploratory non-invasive excavation with an Airspade® be undertaken prior to excavation to ensure that no critical structural roots are compromised. Should critical structural roots be discovered alternative construction methods (grade beam construction) or tree removal may be considered.

All paved surfaces that are new and inside the PRZ of protected trees will employ alternative construction methods including loadbearing geotextile fabric or a geogrid/geocell system (see Appendix B for examples). The current plan for the entire driveway area south of the proposed dwelling calls for a permeable paved surface. The materials used to achieve permeability may be acceptable inside the PRZ of tree #2, provided that excavation for base material does not negatively impact the PRZ.

#### **Role of the Project Arborist**

No aspect of this Tree Protection Plan will be amended in whole or in part without the permission of the project arborist. Any amendments to the plan must be documented in memorandums to the Municipality and the developer.

The project arborist must approve all tree protection measures before demolition and/or construction is to begin.

A site meeting including the project arborist, developer, project supervisor and any other related parties to review the tree protection plan will be held at the beginning of the project.

The developer may keep a copy of the tree protection plan on site to be reviewed and/or initialed by everyone working inside or around the PRZ of trees.

The project arborist is responsible for ensuring that all aspects of this plan, including violations, are documented in memorandums to the municipality and the developer.

#### **Replacement Trees**

Victoria requires two replacement trees be planted for every bylaw protected tree removed. Replacement tree locations will be determined when a landscape plan is finalized, and a map of those locations will be submitted to Victoria and the developer in a memo before the completion of the project. Should suitable locations not be available, the developer may seek to donate the trees to a location determined by the municipality.

Thank you for the opportunity to comment on these trees.

Should any issues arise from this report, I am available to discuss them by phone, email or in person.

Regards,



Darryl Clark

Certified Arborist PN-6523A  
TRAQ Certified  
ISA Tree Risk Assessor CTRA 459

## Disclosure Statement

An arborist uses their education, training and experience to assess trees and provide prescriptions that promote the health and wellbeing, and reduce the risk of trees.

The prescriptions set forth in this report are based on the documented indicators of risk and health noted at the time of the assessment and are not a guarantee against all potential symptoms and risks.

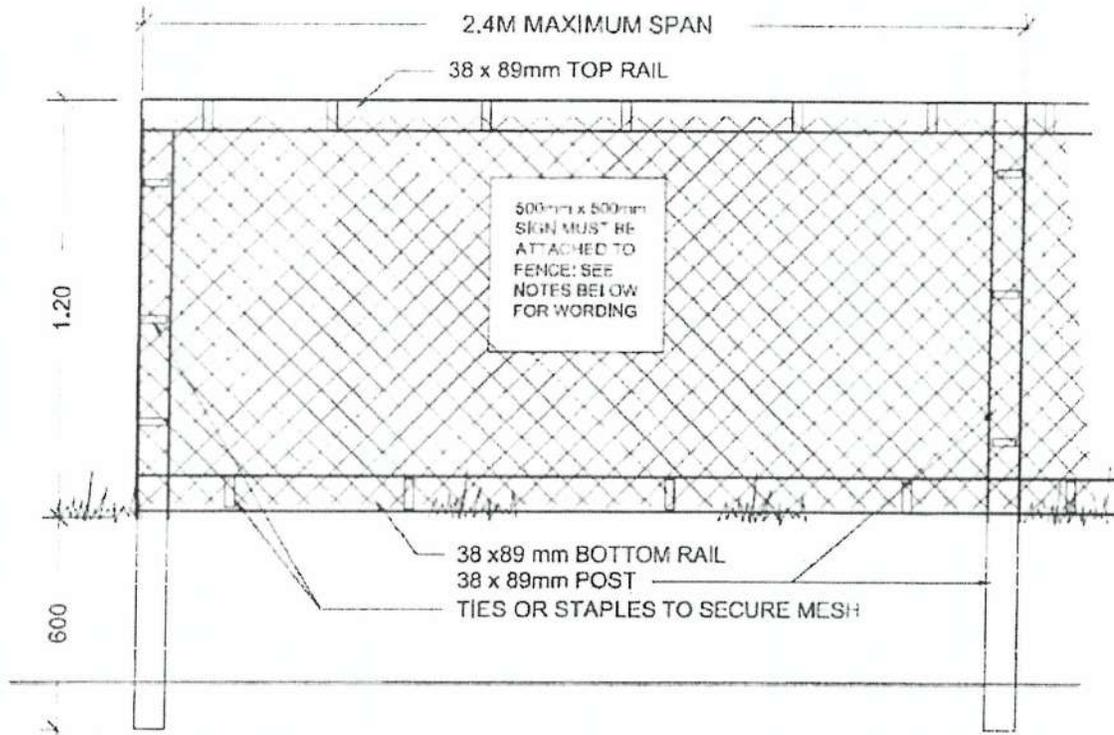
Trees are living organisms and subject to continual change from a variety of factors including but not limited to disease, weather and climate, and age. Disease and structural defects may be concealed in the tree or underground. It is impossible for an arborist to detect every flaw or condition that may result in failure, and an arborist cannot guarantee that a tree will remain healthy and free of risk.

To live near trees is to accept some degree of risk. The only way to eliminate the risks associated with trees is to eliminate all trees.

## Assumptions and Limiting Conditions

- Altering this report in any way invalidates the entire report.
- The use of this report is intended solely for the addressed client and may not be used or reproduced for any reason without the consent of the author.
- The information in this report is limited to only the items that were examined and reported on and reflect only the visual conditions at the time of the assessment.
- The inspection is limited to a visual examination of the accessible components without dissection, excavation or probing, unless otherwise reported. There is no guarantee that problems or deficiencies may not arise in the future, or that they may have been present at the time of the assessment.
- Sketches, notes, diagrams, etc. included in this report are intended as visual aids, are not considered to scale except where noted and should not be considered surveys or architectural drawings.
- All information provided by owners and or managers of the property in question, or by agents acting on behalf of the aforementioned is assumed to be correct and submitted in good faith. The consultant cannot be responsible or guarantee the accuracy of information provided by others.
- It is assumed that the property is not in violation of any codes, covenants, ordinances or any other governmental regulations.
- The consultant shall not be required to attend court or give testimony unless subsequent contractual arrangements are made.
- The report and any values within are the opinion of the consultant, and fees collected are in no way contingent on the reporting of a specified value, a stipulated result, the occurrence of a subsequent event, or any finding to be reported.

## Appendix A



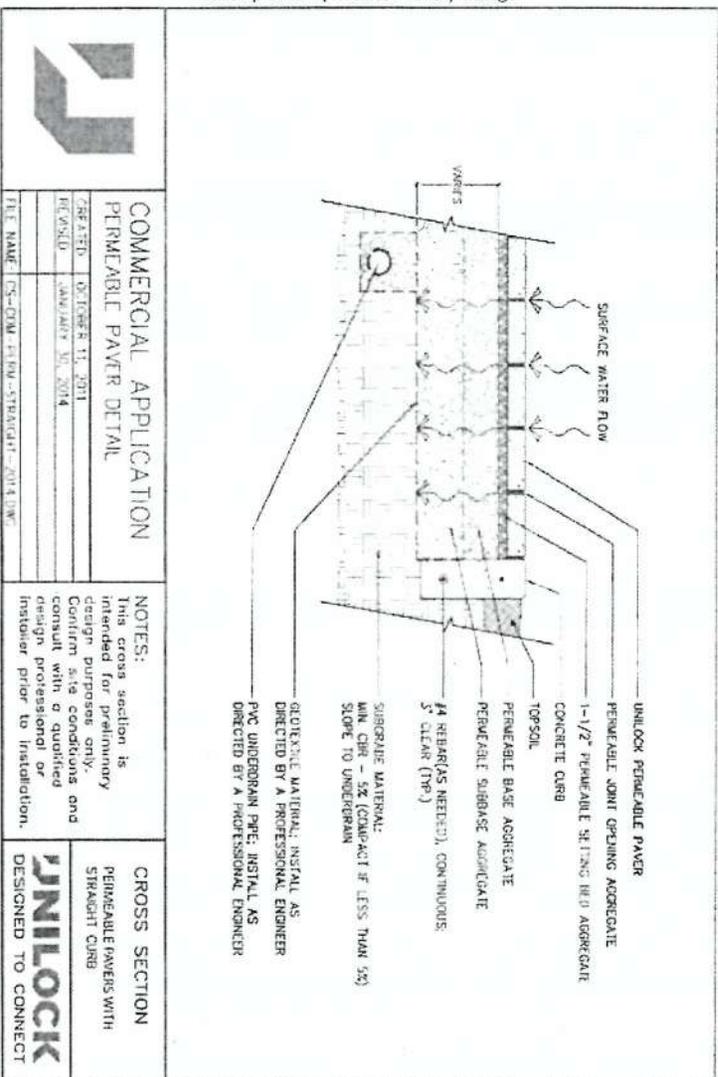
### TREE PROTECTION FENCING

#### Tree Protection Fencing Specifications:

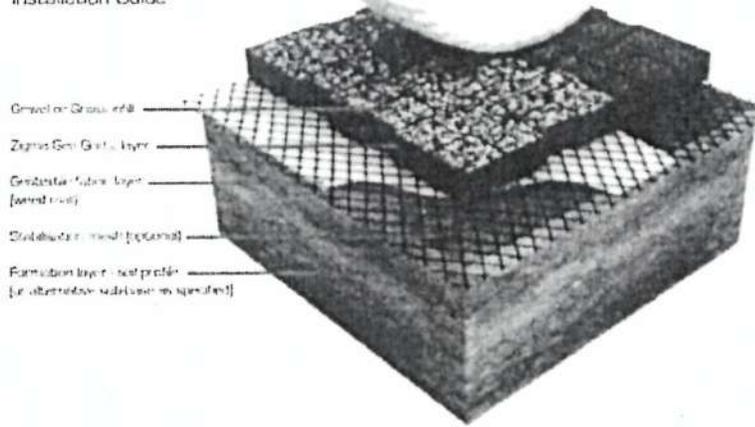
1. The fence will be constructed using 38 x 89 mm (2" x 4") wood frame:
  - Top, Bottom and Posts. In rocky areas, metal posts (t-bar or rebar) drilled into rock will be accepted
  - Use orange snow fencing mesh and secure to the wood frame with "zip" ties or galvanized staples. Painted plywood or galvanized fencing may be used in place of snow fence mesh.
2. Attach a roughly 500 mm x 500 mm sign with the following wording: **TREE PROTECTION AREA-NO ENTRY**. This sign must be affixed on every fence face or at least every 10 linear metres.

Appendix B

Examples of Special Driveway Design

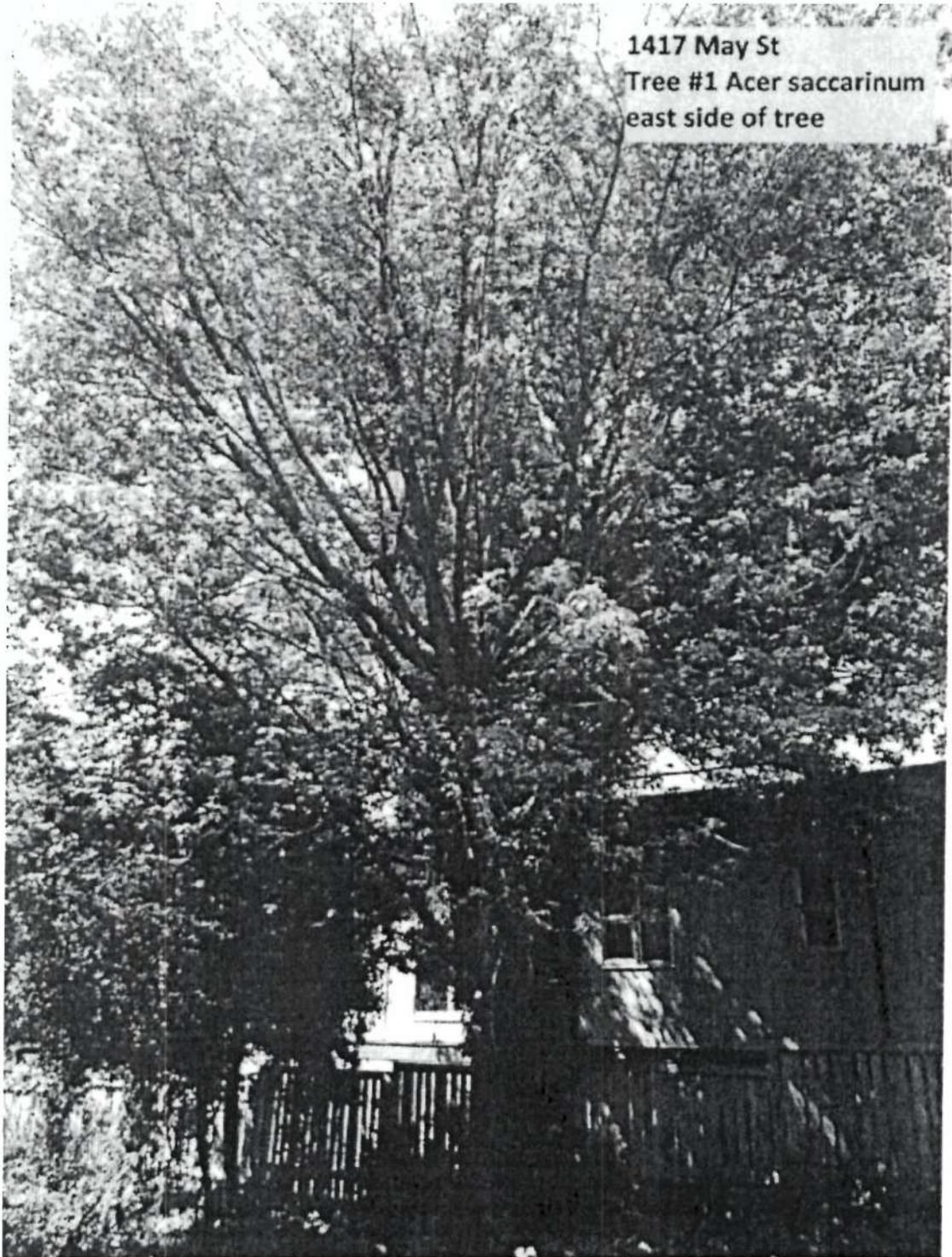


### Installation Guide

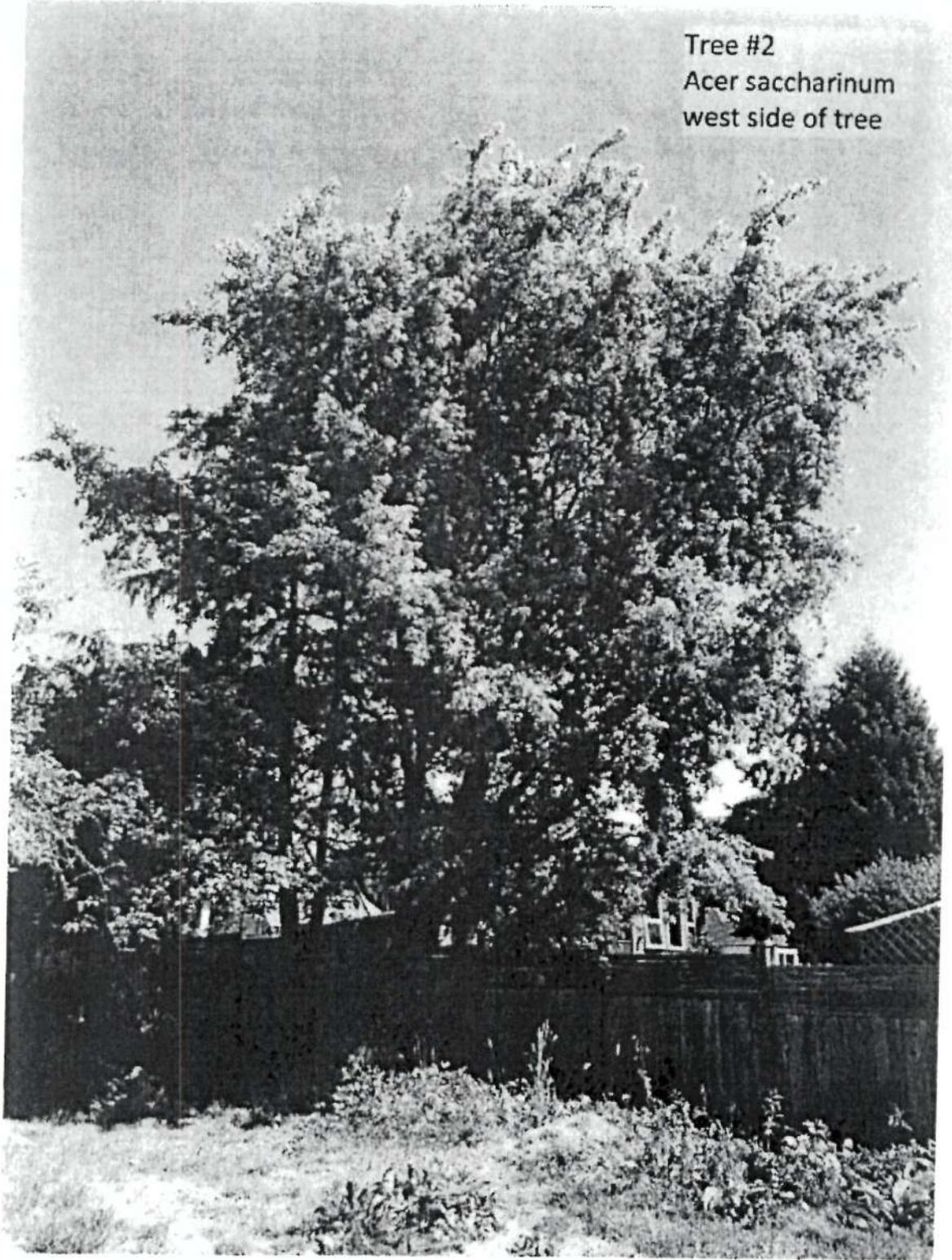


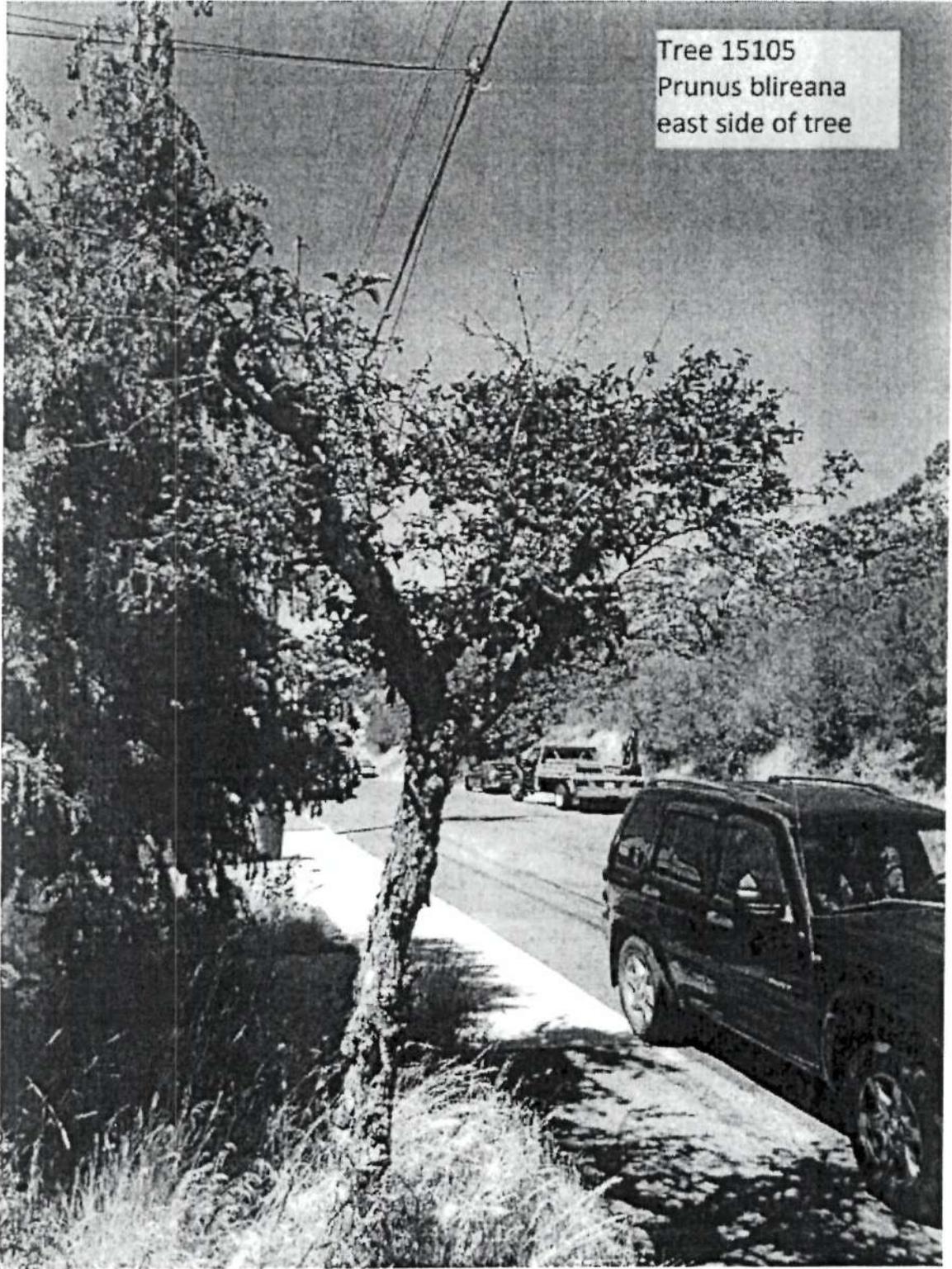
From <http://accessterrain.com/product/geo-grid/>

Images

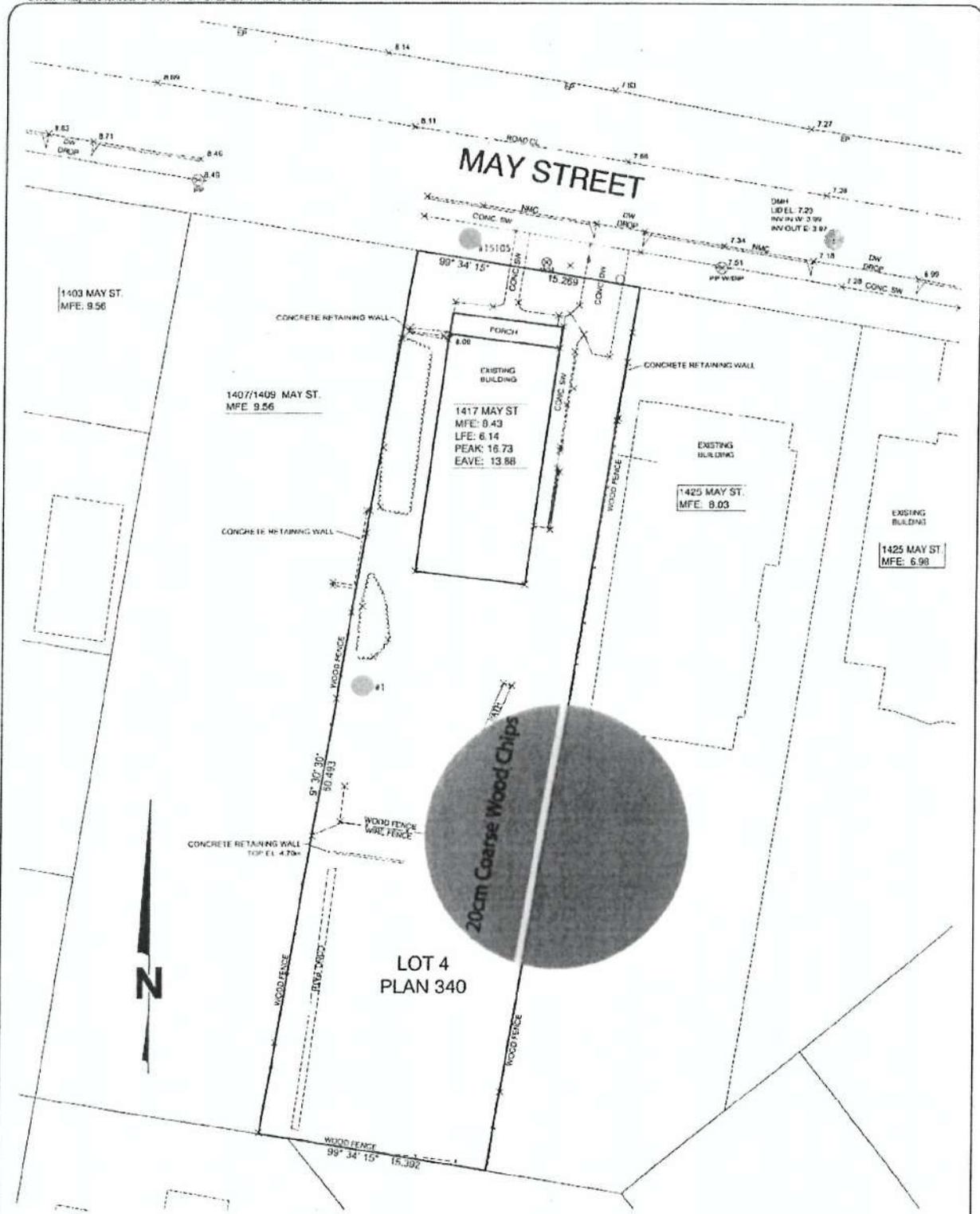


Tree #2  
*Acer saccharinum*  
west side of tree





Tree 15105  
Prunus blireana  
east side of tree



- Legend:
- NMC - Non Mountable Concrete Curb
  - EP - Edge of Pavement
  - SIC - Sewer Inspection Chamber (Clean Out)
  - ORN - Ornamental
  - CONC - Concrete
  - PP - Power Pole
  - WM - Water Meter
  - DW - Driveway
  - Tree Protection Fence
  - Tree to be Removed
  - Tree to be Retained
  - Protected Root Zone (PRZ)



Notes:

- Some features were surveyed from a remote location using a reflectorless measurement. Elevations in the digital file may not be at ground level.
- Distances and elevations shown are in metres. Unless otherwise noted.
- Property boundaries are from land title records. This drawing is not to be used to redefine property boundary locations.
- Surrounding building outlines and property boundaries by others

ON POINT PROJECT No.  
**080-1417 MAY STREET**  
GOVERNING AUTHORITY FILE No.

TECHNOLOGIST: HMS  
DRAWING DATE: May 27, 2016  
SURVEY DATE: May 24, 2016

**1417 MAY STREET  
SITE SURVEY**

Lot 4, Block D,  
Farfield Farm Esatate,  
Victoria City, Plan 340

SHEET 1 OF 1  
REV. 1

ON POINT DRAWING No.  
**080-1417 MAY ST TOPO.dwg**

February 6, 2017

Heide Didzuhn and David R. Goldie  
1409 May Street  
Victoria, BC, V8S 1C2

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

Dear Madam/Sir:

**Re: Rezoning of 1417 May Street**

We are writing in regards to the development plans for 1417 May Street, Victoria. There is a request for rezoning the property from the status of single dwelling to fourplex. Our property at 1409 May Street will be greatly affected by a change in zoning.

We bought not long ago into the neighborhood in which we had hoped to find a calm, green and family oriented environment. In particular, we wanted to be around and close nature's beauty.

The increase to house four suites will have a major impact on light and noise pollution and loss of green space. We are very concerned by the disturbance we'll experience from increased activities, cars being parked, let alone air pollution. The proposed development includes garages for four vehicles in the middle of the property. The planned location of theses will be in direct view from our kitchen and dining room window and the deck. Car fumes will without doubt reach our open air space, creating a most unhealthy environment. Something, we did not expect when we purchased the property. There may also be a need for extra parking which will have to spill over to an already full road side.

We have contacted the owners and expressed our concerns. They gave us a sympathetic ear but also told us that the City of Victoria is given them little choice with their development plans.

We are opposed to a fourplex for reasons mentioned above. Please consider the negative impact the proposal has on the immediate neighborhood.

Thank you.

*R. Goldie*  
*Heide Didzuhn*

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Rezoning & Development Permit  
with Variances Application  
for  
1417 May Street



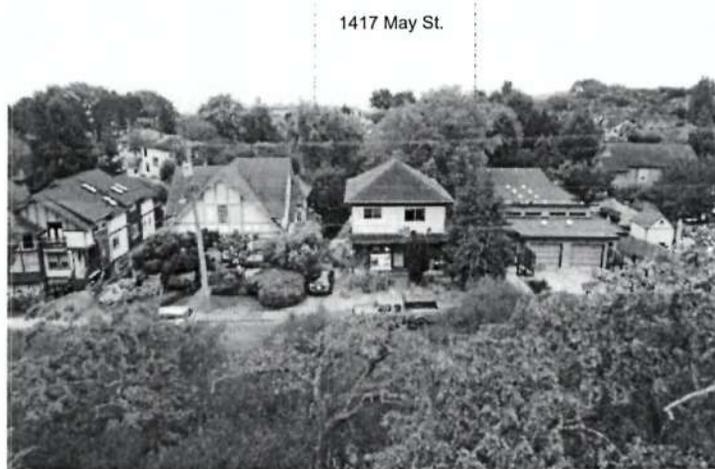
## Subject Site

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## Neighbouring Properties

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## Neighbouring Properties

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1461 May Street



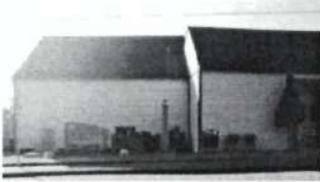
1425 May Street



1417 May Street  
(Subject Site)



1407 / 1409  
May Street



1403 May Street  
(Stewart Monuments)



1403 May Street  
(Stewart Monuments)



## OCP Designation

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**MAP 21**  
Fairfield Strategic  
Directions

**Urban Place Designations\***

- Urban Residential
- Large Urban Village
- Small Urban Village
- Urban Residential
- Traditional Residential
- Public Facilities, Institutions, Parks, and Open Space
- Marine

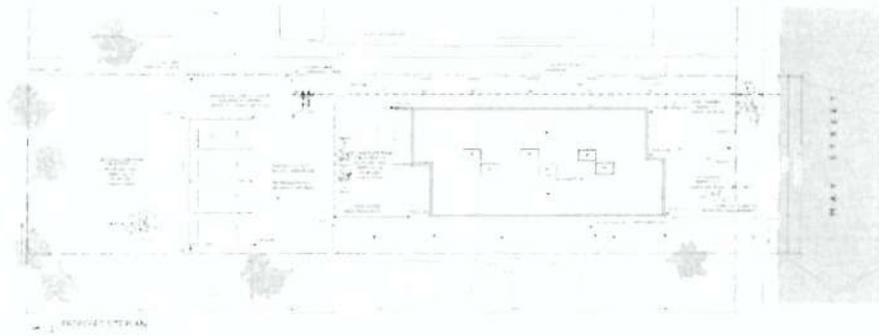
**Public Facilities**

- Existing Public School
- Community Centre
- Senior Centre

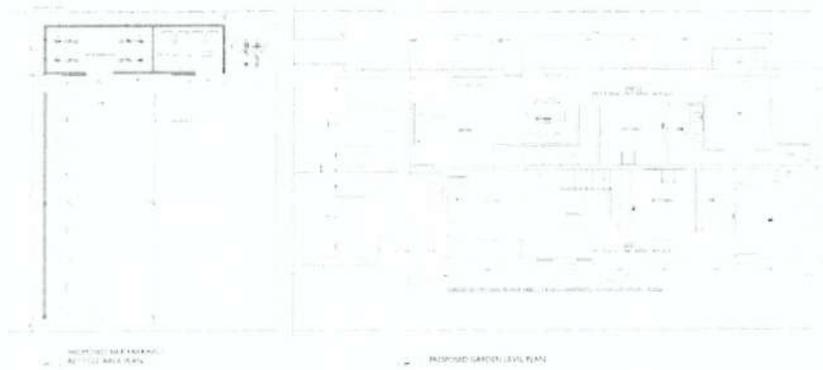
Subject Site



## Site Plan

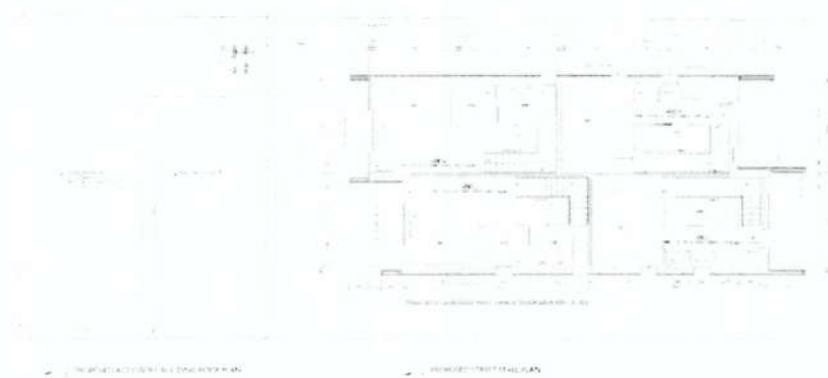


## Garden Level & Parking Plan



## Street Level Plan

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## Upper Level Plan

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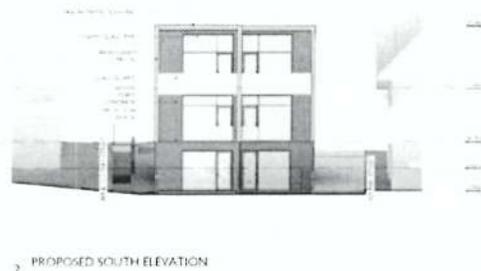
## Front Elevation



VIEW FROM STREET



## Rear Elevation

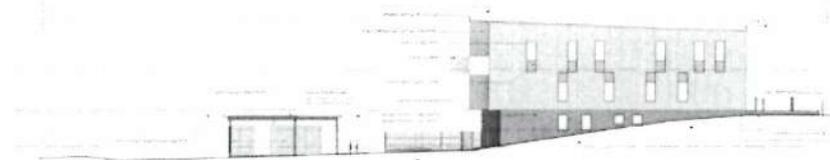


VIEW FROM REAR STREET

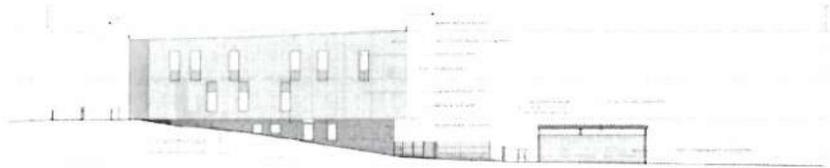


## Side Elevations

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PROPOSED EAST ELEVATION



PROPOSED WEST ELEVATION



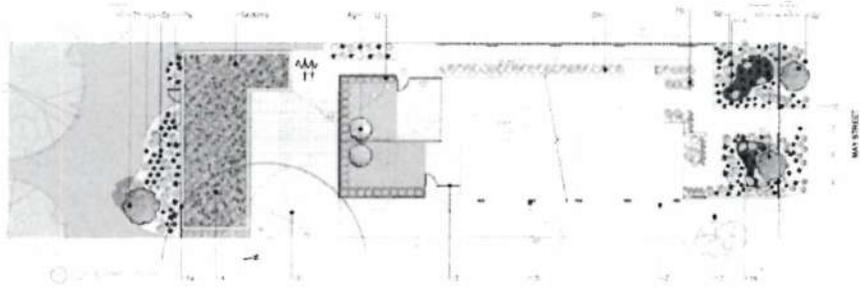
## Street Elevation

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# Landscape Plan

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## Materials & Colour

1. Balance to the the roof from the green roof etc.  
2. Rain garden to filter storm water from the main residential catch.



3. The walkways to residential or sports in the main catchment water and garden.



WOOD BOARD + BATTEN



BEVEL WOOD SLING



2. Privacy screens between patios and beside common paths.



4. Section green roof above parking and bike storage.



WOOD BOARD + BATTEN



BOARD FORM CONCRETE



5. Walk beside driveway  
6. Formed up concrete foundation wall



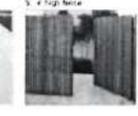
8. Formed up concrete parking area



7. Concrete driveway and paths



9. 4' high fence



10. Materials

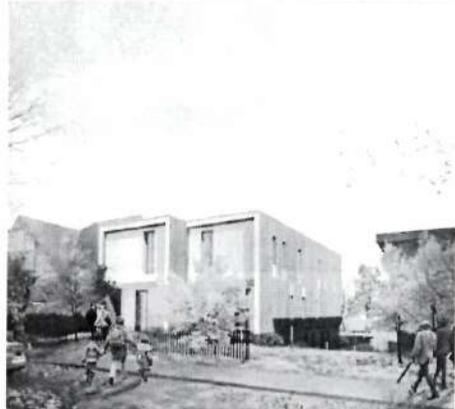




## Renderings



View from Yard (South East)



View from Street (North West)

