## H. REPORTS OF COMMITTEES

## H.1 Committee of the Whole

#### H.1.b Report from the June 28, 2018 COTW Meeting

H.1.b.h 1139 Chapman Street – Rezoning Application No. 00624 & Development Permit with Variance Application No. 00624 (Oaklands)

> Moved By Councillor Madoff Seconded By Councillor Coleman

# Rezoning Application No. 00624 for 1139 Chapman Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00624 for 1139 Chapman Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 1.17m along the lane, to the satisfaction of the Director of Engineering and Public Works.

# Development Permit with Variance Application No. 00624 for 1139 Chapman

# Street

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. 00624, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit Application No. 00624 for 1139 Chapman Street, in accordance with:

- . Plans date stamped May 28, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
  - i. increase the maximum floor area for the first and second storeys from 280.0m2 to 362.13m2.
- 3. The Development Permit lapsing two years from the date of this resolution."

## CARRIED

DRAFT Council Minutes - June 28, 2018

# E. LAND USE MATTERS

## E.3 <u>1139 Chapman Street – Rezoning Application No. 00624 & Development</u> Permit with Variance Application No. 00624 (Fairfield)

Committee received a report dated June 28, 2018, from the Director of Sustainable Planning and Community Development regarding an application to permit the construction of a duplex dwelling.

Moved By Councillor Madoff Seconded By Councillor Thornton-Joe

#### Rezoning Application No. 00624

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00624 for 1139 Chapman Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 1.17m along the lane, to the satisfaction of the Director of Engineering and Public Works.

## Development Permit with Variance Application No. 00624

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. 00624, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00624 for 1139 Chapman Street, in accordance with:

- 1. Plans date stamped May 28, 2018.
- Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
  - i. increase the maximum floor area for the first and second storeys from 280.0m2 to 362.13m2.
- 3. The Development Permit lapsing two years from the date of this resolution."

## CARRIED UNANIMOUSLY

DRAFT Committee of the Whole Minutes - June 28, 2018



# Committee of the Whole Report For the Meeting of June 28, 2018

То:	Committee of the Whole	Date:	June 14, 2018
From:	Jonathan Tinney, Director, Sustainable Planning and Community Development		
Subject:	Rezoning Application No. 00624 for 1139 Chapman Street		

# RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00624 for 1139 Chapman Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 1.17m along the lane, to the satisfaction of 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.

# 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 1139 Chapman Street. The proposal is to rezone from the R1-B Zone, Single Family District, to the R-2 Zone, Two Family Dwelling District, in order to construct a duplex dwelling.

The following points were considered in assessing this Application:

- the proposal is consistent with the Traditional Residential Urban Place Designation within the Official Community Plan, 2012
- the proposal is generally consistent with the Suburban Neighbourhoods Plan, 1984 for general residential areas in Fairfield
- the proposal is generally consistent with the Neighbourliness Guidelines for Duplexes.

# BACKGROUND

# Description of Proposal

The proposal is to rezone the property from the R1-B Zone, Single Family Dwelling District, to the R-2 Zone, Two Family Dwelling District, to permit the construction of a duplex dwelling.

There is a variance proposed from the standard R-2 Zone, Two-Family Dwelling District, which would increase the 1<sup>st</sup> and 2<sup>nd</sup> storey maximum floor area from 280m<sup>2</sup> to 362.13m<sup>2</sup>. This variance will be discussed in relation to the accompanying Development Permit with Variance Application.

# Affordable Housing Impacts

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

## Sustainability Features

As indicated in the applicant's letter dated May 18, 2018, the following sustainability features are associated with this Application:

- energy efficient ICF walls
- on-demand hot water heating with heat recovery ventilators (HRV)
- designed to be "solar ready"
- low water consumption plumbing fixtures
- permeable paving surfaces
- increased landscaping including new trees, drought tolerant planting and garden plots
- Energy Star products wherever possible
- recycling of building components during the deconstruction process.

## Active Transportation Impacts

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

## Public Realm Improvements

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

## 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 and two family dwellings.

# **Existing Site Development and Development Potential**

The site is presently a one-storey single family dwelling. Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single family dwelling with a secondary suite or a garden suite.

# Data Table

The following data table compares the proposal with the R-2 Zone, Two Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the proposed zone.

Zoning Criteria	Proposal	Standard Zone R-2	
Site area (m²) – minimum	752.63	555.00	
Site area per unit (m²) – minimum	376.32	277.50	
Number of units – maximum	2	2	
Density (Floor Space Ratio) – maximum	0.48	0.50	
Total floor area (m²) – maximum	362.13	380.00	
1 <sup>st</sup> and 2 <sup>nd</sup> Storey Floor Area (m <sup>2</sup> ) – maximum	362.13 *	280.00	
Lot width (m) – minimum	18.29	15.00	
Height (m) – maximum	7.35	7.60	
Storeys – maximum	1.5 (no basement)	2 (no basement) 1.5 (with basement)	
Site coverage % – maximum	39.82	40.00	
Open site space % – minimum	55.78	30.00	
Setbacks (m) – minimum			
Front	7.58	7.50	
Rear	14.52	14.40 (35% of lot depth)	
Side (west)	2.29	1.83 (10% of lot width)	
Side (east)	2.29	1.83 (10% of lot width)	
Combined side yards	4.58	4.50	
Parking – minimum	2	2	
Accessory Building			
Combined floor area (m²) – maximum	36.79	37.00	
Height (m) – maximum	3.45	3.50	

Zoning Criteria	Proposal	Standard Zone R-2	
Accessory Building			
Setbacks (m) – minimum			
Rear	3.43	0.60	
Side (north)	5.79	0.60	
Side (south)	5.79	0.60	
Separation space to principal building (m)	2.50	2.40	
Rear yard site coverage (%) – maximum	15.39	25.00	

# **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Fairfield CALUC at a Community Meeting held on November 9<sup>th</sup>, 2017. A letter dated November 28<sup>th</sup>, 2017 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. Within this designation, ground-oriented residential buildings including duplexes up to two storeys are envisioned.

# Local Area Plans

The property is located within the Conservation and General Residential Area in the Suburban Neighbourhoods Plan, which considers rezoning where infill and redevelopment is appropriate. The proposal is consistent with the Plan, as the property is located within a half a block from Cook Street Village and there are several other duplexes in the immediate area.

# Neighbourliness Guidelines for Duplexes

The *Neighbourliness Guidelines for Duplexes* supports rezoning to the R-2 Zone, Two Family Dwelling District, if the lot width is at least 15m, the lot site area is at least 555m<sup>2</sup> and the lot has 277.5m<sup>2</sup> of site area per dwelling unit. The subject property exceeds the requirements of the guidelines and has a lot width of 18.29m, site area of 752.63m<sup>2</sup>, and site area per dwelling unit of 376.32m<sup>2</sup>.

## Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts with this Application.

# Other Considerations

The standard right-of-way for a laneway is 6.0m. The applicant is willing to grant the City a Statutory Right-of-Way (SRW) of 1.17m on the laneway along the south property line.

# CONCLUSIONS

The proposal to rezone in order to facilitate the construction of a duplex is generally consistent with the Traditional Residential Urban Place Designation in the OCP, the Conservation and General Residential Area designation in the *Suburban Neighbourhood Plan* and the *Neighbourliness Guidelines for Duplexes*. Staff recommend that Council consider supporting the Application.

# ALTERNATE MOTION

That Council decline Rezoning Application No. 00624 for the property located at 1139 Chapman Street.

Respectfully submitted,

5801

Chelsea Medd Planner Development Services

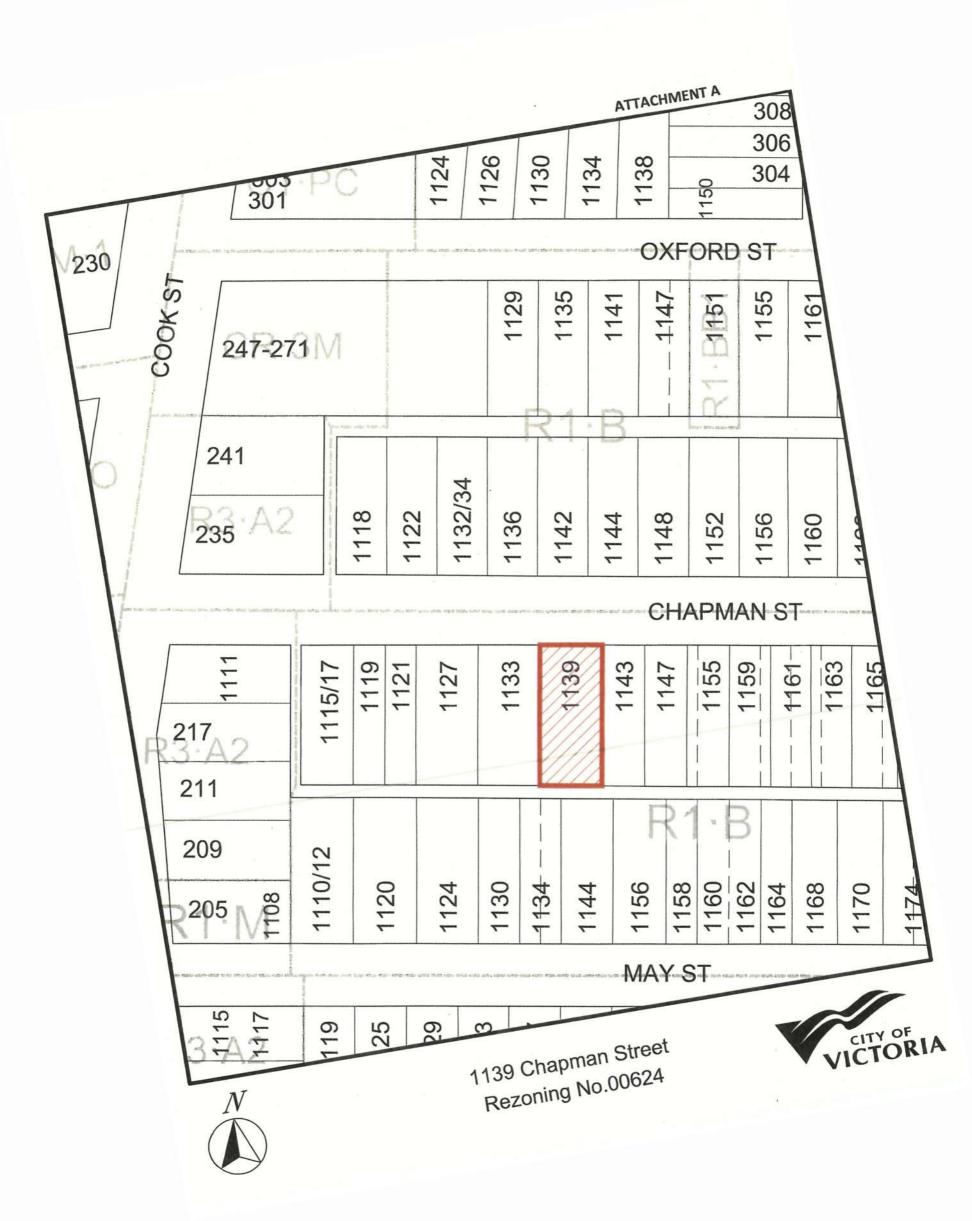
Jonathan Tinney, Director Sustainable Planning and Community Development Department

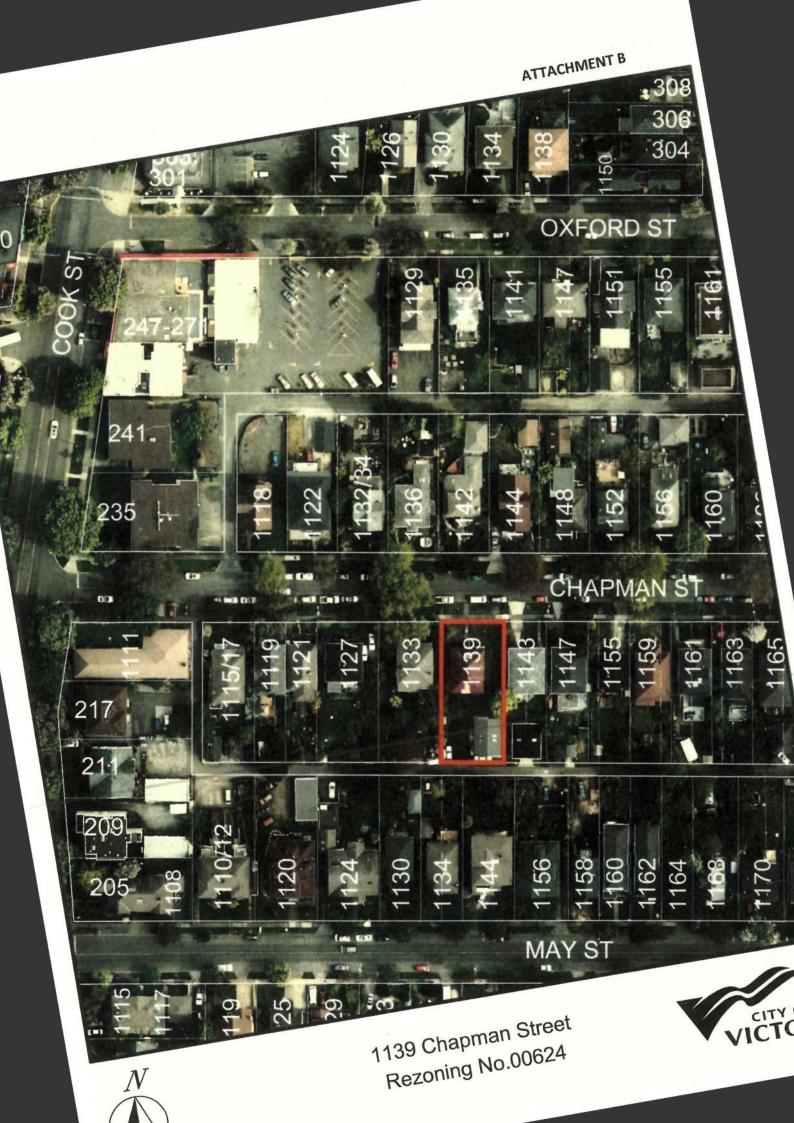
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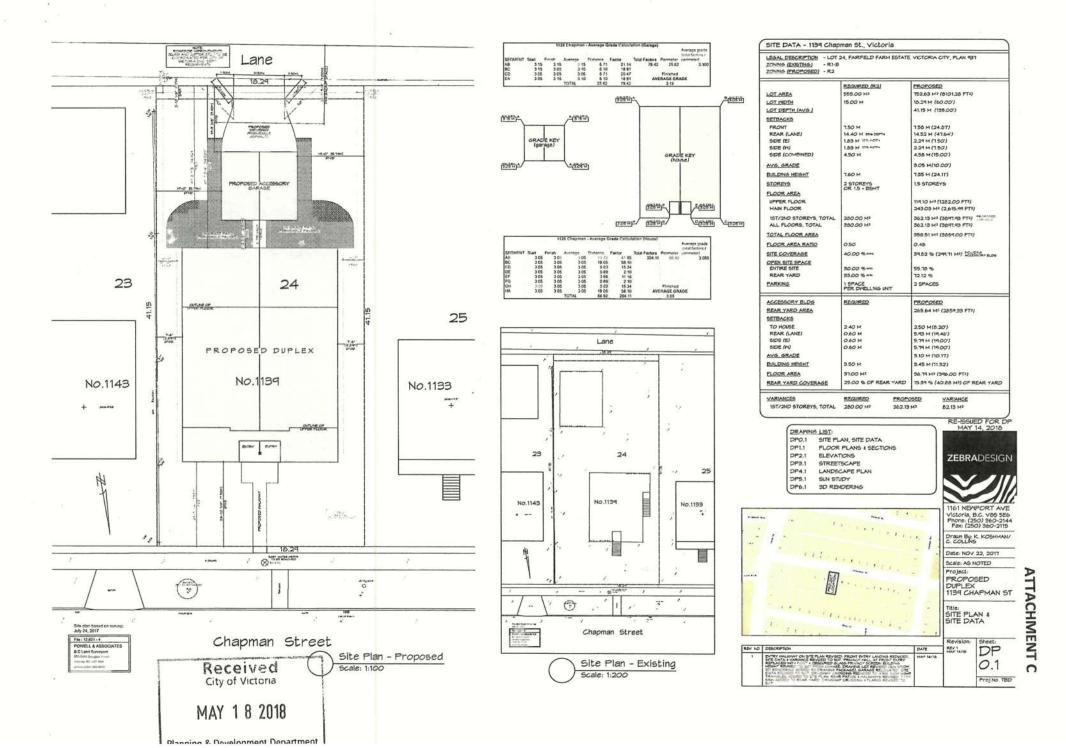
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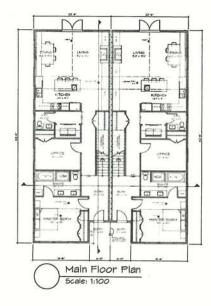
# List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped May 18, 2018
- Attachment D: Letter from applicant to Mayor and Council dated May 18, 2018
- Attachment E: Community Association Land Use Committee Comments dated November 28, 2017.

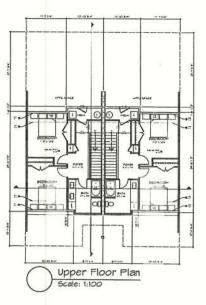


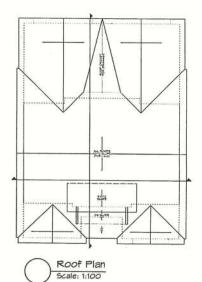






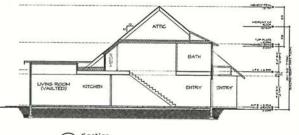
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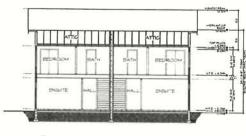




Garage Plan Scale: 1:100

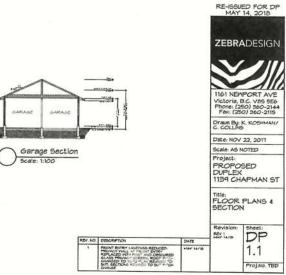


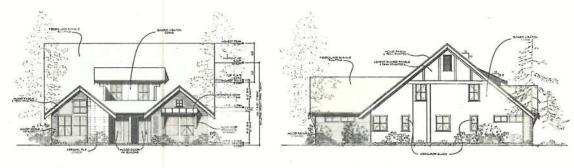
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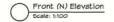


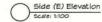
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Side (W) Elevation

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Rear (5) Elevation Scale: 1:100





REAR (LANE)

Garage Elevations



**Development Services Division** 

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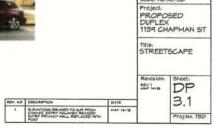
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1143 CHAPMAN ST



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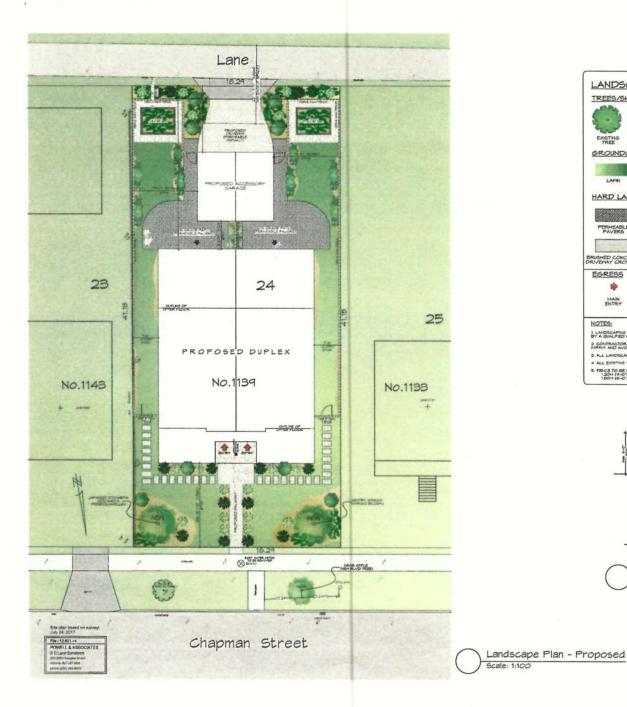


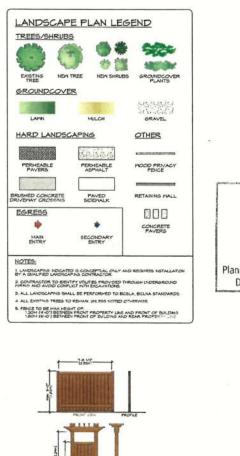
RE-ISSUED FOR DP MAY 14, 2018

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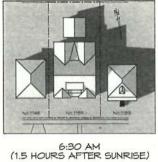
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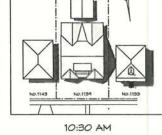


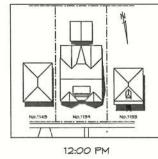
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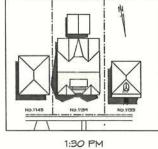


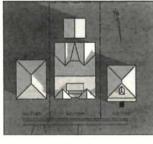


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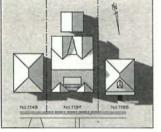




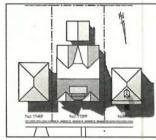
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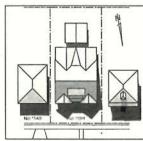
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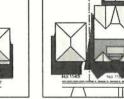
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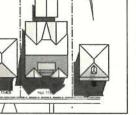


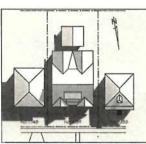
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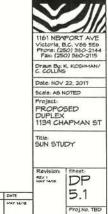




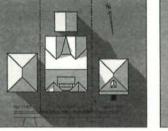


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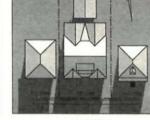
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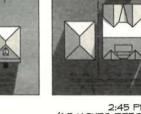
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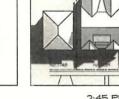
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Title: 3D RENDERING

Revision: Sheet: Revision: DP 6.1

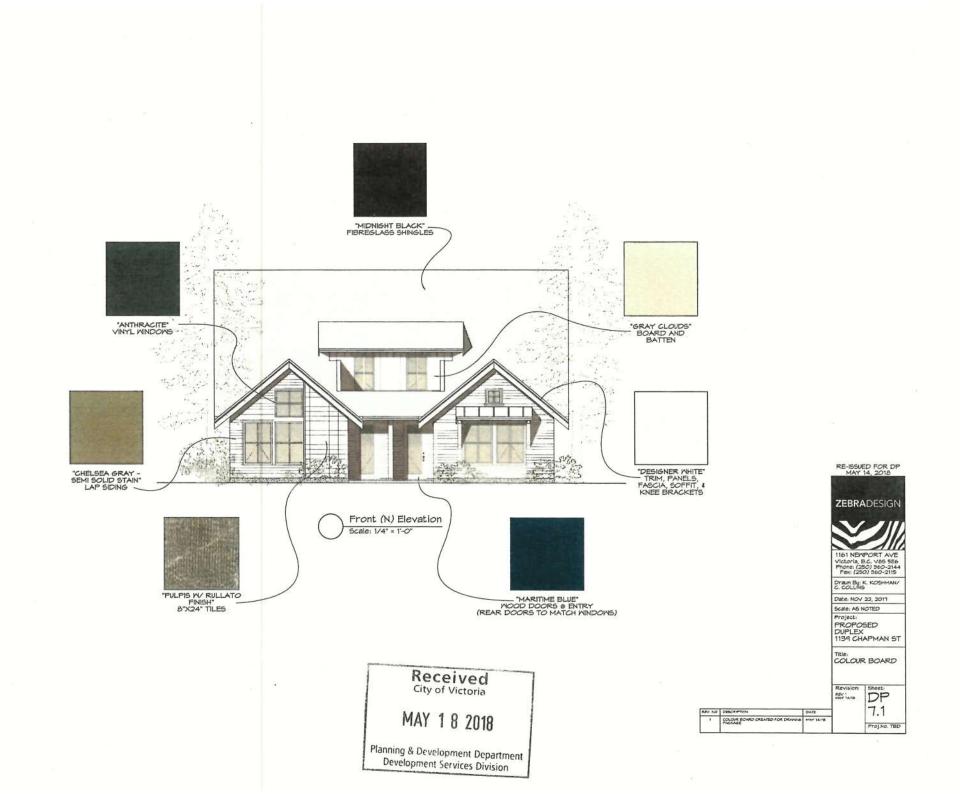
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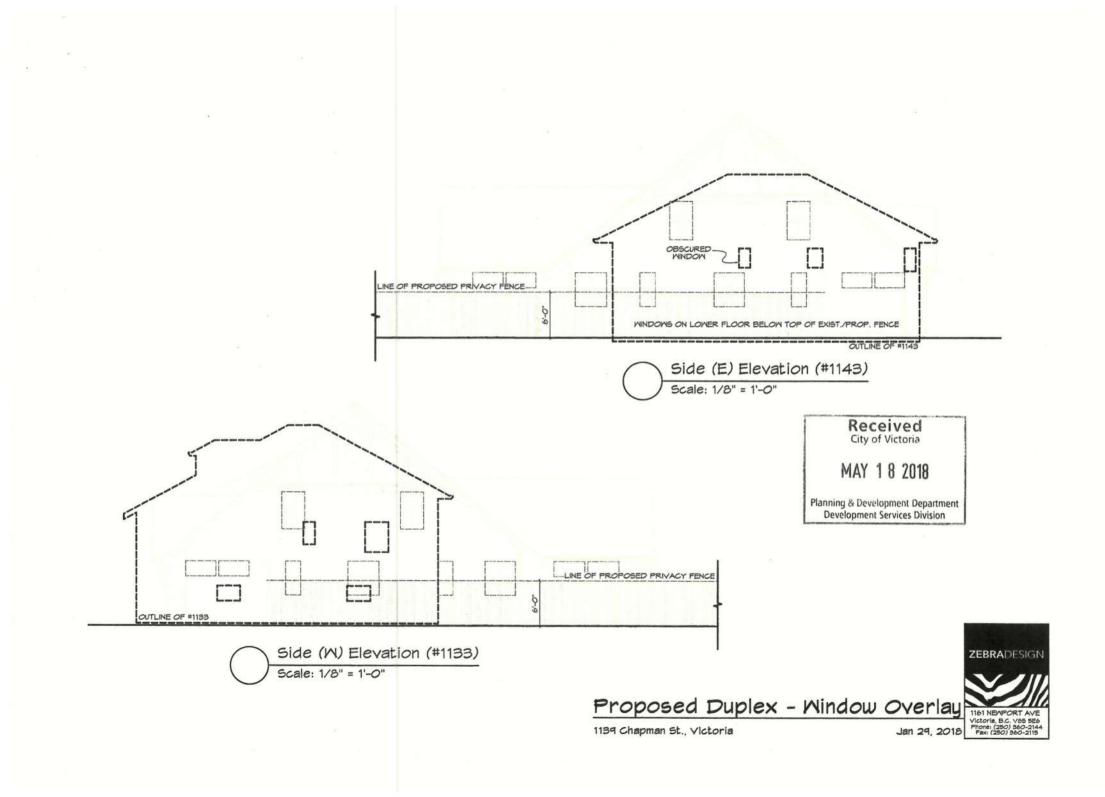
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Development Services Division







November 20, 2017

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

Attention: The Mayor and Council of the City of Victoria

# Re: Rezoning Application - 1139 Chapman Street, Victoria, BC

Enclosed is our rezoning application for 1139 Chapman Street. We are requesting to change the current R1-B single-family dwelling zoning to R-2 two-family dwelling district. The property currently consists of an older home on a large 18.3m x 41.1m (60' x 135') lot backing on to an alley. The existing house is in poor condition, with a large tarp on the roof, and a foundation that is severly cracked and settling. There is also a newer, partially constructed, two car garage at the rear of the property. We are proposing to construct a new duplex on the property that utilizes "Universal Design" principles to permit the homes to be used by as many people as possible, regardless of age, ability, or circumstance. More specifically, there is a need for housing in this neighborhood that allows owners to "age in place." Some of the features of these homes are:

- Predominantly single level living all of the main rooms are on the main floor
- No steps for the entire main floor
- Wider hallways and doorways
- Backing for future grab bars
- Modified plumbing and electrical outlet placement
- Provisions for future power requirement at staircases, besides toilets and other locations
- A second-floor area suitable for a variety of uses including a future in-home care person
- Located near transit and walking distance to shopping and services.

Before fully developing our plans, we consulted with neighbors of the property. The primary comment was that the landscaping was important to them. In particular, many neighbors wanted to see more trees planted on the property. At the CALUC meeting, we presented our full proposal, including revised landscape plans, to the committee and public attendees. The plans were well received, and no changes were needed to be made following the meeting.



Our proposal requires one variance. To accommodate all the living space at grade and on the second level, we are asking to vary the maximum combined floor area on the first and second floors. The proposal does not exceed the maximum FSR or total floor area permitted. No other variances are required. We confirmed with the planning department about the acceptability of this variance before the start of design work, and we believe it is supportable.

Our proposal meets the draft neighborhood plan for Fairfield which encourages duplexes as one of the building types for the area to the east of the Cook Street Village. We have also designed the building to meet the city's duplex design guidelines. The property is a large interior site greater than 15 m wide and located on an alley. It is also a transitional lot with several duplexes already on the street, and multifamily dwellings at the end of the block at Cook Street.

The house size and height is consistent with single-family zoning. The total floor area is less than what could be built if this was a single-family home. It is located on the south side of the street where overshadowing of neighboring houses is not a large issue. The home is designed as a 1 ½ storey structure, with the front and rear portions of the homes being only one storey. The shape and form of the home helps to reduce the feeling that it is overwhelming the neighboring homes. Covered front entries face the street. Parking is located at the rear of the property. New landscaping, including new trees, will greatly enhance the streetscape. Windows have been located to reduce overlook into neighboring home's windows. Rear patios will be private because of new fencing and landscaping. The rear yards of each home are separated by a privacy fence.

Prodigy has consistently constructed homes to high standards. This includes a variety of energy, water, and other resource-saving construction features. Some of the green building features of this project will be:

- Constructed with energy efficient ICF walls
- On-demand hot water heating with heat recovery ventilators (HRV)
- Designed to be "solar ready"
- Low water consumption plumbing fixtures
- Permeable paving surfaces
- Increased landscaping including new trees, drought tolerant planting and garden plots.
- Within walking distance of many amenities and bus routes
- Energy Star products where ever possible
- Constructed with sustainable, durable, long-lasting materials
- · Recycling of building components during the deconstruction process
- Two homes will utilize the existing infrastructure previously used by only one home



People want to be able to live in a neighborhood as long as they can, but may be unable to stay in their home as they age, for many reasons. The unique design of these homes will allow their residents to stay in their home for a much longer time. They have all the features and benefits of single-family homes, such as large yards, but also have built-in attributes to allow people to stay in there home longer as they get older.

We hope that you can support our application. If you require further information or have any questions, please contact Rob Mickelberry at 250-216-3126.

Yours truly,

Rob Mickelberry President



Mission

Strengthening the Oaklands community by providing programs, services and resources for its residents, businesses and visitors.

# Oaklands Community Association Land Use Committee January 31, 2017 Meeting Minutes

# Location: Oaklands Neighbourhood House - 2629 Victor Street

# In attendance

Kim Walker (OCA President), Ben Clark (OCA Land Use Co-Chair), David Angus (OCA Land Use Co-Chair), 8 proponents, 28 members of the public attending the community/preliminary meetings, and representatives from the North Jubilee, South Jubilee and Fernwood Land Use Committees

# Agenda

- Development Proposal Community Meeting(s): 1432 Holly St.; 3110 Doncaster St; and 1663 Oakland St
- 2. Preliminary Development Proposal: 2700 Avebury St.
- 3. 3055 Scott St. Rezoning for Cannabis Retail
- 4. City CALUC Training session

# **Meeting Minutes**

- 1432 Holly St Proposal for rezoning to R1-B-GS to include single story garden suite (new building)
  - Proposed new building would be 684.75 sq.ft. with no variance requests
  - Questions were asked regarding window placements on Hamilton, parking, potential impacts on light aspect in relation to building height and position with adjacent homes
  - The developer has spoken with all the neighbours
  - Participants raised concerns about the size and height relative to the neighbouring properties. It was noted that large R1-B zoned lots may allow for increased floor space
  - There was also discussion and concerns regarding the proposed changes to the garden suite bylaw
- 2. 3110 Doncaster St. Rezoning R1-B to two R1-S2 small lots.
  - Lot would be created toward rear of existing lot. Proposal would require variances at front and back of property.
  - Proposed house for small lot is 1680 sq.ft. on two floors
  - Participants suggested replacing the unkempt hedge with a fence
  - Participants raised concerns about:
    - i. Size of the building and variances required

- ii. Based on plans submitted, participants were concerned that the house would be converted into a split level duplex
- iii. Street parking is limited and there was concern this development would worsen the situation
- 3. 1663 Oakland St. Proposal for R1-S2 small lot infill development
  - Small lot infill with 1800 sq. ft. two story single detached house
  - Building intended for family member of current owner
  - Participants raised concerns about:
    - i. Size of the house not in keeping with neighbourhood character and size of a small lot
    - ii. Proposed home would be used as rental property
    - iii. Parking. The Proponent committed to pursuing a variance to the current restrictions (i.e. change from no parking to residential parking) across the street with the City to alleviate concerns but noted the development is not contingent upon the variance.
- 4. 3055 Scott Rd rezoning for existing cannabis dispensary
  - OCA Land Use Committee Chair noted that comments regarding the rezoning application may be sent directly to council
- 5. Preliminary Development Proposal: 2700 Avebury St.
  - A developer representing the proponent reviewed a preliminary development proposal for a small lot infill development with a 730 sq.ft. home with no variances.
  - Questions were asked about parking along Kings Road, sidewalk vs greenway, blasting and shading adjacent homes
  - Residents expressed concerns about the siting of the house on the small lot and how the proposed home may affect the neighbourhood character.
  - The Proponent expressed interest in working with the neighbours to address their concerns.
- 6. City CALUC Training Session
  - Two planners from the City of Victoria presented an overview of the revised CALUC Terms of Reference and development processes. Representatives from North Jubilee, South Jubilee, Fernwood and Oaklands Land Use Committees attended, and two residents.



1998 FAIRFIELD ROAD, VICTORIA, BC V8S 1H6

May 18, 2018

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



Attention: The Mayor and Council of the City of Victoria

# Re: Revised Rezoning Application - 1139 Chapman Street, Victoria, BC

Enclosed is our revised rezoning plans responding to the comments contained in the Application Review Summary dated December 18, 2017. The main changes are:

- We have reduced the roof pitch to 10/12, which has reduced the building height to 7.35m. The building is lower, and has a smaller footprint than an allowable R1-B single family home. We have also provided a shadow diagram showing the nominal overshadowing of the neighboring homes.
- 2. We have provided a 3D rendering of the proposed home showing how it would relate to the neighboring homes.
- We have modified the front entry of the home. Changes include a single walkway to the front doors, moving the entry doors closer to the street, and changing the divider between the entries to an obscured glass screen.
- At the rear of the property, we have relocated the garage further from the lane, and adjusted the driveway crossing to conform with requirements of the Transportation Planner.
- 5. We are providing a color board which also includes additional details regarding the tile veneer proposed for the front elevation.
- 6. We have attached a window overlay plan showing the locations of side yard windows of the two neighboring homes. It shows that we have no overlook issues with the placement of our side yard windows. Additionally, we have made all the side yard bathroom windows obscured glass.
- We have made several additional minor changes to satisfy other comments contained in the review summary. They are all noted in the attached letter from Zebra Design dated May 14, 2018.



We trust that this information addresses all the requirements noted in the review of our original application. If you require further information or have any questions, please contact Rob Mickelberry at 250-216-3126.

Yours truly,

Rob Mickelberry President

#### ATTACHMENT E

Received City of Vistoria

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2017

# FGCA CALUC community meeting summary of 1139 Chapman St. Planning & Development Depertment Development Services Division

Meeting held at Fairfield Place Nov. 9, 2017 at 7pm

CALUC Comittee members participating: Don Monsour, Susan Kainer, David Wales, Megan Perry, Robin Jones, David Barlow, Kevin Warren, Meeting chaired by Andy Brownwright CALUC Vice-chair.

Presenting was Rob Mickleberry, president of Prodigy Development Services.

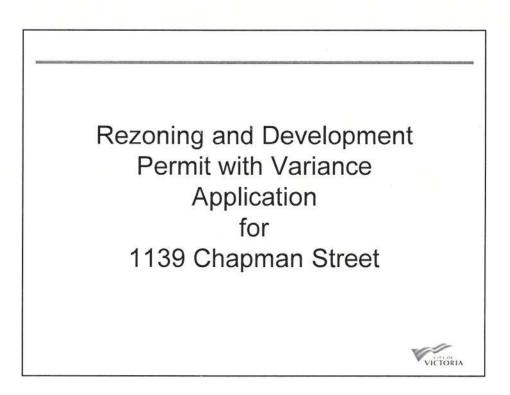
The developer had made a good effort to canvas the immediate neighbors and engage the conversation. Neighbors were present tonight from both sides of Chapman St. and both sides of May St. who would view the development from the South across a lane running through the block. The design was seen as in keeping with the character of the facing street and not impacting the view from across the lane.

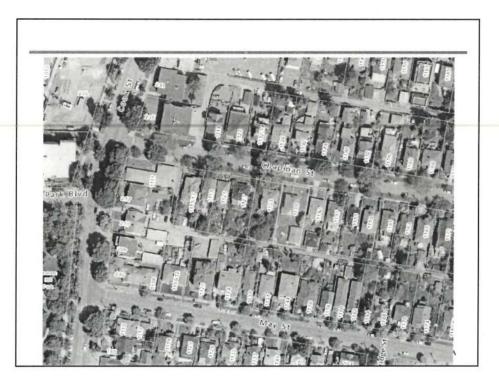
One person saw the two-dimensional street elevation view as looming but when shown the graphics of the side elevations and the comparative roof heights agree d that a 3-D view would improve the look.

The project would replace a home showing considerable decline with a two-storey side by side duplex with no basement. The design was to create an age -in -place experience well-suited lo life-long occupancy. When asked about the possibility of affordable sub-lets the developer noted that the lack of a basement would limit that possibility.

Existing trees would be protected and the green spaces well designed. The overall impression was that the development would be welcome in the neighborhood. The meeting was attended by fewer than a dozen neighbors.

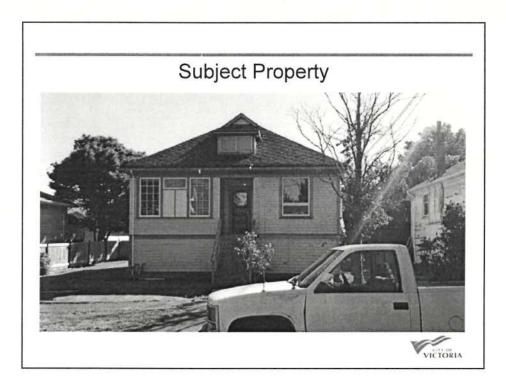
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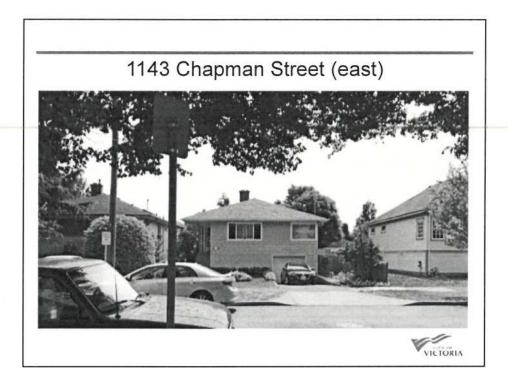




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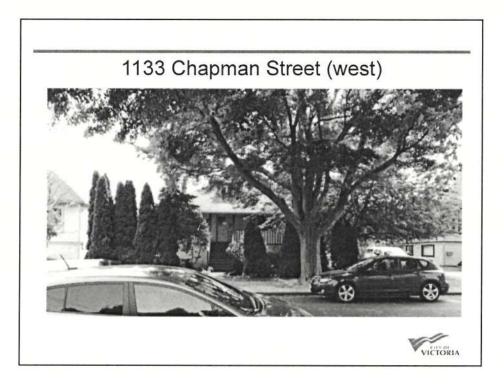
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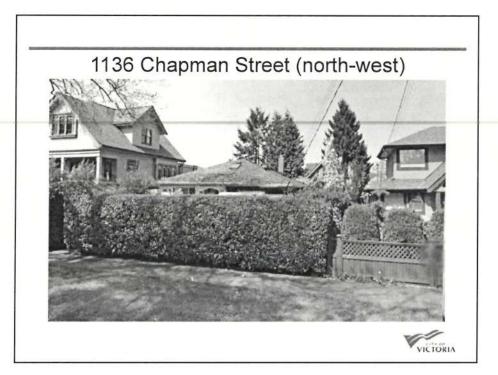




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