

**Committee of the Whole Report** For the Meeting of November 16, 2023

From:	Karen Hoese, Director, Sustainable Planning a Rezoning Application No. 00807 for 515	Ind Comm	nunity Development v Road and associated
From:	Karen Hoese, Director, Sustainable Planning a	ind Comm	unity Development
To:	Committee of the Whole	Date:	October 10 2023

#### RECOMMENDATION

#### **Rezoning Application**

- 1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated October 10, 2023 for 515 Foul Bay Road.
- 2. 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. plan revision to reduce the space dedicated to vehicle parking at the site's entrance to the satisfaction of the Director of Sustainable Planning and Community Development;
  - b. plan revision to propose an alternative permeable paving surface, to the satisfaction of the Director of Parks, Recreation and Facilities;
  - c. plan revision to label accessible parking stall, show dimensions in metric and provide a 1.5m hatched aisle, to the satisfaction of the Director of Engineering and Public Works;
  - d. plan revisions to correct the arborist report, tree management plan and landscape plans to the satisfaction of the Director of parks, Recreation and Facilities;
  - e. preparation of a heritage designation bylaw to designate the property known as 515 Foul Bay Road, as described in the Statement of Significance attached as Attachment D, pursuant to Section 611 of the Local Government Act, to the satisfaction of the Director of Sustainable Planning and Community Development, and that the introductory readings of the *Heritage Designation Bylaw* be considered by Council concurrently with the *Zoning Regulation Bylaw* amendment.
- 3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with form satisfactory to the City Solicitor prior to adoption of the bylaw:

- a. provision of a 1.6m wide statutory right-of-way for highway purposes along the Foul Bay Road, with terms to the satisfaction of the Director of Engineering and Public Works;
- b. provision of a detailed design, supply and installation of a new Rectangular Rapid Flashing Beacon (RRFB) pedestrian crossing of Foul Bay Road at its intersection with Chandler Avenue, including a curb extension at the west side of Foul Bay Road, wheelchair ramps, tactile indicators and all associated infrastructure, to the satisfaction of the Director of Engineering and Public Works;
- c. protection, restoration and maintenance of the existing greenspace with a site area of approximately 1,468 m<sup>2</sup> in accordance with the plans date stamped by Planning on September 14, 2023, which includes provision of a bee colony in the conservation area for a period of at least two years and ensuring that design and construction in the area follows the recommendations in the September 12, 2023 arborist report from Gye & Associates to minimize impacts to trees, to the satisfaction of the Director of Parks, Recreation and Facilities;
- d. securing five units in the existing multiple dwelling as rental units for the life of the building, with contents satisfactory to the Director of Sustainable Planning and Community Development;
- e. provision of no less than one adaptable unit, in accordance with the standards in the British Columbia Building Code and BC's Building Accessibility Handbook, to the satisfaction of the Director of Sustainable Planning and Community Development;
- f. provision of no less than three four-bedroom and six three-bedroom units, to the satisfaction of the Director of Sustainable Planning and Community Development; and
- g. provision of transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works, including:
  - i. two over-sized long-term bicycle parking spaces;
  - ii. 50% of required long-term bicycle parking with access to an electrical outlet;
  - iii. bicycle wash and maintenance facility.
- 4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
- 5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

#### **Development Permit with Variances Application**

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. 00807, if it is approved, consider the following motion:

"1. That subject to the adoption of the necessary *Zoning Regulation Bylaw* amendment, Council authorize the issuance of Development Permit with Variances No. 00255 for 515 Foul Bay Road, in accordance with plans submitted to the Planning department and date stamped by Planning on September 14, 2023, in accordance with the following:

- a. Subject to the proposed development meeting all City zoning bylaw requirements, except for the following variances:
  - i. reduce minimum front yard setback from 6.00m to 0.41m;
  - ii. reduce minimum side yard setback (north) from 4.00m to 3.08m;
  - iii. increase maximum eave projection from 0.75m to 0.79m;
  - iv. permit vehicle parking in the front yard;
  - v. reduce short-term bicycle storage from 18 spaces to 10 spaces;
  - vi. increase maximum driveway slope from 8.00% to 11.36%;
  - vii. reduce minimum two-way driveway width from 6.00m to 4.00m, and;
  - viii. increase maximum accessory building height from 3.50m to 4.00m.
- Subject to the property being subdivided into two lots generally in accordance with plans submitted to the Planning department and date stamped by Planning on September 14, 2023.
- c. That pursuant to section 512(2) of the *Local Government Act*, Council exempts the existing property at 515 Foul Bay Road as well as the new proposed lot to be created by subdivision, as generally shown in the plans submitted to the Planning department and date stamped by Planning on September 14, 2023, from the minimum frontage requirements of section 512(1) at the time of subdivision.
- 2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution."

#### Heritage Designation Application

That Council:

- Instruct staff to prepare a heritage designation bylaw to designate the property at 515 Foul Bay Road, that first and second reading of the bylaw be considered by Council and that a Public Hearing date be set, and that the heritage designation bylaw provides for the following to the satisfaction of the Director of Sustainable Planning and Community Development:
  - a. no heritage alteration permit is required for interior alterations, repair and maintenance work that would not affect the exterior of the building, or;
  - b. a heritage alteration permit to allow for demolition of the building would be issued for the building if the building is damaged significantly due to fire, flood or similar event outside of the owner's control.
- 2. Approve the Statement of Significance for 515 Foul Bay Road attached as Attachment D to this report recognizing the building exterior as the historic features of the property.

#### LEGISLATIVE AUTHORITY

This report discusses a Rezoning Application, a concurrent Development Permit with Variances Application and a concurrent Heritage Designation Application.

Relevant Rezoning considerations relate to:

- change of use to allow ground-oriented multiple dwellings
- new regulations pertaining to the number of buildings on a lot and maximum floor area.

The relevant Development Permit with Variances considerations relate to:

- the application's consistency with design guidelines
- impact of variances pertaining to setbacks, bike parking, as well as parking and driveway specifications.

#### **Enabling Legislation**

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 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan, 2012* (OCP). 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.

In accordance with section 512 of the *Local Government Act*, if a parcel being created by a subdivision fronts on a highway, the minimum frontage on the highway must be the greater of ten percent of the perimeter of the lot, and the minimum frontage that the local government requires by bylaw. However, Council may exempt a parcel from this minimum.

In accordance with Section 611 of the *Local Government Act*, Council may designate real property, in whole or in part, as protected property. In accordance with section 611 (2)(c), a heritage designation bylaw may apply to fixtures identified in the bylaw.

#### EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning and Development Permit with Variances application for the property located at 515 Foul Bay Road. The proposal is to rezone from the R1-G Zone, Gonzales Single Family Dwelling District to a new site-specific zone and subdivide the lot to allow for ground-oriented multiple dwellings at this location.

There is a concurrent Development Permit with Variances application pertaining to the proposed form, character, exterior design, finishes and landscaping, as well as variances related to setbacks and parking specifications for three new three-storey buildings containing a total of 12 dwelling units in addition to the existing five-unit house conversion, which is to remain as a rental building for the life of the building.

The following points were considered in assessing the Rezoning Application:

• The proposal is generally consistent with the *Official Community Plan* (OCP) Traditional Residential Urban Place Designation, which envisions Missing Middle Housing and other

ground-oriented residential uses, with density up to approximately 1.1:1 floor space ratio (FSR).

- The creation of 12 new dwelling units, including three four-bedroom, six three-bedroom units, and three one-bedroom units would further the OCP goal of providing a diversity of housing, including family-oriented housing that is suitable for larger households.
- Five existing rental units secured for the life of the heritage building does not guarantee rental units in perpetuity, but when combined with the proposed heritage designation to secure the building, would further the OCP's rental housing objectives.
- Concerns were raised by the applicant with offering heritage designation unless provisions could be added to the designation bylaw to permit demolition of the building in specific circumstances outside of the owner's control; in consideration of this, the recommendation includes direction to add new provisions to standard designation bylaw.
- The proposal is inconsistent with specific policies in the *Gonzales Neighbourhood Community Plan* (2002) to retain the predominance of detached dwellings and discourage further subdivision in the Queen Anne Heights area. However, the proposal does demonstrate notable effort in preserving landscape features of heritage value, and a significant contiguous open space in the southern portion of the property would be protected in perpetuity.
- The proposed 1.6m statutory right-of-way (SRW) along Foul Bay Road would provide space to inbound a future sidewalk, provide boulevard, and street trees, which supports the OCP's transportation and placemaking policies. In addition, a new crosswalk that is recommended to be paid for by the developer would improve pedestrian safety for new families that are anticipated to walk to Margaret Jenkins School.

The following points were considered in assessing the Development Permit with Variances:

- The proposed form and character of the development is generally consistent with the design guidelines for Development Permit Area (DPA) 15F, Missing Middle Housing and DPA 15B Intensive Residential- Panhandle Lot; however, the proposed front yard parking is not consistent with guidance for sensitively integrating and buffering vehicle parking.
- The proposed site planning is consistent with the *Missing Middle Design Guidelines* (2022), which allow for alternative siting and clustering of buildings to protect significant and heritage features and emphasize maintaining the prominence of the heritage building, providing adequate setbacks and avoiding impacts to existing site lines to the heritage building.
- The proposed site planning is consistent with the design guidelines applicable to DPA 15B, Intensive Residential Panhandle Lot, which encourage mitigating privacy impacts through larger setbacks and avoiding windows overlooking abutting rear yards, although the guidelines do not anticipate three storey building heights for intensive residential development.
- The proposed front yard parking is not considered consistent with the guidelines to ensure landscaping within driveway areas where front yard parking is provided.
- The proposed front yard setback is supportable because the impact on neighbouring properties is considered minimal, with 26.50m to the nearest dwelling.
- The less than one metre side yard reduction, 0.50m increased accessory building height and eave projection variances are all relatively minor variances compared to the standard zone.
- The proposed variances to increase driveway slope and reduce driveway width are considered supportable because they allow for the reuse of the existing driveway, which minimizes construction impacts on site features, such as trees, rock outcroppings and the

existing building foundation.

- The variances requested to permit vehicle parking in the front yard panhandle driveway is not considered supportable due to the lack of a landscape buffer between parallel parking and adjacent properties or screening from the public realm as well as the potential to reduce parking while still meeting *Zoning Regulation Bylaw* requirements.
- The proposed variance to short-term bicycle storage from 18 spaces to 10 spaces is considered supportable based on the adequacy of the overall proposed Transportation Demand Management (TDM) measures.

#### BACKGROUND

#### **Description of Proposal**

This proposal is to rezone from the R1-G Zone, Gonzales Single Family Dwelling District to a new site-specific zone and to subdivide the lot into two lots in order to allow for ground-oriented multiple dwellings on one panhandle lot and to retain an existing five-unit house conversion on the other lot.

The following differences from the standard RTM Zone, Traditional Residential Multiple Dwelling District, are being proposed and would be accommodated in the new zone:

- replace "multiple dwelling" with "ground-oriented multiple dwelling" and add house conversion and secondary suites as permitted uses
- reduce maximum FSR from 1:1 to 0.5:1.

The associated Development Permit with Variances Application is for three new three-storey buildings containing a total of 12 dwelling units, in addition to an existing five-unit heritage registered house conversion. Additional accessory structures include a "children's forest house" and a bicycle parking structure located near the existing heritage home.

Specific details include:

- three ground-oriented multiple dwellings, each building containing four dwelling units, sited in the rear and side yard of a 4896m<sup>2</sup> panhandle lot
- overall new dwelling unit mix consisting of three one-bedroom, six three-bedroom and three four-bedroom units
- one adaptable unit and potential for secondary suites in each four-bedroom unit
- surface parking (20 spaces including modo and visitor spaces).

#### Exterior materials include:

- Composite shingles and fiber-cement panel
- Stone effect and wood columns
- metal roof, metal siding, and aluminium railings.

Landscape elements include:

- 1,468m<sup>2</sup> established greenspace with Garry Oak meadow, rock outcroppings, bee colony on site (maintained at least two years), pathway in southern portion
- children's playhouse constructed with materials from existing on-site sheds
- permeable parking and driveway surfaces

- 105 trees identified 85 protected trees (63 on-site), 31 off-site, 9 under-sized
- 25 protected trees removed, 29 replacement trees.

The proposed variances from the standard RTM Zone are related to:

- reducing the minimum front yard setback from 6.00m to 0.41m;
- reducing the minimum side yard setback (north) from 4.00m to 3.08m;
- increasing the maximum eave projection from 0.75m to 0.79m;
- permitting vehicle parking in the front yard;
- reducing short-term bicycle storage from 18 spaces to 10 spaces;
- increasing driveway slope from 8.00% to 11.36%;
- reducing two-way driveway width from 6.00m to 4.00m; and
- increasing maximum accessory building height from 3.50m to 4.00m.

#### Land Use Context

The area is characterized by single-family dwellings some of which are located on similarly large panhandle lots. In addition, there is a ten-unit attached dwelling development, a nursing home and Margaret Jenkins Elementary located to the west of the subject property. Heritage registered and heritage designated properties exist in the surrounding upper Foul Bay Road area, including Abkhazi Garden, which abuts the subject property to the south.

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

The site currently contains a residential house conversion containing five rental units, including three one-bedroom, one two-bedroom and one two-bedroom with a den. The property, shown in Figure 1, contains a heritage registered building, which was designed by architect Samuel Maclure in 1910. The applicant has committed to securing the building as a rental for the life of the building in support of the proposal under consideration and existing tenants will not be displaced.

Under the current R1-G Zone, the property could be subdivided to create additional panhandle lots, which would require 600m<sup>2</sup> per lot in this zone when on a panhandle lot and a shared panhandle access. Panhandle lots are subject to the *Zoning Regulation Bylaw* Schedule H: Panhandle Lot Regulations, which require larger lot area, lot width and setbacks as well as reduced building height, maximum floor area and site coverage than the standard R1-G Zone regulations. In addition, as a panhandle lot, the property is not eligible for development under recently adopted *Missing Middle Regulations*.

Figure 1: Aerial Map



#### Data Table

The following data table compares the proposed new buildings with the R1-G Zone, Gonzales Single Family District and the standard RTM Zone, Traditional Residential Multiple Dwelling District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone.

Zoning Criteria	Proposal	Existing R1- G Zone	Zone Standard RTM Zone
Site area (m²) – minimum	4896.55	460	920
Density (Floor Space Ratio) – maximum	0.48:1	0.50:1	1:1
Number of buildings (max)	3*	1	1
Combined floor area (m <sup>2</sup> ) – maximum	2341.37	300	-
Lot width (m) – minimum	75.95	15	20 (avg.)
Height (m) – maximum	10.14*	7.60	10.50
Storeys – maximum	3*	2	3
Site coverage (%) – maximum	20.12	30	50
Open site space (%) – minimum	60.81	50	45
Separation space between buildings (within the site) (m) – minimum	4.74	-	-
Setbacks (m) – minimum	-	-	-
Front	0.41*	7.50	6
Rear	5.13 (non- habitable) <b>7.56</b> * (habitable)	9.10 or 30% lot depth	4
Side (north)	3.08 (non- habitable) 7.52 (habitable)	1.50 or 15% lot width	4
Side (south)	22.29	1.50 or 15% lot width	4
Combined side yards	25.37	5.40	-
Eaves	0.79*	0.75	0.75

Zoning Criteria	Proposal	Existing R1- G Zone	Zone Standard RTM Zone
Accessory building location	Side yard*	Rear yard	Rear yard
Accessory building height (m) – maximum	4	3.5	3.5
Parking – minimum	20 including 1 modo	16	16
Visitor parking included in the overall units – minimum	2	1	1
Long term bicycle parking – minimum	15	15	15
Short term bicycle parking – minimum	10*	18	18
Parking location	<b>Front yard*</b> , side yards, internal	Not in front	Not in front
Driveway/parking slope (%) – maximum	11.36*	8	8
Driveway width	4*	6 (two-way)	6 (two-way)

#### **Sustainable Mobility**

The application proposes the following Transportation Demand Management (TDM) measures, which support multi-modal transportation:

- two over-sized long-term bicycle parking spaces
- 50% of required long-term bicycle parking with access to an electrical outlet
- bicycle wash and maintenance facility.

#### Public Realm

#### Pedestrian Crossing

The proposal will add 12 new units, in addition to the five existing rental units in a location that will create a desire line across Foul Bay Road at Chandler Avenue, between Margaret Jenkins School and the development. The majority of anticipated pedestrians to cross in this location would come from the subject site. Therefore, a new crosswalk is recommended, with the full cost paid by the developer to improve pedestrian safety and accessibility. The warranted crossing in this location should include a pedestrian activated Rectangular Rapid Flashing Beacon and a curb bulb on the west side of Foul Bay Road. The applicant agreed to this public realm improvement, which will be secured with a legal agreement and registered on the property's title prior to adoption of the *Zoning Regulation Bylaw* amendment.

#### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, prior to submission of the application, it was posted on the Development Tracker along with an invitation to complete a comment form on September 29, 2021. Mailed notification was sent to owners and occupiers of property within 100m of the subject property advising that a consultation process was taking place and that information could be obtained and feedback provided through the Development Tracker. A sign was also posted on site, to notify those passing by of this consultative phase. Additionally, the applicant participated in a meeting with the CALUC on October 25, 2021. A report dated October 25, 2021 along, with the comment forms are attached to this report.

In response to the consultation the applicant revised the original proposal for total of 23 units and 26 parking spaces to 17 units and 20 parking spaces in the current proposal, as well as other more minor revisions.

Pursuant to section 464(2) of the *Local Government Act*, Council may choose to not hold a public hearing where a rezoning application is consistent with the OCP. While the proposal is generally consistent with the OCP, the *Local Government Act* does not enable Council to choose to not hold a public hearing for Heritage Designation applications; therefore, to allow consideration of the project as a whole, a public hearing is recommended.

The associated 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

#### **Rezoning Application**

#### Official Community Plan

The Official Community Plan, 2012 (OCP) Urban Place Designation for the subject property is Traditional Residential, which supports Missing Middle Housing and other ground-oriented residential uses. The OCP envisions densities of approximately 1.1:1 FSR for properties designated as Traditional Residential and approximately three-storeys in height. The OCP also notes that decisions about the appropriate scale for a particular site will be based on an evaluation of the context in addition to applicable policies. The strategic direction specific to Gonzales is to maintain and enhance neighbourhood character including the heritage character of buildings, landscapes, and streetscapes.

The proposal is consistent with envisioned uses, density and height for Traditional Residential properties as the proposal is for three-storey, ground-oriented multiple dwellings. The proposed density of 0.48:1 FSR is well short of the upper range envisioned in the OCP; however, this is considered appropriate given the site and surrounding context, most notably the established landscape features, panhandle lot configuration and the secured protection of approximately half the site as open site space. The proposal is not fully consistent with the strategic direction for the Gonzales neighbourhood as the plan prioritizes lower density detached dwellings and duplexes and generally discourages further subdivision in the Queen Anne Heights area.

The OCP includes other strategic objectives that are advanced by the proposal, including:

- housing that is suitable for larger families (i.e., three- and four-bedroom units)
- retention of a contiguous area of established trees and landscape features
- retention of existing rental units and commitment to secure these through a legal agreement.

#### Gonzales Neighbourhood Community Plan

The proposal is inconsistent with specific policies in the *Gonzales Neighbourhood Community Plan (2002)*, which generally encourages the retention of zoning that maintains the detached dwelling character of the neighbourhood. The plan prioritizes preserving large lot character and discourages further panhandle lot subdivision in the Queen Anne Heights area, which includes the subject property.

The neighbourhood plan prioritizes preserving the heritage character of buildings, landscape features and streetscapes generally, and specifically encourages incentivizing heritage designation of historic buildings, with priority on those along Foul Bay Road. The proposal is offering designation of the historic building, and further demonstrates an effort to preserve landscape features by concentrating the proposed housing to retain a large portion of the property as open space, which is reflected in the 20.12% site coverage and 60.81% open space. In addition, the unit mix includes nine of twelve homes being at least three bedrooms, which advances the housing objective of maintaining housing choice by providing units suitable for larger households.

#### Housing

The application, if approved, would add 12 new residential strata units, which would increase the overall supply of housing in the area and contribute to the targets set out in the *Victoria Housing Strategy*.



Figure 1. Housing Continuum

#### Housing Mix

At present there is no policy that provides targets regarding housing mix and unit type is not regulated or secured. However, the OCP identifies a mix of units as an objective and identifies the need for a diverse range of housing units including family housing. As submitted, this application proposes three four-bedroom, six three-bedroom, three one-bedroom, as well as three one-bedroom, one two-bedroom and one two-bedroom with a den in the existing house conversion. The applicant has agreed to secure the three- and four-bedroom units through a housing agreement.

#### Security of Tenure

The applicant is offering to secure the five existing rental units in the house conversion for the life of the building through a Housing Agreement with the City. Although City policy encourages securing rental in perpetuity, the provision of heritage designation addresses most scenarios where the building could be demolished, and rental units lost.

#### Statutory Right of Way

The applicant is amenable to providing a 1.6m wide statutory right-of-way (SRW) along Foul Bay Road to help achieve a more standard collector roadway width. This space will be used for the planting of future street trees and boulevard and inbounding the sidewalk to improve pedestrian experience and comfort. In the interim, the existing rock wall will remain in the SRW with portions removed to provide fire access and improve sightlines and safety for pedestrians and motorists.

#### **Development Permit with Variance Application**

#### Official Community Plan: Design Guidelines

As noted, the *Missing Middle Regulations*, which would permit heritage conserving infill without requiring rezoning, do not apply to a panhandle lot. However, The OCP does identify this property as within Development Permit Area (DPA) 15F, Missing Middle Housing as well as DPA 15B Intensive Residential- Panhandle Lot; therefore, applicable guidelines include the *Missing Middle Design Guidelines* (2022), *Design Guidelines for Small Lot House* (2002), and the *Advisory Design Guidelines for Buildings, Signs and Awnings* (1981).

#### Site Design

Recognizing the unique challenge with heritage infill, the guidelines provide specific direction for proposals that contain heritage buildings. This includes allowing for the siting and clustering of buildings to facilitate heritage conservation and preserve natural features as well as significant trees. Additionally, the incorporation of retained and new landscaping within setback areas is emphasized to mitigate impacts on neighbouring properties.

The guidelines encourage maintaining site lines from the sidewalk to the front entryway for heritage conserving infill and ensuring new buildings do not detract from the visual prominence of the heritage building. Although the heritage building is visible from Foul Bay Road and portions of Chandler Avenue, site lines from the street to the building are limited due to the panhandle configuration. Similarly, the new buildings would be located more than 40m from the street, with the heritage building remaining the most prominent.

Unless in conjunction with the designation of a heritage building, panhandle lot subdivision is strongly discouraged. Subdivision is proposed to create a separate lot to contain the new buildings, and a remnant lot to contain the heritage building. Heritage designation is proposed with additional provisions requested by the applicant, which is discussed in more detail in the heritage section below.

A primary objective for site design for Missing Middle Housing and intensive residential development is to sensitively integrate vehicle parking and circulation to minimize impacts on neighbours and on the public realm. This includes providing landscaping within driveway areas to soften impacts of front yard parking. This objective is achieved for parking located near the proposed dwellings; however, the proposed front yard parking is not sensitively integrated as it will be visible from the public realm and is not buffered from abutting properties. A plan revision to address this issue is included in the recommendation for Council's consideration.

The *Small Lot House Design Guidelines* (2002) encourage mitigating privacy impacts through larger setbacks, which is adequately achieved in the proposal by large setbacks consistent with panhandle lot regulations.

#### Building Design

In terms of architectural expression, new building design should be complimentary yet subordinate to, contrasting with and clearly distinguishable from that of the heritage building. This is achieved through the proposed massing, height, materials, and colour palette of the proposed buildings. Also, balconies are located and oriented towards front and rear yards, except for one balcony that overlooks the proposed protected open space area, which contributes to livability and adds articulation for visual interest.

The guidelines prioritize building design that minimizes overlook into adjacent private yards by employing increased building setbacks (at least 5m) and minimized or staggered windows when facing adjacent properties. The site layout does provide generous setbacks and demonstrates effort to retain established landscaping to minimize possible overlook.

#### Neighbourhood Plan

The *Gonzales Neighbourhood Community Plan* provides limited guidance on design, specifically that new buildings are sensitive to nearby heritage buildings, landscapes, and streetscapes, and allow for traditional or contemporary approaches to design if building massing and height are in keeping with neighbouring buildings.

In summary, the proposal complies with the following key OCP and neighbourhood plan guidelines:

- Site design concentrates density in one portion of the property, which avoids development in the southern portion and retains rock outcroppings and significant trees.
- Significant trees are proposed for removal; however, retention is possible for 60 out of 85 on- and off-site bylaw protected trees, including most of the existing landscape features in the southern portion of the site that abuts Abkhazi Gardens.
- Side and rear yard setbacks are at least 7.5m to habitable rooms, which is consistent with requirements for panhandle lots and exceeds that recommended in the guidelines.

- Building design is complimentary to the heritage building, with contemporary materials combined with elements that acknowledge the character defining elements while avoiding replication.
- Proposed new buildings are subordinate in height and sited in the side and rear yards to maintain prominence of the heritage building from the street.

#### <u>Variances</u>

Although a site-specific zone is sought, variances are recommended (instead of inclusion in the new zone) for areas where the proposal is not consistent with the standard RTM Zone, Traditional Residential Multiple Dwelling District, and the Off-Street Parking Regulations (Schedule C) of the *Zoning Regulation Bylaw*. This ensures that if this proposal is not built, any potential future redevelopment would require Council's consideration and approval for these specific aspects.

#### Setbacks

The property is considered an irregular, panhandle lot; therefore, the front property line is determined based on the largest inscribed rectangle (refer to page A106 in the attached plans). The existing house conversion has a zero setback from the front property line. A variance is required to reduce the minimum front yard setback from 6m to 0.41m for the Block 2 building. The variance is considered supportable given that Block 2 is sited in the north side yard and is further from the street than the heritage building.

A variance to reduce the minimum side yard setback (north) from 4.00m to 3.08m (Block 2) is considered supportable because the nearest habitable portion of Block 2 is setback 7.52m, which complies with the requirements of a panhandle lot. There is also a minor variance to increase the maximum eave projection from 0.75m to 0.79m, which is supportable due to the minor discrepancy between the proposal and bylaw requirement.

#### Parking and Driveway Specifications

A variance is required to permit parking in the front yard. This relates to the parallel and 90-degree parking located along the panhandle driveway. The proposed parking will occupy much of the land between the two properties abutting the panhandle portion and will not include a landscaped buffer. The variance is not supportable as proposed given that a reduction of vehicle parking is possible without requiring a parking variance to allow for permit parking in the front yard. The recommendation includes a condition that parking be reduced in the front yard.

A variance is also required to reduce short-term bicycle storage from 18 spaces to 10 spaces, which is considered supportable as the proposal is providing adequate long term bicycle parking as well as enhanced bike parking facilities.

The proposed development requires variances to driveway specifications, including to increase the maximum driveway slope from 8% to 11.36% and to reduce the minimum driveway width from 6m to 4m. Each of the required variances are considered supportable as they assist in the preservation of the existing site features, most notably rock-outcroppings and trees in front of the existing heritage building.

#### Height

The final variance proposed is to increase the maximum accessory building height from 3.50m to 4m for the accessory building that would be used as a "children's playhouse" proposed in the large open space in the southern portion of the lot. This is supportable and the location is not likely to impact neighbouring properties.

#### **Accessibility**

The proposal includes one adaptable unit, which will be a one-bedroom unit in Block 3.

#### **Sustainability**

The following sustainability features are associated with this proposal:

- open space area with a garry oak meadow, rock outcroppings and nature trail (to be protected by a covenant)
- low impact design for building foundations, with no basements, to minimize tree impacts
- permeable parking and driveway surfaces
- removal of invasive plant species
- electric vehicle charging infrastructure available for all parking
- wildlife corridor to allow the continued safe movement of deer
- bee colony on site in the conservation area for a period of at least two years
- use of materials from onsite accessory buildings to construct a children's playhouse.

#### Heritage Designation

#### History

The property located at 515 Foul Bay Road, also referred to as the Tracksell home, is a large 3.5storey British Arts and Crafts style mansion built in 1910. The exterior façade of 515 Foul Bay Road has maintained much of its original appearance. Its character-defining elements include its half-timbered upper storey and stone-clad lower storey with rubble fieldstone cladding and granite quoins. The building contains wooden windows, other decorative woodwork, and corbelled brick chimney stacks. The ornamental woodwork and stonework is typical of the British Arts and Crafts architectural style, as well as the design work of noted Victorian architect Samuel Maclure. The building is also valued for its historical association with several prominent persons from Victoria's past, including the Honourable John Wallace de Beque Farris and his wife Evelyn Farris.

#### Designation

It is reasonable and standard practice to request heritage designation in support of a development applications requiring rezoning. The applicant has been encouraged to heritage designate the existing building as it is a valued historic home designed by a renowned Victoria-based architect. Designation would provide the property with bylaw protection of character-defining elements (exterior elements only) and would enable the applicant to apply for grants through the Victoria Heritage Foundation for maintenance, repair and seismic upgrade work. The application was reviewed by the Heritage Advisory Panel at a meeting on May 9, 2017, and was recommended for approval.

The applicant is proposing heritage designation; however, they have expressed concern for potential uninsured liability in in the event of damages to the building from a fire, flood or similar occurrence. The City's policy regarding designated properties is that if a heritage structure is damaged to the point of total or near total loss, upgrades in conformance with modern building code requirements may be triggered. The applicant's concern is that these upgrades may not be covered by insurance. In order to accommodate the applicant's concerns, the recommendation includes additional provisions to the heritage designation bylaw to accommodate the ability to demolish in cases of near or total loss in order to provide assurance in such rare cases.

Should Council not support the addition of provisions to the heritage designation bylaw, an alternate recommendation has been provided to require a heritage conservation covenant as an alternative that provides a level of protection. It should be noted that the alternate recommendation also recommends waiving a public hearing as heritage designation would no longer trigger this requirement.

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

The goals of the *Urban Forest Master Plan* include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods. This application was received after July 1, 2021; therefore, *Tree Protection Bylaw No. 21-035* applies.

One hundred and five trees have been inventoried. There are 74 trees located on the subject lot, 31 trees on neighbouring properties and no trees on municipal property. Of the trees inventoried, there are a total of 85 bylaw protected trees: sixty-three on the subject lot and 22 neighbouring trees.

#### Proposed Tree Removals

Twenty-five bylaw protected trees on the subject lot are proposed for removal. There are 15 trees that would be removed as they are in the building area or immediately adjacent to an area where excavation will occur. There are eight trees that would be removed for service installation and/or parking construction. In addition, two trees have been assessed to be in poor condition and are unsuitable for retention. No trees on neighbouring properties are proposed for removal.

The table below outlines details on bylaw protected proposed for removal:

Tree #	Species	Diameter (DBH)	Health Condition	Structural Condition	Reason for Removal
1	Big Leaf Maple	38	Fair	Fair	Servicing and/or parking
1A	Plum	33	Poor	Fair	Servicing and/or parking
2	Plum	74	Good	Good	Servicing and/or parking
5	Plum	52	Fair	Poor	Servicing and/or parking

Tree #	Species	Diameter (DBH)	Health Condition	Structural Condition	Reason for Removal
6	Plum	40	Poor	Poor	Servicing and/or parking
7	Garry oak	16	Fair	Fair	Servicing and/or parking
15	Arbutus	38	Poor	Poor	Building Construction/Excavation
16	Garry oak	87	Fair	Fair	Building Construction/Excavation
23	Garry oak	43	Good	Good	Building Construction/Excavation
24	Garry oak	71	Good	Good	Building Construction/Excavation
25	Garry oak	75	Good	Good	Building Construction/Excavation
27	Garry oak	47	Good	Good	Building Construction/Excavation
30	Garry oak	84	Fair	Good	Building Construction/Excavation
38	Garry oak	69	Fair	Fair	Building Construction/Excavation
39	Mountain Ash	30	Fair	Poor	Building Construction/Excavation
49	Holly	35	Good	Good	Building Construction/Excavation
64	English Hawthorn	38	Fair	Fair	Servicing and/or parking
71	Portuguese Laurel	55	Poor	Poor	Servicing and/or parking
81	Laburnum	34	Poor	Poor	Building Construction/Excavation
85	Western Red Cedar	30			Tree is dead
86	Western Red Cedar	31			Tree is dead
87	English Hawthorn	42	Poor	Poor	Building Construction/Excavation
89	English Laurel	Multi	Fair	Good	Building Construction/Excavation
90	Plum	40	Poor	Poor	Unsuitable for retention
92	Plum	88	Poor	Poor	Unsuitable for retention

#### Trees Proposed for Retention

A total of 49 trees would be retained on the subject lot with this development project including 38 bylaw protected trees. Of the trees retained, 17 are Garry oaks ranging in size, the largest measuring 105 cm diameter. The project arborist has recommended several mitigation measures at various stages of the project to ensure these trees are retained. The feature tree on the lot is a 122 cm diameter arbutus that has been identified as a specimen tree under the tree bylaw. Modifications to the parking layout have been made to reduce impacts to tree roots and ensure retention of the tree.

#### Protective Covenant

A no-build covenant is proposed to protect an area of approximately 1,468m<sup>2</sup> in the southern portion of the lot. Parts of the area are comprised of undisturbed rock outcroppings and naturalized areas. Invasive plants will be removed from the area, and it will be maintained as a naturalized area in perpetuity under the covenant.

#### Proposed Planting

The landscape plan shows 29 new trees on the subject lot which meets the replanting requirements outlined in the *Tree Protection Bylaw*. The trees proposed are a variety of species including 14 native species (12 Garry oaks and two big leaf maple). Planting areas will be enhanced to meet the soil volume requirements in the tree bylaw.

Tree Status	Total # of Trees	To be REMOVED	To be PLANTED	NET CHANGE
On-site trees, bylaw protected	63	25	29	+4
On-site trees, not bylaw protected	11	0	0	0
Municipal trees	0	0	0	0
Neighbouring trees, bylaw protected	22	0	0	0
Neighbouring trees, not bylaw protected	9	0	0	0
Total	105	25	29	+4

#### Tree Impact Summary Table

#### EXEMPTION FROM SUBDIVISION/SERVICING BYLAW

Section 512 of the *Local Government Act* requires that a parcel being created through subdivision, which fronts on a highway, must have a minimum frontage of at least ten percent of the perimeter of the lot, even if the local government permits less than this minimum through a Development Variance Permit to or a site-specific Rezoning of the *Zoning Regulation Bylaw*. However, the provincial legislation enables Council to exempt a parcel from this minimum requirement as part of consideration of a land use application. The recommended and alternate motion includes consideration of this required exemption.

#### CONCLUSIONS

The proposal is generally consistent with the *Official Community Plan* Traditional Residential Urban Place Designation and the 17 proposed and existing dwelling units will provide a diversity of homes, including family-oriented housing and retained rental units. The proposed heritage designation, and protection of a large portion of the landscape furthers the OCP and neighbourhood plan objectives to retain the historic building and significant existing site features. The proposed form and character is generally consistent with applicable design guidelines for Missing Middle Housing on a heritage property, with the exception of proposed front yard parking,

which would unnecessarily impact neighbouring properties as well the view of the heritage building from the public realm. Therefore, it is recommended that Council consider proceeding as outlined in the recommendation.

#### ALTERNATE MOTIONS

#### Option 1 – Waive the Public Hearing

#### **Rezoning Application**

- 1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated October 10, 2023 for 515 Foul Bay Road.
- 2. That, pursuant to section 30 of the *Land Use Procedures Bylaw*, Council waives the requirement for the holding of a public hearing.
- 3. That, after publication of notification in accordance with section 467 of the Local Government Act, first, second, and third reading of the zoning bylaw amendment be considered by Council once the following conditions are met:
  - a. plan revision to reduce the space dedicated to vehicle parking at the site's entrance to the satisfaction of the Director of Sustainable Planning and Community Development;
  - b. plan revision to propose an alternative permeable paving surface, to the satisfaction of the Director of Parks, Recreation and Facilities;
  - c. plan revision to label accessible parking stall, show dimensions in metric and provide a 1.5m hatched aisle, to the satisfaction of the Director of Engineering and Public Works;
  - d. plan revisions to correct the arborist report, tree management plan and landscape plans to the satisfaction of the Director of parks, Recreation and Facilities;
- 4. That following the third reading of the zoning amendment bylaw, the applicant prepare and execute the following legal agreements, with form satisfactory to the City Solicitor prior to adoption of the bylaw:
  - a. provision of a 1.6m wide statutory right-of-way for highway purposes along the Foul Bay Road frontage, with terms to the satisfaction of the Director of Engineering and Public Works;
  - b. provision of a detailed design, supply and installation of a new Rectangular Rapid Flashing Beacon (RRFB) pedestrian crossing of Foul Bay Road at its intersection with Chandler Avenue, including a curb extension at the west side of Foul Bay Road, wheelchair ramps, tactile indicators and all associated infrastructure, to the satisfaction of the Director of Engineering and Public Works;
  - c. protection, restoration and maintenance of the existing greenspace with a site area of approximately 1,468 m<sup>2</sup> in accordance the plans date stamped by Planning on September 14, 2023, which includes provision of a bee colony in the conservation area for a period of at least two years and ensuring that design and construction in the area follows the recommendations in the September 12, 2023 arborist report from Gye & Associates to minimize impacts to trees, to the satisfaction of the Director of Parks, Recreation and Facilities;

- d. securing five units in the existing multiple dwelling as rental units for the life of the building, with contents satisfactory to the Director of Sustainable Planning and Community Development;
- e. protection of the heritage registered building through a heritage conservation covenant, to the satisfaction of the Director of Sustainable Planning and Community Development;
- f. provision of no less than one adaptable unit, in accordance with the standards in the British Columbia Building Code and BC's Building Accessibility Handbook, to the satisfaction of the Director of Sustainable Planning and Community Development;
- g. provision of no less than three four-bedroom and six three-bedroom units, to the satisfaction of the Director of Sustainable Planning and Community Development;
- h. provision of transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works, including:
  - i. two over-sized long-term bicycle parking spaces;
  - ii. 50% of required long-term bicycle parking with access to an electrical outlet;
  - iii. bicycle wash and maintenance facility.
- 5. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
- 6. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

#### **Development Permit with Variances Application**

That Council, after giving notice, consider the following motion:

- "1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00255 for 515 Foul Bay Road, in accordance with plans submitted to the Planning department and date stamped by Planning on September 14, 2023, in accordance with the following:
  - a. Subject to the proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce minimum front yard setback from 6.00m to 0.41m;
    - ii. reduce minimum side yard setback (north) from 4.00m to 3.08m;
    - iii. increase maximum eave projection from 0.75m to 0.79m;
    - iv. permit vehicle parking in the front yard;
    - v. reduce short-term bicycle storage from 18 spaces to 10 spaces;
    - vi. increase maximum driveway slope from 8.00% to 11.36%;
    - vii. reduce minimum two-way driveway width from 6.00m to 4.00m, and;
    - viii. increase maximum accessory building height from 3.50m to 4.00m.
  - b. Subject to registration of the following legal agreements on the property's title, with contents satisfactory to the Director of Sustainable Planning and Community Development and form satisfactory to the City Solicitor:
  - c. The property being subdivided into two lots.

- d. That pursuant to section 512(2) of the *Local Government Act*, Council exempts the existing property at 515 Foul Bay Road as well as the new proposed lot to be created by subdivision, as generally shown in the plans submitted to the Planning department and date stamped by Planning on September 14, 2023, from the minimum frontage requirements of section 512(1) at the time of subdivision.
- 2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution.

#### **Option Two - Decline**

That Council decline Rezoning Application No. 00807 for the property located at 515 Foul Bay Road.

Respectfully submitted,

Patrick Carroll	Karen Hoese, Director
Senior Planner	Sustainable Planning and Community
Development Services Division	Development Department

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

#### List of Attachments

- Attachment A: Subject Map
- Attachment B: Plans date stamped September 14, 2023
- Attachment C: Letter from applicant to Mayor and Council dated November 7, 2023
- Attachment D: Statement of Significance
- Attachment E: Community Association Land Use Committee Report dated October 25, 2021
- Attachment F: Pre-Application Consultation Comments from Online Feedback Form
- Attachment G: Heritage Advisory Panel minutes dated May 9, 2017
- Attachment H: Correspondence (Letters received from residents)
- Attachment I: Arborist Report dated September 12, 2023.

#### ATTACHMENT A





515 Foul Bay Road Rezoning No.00807





# **Rezoning & Development Permit Presentation**





#103 - 891ATTREE AVENUE VICTORIA, B.C. V9B 0A6 P. 250.382.7374 F. 250.382.7364

Date Aug 31, 2023

**Project Address** 515 Foul Bay Road

Prepared for GMC Projects Inc.

> Project # 8466

Scale Not To Scale

Drawn By MDK

Page Number A000





#103 - 891ATTREE AVENUE VICTORIA, B.C. V9B 0A6 P. 250.382.7374 F. 250.382.7364

> Date Aug 31, 2023

Project Address 515 Foul Bay Road

Prepared for GMC Projects Inc.

> Project # 8466

> > Scale

1:200

Drawn By MDK

Page Number A100



# design group

#103 - 891ATTREE AVENUE VICTORIA, B.C. V9B 0A6 P. 250.382.7374 F. 250.382.7364

> Date Aug 31, 2023

**Project Address** 515 Foul Bay Road

**Prepared for** GMC Projects Inc.

> Project # 8466

> > Scale

1:200

Drawn By MDK

Page Number A101

Date: 8/31/23 Time: 2:09:56 PM				
PROJECT INFORMATION TABLE A				
Building Number	1 (all existina)	2	3	4
Height of building (m) (Midpoint of Roof)	11.59 m.	10.14 m.	9.88 m.	9.71 m.
Height of building (m) (Underside of highest ceiling)	0.00 m.	0.00 m.	0.00 m.	0.00 m.
Number of Storeys	3.5	3	3	3
Building Setbacks (m)				
Front yard	1.75 m	0.41 m.	29.89 m.	30.06 m.
Rear yard (East) to building face	27.15 m	33.75 m.	7.56 m.	7.69 m.
Rear yard (East) to structure	27.15 m	32.85 m.	5.13 m.	5.25 m.
Side yard (North)	26.91 m	5.26 m.	7.52 m.	29.72 m.
Side yard (South)	25.89 m	54.85 m.	50.51 m.	22.29 m.
Side yard (West)	N/A	3.08 m.	26.37 m.	38.47 m.
Combined side yards (North + South)	52.80 m	60.11 m.	58.03 m.	52.01 m.
Residential Use Details				
Total number of units	5	4	4	4
Unit type, e.g., 1 bedroom	1 bedroom	1 or 3 bedroom	1 or 3 bedroom	1 or 3 bedroom
Ground-orientated units	1	2	1	1
First Storey area (excluding garage area)	303.61 sq.m.	120.39 sq.m.	150.58 sq.m.	177.52 sq.m.
Garage Area	N/A	N/A	44.46 sq.m.	N/A
Second storey area	293.57 sq.m.	119.82 sq.m.	183.18 sq.m.	188.93 sq.m.
Third storey area	232.72 sq.m.	113.18 sq.m.	183.18 sq.m.	188.93 sq.m.
Fourth storey area	78.50 sq.m.	N/A	N/A	N/A
Total building floor area (excluding required parking)	908.4 sq.m.	353.39 sq.m.	524.20 sq.m.	555.38 sq.m.

REFER TO PAGE A106 FOR FRONT PROPERTY LINE SETBACK GRAPHIC AND CALCULATION.

PROJECT INFORMATION TABLE B	
Lot Number	A
Zone (existing)	R1-G
Lot Area	4896.55 sq.m.
Height of building (m)	11.59 m.
Lot Coverage	20.12%
Floor Space Ratio	0.48 TO 1.0
Number of storeys	3 & 3.5
Parking stalls (number) on site (Garages included)	20
Bicycle parking number (Class A-storage and rack)	13
Cargo Bike parking (Class A-storage and rack)	2
Bicycle parking number (Class B-racks)	10
Building Setbacks (m)	
Front yard	0.41 m.
Rear yard (East) to Building/Structure	5.13 m.
Rear yard (East) to Habital Rooms With Windows	7.56 m.
Side yard (North) to Building/Structure	5.26 m.
Side yard (North) to Habital Rooms With Windows	7.52 m.
Side yard (South)	22.29 m.
Side yard (West)	3.08 m.
Combined side yards (North + South)	15.08 m.
Open Site Space	
Open Site Space	60.81%
Front Yard Open Site Space	50.29%

PROJECT INFORMATION TABLE (Accessory)					
Site Area (sq.m.)	4896.55 sq.m.				
Rear yard area	389.27 sq.m.				
Rear yard site coverage $\%$	0.00%				
Height of building (m)	3.42 m.				
Number of storeys	1				
Building Setbacks (m)					
Front yard	17.92 m.				
Rear yard	26.05 m.				
Side yard (North)	48.34 m.				
Side yard (South)	21.05 m.				
Between buildings (Block 1)	4.00 m.				
Between buildings (Block 4)	7.17 m.				
Residential Use Details					
Total number of units	1				
Unit type, e.g., 1 bedroom	Class 'A' Bike				
Ground-orientated units	1				
Total Floor Area	22.30 sq.m.				

ALL VEHICLE PARKING STALLS TO BE ENGERGISED AS PER CITY OF VICTORIA ZONING REGULATION BYLAW SCHEDULE C

A to B:

B TO C:

C TO D:

D TO E:

E TO F: F TO G:

G TO H:

H TO I: I TO J:

J TO K:

K TO L:

L TO M:

M TO N:

N TO O:

O TO P:

P TO Q:

<u>Average</u>	Grade C	<u>alculation:</u>	Existing	<u>(Block 1)</u>
A to B:	(28.92 +	29.04) ÷ 2	x 3.01	= 87.27
B TO C:	(29.04 +	29.52) ÷ 2	x 2.68	= 78.56
C TO D:	(29.52 +	29.63) ÷ 2	x 7.03	= 208.02
D TO E:	(29.63 +	29.72) ÷ 2	x 2.32	= 68.85
E TO F:	(29.72 +	30.04) ÷ 2	x 7.84	= 234.14
F TO G:	(30.04 +	29.85) ÷ 2	x 7.55	= 226.10
G TO H:	(29.85 +	29.90) ÷ 2	x 3.43	= 102.45
H TO I:	(29.90 +	29.31) ÷ 2	x 6.68	= 197.74
I to J:	<b>(29.31</b> +	29.30) ÷ 2	x 0.92	= 26.84
J TO K:	(29.30 +	29.24) ÷ 2	x 0.59	= 17.24
K TO L:	(29.24 +	29.26) ÷ 2	x 4.01	= 117.41
L TO M:	(29.26 +	29.32) ÷ 2	x 0.61	= 17.98
M TO N:	(29.32 +	29.62) ÷ 2	x 7.46	= 219.98
N TO O:	(29.62 +	29.41) ÷ 2	x 1.25	= 36.87
O TO P:	(29.41 +	29.34) ÷ 2	x 3.62	= 106.47
P TO Q:	(29.34 +	29.37) ÷ 2	x 1.23	= 35.96
Q TO R:	(29.37 +	29.32) ÷ 2	x 1.34	= 39.32
R TO S:	(29.32 +	30.55) ÷ 2	x 7.90	= 236.47
S TO T:	(30.55 +	30.72) ÷ 2	x 0.57	= 17.58
T TO U:	(30.72 +	29.54) ÷ 2	x 6.53	= 196.80
U TO V:	(29.54 +	29.75) ÷ 2	x 3.58	= 105.99
V TO A:	<b>(29</b> .75 +	28.92) ÷ 2	x 5.07	= 148.64
			Total	= 2526.69

Average Grade: 2526.69 ÷ 85.23 = 29.65m

#### Average Grade Calculation: Block 2

#### Average Grade Calculation: Block 3

A TO B:	(28.32 +	28.54) ÷ 2	x	1.83	=	52.03	
B TO C:	(28.54 +	28.35) ÷ 2	Х	1.22	=	34.70	
C TO D:	(28.35 +	28.95) ÷ 2	х	4.06	=	116.32	
d to e:	(28.95 +	29.40) ÷ 2	x	1.32	=	38.51	
e to f:	(29.40 +	29.40) ÷ 2	X	5.79	=	170.23	
F TO G:	(29.40 +	29.47) ÷ 2	Х	0.53	=	15.60	
g to h:	(29.47 +	29.47) ÷ 2	X	0.76	=	22.40	
h to I:	(29.47 +	29.47) ÷ 2	x	7.77	=	228.98	
TO J:	(29.47 +	29.47) ÷ 2	x	0.76	=	22.40	
J TO K:	(29.47 +	29.95) ÷ 2	х	5.11	=	151.82	
K TO L:	(29.95 +	30.62) ÷ 2	x	4.19	=	126.89	
L TO M:	(30.62 +	29.80) ÷ 2	x	2.44	=	73.71	
M TO N:	(29.80 +	29.50) ÷ 2	x	1.60	=	47.44	
N TO O:	(29.50 +	29.87) ÷ 2	x	1.12	=	33.25	
O TO P:	(29.87 +	29.55) ÷ 2	x	4.13	=	122.70	
P TO Q:	(29.55 +	28.87) ÷ 2	x	3.15	=	92.01	
Q TO R:	(28.87 +	29.98) ÷ 2	x	1.83	=	53.85	
R TO A:	(29.98 +	28.32) ÷ 2	x	9.04	=	263.52	
				Total	=	1666.35	

Average Grade: 1666.35 ÷ 56.65 = 29.41m

Average Grade Calculation: Bike Parking

A TO B:	(29.95 +	29.80) ÷ 2	x 4.88	= 145.79
TO C:	(29.80 +	29.60) ÷ 2	x 5.18	= 153.85
C TO D:	(29.60 +	30.55) ÷ 2	x 4.88	= 146.77
D TO A:	(30.55 +	29.95) ÷ 2	x 5.18	= 156.70
			Tota	I = 603.10

Average Grade: 603.10 ÷ 20.12 = 29.98m



-SUBJECT PROPERTY





### Context Plan Scale: Not To Scale

### \*MAP IMAGE FOR CONTEXT PLAN TAKEN FROM VICMAP



(30.25 + 30.75) ÷ 2 x 9.75 = 297.38	A to B:	(30.90 +	31.40) ÷ 2 >	( 2.69	= 83.79
$(30.75 + 30.60) \div 2 \times 0.91 = 27.91$	B TO C:	(31.40 +	31.90) ÷ 2 >	3.66	= 115.84
(30.60 + 30.75) ÷ 2 x 2.44 = 74.85	C TO D:	<b>(31.90</b> +	31.90) ÷ 2 >	c 1.64	= 52.32
(30.75 + 30.75) ÷ 2 x 4.11 = 126.38	D TO E:	<b>(31.90</b> +	32.22) ÷ 2 >	c 2.54	= 81.43
(30.75 + 30.75) ÷ 2 x 2.44 = 75.03	E TO F:	(32.22 +	32.22) ÷ 2 >	c 1.22	= 39.31
(30.75 + 30.75) ÷ 2 x 1.57 = 48.28	F TO G:	(32.22 +	31.98) ÷ 2 >	c 2.54	= 81.53
$(30.75 + 30.75) \div 2 \times 2.44 = 75.03$	G TO H:	<b>(31.98</b> +	31.98) ÷ 2 )	c 1.64	= 52.45
(30.75 + 30.75) ÷ 2 x 4.13 = 127.00	H TO I:	<b>(31.98</b> +	31.50) ÷ 2 >	3.66	= 116.17
(30.75 + 30.60) ÷ 2 x 2.44 = 74.85	l to J:	(31.50 +	31.50) ÷ 2 >	<b>4.22</b>	= 132.93
(30.60 + 30.60) ÷ 2 x 1.71 = 52.33	J TO K:	(31.50 +	30.90) ÷ 2 >	c 5.73	= 178.78
(30.60 + 30.75) ÷ 2 x 2.44 = 74.85	K TO L:	(30.90 +	31.15) ÷ 2 🔿	<b>2.44</b>	= 75.70
(30.75 + 30.75) ÷ 2 x 5.03 = 154.67	L TO M:	(31.15 +	30.96) ÷ 2 >	<b>4.19</b>	= 130.12
(30.75 + 30.30) ÷ 2 x 12.19 = 372.10	M TO N:	(30.96 +	30.75) ÷ 2 >	<b>2.44</b>	= 75.29
(30.30 + 30.30) ÷ 2 x 1.83 = 55.45	N TO O:	(30.75 +	30.75) ÷ 2 >	c 1.60	= 49.20
(30.30 + 30.25) ÷ 2 x 1.22 = 36.94	O TO P:	(30.75 +	30.91) ÷ 2 >	<b>2.44</b>	= 75.23
$(20.05 \pm 20.15) \pm 2 \times 12.00 = 417.24$	P TO Q:	(30.91 +	30.85) ÷ 2 >	<b>4.19</b>	= 129.39
$(30.25 + 30.15) + 2 \times 13.82 - 417.36$	Q TO R:	(30.85 +	30.75) ÷ 2 >	<b>2.44</b>	= 75.15
Total = 2182.5	52 R TO S:	(30.75 +	30.75) ÷ 2 >	c 1.77	= 54.43
Average Crade: 2182 52/ 71 52 - 30 52m	S TO T:	(30.75 +	30.74) ÷ 2 >	c 0.30	= 9.22
Average Glade. 2102.32/ 71.32 - 30.32m	T TO U:	(30.74 +	30.74) ÷ 2 >	<b>0.76</b>	= 23.36
	U TO V:	(30.74 +	30.63) ÷ 2 >	c 2.54	= 77.94
	V TO W:	(30.63 +	30.63) ÷ 2 🔿	c 0.76	= 23.28
	WTO X:	(30.63 +	30.30) ÷ 2 >	c 6.91	= 210.51
	X TO Y:	(30.30 +	30.30) ÷ 2 >	c 1.83	= 55.45
	Y TO Z:	(30.30 +	30.25) ÷ 2 )	c 1.22	= 36.94
	Z TO A:	(30.25 +	30.90) ÷ 2 >	(15.65	= 478.50
				Total	= 2514.26

Average Grade Calculation: Block 4

Average Grade: 2500.47/ 81.02 = 31.03m

### Artistic Rendering 3 A102

# **Rezoning & Development Permit Presentation**



#103 - 891ATTREE AVENUE VICTORIA, B.C. V9B 0A6 P. 250.382.7374 F. 250.382.7364

> Date Aug 31, 2023

**Project Address** 515 Foul Bay Road

**Prepared for** GMC Projects Inc.

> Project # 8466

> > Scale

As Shown

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Page Number A102



# **Rezoning & Development Permit Presentation**

# design group

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Shadow Study - 8:45am (1.5hrs After Sunrise)

### **SUMMER SOLSTICE JUNE 21**





Shadow Study - 6:41am (1.5hrs After Sunrise)





Shadow Study - 12:11pm (Solar Noon)







2

A104

Shadow Study - 1:20pm (Solar Noon)





3

A104





Shadow Study - 1:15pm (Solar Noon)





Shadow Study - 7:48pm (1.5hrs Before Sunset)

# **Rezoning & Development Permit Presentation**

### Shadow Study - 2:50pm (1.5hrs Before Sunset)

### Shadow Study - 5:56pm (1.5hrs Before Sunset)



# l design group

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> Project # 8466

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### Date: 8/31/23 Time: 2:09:59 PM









VIEW 3 - View to 533 Foul



VIEW 2 - NorthWest corner of Chandler & Foul Bay



VIEW 1 - SouthWest corner of Chandler & Foul Bay





VIEW 5 - View to 613 Foul Bay



VIEW 6 - View to 615 Foul Bay Garden



VIEW 7 - View to 615 Foul Bay Main House

# **Rezoning & Development Permit Presentation**

VIEW 10 - View to 1964 & 1968 Fairfield Road to Abkhazi Garden



design group

#103 - 891ATTREE AVENUE

VICTORIA, B.C.

V9B 0A6

P. 250.382.7374

Date Aug 31, 2023

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> > Scale

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# **Rezoning & Development Permit Presentation**

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> > Scale

1:200

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Page Number A106

![](_page_31_Figure_0.jpeg)

# BEDROOM 14'8"x10'0"

MAIN	FINISHED SQ. FT. 3160	UNFINISHED SQ. FT. 0	TOTAL SQ. FT. 3160	
LOWER	2305	879	2505 3268	
ATTIC	259	586	845	
TOTAL	8313	1465	9778	
GARAGE	0	507	507	
CARPORT	0	441	441	
DECKS	0	531	531	
PORCHES	0	361	361	
PATIOS	0	147	147	
G-HOUSE	0	197	197	
SHED	0	304	304	

![](_page_31_Figure_3.jpeg)

4th Storey (<u>2</u> (A200)

![](_page_31_Figure_5.jpeg)

# **Rezoning & Development Permit Presentation**

![](_page_31_Figure_7.jpeg)

### 9 l design group #103 - 891ATTREE AVENUE

VICTORIA, B.C. V9B 0A6 P. 250.382.7374 F. 250.382.7364

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> Project # 8466

Scale Not to Scale

Drawn By MDK

Page Number

A200

![](_page_32_Picture_0.jpeg)

![](_page_32_Picture_3.jpeg)

#103 - 891ATTREE AVENUE VICTORIA, B.C. V9B 0A6 P. 250.382.7374 F. 250.382.7364

> Date Aug 31, 2023

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> Project # 8466

Scale Not to Scale

Drawn By MDK

Page Number A201

![](_page_33_Figure_0.jpeg)

![](_page_33_Picture_1.jpeg)

**Rezoning & Development Permit Presentation** 

$\langle \mathbf{A} \rangle$	8'0 X 6'8 (96'' X 80'')	$\langle \mathbf{G} \rangle$
$\langle \mathbf{B} \rangle$	6'0 X 6'8 (72'' X 80'')	$\langle \mathbf{H} \rangle$
$\langle \mathbf{c} \rangle$	5'0 X 6'8 (60'' X 80'')	$\langle \mathbf{I} \rangle$
$\langle \mathbf{D} \rangle$	4'0 X 6'8 (48'' X 80'')	$\langle \mathbf{K} \rangle$
$\langle \mathbf{E} \rangle$	3'0 X 6'8 (36'' X 80'')	$\langle \mathbf{L} \rangle$

2'10 X 6'8	(34'' X 80'')
2'8 X 6'8	(32'' X 80'')
2'6 X 6'8	(30'' X 80'')
2'4 X 6'8	(28'' X 80'')
2'0 X 6'8	(24'' X 80'')
1'6 X 6'8	(18'' X 80'')

![](_page_33_Picture_9.jpeg)

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### Date

Aug 31, 2023

**Project Address** 515 Foul Bay Road

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> Project # 8466

Scale 3/16" = 1'-0"

Drawn By MDK

Page Number

A300

![](_page_34_Figure_0.jpeg)

Elevation	Area of Exposed Building Face	Limiting Distance	Opening % Permitted	Opening % Proposed	FRR	Type of Construction <sup>1</sup>	Type of Cladding <sup>1</sup>	Ele
South								North
Unit 200	41.00 sq.m.	3.22 m.	38.00 %	31.51 %	1 hour	В	А	Unit 20
Unit 201	38.82 sq.m.	3.35 m.	43.00 %	33.28 %	1 hour	В	A	Unit 20
Unit 202	13.37 sq.m.	3.22 m.	24.00 %	16.68 %	1 hour	В	А	Unit 20
Unit 203	12.61 sq.m.	3.35 m.	24.00 %	17.68 %	1 hour	В	A	Unit 20
East								West
Unit 201	74.83 sq.m.	7.61 m.	100.00 %	4.97 %	45 min.	В	A	Unit 20
Unit 203	10.41 sq.m.	7.61 m.	100.00 %	18.73 %	45 min.	В	A	Unit 20
Electrical Closets	16.37 sq.m.	7.81 m.	100.00 %	0.00 %	45 min.	В	A	*TABLE
Sprinkler Closet	8.05 sq.m.	8.93 m.	100.00 %	0.00 %	45 min.	В	A	1
<sup>1</sup> Type of Const	truction Used:	•	*TADIECC		$\frac{1}{10.14.4(1)/a}$	10101447 and T		0m

<sup>1</sup> Type of Construction Used:

A = Combustible B = Non Combustible \*TABLE COMPLIES WITH BCBC 9.10.14.4.(1)(a), 9.10.14.4.(7), and Table 9.10.14.5-A Unit 200 and 201 prorated to 38% and 42% respectively.

12.77 sq.m. 7.54 m. 100.00 % 25.76 % 45 min. 3.08 m. 18.00 % 1.51 % 61.58 sq.m. 1 hr. 3.08 m. 24.00 % 6.81 % 1 hr. 28.65 sq.m. COMPLIES WITH BCBC 9.10.14.4.(1)(a), 9.10.14.4.(7), and Table 9.10.14.5-A 1m 2m

# **Rezoning & Development Permit Presentation**

В

В

А

А

![](_page_34_Picture_8.jpeg)

### design group 9

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Date

Aug 31, 2023

### **Project Address** 515 Foul Bay Road

### Prepared for

GMC Projects Inc.

Project # 8466

Scale 3/16" = 1'-0"

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Page Number

A301

![](_page_35_Figure_0.jpeg)

$\rangle$	2'10 X 6'8	(34'' X 80'')
$\rangle$	2'8 X 6'8	(32'' X 80'')
$\rangle$	2'6 X 6'8	(30'' X 80'')
$\rangle$	2'4 X 6'8	(28'' X 80'')
$\rangle$	2'0 X 6'8	(24'' X 80'')
$\rangle$	1'6 X 6'8	(18" X 80")

![](_page_35_Picture_5.jpeg)

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Scale 3/16" = 1'-0"

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A400




## 9 design group

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A401

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## 9 desigr

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סנ	Type of	Type of
K IK	Construction <sup>1</sup>	Cladding <sup>1</sup>
min.	A	В
min.	А	В
our	А	В
our	A	В
min.	А	А
nin.	А	A
min.	A	A
min.	A	A
nin.	A	А

Floyation	Area of Exposed	Limiting	Opening %	Opening %	EDD	Type of	Туре
Elevation	Building Face	Distance	Permitted	Proposed	INN	Construction <sup>1</sup>	Clado
South							
Unit 412	102.01 sq.m.	25.38 m.	100.00 %	24.69 %	45 min.	A	A
North							
Unit 400	21.70 sq.m.	2.37 m.	24.00 %	8.57 %	1 hr.	A	В
Unit 410	85.52 sq.m.	2.37 m.	18.00 %	4.13 %	1 hr.	A	В
Electrical	6.95 sq.m.	1.61 m.	18.00 %	0.00 %	1 hr.	A	В
		$\sim$ 0 10 14 4 (7)	and Table 0 10 14	Г Л			•

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## **Rezoning & Development Permit Presentation**

## victoria 9 design group

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Date

Aug 31, 2023

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A600

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## DOOR SCHEDULE

$\langle \mathbf{A} \rangle$	8'0 X 6'8 (96'' X 80'')	G	2'8 X 6'8	(32'' X 80'')
$\langle \mathbf{B} \rangle$	6'0 X 6'8 (72'' X 80'')	$\langle \mathbf{H} \rangle$	2'6 X 6'8	(30'' X 80'')
$\langle \mathbf{c} \rangle$	5'0 X 6'8 (60'' X 80'')	$\langle \mathbf{I} \rangle$	2'4 X 6'8	(28'' X 80'')
$\langle \mathbf{D} \rangle$	4'0 X 6'8 (48'' X 80'')	$\langle \mathbf{K} \rangle$	2'0 X 6'8	(24'' X 80'')
E	3'0 X 6'8 (36'' X 80'')	$\langle \mathbf{L} \rangle$	1'6 X 6'8	(18'' X 80'')

⟨**F**⟩ 2'10 X 6'8 (34" X 80")



- REPAIR TO EXISTING UTILITIES SHALL BE THE FULL RESPONSIBILITY OF THE CONTRACTOR.
- 16. CONTRACTOR TO ENSURE THAT ALL THE EXISTING SERVICES REMAIN IN OPERATION DURING CONSTRUCTION. TO THE SATISFACTION OF THE CITY OF VICTORIA AND/OR PRIVATE PROPERTY OWNER.
- 19. ALL UTILITY TRENCHING TO BE IN ACCORDANCE WITH CITY OF VICTORIA STANDARD DETAIL SPECIFICATIONS AND MMCD STD. DWG. NO. SS G4 AND MMCD SECTION 31 23 01.
- SUPPLEMENTARY DRAWINGS CONCRETE AND MMCD SECTION 03 30 20.
- ENGINEER TO PROVIDE QUALITY CONTROL SERVICES DURING CONSTRUCTION AND SHALL PROVIDE AT A MINIMUM:
- SIEVE ANALYSIS OF SANDS AND AGGREGATES SUPPLIED TO THE WORK IF REQUESTED - STANDARD PROCTOR DENSITY CURVES FOR BACKFILL MATERIALS IF REQUESTED

- FOR THE FOLLOWING:
- CONCRETE PLACING) - ASPHALT MIX DESIGN AND TESTING
- COMPACTION ONE CORE FOR EVERY 500sg.m PLACED, MAXIMUM THREE.

STORM SEWER:

- USE DUCTILE IRON PIPE.

VIP8722

LOT 1 VIP12877





THE LOCATION AND ELEVATION OF EXISTING UNDERGROUND SERVICES ON		LEGEND	– Prop	oosed services	shown	in bolc	l or colour				REVISIONS		SEAL			
OR COMPLETE. THE ACTUAL HORIZONTAL	WATER				ASPHALT		GAS	N	NON-MTBLE CURB	NMC			7	Pacific Vista Consulting Ltd.	CIVIL DESIGN SERVICES	TEL: (250)68
AND VERTICAL LOCATIONS MUST BE	SEWER	DRAIN MANHOL	E ()/	VALVE 🖂 / 🛤	CONCRET	Ε	UNDERGROUND H/T	·/с— м	MOUNTABLE CURB	MC			7	3111 Woodpark Drive, Victoria, BC V9C 1P2		
THE CONTRACTOR PRIOR TO THE START			о <b>л</b> 🗆 / 📕	METER 0 / •		<u></u>	COPPA /DAVIT LICHT		FLAT CURB	FC			1	Telephone. 250-516-4143		JJS
OF ANY EXCAVATION	DITCH/SWALE		υ <b>τ</b> Π / <mark>Β</mark>		GRAVEL			) / 🗯 🖉 🛛 B/	BARRIER CURB	BC			-		DATE	JULY 2022
REQUEST LOCATE TICKETS AT	CULVERT				BRICK		ORNAMENTAL STREETLIGHT	* / ¥ 🛯 🛚	NVERT GUTTER	IG	2 REVISED PER CITY OF VICTORIA COMMENTS	230510			В.М.	GCM 677849
	HEADWALL		•	TREE (3)	EDGE OF		POWER POLE	२/ ♣ 🗌			1 ISSUED FOR REZONING	220923			ELEV.	20.546m
BC#1C Dag Shaw		LEAD PLUG	; •	BUSHLINE	ROAD SIG	N Þ	ANCHOR	$\rightarrow$			No. DESCRIPTION	DATE			SCALE H	V
					•											



- (4) 40. BC HYDRO SHALL REMOVE THE EXISTING HYDRO POLE AND ANCHOR AT THE DEVELOPER'S EXPENSE.
- STORM SEWER: 3 35. CITY OF VICTORIA FORCES SHALL CAP AND ABANDON EXISTING STORM SEWER SERVICE TO 515 FOUL BAY ROAD AT THE DEVELOPER'S EXPENSE. ENSURE SERVICE TO 511 FOUL BAY ROAD NEXT TO IT REMAINS ACTIVE. HYDRO, TELEPHONE, CABLE, STREETLIGHTING AND GAS:
- SANITARY SEWER: 2 31. CITY OF VICTORIA FORCES SHALL CAP AND ABANDON EXISTING SANITARY SEWER AT THE DEVELOPER'S EXPENSE. ENSURE SERVICE TO 511 FOUL BAY ROAD REMAIN ACTIVE.
- WATER:  $\begin{pmatrix} 1 \end{pmatrix}$  29. CITY OF VICTORIA WATER FORCES SHALL CAP AND ABANDON THE EXISTING WATER SERVICE AT THE DEVELOPER'S EXPENSE.



SIGHT LINE DETAILS SCALE 1:200



V	E	Μ	E	N.	T	S
•	_	•••	_	•••	•	-

	PVC PROJECT NUM 22-154	BER
ROJECTS INC.	GOVERNING AUTHORITY	FILE No.
RY CIVIL DETAILS	SHEET 2 OF 2	
	DRAWING No.	REV.
	C02	2

## Recommended Nursery Stock

## PRECEDENT IMAGES



## 515 Foul Bay Road | Landscape Concept Plan

## 6 - Class B Bike parking stalls

Existing mature tree to be retained in center of - courtyard. Bark mulch added at base of trunk

Courtyard at center of proposed buildings supports vehicle parking and is intended to serve as a future shared flexible-use amenity space for residents. Permeable aggregate surfacing preserves water infiltration to support existing trees

> Retained trees along north property line with wood chip mulch below

1M width access paths provide access to rear unit entrances and maintenance access to planting beds (Typ.)

Wood chip access path along eastern property line

- 3 - Paperbark Maple trees where gaps in existing tree canopies allow

3 - Bigleaf Maple trees where gaps in existing tree canopies allow

- Shade tolerant seeded meadow mix at edge of
- courtyard parking areas (Typ.)
- 1 Paperbark Maple tree
- 1 Vine Maple tree - 1 Garry Oak Tree

- Concrete accessible parking stall New 1800mm ht. timber or metal panel fence along east property line

Patios feature rectilinear concrete unit pavers and provide access to rear unit entrances

Areas of existing vegetation to be retained. Invasives to be removed, trees and large shrubs to be pruned as necessary to support longterm health of retained species (Typ.)

Ground level garden patios feature large format concrete pavers set in aggregate (Typ.)

450-750mm wide wood chip garden path splits around retained mature trees as necessary (Typ.)

1 - Paperbark Maple tree

- 3 - Garry Oak trees planted within covenant area

Wood chip garden path expands to allow small seating nodes where possible without impacting the adjacent sensitive landscape

Extent of No Build Covenant Area

6' Cedar Fence (Typ. partial west property line, south property line, east property line)

Garden bench at termination of trail in southeastern corner of site

3 - Garry Oak trees planted within covenant area

> SEPT 12-23 MAY 18-23 SEP 22-22 SEP 15-22 AUG 18-22

- Children's 'forest house' (2.4x3.2m) constructed from reclaimed on-site



Gr

-

EXPOSED

ROCK

OUTCROP

EXTENT OF NO BUILD COVENANT AREA



35.5

coordinated with Abkhazi Garden

Approximate location of apiary

Shared fenceline to be

LADR LANDSCAPE ARCHITECTS

Project No: 2119 Aug-19-21

WILDLIFE CORRIDOR

Phone: (250) 598-0105

<sup>#3-864</sup> Queens Ave. Victoria B.C. V8T 1M5

## TREE INVENTORY TABLE

G&A Tree ID	Common Name	DBH PRZr (cm) (m)	Structural Condition	Health	Location	Retention Suitability	Species Resilience	Regulatory Status	Action	Rationale/ Comments	11 Garry oak
1 1A 2 5	Big Leaf Maple Plum Plum Plum	38         6           33         5           74         6           52         5	fair poor good fair	fair fair good poor	ON-SITE BYLAW ON-SITE ON-SITE ON-SITE ON-SITE	PROTECTED T UNSUITABLE UNSUITABLE SUITABLE UNSUITABLE	REES poor fair fair fair	Protected Protected Protected Protected	REMOVE REMOVE REMOVE REMOVE	Conflicts with new construction Conflicts with new construction Conflicts with new d/w, svcs or parking Conflicts with new d/w, svcs or parking	12Garry oak13Garry oak31Garry oak32Garry oak33Garry oak34Garry oak
6 7 8 9 (BT) 10 15	Plum Garry oak Sycamore maple Garry oak Garry oak Arbutus	40         4           16         2           51         6           12         2           32         5           38         6	poor good good good fair	poor good good good fair	ON-SITE ON-SITE ON-SITE ON-SITE (BOUNDARY) ON-SITE	UNSUITABLE SUITABLE SUITABLE SUITABLE LINSUITABLE	fair fair good fair fair	Protected Protected Protected Protected Protected	REMOVE REMOVE RETAIN RETAIN RETAIN	Conflicts with new d/w, svcs or parking Conflicts with new d/w, svcs or parking	35     Royal walnut       36     Garry oak       37     Garry oak       40     Pear       41     Sitka spruce
16 17 18 19	Garry oak Garry oak Sycamore maple Garry oak	30         0           87         8           80         7           30         4           62         8	fair fair fair fair fair	fair fair fair good	ON-SITE ON-SITE ON-SITE ON-SITE ON-SITE	SUITABLE SUITABLE SUITABLE SUITABLE	fair fair good fair	Protected Protected Protected Protected	REMOVE RETAIN RETAIN RETAIN	Conflicts with new construction Heavy ivy threatening tree Narrow stem attachment with included bark Specimen tree, 135 cm, dia, at soil interface.	42     Sitka spruce       43 (BT)     Western Red cedar       44 (BT)     Western Red cedar
20 21 22 23 24	Arbutus Garry oak Plum Garry oak Garry oak	122         16           36         5           32         5           43         6           71         9	good fair fair good good	good fair fair good good	ON-SITE ON-SITE ON-SITE ON-SITE ON-SITE	SUITABLE SUITABLE UNSUITABLE SUITABLE SUITABLE	fair fair fair fair fair	Protected Protected Protected Protected Protected	RETAIN RETAIN REMOVE REMOVE	Extensive surfical rooting around base.	45     Western Red cedar       47     Western Red cedar       48     Garry oak       97     Leyland cypress       67     English hawthorn       68     English hawthorn
25 26 27 28 29 20	Garry oak Garry oak Garry oak Garry oak Oriental spruce	75         10           73         9           47         6           105         14           49         6	good good fair good	good good good good good	ON-SITE ON-SITE ON-SITE ON-SITE ON-SITE	SUITABLE SUITABLE SUITABLE SUITABLE SUITABLE	fair fair fair fair fair	Protected Protected Protected Protected Protected	REMOVE RETAIN REMOVE RETAIN RETAIN	Conflicts with new construction Conflicts with new construction Close to main structure.	69 English hawthorn 99 Plum 100 (US) Laburnum 101 (US) English yew 102 (US) English holly
30 38 39 49 57 60	Garry bak Garry oak Mountain ash English holly Plum Laburnum	84         13           69         7           30         5           35         4           60         6           45         4	fair fair good fair poor	fair poor good fair poor	ON-SITE ON-SITE ON-SITE ON-SITE ON-SITE ON-SITE	SUITABLE SUITABLE UNSUITABLE SUITABLE UNSUITABLE	fair fair poor good fair fair	Protected Protected Protected Protected Protected	REMOVE REMOVE REMOVE RETAIN RETAIN	Conflicts with new construction Conflicts with new construction Conflicts with new construction Conflicts with new construction	104 (US) Laburnum 105 (US) Laburnum SUMMA
63 64 71 79 81	English hawthorn English hawthorn Portuguese laurel English Laurel clump Laburnum	36         3           38         3           55         6           20         3           34         3	fair fair poor fair poor	poor fair poor good poor	ON-SITE ON-SITE ON-SITE ON-SITE ON-SITE	UNSUITABLE UNSUITABLE SUITABLE UNSUITABLE	good good good good fair	Protected Protected Protected Protected Protected	RETAIN REMOVE REMOVE RETAIN REMOVE	Conflicts with parking Poor condition, invasive sp. Bdg conflict Poor condition; conflicts with new construction	Total number of trees indicat
85 86 87 88 89 90	Western Red cedar Western Red cedar English hawthorn English Laurel clump English laurel clump Plum	30           31           42         4           20         3           66         4           40         6	dead snag dead snag poor poor fair poor	dead dead poor good good poor	ON-SITE ON-SITE ON-SITE ON-SITE ON-SITE ON-SITE	SUITABLE SUITABLE SUITABLE SUITABLE UNSUITABLE	good good good good good fair	Protected Protected Protected Protected Protected Protected	REMOVE REMOVE RETAIN REMOVE REMOVE	Conflicts with new construction Conflicts with new construction Conflicts with new construction 10 - 15 stems ranging in dbh from 10 - 24cm Poor condition, invasive sp.	Municipal Trees On-site Bylaw-Protected covenant trees
92 93 103 106 114	Plum English laurel Laburnum Plum Portuguese laurel clump	88         8           60         4           37         4           50         4           48         4	poor fair poor poor fair	poor good poor good good	ON-SITE ON-SITE ON-SITE ON-SITE ON-SITE	UNSUITABLE SUITABLE UNSUITABLE SUITABLE SUITABLE	fair good fair fair poor	Protected Protected Protected Protected Protected	REMOVE RETAIN RETAIN RETAIN RETAIN	Poor condition, invasive sp. 8 leaders, one plant. 12+/- stems ranging in dbh from 10 - 18cm	Off-site Trees (21 of which Proposed Protected Tree R
3 (OS) 4 (OS) 22 c (OS) 22 d (OS)	Douglas fir Oriental spruce Garry oak Monterey cypress	51         8           61         8           62         8           68         10	good good good good	fair good good good	OFF-SITE OFF-SITE OFF-SITE OFF-SITE	SUITABLE SUITABLE SUITABLE SUITABLE SUITABLE	fair fair fair poor	Protected Protected Protected Protected	RETAIN RETAIN RETAIN RETAIN	Offsite tree - no tag Offsite tree - no tag; remove hanging and	Minimum # of Trees required replaced) Proposed number of new rep
22 e (OS) 22 f (OS) 22 g (OS) 46 (OS) 51 (OS-US)	Monterey cypress Monterey cypress Monterey cypress Western Red cedar English holly	46         7           48         7           118         10           35         6           12         1	good good fair fair fair	good good good fair fair	OFF-SITE OFF-SITE OFF-SITE OFF-SITE OFF-SITE	SUITABLE SUITABLE SUITABLE SUITABLE UNSUITABLE	poor poor poor poor good	Protected Protected Protected Protected Unprotected	RETAIN RETAIN RETAIN RETAIN RETAIN	Offsite tree - no tag Offsite tree - no tag Offsite tree - no tag Provides screening	
53 (OS-US) 56 (OS) 61 (OS) 62 (OS) 65 (OS) 73 (OS)	English holly English holly Portuguese laurel clump Portuguese laurel clump Garry oak Pod elm	26         2           46         4           76         7           67         6           35         3           32         4	fair fair fair fair good	good good fair good	OFF-SITE OFF-SITE OFF-SITE OFF-SITE OFF-SITE	UNSUITABLE UNSUITABLE SUITABLE SUITABLE SUITABLE	good good poor poor fair	Unprotected Protected Protected Protected Protected	RETAIN RETAIN RETAIN RETAIN RETAIN	Provides screening Provides screening 6 stems, 10 - 28cm in dbh 8 stems, 10 - 25cm in dbh	
74 (OS-US) 77 (OS) 78 (OS) 78a (OS-US) 94 (OS)	Western Red cedar Lawson cypress Lawson cypress hedge Red cedar hedge English holly	32         4           12         2           58         8           88         8           50         4           30         3	good good fair good fair	fair fair fair good good	OFF-SITE OFF-SITE OFF-SITE OFF-SITE OFF-SITE	SUITABLE SUITABLE SUITABLE SUITABLE SUITABLE	good poor fair poor good	Unprotected Protected Protected Unprotected Protected	RETAIN RETAIN RETAIN RETAIN RETAIN	Row of 11 mature cypress, 15 - 34cm dbh Row of 4 trees, 5 - 20cm dbh	
95 (OF-US) 96 (OS) 107 (OS) 108 (OS) 109 (OS) 110 (OS)	Douglas fir Western Red cedar Garry oak Western Red cedar Western Red cedar Western Red cedar	17         2           96         14           90         12           26         25           24         24	good good fair fair fair	good good good fair poor fair	OFF-SITE OFF-SITE OFF-SITE OFF-SITE OFF-SITE OFF-SITE	SUITABLE SUITABLE SUITABLE SUITABLE SUITABLE SUITABLE	fair poor fair poor poor poor	Unprotected Protected Protected Unprotected Unprotected Unprotected	RETAIN RETAIN RETAIN RETAIN RETAIN RETAIN	Offsite tree - no tag Offsite tree - no tag Offsite tree - no tag Offsite tree - no tag Offsite tree - no tag	Replacement tree #2 Yellowbird Magnol
111 (OS) 112 (OS) 113 (OS) 115 (OS) 116 (OS)	Western Red cedar Western Red cedar English hawthorn Blue Atlas cedar Blue Atlas cedar	24           28           35         3           42         5           78         9	fair fair poor fair fair	fair poor fair good good	OFF-SITE OFF-SITE OFF-SITE OFF-SITE OFF-SITE	SUITABLE SUITABLE UNSUITABLE SUITABLE SUITABLE	poor poor good good good	Unprotected Unprotected Protected Protected Protected	RETAIN RETAIN RETAIN RETAIN RETAIN	Offsite tree - no tag Offsite tree - no tag	F Replacement tre
SOIL	TABLE		A	Replace B	ement Trees Proposed C D	E	Soil V	olume Required	(m3)		Garry
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2 3 4 5 6	50.00 101.55 69.70 116.10	1.00           1.00           1.00           1.00           1.00	50.00           101.55           69.70           116.10	3.0 1.0 3.0	1.0 2.0	1.0       1.0       24       3.0	4.00 3.00 4.00	15.0 30.0	30.0 30.0 90.0	45.0           54.0           38.0           114.0	OS-04 ⊕ GS(U\$)-51 ⊕
7 8 9 10	8.80 8.10 90.00 66.50	1.00 1.00 1.00 1.00	8.80 8.10 90.00 66.50 25.00	1.0 1.0		3.0 2.0	3.00		90.0 60.0 25.0	8.0 90.0 60.0 25.0 0 0 0 0 0 0 0 0 0 0 0 0 0	TR-02
Planting Area OSA X	8.80	1.00	8.80	1.0 Offsite (I	Excluding City Property)	ξ	3.00		33.0		TREEHABITATCOL
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TREE	LEGEND	^ On g	** Total m	ng exposed ust not exce	a bedrock): use 1, On struct	ure: use depth of	soil, On soil o size of propo	sellis: use 0.92, 0 sed replacement Replaceme Paper	n structural soil trees must be nt tree #2 bark Map	reduced. 20: ble	
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		EVIC		<b>се то</b>							
	TR-00	TREE	IDENTIFIC	ATION I	NUMBER					aining walk	
``.		CRITIC	CAL ROOT	ZONE			-}** 		Dec.		

## 515 Foul Bay Road | Tree Replacement Plan



Project No: 2119 Aug-19-21

LADR LANDSCAPE ARCHITECTS

#3-864 Queens Ave. Victoria B.C. V8T 1M5 Phone: (250) 598-0105



## VISION. EXCELLENCE. RESULTS.

Nov 7<sup>th</sup> , 2023.

Mayor & Council City of Victoria 1 Centennial Square Victoria, BC V8W 1P6 **Re: Application for Rezoning and Development Permit – 515 Foul Bay Road** 

Dear Mayor and Council,

This letter is intended to summarize the application for development of 515 Foul Bay Road located in the Gonzales neighbourhood. The property is a panhandle lot consisting of 1.2 acres of sloping land located along Foul Bay Road near Fairfield Road and across from Chandler Street and Margaret Jenkins Elementary School. The property currently features a 1910 Samuel Maclure manor that is registered but not designated as heritage and was converted into five apartment dwellings in 1958. This was done so without a housing agreement to secure the number of units or their tenure, thus leaving the existing rental homes at risk of being lost to a possible conversion back to a large estate-style manor property.

We first entered into discussions with staff regarding the application you see before you in September of 2020 and after extensive consultation with our immediate neighbours and City staff, we provided a formal submission in January of 2021. After five formal resubmissions, multiple revisions, the changeover of staff managerial positions affecting opinions and previous agreement on approach, this relatively small application has been affected with significant delay and additional costs.

Our proposed development seeks to respond to housing needs within the community as identified within the Housing Needs Assessment, Victoria's Housing Strategy, Missing Middle Housing policy and through significant community feedback. This review, dialogue and correspondence played a pivotal role in our approach to the proposed development, and we seek to respond and align our proposal with those goals, policies and comments including the below project benefits:



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- Attainable family-sized ground-oriented housing in a neighbourhood that greatly needs it. A reduction of school and car trips has a significant carbon emission benefit.
- **Heritage Designation** or a covenant on the presently registered manor house, pending final wording of the by-law;
- A diverse mix of housing sizes to accommodate an array of family types and sizes. Currently one, two and three bedroom rental homes in the manor house with our proposal seeking to add one, three and four bedroom homes in three new distinct buildings; directly across from an elementary school and within walking distance to a middle and secondary school, all of which have a significant out-of-catchment dynamic;
- No displacement of existing rental tenants to develop the new housing;
- Securing 5 existing rental homes within a character home, covenanted for the life of the building;
- **Protection of approximately 32% of the site area(1,575 m2)**through a no-build covenant. This includes a garry oak meadow, rock outcropping and nature trail for the enjoyment of current and future families;
- Proposed density and site coverage below existing zoning allowances;
- Provision of one adaptable home at the grade level;
- **Respecting the building setback to neighbouring properties** for walls with windows to habitable room as a minimum of 7.5 meters;
- Unique foundation methodology (piers with grade beams) and no basements so as to sit lightly on the land and preserve as many trees as possible through mitigation of potential tree root conflicts;
- **Permeable Parking** and driveway surfaces that meet city requirements, are proposed in most areas and are foreseen to transition to a courtyard or home garden use in the future when there is less dependency on motor vehicles;
- Restorative of the grounds including the removal of invasive plant species;
- **Contextual design** that is inspired by not mimicking the heritage architecture of the manor house. This is expressed through complementary materiality and contrast, yet is purposefully subordinate to the manor house as the dominant built form on the property;
- **Safer access and egress** through a widened driveway entrance including access for a fire truck, delivery parking and truck turn-around;

# PROJECTS INC.

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- A cash contribution in full to the cost or creation of a new **pedestrian crosswalk** for our side of Foul Bay Road, crossing at Chandler and not directly in front of our property to improve pedestrian safety immediately outside Margaret Jenkins Elementary;
- **Wildlife corridor** to allow the continued safe movement of deer even while the property considers a new perimeter fence to provide privacy to neighbours (see landscape plan);
- A new **bee colony** on site in the conservation area for a period of at least two years, to promote sustainability for the community, honey for residents and an opportunity for workshops with nearby schools to reduce the stigma around bees. Long term, a decision of the future strata on whether or not to keep on the property (see landscape plan for location);
- A new **children's play house** in the covenanted area utilizing **recycled** materials from existing sheds and garage demolition on site (see landscape plan);
- A **wildlife tree** created through the trimming of an existing dead tree so that it remains safe for people while providing a habitat for birds (see landscape plan);

While municipal policy would normally seek a housing agreement to protect newly proposed rental housing in perpetuity or for the greater of 60 years or the life of the building, the economic impact of this to the land value of the existing manor is too significant for us to carry given the change being sought through this rezoning. However as rental housing providers in the city and region, we recognize and wish to do what we can. As such, we are proposing to covenant and protect the existing unprotected rental within the manor for the life of the building.

Our proposal seeks to create 12 new homes contained within a group of three distinct multiplex/townhome-style structures. Two homes would be four-bedroom with three and a half bathrooms, with a garage and the fourth bedroom at grade, creating the potential for larger or intergenerational families to live here, a mortgage helper through renting the additional space and or a home-based business. An additional four bedroom home has no garage but a larger area on the ground floor to provide options for different family types as noted above. Six homes would be three-bedroom with two and a half bathrooms at a smaller size than the fourbedroom homes, enabling a diversity of appropriately sized family housing options. One of the three-bedroom homes is single level fully at grade. The remaining three homes would be onebedroom homes and we propose one of the three as a fully adaptable home at grade level with an adjacent accessible parking stall.

# PROJECTS INC.

## VISION. EXCELLENCE. RESULTS.

The buildings would be three storeys ranging from 9.71 to 10.14 meters in height as compared to the three-and-a-half storey existing manor which stands at 11.6 meters. Additionally, the footprints of the proposed townhomes are smaller in size than that of the existing manor to ensure the manor remains the largest structure on the site in terms of height and scale. By approaching the new structures as three storeys, we can minimize impact on the land by reducing building footprints and therefore reducing tree loss and ecosystem impacts.

We have achieved this while also respecting the 7.5 metre setback to neighbouring properties to habitable spaces with windows and have included permeable surfaces at the top of the driveway. The permeable surface creates the opportunity to remove the current asphalt driveway surface to ensure as much natural water absorption within the existing landscape ecosystem and to reduce the impact of new structures. Further, by using permeable surface(s) we can design the area providing parking and circulation as a flexible space to act as a courtyard when vehicles are not present, enabling flexibility in how the space may be used over time as transportation habits and methods change.

To further reduce the impact of the new homes on the land and to reduce tree loss, we are proposing building foundation methodologies that include pier foundations and grade beams in locations as advised by the arborist to minimize the impact the new homes would have on root structures and trees. This adds significant cost to the project but is a method which aligns to our early principle of this project to "sit lightly on the land". Because of our conscientious approach to the development methods of the site, our proposal provides the opportunity to create and preserve necessary family-oriented housing without displacement of existing residents.

The proposal falls under the current site coverage allowance of 25%, under the current zoned density allowance of 0.5 FSR and we propose to provide for approximately 32% of the site area backing onto Abkhazi Gardens to be protected as a no-build covenanted zone in perpetuity. This would include the restoration of this natural landscape and the thoughtful creation of a chip trail through a portion of the property within natural spacing between rock outcroppings in the proposed protected no-build area.

We have spent over three years carefully developing a plan for the property that responds directly to Victoria's Housing Strategy, Housing Needs Assessment and has been informed and modified through significant community input.

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## VISION. EXCELLENCE. RESULTS.

We engaged early and extensively with our immediate neighbours who have been instrumental in providing feedback in crafting the proposal which is before you now. This includes communication with Abkhazi Garden, five single-family homes and one four-unit strata. Early iterations of the proposal prior to our formal submission, with as many as 24 new homes, were reviewed and commented on by planning and heritage staff and several refinements made before engagement with the arborist, neighbours and eventually the broader community with our CALUC in October of 2021. While there were many voices of support for a proposal which contemplated more density and more housing, there were also those who felt the change was too great and may still feel this way. We believe it is prudent to listen to those who might be affected and respond as conscientiously as we can, which is what we have aimed to do. The proposal we submit today has been scaled back in terms of density and the number of new homes reduced to 12. This has resulted in less potential traffic and parking as well as more protected tree preservation.

Our early concept of the site plan considered driveway access utilizing the existing easement over 511 Foul Bay but proposed that it be widened to allow for two-way access/egress. Through discussion and negotiation with the neighbour we have pivoted the plan to have the driveway entirely within the frontage of our property, 515 Foul Bay and to reversely provide that neighbour at 511 Foul Bay, easement access to their property through a widened and significantly safer driveway. This easement has been registered but is pending on the approval of this application.

We seek to provide diverse, family-sized, ground-oriented housing that includes an adaptable home in a neighbourhood that is in significant need of it, all while avoiding existing tenant displacement, employing strong environmental strategies, and protecting the heritage manor and rental homes within. Ultimately, we strive to protect the natural environment while striking a balance between what is needed and what is practical.

We respectfully request your support for our application and to have it expedited forward as quickly as possible to enable some gentle densification in an area that would greatly benefit from it.

Sincerely,

Jordan Milne President & CEO GMC Projects Inc.

## Statement of Significance 515 Foul Bay Road

## **Description of Historic Place**

515 Foul Bay Road, built in 1910, is a 2.5 storey house located in the Gonzales neighbourhood of Victoria. Designed by the notable local architect Samuel Maclure, in the British Arts and Crafts Style, it features numerous box bays, a hipped roof, fieldstone cladding on the foundation.

## Heritage Value

The heritage value of 515 Foul Bay Rd., lies with its connection to Samuel Maclure who was one of the preeminent architects in British Columbia during the late 18<sup>th</sup> and early 19<sup>th</sup> centuries. Maclure began working as an architect in 1887 in New Westminster and with his partner, Charles Henry Clow, he designed the Royal Columbian Hospital as well as several residences. In 1892 he moved to Victoria and established a solo practice where he designed the Temple Building, the residence named Ruhebuhne and the BMO Manager's residence in Vernon, BC. He worked with F.M. Rattenbury on the Lieutenant-Governor's home and his greatest achievement came in 1907, when he received the commission to build Hatley Park for James and Laura Dunsmuir. Built in 1910, 515 Foul Bay marks a transition from Maclure's earlier use of the Prairie and Queen Anne Styles in residential architecture to his use of the British Arts and Crafts Style. With a new partner, Cecil Fox, Maclure emerged as the foremost architect in the province, and from 1905-15 his Vancouver office alone recorded over 60 major commissions. Maclure continued to design splendid buildings and residences until his death in 1929, and his practice closed shortly after due in part to the Great Depression.

515 Foul Bay was built for Edwin M. and Bertha Tracksell who resided there until 1916 or 1917. From 1919 to 1923, the Hon. John Wallace DeBeque Farris and his family lived there. Farris moved to the West Coast to become a city prosecutor and later, a Liberal MLA for Vancouver from 1916-24, the BC Attorney-General and Minister of Labour from 1918-21. In his political career he served as Senator and President of the Canadian Bar Association. Farris' wife, Evelyn, founded the University Women's Club of Vancouver in 1907 and was a member of the senate and board of governors at the University of BC for 30 years. Other past residents included a Minister of Public Works and Railways and a Lieutenant Colonel of the Canadian military.

## Heritage Character Defining Elements

Key elements that express the heritage value of 515 Foul Bay Rd. include:

- · designed by notable local architect Samuel Maclure
- · location on original grounds in the Gonzales neighbourhood of Victoria
- form, scale and massing

Key elements that define the heritage character of the building's exterior include:

- projected half-timbered upper storey over stone-clad lower storey
- hipped roof
- open eaves with exposed raftertails
- · rubble fieldstone cladding with irregular granite quoins
- · two-storey angled bay superimposed on a box bay on the south façade
- two lower level box bays on the south façade
- multi-level balustraded porches
- hipped dormer on north façade
- · cantilevered box bay on the north façade
- 6-over-1 double hung sash windows



## 515 FOUL BAY ROAD





## 515 FOUL BAY ROAD





**APARTMENT** 

## CALUC Meeting Report: DATE Oct 25, 2021

Address: 515 Foul Bay Developer: GMC PROJECTS Presenter: Jordan Milne, GMC Projects, President & CEO Architect: Wil Peereboom, Victoria Design Group on behalf of Nick Bray Architects Others: Richard Gill, GMC Projects (Development Manager) Tonny Kiptoo, GMC Projects (Vice President-Development) Jeremy Gye, Gye & Assoc. (Arborist) Chris Windjack, LADR (Landscape Architect)

Attendance: In person: 4 GMC staff, 2 visitors. Online: 25 neighbours from surrounding area. (The list of all participants is with the FGCA office.)

HOUSE

Rezoning Re- quested	Current	Proposed	
Variances			
OCP Amendment required?		Yes	
Number of Units	5	23	
	Current Zone	Proposed	
Site Coverage	30%	20.64%	
Number of parking stalls	8	26	
Set Back East	31.46m	5.13m	
Set Back West	7.5m/1.5m	53.05m/2.25m	
Set Back South	11.39m	25.89m	

Set Back North	11.39m	5.21m	
	Actual Building	Proposed Building	
FSR (Floor Space Ratio)	.19	.49	
Height	11.60 (Tallest)	11.60 (tallest)	

The Community Land Use Committee (CALUC) facilitates dialogue between land use applicants and the community to identify concerns regarding land use applications which may influence the proposal and result in changes more appropriate to the neighbourhood. The CALUC encourages a respectful meeting environment allowing everyone the opportunity to speak and be heard. The meeting is about the proposal not about the applicant or others involved in the project. There is no decision by the CALUC to support or oppose an application made at, or after, community meetings. Community members are encouraged to share their views with City Council via email (mayorandcouncil@victoria.ca). If an application is submitted to the City, information can be obtained through the Development Tracker feature of the City's website. (https://www.victo-ria.ca/EN/main/residents/planning-development/development-tracker.html).

## Meeting notes

Members of the community joined this Community Meeting in person as well as presenters and the CALUC committee.

The meeting was advertised on the FGCA website and social media.

Unfortunately, the meeting had two interruptions due to a conflict with Zoom scheduling.

**Rezoning Requested** 

## GMC Projects is submitting a rezoning application to the City of Victoria for the property at 515 Foul Bay Road.

The property is a panhandle lot consisting of 1.2 acres on sloping lot located along Foul Bay Road across from Chandler Street and Margaret Jenkins Elementary School. The property currently features the 1912 McClure Manor. The manor will be preserved and its current rental situation unchanged. It is registered but not designated heritage and was converted into five apartment dwellings in 1958 but with no housing agreement. The developers are proposing no displacement of existing residents while securing their rental tenure for 60 years.

The proposed development seeks to respond to housing needs and specifically address the "missing middle" with infill townhouses. The development protects roughly 25% of the site (bordering Abkhazi Garden) with a covenanted no-build area in perpetuity. As well, the proposed development comes on the heels of a failed application in 2017 by a prior owner. GMC has attempted to address the following based on comments from the previous proposed development:

- Not to bring forward another application for single family housing
- Opportunity for groupings or clusters of townhouses

- Respecting the 7.5m setback to operable windows
- Considering the trees with smaller and flexible footprints
- Provide permeable paving where possible.

The proposal seeks to create 18 new dwelling units contained within a group of three distinct townhome style structures whereby a one-bedroom home would occupy the main floor and a three-bedroom two-bathroom home would occupy the upper two floors (a total of nine new one-bedroom homes and nine new three-bedroom homes.

The three buildings would be three stories ranging from 9.9 to 10.44 (existing manor which sits at 11.6 meters).

Concerns from the neighbours about the proposal (grouped):

- Too much density (number of units, height and setbacks) resulting in environmental impacts of removing too many mature protected trees.
- The size, height and scale are not appropriate for the neighborhood.
- Many speakers in favour of denser or greener living; however, but feel this level of density (18 new dwelling units) is excessive.
- The city required the previous (new) owner of the property to hear concerns from the immediate neighbours. A number of speakers felt strongly this was did not happen.

Support:

• One neighbour appreciated what the developer is trying to do by balancing providing housing to suit a wide range of people in the community, at the same time, preserving as much of the original environment as possible.

## Letters received by the FGCA CALUC:

1 - From: Robin Jones <gardenartgate@telus.net> Sent: Monday, October 25, 2021 4:37 PM To: CALUC chair <planandzone@fairfieldcommunity.ca> Subject: 515 Foul Bay Rd

The development proposed for 515 Foul Bay is unacceptable for several reasons.

1. The city required the previous owner of the property to engage and consider what the immediate neighbours concerns were. That project evolved due to the input of neighbours to something that was acceptable.

2. The current developer did meet with neighbours but has obviously not listened to them.

3. The city has this grand plan of planting 5000 trees but continues to allow developers to cut down numerous trees. I would like to see data describing the number of trees developers have been allowed to cut down and then ADD that number to the 5000. Secondly the city should be stronger in not allowing so many trees to be cut down.

4. The height and number of the structures is too many. Wouldn't it be great if the developer eventually be known for his sensitivity and not as a typical developer who trashes our unique environment.

Robin Jones 234 Beechwood

2 - Warren <warrpb@gmail.com> Mon 10/25/2021 5:05 PM To: <u>mayorandcouncil@victoria.ca</u>; CALUC chair

I am a landowner near the proposed development at 515 Foul Bay.

I am very much opposed to the changes on that property which is one of the few remaining havens of trees in the area. Despite the inclusion of protection for the 25% of the land that abuts Abkasi Gardens, it is not acceptable to my wife and me that that natural area and its heritage trees be sacrificed.

We oppose that increase in density that will involve killing that special area of nature in Fairfield. The increased density alone will be destructive to what remains there.

Sincerely, Warren Becker and Elisabeth Jirik

3 - Bev and Don Wilden <wildens@shaw.ca> Sun 10/17/2021 9:53 A To: CALUC chair To: Joanna Fox, Chair

This is in response to the proposed development notice for 515 Foul Bay Rd.

We have absolutely no issues with the proposed plan. Aside from the need for missing housing of this type, we live in the townhouse development on Chandler Rd—across the street. While we don't speak for other owners, it seems ludicrous that any would object. I am certain the when these were built in 1996/7, there were some objections as there were no previous townhouses in the area. Now we get compliments on this development. It appears the proposed townhouses would not even be visible from the street.

We are in favour of this plan.

Beverley and Donald Wilden 1880 Chandler Ave #6

4 - Paul Serowka <serowka@me.com> Sat 10/9/2021 8:11 PM

To: mayorandcouncil@victoria.ca Cc:CALUC chair Hello

I am writing in support of the proposed development at 515 Foul Bay Rd. I live and own a house very close to that property. i think that the increased density is badly needed in our neighbourhood and this project meets the current needs of our community.

Sincerely

Paul Serowka

5 - Robert Berry <robertjoberry@gmail.com> Tue 11/2/2021 3:29 PM To: CALUC chair Hi,

Just emailing my support for 515 Foul Bay. I am increasingly concerned that the widespread low density zoning is creating a housing shortage and effectively pushing future generations out of our neighbourhood. I want my children to be able to continue to live here. I am also concerned that the lack of new housing in our neighbourhood is creating huge development pressure on the forests and farmland in the Westshore.

The 515 Foul Bay project is exactly what we need. If anything it is too conservative in the height, setbacks and coverage ratios. A couple more families could easily fit in such a great location.

Thanks, Rob Survey Responses

## 515 Foul Bay Road

## Have Your Say

Project: 515 Foul Bay Road







## **Question options**

Support Oppose Other (please specify)

Mandatory Question (17 response(s))

Note: Participants may submit multiple responses. See detailed feedback in the following pages.



Support

## Q2. Comments (optional)

I appreciate what the developer is trying to do here, balancing providing housing that would suit a wide range of people in our community while also trying to preserve as much of the original environment as possible. I strongly urge the city elected officials to approve this project.

	Q3.	Your	Full	Name
--	-----	------	------	------

Brian Vatne

Q4. Your Street Address

957 Cowichan St



 Responded At:
 Oct 03, 2021 17:09:59 pm

 Last Seen:
 Oct 03, 2021 17:09:59 pm

### Q1. What is your position on this proposal?

Support

### Q2. Comments (optional)

This project is an excellent way to add diversity to an old neighbourhood in which most people nowadays cannot afford to live. The fact that there will be a range of housing options of various sizes, price points and ownership/rental options, attracting singles, couples and families alike, should be promoted, not dismissed. Neighbourhoods cannot have one type of demographic; it is not fair and it is elitist in the worst sense of the word. Also, people with disabilities will be accommodated in the ground floor homes as per the developers' future adjustments in the plans - in a neighbourhood that has a single apartment building on Fairfield Road, and all of its housing stock are inaccessible houses and townhouses. Again, it is extremely inconsiderate of the "old timers" to resist diversity. Cities change over time, it is a natural way of life. The opposing residents of this neighbourhood should have a vision of a walkable, inclusive neighbourhood with amenities at one's fingertips, full of life and diversity, not of a place stuck in a different era, unresponsive to today's needs. Thank you to the developers for creating such fresh and much needed approach! It is a forgotten truism that residents of a neighbourhood.

### Q3. Your Full Name

Pavlina Vagnerova

Q4. Your Street Address

203-1189 Eastwood Street, Coquitlam, BC



Support

## Q2. Comments (optional)

This project is a great opportunity o add a modest amount of density in an area it is sorely needed. I attended the community open house for this development, and was impressed with the steps the developer has taken to address the concerns raised by immediate neighbours.

## Q3. Your Full Name

Heather Davidson

Q4. Your Street Address

957 Cowichan St

Respondent No: 4 Login: Anonymous	Responded At:Oct 08, 2021 19:25:23 pmLast Seen:Oct 08, 2021 19:25:23 pm
Q1. What is your position on this proposal?	Support
Q2. Comments (optional) not answered	
Q3. Your Full Name	Martin Odendaal
Q4. Your Street Address	1827 Fairfield Rd
Q5. Your email address (optional)	

Respondent No: 5 Login: Anonymous	Responded At:Oct 08, 2021 19:25:59 pmLast Seen:Oct 08, 2021 19:25:59 pm
Q1. What is your position on this proposal?	Support
Q2. Comments (optional) not answered	
Q3. Your Full Name	Amy Tacon
Q4. Your Street Address	1827 Fairfield Road
Q5. Your email address (optional)	



Support

## Q2. Comments (optional)

Support more townhouses & family units. Nice design. Recommend not using term Missing Middle unless units are affordable for middle income Victorians.

## Q3. Your Full Name

Sarah Petrescu

## Q4. Your Street Address

1157 Fairfield Rd

Respondent No: 7 Login: Anonymous	Responded At:Oct 20, 2021 20:19:33 pmLast Seen:Oct 20, 2021 20:19:33 pm
Q1. What is your position on this proposal?	Support
Q2. Comments (optional) not answered	
Q3. Your Full Name	Jack Sandor
Q4. Your Street Address	5366 Ruston Rd
Q5. Your email address (optional)	



Support

## Q2. Comments (optional)

The proposal will provide much needed additional housing options in this area.. I live nearby.

Q3.	Your Full Name	Karin Buss
Q4.	Your Street Address	945 Runnymede Pl
_		



 Responded At:
 Oct 21, 2021 07:41:10 am

 Last Seen:
 Oct 21, 2021 07:41:10 am

## Q1. What is your position on this proposal?

Oppose

## Q2. Comments (optional)

This area does not support such a large number of homes! We already have traffic congestion, stress on-board green spaces and far too much push by developers to cram their buildings into the city. We live here because of the ambience of the neighbourhood. Stop ruining neighbourhoods! Be realistic with the numbers! Maybe 6 at most.

Q3.	Your Full Name	Maureen Atherton
Q4.	Your Street Address	Chamberlain St
Q5.	Your email address (optional)	



 Responded At:
 Oct 21, 2021 08:10:27 am

 Last Seen:
 Oct 21, 2021 08:10:27 am

## Q1. What is your position on this proposal?

Oppose

## Q2. Comments (optional)

I attended a neighbourhood meeting on the property and was quite surprised to hear that in order to accommodate 18 units in the 9 building footprints there would be no garages in 16 of the units. There would be over 23 parking spots scattered over the property, turning this urban green space into a parking lot. The height of the development is also problematic.

### Q3. Your Full Name

Annette Barclay

Q4. Your Street Address

#2. 1968 Fairfield rd



 Responded At:
 Oct 22, 2021 15:26:58 pm

 Last Seen:
 Oct 22, 2021 15:26:58 pm

## Q1. What is your position on this proposal?

Oppose

## Q2. Comments (optional)

The plans I saw at a meeting held at 515 Foul BAy Rd indicated the removal of many Oak Trees and one of the two arbutus trees on the property. No go. Also the parking of so many cars along the driveway is very suspect and I believe has not been thought out.

## Q3. Your Full Name

Jean Hamilton

### Q4. Your Street Address

563 Foul Bay Rd


# Q1. What is your position on this proposal?

Support

# Q2. Comments (optional)

The project design has done a great job in maintaining the neighbourhood feel while adding new homes to the area.

Q3.	Your Full Name	Scott Piercy
Q4.	Your Street Address	976 Monterey Avenue

# Q5. Your email address (optional)



 Responded At:
 Oct 25, 2021 12:41:08 pm

 Last Seen:
 Oct 25, 2021 12:41:08 pm

# Q1. What is your position on this proposal?

Support

## Q2. Comments (optional)

I fully support this thoughtfully, community minded project by GMC. Younger families and the working class are getting pushed out of Victoria due to the high cost of living and this project aims to provide working class families a chance to stay in the area which provides vibrancy and diversity to the age demographic.

## Q3. Your Full Name

Chelsea Skaalrud

Q4. Your Street Address

827 North Park. St., 102

## Q5. Your email address (optional)



 Responded At:
 Oct 25, 2021 16:57:32 pm

 Last Seen:
 Oct 25, 2021 16:57:32 pm

## Q1. What is your position on this proposal?

Oppose

## Q2. Comments (optional)

I am a landowner near the proposed development at 515 Foul Bay. I am very much opposed to the changes on that property which is one of the few remaining havens of trees in the area. Despite the inclusion of protection for the 25% of the land that abuts Abkasi Gardens it is not acceptable to my wife and me that that natural area and its heritage trees be sacrificed. We oppose that increase in density that will involve killing that special area of nature in Fairfield. The increased density alone will be destructive to what remains there. Sincerely, Warren Becker and Elisabeth Jirik

Q3.	Your Full Name	Warren Becker
Q4.	Your Street Address	1827 Foul Bay Rd.
Q5.	Your email address (optional)	



 Responded At:
 Oct 25, 2021 22:38:51 pm

 Last Seen:
 Oct 25, 2021 22:38:51 pm

#### Q1. What is your position on this proposal?

Support

#### Q2. Comments (optional)

We are neighbors (once removed) from the proposed development at 515 Foul Bay Road (FBR). We write in general support of this development along with other, appropriately sited, duplex, triplex and other medium-density 'missing middle' developments in areas currently zoned single family. The above noted, the increased densification, including the proposed development at 515 FBR will bring an increase in both car and pedestrian traffic to the neighborhood, no matter best laid plans to improve transit and cycling. Several other new or contemplated developments in the area, along with the closure of Richardson to thru traffic from Oak Bay has, and will continue to add significant traffic along Foul Bay Road between Gonzales and Fairfield. Further, as residents overlooking FBR, we can attest that very few of the cars adhere to the 30km/h speed limit. It is important to note that the proposed development is across the street from Margaret Jenkins Elementary (MJE). We feel strongly that traffic calming and improved pedestrian safety would be appropriate measures to counter the increased vehicular traffic and pedestrian trips as a result of the proposed development and other mitigating factors noted above. Notably, these trips include those from the prospective families and children at 515 FBR, who will presumably be attending MJE and accessing other City amenities more readily accessed on the north side of FBR. As such, while we support the proposed development, we do so contingent on improving pedestrian safety locally and propose the following measures be considered in reaction to the increased car trips and increased density: 1. More active approach to speed reduction and traffic calming along Foul Bay Road between Fairfield and Gonzales south of Margaret Jenkins Elementary (ie speed reader signs, speed humps, sidewalk extensions, etc). Similar speed signs were recently installed at Sir James Douglas along Fairfield. 2. Proposed pedestrian controlled cross walk/ pedestrian safety improvements at Foul Bay and Chandler (effectively directly at front drive entrance to development). There are only a handful of other designated locations to cross FBR between Fairfield and Oak Bay Ave. Residents of 515 Foul Bay will inevitably cross here (ref point above re children, point 4 below). 3. The site plans for the proposed development do not appear to have adequate car turn around areas, especially with respect to the angled parking along driveway near FBR. Special attention should be taken re: cars not needing to back out onto FBR. 4. The sidewalk on the south side of FBR is not separated from FBR, is very narrow in areas, and is generally not conducive to being alongside a busy bike lane and road where speed limits are not regularly adhered to. While slightly further removed, we believe the following other suggestions relevant to the issues and DP application: 1. Improved intersection design and pedestrian safety at Fairfield and Foul Bay. (Slopes approaching intersection from three directions cause confusion and limit ability to perceive pedestrians). 2. General traffic calming and improved cross walk at Fairfield at Irving adjacent MJE. We trust the above relevant to the application at hand and appreciate the opportunity to provide feedback. Again, we are in general support of the application provided appropriate traffic mitigation strategies can be implemented to improve safety for the areas residents. Please don't hesitate to contact the undersigned should you require any clarification or elaboration on the points above. Sincerely, Andrew Chad, P.Eng. and Morgan Waddell 509 Foul Bay Road

#### Q3. Your Full Name

Andrew Chad, Morgan Waddell

Q4. Your Street Address

509 Foul Bay

#### Q5. Your email address (optional)



 Responded At:
 Oct 26, 2021 15:47:35 pm

 Last Seen:
 Oct 26, 2021 15:47:35 pm

#### Q1. What is your position on this proposal?

Oppose

#### Q2. Comments (optional)

We are the adjacent west property. Too much density for an environmentally important and sensitive site. Buildings are too large and especially too high. 3 stories Traffic management proposal is unrealistic due to mansion chokepoint, and likely to provide a lifetime of safety issues and frustration to its occupants, neighbours and community alike. Does not make any attempt to minimize its impact to the sensitive site, loss of privacy and enjoyment of its immediate neighbours, or support environmental sustainability of our community through retention of established urban Garry Oak forest. Exceeds all reasonable allowable building sizes and does not comply at all with current property zoning, or OCP. Does not address any of the recommendations made by the Mayor or council with respect to the previous unsuccessful development proposal, and in fact exceeds all of the previous design objection points.

Q3.	Your Full Name	Sean Cavanagh
Q4.	Your Street Address	533 Foul Bay Rd
Q5.	Your email address (optional)	



# Q1. What is your position on this proposal?

Support

## Q2. Comments (optional)

This development provides the kind of "missing middle" housing needed to enhance housing options and maintain community vitality.

# Q3. Your Full Name

Bruce Sieffert

# Q4. Your Street Address

1777 Lillian Road

## Q5. Your email address (optional)

# 5. **515 Foul Bay Road** Heritage Designation Application No. 000163

A summary of the application was provided by the Senior Heritage Planner.

Panel Comments and Questions

- Would only the house exterior be designated? Merinda Conley: Yes, none of the interior or landscaping will be designated.
- Once the property is subdivided, what is the proposed design of the new buildings? Merinda Conley: Three contemporary, flat-roofed houses, sympathetic in colour and materials to the heritage building, will be constructed.
- Would the new buildings obscure the view of the house from the road? Merinda Conley: No.
- Since there is also a Development Permit Application with Variances for this property, can the Panel ensure that the proposal is reasonably acceptable? After discussion, it was determined that the Panel does not have the ability to provide feedback on the DPV unless it proceeds to a Joint ADP/HAPL meeting. The Panel is tasked with reviewing the Heritage Designation Application only. However, the members, as private citizens, can provide feedback to Council about the DPV.
- On what date and what were the reasons for placing the property on the Heritage Register? Who prepared the Statement of Significant? Merinda Conley: Not aware of the date and reasons for placing the property on the register. The current SOS was prepared by a heritage consultant through the applicant.
- Will the applicant have access to funding through the Victoria Heritage Foundation? Merinda Conley: Yes, funding is available for exterior changes.

# Moved

# Seconded

That the Heritage Advisory Panel recommend that Council approve Heritage Designation Application No. 000163 for the property located at 515 Foul Bay Road as a Municipal Heritage Site.

# Carried (unanimous)

# TLC The Land Conservancy

June 18, 2019

Mayor and Council City of Victoria 1 Centennial Square Victoria, BC

Re: 515 Foul Bay Road - Rezoning Application No. 00675 and Development Permit Application No. 00084 (Gonzales)

We support the development permit application for 515 Foul Bay Road. As you know, Abkhazi Garden is situated adjacent to this property. The fencing that seperates this property from Abkhazi Garden is in disrepair and needs to be fully replaced. We would respectfully ask that the owner be made aware of this, and that a contribution is made to make these necessary repairs.

The fencing is critically important to the Garden, as the deer in the neighbourhood can cause significant damage. We appreciate that the area adjacent to the fence on the subject property will be protected with a conservation covenant, and that this beautiful landscape will be preserved.

Sincerely,

Cathy Armstrong Executive Director TLC, The Land Conservancy of BC 302 Denison Road, Victoria V8S 5L8

> Board of Directors: Briony Penn • Frances Pugh • Andrew Stewart• Marika Smith Mel Lehan • Fred Newhouse • Lori Roter • Fran Sloan Sainas • Tom Watson

PO Box 50054, RPO Fairfield Plaza, Victoria, BC V8S 5L8 Phone: 250-479-8053 Fax: 250-744-2251 conservancy.bc.ca Helo

I am writing in support of the proposed development at 515 Foul Bay Rd. I live and own a house very close to that property. i think that the increased density is badly needed in our neighbourhood and this project meets the current needs of our community.

Sincerely

Paul Serowka

I am a landowner near the proposed development at 515 Foul Bay.

I am very much opposed to the changes on that property which is one of the few remaining havens of trees in the area. Despite the inclusion of protection for the 25% of the land that abuts Abkasi Gardens, it is not acceptable to my wife and me that that natural area and its heritage trees be sacrificed.

We oppose that increase in density that will involve killing that special area of nature in Fairfield. The increased density alone will be destructive to what remains there.

Sincerely, Warren Becker and Elisabeth Jirik

(1827 Fairfield Rd.)

Dear Victoria Councillors,

Please do not allow this environmental disaster! Sometimes it seems as if we never learn. We need these trees; we don't need more asphalt and car traffic.

Hilary Knight Victoria V8S 2P5 Dear Mayor and Council,

I am an owner and resident of Vic West at Promontory and writing to express some concerns about the proposed increase in density to the Roundhouse site in Vic West.

As I understand it, Focus Equities is asking to increase the density of the undeveloped lands to an FSR of 5.5. In listening to their proposals, they are suggesting that there be an additional 1871 housing units built on the 10-acre site. If I've done the math right, allowing for only one occupant per housing unit, this amounts to the equivalent of a population density of 46,232 people per square kilometre. And if you apply a higher occupancy level of 1.5 occupants per housing unit, it increases to nearly 70,000 people per/sq. km.

This, in a city that currently has a population density of less than 500 people per square kilometre.

That seems a bit extreme. When compared to one of Vancouver's most densely populated areas, Olympic Village, the proposed increase in density for the Roundhouse is more than double.

That's my first concern. It can lead to a host of social and practical issues when a city has such high density. Traffic. Social Isolation. Crime. Waste management. And so on.

To be sure, urban densification has many benefits and is seen as inevitable as we try to stem urban sprawl, traffic congestion, and single occupancy vehicle use. And, for many cities, corridor redevelopment has been the way forward for some time now. Witness the Cambie corridor redevelopment plan in Vancouver, and you will see that the majority of new condominium development tries to deal with this while at the same time addressing the missing middle conundrum with townhomes and low rise 6-storey buildings that ease into the surrounding single family neighbourhoods.

Of course, Focus Equities has the right to try to maximize their profit on the site. They are, after all, land owners and sometime property developers. But, I don't think that it should be at the expense of the community and the city at large.

The proposal that they submitted contains faded out sketches of towers that will completely infringe on, and overshadow, the existing heritage buildings. On page 11 of their April 27 revised proposal you will see a site identified as Building 4. It seems to abut the existing heritage building and in their sketches seems to cantilever out over the building. A word that I have often heard when discussing infill redevelopment is "sympathetic". This does not seem sympathetic to the existing site.

It seems to me that this Songhees neighbourhood is not the city centre where tall buildings might be the norm in a city that doesn't rely on its historic centre for tourism. Nor is it a neighbourhood made up of single family homes. But, it seems that it is perfect transitional neighbourhood where the opportunity for redevelopment might be more along the lines of the Pearl District at the north end of downtown Portland. Lowrise. Midrise. Heritage conversions. Townhomes. And of course, appropriate retail/commercial.

Also, a number of the buildings that Focus Equities is proposing have been identified as rental and affordable housing. This may be a good thing. I don't know. There's an informative video below that attempts to address the issue of renting our way out of the housing crisis. The link is below.

Dear Mayor, Council and Planning Department,

# March 11th 2022

We (the owners of 511 Foul Bay Rd.) have reviewed the plans submitted by the owners of 515 Foul Bay Rd. in support of their rezoning application and development permit application.

We write to confirm we have not consented to the proposed works on our property as shown on the submitted plans. The proposed works on our property are to accommodate a two-lane driveway and includes the removal of a rock wall and pillar, grading and paving. We also have not consented to the location on our property of utilities beyond the utilities specifically referenced in the utility easement registered against title to our property in favour of 515 Foul Bay Rd.

We are concerned to see a development proposal accepted by the City that includes work on our property without our prior consent. Can you please confirm whether an application for a development permit can properly be made to the City for approval of works on our property without our consent?

The current easement registered against title on 511 Foul bay Rd and benefitting 515 Foul Bay Rd. does not give the owners of 515 Foul Bay Rd. the right to perform the proposed work on our property.

We have no desire to grant concessions to the developer in order to facilitate the development and added use of our property because they have the option for access and services on the panhandle portion of their property.

The development contemplates a dedicated fire lane on 515 Foul Bay Rd. in front of our garage entrance which means we will lose those of our current parking spots located in part on 515 Foul Bay Rd. which have been used by owners of 511 Foul Bay Rd. in accordance with an informal usage convention between the owners of 511 and 515 since our house was built 60 years ago.

The informal use convention also has allowed the owners of 511 to access our only parking areas.

We cannot access our parking areas (located both within our garage and on the paved surface adjacent to our house and garage) without trespassing on 515 Foul Bay Rd. Without easement rights over 515 Foul Bay Rd. we will no longer be able to have vehicle access to our only parking areas, our house or our garage.

When previous owners of 515 Foul Bay Rd. sought to develop their property, council recognized the importance of our continued vehicular access to our parking areas, house and garage and passed a motion making approval of the development on 515 Foul Bay Rd. contingent on the owners of 515 granting an "easement in common with the registered owner of 511 Foul Bay Road (the "Property") strictly for the purposes of allowing the registered owner of the Property access to and from the existing garage on the Property and Foul Bay Road". We successfully negotiated

such an access easement with the former developer, but the former owner sold the property to the current owners without registering the easement.

We have worked with the current developer for the last seven months to come to an access arrangement prior to them submitting their plans to the City but have not been successful.

We do not support the development as shown on the plans submitted to the City.

We would support the location of the proposed double lane driveway providing for shared access to and from both 515 and 511 Foul Bay Rd. to Foul Bay Rd located on the panhandle portion of 515 Foul Bay Rd., as well as placement of utility services for the Development solely within 515 Foul Bay Rd., with access by 511 Foul Bay Rd. by way of easement over the new driveway.

We think the panhandle location is safer than the current location of the driveway over 511 Foul Bay Rd. as the current driveway meets Foul Bay Rd. at approximately the half way point of the junction of Chandler Ave. and Foul Bay Road. The current single lane drive is at an acute angle to Foul Bay Road making it at times difficult see pedestrians due to the stone pillars and also assess to who has the right of way at this intersection for those entering Foul Bay from Chandler. A panhandle driveway location reduces (in our estimation) the risk of accidents and removes the need to make a decision on who has the right of way 511/515 over those exiting Chandler on Foul Bay while watching for cars, cyclists and pedestrians. There is significant pedestrian traffic on Foul Bay and Chandler within this school zone and this includes unaccompanied children from Margaret Jenkins Elementary School. We believe vehicle traffic has also significantly increased since the completion of the bike lane on Richardson and corresponding closure of Richardson at Foul Bay to west bound vehicle traffic.

We hope that the planning department confirms and supports the improved safety afforded when the access is located in the panhandle of 515 Foul Bay Rd.

Should shared driveway access be provided over 515 Foul Bay Rd. we would be prepared to agree to close the current single lane driveway located on our property and currently in use. Closing the current access will provide us with the parking spot lost to the location of the proposed fire lane.

We think our proposal is a safe, practical and cost-effective solution to the hardships created for 511 Foul Bay Rd. by the proposed 515 Foul Bay Rd. development application currently under consideration by council.

Please contact us should you need additional information.

We look forward to hearing from you,

Mike Fenger and Val Hignett.



# Arborist Report for Rezoning and Development Permit

Site Address: 515 Foul Bay Rd

Date of Original Report: September 19, 2022 Revision No. 1 made April 22, 2023 Revision No. 2 made May 12, 2023 Revision No. 3 made September 12, 2023

Client Name: GMC Projects Inc. Victoria, BC Email: <u>Jmilne@gmcprojects.com</u>

Prepared on behalf of Gye and Associates, Urban Forestry Consultants Ltd

Project Arborist: Jeremy Gye, Senior Consultant Consulting Arborist (Diploma, American Society of Consulting Arborists, 1997) ISA Certified Arborist (Certification No. PN-0144A) ISA Certified Municipal Specialist (Certification No. PN-0144AM) ISA Tree Risk Assessment Qualified (Current)

Email: jeremy@gyeandassociates.ca Tel: 250.883.4533



# **EXECUTIVE SUMMARY**

**Existing and Proposed Conditions:** The property at 515 Foul Bay Road is currently a traditional residential lot with several outbuildings. The lot slopes down toward Foul Bay Road and is surrounded by six existing residential properties. The lot is well treed with a mix of species, age and size classes. Several large mature Garry oak trees are growing on the lot.

Rezoning to a multi-family residential use and redevelopment of the property is proposed with the main dwelling retained and three additional two-storey buildings constructed as "missing middle" rental housing.



Figure 1. Contextual map

**On-site Bylaw-Protected Trees:** This rezoning and development permit application is subject to the City of Victoria's Tree Protection Bylaw No. 21-035. Sixty-one bylaw-protected trees currently grow on the site, twenty-five of which are proposed for removal to make way for new construction and the servicing of the development. (See Table-1 below.) Care has been taken during the site planning and conceptual design phases to minimize tree removal. The three new town-home buildings and associated parking areas will be nestled in amongst existing urban forest. On-site parking is designed to "bridge over" tree root habitat and maintain the ecological processes on which the trees depend. Underground services and driveway access have been designed to minimize tree impacts as much as is reasonably and practically possible.

A total of 25 new replacement trees are proposed to mitigate the loss of the 25 bylaw-protected trees. The above metrics are summarized in the Tree Impact Summary Table below.

All adjacent neighbours have been consulted to identify critical screening trees on both sides of shared property boundaries. Twenty-one off-site trees have been identified in this respect,

nineteen of which are protected under the City's current Tree Protection Bylaw No. 21-035.

Tree ID	Common Name	DBH (cm)
1	Big Leaf Maple	38
1A	Plum	33
2	Plum	74
5	Plum	52
6	Plum	40
7	Garry oak	16
15	Arbutus	38
16	Garry oak	87
23	Garry oak	43
24	Garry oak	71
25	Garry oak	75
27	Garry oak	47
30	Garry oak	84
38	Garry oak	69
39	Mountain ash	30
49	English holly	35
64	English hawthorn	38
71	Portuguese laurel	55
81	Laburnum	34
85	Western Red cedar	30
86	Western Red cedar	31
87	English hawthorn	42
89	English laurel clump	66
90	Plum	40
92	Plum	88
		25 trees

Table-1. List of 25 protected trees proposed for removal.

	Α	В	С	D
Tree Location	# of Protected Trees	# of Protected Trees to be Removed	# of NEW or REPLACEMENT Trees to be Planted	# of EXISTING Non-Protected Trees Counted as Replacement Trees
On-site trees	65	25	25	0
Off-site trees	21	0	0	0
Municipal trees	0	0	0	0
Total:	86	25	25	0

Table-2. Tree Impact Summary Table



**Tree Protection Measures:** Detailed measures for the protection of the trees through all stages of the proposed redevelopment of the site are provided in this report and the attached Tree Management Plan drawing. Key strategies to reduce mature tree removal and minimize tree impacts from construction and site servicing include the following:

1. <u>Driveway and Parking Areas:</u> "Bridge" driveway and parking areas over tree root habitat using reduced sub grading, geotechnical material, modified base courses and a permeable crushed rock surface;

2. <u>Buildings:</u> Reinforced slab-on-grade foundation supported by helical piles in deeper soils or sauna tube pier footings pinned to bedrock are proposed. Main floor building elevations are designed to remain above existing grade of tree habitat areas where site constraints permit (i.e. in most cases). Modified rock removal techniques and close arborist supervision during the trenching for services and utilities shall be adopted.

3. <u>Underground Services:</u> U/g services and utilities have been routed away from sensitive tree root zones as much as site constraints will permit. Modified rock removal techniques and close arborist supervision during the trenching for services and utilities shall be used to minimize root impacts.

End of summary

# GYE + ASSOCIATES Consultants in Urban Forestry and Arboriculture

# ASSIGNMENT

Gye and Associates (G&A) have been retained to assist the proponent and design team through the site planning and conceptual design phases of the rezoning and development permit application to achieve the following objectives.

- 1. Accurately model the onsite and associated off-site tree resource to scale.
- 2. Inventory, measure and assess the condition of all bylaw-protected trees, including off-site trees that have canopies or root zones that encroach into the site.
- 3. Prepare a tree constraint plan to guide site planning.
- 4. Work with the proponent and design team to develop strategies and design solutions to minimize mature tree removal and minimize development-related tree impacts.
- 5. Comply with the City's current Tree Protection Bylaw No. 21-035 and the City's published Terms of Reference for Tree Preservation Plans.

# METHODOLOGY

- In September 2021, biometric data for all trees was updated and tree tags refreshed. Tree condition was reassessed at this time. A topographic survey drawing was used to assist in identifying property boundaries.
- Tree data was uploaded and digitally compiled using Microsoft Excel. A sketch of the tagging route taken across the site and a tree data table were emailed to the project surveyor.
- All tagged trees were surveyed and a digital plot forwarded to Gye and Associates.
- Using the topographic tree survey drawing as a base layer, a Tree Constraint Plan drawing was developed to accurately model the existing tree resource to scale. Protected root zones (PRZs) and accurate tree crown spreads were developed for each tree.
- PRZs are calculated using a method recommended by Nelda Methany and James Clark, which considers the tree species' relative tolerance to disturbance, its biological age, and the diameter of tree at chest height.<sup>1</sup> Soil depth and texture, existing land use and the health and condition of the tree were also considered. Four small soil plots were hand-dug to a depth of 75 cm to examine soil and rooting attributes within the root horizons of two mature oaks (Tree Nos 26 and 28).
- Once completed, the Tree Constraint Plan was circulated in both CAD and PDF format to the design team, with a request for the tree linework to be incorporated into all functional site plans. A consultant's meeting was held on site to discuss the Tree Constraint Plan and preliminary considerations for site planning and design.
- Preliminary concept drawings were provided to the arborist to review. A preliminary Tree Management Plan drawing was developed by the arborist identifying potential areas of conflict between the concept drawings and the trees. Neighbours abutting the site were presented with

<sup>&</sup>lt;sup>1</sup> Nelda Matheny and James R. Clark, <u>Tree and Development, A Technical Guide to Preservation of Trees</u> <u>During Land Development</u> (International Society of Arboriculture, Champaign II. USA. 1998 P. 74)



early iterations of the proposed site plan for comment. Strategies were developed for mitigating tree conflicts and neighbours' concerns where possible. Many iterations of all functional site plans (architectural, civil, landscape, tree and off-site utilities) have been developed as the overall concept for the development continues to be refined.

# **OBSERVATIONS**

# SITE DESCRIPTION

The property at 515 Foul Bay Road is currently a traditional residential lot with several outbuildings. The lot slopes south toward Foul Bay Road and is surrounded by six existing residential properties. The site exhibits variable topography with areas of exposed bedrock and other areas of deep soil. The lot is well treed with a mix of species, age and size classes. Several large mature Garry oak trees are growing on the lot.

# TREE RESOURCE

Sixty-one bylaw-protected trees currently grow on the site, twenty-two of which are proposed for removal to make way for new construction and the servicing of the development. (See Tables-3 and -4 below.)

<b>T</b> ID			Structural			
Tree ID	Common Name	DBH (cm)	Condition	Health	Location	Rationale/ Comments
			<i>c</i> .	<i>с</i> .	0.1. CITE	Poor specimen. Replace with more
1	Big Leaf Maple	38	fair	fair	ON-SITE	resilient sp for this location.
1A	Plum	33	poor	fair	ON-SITE	Multi-stemmed plum.
2	Plum	74	good	good	ON-SITE	Conflicts with new d/w. svcs or parking
5	Plum	52	fair	poor	ON-SITE	Conflicts with new d/w, svcs or parking
6	Plum	40	poor	poor	ON-SITE	Conflicts with new d/w, svcs or parking
7	Garry oak	16	good	good	ON-SITE	Conflicts with new d/w, svcs or parking
15	Arbutus	38	poor	poor	ON-SITE	Conflicts with new construction
16	Garry oak	87	fair	fair	ON-SITE	Conflicts with new construction
23	Garry oak	43	good	good	ON-SITE	Conflicts with new construction
24	Garry oak	71	good	good	ON-SITE	Conflicts with new construction
25	Garry oak	75	good	good	ON-SITE	Conflicts with new construction
27	Garry oak	47	good	good	ON-SITE	Conflicts with new construction
30	Garry oak	84	fair	good	ON-SITE	Conflicts with new construction
38	Garry oak	69	fair	fair	ON-SITE	Conflicts with new construction
39	Mountain ash	30	fair	poor	ON-SITE	Conflicts with new construction
49	English holly	35	good	good	ON-SITE	Conflicts with new construction
64	English hawthorn	38	fair	fair	ON-SITE	Conflicts with parking
71	Portuguese laurel	55	poor	poor	ON-SITE	Poor condition, invasive sp. Bdg conflict
						Poor condition; conflicts with new
81	Laburnum	34	poor	poor	ON-SITE	construction
85	Western Red cedar	30	dead snag	dead	ON-SITE	Conflicts with new construction
86	Western Red cedar	31	dead snag	dead	ON-SITE	Conflicts with new construction
87	English hawthorn	42	poor	poor	ON-SITE	Conflicts with new construction
89	English laurel clump	m/s	fair	good	ON-SITE	Conflicts with new construction
90	Plum	40	poor	poor	ON-SITE	Poor condition, invasive sp.
92	Plum	88	poor	poor	ON-SITE	Poor condition, invasive sp.

Table-3. List of 25 protected trees proposed for removal.

# GYE + ASSOCIATES Consultants in Urban Forestry and Arboriculture

G&A Tree ID	Common Name	DBH (cm)	PRZr (m)	Structural Condition	Health	Location	Retention Suitability	Species Resilience	Regulatory Status	Action	Rationale/ Comments
						ON-SITE BYLAW	-PROTECTED T	REES			
1	Big Leaf Maple	38	6	fair	fair	ON-SITE	UNSUITABLE	poor	Protected	REMOVE	Conflicts with new construction
1A 2	Plum	33	5	poor	fair	ON-SITE	UNSUITABLE	fair	Protected	REMOVE	Conflicts with new construction
5	Plum	52	5	fair	poor	ON-SITE	UNSUITABLE	fair	Protected	REMOVE	Conflicts with new d/w, svcs or parking
6	Plum	40	4	poor	poor	ON-SITE	UNSUITABLE	fair	Protected	REMOVE	Conflicts with new d/w, svcs or parking
/ 8	Garry oak Sycamore maple	16 51	6	good	good	ON-SITE ON-SITE	SUITABLE	tair dood	Protected	REMOVE	Conflicts with new d/w, svcs or parking
9 (BT)	Garry oak	12	2	good	good	ON-SITE (BOUNDARY)	SUITABLE	fair	Protected	RETAIN	
10	Garry oak	32	5	fair	fair	ON-SITE	SUITABLE	fair	Protected	RETAIN	Conflicts with now construction
16	Garry oak	87	8	fair	fair	ON-SITE	SUITABLE	fair	Protected	REMOVE	Conflicts with new construction
17	Garry oak	80	7	fair	fair	ON-SITE	SUITABLE	fair	Protected	RETAIN	Heavy ivy threatening tree
18	Sycamore maple	30	4	fair	fair	ON-SITE	SUITABLE	good	Protected	RETAIN	Norrow atom attachment with included bark
19	Gally Uak	02	°	Idli	goou	ON-SITE	SUITABLE	Idli	FIOLECIEU	RETAIN	Specimen tree 135 cm dia at soil interface
20	Arbutus	122	16	good	good	ON-SITE	SUITABLE	poor	Protected	RETAIN	Extensive surfical rooting around base.
21	Garry oak	36	5	fair	fair	ON-SITE	SUITABLE	fair	Protected	RETAIN	
2	Plum Correctory	32	5	fair	fair	ON-SITE	UNSUITABLE	fair	Protected	RETAIN	Conflicts with now construction
24	Garry oak	71	9	good	good	ON-SITE	SUITABLE	fair	Protected	REMOVE	Conflicts with new construction
25	Garry oak	75	10	good	good	ON-SITE	SUITABLE	fair	Protected	REMOVE	Conflicts with new construction
26	Garry oak	73	9	good	good	ON-SITE	SUITABLE	fair	Protected	RETAIN	Conflicts with now construction
28	Garry oak	105	14	fair	good	ON-SITE	SUITABLE	fair	Protected	RETAIN	Connicts with new construction
29	Oriental spruce	49	6	good	good	ON-SITE	SUITABLE	fair	Protected	RETAIN	Close to main structure.
30	Garry oak	84	13	fair	good	ON-SITE	SUITABLE	fair	Protected	REMOVE	Conflicts with new construction
9	Mountain ash	30	5	fair	poor	ON-SITE ON-SITE	SUITABLE	poor	Protected	REMOVE	Conflicts with new construction
9	English holly	35	4	good	good	ON-SITE	UNSUITABLE	good	Protected	REMOVE	Conflicts with new construction
0	Plum	60	6	fair	fair	ON-SITE	SUITABLE	fair	Protected	RETAIN	l
13	English hawthorn	40 36	3	fair	poor	ON-SITE ON-SITE	UNSUITABLE	good	Protected	RETAIN	<u> </u>
64	English hawthorn	38	3	fair	fair	ON-SITE	UNSUITABLE	good	Protected	REMOVE	Conflicts with parking
1	Portuguese laurel	55	6	poor foir	poor	ON-SITE		good	Protected	REMOVE	Poor condition, invasive sp. Bdg conflict
81	Laburnum	34	3	poor	poor	ON-SITE ON-SITE	UNSUITABLE	fair	Protected	REMOVE	Poor condition; conflicts with new constructio
35	Western Red cedar	30		dead snag	dead	ON-SITE	SUITABLE	good	Protected	REMOVE	Conflicts with new construction
37	Western Red cedar	31	4	dead snag	dead	ON-SITE		good	Protected	REMOVE	Conflicts with new construction
18	English Laurel clump	42 20	3	poor	good	ON-SITE ON-SITE	SUITABLE	good	Protected	RETAIN	Connicts with new construction
39	English laurel clump	66	4	fair	good	ON-SITE	SUITABLE	good	Protected	REMOVE	10 - 15 stems ranging in dbh from 10 - 24cm
10	Plum	40	6	poor	poor	ON-SITE		fair	Protected	REMOVE	Poor condition, invasive sp.
3	English laurel	60	4	fair	good	ON-SITE ON-SITE	SUITABLE	good	Protected	RETAIN	8 leaders, one plant.
03	Laburnum	37	4	poor	poor	ON-SITE	UNSUITABLE	fair	Protected	RETAIN	
14	Plum Portuguese laural alurat	50	4	poor	good	ON-SITE	SUITABLE	fair	Protected	RETAIN	12+/s stems ranging in dhh from 10 12
14	Fortuguese laurer clump	40	4	Idli	good	ON-SITE	SONABLE	poor	Flotected	RETAIN	12-7- stems ranging in uprinom to - room
(00)		64				UFF-5				057410	T
(OS) (OS)	Douglas tir Oriental spruce	51 61	8	good	dood	OFF-SITE OFF-SITE	SUITABLE	fair	Protected	RETAIN	
22 c (OS)	Garry oak	62	8	good	good	OFF-SITE	SUITABLE	fair	Protected	RETAIN	Offsite tree - no tag
22 d (OS)	Monterey cypress	68	10	good	aood	OFF-SITE	SUITABLE	poor	Protected	RETAIN	Offsite tree - no tag; remove hanging and
2 e (OS)	Monterey cypress	46	7	boob	aood	OFF-SITE	SUITABLE	poor	Protected	RETAIN	Offsite tree - no tag
22 f (OS)	Monterey cypress	48	7	good	good	OFF-SITE	SUITABLE	poor	Protected	RETAIN	Offsite tree - no tag
22 g (OS)	Monterey cypress	118	10	fair	good	OFF-SITE	SUITABLE	poor	Protected	RETAIN	Offsite tree - no tag
1 (OS-US)	English holly	12	0	fair	fair	OFF-SITE OFF-SITE	UNSUITABLE	dood	Unprotected	RETAIN	Provides screening
53 (OS-US)	English holly	26	2	fair	good	OFF-SITE	UNSUITABLE	good	Unprotected	RETAIN	Provides screening
56 (OS)	English holly Bortuguogo Jourol olumn	46	4	fair	good	OFF-SITE		good	Protected	RETAIN	Provides screening
32 (OS)	Portuguese laurel clump	67	6	fair	fair	OFF-SITE	SUITABLE	poor	Protected	RETAIN	8 stems, 10 - 25cm in dbh
65 (OS)	Garry oak	35	3	good	good	OFF-SITE	SUITABLE	fair	Protected	RETAIN	
73 (OS) 74 (OS-US)	Red elm Western Red cedar	32	4	good	good	OFF-SITE	SUITABLE	fair	Protected	RETAIN	
7 (OS)	Lawson cypress	58	8	good	fair	OFF-SITE	SUITABLE	poor	Protected	RETAIN	
'8 (OS)	Lawson cypress hedge	88	8	fair	fair	OFF-SITE	SUITABLE	fair	Protected	RETAIN	Row of 11 mature cypress, 15 - 34cm dbh
'8a (OS-US)	Red cedar hedge English holly	30	4	good	good	OFF-SITE	SUITABLE	poor	Dispersion	RETAIN	Row of 4 trees, 5 - 20cm dbh
95 (OF-US)	Douglas fir	17	2	good	good	OFF-SITE	SUITABLE	fair	Unprotected	RETAIN	
96 (OS)	Western Red cedar	96	14	good	good	OFF-SITE	SUITABLE	poor	Protected	RETAIN	Offsite tree - no tag
07 (OS) 08 (OS)	Garry oak Western Red cedar	90 26	12	good fair	good fair	OFF-SITE OFF-SITE	SUITABLE SUITABLE	tair poor	Protected Unprotected	RETAIN	Offsite tree - no tag
09 (OS)	Western Red cedar	25		fair	poor	OFF-SITE	SUITABLE	poor	Unprotected	RETAIN	Offsite tree - no tag
10 (OS)	Western Red cedar	24		fair	fair	OFF-SITE	SUITABLE	poor	Unprotected	RETAIN	Offsite tree - no tag
11 (US) 12 (OS)	Western Red cedar	24		tair fair	tair	OFF-SITE	SUITABLE	poor	Unprotected	RETAIN	Offsite tree - no tag
13 (OS)	English hawthorn	35	3	poor	fair	OFF-SITE	UNSUITABLE	good	Protected	RETAIN	choice tree - no tag
15 (OS)	Blue Atlas cedar	42	5	fair	good	OFF-SITE	SUITABLE	good	Protected	RETAIN	
16 (OS)	Blue Atlas cedar	78	9	fair	good	OFF-SITE	SUITABLE	good	Protected	RETAIN	I
	-		_		_	COVENAN	I AREA TREES				
1	Garry oak	10	1	good fair	good	COVENANT AREA	SUITABLE	fair fair	Protected	RETAIN	Under utility lines
3	Garry oak	13	2	fair	good	COVENANT AREA	SUITABLE	fair	Protected	RETAIN	Under utility lines
1	Garry oak	91	10	fair	fair	COVENANT AREA	SUITABLE	fair	Protected	RETAIN	
3	Garry oak	76	7	tair fair	tair fair	COVENANT AREA	SUITABLE	tair fair	Protected	RETAIN	+
4	Garry oak	21	3	fair	fair	COVENANT AREA	SUITABLE	fair	Protected	RETAIN	<u> </u>
5	Royal walnut	30	5	good	fair	COVENANT AREA	SUITABLE	poor	Protected	RETAIN	
6 7	Garry oak	14	2	tair good	tair good	COVENANT AREA	SUITABLE SUITABLE	tair fair	Protected Protected	RETAIN	ł
0	Pear	65	6	poor	poor	COVENANT AREA	UNSUITABLE	fair	Protected	RETAIN	
1	Sitka spruce	55	7	good	fair	COVENANT AREA	SUITABLE	good	Protected	RETAIN	No. antion on old at this "
2	Sitka spruce	57	9	dead snag	dead	COVENANT AREA	UNSUITABLE	good	Protected	RETAIN	No action req'd at this time.
3 (BT)	Western Red cedar	68	10	good	good	(BOUNDARY)	SUITABLE	poor	Protected	RETAIN	Boundary tree
4 (BT)	Western Red codor	79	12	0004	hoop	COVENANT AREA	SUITARIE	neor	Protected	RETAIN	Boundary tree
	western ried cedar	10	12	yuuu	9000	(BOUNDARY)	JUITABLE	puor	FIURGCIED	INE I AIN	boundary tree
5	Western Red cedar	40		dead snag	dead	COVENANT AREA	UNSUITABLE	poor	Protected	RETAIN	No action req'd at this time.
/	western Red cedar Garry oak	101	13	tair fair	poor	COVENANT AREA		poor fair	Protected	RETAIN	In decline
7	Leyland cypress	30	3	good	good	COVENANT AREA	SUITABLE	fair	Protected	RETAIN	1
7	English hawthorn	7	2	poor	poor	COVENANT AREA	UNSUITABLE	good	Unprotected	REMOVE	Invasive tree species
8	English hawthorn	7	2	poor	poor	COVENANT AREA		good	Unprotected	REMOVE	Invasive tree species
9	Plum	8	2	fair	poor	COVENANT AREA	SUITABLE	good	Unprotected	RETAIN	Invalive tee species
	Lahumum	23	3	fair	poor	COVENANT AREA	SUITABLE	fair	Unprotected	RETAIN	
00 (US)	Eabaman										
00 (US) 01 (US)	English yew	24	2	poor foir	fair foir	COVENANT AREA	SUITABLE	fair	Unprotected	RETAIN	
100 (US) 101 (US) 102 (US) 04 (US)	English yew English holly	24 13 25	2	poor fair fair	fair fair poor	COVENANT AREA COVENANT AREA	SUITABLE SUITABLE SUITABLE	fair fair fair	Unprotected Unprotected	RETAIN RETAIN RETAIN	3 stems 10, 8, 7 cm dbb

Table-4. Tree Inventory Table



Care has been taken during the site planning and conceptual design phases to minimize tree removal. The three new homes and associated parking areas will be nestled in amongst existing urban forest. On-site parking is designed to "bridge over" tree root habitat and maintain the ecological processes on which the trees depend. Underground services and driveway access have been designed to minimize tree impacts as much as is reasonably and practically possible.

A total of 31 replacement trees are proposed to mitigate the loss of the 22 bylaw-protected trees, including 24 new landscape trees and seven smaller existing trees that will be preserved and elevated to protected-status under the tree bylaw. The above metrics are summarized in the Tree Impact Summary Table below.

All adjacent neighbours have been consulted to identify critical screening trees on both sides of shared property boundaries. Twenty-four off-site trees have been identified in this respect, nineteen of which are protected under the City's current Tree Protection Bylaw No. 21-035.

# PROPOSED DEVELOPMENT

Rezoning to a multi-family residential use and redevelopment of the property is proposed with the main dwelling retained and three additional two-storey buildings constructed as "missing middle" rental housing.

New underground services and utilities are required, along a widened and realigned driveway access, on-site parking and road frontage improvements.

# DISCUSSION

The proposed development poses several challenges for successful tree retention, including the following.

- Phasing of site works and associated tree protection.
- Demolition of several existing outbuildings
- Frontage works, site servicing and road reconstruction within protected tree areas;
- Grubbing, subgrading and construction of new driveway and parking areas within protected tree areas;
- Grubbing, subgrading and construction of new buildings within protected tree areas;
- Landscaping and associated sub-grading within protected tree areas;
- Materials storage and ongoing site use by workers and machinery during all project phases.

Key strategies to reduce mature tree removal and minimize tree impacts from construction and site servicing include the following.

- 1. <u>Adapt tree protection measures to conform to successive development phases</u>: Development phases will consist of the following:
  - a. Demolition (existing outbuildings and removal of designated existing trees and shrubs);
  - b. Site Preparation (grubbing of areas associated with site servicing, frontage works and new building construction);
  - c. Site servicing and road frontage works
  - d. New construction
  - e. Landscaping



It is recommended that a separate Tree Management Plan with specific measures be developed for each development phase.

2. <u>Driveway and Parking Areas:</u> "Bridge" driveway and parking areas over tree root habitat using reduced sub grading, geotechnical material, modified base courses and a permeable crushed rock surface;

2. <u>Buildings:</u> Reinforced slab-on-grade foundation supported by helical piles in deeper soils or sauna tube pier footings pinned to bedrock are proposed. Main floor building elevations are designed to remain above existing grade of tree habitat areas where site constraints permit (i.e. in most cases). Modified rock removal techniques and close arborist supervision during the trenching for services and utilities shall be adopted.

3. <u>Underground Services:</u> U/g services and utilities have been routed away from sensitive tree root zones as much as site constraints will permit. Low-impact rock removal techniques and close arborist supervision during the trenching for services and utilities shall be used to minimize root impacts.

# 4. Low-impact Rock Removal:

a) The general contractor will convene a meeting with the arborist and blasting contractor prior to drilling to develop a work plan that minimizes rock removal impacts to protected trees.

b) Where considered necessary by the arborist, alternate rock removal techniques, such as hoeramming and expandable grout, shall be used in place of blasting.

c) Blasting vibrations in the vicinity of the Tree Protection Areas are not to exceed a <u>measured</u> peak particle velocity of 25 mm/sec.

i) Seismometer records will be kept of all blasting within a 30m radius of any tree protection areas for review by the project arborist.

ii) Seismometers shall be placed at the outer boundary of the tree protection area closest to the blast zone.

d) Use DYNAMITE as the explosive product. No fertilizer-based explosive is permitted, due to its toxicity to tree roots.

e) The contractor shall prevent rock debris from the blast site from entering the TPA.

More specific areas of concern, including anticipated tree impacts and remediation measures, are detailed in the following sub-section.

# ANTICIPATED TREE IMPACTS AND REMEDIATION MEASURES BY AREA

(see attached Tree Management Plan for area locations):

# Area 1 – Road Frontage Works:

Potential impacts of concern:

- Grubbing and subgrading for new driveway letdown
- restoration of sidewalk and bike-lane
- stone column relocation
- excavation and trenching for hydro service box and underground utilities and services within the PRZ of Tree 03.



Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area
- 2. The stone column originally proposed to be constructed close to the base of Off-site Tree 03 has been deleted.
- 3. Low-impact rock removal techniques to avoid blasting within or adjacent to PRZ of Tree 03
- 4. Hydro-vac excavation and root pruning of hydro vault, underground utilities and services within PRZ of Tree 03 where considered necessary by Project Arborist.
- 5. Soil armouring of PRZ of Tree 03 adjacent to site works as directed by Project Arborist. Soil armouring shall consist of two overlapping layers of <sup>3</sup>/<sub>4</sub> inch plywood sheets.
- 6. Pruning for clearance and encroachment of lower branches of Tree 03 under the direction of project arborist. Pruning will meet or exceed ANSI Tree Pruning standards.

# Area 2:

Potential impacts of concern:

- trenching for underground hydro utility within PRZ of Trees 03, 53, 56 and 57
- proposed retaining wall impacting off-site Trees 03, 04, 51, 53 and 56

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area
- 2. Hydro-vac excavation of underground utilities and services within PRZ of affected trees where considered necessary by Project Arborist.
- 3. Low-impact rock removal techniques to avoid blasting within or adjacent to PRZ of affected trees
- 4. Modified subgrading to "bridge" parking area over PRZ of adjacent trees:
  - a. Restrict subgrading to surficial organic layer of soil above top of root horizon (typically upper 4 8" of soil) under supervision of the Project Arborist
  - b. Apply mat of geo-textile and geo-grid on top of exposed sub-soil
  - c. Build up structural base course of gap-graded crushed rock (19 mm clear) to depth of 200 mm
  - d. Apply 50 mm finishing course of aggregate and asphalt
- 5. A retaining wall originally proposed along the north edge of the new driveway entrance has been moved away from the north property boundary and adjacent off-site trees and will be constructed on-grade of dry-stacked stone (thereby avoiding subgrading for a concrete footing).

# Area 3:

Potential impacts of concern:

• Sub-grading and rock removal for parking stalls adjacent to Boundary Tree 09

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area
- 2. Low-impact rock removal techniques to avoid blasting within or adjacent to PRZ of affected trees

# Area 4:

Potential impacts of concern:

- trenching for underground utilities and services within PRZ of Trees 08, 60, 61 and 62
- removal of existing pavement and construction of new driveway



Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area, including the removal of existing asphalt.
- 2. Low-impact rock removal techniques to avoid blasting within or adjacent to PRZ of affected trees
- 3. Hydro-vac excavation of underground utilities and services within PRZ of affected trees where considered necessary by Project Arborist.
- 4. Modified subgrading to "bridge" parking area over PRZ of adjacent trees:
  - a. Restrict sub-grading to existing base course of existing driveway under supervision of the Project Arborist
  - b. Apply mat of geo-textile and geo-grid on top of exposed sub-soil
  - c. Apply base and finishing courses as required by civil or geo-technical engineer.

# Area 5:

Potential impacts of concern:

• trenching/soil disturbance within PRZ of Tree 10

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area
- 2. An assessment of existing and proposed grades indicate relatively minimal sub-grading required for the proposed services
- 3. Low-impact rock removal techniques to avoid blasting within or adjacent to PRZ of Tree 10
- 4. Grade area out with native soil

# Area 6:

Potential impacts of concern:

- subgrading for new driveway within PRZ of Tree 12
- trenching for new water services within PRZ of Tree 12

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all siteworks within this area, including the removal of existing asphalt.
- 2. Low-impact rock removal techniques to avoid blasting within or adjacent to PRZ of affected trees
- 3. Hydro-vac excavation of underground utilities and services within the PRZ of affected trees will be employed where considered necessary by Project Arborist.
- 4. Modified subgrading to "bridge" parking area over PRZ of adjacent trees:
  - a. Restrict sub-grading to existing base course of existing driveway under supervision of the Project Arborist
  - b. Apply mat of geo-textile and geo-grid on top of exposed sub-soil
  - c. Apply base and finishing courses as required by civil or geo-technical engineer.

# Area 7:

Potential impacts of concern:

- subgrading for new driveway within PRZ of Tree 29
- trenching and rock removal for new water services within PRZ of Tree 12

Recommended Tree Protection and Mitigation Measures:

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- 1. Arborist supervision is required for all site works within this area, including the removal of existing asphalt.
- 2. Low-impact rock removal techniques to avoid blasting within or adjacent to PRZ of affected trees
- 3. Hydro-vac excavation of underground utilities and services within PRZ of affected trees where considered necessary by Project Arborist.
- 4. Modified subgrading to "bridge" parking area over PRZ of adjacent trees:
  - a. Restrict sub-grading to existing base course of existing driveway under supervision of the Project Arborist
  - b. Apply mat of geo-textile and geo-grid on top of exposed sub-soil
  - c. Apply base and finishing courses as required by civil or geo-technical engineer.

# Area 8:

Potential impacts of concern:

- Site preparation and building construction within PRZ of Trees 73 and 74
- Pathway and landscaping within PRZ of Trees 73 and 74

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area
- 2. Minimize subgrading for pathway to bridge over PRZ of affected trees
- 3. Use modified foundation design for building to minimize disturbance of PRZ of affected trees, using reinforced slab suspended on screw piles where possible. Refer to architectural and structural engineering drawings for further details.

# Area 9:

Potential impacts of concern:

• Site preparation and building construction within PRZ of Trees 17 and 28

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area
- 2. Use modified foundation design for building to minimize disturbance of PRZ of affected trees, using reinforced slab suspended on screw piles where possible. Refer to architectural and structural engineering drawings for further details.

# Area 10:

Potential impacts of concern:

• Subgrading for new driveway and parking areas within PRZ of Trees 19, 20 and 28

Recommended Tree Protection and Mitigation Measures:

- 1. Parking adjacent to Tree 20 (large arbutus) has been reduced and set back further from the tree.
- 2. Arborist supervision is required for all site works within this area, including the removal of existing asphalt.
- 3. Low-impact rock removal techniques to avoid blasting within or adjacent to PRZ of affected trees.
- 4. Modified subgrading to "bridge" parking area over PRZ of adjacent trees:
  - a. Restrict subgrading to surficial organic layer of soil above top of root horizon (typically upper 4 8" of soil) under supervision of the Project Arborist
  - b. Apply mat of geo-textile and geo-grid on top of exposed sub-soil

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- c. Build up structural base course of gap-graded crushed rock (19 mm clear) to depth of 200 mm
- d. Apply geo-cell mat to retain 50 mm finishing course of ornamental rock crush
- 4. Parking curbs are placed to keep vehicles away from Tree 20.

# Area 11:

Potential impacts of concern:

• Site preparation and building construction within PRZ of Trees 20, 22, 26 and 28

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area
- 2. Use modified foundation design for building to minimize disturbance of PRZ of affected trees, using reinforced slab suspended on screw piles where possible. Refer to architectural and structural engineering drawings for further details.

# Area 12:

Potential impacts of concern:

- subgrading for new driveway within PRZ of Trees 26 and 28
- trenching and rock removal for underground services within PRZ of Trees 26 and 28

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site-works within this area, including the removal of existing asphalt.
- 2. Hydro-vac excavation of underground utilities and services within PRZ of affected trees where considered necessary by Project Arborist.
- 3. Low-impact rock removal techniques to avoid blasting within or adjacent to PRZ of affected trees.
- 4. Modified subgrading to "bridge" parking area over PRZ of adjacent trees:
  - a. Restrict subgrading to surficial organic layer of soil above top of root horizon (typically upper 4 8" of soil) under supervision of the Project Arborist
  - b. Apply mat of geo-textile and geo-grid on top of exposed sub-soil
  - c. Build up structural base course of gap-graded crushed rock (19 mm clear) to depth of 200 mm
  - d. Apply geo-cell mat to retain 50 mm finishing course of ornamental rock crush

# Area 13:

Potential impacts of concern:

• Site preparation and building construction within PRZ of Tree 96

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area
- 2. Use modified foundation design for building to minimize disturbance of PRZ of affected trees, using reinforced slab suspended on screw piles where possible. Refer to architectural and structural engineering drawings for further details.

# Area 14:

Potential impacts of concern:



• Site preparation and building construction within PRZ of Trees 22C - G and 31

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area
- 2. Use modified foundation design for building to minimize disturbance of PRZ of affected trees, using reinforced slab suspended on screw piles where possible. Refer to architectural and structural engineering drawings for further details.

# Area 15:

Potential impacts of concern:

• Sub-grading and construction for bike shed within PRZ of Tree 39

Recommended Tree Protection and Mitigation Measures:

- 1. Arborist supervision is required for all site works within this area.
- 2. Minimize subgrading for bike shed foundation and pathways to bridge over PRZ of affected trees. Use geo-textile and/or geo-grid beneath base course to provide support for suspended slab foundation for bike shed.

# Area 16:

Potential impacts of concern:

• Landscaping within PRZ of Trees 39 and 106

Recommended Tree Protection and Mitigation Measures:

- 1. A pre-construction meeting shall be held with landscape contractors and project arborist prior to landscape works commencing on site.
- 2. Arborist supervision is required for all site works within this area.
- 3. No wheeled machine use within PRZ of affected trees.
- 4. Rubber tracked mini-excavator or front-end loaders are permitted on trafficable soils during dry weather only. Minimize machine use within PRZ of affected trees as much as possible.
- 5. Where necessary to access PRZ of affected trees with rubber-tracked machinery, careful operation of machinery is required to avoid soil rutting, compaction or other forms of damage to soil structure.

# Area 17:

Potential impacts of concern:

 Landscaping within PRZ of Trees within covenant area and Trees 95, 96 and 22 C – G outside of covenant area.

Recommended Tree Protection and Mitigation Measures: see measures for Area 16.

# Area 18:

Potential impacts of concern:

• Landscaping within PRZ of multiple trees along north boundary of site

Recommended Tree Protection and Mitigation Measures: see measures for Area 16.



# ADDITIONAL TREE PROTECTION MEASURES

Tree protection measures to limit impacts from the construction of the foundation, driveway, in- ground services and landscape include the following:

- **Pre-demolition and construction meetings:** Prior to the release of a demolition or building permit by the City, the applicant and the applicant's general contractor are required to meet on site with the project arborist to review the Tree Preservation Plan in detail. The purpose of the meeting is to systematically review the objectives of the plan and the measures required to protect trees designated for retention during the demolition, site preparation, construction and landscape phases of the project. Areas for material storage, on-site trades parking (if any) shall be identified. The tree protection fencing shall be laid out and standards for fencing and signage confirmed. The meeting also provides an opportunity to address any logistical constraints and answer questions.
- Tree Protection Fencing: All tree protection areas (TPAs) shall be fenced to prevent soil compaction, rutting and other forms of disturbance within the PRZ. If more working room inside the TPAs is required, the project arborist shall be consulted. If the arborist authorizes fencing to be altered in order to facilitate more working room, the exposed portion of the root zone (now) outside the fencing must be protected to prevent soil disturbance. Acceptable soil-protection materials include steel plates or 200mm of compacted road base on top of geo-textile cloth or two-layers of <sup>3</sup>/<sub>4</sub>" plywood.
- **On-site Supervision:** All excavation, trenching or rock removal (including blasting) within or adjacent to TPAs shall be supervised by the project arborist, including trenching for both municipal service connections and extension of these underground services to the house. Where considered necessary by the arborist, hand-digging and pneumatic or hydraulic excavation techniques shall be used in place of mechanical excavation.
- **Tree Pruning:** The project arborist shall prune any tree roots or branches damaged during any phase of the project.
- **Ivy removal:** Mature English ivy vines are an invasive species that can impact the health and longevity of trees. Removal of ivy from all trees proposed for retention is recommended at landscape phase.
- **Pre-construction meeting for the landscape phase:** Landscaping activities, such as trenching for irrigation or lighting, excavating fenceposts, grubbing of vegetation, distribution of soils and other landscape materials are a significant potential source of damage to the sensitive soils and root systems of protected trees. Prior to any site preparation or construction activity for landscaping, the landscape and general contractor shall meet with the project arborist to review the tree protection plan and review tree protection measures associated with landscaping.
- Landscape phase: The arborist shall supervise all landscape activity within the tree protection areas. Special tree protection measures for landscaping within the PRZs of retained trees are detailed above for Area 16.
- **Perimeter landscape fencing:** In addition to the above, extensive perimeter fencing is proposed. The proposed fencing passes close by the base of several trees and will conflict with three boundary trees. Fence posts within the PRZ of retained trees shall be excavated under the supervision of the project arborist and hand-dug within 3m of the base of any retained tree. Boundary trees shall be



incorporated into the perimeter fence without impact to the trees and allowing for future stem growth.

At completion of the redevelopment, the arborist shall ensure that any tree protection or restoration deficiencies are addressed by the owner and building contractor. Once all deficiencies have been repaired, the arborist shall prepare a letter to the City of Victoria confirming successful completion of the project, including resolution of any deficiencies.

Additional detail is provided on the attached tree plan. If diligently implemented, the tree protection measures specified in the Tree Management Plan and this report will effectively preserve municipal and both on- and off-site trees for the long-term benefit of the homeowner and community.

# ROLE OF THE PROJECT ARBORIST

In addition to assisting with tree preservation planning during the design and permit application phases of the project, the responsibilities of the arborist during the construction and landscape phases of the project are described below:

The main role of the project arborist is to assist the contractor to successfully preserve all trees, on- and off-site, designated for retention as a condition of the building permit. The following is a summary of the key interventions required by the arborist (G&A). **The owner's building contractor is responsible for coordinating with the arborist for all required on site work.** 

- 1. Pre-construction meeting
- 2. On-site supervision when working around TPAs.
- 3. Pre-blasting workplan meeting
- 4. Pre-landscape workplan meeting
- 5. Periodic site monitoring to ensure ongoing compliance with tree protection measures
- 6. Post-construction inspection and report to the City of Victoria.

# TREE REPLACEMENT AND SOIL VOLUMES

Twenty-five (25) new Replacement Trees shall be planted to mitigate the removal of twenty-five (25) bylaw-protected trees. All trees shall conform with the City's Tree Bylaw requirements as set down in Schedule 'E' of the current bylaw (21-025). Details regarding the type and location of replacement trees are provided in the Landscape Planting Plan provided by the project Landscape Architect.

Where native soils are constrained, adequate soil volumes shall be provided to support the future growth of replacement trees. Specifications for soil type and volumes is provided in Schedule 'E' of the Tree Bylaw.

			REPLAC	CEMEN'	T TREE C	ALCULUS			
							Count	Multiplie	Total
	ONS	SITE Repla	cement tre	ee requi	rement (in	cluding "T	ree Minim	num")	
A. Protec	ted trees	removed					25	X 1	25
B. Replac	ement tre	ees propos	ed per Sch	edule "I	E", B. Part :	1	21	X 1	21
C. Replac	ement tre	ees propos	ed per Sch	edule "I	E", C. Part :	2	8	X 0.5	4
D. Replac	cement tre	ees propos	ed per Sch	nedule "	E", D. Part	3	0	X 1	0
E. Total r	eplaceme	ent trees pi	roposed (B	+ C + D)	Round do	own to nea	rest whole	e number	25
F. Onsite	replacem	ent tree d	eficit (A - E	) Record	d 0 if negat	tive numbe	er		0
		ONSITE N	/linimum t	rees pe	r lot requii	rement (or	nsite trees		
G. Tree n	ninimum o	on lot*						1	24
H. Protec	ted trees	retained (	other than	specime	en trees)		38	X 1	38
I. Specim	en trees r	etained					2	X 3	6
J. Trees p	er lot def	icit (G - (E ·	+ H + I)) Re	ecord 0 i	f negative	number			C
	0	FFSITE Mir	nimum rep	olaceme	nt tree req	uirement	(offsite tre	ees)	
K. Protec	ted trees	removed (	municipal				0	X 1	0
L. Replac	ement tre	es propos	ed per Sch	edule "E	E", Part 1 o	r Part 3	0	X 1	0
M. Repla	cement tr	ees propo	sed per Sc	hedule "	'E", Part 2		0	X 0.5	0
N. Total ı	replaceme	ent trees p	roposed (L	.+M) Ro	ound dowi	n to neares	st whole n	umber	0
O. Offsite	e replacen	nent tree c	leficit (K - I	N) Recor	d 0 if nega	tive numb	er		C
			Ca	sh-in-lie	u requirer	nent			
P. Onsite	trees pro	posed for	cash-in-lie	u Enter	F. or J., wh	ichever is	the greate	r number	0
Q. Offsite	e trees pro	posed for	cash-in-lie	eu Enter	0.				0
R. Cash-i	n-lieu pro	posed ((P ·	+ Q) X \$2 <i>,</i> 0	00)					\$0
* Refer to	Schedule	"F"							

# End report

Prepared and submitted on behalf of Gye and Associates, Urban Forestry Consultants Ltd.

# Jeremy Gye – Senior Consultant

Gye and Associates, Urban Forestry Consultants Ltd. Consulting Arborist (Diploma, American Society of Consulting Arborists, 1997) ISA Certified Arborist (Certification No. PN-0144A) ISA Certified Municipal Specialist (Certification No. PN-0144AM) ISA Tree Risk Assessment Qualified (Current)

# ASSUMPTIONS AND LIMITING AND CONDITIONS

- This report and the opinions expressed within it have been prepared in good faith and to accepted arboricultural standards within the scope afforded by its terms of reference and the resources made available to the consultant. The report provides no undertakings regarding the future condition or behavior of the trees reviewed within it. Tree hazard and condition assessments are not an exact science. Both qualities can and do change over time and should be reappraised periodically.
- 2. Any legal description provided to the consultant/appraiser is assumed to be correct. No responsibility is assumed for matters legal in character. Any and all property is appraised or evaluated as though free and clear, under responsible ownership and competent management.
- 3. It is assumed that any property is not in violation of any applicable codes, ordinances, statutes, or other governmental regulations.
- 4. Care has been taken to obtain all information from reliable sources. All data has been verified insofar as possible; however, the consultant/appraiser can neither guarantee nor be responsible for the information provided by others.
- 5. The consultant/appraiser shall not be required to give testimony or to attend court by reason of this report unless subsequent contractual arrangements are made, including payment of an additional fee for such services as described in the fee schedule and contract of engagement.
- 6. Loss or alteration of any part of this report invalidates the entire report.
- 7. Possession of this report or a copy thereof does not imply right of publication or use for any purpose by any other than the person to whom it is addressed, without the prior expressed written or verbal consent of the consultant/appraiser.
- 8. This report and attached drawings remain the sole property of Gye and Associates, Urban Forestry Consultants Ltd., until all accounts have been paid in full.
- 9. Neither all nor any part of the contents of this report, nor copy thereof, shall be conveyed by anyone, including the client, to the public through advertising, public relations, news, sales or other media, without the prior expressed written or verbal consent of the consultant/appraiser—particularly as to value conclusions, identity of the consultant/appraiser, or any reference to any professional society or institute or to any initialed designation conferred upon the consultant/appraiser as stated in his qualifications.



1. Driveway and Parking Areas: "Bridge" driveway and parking areas over tree root habitat using reduced subgrading, geotechnical material, modified base courses and a permeable crushed rock surface;

2. Buildings: Reinforced slab-on-grade foundation supported by helical piles in deeper soils or sauna tube pier footings pinned to bedrock are proposed. Main floor bdg elevations are designed to remain above existing grade of tree habitat areas where site constraints permit (i.e. in most cases). Modified rock removal techniques and close arborist supervision during the trenching for services and utiilities shall be adopted.

3. Underground Services: U/g services and utilities have been routed away from sensitive tree root zones as much as site constraints will permit. Modified rock removal techniques and close arborist supervision during the trenching for services and utiilities shall be used to minimize root impacts. 4. Low-impact Rock Removal:

a) The general contractor will convene a meeting with the arborist and blasting contractor prior to drilling to develop a work plan that minimizes rock removal impacts to protected trees.

b) Where considered necessary by the arborist, alternate rock removal techniques, such as hoe-ramming and expandable grout, shall be used in place of blasting.

c) Blasting vibrations in the vicinity of the Tree Protection Areas are not to exceed a <u>measured</u> peak particle velocity of 25 mm/sec.

i) Seismometer records will be kept of all blasting within a 30m radius of any tree protection areas for review by the project arborist. ii) Seismometers shall be placed at the outer boundary of the tree protection area closest to the blast zone.

d) Use DYNAMITE as the explosive product. No fertilizer-based explosive is permitted, due to its toxicity to tree roots.

e) The contractor shall prevent rock debris from the blast site from entering the TPA.

5. Tree Protection Fencing: Tree protection fencing and soil armouring shall be used in all development phases. A separate Tree Management Plan is recommended for each development phase at building permit, on which tree fencing alignments and soil armouring areas shall be detailed.

SUMMARY TREE STATISTICS							
CATEGORY	# OF TREES						
Total number of trees indicated on Tree Management Plan	105						
Municipal Trees	0						
On-site Bylaw-Protected Trees, including 3 boundary and 19 covenant trees	65						
Additional Undersized trees within Covenant Areas	9						
Off-site Trees (21 of which are bylaw protected)	31						
Proposed Protected Tree Removals	25						
Replacement Trees required by bylaw	25						
Minimum # of Trees required for 4897sq ft lot (retained and							
replaced)	24						
Proposed number of new replacement trees	25						
Residual on-site bylaw-protected and replacement trees	65						

Modular steel panel fencing is recommended in order to reduce land-fill waste post-constru secured to the ground with rebar wired to panel frame.

16 x 24" all-weather signage will be attached with the following wording:

For protected trees: **DO NOT ENTER** – Tree Protection Zone For replacement/landscape tree planting sites: DO NOT ENTER - Future Tree Planting Zo

In cases where steel-panel fencing is not practical or available, fencing shall be constructed (side, top and bottom rails) and back-bracing supports as required to ensure robust placen affixed to the frame using battens, zip-ties, staples, wire or nails.





# **TREE INVENTORY TABLE**

mmon Name	DBH (cm)	PRZr (m)	Structural Condition	Health	Location	Retention Suitability	Species Resilience	Regulatory Status	Action	Rationale/ Comments
				I	ON-SITE BYLAW	PROTECTED TI	REES			
af Maple	38	6	fair	fair fair	ON-SITE	UNSUITABLE	poor fair	Protected Protected	REMOVE	Conflicts with new construction
	74	6	good	good	ON-SITE	SUITABLE	fair	Protected	REMOVE	Conflicts with new d/w, svcs or parking
	52 40	5 4	fair poor	poor poor	ON-SITE ON-SITE	UNSUITABLE UNSUITABLE	fair fair	Protected Protected	REMOVE REMOVE	Conflicts with new d/w, svcs or parking Conflicts with new d/w, svcs or parking
oak ara manla	16	2	good	good	ON-SITE	SUITABLE	fair	Protected	REMOVE	Conflicts with new d/w, svcs or parking
ore maple bak	12	0 2	good	good	ON-SITE (BOUNDARY)	SUITABLE	fair	Protected	RETAIN	
oaks	32 38	5 6	fair poor	fair poor	ON-SITE ON-SITE	SUITABLE UNSUITABLE	fair fair	Protected Protected	RETAIN REMOVE	Conflicts with new construction
bak	87	8	fair	fair	ON-SITE	SUITABLE	fair	Protected	REMOVE	Conflicts with new construction
oak ore maple	80 30	7 4	fair	fair fair	ON-SITE ON-SITE	SUITABLE	good	Protected Protected	RETAIN	Heavy ivy threatening tree
bak	62	8	fair	good	ON-SITE	SUITABLE	fair	Protected	RETAIN	Narrow stem attachment with included bark
6	122	16	good	good	ON-SITE	SUITABLE	poor	Protected	RETAIN	Extensive surfical rooting around base.
bak	36	5	fair	fair	ON-SITE	SUITABLE	fair	Protected	RETAIN	
bak	32 43	5 6	good	good	ON-SITE ON-SITE	SUITABLE	fair	Protected	RETAIN	Conflicts with new construction
oak oak	71 75	9 10	good good	good good	ON-SITE ON-SITE	SUITABLE SUITABLE	fair fair	Protected Protected	REMOVE REMOVE	Conflicts with new construction
bak	73	9	good	good	ON-SITE	SUITABLE	fair	Protected	RETAIN	Conflicte with new conchruction
bak bak	47	6 14	good fair	good good	ON-SITE ON-SITE	SUITABLE	fair	Protected	RETAIN	Conflicts with new construction
Il spruce	49 84	6 13	good fair	good	ON-SITE	SUITABLE	fair fair	Protected Protected	RETAIN	Close to main structure.
bak	69	7	fair	fair	ON-SITE	SUITABLE	fair	Protected	REMOVE	Conflicts with new construction
ain ash 1 holly	30 35	5 4	fair good	poor good	ON-SITE ON-SITE	SUITABLE UNSUITABLE	poor good	Protected Protected	REMOVE REMOVE	Conflicts with new construction Conflicts with new construction
	60	6	fair	fair	ON-SITE		fair	Protected	RETAIN	
hawthorn	45 36	4	fair	poor	ON-SITE ON-SITE	UNSUITABLE	good	Protected		
hawthorn	38 55	3	fair	fair	ON-SITE ON-SITE	UNSUITABLE	good	Protected Protected	REMOVE REMOVE	Conflicts with parking Poor condition, invasive sp. Bdg conflict
Laurel clump	20	3	fair	good	ON-SITE	SUITABLE	good	Protected	RETAIN	
um <u>n Red c</u> edar	<u>34</u> _30	3	poor dead snag	poor dead	ON-SITE	UNSUITABLE SUITABLE	tair good	Protected Protected	REMOVE	Poor condition; conflicts with new construction
n Red cedar	31	1	dead snag	dead	ON-SITE	SUITABLE	good	Protected	REMOVE	Conflicts with new construction
Laurel clump	20	4 3	poor	good	ON-SITE ON-SITE	SUITABLE	good	Protected	RETAIN	
laurel clump	66 40	4	fair poor	good poor	ON-SITE ON-SITE	SUITABLE UNSUITABLE	good fair	Protected Protected	REMOVE REMOVE	10 - 15 stems ranging in dbh from 10 - 24cm Poor condition, invasive sp.
launal	88	8	poor	poor	ON-SITE		fair	Protected	REMOVE	Poor condition, invasive sp.
um	60 37	4	poor	good poor	ON-SITE ON-SITE	UNSUITABLE	good fair	Protected	RETAIN	o leaders, one plant.
iese laurel clump	50 48	4 4	poor fair	good good	ON-SITE ON-SITE	SUITABLE SUITABLE	fair	Protected Protected	RETAIN RETAIN	12+/- stems ranging in dbh from 10 - 18cm
	10		iuii	good	OFF-SI	TE TREES	poor	Tiotoolou		
s fir	51	8	good	fair	OFF-SITE	SUITABLE	fair	Protected	RETAIN	
al spruce bak	61 62	8 8	good good	good good	OFF-SITE OFF-SITE	SUITABLE SUITABLE	fair fair	Protected Protected	RETAIN RETAIN	Offsite tree - no tag
ey cypress	68	10	good	good	OFF-SITE	SUITABLE	poor	Protected	RETAIN	Offsite tree - no tag; remove hanging and
ey cypress	46	7	good	good	OFF-SITE	SUITABLE	poor	Protected	RETAIN	Offsite tree - no tag
ey cypress	48	7	good fair	good	OFF-SITE	SUITABLE SUITABLE	poor	Protected Protected	RETAIN	Offsite tree - no tag
n Red cedar	35	6	fair	fair	OFF-SITE	SUITABLE	poor	Protected	RETAIN	
i holly i holly	12 26	1 2	fair fair	good	OFF-SITE OFF-SITE	UNSUITABLE UNSUITABLE	good good	Unprotected Unprotected	RETAIN RETAIN	Provides screening Provides screening
holly	46	4	fair fair	good	OFF-SITE	UNSUITABLE	good	Protected	RETAIN	Provides screening 6 stems 10 - 28cm in dbh
uese laurel clump	67	6	fair	fair	OFF-SITE	SUITABLE	poor	Protected	RETAIN	8 stems, 10 - 25cm in dbh
bak m	35 32	3 4	good good	good good	OFF-SITE OFF-SITE	SUITABLE SUITABLE	fair fair	Protected Protected	RETAIN RETAIN	
n Red cedar	12	2	good	fair	OFF-SITE	SUITABLE	good	Unprotected	RETAIN	
n cypress n cypress hedge	58 88	8 8	good fair	fair	OFF-SITE OFF-SITE	SUITABLE	fair	Protected	RETAIN	Row of 11 mature cypress, 15 - 34cm dbh
dar hedge	50 30	4	good fair	good	OFF-SITE OFF-SITE	SUITABLE SUITABLE	poor	Unprotected Protected	RETAIN	Row of 4 trees, 5 - 20cm dbh
s fir	17	2	good	good	OFF-SITE	SUITABLE	fair	Unprotected	RETAIN	
n Red cedar bak	96 90	14 12	good good	good good	OFF-SITE OFF-SITE	SUITABLE SUITABLE	poor fair	Protected Protected	RETAIN RETAIN	Offsite tree - no tag Offiste tree - no tag
n Red cedar	26		fair	fair	OFF-SITE	SUITABLE	poor	Unprotected	RETAIN	Offsite tree - no tag
n Red cedar	23		fair	fair	OFF-SITE OFF-SITE	SUITABLE	poor	Unprotected	RETAIN	Offsite tree - no tag
n Red cedar n Red cedar	24 28		fair fair	fair poor	OFF-SITE OFF-SITF	SUITABLE SUITABI F	poor poor	Unprotected Unprotected	RETAIN RETAIN	Offsite tree - no tag Offsite tree - no tag
hawthorn	35	3	poor	fair	OFF-SITE	UNSUITABLE	good	Protected	RETAIN	
las cedar las cedar	42 78	5 9	fair	good good	OFF-SITE OFF-SITE	SUITABLE	good good	Protected	RETAIN	
					COVENAN	AREA TREES				
oak	10	1	good	good		SUITABLE	fair	Protected	RETAIN	Under utility lines
bak	 13	3 2	fair	good	COVENANT AREA	SUITABLE	fair	Protected	RETAIN	Under utility lines
oak	91 76	10 7	fair fair	fair fair	COVENANT AREA	SUITABLE	fair fair	Protected Protected	RETAIN	
bak	16	2	fair	fair	COVENANT AREA	SUITABLE	fair	Protected	RETAIN	
oak valnut	21 30	3 5	fair good	fair fair	COVENANT AREA COVENANT AREA	SUITABLE SUITABLE	fair poor	Protected Protected	RETAIN RETAIN	
pak	14	2	fair	fair		SUITABLE	fair	Protected	RETAIN	
uan	65	9 6	poor	poor	COVENANT AREA	UNSUITABLE	fair	Protected		
oruce	55 57	7 9	good dead space	fair dead	COVENANT AREA	SUITABLE UNSUITABLE	good	Protected Protected	RETAIN RETAIN	No action reg'd at this time
n Red cedar	68	10	aood	aood	COVENANT AREA	SUITABI F	poor	Protected	RETAIN	Boundary tree
			3000	3000	(BOUNDARY)					
n Red cedar	78	12	good	good	(BOUNDARY)	SUITABLE	poor	Protected	RETAIN	Boundary tree
n Red cedar	40	12	dead snag	dead			poor	Protected		No action req'd at this time.
n rieu cedar bak	22	13 3	fair	good	COVENANT AREA COVENANT AREA	SUITABLE	fair	Protected		
d cypress	30 7	3	good poor	good poor	COVENANT AREA COVENANT AREA	SUITABLE UNSUITABI F	fair good	Protected Unprotected	RETAIN REMOVF	Invasive tree species
hawthorn	7	2	poor	poor	COVENANT AREA	UNSUITABLE	good	Unprotected	REMOVE	Invasive tree species
	/ 8	2	poor fair	poor poor	COVENANT AREA	SUITABLE	good go <mark>od</mark>	Unprotected Unprotected	RETAIN	
um	23 24	3	fair	poor fair	COVENANT AREA	SUITABLE	fair fair	Unprotected	RETAIN	
holly	13	<u> </u>	fair	fair	COVENANT AREA	SUITABLE	fair	Unprotected	RETAIN	
um	25 8	3	fair	poor	COVENANT AREA	SUITABLE	fair fair	Unprotected	RETAIN RETAIN	3 stems, 10, 8, 7 cm dbh.

				Gveand Associa	ites.ca
ruction. Fencing panels shall be	LEGEND	PROJECT <b>515 Foul Bay Rd, Victoria, BC</b> SHEET TITLE <b>Tree Management Plan for</b> <b>Rezoning and DPA</b>			
ione			6	RE-ISSUED FOR RZ & DPA	Sept 12, 2023
ed with a wooden 2x4 frame			5	RE-ISSUED FOR RZ & DPA	May 12, 2023
ement. Snow-tencing will then be			4	RE-ISSUED FOR RZ & DPA	Sept 19, 2022
		ONSITE TREE TAG # TR-#	3	RE-ISSUED FOR RZ & DPA	Jan 19, 2022
		OFF-SITE OS-#	2	ISSUED FOR RZ & DPA	Dec 17, 2021
	PROTECTED ROOT ZONE	BOUNDARY	1	ISSUED FOR COORDINATION	Sept 13, 2021
		TREE TAG # BT-#	REV NO	DESCRIPTION	DATE
		TREE TAG # OF(US)-#	PROJEC	ECT NO. 21-	
	TREE TAG # 20 ⊕		DATE	Augus	t 31, 2021
			SCALE		1:225
			DRAWN	BY	JG
		ERVISION (Refer to Arborist	SHEET	NO.	Τ 1
	report	rt for area prescriptions by number)	то в	E PRINTED ON 24 X 36	PAPER
















Road to Abkhazi Garden





# Variation from RTM Zone, Traditional Residential Multiple Dwelling **Density/Use:** • replace "multiple dwelling" with "ground-oriented multiple dwelling" · add house conversion and secondary suites as permitted uses • reduce FSR from 1:1 to 0.5:1 Siting: • front yard setback (6m to 0.41m) • north side yard setback (north) (4m to 3.08m) • eave projection (0.75m to 0.79m) parking in the front yard • **Other:** • short-term bicycle stalls (18 to 10) • driveway slope (8.00% to 11.36%) • driveway width (6m to 4m) • accessory building height (3.5m to 4m) VICTORIA

11



















#### E.1 <u>515 Foul Bay Road: Rezoning Application No. 00807 and associated</u> Development Permit with Variances Application No. 00255 (Fairfield)

Committee received a report dated October 10, 2023 from the Director of Sustainable Planning and Community Development regrading a Rezoning Application No. 00807 and associated Development Permit with Variances Application No. 00255 for the property located at 515 Foul Bay in order to rezone from the R1-G Zone, Gonzales Single Family Dwelling District to a new site-specific zone and subdivide the lot to allow for ground-oriented multiple dwellings at this location and recommending it proceed to a public hearing.

Committee discussed the following:

• Heritage designation versus covenant (as alternative), and the affect of a public hearing on build timelines

## Moved By Councillor Gardiner Seconded By: Councillor Coleman

- 1. That Council instruct the Director of Sustainable Planning and Community Development to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in the staff report dated October 10, 2023 for 515 Foul Bay Road.
- 2. 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. plan revision to reduce the space dedicated to vehicle parking at the site's entrance to the satisfaction of the Director of Sustainable Planning and Community Development;
  - b. plan revision to propose an alternative permeable paving surface, to the satisfaction of the Director of Parks, Recreation and Facilities;
  - c. plan revision to label accessible parking stall, show dimensions in metric and provide a 1.5m hatched aisle, to the satisfaction of the Director of Engineering and Public Works;
  - d. plan revisions to correct the arborist report, tree management plan and landscape plans to the satisfaction of the Director of parks, Recreation and Facilities;
  - e. preparation of a heritage designation bylaw to designate the property known as 515 Foul Bay Road, as described in the Statement of Significance attached as Attachment D, pursuant to Section 611 of the Local Government Act, to the satisfaction of the Director of Sustainable Planning and Community Development, and that the introductory readings of the Heritage Designation Bylaw be considered by Council concurrently with the Zoning Regulation Bylaw amendment.
- 3. That subject to approval in principle at the public hearing, the applicant prepare and execute the following legal agreements, with form satisfactory to the City Solicitor prior to adoption of the bylaw:
  - a. provision of a 1.6m wide statutory right-of-way for highway purposes along the Foul Bay Road, with terms to the satisfaction of the Director of Engineering and Public Works;
  - b. provision of a detailed design, supply and installation of a new Rectangular Rapid Flashing Beacon (RRFB) pedestrian crossing of

Foul Bay Road at its intersection with Chandler Avenue, including a curb extension at the west side of Foul Bay Road, wheelchair ramps, tactile indicators and all associated infrastructure, to the satisfaction of the Director of Engineering and Public Works;

- c. protection, restoration and maintenance of the existing greenspace with a site area of approximately 1,468 m<sup>2</sup> in accordance with the plans date stamped by Planning on September 14, 2023, which includes provision of a bee colony in the conservation area for a period of at least two years and ensuring that design and construction in the area follows the recommendations in the September 12, 2023 arborist report from Gye & Associates to minimize impacts to trees, to the satisfaction of the Director of Parks, Recreation and Facilities;
- securing five units in the existing multiple dwelling as rental units for the life of the building, with contents satisfactory to the Director of Sustainable Planning and Community Development;
- e. provision of no less than one adaptable unit, in accordance with the standards in the British Columbia Building Code and BC's Building Accessibility Handbook, to the satisfaction of the Director of Sustainable Planning and Community Development;
- f. provision of no less than three four-bedroom and six three-bedroom units, to the satisfaction of the Director of Sustainable Planning and Community Development; and
- g. provision of transportation demand management measures, to the satisfaction of the Director of Engineering and Public Works, including:
  - i. two over-sized long-term bicycle parking spaces;
  - ii. 50% of required long-term bicycle parking with access to an electrical outlet;
  - iii. bicycle wash and maintenance facility.
- 4. That adoption of the zoning bylaw amendment will not take place until all of the required legal agreements that are registrable in the Land Title Office have been so registered to the satisfaction of the City Solicitor.
- 5. That the above Recommendations be adopted on the condition that they create no legal rights for the applicant or any other person, or obligation on the part of the City or its officials, and any expenditure of funds is at the risk of the person making the expenditure.

# **Development Permit with Variances Application**

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. 00807, if it is approved, consider the following motion:

- 1. That subject to the adoption of the necessary Zoning Regulation Bylaw amendment, Council authorize the issuance of Development Permit with Variances No. 00255 for 515 Foul Bay Road, in accordance with plans submitted to the Planning department and date stamped by Planning on September 14, 2023, in accordance with the following:
  - a. Subject to the proposed development meeting all City zoning bylaw requirements, except for the following variances:
    - i. reduce minimum front yard setback from 6.00m to 0.41m;
    - ii. reduce minimum side yard setback (north) from 4.00m to 3.08m;
    - iii. increase maximum eave projection from 0.75m to 0.79m;
    - iv. permit vehicle parking in the front yard;

- v. reduce short-term bicycle storage from 18 spaces to 10 spaces;
- vi. increase maximum driveway slope from 8.00% to 11.36%;
- vii. reduce minimum two-way driveway width from 6.00m to 4.00m, and;
- viii. increase maximum accessory building height from 3.50m to 4.00m.
- b. Subject to the property being subdivided into two lots generally in accordance with plans submitted to the Planning department and date stamped by Planning on September 14, 2023.
- c. That pursuant to section 512(2) of the Local Government Act, Council exempts the existing property at 515 Foul Bay Road as well as the new proposed lot to be created by subdivision, as generally shown in the plans submitted to the Planning department and date stamped by Planning on September 14, 2023, from the minimum frontage requirements of section 512(1) at the time of subdivision.
- 2. That the Development Permit with Variances, if issued, lapses two years from the date of this resolution."

## Heritage Designation Application

That Council:

- 1. Instruct staff to prepare a heritage designation bylaw to designate the property at 515 Foul Bay Road, that first and second reading of the bylaw be considered by Council and that a Public Hearing date be set, and that the heritage designation bylaw provides for the following to the satisfaction of the Director of Sustainable Planning and Community Development:
  - no heritage alteration permit is required for interior alterations, repair and maintenance work that would not affect the exterior of the building, or;
  - b. a heritage alteration permit to allow for demolition of the building would be issued for the building if the building is damaged significantly due to fire, flood or similar event outside of the owner's control.
- 2. Approve the Statement of Significance for 515 Foul Bay Road attached as Attachment D to this report recognizing the building exterior as the historic features of the property.

### CARRIED UNANIMOUSLY

#### E.1 Committee of the Whole

E.1.a Report from the November 16, 2023 COTW Meeting

#### E.1.a.a 515 Foul Bay Road: Rezoning Application No. 00807 and associated Development Permit with Variances Application No. 00255 (Fairfield)

Moved By Councillor Caradonna Seconded By Councillor Kim

MOTION TO CLOSE THE DECEMBER 7, 2023 COUNCIL MEETING TO THE PUBLIC:

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(i) the receipt of advice that is subject to solicitorclient privilege, including communications necessary for that purpose.

### Carried, by unanimous consent.

The daytime Council meeting was closed to the public at 2:24 p.m.

Councillor Loughton left the meeting at 2:30 p.m.

The daytime Council meeting was reopened to the public at 3:09 p.m.

#### Motion to refer:

Moved By Mayor Alto Seconded By Councillor Caradonna

That Council refers this matter to staff to negotiate a stronger heritage response and more certain rental housing tenure.

FOR (8): Mayor Alto, Councillor Caradonna, Councillor Coleman, Councillor Dell, Councillor Gardiner, Councillor Hammond Councillor Kim, Councillor Thompson Absent (1): Councillor Loughton

### CARRIED