

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.b Report from the February 7, 2019 COTW Meeting

**I.1.b.f #100-184 Wilson Street (Browns Craffhouse) -
Development Permit with Variances Application No.
00099 (Vic West)**

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

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. 00099 for Unit 100, 184 Wilson Street, in accordance with:

1. Plans date stamped January 9, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. reduce setback from Bay Street from 3.0m to 0.15m to allow construction of a covered patio and awning;
 - ii. reduce landscaped area setback from Bay Street from 3.0m to 0.15m;
 - iii. reduce setback from Tyee Road from 3.0m to 2.4m for window awnings.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

E. LAND USE MATTERS

E.1 #100-184 Wilson Street (Browns Craffhouse) - Development Permit with Variances Application No. 00099 (Vic West)

Committee received a report dated February 7, 2019, from the Acting Director of Sustainable Planning and Community Development regarding an application to add a covered patio and window awnings to a restaurant.

Moved By Councillor Potts

Seconded By Councillor Young

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. 00099 for Unit 100, 184 Wilson Street, in accordance with:

1. Plans date stamped January 9, 2019.
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 - iii. reduce setback from Tyee Road from 3.0m to 2.4m for window awnings.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of February 7, 2019

To: Committee of the Whole **Date:** February 7, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Development Permit with Variances Application No. 00099 for 184 Wilson Street

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. 00099 for Unit 100, 184 Wilson Street, in accordance with:

1. Plans date stamped January 9, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce setback from Bay Street from 3.0m to 0.15m to allow construction of a covered patio and awning;
 - ii. reduce landscaped area setback from Bay Street from 3.0m to 0.15m;
 - iii. reduce setback from Tyee Road from 3.0m to 2.4m for window awnings.
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 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 Variances Application for the property located at Unit 100, 184

Wilson Street (Westside Village). The proposal is to add a covered patio and window awnings to a restaurant. The proposed additions project into the setbacks on Bay Street and Tyee Road; therefore, variances are required.

The following points were considered in assessing this application:

- the proposal is consistent with the applicable Design Guidelines
- the proposal is consistent with the *Victoria West Neighbourhood Plan* (2018)
- the proposal is consistent with the *Official Community Plan* (2012)
- the proposed variances are considered supportable as the building additions would provide animation and activity on adjacent streets, consistent with the applicable Design Guidelines and Policies.

BACKGROUND

Description of Proposal

The application proposes to add a covered patio and window awnings to a restaurant. The proposed additions project into the required setbacks on Bay Street and Tyee Road; therefore, variances are required. Specific details include:

- a covered patio area fronting Bay Street
- three projecting window awnings fronting Tyee Road and Bay Street.

The proposed variances are related to:

- reducing the setback from Bay Street from 3.0m to 0.15m to allow construction of a covered patio and awning
- reducing the landscaped area setback from Bay Street from 3.0m to 0.15m
- reducing the setback from Tyee Road from 3.0m to 2.4m for awnings.

Sustainability Features

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

Active Transportation Impacts

The applicant has not identified any active transportation impacts associated with this specific application; however, a Delegated Development Permit was submitted on October 23, 2018 and approved, allowing the removal of a drive-through structure associated with the subject building (formerly a bank) and replaced with soft landscaping and 12 new visitor bicycle racks located within the landscaped area.

Public Realm Improvements

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

Accessibility Impact Statement

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

Existing Site Development and Development Potential

The existing building is situated within Westside Village, which is a commercial retail centre designated as Large Urban Village in the *Official Community Plan (OCP)*, 2012.

Under the current SNC-1 Zone, Songhees Wilson Park Commercial District, the property could be developed with a total floor area of up to 17,100m² with a mix of commercial and residential uses.

Data Table

The following data table compares the proposal with the SNC-1 Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone. A double asterisk identifies a previously approved variance.

Zoning Criteria	Proposal	Existing Zone
Site area (m ²) - minimum	14,900	14,000
Total floor area (m ²) – maximum (commercial use)	7,558	8,700
Height (m) - maximum	6.1	12.0
Storeys - maximum	1	4
Site coverage % - maximum	49.6	50
Setbacks (m) – minimum:		
Tyee Road	2.4 (awning)* 3.0 (main building)	3
Bay Street	0.15 (patio)*	3
Landscaped Area Setback	0.15*	3.0
Parking - minimum	302**	366
Bicycle parking stalls (minimum)	Long Term – 1 Short Term – 12	Long Term – 1 Short Term – 3

Relevant History

On October 23, 2018, the City approved a Delegated Development Permit proposing alterations to the existing building and landscaping to facilitate a new restaurant at the subject property. A two-stall parking variance was also approved as part of this delegated application.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on November 29, 2018 the application was referred for a 30-day comment period to the Victoria West CALUC. At the time of writing this report a letter from the CALUC had not been received.

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

ANALYSIS

Development Permit Area, Policies and Design Guidelines

The OCP identifies this property within Development Permit Area 5: Large Urban Village, and the following documents were considered in assessing this Application:

- *Official Community Plan* (2012)
- *Victoria West Neighbourhood Plan* (2018)
- *Policy Plan and Design Guidelines for Songhees Area of Victoria West* (2005)
- *Design Guidelines for; Multi-Unit Residential, Commercial and Industrial* (2012)
- *Revitalization Guidelines for Corridors, Villages and Town Centres* (2017).

The existing commercial buildings at Westside Village generally face into the site, fronting onto a surface car parking area; whereas, the rear of these buildings, which face the public streets adjacent to the site, consist predominantly of blank walls. The Guidelines seek to avoid this relationship between commercial buildings and the public street. The Guidelines discourage large expanses of blank walls adjacent to the public street, and instead encourage an active street-edge with commercial development that is located close to the street. Where a setback exists, the Guidelines encourage features such as patios. Doorways, windows and other features that create "eyes on the street" are also encouraged.

The proposed patio addition would enhance what is largely a blank elevation facing Bay Street and the addition of the patio would be consistent with the relevant Guidelines outlined above. The materials proposed (concrete wall, metal roof and canopies) are also consistent with the preferred list of materials specifically identified in the *Revitalization Guidelines for Corridors, Villages and Town Centres*.

While the patio projects into a landscaped setback area, as described in the current site zoning, a landscaped City Boulevard with a depth of approximately 3.5m would still be situated between the sidewalk and the edge of the private property.

The proposed window awnings would also assist in animating the building, and to accommodate these features, the modest variance to the setback being proposed on Tyee Road (from 3m to 2.4m) is considered supportable. It should also be noted that two awnings of similar dimensions are currently located in this area. These were associated with the former bank and would be replaced under the current proposal.

For the reasons outlined above, staff recommend for Council's consideration that the design of the proposed building additions, and the resulting variances, are supportable.

Tree Preservation Bylaw and Urban Forest Master Plan

There is a healthy 80cm diameter breast-height public *Cedrus Atlantica* tree on the Bay Street municipal boulevard. An ISA professional arborist report was conducted with exploratory digging to locate tree roots that could potentially be affected by the patio foundation excavation. Although this protected tree is not shown in the elevations, the applicant has assured the City that the project arborist will be retained for recommendations during the patio construction, and

the patio structural foundation footings will be revised if needed to protect the tree's roots. Staff will follow-up to ensure this tree is retained and protected at building permit phase.

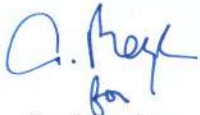
CONCLUSIONS

Staff consider that the proposal is consistent with the recently approved *Victoria West Neighbourhood Plan* and the applicable Design Guidelines, and thus, is supportable as presented. The proposed setback variances are considered supportable as the patio and awning additions would animate what is currently a predominantly blank wall facing Bay Street, which is consistent with the objectives of the applicable Design Guidelines for Large Urban Villages.

ALTERNATE MOTION

That Council decline Development Permit with Variance Application No. 00099 for the property located at Unit 100 – 184 Wilson Street.

Respectfully submitted,

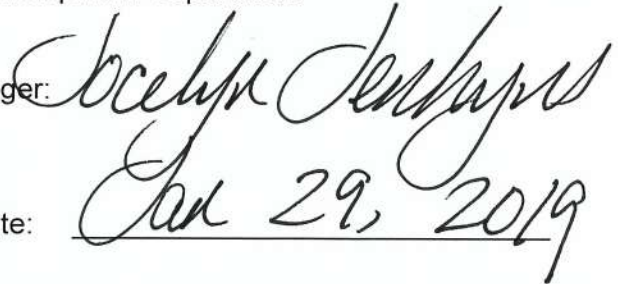


Jim Handy
Senior Planner – Development Agreements
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

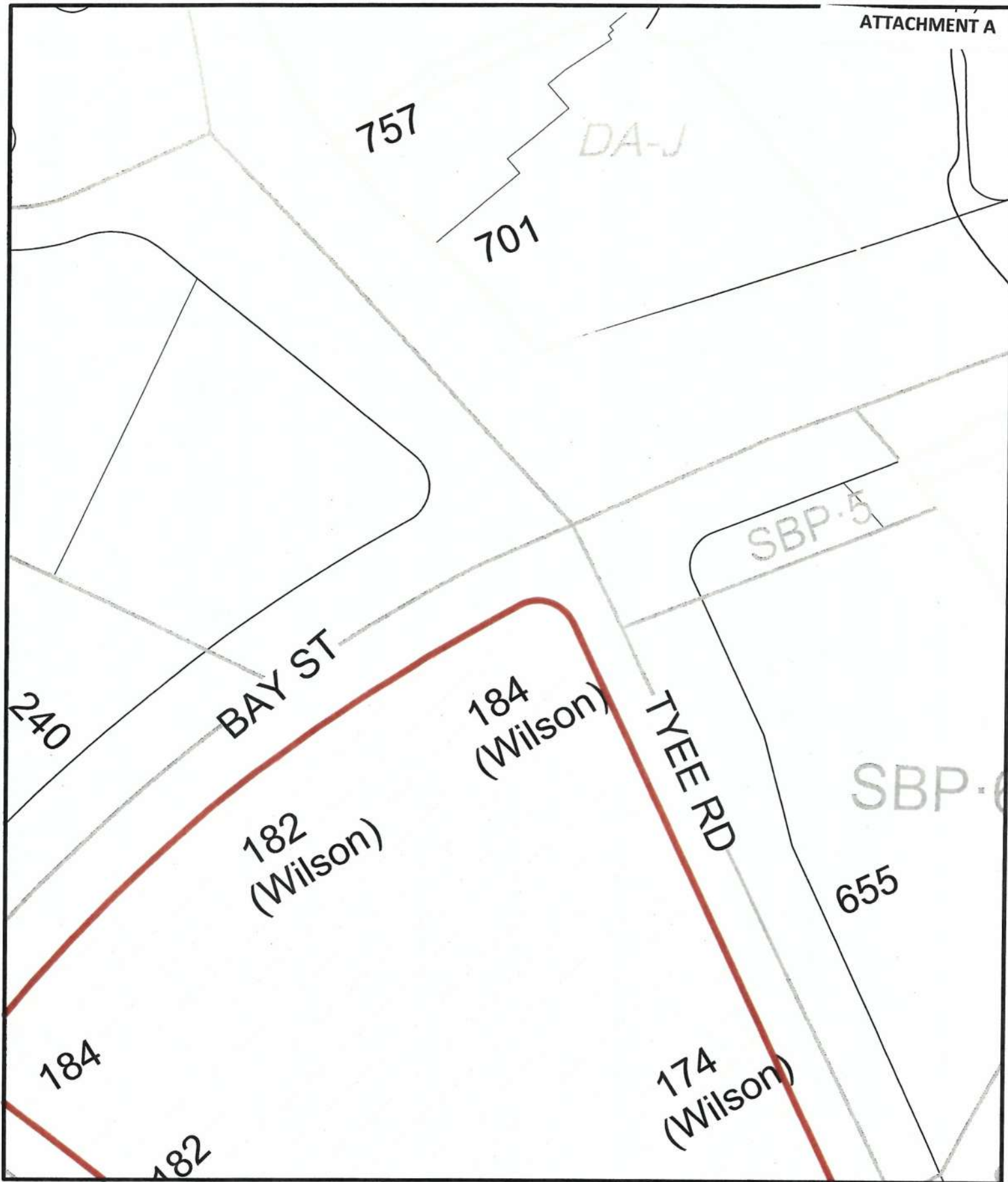


Date:

Jan 29, 2019

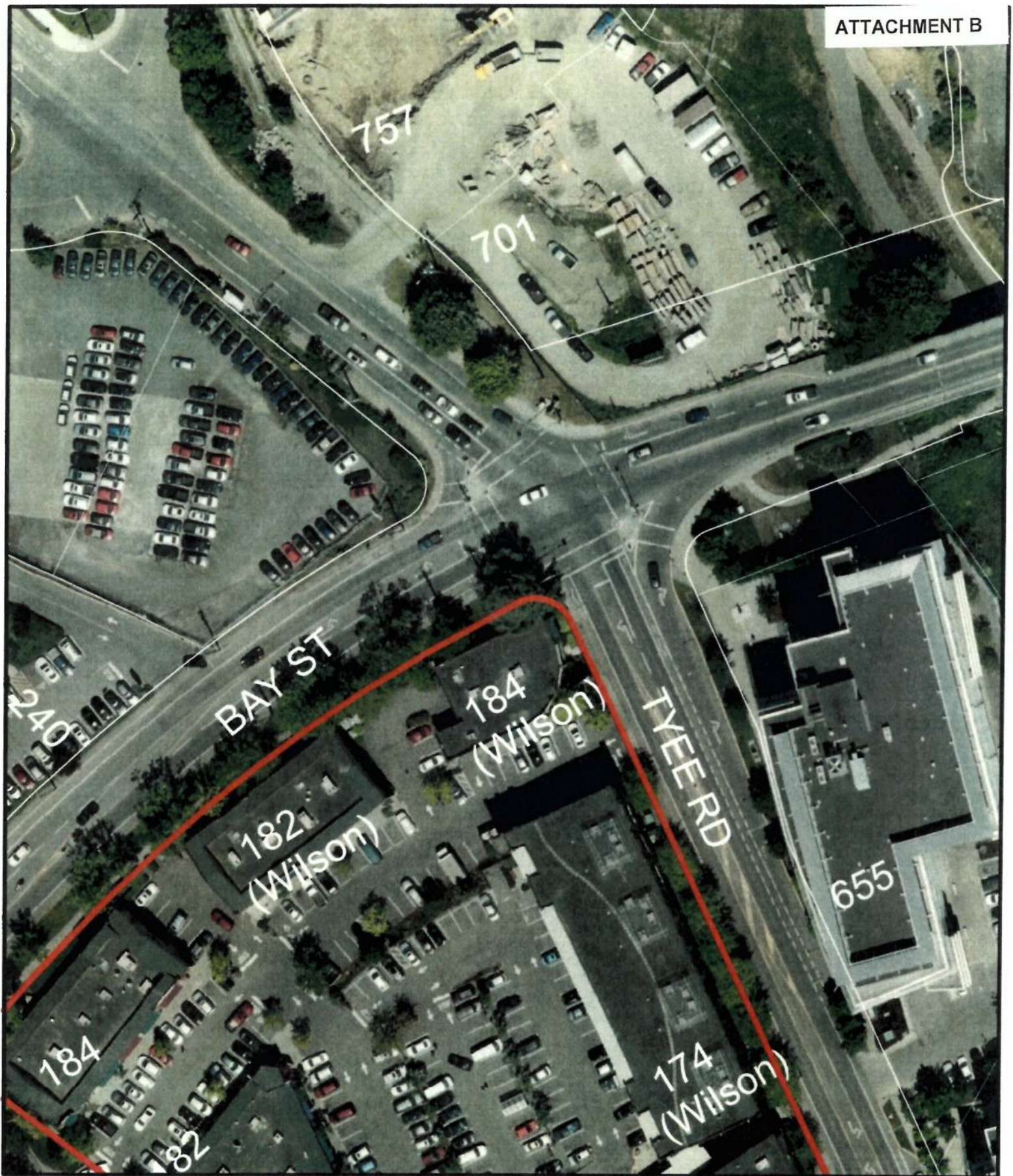
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped January 9, 2019
- Attachment D: Letter from applicant to Mayor and Council dated November 20, 2018
- Attachment E: Arborist Report



184 Wilson Street
Development Permit with Variance #00099





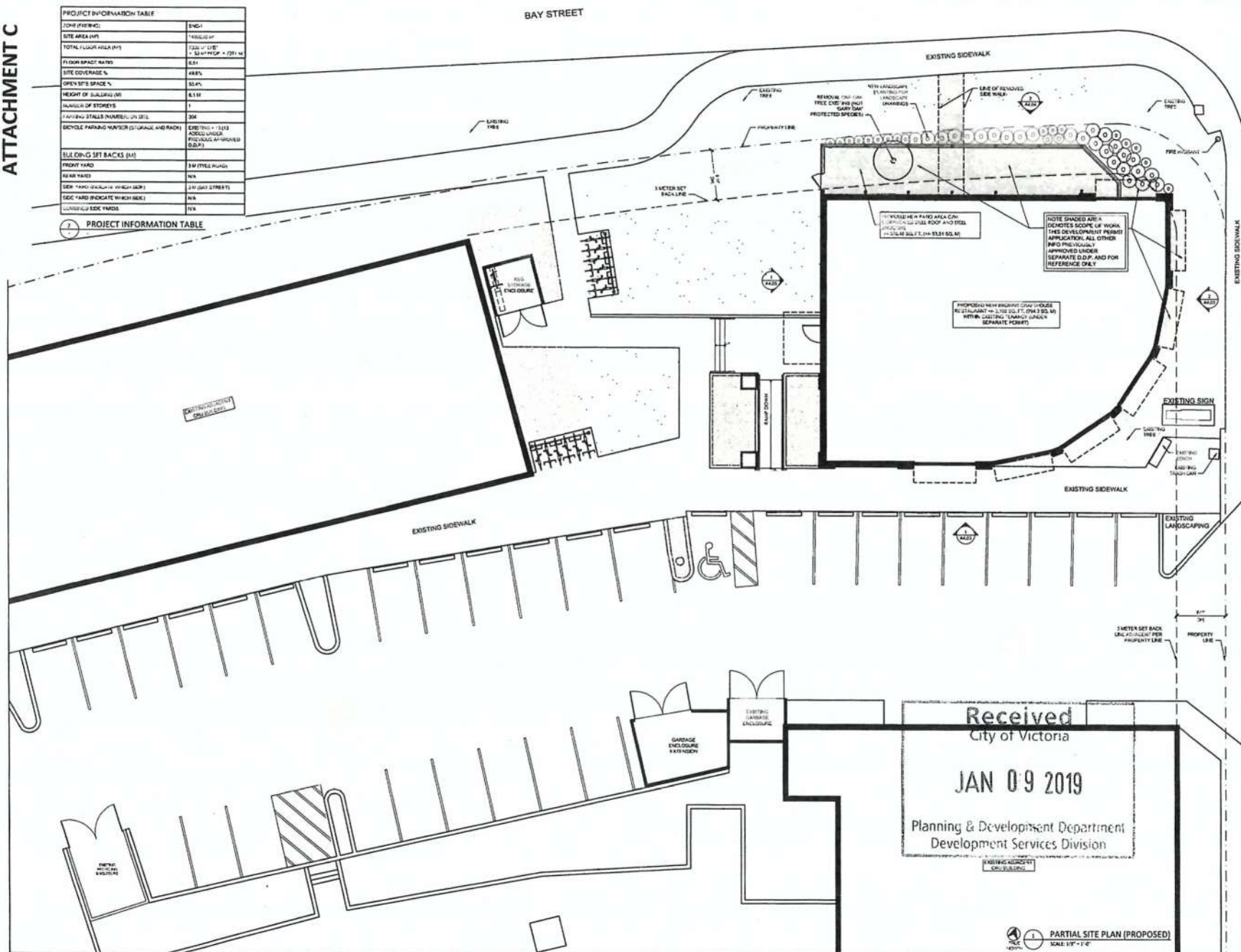
184 Wilson Street
Development Permit with Variance #00099



ATTACHMENT C

PROJECT INFORMATION TABLE	
ZONE (FMSING)	BNGD
SITE AREA (MT)	7,400 SQ. FT.
TOTAL FLOOR AREA (MT)	1,326.00 MT = 14,446 SQ. FT. (1.95 A)
FOOT SPACED WAYS	0.0%
SITE COVERAGE %	48.8%
OPEN SITE SPACE %	51.2%
HEIGHT OF BUILDING (MT)	6.11M
NUMBER OF STOREYS	1
PARKING SPACES (NUMBER) (IN SITE)	300
VEHICLE PARKING (NUMBER) (IN GARAGE AND RAMP)	0
	EXISTING + 1,000 ADDITIONAL PARKING SPACES (0.0%)
BUILDING SET BACKS (M)	
FRONT YARD	3M (TYPICAL) MIN.
REAR YARD	N/A
EXIST. YARD (INDICATE THE HEIGHT (M))	2.3M (SET BY STREET)
EXIST. YARD (INDICATE WHICH SIDE)	N/A
LANDSCAPED SIDE YARDS	N/A

PROJECT INFORMATION TABLE



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BROWNS SOCIALHOUSE
COSTUME DESIGNER: RUTH ADAMS

2	WASTES	DEVELOPMENT FORMIT	
3	WASTES	DEVELOPMENT FORMIT	
4	WASTES	DEVELOPMENT FORMIT	

DRAWING TITLE
PROPOSED
SITE PLAN

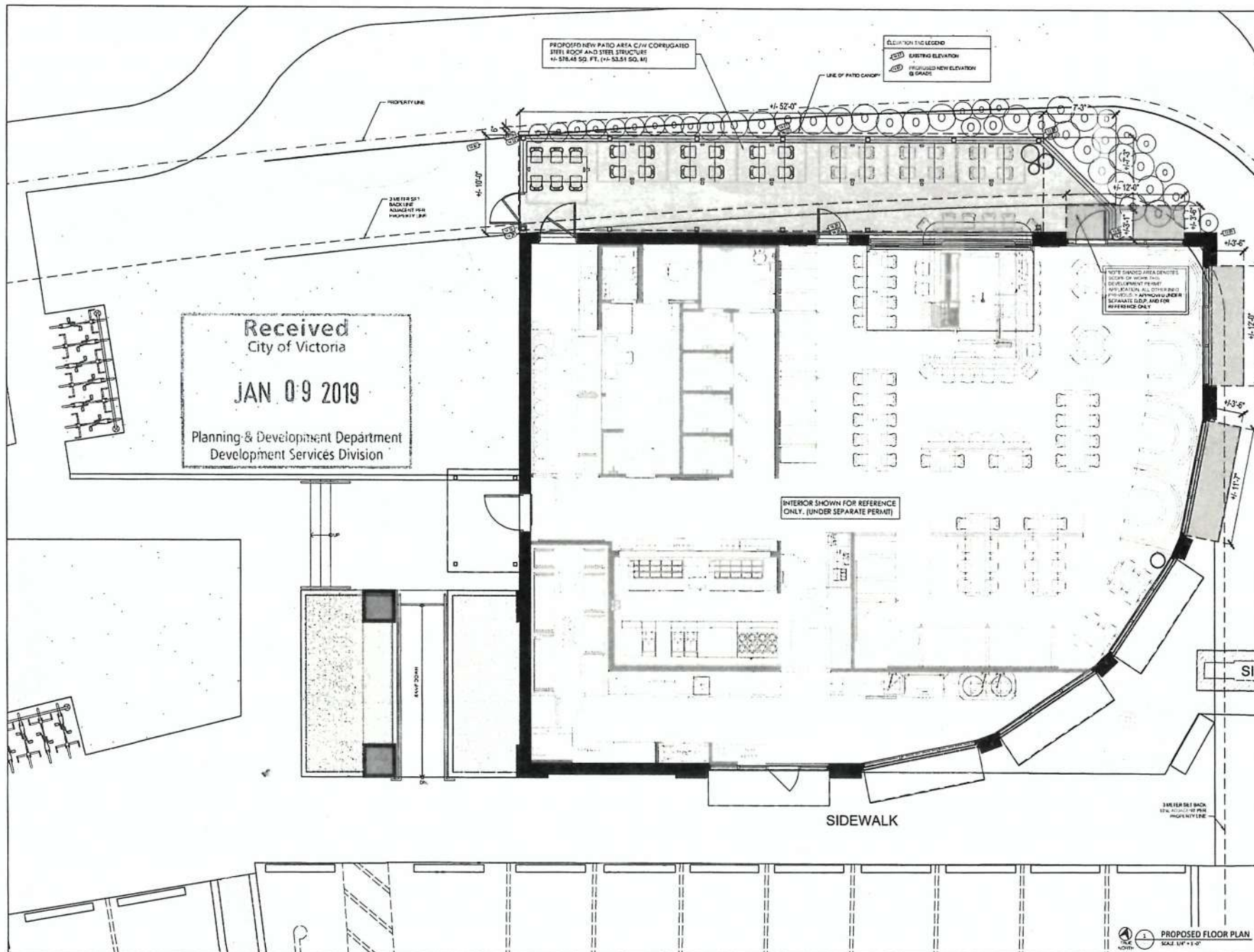
PROJECT
BROWNS CRAFTHOUSE
VICTORIA WEST

UNIT 100 - 184 WILSON STREET
VICTORIA, BC

GUSTAFSON WYLLIE ARCHITECTS
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SCALE: 1"=1'-0"	SHEET NO: A1.02
DRAWN BY: JA	
CHECKED BY: JED	
DATE: JUNE 2019	
PROJECT NO: 18004	

A1.02



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BROWNS SOCIAL HOUSES
 184 VILSON STREET, VICTORIA, BC

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PROPOSED FLOOR PLAN

BROWNS CRAFTHOUSE VICTORIA WEST
 UNIT 100 - 184 VILSON STREET, VICTORIA, BC

MUSTANG WILHE ARCHITECTS
 184 VILSON STREET, VICTORIA, BC
 TEL: 250-383-1111
 WWW.MUSTANGWILHE.COM

SCALE 1/4" = 1'-0"

SHEET NO
A1.03

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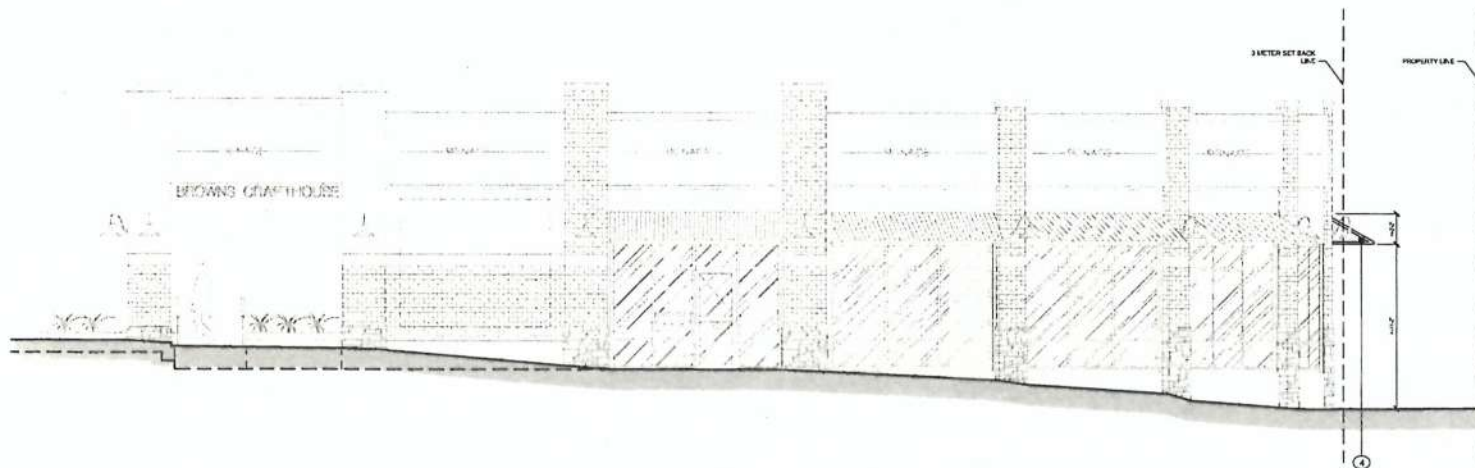
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BROWNS SOCIAL HOUSE
RESTAURANT BAR

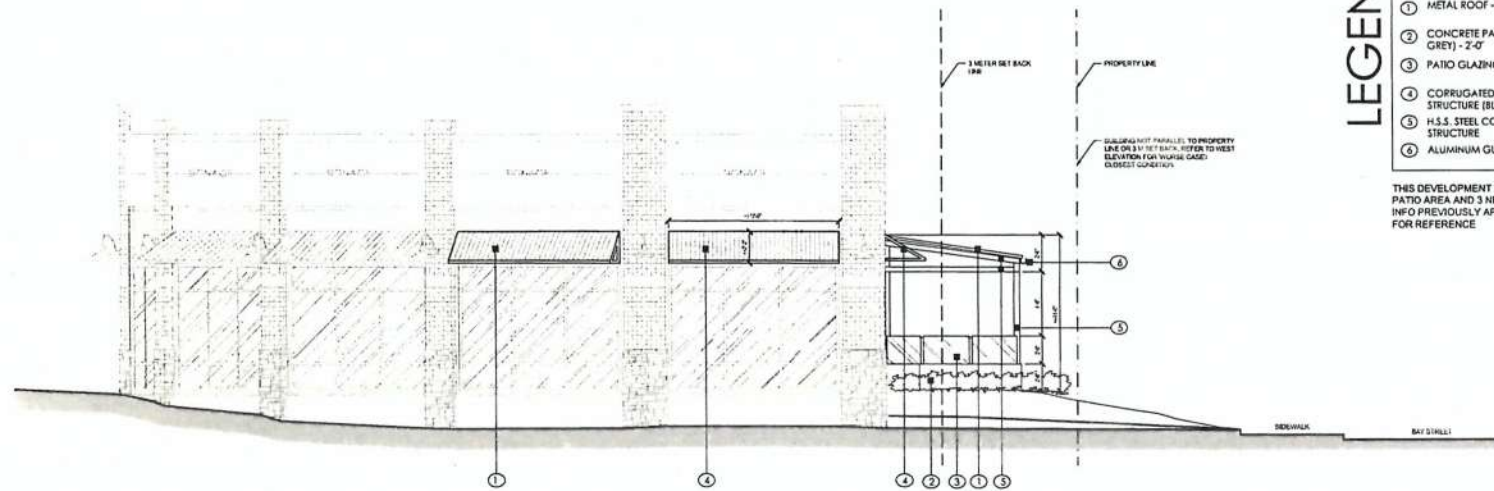
Received
City of Victoria

JAN 09 2019

Planning & Development Department
Development Services Division



1 SOUTH ELEVATION
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2 EAST ELEVATION
SCALE: 1/4" = 1'-0"

LEGEND

EXTERIOR FINISHES:

- 1 METAL ROOF - CORRUGATED, BLACK
- 2 CONCRETE PATIO CURB W/ BOARDFORM FINISH (DARK GREY) - 2'-0"
- 3 PATIO GLAZING - 2'-0"
- 4 CORRUGATED METAL CANOPY C/W ALUMINUM STRUCTURE (BLACK)
- 5 H.S.S. STEEL COLUMN (BLACK) - TYP. ALL STEEL PATIO STRUCTURE
- 6 ALUMINUM GUTTER (BLACK)

THIS DEVELOPMENT PERMIT FOR PROPOSED NEW COVERED PATIO AREA AND 3 NEW WINDOW AIRINGS ONLY. ALL OTHER INFO PREVIOUSLY APPROVED UNDER SEPARATE D.D.P. AND FOR REFERENCE.

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1	2	3	4	5	6
1	2	3	4	5	6

EXTERIOR ELEVATIONS

PROJECT:
BROWNS CRAFTHOUSE
VICTORIA WEST

UNIT 100 - 184 WILSON STREET
VICTORIA, BC



SCALE: 1/4" = 1'-0"
DRAWN BY: JTC
CHECKED BY: JTC
DATE: JAN 2019
PROJECT NO: 1804

SHEET NO:
A4.01

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BROWNS SOCIAL HOUSE
PROJECT NO. 184
DATE: 2019-04-09

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EXTERIOR ELEVATIONS

PROJECT:
BROWNS CRAFTHOUSE
VICTORIA WEST
UNIT 100 - 184 WILSON STREET
VICTORIA, BC

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ARCHITECTS
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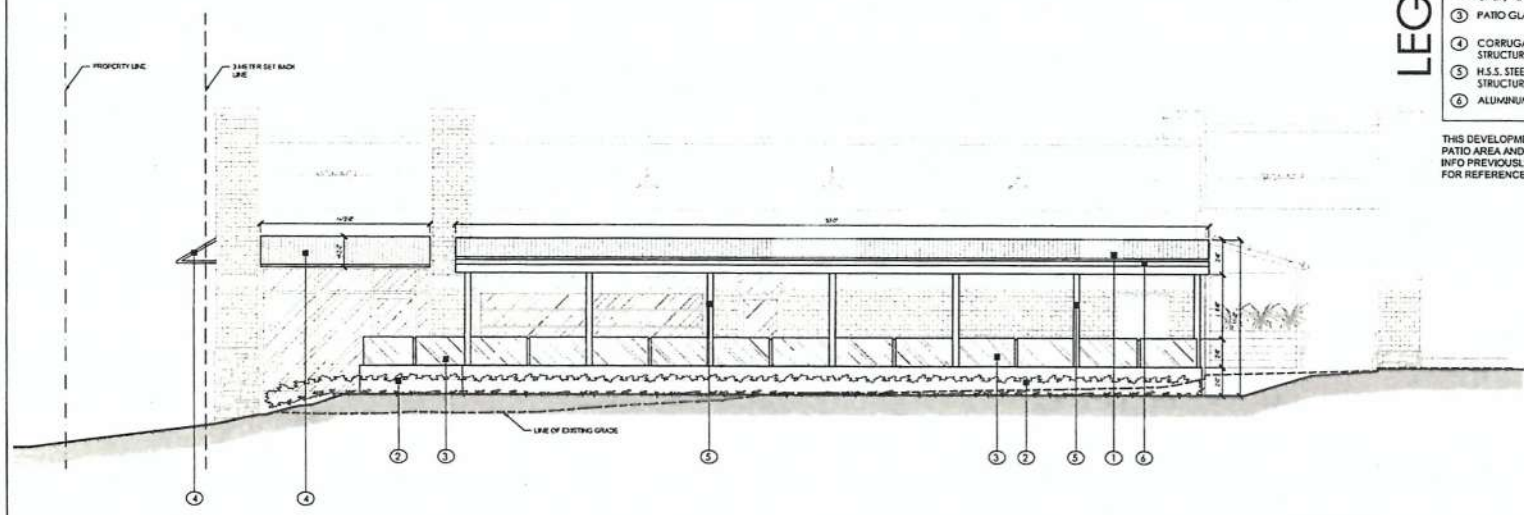
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PROJECT NO: 184

SHEET NO:
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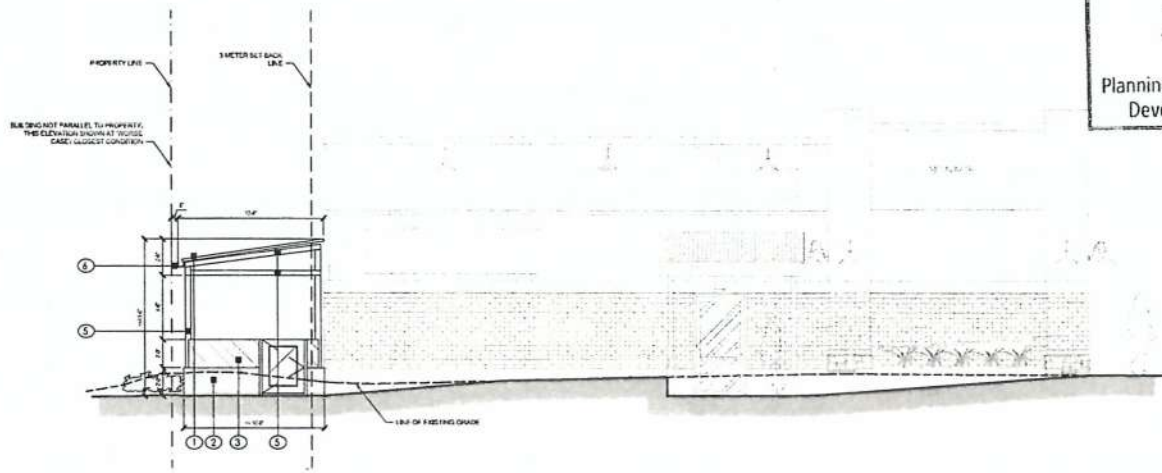
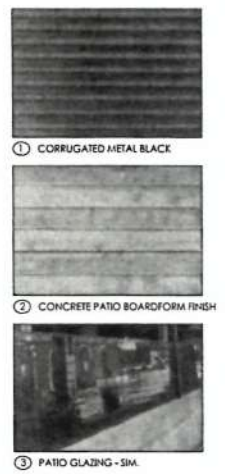
LEGEND

- EXTERIOR FINISHES:
- ① METAL ROOF - CORRUGATED, BLACK
 - ② CONCRETE PATIO CURB W/ BOARDFORM FINISH (DARK GREY) - 2'-0"
 - ③ PATIO GLAZING - 2'-0"
 - ④ CORRUGATED METAL CANOPY C/W ALUMINUM STRUCTURE (BLACK)
 - ⑤ H.S.S. STEEL COLUMN (BLACK) - TYP. ALL STEEL PATIO STRUCTURE
 - ⑥ ALUMINUM GUTTER (BLACK)

THIS DEVELOPMENT PERMIT FOR PROPOSED NEW COVERED PATIO AREA AND 3 NEW WINDOW AWNINGS ONLY. ALL OTHER INFO PREVIOUSLY APPROVED UNDER SEPARATE D.D.P. AND FOR REFERENCE



1 NORTH ELEVATION - WITH PATIO
SCALE 1/8" = 1'-0"



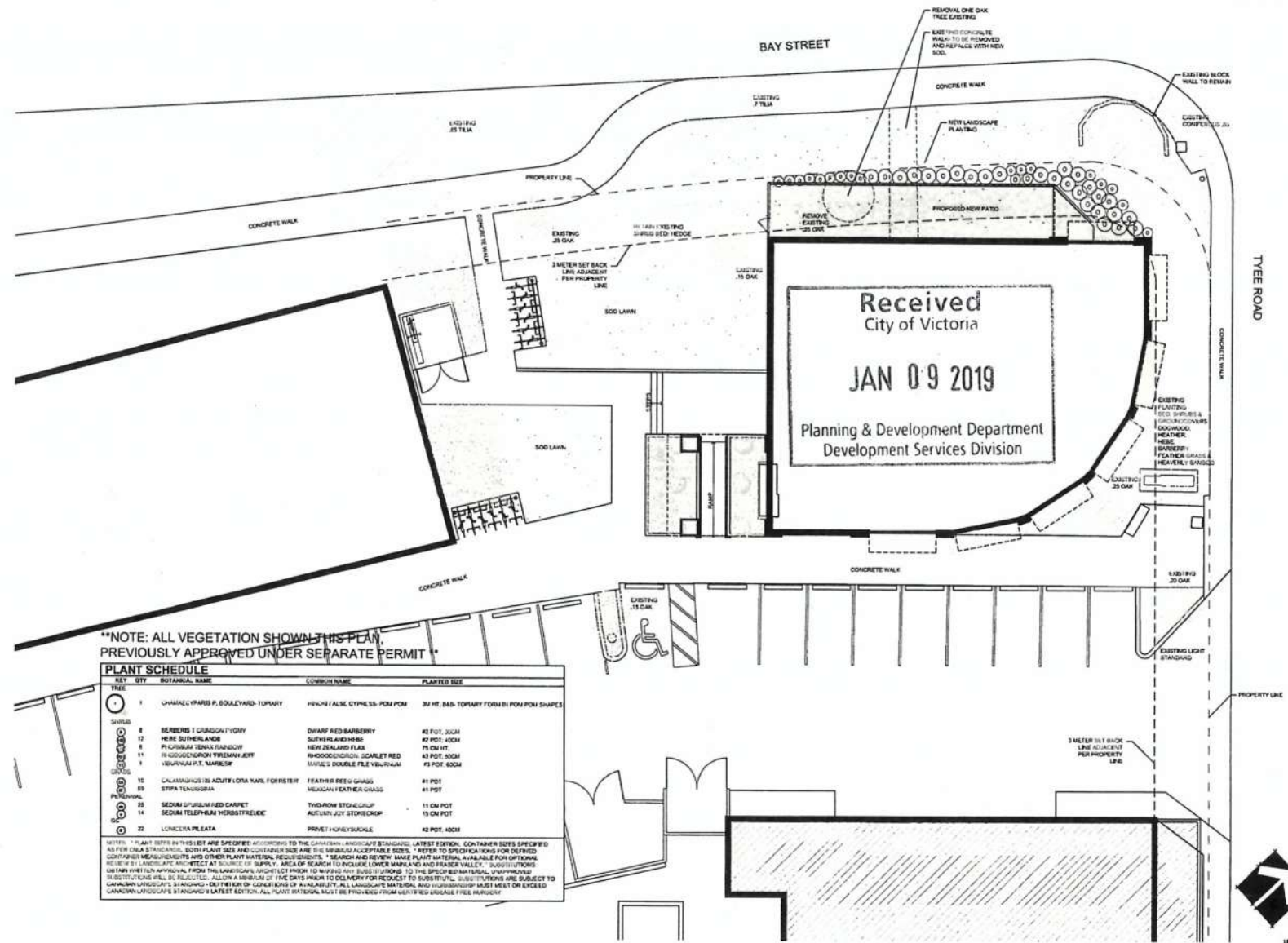
2 WEST ELEVATION
SCALE 1/8" = 1'-0"

NOTE: LANDSCAPE SCOPE THIS DEVELOPMENT PERMIT APPLICATION LIMITED TO: REMOVAL ONE SMALL OAK, 25mm (NOT "GARRY OAK" PROTECTED SPECIES), REMOVAL EXISTING ADJACENT CONCRETE SIDEWALK TO BE REPLACED WITH NEW SOD TO MATCH EXISTING. NEW LANDSCAPE PLANTING AROUND PROPOSED PATIO. ALL OTHER EXISTING AND LISTED LANDSCAPE TO REMAIN AND BE ADDED PER PREVIOUSLY APPROVED D.O.P. - SHOWN HERE FOR REFERENCE ONLY.

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pmg
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ARCHITECTS
Suite C100 - 4185 9th Street
Burnaby, British Columbia V5C 6G9
P: 604-294-0111 F: 604-294-0022

SEAL



NOTE: ALL VEGETATION SHOWN THIS PLAN, PREVIOUSLY APPROVED UNDER SEPARATE PERMIT

KEY	QTY	BOTANICAL NAME	COMMON NAME	PLANTED SIZE
1	1	QUERCUS PARVA P. BOULEYARD-TOPARY	HEDGE/ALSO CYPRESS-POM-POI	30' HT, BAB-TOPARY FORM IN POM-POI SHAPES
2	8	BERBERIS 1 QUERCUS TORY	DWARF RED BARBERRY	40 POT, 20CM
3	12	HERE SUTHERLAND	SUTHERLAND HEDGE	40 POT, 40CM
4	8	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
5	11	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
6	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
7	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
8	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
9	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
10	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
11	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
12	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
13	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
14	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
15	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
16	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
17	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
18	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
19	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
20	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
21	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT
22	1	PHILLYRAE SENSU SENSU	NEW ZEALAND FLAX	75 CM HT

NO.	DATE	REVISION DESCRIPTION	DR
1	08/04/14	REVISION: 08/04/14 PERMIT	DR
2	11/04/14	REVISION: 11/04/14 PERMIT	DR

PROJECT
BROWNS CRAFTHOUSE
BAY STREET & TYLER ROAD
VICTORIA, BC

DRAWING TITLE
LANDSCAPE PLAN

DATE: 08/04/14
SCALE: 1:100
DRAWN: L1
DESIGN: L1
CHECK: L1
OF 1



ARCHITECTURE • PLANNING • INTERIORS

City of Victoria
Development Services
1 Centennial Square
Victoria BC V8W 1P6

November 5, 2018

Attention: Mr. Mayor and Council

**RE: Development Permit Application & Request for Two Variances
BRG Craffhouse Restaurant
Unit 100 – 184 Wilson Street
Victoria BC**

Description:

This letter summarizes a Development Permit Application and request for two Variances related to previously approved and upcoming tenant improvements to an existing commercial building at Unit 100 – 184 Wilson Street. Specifically, this application is for the approval to construct a new open-air covered patio amenity immediately adjacent an existing commercial building (Browns Craffhouse Restaurant) and for the inclusion of 3 new window awnings to match some adjacent and previously approved under separate permits. Due to the location of the existing building, both the proposed new covered patio and the 3 proposed window canopies project into a required three meter landscape setback from the existing Property Lines on the North and East sides.

Project Benefits and Amenities:

As a new Restaurant, Browns Craffhouse, at the corner of Bay and Tyee, within the Westside Village shopping complex, has the potential to become a highly visible and vibrant focal point for its surrounding community - a safe and welcoming meeting place and a catalyst to contribute to additional economic development in the area.

A valuable component to its restaurant's success, the proposed patio is critical to this effort. In keeping with the intent of your overall Official Community Plan and the Westside Village Neighborhood Plan, the patio's inclusion will increase the restaurant's presence, enhance visual interest and social interaction and help animate this intersection and the development in general. In doing so it will also contribute to overall efforts recognizing the complex as the center of, and strengthen its heart as Victoria West's 'Large Urban Village'.

Neighborhood:

The proposed patio has been sited on the North West side of the existing building intentionally. Here it is brought closest to and is most visible for the neighborhood's residents and visitors alike as they pass by on foot, on bicycles, with transit or in automobiles. Previously, the North elevation of the existing building was primarily an unconsidered 'back side' but this proposed patio area serves as an inviting and comfortable 'extension' adjacent to its new restaurant. The inclusion of a roof cover to this open-air patio

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allows it to better express the restaurant as a welcoming 'meeting place' at the heart of this community 'year-round' – not limited to just a few months of 'fair weather' animation through the summer. The neighborhood will benefit from the socializing, interaction and sense of community gathering it will extend from the restaurant proper.

Design and Development Permit Guidelines:

The proposed covered patio area, as a critical amenity to its adjacent restaurant use supports, respects and addresses the intent of the major concepts and initiatives of its relevant Design and Development Permit Guidelines as follows:

Layout – As referenced with importance in both the Official Community Plan and the Victoria West Neighborhood Plan – the concepts of 'animation of the public realm', 'ground oriented commercial and community services to reinforce sidewalks', creating 'places' or 'key destinations' and 'encouraging a neighborhood social life' are all recognized as valuable in developing Westside Center as the heart of its community and a 'large urban village'. 'Full service pubs' and 'sidewalk cafes' were also listed as desirable elements within such a context.

Upon examination of the existing site there were only two areas which could currently accommodate a patio of the size the client was considering – an area on the West side which was previously a drive through lane for a bank ATM access and a reasonably open and unaddressed area to the North side of the building.

In keeping with the overall vision and design goals the patio was positioned to be 'most prominent' on the building's North side. Although it does project into the existing three meter landscape setback we believe this to be the strongest position within context. At this point the sidewalk at Bay Street does not follow immediately along the adjacent property line but diverts northward slightly allowing for a greater sense of space. Existing Informal paths through landscaping and over the lawn showed regular pedestrian circulation from the sidewalk along Bay between the buildings and drive through aisle to the East. Under a separate DDP which has been approved this East side has been developed to improve both pedestrian and bicycle circulation from the adjacent sidewalk into the development. A series of new walkways, landscaping and bicycle racks were designed in accordance with a new approach and main entry to the Browns Crafthouse restaurant. These design decisions, although under separate approved permits recognized and are intended to work jointly towards achieving the same driving principles mandated in the OCP and Neighborhood Plan and goals that the proposed patio does.

In summary, the positioning driving this application and request for variance are presented for a proposed patio location where it will work most successfully to: function as required operationally with the Restaurant layout within the adjacent building; create a visually interesting 'extension' to most effectively promote a sense of 'place' and animate the previously unconsidered North building side at the prominent intersection of Bay and Tyee; bring the store frontage and commercial activity closer to the sidewalks and passers-by; and to work jointly with previously approved site improvements to protect and enhance existing pedestrian circulation in and out of the North East side at Westside Village.

Scale and Appearance – The Official Community Plan and the Victoria West Neighborhood Plan within their language around the goals to develop Urban Villages and connect neighborhoods by strengthening the village 'hearts' recognize the importance of scale in successful place making. Although this application



is very minor in its relative scope it too recognizes the importance of scale to contribute to these overall goals.

The proposed patio addition is approximately 10' feet wide by 50' feet long with proportions just large enough to efficiently accommodate 35 - 40 patrons. Its geometry minimizes its Northward projection and utilizes the length of the existing building façade as a backdrop for the positive animation it will provide the neighborhood and the intersection.

The covered patio has been designed as an independent, simple and economical steel framed structure with a corrugated metal roof (to match that of a previously approved new main entry element for the restaurant). The patio is bordered by a low wall (two foot high concrete upstand with two foot glazing panels atop). Care has been taken while addressing the functional and operational design requirements of an open-air outdoor restaurant space to do so in a manner that considers its context and Planning Goals. A simplicity of materials and a minimal built form result in a visually 'light structure' which is very open and available to its community and passers-by. Welcoming stature, understandable, functional and familiar construction and an intentional 'openness' all contribute to the proposed patio's ability to act as an extension of and a stage for the restaurant - to assist in expressing community interaction and neighborhood socialization at this key location.

Landscaping – As mentioned previously in this letter this Development Permit application is intended to act jointly with a previously approved Delegated Development Permit and Building Permit for tenant improvements at this address. A landscape plan is provided with this application solely for the purpose of recognizing the removal on one small oak tree existing in the proximity of the proposed new patio. Proposed new landscaping on the site was submitted and approved under a separate DDP – that landscaping is shown for reference on the included landscape plan. Along with the functional and operational aspects of serving food in open-air spaces and in keeping with the planning and design goals – an intent for simplicity, good visibility and safety have been considered.

Transportation:

It is our understanding, through discussions and previous meetings with City Planning, their review of the existing parking conditions across the property and conditions of a related Delegated Development Permit which has recently been approved, that the vehicular parking standards of Schedule C have been met.

Prior to this application, the building at this address generated a requirement for 15 parking stalls (1 stall / 20 sq m). With a change of use to restaurant the required number of stalls for the same area became 12 (1 stall / 25 sq m). The proposed patio under this Development Permit application adds an additional 50 sq m of restaurant use, generating an additional 2 stalls – no increase to what was previously required or to what is available on the site.

As added information, that DDP also included 12 short term and 1 long term bicycle stalls and recognized an improvement to pedestrian and bicycle access from the adjacent sidewalks onto the property in general.

Heritage:

There are no buildings of Heritage status on the property.

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Green Building Features:

Due to its very limited scope (an outdoor, open-air, covered patio) no Green Building Features have been incorporated for this proposal.

Infrastructure:

Due to its very limited scope (an outdoor, open-air, covered patio) no Infrastructure considerations have been incorporated for this proposal.

To this point this letter has described the proposed open-air covered patio structure: the rationale for its inclusion, design and siting to the benefit of the overall intentions of the Official Community Plan and the Victoria West Neighborhood Plan.

This application also requests a variance for the inclusion (re-instatement) of three new window awnings above three existing windows at the North and East building corners. The existing building had above each of its windows a window awning – to assist in water shedding above the storefront windows. Under a separately approved Delegated Development Permit all of the existing window awnings were to be removed and replaced with new ones to same locations. At that time it was recognized that the three mentioned here extended within the three meter landscape setback. This application simply requests variance to re-instate these three awnings to same form and character as those adjacent and approved. These window awnings are of aluminum frame and corrugated metal, are approximately eleven feet above the ground (just above the window heads) and extend approximately three feet out from the building façade. Their re-instatement at the locations of the previous awnings will have no negative or unsafe effect but their inclusion will maintain a cohesive and continuous appearance for the newly renovated Restaurant.

Thank you.

Gustavson Wylie Architects Inc.

Per: Ron Baron
Architect AIBC

GUSTAVSON WYLIE ARCHITECTS INC.



Talbot Mackenzie & Associates
Consulting Arborists

Browns Crafthouse, Victoria West

Construction Impact Assessment & Tree Preservation Plan

REPAIRED FOR: Ron Baron
 Gustavson Wylie Architects Inc.
 4-576 Seymopur Street
 Vancouver BC V6B 3K1

PREPARED BY: Talbot, Mackenzie & Associates
 Graham Mackenzie
 ISA Certified # PN-0428
 TRAQ – Qualified

DATE OF ISSUANCE: January 4, 2019

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Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: Unit 100-184 Wilson Street, Victoria BC

Date of Site Visits: January 3 & 4, 2019

Site Conditions: Existing commercial building under interior renovation, no construction activity near municipal trees.

Summary: The proposed patio design encroaches into a portion of the critical root zone of an Atlas cedar tree (*Cedrus atlantica*) located on municipal property. Based on a limited exploratory excavation and our experience, we anticipate that portion of the patio area will have to be cantilevered over the root system by stepping back the footings in this area or by using a pad footing / grade beam design. Based on our review of the patio design and the finished elevations, there is enough room to cantilever the proposed patio area over the existing grades without having to excavate in this area. From our discussions with the owner and architect, is our understanding the final footing design is flexible, can be adapted to the root zone of the tree, and the final design will have to be determined at the time of excavation. Based on our experience with similar projects, we are confident the patio area can be constructed while minimizing any impacts to the tree providing the recommendations in this report are followed. Once the project receives approval, we can conduct further excavations and design the patio footings accordingly.

Scope of Assignment:

- Address concerns raised by the city of Victoria Parks department in the application review summary for the proposal.
- Review the proposal to add an exterior patio area to the existing building within a portion of the critical root zone of an Atlas cedar tree on municipal property and comment on how it may impact the tree.
- Prepare a tree retention and construction damage mitigation plan to be used during the construction process to reduce any potential impacts to the tree.

Methodology: We visually examined the municipal Atlas cedar tree (*Cedrus atlantica*), reviewed the proposed construction plans (see attached) and conducted an exploratory excavation to quantify the root densities in the corner of the proposed patio located closest to the tree (see pictures 1 and 2).

Limitations: Only a limited exploratory excavation was conducted and thus the conclusions reached are based on the excavation completed, the critical root zone calculations and our best judgment using our experience and expertise. Once significant roots were encountered, we stopped the exploratory excavation to limit any unnecessary disturbance to the root system.

Municipal Atlas cedar tree: The municipal Atlas cedar tree has a diameter at breast height (d.b.h.) of 85.0 cm, a crown spread of 13 meters, a calculated critical root zone of 8.5 meters, is in good

health and has fair structure based on a visual examination. We anticipate there is a limited rooting area on the North east side of the tree due to the existing sidewalk, curb and roadway.

Potential Impacts on the Atlas cedar tree and Mitigation Measures

- **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:
 - 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 medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
 - Placing two layers of 19mm plywood.
 - Placing steel plates.
- **Patio Construction in area closest to Atlas cedar:** Based on the plans provided and the existing site conditions we anticipated that roots would be encountered in the northeast area of the patio where it is closest to the tree. Based on our exploratory excavation, we confirmed the presence of several significant roots in this area. In order to retain these roots and facilitate the proposed construction, a portion of the patio areas will have to be cantilevered over the root area or suspended using a grade beam and pad footings, or using similar construction techniques. Based on our experience in similar situations and our discussions with the owner and the project architect, we are confident the patio can be constructed while minimizing any impacts to the municipal tree.
- **Maintaining existing soil hydrology:** For the portion of the root system that will be retained under the cantilevered patio, it will be necessary to supply supplemental irrigation as part of the landscape irrigation system to ensure the existing soil hydrology is maintained.
- **Concrete work:** In areas where concrete will be poured near the critical root systems of trees to be retained, efforts must be made to ensure concrete wash is not allowed to leach into the root zones.

- **Arborist Supervision:** All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. Any roots encountered that cannot be retained must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. Roots that are critical to the trees survival and stability must be retained and the patio must be designed to retain these roots. In particular, the following activities should be completed under the direction of the project arborist:
 - Any excavation within the critical root zone of the Atlas cedar tree on municipal property.
- **Pruning:** We anticipate that some minor clearance pruning will have to be completed to facilitate the awning construction, but do not feel that this will have a negative impact on the health of the tree. The branches observed that are in conflict to the proposed structure are less than 10 cm in diameter (see picture 3). We recommend that any pruning be completed by an ISA Certified Arborist to ANSI A300 pruning standards.
- **Work area and material storage:** It is important that the storage of excavated soil, and construction material be kept away from the critical root zone areas of the trees to be retained.
- **Services:** It is our understanding that there are no new services proposed within the critical root zone of the municipal Atlas cedar.
- **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.



Picture 1: Proximity of exploratory excavation in relation to tree.



Picture 2: roots encountered.



Picture 3: Small branches that will likely require pruning for awning clearance.

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

Yours truly,

Talbot Mackenzie & Associates
ISA Certified Consulting Arborists

Encl. 5-pages proposed patio plans, 1-page barrier fencing specifications.

Disclosure Statement

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.