

I.1.b.f 2740 and 2742 Fifth Street: Rezoning Application No. 00709 and Development Variance Permit Application No. 00236 (Hillside/Quadra)

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00709 for 2740 & 2742 Fifth 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:
 - a. Preparation and execution of legal agreements secure the design of the existing and proposed buildings including the energy efficiency certifications, to the satisfaction of City Staff.
 - b. Preparation and execution of a Housing Agreement to secure the proposed dwelling as rental for five years.
2. 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 00709, if it is approved, consider the following motion

"That Council authorize the issuance of a Development Variance Permit Application for 2740 & 2742 Fifth Street, in accordance with:

- a. Plans date stamped October 10, 2019.
- b. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance
 - i. reduce the rear yard setback from 3.0m to 1.20m.
- c. The Development Permit lapsing two years from the date of this resolution."

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Young

That this matter be referred to the January 9, 2020 Committee of the Whole Meeting.

FOR (2): Councillor Isitt, and Councillor Young

OPPOSED (4): Mayor Helps, Councillor Alto, Councillor Potts, and Councillor Thornton-Joe

DEFEATED (2 to 4)

Amendment:

Moved By Mayor Helps
Seconded By Councillor Thornton-Joe

That the motion be amended by adding a point c as follows:

- c. **Subject to refinements being made to the proposal with respect to the length of rental tenure and the passive house standard of the new building.**

CARRIED UNANIMOUSLY

On the main motion as amended:

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00709 for 2740 & 2742 Fifth 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:
 - a. Preparation and execution of legal agreements to secure the design of the existing and proposed buildings including the energy efficiency certifications, to the satisfaction of City Staff.
 - b. Preparation and execution of a Housing Agreement to secure the proposed dwelling as rental for five years.
 - c. Subject to refinements being made to the proposal with respect to the length of rental tenure and the passive house standard of the new building.
2. 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 00709, if it is approved, consider the following motion

"That Council authorize the issuance of a Development Variance Permit Application for 2740 & 2742 Fifth Street, in accordance with:

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3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

F.3 2740 and 2742 Fifth Street: Rezoning Application No. 00709 and Development Variance Permit Application No. 00236 (Hillside/Quadra)

Committee received a report dated November 28, 2019 from the Acting Director of Sustainable Planning and Community Development regarding the proposed Rezoning Application No. 00709 and Development Variance Permit Application No. 00236 for 2470 and 2742 Fifth Street in order to construct a new single family dwelling in the rear yard of the existing duplex and recommending that it be declined.

Committee discussed the following:

- *Required parking requirements*
- *Transition zones with regards to community planning*
- *The administration of housing agreements*

Moved By Councillor Isitt
Seconded By Mayor Helps

That Council decline Rezoning Application No. 00709 for the property located at 2740 & 2742 Fifth Street.

FOR (4): Mayor Helps, Councillor Isitt, Councillor Potts and Councillor Young
OPPOSED (2): Councillor Alto and Councillor Thornton-Joe

CARRIED (4 to 2)

Committee recessed at 10:39 a.m. and reconvened at 10:45 a.m.



Committee of the Whole Report For the Meeting of December 12, 2019

To: Committee of the Whole

Date: November 28, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00709 and Development Variance Permit No. 00236
for 2740 & 2742 Fifth Street

RECOMMENDATION

That Council decline Rezoning Application No. 00709 for the property located at 2740 & 2742 Fifth Street.

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.

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2740 & 2742 Fifth Street. The proposal is to rezone from the R-2 Zone, Two Family Dwelling District to the R2-38 Zone, Fifth Duplex District, in order to construct a new single family dwelling in the rear yard of the existing duplex.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential designation in the *Official Community Plan* (OCP 2012), as it is a form of ground-oriented housing, however, the

Traditional Residential designation envisions front and rear yards and in this proposal the current back yard would be occupied by a new building.

- the proposal is consistent with the *Hillside-Quadra Neighbourhood Plan* as it maintains the predominantly low-density character of the immediate area. However, the addition of a two-storey single family dwelling to the rear of a duplex is not a common building form in the area, except for the property immediately to the south
- the proposal is inconsistent with the R-2 Zone, Two Family Dwelling District and the *Neighbourliness Guidelines for Duplexes*, which do not permit additional suites
- the proposal is inconsistent with the Garden Suite Policy, which does not permit garden suites in the rear yard of duplexes and limits the height to 4.2m.

BACKGROUND

Description of Proposal

This rezoning application is to construct a new single family dwelling in the rear yard of the existing duplex. The property would be rezoned to the R2-38 Zone, which is the same zone as the property immediately to the south. The R2-38 Zone allows for a single family dwelling to be constructed in the rear yard of a duplex.

Affordable Housing Impacts

The applicant proposes the creation of one new residential unit which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed which would ensure the new dwelling be used as a rental unit for a minimum of five years and that future Strata Bylaws could not prohibit the rental of units.

Tenant Assistance Policy

The proposal is to construct a new building on what is currently a vacant portion of the property. Therefore, no tenants will be displaced through this application.

Sustainability Features

As indicated in the applicant's Green Building Report, attached and dated July 20, 2019, the following sustainability features are associated with this proposal:

- utilization of both EnerGuide Rating System and Built Green performance standards as well as Passive Building Design principles
- Passive Building Design principles including orientation to maximize seasonal solar gains, solar shading to prevent overheating, and Heat Recovery Ventilation
- roof design such that photovoltaic arrays can be installed in the future
- drain water heat recovery
- permeable hardscaping.

Active Transportation Impacts

The application proposes a large storage room connected to the entry foyer which can be used to safely secure bicycles.

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 residential uses, including single family dwellings, duplexes, and multi-unit residential. Quadra Village is located south of the subject property.

Existing Site Development and Development Potential

The site is presently developed with a duplex. Under the current R-2 Zone, the property could be developed as a duplex or a single family dwelling with a garden suite or secondary suite.

Data Table

The following data table compares the proposal with the proposed R2-38 Zone, Fifth Duplex District. An asterisk is used to identify where the proposal is less stringent than the R2-38 Zone.

Zoning Criteria	Proposal	R2-38 Zone
Site area (m ²) – minimum	752.5	752.5
Lot area required for each self-contained dwelling unit (m ²) – minimum	250.83	250
Density (Floor Space Ratio) – maximum	0.56	0.66
Total floor area (m ²) – maximum	418.77	493.60
Lot width (m) – minimum	18.29	N/A
Height (m) – maximum	7.01 ** - Duplex 6.75 – Single Family Dwelling	6.80
Storeys – maximum	2	2
Site coverage (%) – maximum	30.06	30.50
Setbacks (m) – minimum		
Front (Fifth Street)	7.35	6.5
Rear (west)	1.20 *	3.0
Side (north)	3.53	3.0

Zoning Criteria	Proposal	R2-38 Zone
Side (south)	3.14	1.8
Combined side yards	6.67	4.5
Parking – minimum	3	3

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on April 4, 2019. A letter dated May 18, 2019 is attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan* (OCP, 2012) designates the property within the Traditional Residential Urban Place Designation, which envisions ground-oriented residential uses with densities up to 1:1 Floor Space Ratio (FSR). The place character features of the Traditional Residential designation envisions front and rear yards. The proposal would remove nearly the entire rear yard of the current duplex.

The subject property is already zoned for a duplex and is located in Development Permit Area (DPA) 16: General Form and Character. Within this DPA a Development Permit is not required for single family dwellings and duplexes. Should this application be forwarded to a Public Hearing, staff recommend the design of the single family dwelling and its proposed energy efficiency be secured through a design covenant.

Local Area Plans

The *Hillside-Quadra Neighbourhood Plan* identifies the property within the Duplex to Low Density Townhouse designation. The Plan notes that the neighbourhood should be kept as low-density housing within this designation. New housing should also fit comfortably into the neighbourhood. The proposal is similar in land use to the property immediately to the south but utilizes a more modern form of architecture.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts and no impacts to public trees with this application.

Other Policy

The proposal is most similar to a garden suite and has been assessed against the *Garden Suite Policy and Guidelines*. Currently, garden suites are only permitted on lots with single family dwellings and must be maintained as rental units. In addition, a garden suite on a plus sized lot, such as the subject property, would be limited to 4.2m in height, whereas the proposal is for 6.75m in height. The proposal therefore does not meet this policy.

When R-2 Zoning is already in place, as it is for this application, the *Neighbourliness Guidelines for Duplexes* is advisory only. The proposal is inconsistent with the advisory guideline that additional suites not be permitted in duplexes.

In general, the intent of the City's various infill policies and guidelines is to achieve a balance in creating new housing units while maintaining liveability. In Staff's opinion, the loss of back yard space to this extent does not achieve the overall policy objectives.

Regulatory Considerations

Under the R2-38 Zone a variance to the rear yard setback from 3.0m to 1.20m would be required for this proposal. This is inconsistent with the property to the south, which is also zoned R2-38 and has a 3.0m setback. However, the proposed setback is consistent with Schedule 'M' – Garden Suites, which requires a 0.6m setback from the rear lot line.

CONCLUSIONS

The proposal to rezone the subject property from the R-2 Zone, Two Family Dwelling District, to site specific zone to permit the existing two single-family dwellings is generally consistent with the Traditional Residential Urban Place Designation and the *Hillside Quadra Neighbourhood Plan*. However, the proposal is not consistent with the R-2 Zone, which prohibits additional units. Furthermore, the proposal most resembles a garden suite typology and is therefore inconsistent with the *Garden Suite Policy and Guidelines*. As such, staff recommend Council consider declining the application.

However, alternate motions have been provided should Council consider moving the application forward to a Public Hearing.

ALTERNATE MOTIONS

1. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00709 for 2740 & 2742 Fifth 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:
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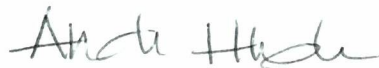
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Respectfully submitted,

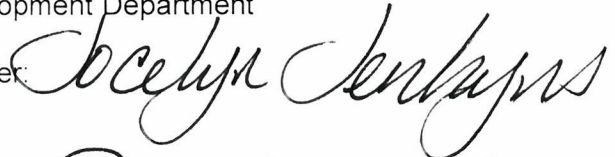


Michael Angrove
Senior Planner
Development Services



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

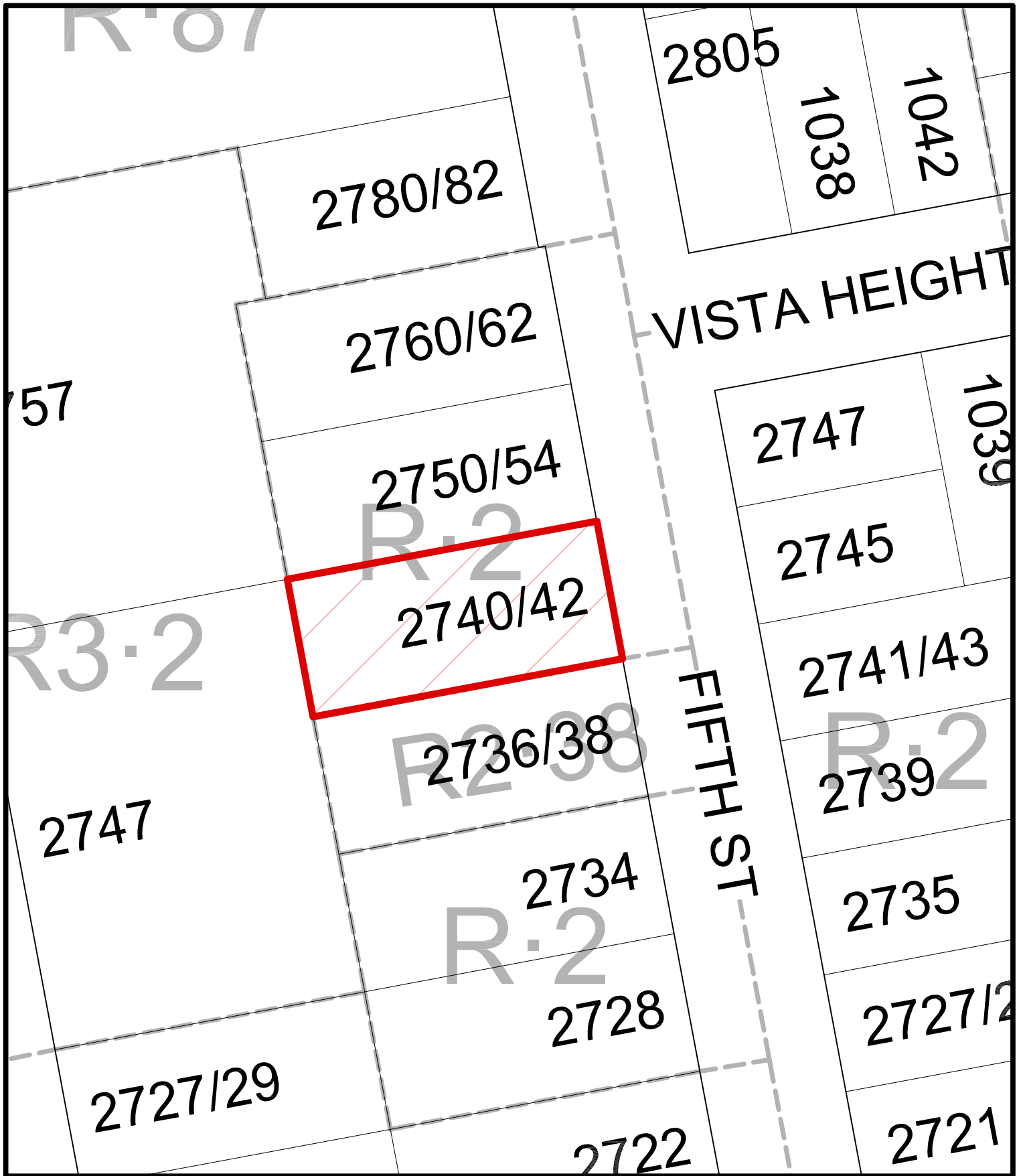
Report accepted and recommended by the City Manager:



Date: Dec 4, 2019

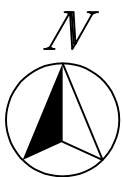
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped October 10, 2019
- Attachment D: Letter from applicant to Mayor and Council submitted October 10, 2019
- Attachment E: Community Association Land Use Committee Comments dated May 18, 2019
- Attachment F: Green Building Report dated July 20, 2019
- Attachment G: Correspondence (Letters received from residents).



2740 / 42 Fifth Street
Rezoning No.00709

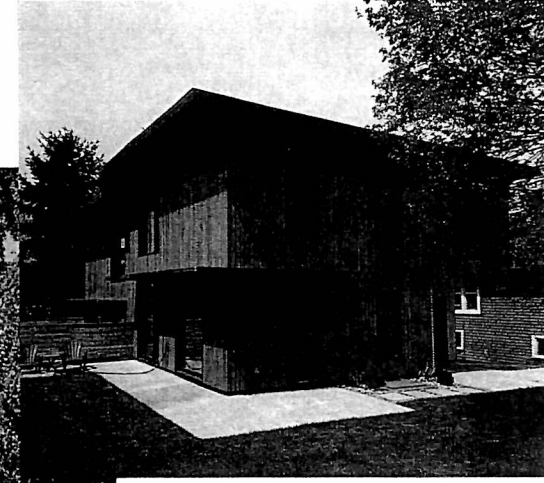
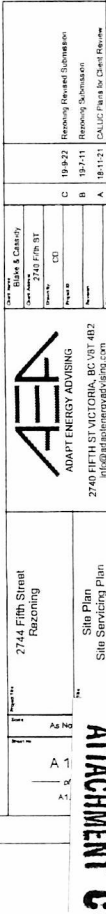




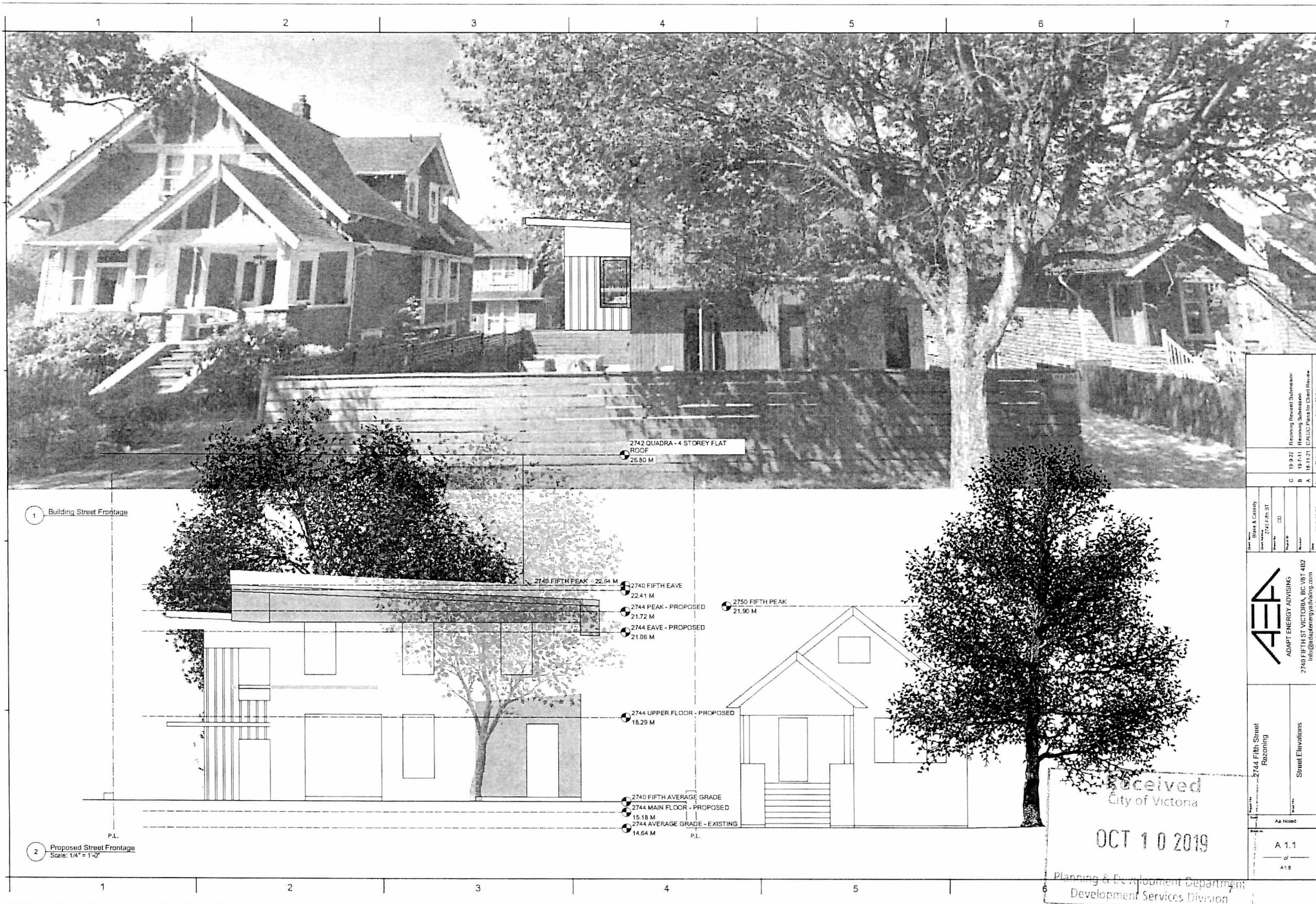
2740 / 42 Fifth Street
Rezoning No.00709

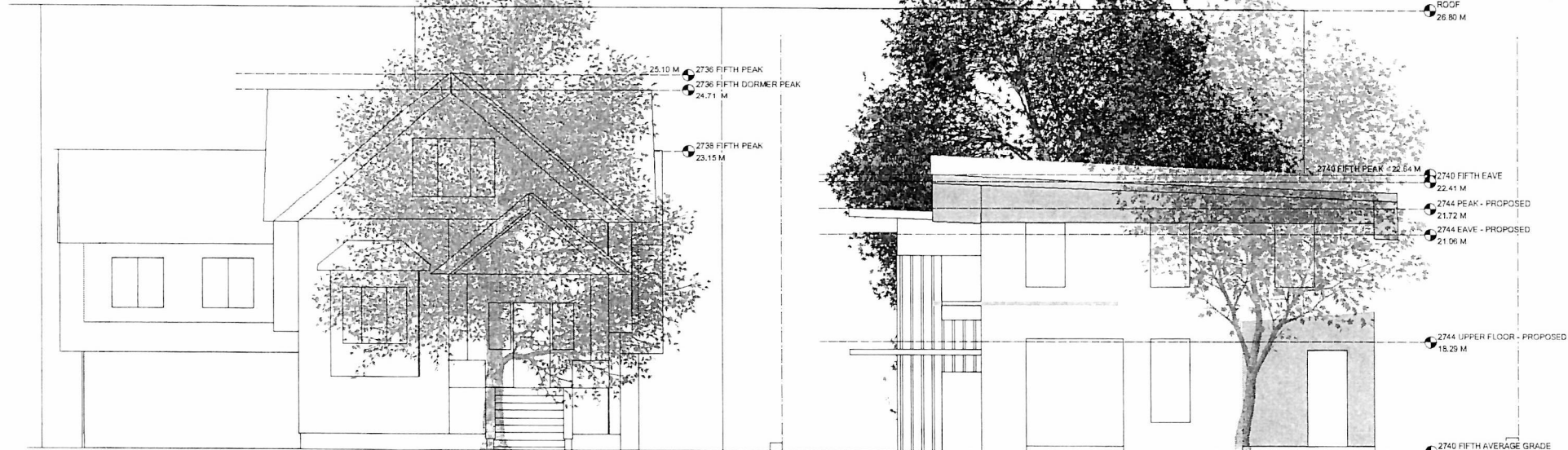


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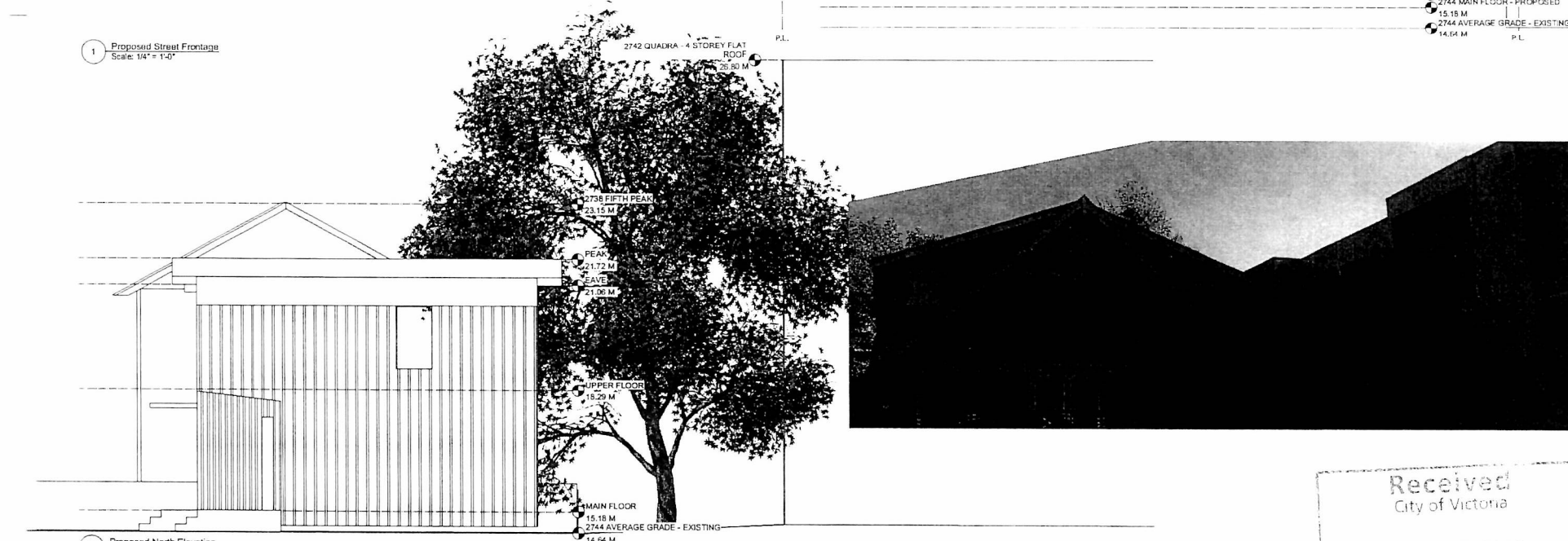


Existing Duplex





1 Proposed Street Frontage
Scale: 1/4" = 1'-0"



2 Proposed North Elevation
Scale: 1/4" = 1'-0"

19/9/22 Planning Revised Submission 19/7/19 Planning Submission 18/11/21 CALIC Plans for Client Review	
Date Recd 19/9/22 Date Recd 19/7/19 Date Recd 18/11/21	By CD By CD By CD
ADAPT ENERGY ADVISING 2740 FIFTH ST, VICTORIA, BC V8T 4B2 info@adaptenergy.com	
2744 Fifth Street Rezoning	Street Elevations

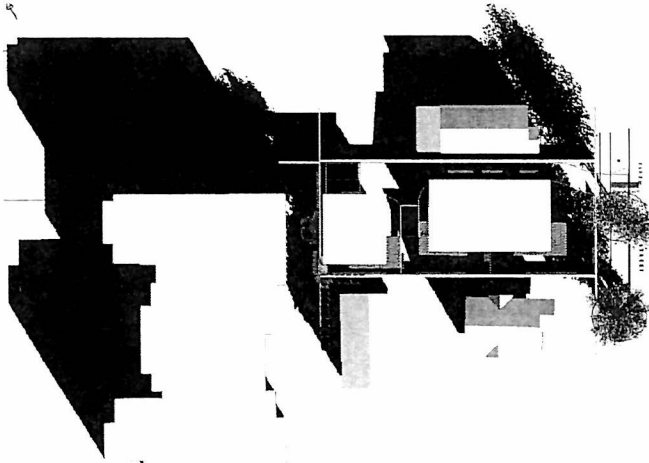
Received
City of Victoria

OCT 10 2019

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Development Services Division



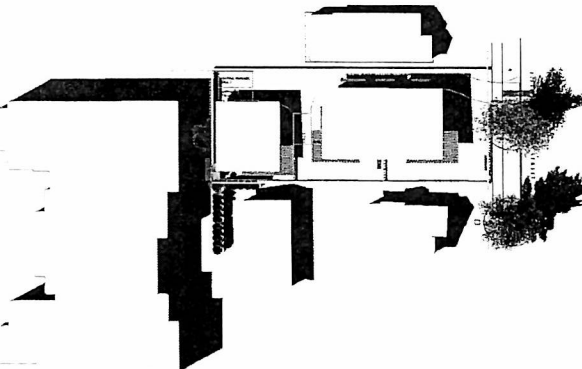
June 21 - 10 am



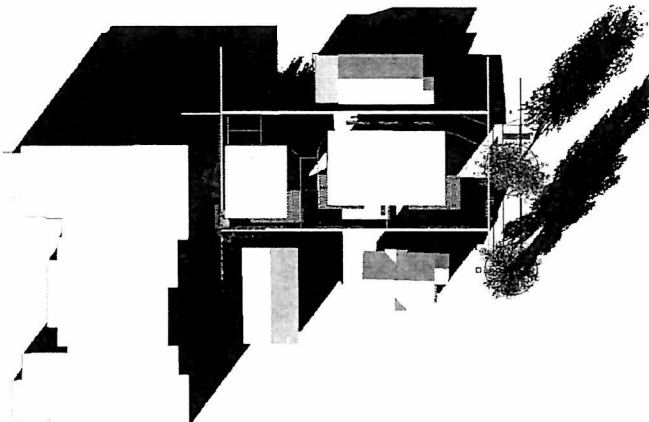
February 21 - 10 am



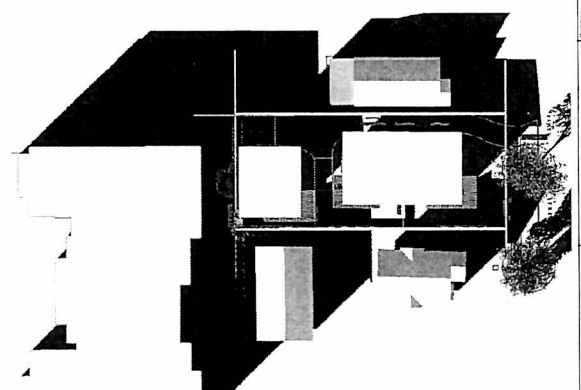
October 21 - 10 am



June 21 - 2 pm



February 21 - 2 pm



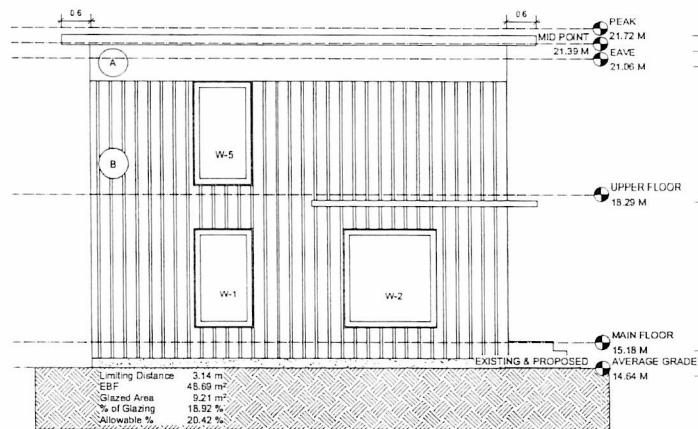
October 21 - 2 pm

Received
City of Victoria

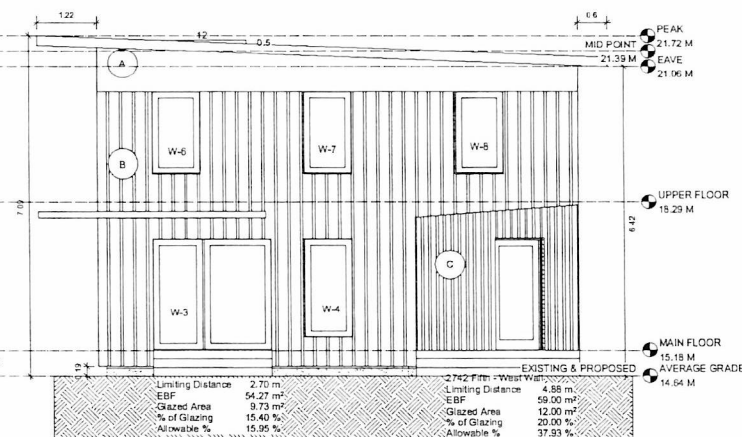
OCT 10 2019

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Development Services Division

Project No.		2744 Fifth Street Rezoning		Shadow Analysis	
Client		ADAPT ENERGY ADVISING		NTS	
Address		2740 BETH ST VICTORIA, BC V8T 4B2		A 1.3	
Phone		info@adaptenergyadvising.com		A 1.8	
Fax					
Email					
Version		1.0			
Date		19.02.22			
By		C 19.02.22			
Check By		B 19.02.22			
Approved By		A 18.11.21			
Comments		Revising Revised Submission Revising Submission CALC Plans for Client Review			



1 South Elevation
Scale: 1/4" = 1'-0"

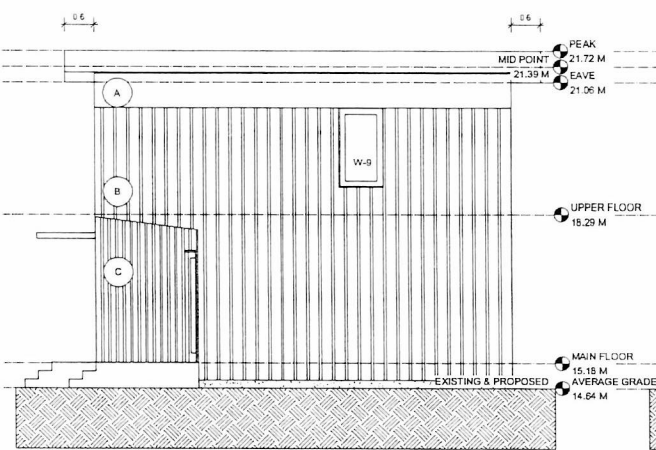


2 East Elevation
Scale: 1/4" = 1'-0"

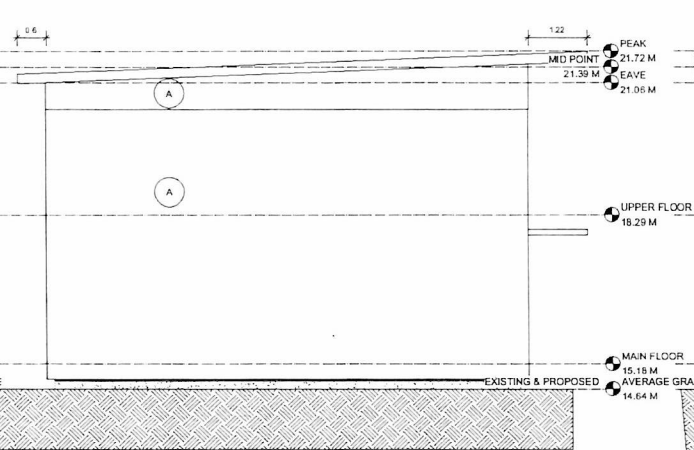
Window Size				
Nominal Size				
ID Label	Width (FT)	Height (FT)	Width (M)	Height (M)
W-1	4.00	6.92	1.22	2.11
W-2	6.33	6.92	1.93	2.11
W-3	8.00	7.75	2.44	2.36
W-4	3.25	6.92	0.99	2.11
W-5	4.00	6.92	1.22	2.11
W-6	3.25	5.50	0.99	1.68
W-7	3.25	5.50	0.99	1.68
W-8	3.25	5.50	0.99	1.68
W-9	3.00	5.50	0.91	1.68

PROPOSED EXTERIOR SFD FINISHES TO MATCH EXISTING BUILDING EXTERIOR FINISHES.

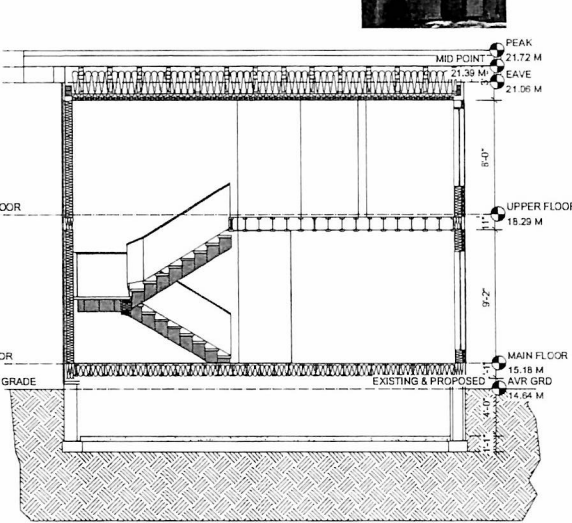
- (A) Hardie Panel - Painted Black
- (B) Vertical Cedar Siding - Stained
- (C) Galvanized Aluminum



3 North Elevation
Scale: 1/4" = 1'-0"



4 West Elevation
Scale: 1/4" = 1'-0"

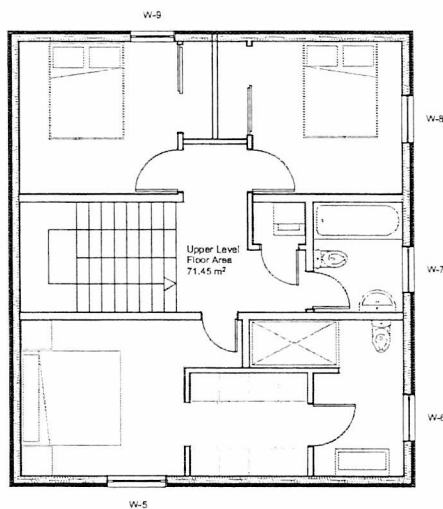
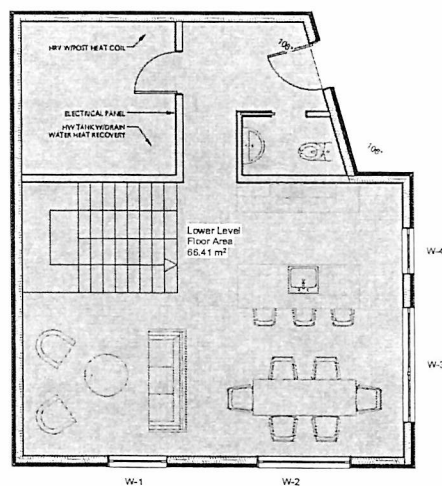
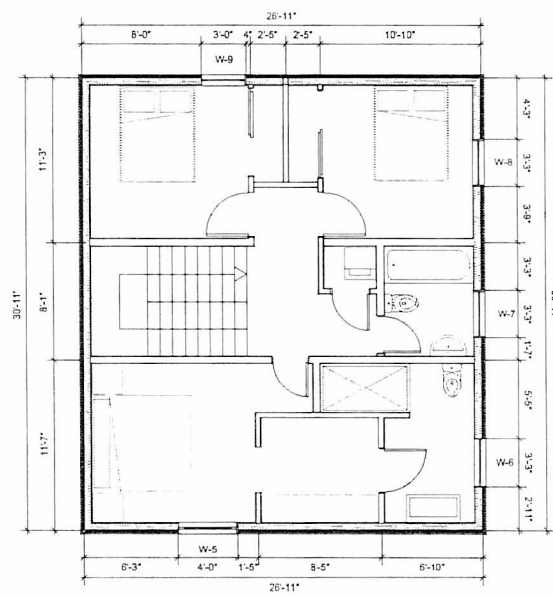
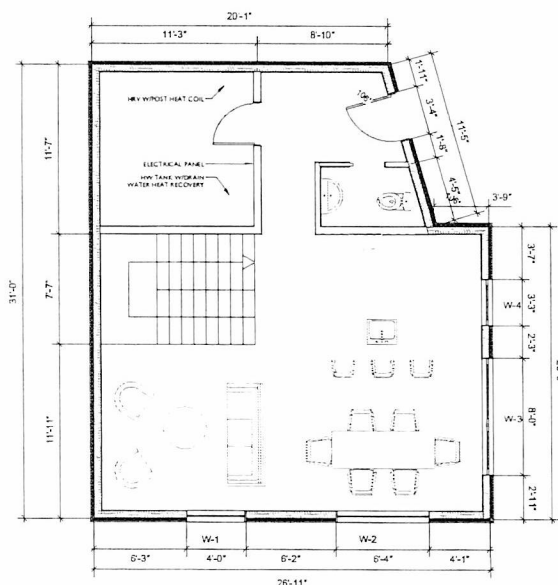


5 Cross Section 1
Scale: 1/4" = 1'-0"

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OCT 10 2019

19-932 / Planning Review Submission		19-932 / Planning Review Submission	
A 18-1121 / CALLED Plan for Civil Review		A 18-1121 / CALLED Plan for Civil Review	
2744 Fifth Street Rezoning		2744 Fifth Street Rezoning	
Elevations Cross Section		Elevations Cross Section	
A 14		A 14	
A 15		A 15	



ALL WORK TO COMPLY WITH THE CURRENT EDITION OF THE BC BUILDING CODE

ALL FRAMING TO BE IN ACCORDANCE WITH THE CURRENT BC BUILDING CODE

ALL LUMBER TO BE SPF #2 OR BETTER UNLESS NOTED OTHERWISE

ALL EXTERIOR WALL AND ROOF SHEATHING TO BE 1/2" STANDARD FIR PLYWOOD UNLESS NOTED OTHERWISE
ALL EXPOSED EXTERIOR POSTS TO BE 6XB MIN.
ALL LINTELS TO BE 2-PLY 2X10 U.N.O.

ALL EXPOSED EXTERIOR POSTS TO BE 6X8 MIN.
ALL UNITS TO BE 2" PLX 2X16 UNOS

ALL LINTELS TO BE 2-PLY 2X10 U.N.O.

ALL CONCRETE TO BE MINIMUM 25 MPa AT 28 DAYS

EXTERIOR FOUNDATION WALL TO EXTEND MIN 150 mm ABOVE FINISHED GRADE.

ALL INTERIOR DOORS TO BE MINIMUM 6'8" TALL UNLESS NOTED OTHERWISE; PROVIDE MIN. 2-STUDS E/S AT JAM FRAMING

ALL EXPOSED EXTERIOR FRAMING TO BE PRESERVATIVE TREATED LUMBER. FIELD TREAT ALL CUTS

DESIGN LOADS: VICTORIA: S_s : 2.1 kPa S_r : 0.3 kPa

ALL NEW WINDOWS TO MEET NAFS: DP: 1440 PG: 30 WATER RESIST.: 220

HANDRAILS TO COMPLY WITH BCBC DIV B 9.6.7

GUARDRAILS TO COMPLY WITH BCBC DIV B 9.6.8.

AIR BARRIER TO BE OVERLAPPED, STRUCTURALLY SUPPORTED AND SEALED AT ALL JOINTS.

EFFECTIVE RSI MUST BE MAINTAINED BEHIND ELECTRICAL RECEPTACLES AND PIPING AS PER BCRC 9.3.6

SMOKE ALARMS TO BE INSTALLED IN EACH SLEEPING ROOM, EVERY STOREY AND THE AREA OUTSIDE

SMOKE ALARMS TO BE INSTALLED IN EACH SLEEPING ROOM, EVERY STOREY AND THE AREA OUTSIDE SLEEPING ROOMS AND THE REMAINDER OF THE STOREY. AS PER BCBC DIV B 9.10.19.3.

CO2 ALARMS TO BE INSTALLED IN EACH BEDROOM OR 5M OUTSIDE THE BEDROOM DOOR.

BEDROOM WINDOWS TO MEET BCBC DIV B 9.9.10.1, NO DIMENSION LESS THAN 380MM WITH AN AREA OF 0.35M2

ALL NEW FLASHINGS TO COMPLY TO BCBC DIV B 9.27.3.7. - 9.27.3.8

BATHROOM EXHAUST TO COMPLY WITH 9.32

VENTILATION TO COMPLY WITH BCBC 9.32.

ROOF SPACE VENT AREA SHALL BE NOT LESS THAN 1/150

SOLID RWL AND PERIMETER DRAIN TO BE CONNECTED TO NEW STORM DRAIN LATERAL

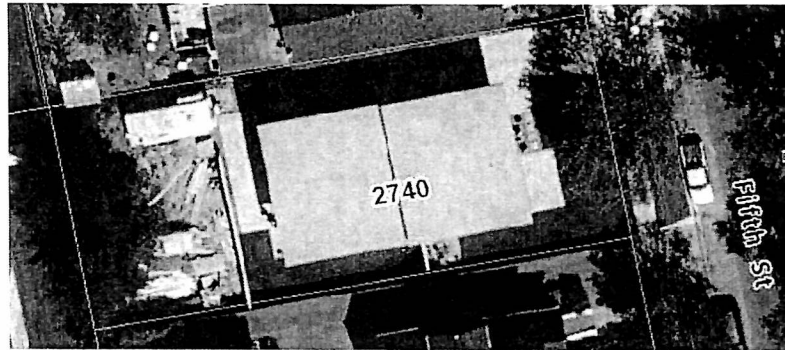
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Floor Area		Proposed (netric)
Total Floor Area	2744 Fifth	137.7
	Proposed Main	65.4
	Proposed Upper	71.4
	Proposed Basement	0.0
Total Floor Area	2742 Fifth	142.3
	Existing Main	65.3
	Existing Upper	73.0
	Existing Basement	0.0
Total Floor Area	2740 Fifth	138.5
	Existing Main	66.6
	Existing Upper	71.9
	Existing Basement	0.0

Received
City of Victoria

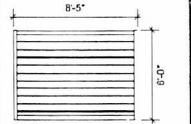
OCT 10 2019

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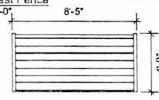


Existing Site

EXISTING FENCE - SOUTH PROPERTY LINE



2 North and West Fence
Scale: 1/4" = 1'-0"



3 East Fence - Existing
Scale: 1/4" = 1'-0"

EXISTING FENCES - SOUTHEAST PROPERTY LINE
SOUTH FENCE - HORIZONTAL WOOD - STAINED
PROPOSED FENCE NORTH AND WEST TO MATCH
EXISTING EAST FENCE FINISH

EXISTING FENCE / SCREENING - SOUTH PROPERTY LINE
PANEL 5 FT HEIGHT
TAG VERTICAL BOARDS W/ LATTICE ABOVE - STAINED

EXAMPLES OF PRUNUS 'AMANOGAWA'



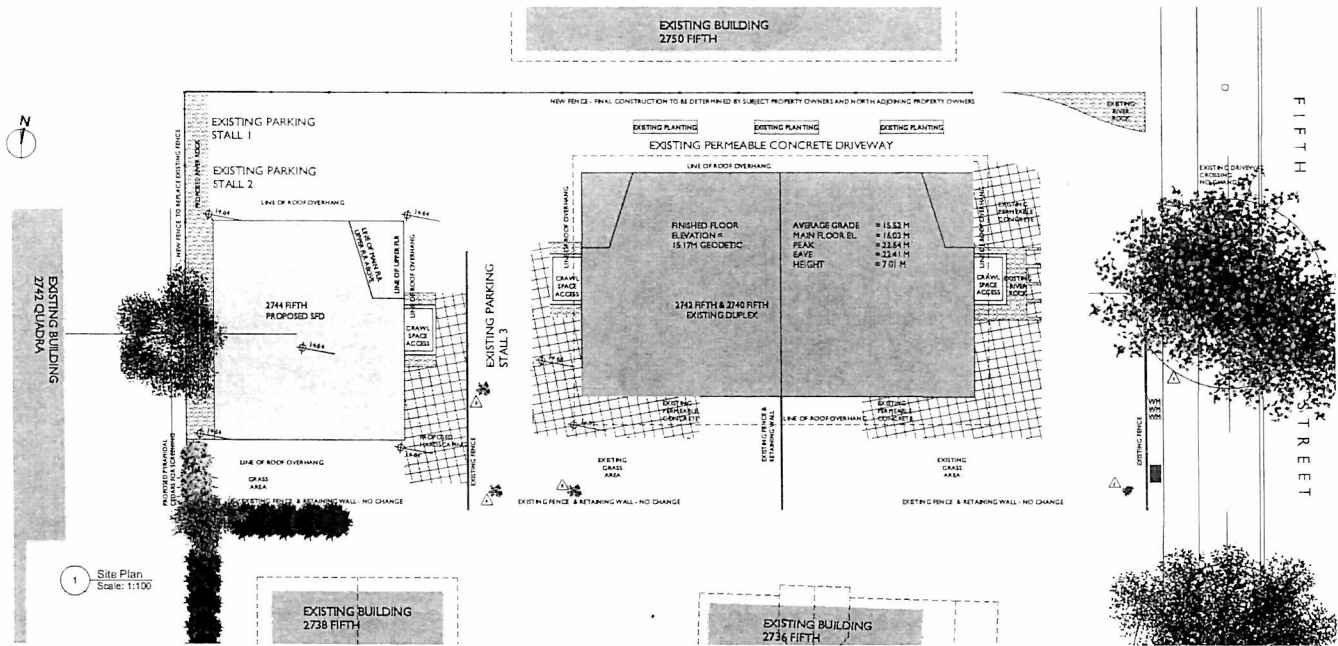
EXAMPLES OF MAGNOLIA 'GALAXY'

Trees				
Tree Number	Species	DBH (in)	Comments	
1	Acer rubrum 'Armstrong'	0.300	Existing to be retained	
2	Magnolia 'Galaxy'	0.019	Existing to be retained	
3	Prunus 'Amanogawa'	0.032	Existing to be retained	
4	Prunus 'Amanogawa'	0.032	Existing to be retained	
5	Prunus 'Amanogawa'	0.042	Existing to be retained	

Received
City of Victoria

OCT 10 2019

Planning & Development Department
Development Services Division



1 Site Plan
Scale: 1:100

19-022	19-022	19-022	19-022	19-022
19-022	19-022	19-022	19-022	19-022
19-022	19-022	19-022	19-022	19-022
19-022	19-022	19-022	19-022	19-022
19-022	19-022	19-022	19-022	19-022



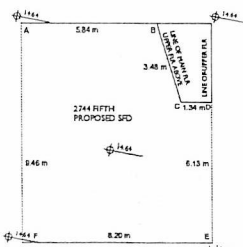
2740 FIFTH ST VICTORIA, BC V8T 4B2
info@adaptenergyadvising.com

2744 Fifth Street
Rezoning

Landscape Plan

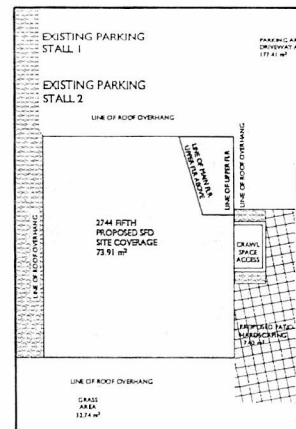
A 1.6
of
A 1.8

Average Grade 2744 Fifth									
Grade Points	Geodetic Elevation (M)	Geodetic Elevation (FT)	Between Grade Points	Average of Grade Points	Average of Grade Points	Between Grade Points	Distance (M)	Distance (FT)	Totals
A	14.64	48.02	BC	14.64	48.02	BC	3.48	11.41	50.50
B	14.64	48.02	CD	14.64	48.02	CD	1.39	4.40	18.74
C	14.64	48.02	DE	14.64	48.02	DE	6.13	20.11	89.74
D	14.64	48.02	EF	14.64	48.02	EF	8.30	26.90	120.25
E	14.64	48.02	FG	14.64	48.02	FG	8.46	27.75	138.68
F	14.64	48.02							
Totals								34.46	804.35
Average Existing & Proposed									
								14.64	48.02

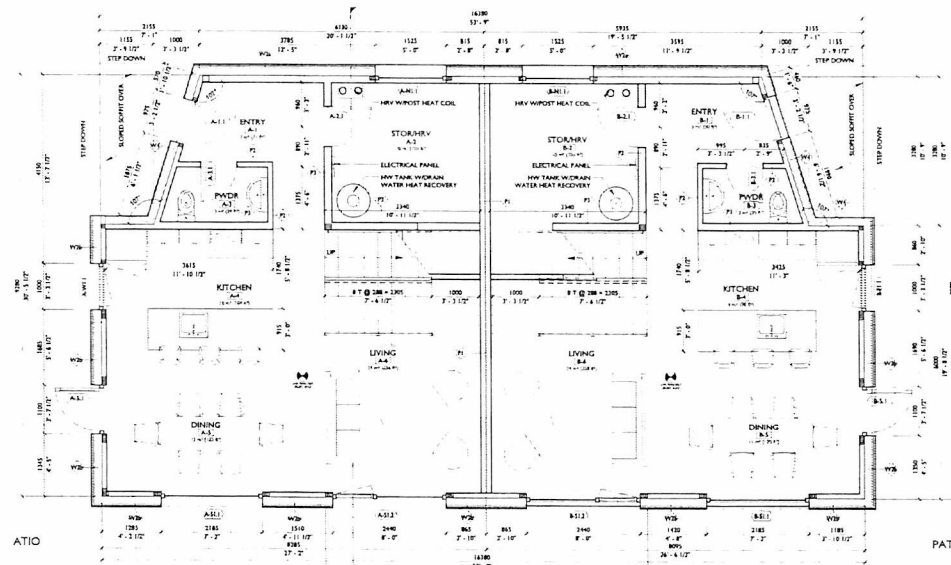
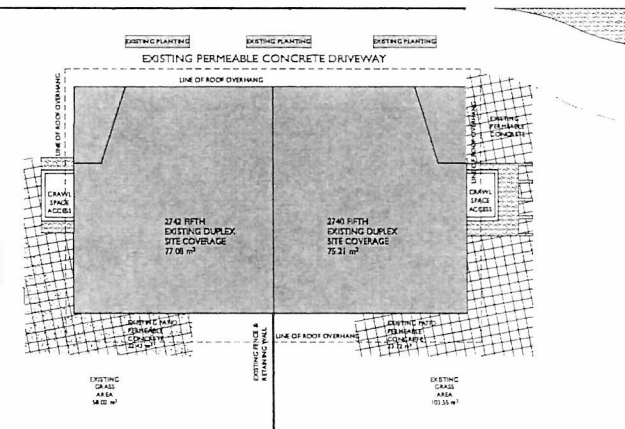


Zoning Areas		Proposed (m ²)
Lot Area		752.50
Site Coverage		50.06%
Open Space		55.64%
Open Space - Planting & driveways + Building site coverage area / Lot Area		
Building Site Coverage Area	Total	226.20
Site Coverage 2744		73.91
Site Coverage 2742		77.08
Site Coverage 2740		75.21
Parking Area and Driveways	Total	177.41
Grass Area - Private Outdoor Space	Total	194.51
Grass Coverage 2744		52.74
Grass Coverage 2742		50.02
Grass Coverage 2740		100.55
Patio Area - Private Outdoor Space	Total	62.56
Patio Coverage 2744		17.40
Patio Coverage 2742		22.43
Patio Coverage 2740		22.73

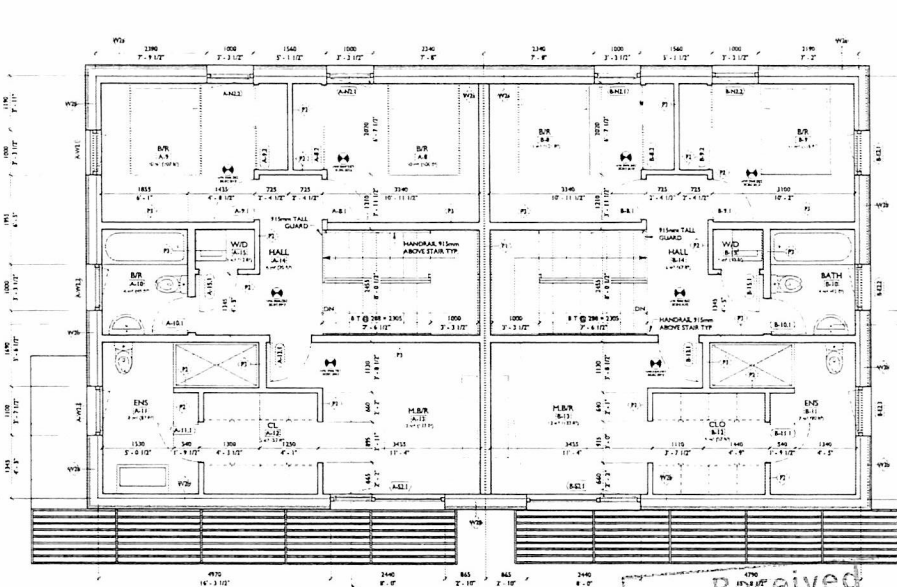
1 Existing & Proposed Grade Points
Scale: 1:100



2 Open Space Areas
Scale: 1:100



3 Existing Main Floor Plans - BP052814
Scale: 1:50

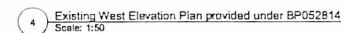


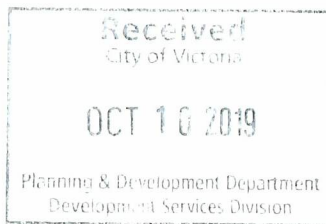
4 Existing Upper Floor Plans - BP052814
Scale: 1:50

Received
City of Victoria
OCT 10 2019
Planning & Development Department
Development Services Division

Project Name	2744 Fifth Street
Project Number	19-022
Project Status	Receiving (Revised Submission)
Project Date	19-11-11
Project Location	2744 Fifth Street, Victoria, BC V8T 4B2
Project Contact	Calvin Paine for Client Review
Project Reviewer	As noted
Project Review Date	A 1.7
Project Review Status	A 1.8

Planning & Development Department
Development Services Division





Aneesa Blake and Reed Cassidy
2740 Fifth Street
Victoria BC
V8T 4B2

Dear Mayor and Council,

Re: 2740/42 Fifth St Rezoning Application – Applicant Letter to Council

AMENDMENT 1 – Response to TRG Review 1 Comments

Thank you for taking the time to consider this proposed rezoning.

This purpose of this letter is in regards to the re-zoning application at 2740/2742 Fifth St.

Description of Proposal

Land use/Zoning change:

The existing lot is Zoned R2. The proposed Zone is R2-38, which is the same as the lot to the South.

Density changes between R2 and R2-38:

The following are the changes between Zones.

- Floor space ratio is being increased from 0.50:1 to 0.66:1. Actual project is 0.56:1
- Floor area for all floors is being increased from 380m² to 493.60 m². Actual project is 418.77 m².
- Site coverage (maximum) decreases from 40% to 30.5%. Actual project is 30.06%.

Type of tenure:

We plan to remain in our existing home, the front duplex unit, and rent out the rear duplex unit and the proposed house. We plan to create a **property** strata for the 3 units.

Number, description and type of dwelling units:

The proposed rezoning would result in 3 residential dwellings, including a two-family dwelling (existing) and a single-family dwelling (proposed). Each dwelling unit will be two storeys, comprised of 3-bedrooms and 3-bathrooms.

Inclusion of adaptable housing features:

As the existing and proposed buildings are standard residential dwelling units, adaptable features have not been incorporated.

Displacement of existing tenants:

The existing tenants will not be displaced.

Government Policies

This property is located in the Official Community Plan (OCP) among a small strip of properties defined as Traditional Residential. The proposed rezoning meets most of the Traditional Residential

characteristics. The few characteristics that differ are similar to nearby rezoning projects, showing there is precedence set with recently approved developments and bringing continuity to the new buildings in the neighbourhood.

The Traditional Residential density ratio is 1:1, which is much higher than the R2 Zoning of 0.50:1 and the proposed R2-38 Zoning of 0.56:1. This proposed project is well within these guidelines.

The small density increase proposed in a Traditional Residential area (OCP ref 6.22) for a property with a low energy building and mid-range energy concept building (6.7) are in line with OCP goal for land development.

This property is within walking distance to a Large Urban Village (6(a)), which happens to be Quadra Village (21.13.1.). It's also within walking distance of Hillside transit corridor (21.13.1).

The project is creating a ground-oriented (21.14.2) housing type that presently meets rental market demand (13.10).

A brand new 3-bedroom 3-bathroom rental is ideal for young professional families looking to move into the City (6 (a) & (g), 13.10). The tenants we have had to date, have been young families new to Victoria.

The project incorporates high quality architecture combined with innovative design to create infill (8.43). To be sensitive to neighbours, the proposed building has had a shading analysis done, and window locations and opaqueness have been considered (8.44).

By creating a building with a reduced energy demand, residents are more resilient to energy cost fluctuations (12(A)). The building's heating systems are relatively low emitters of greenhouse gases (12(B)).

The landscape plan is low maintenance and low demand for watering (12.17.2).

The Passive Building Design principles (12.17.4, 12.19), high-efficiency plumbing fixtures (12.17.8), and future preparation for renewable energy generation (12.17.6) make for a building whose performance greatly exceeds the minimum. Factoring in solar gains to building design helps diversify the source of a building's energy needs (12.7).

The existing duplex on the property is certified as Passive House Classic. We are proponents of sustainable projects and energy efficient buildings. Our lifestyles incorporates doing whatever we can to reduce our impact and better the environment.

Project Benefits and Amenities

The main economic benefit of this proposal is that by adding a third unit to the property and stratifying the units, the city will increase the property tax revenue from the land immediately. This variance in tax revenue will increase non-linearly over time as the property values increase. Other revenues that will increase are utilities (water and sewer) and waste removal. By adding an additional residence, density will increase, leading to an increase in support to local businesses, thus stimulating the economy.

Environmental benefits are that the proposed unit is in proximity to amenities and city center, encouraging resident to use alternative modes of transportation. The building will have energy efficient features as detailed in the Green Building Report included in the application package.

Social benefits of the proposed development are that the proposal would add a 3-bedroom pet-friendly rental unit to the rental market with fenced yard space and room for parking and bike storage. Being close to amenities and major bus routes, the proposed unit will be very accessible for families without a vehicle. The heat recovery ventilation (HRV) system proposed combined with no carpeting, provides an extremely comfortable and healthy environment for people with allergies or who simply enjoy above-average air quality.

There are no proposed public amenities associated with this development.

Need and Demand

With a recognized housing crisis in Victoria, there is a high need for this proposed development.

The City of Victoria's housing strategy is geared towards improving accessibility of rental units for residents. The proposed development is in line with the strategy, because it will contribute a 3-bedroom 3-bathroom rental home to the market. Canadian Mortgage Housing Corporation's (CMHC) rental market report for 2017 shows a 0.0% vacancy rate for 3-bedroom homes. The 2018 report shows "*** – Poor – Suppressed" as the vacancy rate. From this data showing lack of availability, combined with a housing crisis, one can deduce that the need for 3-bedroom rental homes is therefore high.

There is a large number of condominium buildings and townhomes being built across the City. To increase the variety of the type of rental buildings that will be available, we think it is important to encourage the development of detached homes with private fenced yards.

Neighbourhood

We purchased this property in late 2015, on the heels of many large local developers hoping to convert this lot into a larger multi-family development. A few CALUC meetings were held with various project proposals, though none seemed to be popular. Our intentions for the property were more humble, as we were looking to build a place to live and raise a family, while also creating a rental property. We have since converted a nuisance property into a Passive House duplex.

The Quadra Village area is a fast growing neighbourhood. It's a family oriented neighbourhood, with most of the nearby homes occupied by young families.

This lot is within walking distance to a large urban village, and it is right beside many major bus routes. It's also one street over from a designated cycling route, and centrally located within the City for easy bike access to anywhere from UVIC to Clover Point.

This property is one of a small strip of lots that are still largely of the Traditional Residential style, though past and recent developments are evolving the neighbourhood. One reason this property lends itself to the proposed development is based on local precedent. The small increase in density is on par with previously approved projects. Here's some examples of previous and current density increases along the 2700 block, all within 100 m:

- The lot directly to the South has already been rezoned to R2-38. A duplex was added to a previously single-family lot, and then all units were made into a strata.
- The lot to the North contains two single-family dwellings, also built out and made into a strata.

- The lot 3 properties North was recently joined to the neighboring multi-family development, and is now a part of a multi-family building development project.

We understand that City Staff will not support this development because the proposal is unique in comparison to the existing planning policy relating to panhandle lots and garden suites. In spite of this, we believe that our proposal adds great value to the community and fits well within the neighbourhood. The proposal is in alignment with many of the OCP guidelines and is supported by local precedent, most notably by the zoning of our neighbours adjacent to the South.

The proposed building fits in with the existing neighbourhood layout. The block has many residential buildings where a driveway leads to parking behind the front building face. Street oriented dwellings are not common on this block where lots contain more than one dwelling unit. Arguably this is preferable in appearance when compared to the side-by-side duplex appearance. The proposed building will have very little visual impact from the street, which is also common for nearby similar developments.

Green space on the property is relatively low, but this is common for this block, especially with properties that contain more than one dwelling. By creating low maintenance properties, we have attracted professional couples who work hard and have limited time for landscape duties.

The proposed structure is architecturally and proportionally similar to the existing duplex, as well as the newly approved multifamily buildings just a few lots to the North. The vast majority of input received about the design of the duplex project was positive, so the neighbourhood appears to appreciate the modern design.

The lot is relatively flat, with a slight slope from South East to North West. The proximity of the existing duplex to the front lot line has left enough room at the rear of the property to add another structure, as well as provide all of the required off-street parking.

The proposed building is two stories, which is the same as neighboring buildings.

A shading analysis was done, and the proposed building creates very minimal shade on neighboring buildings. The apartment building to the West creates the shading before the proposed building would have a chance.

Parking on the street is almost always a contentious issue in this neighbourhood, so we are happily meeting the City's requirements for parking.

Impacts

The proposed development would further improve the conditions existing in the surrounded area. The proposed development includes a fence between the property and the property to the north. This fence would provide privacy for the residents of both lots. A fence would also block the car headlights that affect the lower suite of the neighbouring property, as vehicles travel down the driveway to the existing 3 parking spots. This will improve the enjoyment of the tenant in the lower suite of the neighbouring house. The proposed development will also provide added privacy to the residents of the apartment building, since the proposed dwelling has no windows facing the apartment. Currently, there is minimal privacy as residents from both properties can see into the homes of the other.

Activity levels may increase slightly, as the proposal would be adding another family to the property. We do not anticipate any increase in vehicle traffic on the property however, since the 3 proposed parking spots are already in existence.

We do not allow smoking on the property. Prior to a lease being agreed, tenants will be reference checked to mitigate the potential to have residents that are not respectful to the property and the neighbours. Also, with the landlords living on the property, this is likely to discourage noise and unfavorable behavior.

Design and Development Permit Guidelines

The property does not fall within any Development Permit Area (DPA) guidelines, as outlined in the OCP. However, the proposed development fits in with many of the guidelines of DPA 5.

Safety and security

The building and landscape plan will be geared to prevent crime through design as outlined in the Crime Prevention Through Design guidelines. **Natural surveillance** will be achieved as an added benefit of the passive design principles being employed. Essential to capturing sunlight for heat gains, the windows of the proposed development will be facing open spaces, unencumbered by landscaping or other obstructions. This is a deterrent for crime since potential invaders would be seen attempting to gain access in the open spaces. **Territorial reinforcements** to denote the delineation of private property will be achieved with fences, creating a boundary without compromising natural surveillance. **Natural access control** will be achieved via the presence of the driveway leading to the front door. The front door will be accentuated with a cut-out to clearly indicate where pedestrian traffic should go. The property will remain well-maintained which will encourage the use of the space for its intended purpose. The proximity to the neighboring homes provides **activity support** which encourages community interaction.

Transportation

Our perception of cars is changing and electric vehicles are becoming increasingly popular. The proposed house will have an electric vehicle charging station on the exterior, so that an electric car can be charged from one of the parking spots.

We believe in alternative modes of transportation. This project will incorporate the 3 existing off-street parking spaces, and will not go beyond the minimum required spots outlined by the City. This was decided upon based on the green building indicators checklist on the Rezoning application. The existing 3 parking spaces have all been easily and safely accessed over the past 2.5 years, and they effectively serve the property and the neighbourhood.

With bikes comes the need for added security. The existing duplex units and the proposed house all have large storage rooms connected to the entry foyer. This space has proven effective in the existing duplex units, and serves as a safe and climate-controlled location to store bikes.

Heritage

The existing building on site is a new duplex. Its construction finished in March 2017. Shortly thereafter, the building received Passive House Classic certification and Built Green Platinum Certification. The existing building that was removed was derelict and had no heritage value.

Green Building Features

Please see the additional Green Building Report included in the application package.

Infrastructure

When we acquired the property in 2015, the existing house was not livable. Further, it was a nuisance property for the neighbours and the City's Bylaw Enforcement department for several years. We removed this structure and built a new duplex. During this new construction process, we installed 3 new water service connections & meters to the property, installed a new 6" underground connection to the City's sanitary sewer main, and maintained the existing connection to the City's storm main. We then roughed-in all of the underground services to the rear of the property. The sanitary sewer and water service are presently capped and buried in the proposed building footprint and the storm water connection is roughed-in to the parking spaces. All of this work was inspected by the City's plumbing inspector during the duplex project. This proposed building will not require any alterations to the curbs, gutters, or underground City services. Further, it will not require disruption to the existing duplex building daily operations.

CALUC Meeting Held 04-Apr-19

The re-zoning information pack stipulates that 30 days are permitted after the community meeting for CALUC to comment. The meeting took place 04-Apr-19 and the letter (after several follow up emails) was submitted 15-May-19.

We are extremely grateful for the CALUC volunteers and our neighbours who devoted time to attend the Community Meeting and write a letter to capture the meeting's minutes. We are however, of the belief that the letter provided on behalf of the CALUC does not accurately capture our presentation to the community and the discussion that ensued. It is our belief that the minutes following a meeting should be written omnisciently to capture the facts of our presentation and to provide an accurate record of what was discussed during the meeting. After attending the meeting and reading the letter, it appears as though the author of the letter has narrated the letter from their own view point and has unfortunately captured some of the facts incorrectly. The following section provides clarifications to the letter that was provided by the CALUC representative. Items in italic and quotations are directly from the letter, and our associated comments follow.

CALUC Letter Quote	Our Response
<i>"A rental covenant, based on City policy will be in place. The number of years was unclear."</i>	Should a rental covenant be required by council to approve the re-zoning, we are amenable to this. We would like to clarify that this is not part of our proposal.
<i>"A new fence is proposed to lessen sound block car lights."</i>	There is no existing fence between our property and the property to the North. Prior to the CALUC meeting, our neighbour wished us luck and said "all I want is a fence". The proposal includes a

	fence, which we have offered to cover the cost of, after consultation on design with the adjacent neighbours.
<i>"Parking is also proposed in front of the duplex on permeable surface which allows grass to grow through it."</i>	Front parking does not appear in our plans and was not formally proposed. Should council require more than 3 off-street parking spots, a fourth spot could be accommodated at the front of the property. Our primary objective is to encourage alternative means of transportation and preserve the existing green space.
<i>"As with the existing duplex the house will have features to make it Net Zero ready"</i>	The existing home is Passive House and Built Green Platinum Certified and is not currently certified as Net Zero Ready.
<i>"A small height variance is also requested."</i>	The variance to height would be required in regards to the existing building, to fit within the proposed zone. The new dwelling would not need a variance for height.
<i>"Neighbours expressed concerns about increased activity, such as more cars along the property line where there is a narrow setback to the older house with a lower level suite."</i>	The concern was raised in regards to the existing activity. Since the proposed 3 off-street parking spots already exist in the rear portion of the property and are currently in use, there would be no net increase in activity. The neighbours expressed that a fence would alleviate this nuisance.
<i>"Adjacent lower level apartment dwellers might be affected the most, but none were represented at the meeting."</i>	See above.
<i>"Privacy issues were also raised. Few windows proposed overlook adjacent properties. One comment from the adjacent apartment dweller was made regarding seeing into the proposed dwelling from above. The proponent said they could install opaque glass in some windows."</i>	Our interpretation of the discussion was that the adjacent apartment dweller was expressing relief. Currently, their apartment has a view into the bedroom of our rental unit at 2742 fifth st. Our design was well thought-out in order to minimize the impact to neighbours. As a consideration to privacy, there are no windows on the west-facing side of the proposed dwelling. The proposed dwelling would, if anything, block the existing view into the rental suite's bedroom. Our belief is that this resident viewed this as a benefit and not a concern. The residents at 2750 did have questions about the windows that would face them, but seemed appeased that there was one window on the north-facing side that would face their garden. Their primary concern was regarding our existing bedroom window of the duplex that overlooks their bathroom.
<i>"The most problematic issue was how the proposal addressed on-site parking. Only 3 spaces</i>	Parking concerns were raised by the owners living at 2750 Fifth st. The strata property at

<i>for 3 dwellings accommodated at the rear was seen as inadequate."</i>	2750/2754 Fifth st is made up of 4 dwellings (2 legal) with one off-street parking spot that does not comply with the zoning bylaw (4:1 ratio). At the present time, there are 7 vehicles belonging to the various residents of this property. City guidelines stipulate that 3 parking spots to 3 units are required. Our proposal exactly meets the requirements (3:3 ratio). Further, in the "green building indicators" required for this re-zoning application, the city policy states not to exceed minimum number of parking stalls.
<i>"Some concern was raised regarding how front yard parking would affect the neighbourhood character if it became common."</i>	We do not recall any comments of this nature. We offered to the neighbours that if 3 parking spots was not sufficient there was a possibility of creating a fourth spot in the front of our home. We have not included this in our plans because our preference is to preserve the green space and did not want to affect the neighbourhood character.
<i>"The issue of the modern design and how it fit with the neighbourhood was not a big concern"</i>	We do not recall the modern design being raised as an issue and we believe that the author is inadvertently expressing his own bias/preference in this statement. Stating there is an issue with the design, then stating that this was not a concern, is dissonant. It is not clear why this statement is raised or what purpose it serves to the letter.
<i>"The proposal made some nearby residents uncomfortable with the space the infill dwelling would take and increased activity from more people and cars."</i>	We do not recall any of the residents expressing discomfort. The purpose of meeting minutes is to capture the facts of what was discussed, not to highlight the author's perception of a discussion through the lens of their own bias/preference.
<i>"There was not an overwhelming level of support and no firm objections. Attendees liked many of the ideas proposed, but those living closest thought the proponent was asking for too much."</i>	We do not recall any of the residents expressing that we were asking too much. The purpose of meeting minutes is to capture the facts of what was discussed, not to highlight the author's perception of a discussion through the lens of their own bias/preference. Our neighbours were supportive and wished us luck in our re-zoning, both at the CALUC meeting and in our private interactions. There was significant confusion regarding the size of the proposed dwelling. Because the community meeting notice form shows the proposed total floor area as the combined total of new plus existing, this was interpreted as the floor area that was being added to the property. Once the neighbours understood that we were not proposing to add

	418.8 sqm to the property, much of the overall concern was alleviated.
parking	The CALUC representative asked us how many cars we own (both at the NAC meeting and the CALUC meeting). Our understanding of the CALUC representative is to facilitate a community discussion, not interrogate with the intention of provoking inflammatory discussion. It was not understood how the number of cars currently owned by the residents is applicable to the well being of the future of the Quadra Hillside neighbourhood.
shading	There was concern raised regarding the shading and how it would affect the residents adjacent to the North. The shading analysis was explained in great detail and the neighbours seemed satisfied that the existing apartment building, due to its size and location, causes shading that our proposed building would not further impact.
other	When we arrived home from the meeting, we unexpectedly encountered the CALUC representative at the rear of our property. We would be happy for people to access our lot; however, we would have appreciated being given notice so that we can notify our existing tenants to protect their privacy/security.

By email to: Michael Angrove,
Planner
City of Victoria
mangrove@victoria.ca

18 May, 2019

Dear Michael Angrove:

Re: Community Meeting for 2740/2742 Fifth Street Rezoning

Community Meeting Details

Date: 04 April 2019

Location of meeting: Quadra Village Community Centre, 901 Kings Avenue

Meeting facilitators: Hillside Quadra Neighbourhood Action Committee (NAC): 2 members

Owners/ Agents: 2

Attendance: 5: 5 in 100m notification distance and received letters

Meeting Chair: Jon Munn, NAC, CALUC Chair

Note taker: Gillian Hillidge, NAC

Context

The surrounding properties have a mix of residential uses. The R-2 zone is common on both sides of Fifth Street north of the commercial properties at Hillside Avenue to Topaz Avenue. The immediate adjacent zones to the subject property are R-2 to the north and east on Fifth Street, the unique R2-38 zone to the south on Fifth Street and the R3-2 Multiple Dwelling District zone to the east on Quadra Street.

The property zoned R3-2 on Quadra Street contains a multi-storey apartment building, although the zone does permit a variety of residential and institutional uses.

The R2-38 zone was developed specifically for 2736-2738 Fifth Street. This property provides an excellent transition in density and character from the more active and intensive commercial and multi-unit residential uses to the south and west. Although the development accommodates several dwellings, the character combines arts and crafts/ early 20th century residential elements and the street face of a single dwelling with matching dwellings and parking behind.

Proposed Development Details

Owners/ Proponents: Aneesa Blake and Reed Cassidy

Proposal: Rezone from R-2 Two Family Dwelling District to R2-38 Fifth Duplex District

The proponent presented the proposal. Currently, the subject property is the site of a duplex where the design was largely based on high efficiency energy performance and a modern aesthetic. The proposal emphasizes the addition of a new dwelling at the rear of the property which increases the density requiring a new zone. The new building will match the new existing duplex with a low pitch roof, a rectangular profile, vertical natural wooden siding with black accents below the roof overhang and for all window and door openings.

Strata ownership is proposed for the three dwellings. The proponents will own the three units. They currently live in one unit and rent one, and they plan to rent the third unit at market rates. A rental covenant, based on City policy will be in place. The number of years was unclear.

The existing paved driveway will be used and there will be paved parking for three vehicles. A new fence is proposed to lessen sound block car lights. Parking is also proposed in front of the duplex on permeable surface which allows grass to grow through it.

The proponent gave a lot of detail regarding the energy performance calculations for the building and how this limits the size and number of windows and doors. The high efficiency included water heat recapture. As with the existing duplex the house will have features to make it Net Zero ready, which means solar cells can be added to generate electricity which could be fed back into the electric grid. These features could make the dwellings consume an average of zero electricity over a year.

In addition to the new zone, the proponents are requesting a smaller rear yard setback from the required 3m to 1.2m. A small height variance is also requested. A shadow study was presented to show little to minimum effect on the adjacent properties to the north.

Although a development permit and the related guidelines normally are required for more intensive residential development, details of conformity were only discussed briefly. The Proponent noted that they meet the intent of Official Community Plan (OCP) policies.

Discussion

A number of issues were discussed. It was noted that the adjacent owner and/or resident neighbours to the north would be most affected by the proposal. These residents from 2750-2754 Fifth asked several questions about the how the third dwelling would affect them.

Proposed 2740, 2742, 2744 Fifth (metric)		
Existing Zone		B-2
Proposed Zone		B2-3B
Lot Area		752.50
Lot Frontage on Street		18.29
Site Coverage		30.06%
FSR		0.56
Open Site Space		53.64%
Site Coverage		226.20
Floor Area		418.77
Total Floor Area	2744 Fifth	137.06
	Proposed Main	66.41
	Proposed Upper	71.45
	Proposed Basement	N/A
Total Floor Area	2742 Fifth	142.32
	Existing Main	68.33
	Existing Upper	73.99
	Existing Basement	N/A
Total Floor Area	2740 Fifth	138.59
	Existing Main	66.60
	Existing Upper	71.99
	Existing Basement	N/A
Floor Area all Floors		418.77
Commercial Floor Area		N/A
Residential Floor Area		418.77
Number of Dwelling Units		3
Parking Stalls		3
Number of Storeys		2
Height	2744 Fifth	6.75
	Average Grade	14.64
	Proposed Peak Height	21.72
	Proposed Curve Height	21.06
Height	2742/2740 Fifth	7.01
	Average Grade	15.52
	Peak Height	22.64
	Curve Height	22.41
Front yard		7.35
Rear yard		1.20
North Side Yard		3.53
South Side Yard		3.14
Combined Side Yard		6.67

Use and Density

Most of the questions centred on how the new dwelling would affect neighbours, the effect of increased density. There was some mention of the previous house which was demolished, as there were many nuisance issues before that are a relief to be rid of.

Neighbours expressed concerns about increased activity, such as more cars along the property line where there is a narrow setback to the older house with a lower level suite. The shadow study did help satisfy some concerns about a new building blocking the sunshine now enjoyed by neighbours. Adjacent lower level apartment dwellers might be affected the most, but none were represented at the meeting.

Privacy issues were also raised. Few windows proposed overlook adjacent properties. One comment from the adjacent apartment dweller was made regarding seeing into the proposed dwelling from above. The proponent said they could install opaque glass in some windows.

Transportation/ Parking

The most problematic issue was how the proposal addressed on-site parking. Only three spaces for three dwellings accommodated at the rear was seen as inadequate. There was some discussion of a parking space proposed in front of the duplex. Some concern was raised regarding how front yard parking would affect the neighbourhood character if it became common. The fact that the proposed front parking would be behind a fence, was limited to one space and could blend with the landscape if grass grew through the space was considered a design benefit. It was noted that the City requires front building parking to have planted trellis or hedges.

Affordability

A minor mention was made regarding affordability. The proponent said this is a small market-oriented proposal.

Design – Building Form and Character

Neighbours present though the energy objectives of the owners were laudable. The issue of the modern design and how it fit with the neighbourhood was not a big concern, but reference was made to how the property at 2736-38 Fifth fit very well with the neighbourhood character.

Not much reference was made to applicable guidelines and how the proposal would be reviewed under Development Permit Area No. 16, i.e. (a) Advisory Design Guidelines for Buildings, Signs and Awnings (1981), (b) Design Guidelines for Multi-Unit Residential, Commercial and Industrial Development (2012), and (c) Guidelines for Fences, Gates and Shutters (2010), stated in the Official Community Plan.

There was some discussion of the new fence and how it could help address issues of the northern neighbour. It would block car lights, but also sun light.

Conclusion

The proposal made some nearby residents uncomfortable with the space the infill dwelling would take and increased activity from more people and cars. The OCP indicates that Development Permit Area 16 uses guidelines to *support a sensitive transition to traditional neighbourhood development*, and more discussion of how these guidelines apply to this site would have been useful to determine if a better fit could be achieved.

There was not an overwhelming level of support and no firm objections. Attendees liked many of the ideas proposed, but those living closest thought the proponent was asking for too much.

Jon Munn
CALUC Co-Chair
Hillside Quadra Neighbourhood Action Committee

cc. Hillside Quadra NAC, Reed Cassidy

2019 July 20

To: City of Victoria Mayor & Council

Re: 2740/42 Fifth St Rezoning Application - Green Building Features

Thank you for taking the time to consider this proposed rezoning and the energy efficiency concepts incorporated into the design of this project. As the population continues to expand and there is an increased need for residential buildings to conform to energy standards, incorporating energy saving measures into the design of new buildings from the ground up is the most effective means of reducing residential energy consumption per capita. As society becomes more energy literate, setting local examples as precedent will help demonstrate the realm of possibility.

TARGETED CERTIFICATIONS

Using third-party rating systems for energy performance is a measurable way of demonstrating that a project meets specific performance standards. Both the EnerGuide Rating System and Built Green are being utilized for this project.

The current version of the EnerGuide Rating System has abandoned the 0-100 scale, and now provides an energy performance rating, stated in Gigajoules per year. The current design for the proposed development exhibits an EnerGuide Rating which is nearly 20% more efficient than a comparable building built to the BC Building Code minimum standards and using traditional construction practices. This is due to the Passive Building Design principles being utilized.

Built Green Bronze certification is targeted because it takes into account the buildings operational energy performance, sustainable building practices, and the embodied energy involved in constructing a new building. Further, The City of Victoria has accepted Built Green Canada's "Sustainable Building Challenge to Municipalities", so we are aiming to align our project with current City of Victoria goals.

PASSIVE DESIGN PRINCIPLES

Passive Building Design principles are important to use when undertaking a building project. We believe in them so much that we used them when building the existing duplex building, and then started a local business to help others use them too.

A building operates as an entire system, rather than just a sum of its parts. Knowing this, we are incorporating tried and true passive design features into this building.

- Building orientation was analyzed to maximize winter season solar gains. By doing so, it reduces the amount of energy needed by an active heating system. The location of the building on the property enables it to receive the greatest amount of winter sunlight. The window sizes and locations were also carefully considered based on the seasonal sun path and the surrounding

buildings and trees. The proposed building is designed so that much of it's heating load is provided through the sun, thanks to these considerations.

- Solar shading is incorporated into the design to prevent summer season overheating. Horizontal roof projections have been calculated based on sun paths during summer months, and tested through energy modelling to ensure a comfortable summer temperature. In addition, passive summer ventilation will be provided by strategic window openings and the ventilation system.
- A Heat Recovery Ventilator (HRV) is being used to ventilate the entire building. An HRV enables fresh air to be brought in, without letting the heat out. Further, this unit will see its supply air location installed in such a way as to help the building cool during the summer evenings.
- Window performance values are considered and tested through energy modelling. Doing so ensures solar gains are best utilized, and certification targets are achieved.
- The thermal bypass envelope is the separation between heated and unheated spaces. Sufficient effective thermal insulation values are being considered and tested through energy modelling in order to achieve the desired building certifications.
- Air tightness is also an important feature to achieve low energy use. The air barrier strategy will ensure that the performance of this building exceeds the Step Code design criteria.

The proposed building has been designed to incorporate a careful balance between traditional construction practices and Passive Building Design principles, and is targeted to achieve Step 3 from the BC Building Code's Energy Step Code. Our goal with this project is to prove a concept. This will be achieved by showing people that Step 3 can be easy to achieve without adding extra cost to a project, providing it is designed correctly at the preliminary project phases and executed correctly on site. We don't want to just believe it can be done; we want to prove it.

SUSTAINABLE ARCHITECTURE

One driving concept utilized for the existing building, as well as the proposed building on this property, is sustainable architecture. We have focused on minimizing our environmental impact wherever possible. Let's look at some examples:

Re-purposing materials is a great way to add character and keep materials out of the landfill. The old, dilapidated, existing home on this property was a nuisance for the neighbors and the City's Bylaw Enforcement department. It was unfortunately not salvageable to live in when we purchased the property in 2015, however we made a conscious effort to give away what was re-usable (plants, bricks, lumber, etc) and salvage some existing material during its demolition. We incorporated what was kept of the old vertical grain fir flooring into the interior finishes of the existing building's kitchens, and have saved some for the new proposed house. We've received lots of compliments on the end result thus far.

Renewable energy generation is gradually becoming popular. Both the existing duplex and the design of the proposed house are prepared for the installations of roof-top photovoltaic (PV) arrays through design, structural considerations, and roughed-in conduit pipes. The proposed house will meet Canada's Solar Ready guidelines for this type of system.

Greenhouse gas emissions have been considered. In order to keep the greenhouse gas emissions low, we are using electrical heating systems through-out. Natural gas systems would drastically increase these emissions. Further, by using electric heating systems, a future PV array will offset most (or all) of the buildings annual heating demand.

We believe in comfortable living spaces, and will eliminate or reduce any unhealthy indoor environment factors. All of the interior finishes (flooring, cabinets, counters, paints, etc) are being selected based on low volatile organic compounds (VOC's). Further, before the building is occupied, the ventilation system will run on high for at least 24 hours, and then have the HRV filters replaced with new, as endorsed by Built Green.

The most energy efficient shape for a building is a sphere. This isn't a practical shape to build, so the next best thing is a cube. The thermal envelope surface area to building volume ratio (SA:V) was chosen based on our experience with designing and building the existing Passive House duplex building. The same SA:V ratio is incorporated with this building, further improving passive design principles.

Rather than lose valuable heat (and energy) down the drain, a Drain Water Heat Recovery (DWHR) unit is being proposed. This device is a simple, cost-effective, and underutilized piece of equipment that can be easily incorporated into a new building. All of the water that enters the water heater passes through this device, and all of the drain water from the upper floor tub and shower also pass through this device. When the showers are being used, the heat from the drain water will be recovered and used to pre-heat the domestic water entering the water heater. This reduces the amount of energy needed to heat the tank, while also improving its performance and longevity.

TRANSPORTATION

Our perception of cars is changing, and electric vehicles are becoming increasingly popular. The proposed new house will have an electric vehicle charging station on it's exterior, so that one of the parking spots can support the charging of an electric car.

We are all for choosing bikes as transportation instead of cars. This project will incorporate the three existing off-street parking spaces, and will not go beyond the minimum required spots outlined by the City. This was decided upon based on the green building indicators checklist on the Rezoning application. The current residents of the property (ourselves and our tenants) have all been easily and safely using these parking spaces over the past 2.5 years, and they serve the property well.

With the ownership of bikes comes the need for added security. The existing duplex units and the proposed house all have large storage rooms connected to the entry foyer. This space has proven beneficial for us and our tenants, and serves as a safe and climate-controlled location to store bikes. We currently store six bikes, wall-mounted in our storage room, with plans for even more.

LANDSCAPING AND HORIZONTAL SURFACES

The original duplex project incorporated permeable concrete for all paved surfaces. We were the second people in the City of Victoria to utilize this building material. We originally decided to use this because it will allow natural groundwater recharging, and also remove the need to install additional underground piping. This material will be continued for the remainder of the paved surfaces on the property.

A peaceful yard space is a great amenity. In addition to having added new trees over the past year, we are not planning to remove any trees.

CONCLUSION

Our life long belief in environmental responsibility and energy efficiency has driven us to build one of the most energy efficient buildings in the City. The reward of the process and interest in the science of it inspired us to start a local business based on helping others meet and exceed their own building construction projects energy goals. We are now excited by the prospect of building a new home to showcase the relative ease and financial plausibility of constructing a new home that aligns with the City's fast upcoming Step Code adoption in 2020, as well as the Province's expected Step Code level 3 adoption in 2022.

Thank you for taking the time to read this report. Please feel free to contact the undersigned with any inquiries or feedback.

Kind regards,

Reed Cassidy, CEA, RBO | Owner, Energy Consultant
www.adaptenergyadvising.com | 250.516.0208
2740 Fifth St | Victoria BC | V8T 4B2

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

RE: Proposed Development at 2740/2742 Fifth St from R2 to R2-38 (same as 2736, 1-2738, 2-2738 Fifth St).

Dear City of Victoria Staff, Mayor and Council,

I, Nathan Janz, residing at 2739 FIFTH ST am in support of the proposed development at 2740/2742 Fifth St.

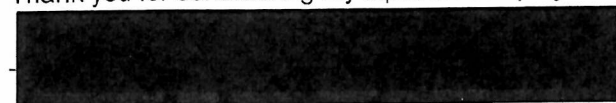
I am in support of this project because of the following reasons:

Increased density in urban areas is necessary / good

I support the addition of another high-quality 3-bedroom, 2.5 bathroom rental unit in our neighbourhood because:

Although in today's rental market, it makes sense to have a Building Agreement in place to secure the rental nature of one of the units, it does not make sense to require an agreement to be in place for longer than 3 years because

Thank you for considering my input on this project. If you have further questions, I can be reached at



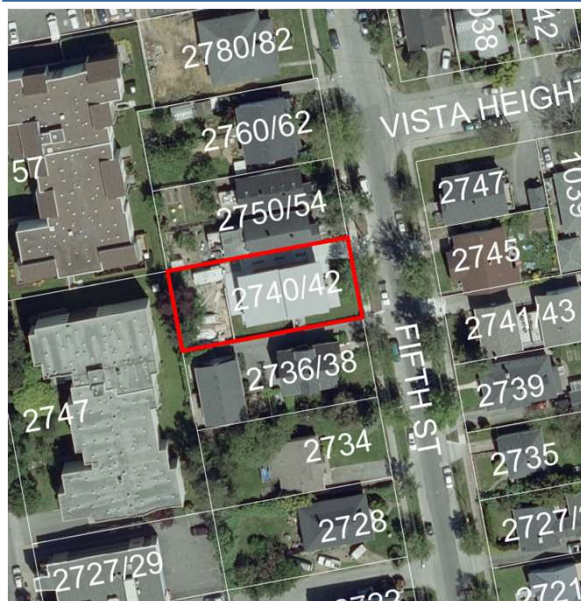
Yours truly,

A handwritten signature in blue ink, appearing to be 'Nathan Janz', written over a horizontal line.

Rezoning & Development Variance Permit Application for 2740 & 2742 Fifth Street



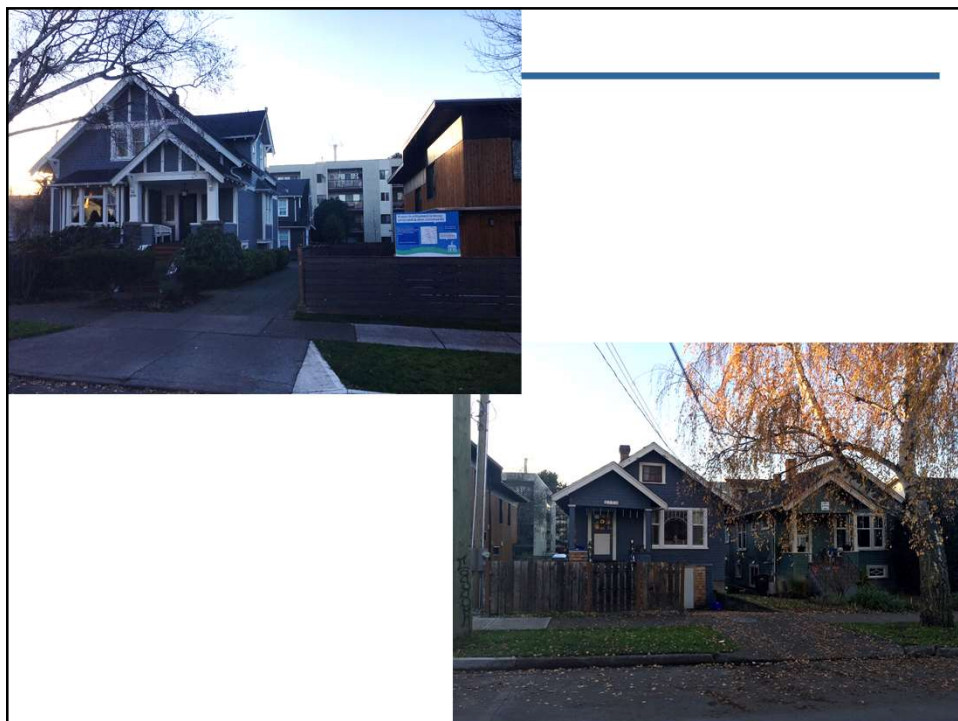
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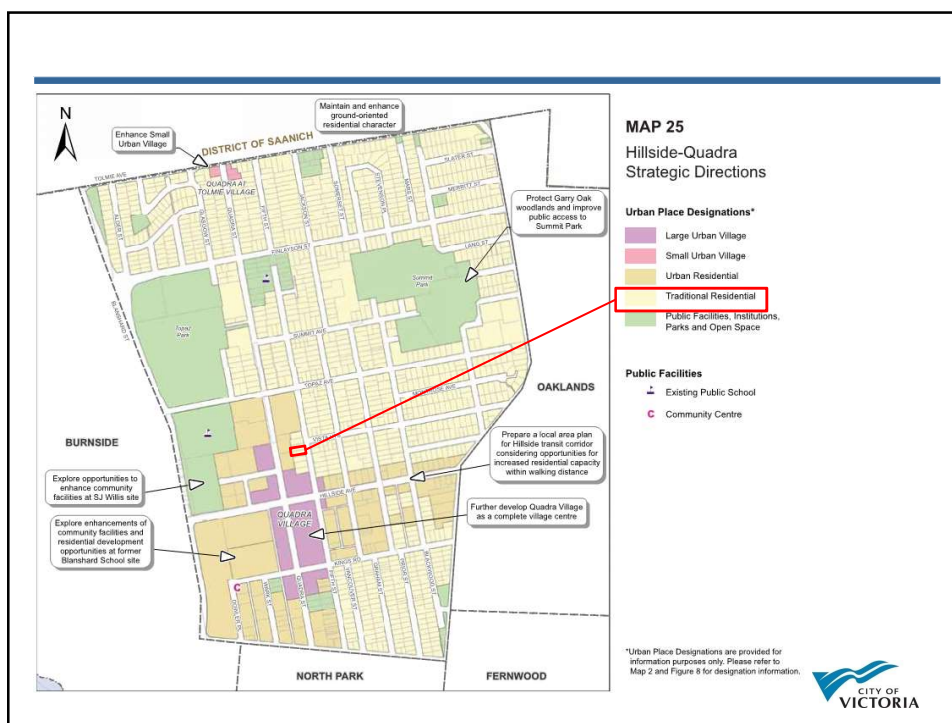
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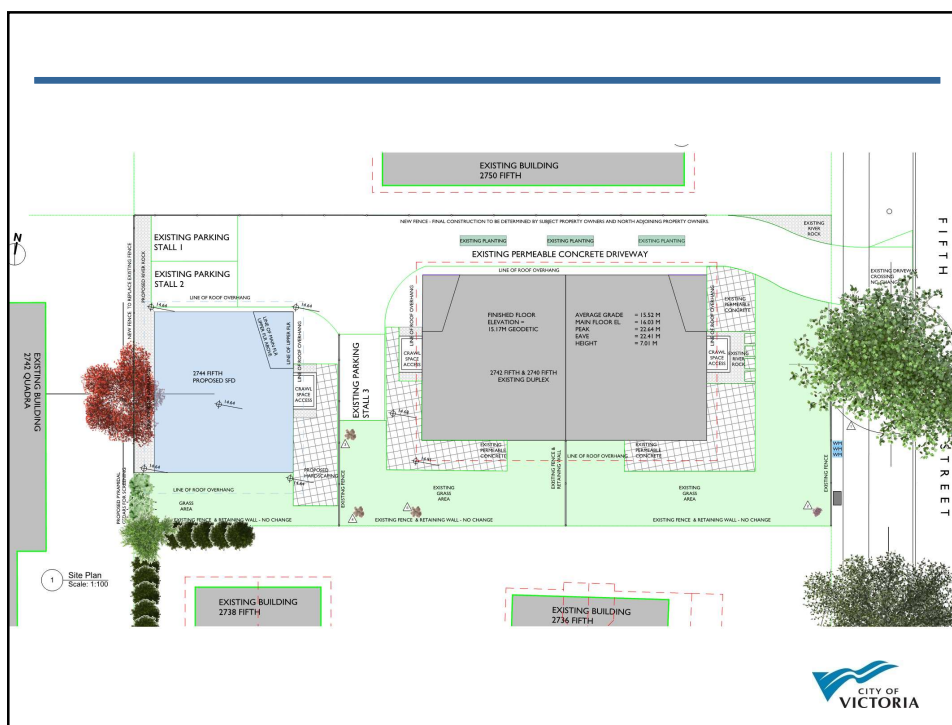
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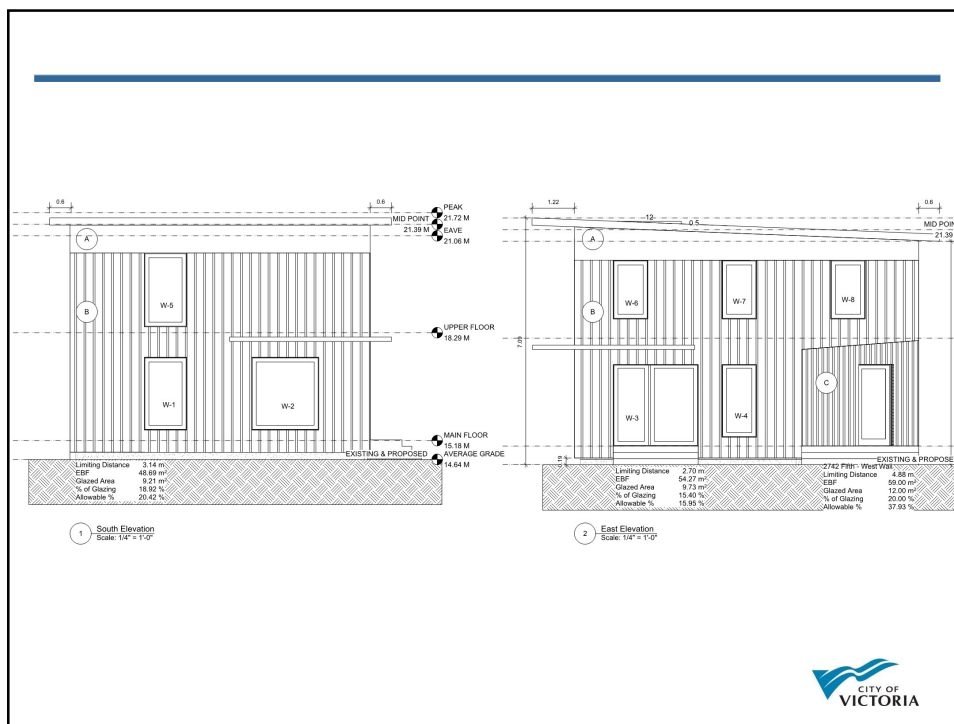
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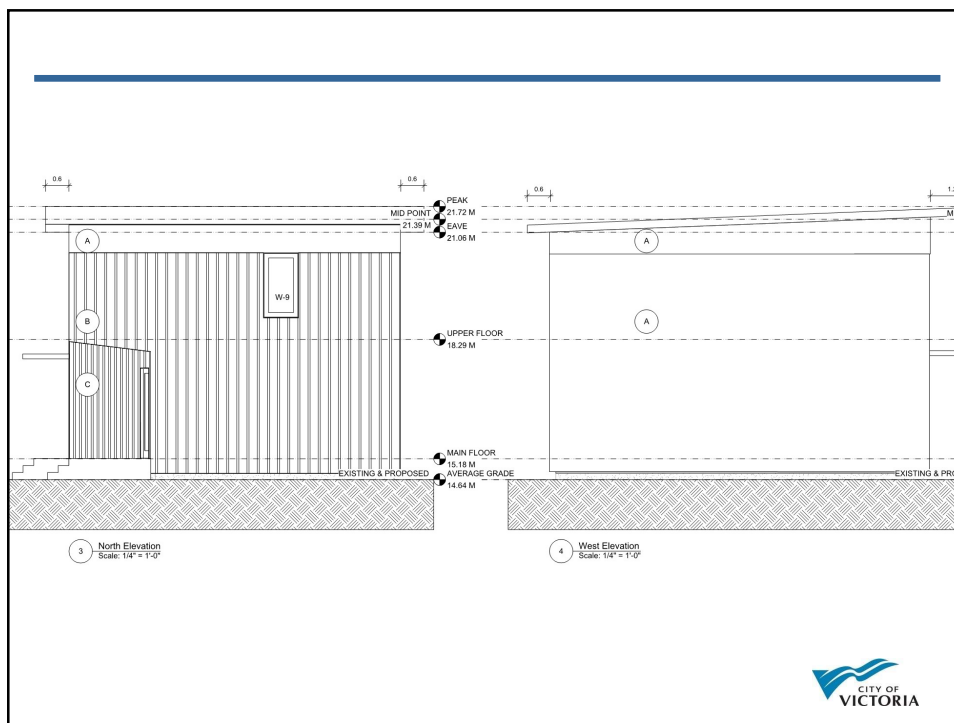
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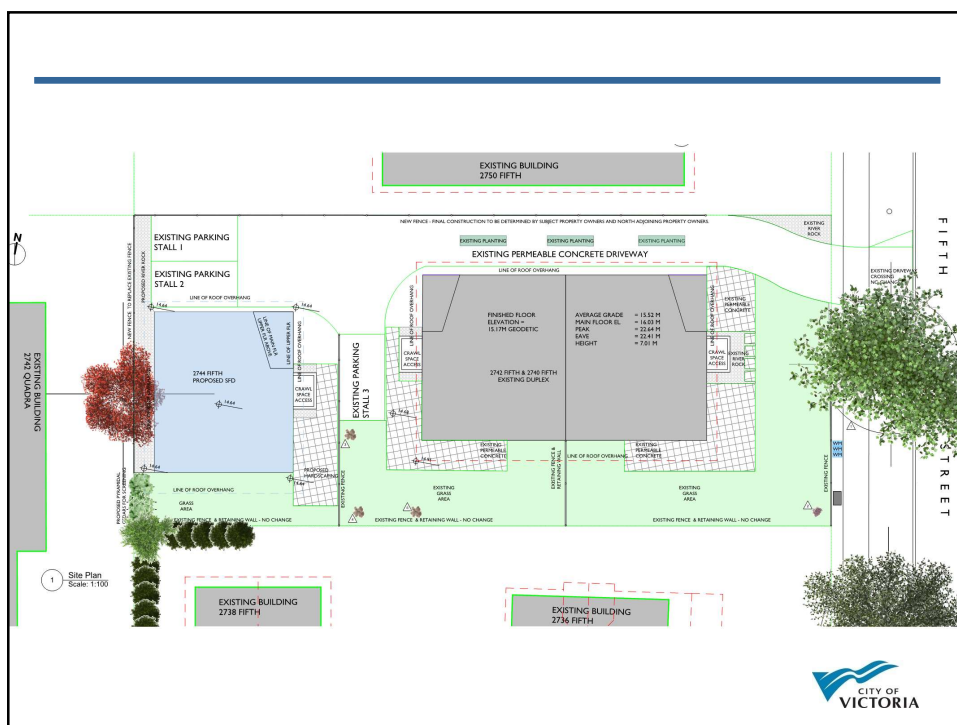
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