# **REPORTS OF COMMITTEES**

### 2. Committee of the Whole – January 25, 2018

1. Rezoning Application No. 00608 and Development Permit Application No. 000523 for 323 Skinner Street

### **Motion:**

It was moved by Councillor Coleman, seconded by Councillor Alto:

# Rezoning Application No. 00608

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00608 for 323 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

# **Development Permit Application No. 000523**

That Council, after the Public Hearing for Rezoning Application No. 00608, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000523 for 323 Skinner Street subject to submission of supplementary plans identifying the proposed sustainability features, to the satisfaction of the Director of Sustainable Planning and Community Development, in accordance with:

- 1. Plans date stamped December 15, 2017.
- 2. The development meeting all Zoning Regulation Bylaw requirements.
- 3. The Development Permit lapsing two years from the date of this resolution."

**Carried Unanimously** 

### 3. CONSENT AGENDA

# Motion:

It was moved by Councillor Isitt, seconded by Councillor Alto, that the following items be approved without further debate:

# 3.1 Rezoning Application No. 00608 for 323 Skinner Street

Committee received a report dated January 11, 2018, from the Director of Sustainable Planning and Community Development regarding an application convert an existing single-storey single-family dwelling to allow for a daycare that accommodates up to 32 children.

# **Motion:**

It was moved by Councillor Isitt, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00608 for 323 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY 18/COTW



# Committee of the Whole Report For the Meeting of January 25, 2018

To: Committee of the Whole Date: January 11, 2018

From: Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00608 for 323 Skinner Street

### RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00608 for 323 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

### LEGISLATIVE AUTHORITY

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

### **EXECUTIVE SUMMARY**

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 323 Skinner Street. The proposal is to rezone the subject property from the R1-B Zone, Single Family Dwelling District to a site specific zone to allow for a daycare that accommodates up to 32 children.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the Traditional Residential Urban Place
  Designation as described in the Official Community Plan, 2012 (OCP) and the proposed
  use represents a "community service" use which is considered an appropriate use in all
  Urban Place Designations
- the proposal is generally consistent with the *Victoria West Plan, Amended 2008* which contemplates "compatible" non-residential uses within traditional residential areas
- the proposal does not provide sufficient on-site parking to satisfy anticipated demand.

### **BACKGROUND**

### **Description of Proposal**

This Rezoning Application is to rezone the subject property from the R1-B Zone, Single Family Dwelling District to a site specific zone to allow for a daycare that accommodates up to 32 children. An existing single-storey single-family dwelling would be raised and converted, creating an additional storey to facilitate the proposed use.

The following changes from the current zone are being proposed and would be accommodated in the new zone:

- daycare for up to 32 children would be added to the list of permitted uses
- required off-street parking would be reduced from 7 stalls to 1 stall
- rear setback would be reduced from 7.5m to 6.65m to accommodate a secure bicycle storage area attached to the rear of the building
- no landscaping strip would be provided along rear lot line (existing condition).

Issues relating to the proposed design will be reviewed in association with the concurrent Development Permit Application.

# Sustainability Features

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

# **Active Transportation Impacts**

The Application proposes the following features which support active transportation:

- secure parking for four bicycles
- parking for four visitor bicycles.

# **Public Realm Improvements**

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

# **Accessibility Impact Statement**

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

#### **Land Use Context**

The immediate area is predominantly characterized by single-family dwellings and duplexes.

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

The site is presently occupied by a single-storey single-family dwelling.

Under the current R1-B Zone, the property could be developed as a two-storey single-family dwelling with a secondary suite or a garden suite.

### **Data Table**

The following data table compares the proposal with the R1-B Zone. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Zone Standard R1-B Zone		
Site area (m²) - minimum	460	460		
1 <sup>st</sup> and 2 <sup>nd</sup> storey floor area (m²) - maximum	186	280		
Combined floor area	186	300		
Lot width (m) - minimum	18.28	15		
Height (m) - maximum	5.84	7.6		
Storeys - maximum	2	2		
Site coverage % - maximum	20.2	40		
Setbacks (m) – minimum				
Front (south)	8.15	7.5		
Rear (north)	6.65*	7.5		
Side – interior (east)	2.72	1.83		
Side – flanking (west)	4.52	3.5		
Combined side yards	7.24	4.5		
Landscaping (rear lot line) (m) - minimum	no landscaping*	0.6m wide, 1.5m high		
Parking - minimum	1*	7		
Bicycle parking stalls – minimum				
Class 1	4	4		
Class 2	4	3		

# **Community Consultation**

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Victoria West CALUC at a Community Meeting held on August 22, 2017. A letter from the CALUC dated September 27, 2017 is attached to this report.

# **ANALYSIS**

# Official Community Plan

The proposal is generally consistent with the Traditional Residential Urban Place Designation as described in the Official Community Plan, 2012 (OCP) and the proposed use represents a

"community service" use which is considered an appropriate use in all Urban Place Designations.

### Local Area Plan

The proposal is generally consistent with the *Victoria West Plan Amended 2008* which contemplates "compatible" non-residential uses within traditional residential areas.

### **Parking**

The proposed development would accommodate one motor vehicle parking stall. Schedule C of the *Zoning Regulation Bylaw* outlines off-street parking requirements and, in this case, requires a minimum of seven parking stalls in association with the daycare proposal. It should be noted that the emerging replacement Schedule C, if adopted by Council, would require a minimum of four parking stalls. Therefore, for the purpose of assessing this Application, staff consider that the provision of four parking stalls would likely satisfy parking demand and, therefore, the Application results in a shortfall of three parking stalls.

Based on the parking shortfall that has been identified, staff requested that the applicant provide a Parking Study and Transportation Demand Management (TDM) Plan from a qualified professional to support the proposal. The applicant has chosen not to provide this study and provided their own rationale for the proposed parking variance (included in applicant's letter to Mayor and Council), which can be summarized as follows:

- based on the applicant's observations at drop-off (8 8:30am) and pick-up (3-5pm), during a two-week period in September 2017, there were a minimum of 10 parking spaces available on Mary Street and multiple parking spaces on Raynor Avenue
- the daycare will have an enrollment of 32 children with approximately 40% of families arriving by foot or by bicycle, leaving 20 families that visit by car
- visits by car are staggered during a 30-minute period at drop-off and a two-hour period at pick-up
- one parking stall is provided on-site for the four teachers, therefore, three teachers will park on the street
- there are no parking restrictions on Mary Street or Raynor Avenue, therefore, parking can be shared with the community.

In summary, the proposal would result in a shortfall of three parking stalls and the development will have some impacts on parking availability in the vicinity of the subject site. However, on balance, given the extent of the variance being proposed and the policy support outlined in the OCP for this use, staff recommend that Council consider approving this Application.

An alternative motion has been provided should Council wish to require the applicant to provide a Parking Study to provide further rationale for the proposed parking shortfall and to identify additional TDM measures to mitigate potential on-street parking impacts.

# Rear Setback and Landscaping

The Application seeks to relax the rear setback requirement from 7.5m to 6.65m to accommodate a relatively small secure bicycle parking area at the rear of the property. In addition, the Application seeks to relax the requirement for a 0.6m wide landscape strip at the rear property line. In this instance, the rear property line falls within a driveway that is shared (and secured by way of an easement) with 1011 Mary Street.

Staff recommend that Council consider supporting these requested variances from the standard R1-B Zone.

# Tree Preservation Bylaw and Urban Forest Master Plan

There are five city-owned boulevard trees adjacent to the subject site, two of which are bylaw protected, in addition to six non-bylaw protected trees situated on the property. An Arborist Report has been submitted and concludes that, subject to tree protection measures, the trees would not be negatively impacted by the development. Recommended tree protection measures include tree protection fencing, root zone barriers, wood chip placement over tree root zones, and supervision of activities by the ISA project arborist whenever construction activities take place within the protected root zone of the trees.

### **Resource Impacts**

There are no resource impacts identified with this project.

### CONCLUSIONS

The proposed Application to raise and convert an existing single-family dwelling to a daycare for 32 children is consistent with City policy. The proposal would result in a shortfall of three parking stalls and the development will have some impacts on parking availability in the vicinity of the subject site. However, on balance, given the extent of the variance being proposed and the policy support outlined in the OCP for this use, staff recommend that Council consider approving this application.

### ALTERNATE MOTIONS

# Alternate Motion 1 (require a Parking Study)

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00608 for 323 Skinner Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set subject to the following condition being met:

1. Submission of a Parking Study and Transportation Demand Management Plan to the satisfaction of the Director of Engineering and Public Works.

# **Alternate Motion 2 (decline Application)**

That Council decline Rezoning Application No. 00608 for the property located at 323 Skinner Street.

Respectfully submitted,

Jim Handy

Senior Planner – Development Agreements

**Development Services Division** 

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date: Jan 17, 2018

# List of Attachments:

Attachment A: Subject Map

Attachment B: Aerial Map

• Attachment C: Plans date stamped December 15, 2017

Attachment D: Letter from applicant to Mayor and Council dated November 17, 2017

• Attachment E: Community Association Land Use Committee Comments dated

September 27, 2017

• Attachment F: Arborist Report dated November 17, 2017

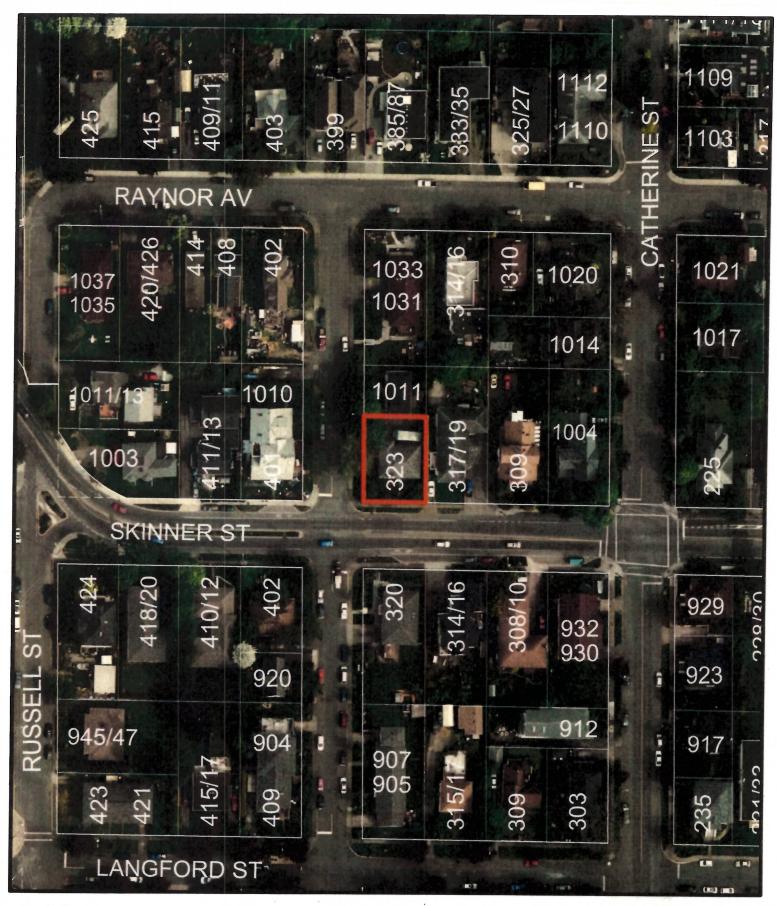
• Attachment G: Correspondence.

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# **ATTACHMENT B**

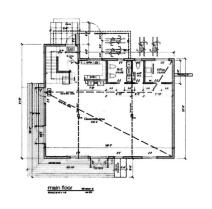






Received
City of Victoria

DEC 1 5 2017





Planning & Development Department Development Services Division No.1011 + peak=32.6 No.317 site plan skinner street

PROPOSED REZONING

R1-B TO R1-Site Specific

323 SKINNER STREET

14.12.17 Site Plan and Floor Plans scale 1:100

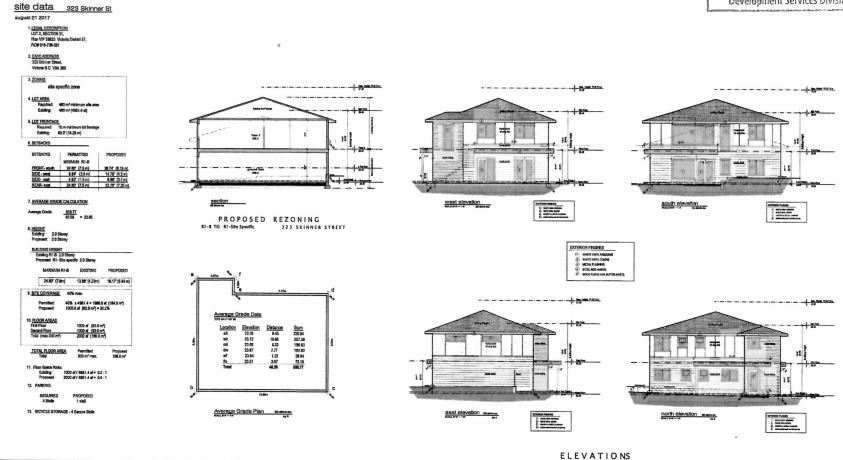
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Planning & Development Department Development Services Division



# PROPOSED REZONING

R1-B TO R1-Site Specific

323 SKINNER STREET

Section and Elevations & Project Information

ale 1:100



Received City of Victoria DEC 1 5 2017 Planning & Development Department Development Services Division No.317 skinner street

401 Skinner Stree

skinner streetscape

# PROPOSED REZONING

R1-B TO R1 Site Specific

323 SKINNER STREET

Landscape Plan scale 1:100 & Streetscape

**A3** 



Received City of Victoria

DEC 1 5 2017

Planning & Development Department Development Services Division

No.1011

No.1011

Mary street

mary streetscape

# PROPOSED REZONING

R1-B TO R1-Site Specific

323 SKINNER STREET

Landscape Plan scale 1:100 & Streetscape

**A4** 

Skinner Street



### ATTACHMENT D



Victoria Montessori Preschool 1250 Highrock Ave. Victoria, BC, V9A 4V7 250.380.0534 victoriamontessori@shaw.ca



October 17th, 2017

Dear Ms. Helps and Council

My name is Ivana Tunklova, and I am the Montessori teacher and the owner of Victoria Montessori Preschool and Childcare, the childcare centre which was located in the Annex adjacent to Vic West Elementary School, at 750 Front St.

On May 1st, 2017 we were informed by the School District that we had to vacate our beloved Annex to make room for the overflow from the Vic West Elementary School (due to the Supreme Court's decision).

We had been at our location for 14 years, and had cared for over 400 children. We were proud to service our neighbourhood of Vic West with high quality childcare. Our facility employed, and still employs five excellent, highly qualified teachers.

As you have probably heard, and read in our e-mails, we fought very hard to try to convince the School District to give us a transition year as we were fully enrolled. We had 30 families, that is 30 children, who were relying on us, depended on us - as on such short notice there was no way that these families would have been able to find care.

We were determined, and the School District found a classroom for us, not ideal (Rockheights Middle School), but we were thrilled that we had space for our families, even though the space is only available to us until June 2018.

We decided that we did not want our families, their children and our teachers to go through this very stressful situation again. Children need consistency and stability, and so do the parents and teachers.

We searched for a suitable place to either purchase or lease. We all know how difficult this task is leases start at \$7,000.00/mth for the size we need to accommodate our families. On top of that we have to create a play area.

We did not despair, and a lovely property came up on the market - a house on Skinner St. (323) Skinner St.), very close to the Vic West Elementary School - an ideal location for parents dropping off their older children at Vic West Elementary and walking or biking with their toddlers to Skinner St. Also, the house is in close proximity to trails for nature walks, and Banfield Park.

The purchase of the house on Skinner St. was thoroughly thought out and researched. It is on the corner of Skinner and Mary St. Only 2 neighbours are adjacent to the property. It is easily accessible. There is space for parking on Mary Street and Raynor Avenue, both are not designated "Residential Parking Only".

The house presents a reasonably easy conversion into a two-storey house. This conversion would involve lifting and adding to the house. The footprint of the house will not change. This will preserve all trees and green canopy. The preservation of trees is part of the green features contained within the development of the property. There is a plum tree, and raised vegetable beds will be installed. Additional green features are: installation of one EV station and bike racks, installation of solar panels, hardy planks on the exterior, energy efficient windows, vinyl flooring with renewable cork backing, low VOC paint, water efficient plumbing fixtures and toilets.

At the Community Meeting on August 22, neighbours voiced concern in regards to traffic and noise level. We have assured the neighbours that the pick ups and drop offs are very quick, between five and ten minutes, and that parking on the street can be shared by the whole community. Also, pick ups are staggered between 8am and 8:30am, and drop offs between 3pm and 5pm; and let us not forget that we are a neighbourhood/community Montessori Childcare Centre which means that more than half of our families walk or bike.

As for the noise level, a Montessori School is not a loud school, and after 5pm, on weekends and during holidays the building is completely quite.

# Parking patterns observed during a two week period in September 2017.

Parking patterns were observed from Monday to Friday during the following hours: from 8-8:30am which is the drop off period, and between 3pm and 5pm which is the pick up period. During these periods there were always at least 10 parking spots available on Mary Street. We also observed parking patterns on Raynor Avenue, specifically the two blocks between Catherine Street and Russell Street during the same drop off and pick up period. Raynor Avenue has multiple parking availabilities.

Victoria Montessori will have an enrolment of 32 children. As we are a neighbourhood childcare facility at least 40% of our families will be arriving by foot or bicycle. This has been the average for the last 14 years. This leaves approximately 20 families who will be arriving by car, staggered during a 30 minute period at drop off. These drop offs do not last more than 10 minutes. Pick ups are staggered between 3pm and 5pm, and also do not last more than 10 minutes.

In regards to parking for our 4 teachers, one parking spot is available on the property, and 3 cars can park in front of the building. A parking variance is requested.

Both Mary Street and Raynor Avenue are not designated "Residential Parking Only", therefore parking can be shared with the community.

The Vic West Community Plan that was just drafted outlines plans to change Land Use: more support for commercial uses at intersection of major roads, converting single detached houses to commercial or mixed use, maintaining green space therefore allowing for building multi unit houses up to three stories along Skinner St., connecting the Craigflower Village by adding small commercial businesses. But most importantly, one of the goals in the Neighbourhood Plan (Chapter 13, Point 2.2) is to "create more childcare options to support families with children living in Vic West. To support daycares as a use throughout the neighbourhood ... and to consider reduced parking requirements where requested."

A Montessori Childcare Centre fits right into this plan, a plan which was based on community input. We will create more childcare spaces/options - full time spaces, part time spaces and future infant/toddler spaces. Also, we will be creating additional employment opportunities. The Neighbourhood Plan talks about "Neighbourhood Well-Being", fostering a safe community, an inclusive community. What better polytical than adding a Mantenagi Children Control Appeter.

inclusive community. What better solution than adding a Montessori Childcare Centre. A centre completely devoted to nurturing children in their most important formative years - the early years - so that they can develop into healthy, resilient, caring, kind and well-educated citizens.

The City can not do it on its own, and needs the help of private individuals to take on the social responsibility. Our city is growing very rapidly, and we already have a shortage of childcare spaces. This is an opportunity to allow us to create a beautiful, quality childcare centre that will serve the Vic West neighbourhood for many years to come victoria Montessori will strengthen the community by bringing families together and supporting them.

We are including many support letters, and on behalf of all the wonderful children and families, that we so lovingly care for, we hope that you can help us to realize this very important project.

Sincerely,

Ivana Tunklova and her wonderful Montessori staff

info@victoriawest.ca & www.victoriawest.ca



September 19, 2017

SEP 2 7 2017

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

Attention: Mayor and Council

Dear Mayor and Council.

Ivana Tunklova of Victoria Montessori School - Rezoning of 323 Skinner St. from R1-B Single-Family Residential, to a Site Specific Zoning for a Children's Daycare

The Victoria West Community Association, Land Use Committee, hosted a community meeting on Aug.22, 2017 to consider the above noted rezoning application by Ivana Tunklova of the Victoria Montessori School.

The meeting was very well attended. Ivana provided an extensive review of the history of the Victoria Montessori School. The school has been forced to relocate to a new location, for reasons beyond the school's control. Ivana has purchased the home and property at 323 Skinner St. with the intent to rezone the property, and to construct an additional floor level, to accommodate a Children's daycare/school. Ivana would like to keep the School in the same neighborhood and maintain a great relationship with the neighbors and patrons. Ivana mentioned that the building and property will no longer be used as a residence, and the property will be in use during business hours, only. The focus was on the rezoning proposal as compared to the current zoning of the dwelling. A few thoughts and concerns from citizens and L.U.C. members in attendance are:

# Building Height Variance -

Ivana has requested a variance for the building height from 7.6 Meters, to 8.5 Meters. This variance has been requested in order for the existing home to be raised, for a new ground floor to be constructed below. The idea is to build upwards and increase the building height, rather than to expand the footprint further into the property setbacks. Ivana has expressed that the existing

vegetation will remain and will provide privacy from/for the neighboring properties. The proposed building will not exceed the height of the neighboring dwellings, and will reflect the neighborhood vernacular. The building height variance request was generally well received from those in attendance.

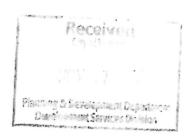
# Parking & Traffic -

A few neighboring property owners in attendance heavily expressed concerns regarding parking and traffic along Mary St., which, travels along the Western edge of the property. On-street parking along the edge of the property are very often occupied and both Mary St. and Skinner St. are considered busy traffic routes. Neighbors have expressed concern that the addition of a Daycare/school may cause much more traffic and parking issues, in addition to the existing traffic and parking. Ivana is willing to cooperate with the neighbors. Many parents and children, and a few of the staff members at the school, walk or bike to the establishment. At the previous location, Parents and attendees of the daycare/school are given strict conditions for parking. One parent in attendance spoke regarding her child attending the school, and the parking conditions. She spoke of the parking efficiency and strict guidelines that the school has. Vehicles were limited to a "Drop-off" zone and were only present for shorter periods of time. Drop-off times are/were staggered into two separate groups and times, for attendees of the daycare/school. As a result, The Victoria Montessori School traffic and parking was not a concern to the neighboring dwellings, public, and other drivers. Ivana has mentioned that similar conditions will be applied to the new daycare/school's location, and that she is open to discussing parking concerns and solutions with the existing neighbors.

The general consensus in the meeting was the acceptance of the proposal, with concerns that parking concerns be addressed and maintained. The meeting concluded on a positive note and discussion continued with Vic West residents, as well as Ivana after the meeting. The community meeting was successful in updating Vic West on the proposed amendments to 323 Skinner St.

Sincerely,

Sean Dance, Chair Vic West Land Use Committee



November 16, 2017

Re: Rezoning application REZ00608, DPV0052 Subject Property: 323 Skinner Street, Victoria West.

Re-submission of rezoning application itemised list that addresses requirements received from City of Victoria plan check of drawings submitted on first re-zoning application.

Conditions to be met prior to the Committee of the Whole:

- The building design has been reduced from the proposed 3 storey structure to a 2 storey structure to comply with the current OCP Traditional Urban Place Designation.
- 2. The site plan has been revised to show the provision for 1 parking spot including the dimensioned width of the drive aisle and the slope of the driveway. Also included is the provision of covered and secure bicycle storage adjacent to the car parking spot. In addition a Parking Study has been submitted documenting the current parking usage on the adjacent streets to support the allowance for an off-set to the parking requirements.
- 3. The building height issue has been addressed by reducing the building height from 3 storeys down to 2 storeys. The parking issues have been addressed in the parking study accompanying our re-zoning submission.
- A canopy has been added that to the building elevations to better address both street frontages and help identify the front entrance and doorways facing Mary Street.
- 5. The labelling of the building materials has been shown on the revised elevations of the drawing submission.
- Coloured plans and a material board has been included in our re-submission of our re-zoning application.
- A building code review has been completed on the building design and additional information has been included on the drawings to address the code requirements including internal travel distances and exiting.
- 8. A revised letter to the Mayor and Council addressing the items listed has been included in our re-submission documents.
- A study of the sewage flow rates has been conducted by a qualified engineer. A
  copy of the sewage flow rate study has been included in this zoning application
  re-submission.

# The revised rezoning application - Application: REZ No.00608 and DVP No.00052

- The property to be rezoned for a Montessori Childcare Centre is at 323 Skinner St., comer of Skinner St. and
- Presently the house is a 1000sq feet rancher. It presents a reasonably easy conversion into a two storey house. This conversion would involve lifting the house. The footprint will not change. This will preserve all trees and green canopy. The first floor will be 1000 square feet and the second floor will be 1000 square feet. The required square footage by licensing will allow 16 children on the first floor, and 16 children on the second floor. Four teachers will be employed at Victoria Montessori. The operating hours are 8am to 5pm.

# Practical and ideal location for many reasons:

1) Only 2 neighbours are adjacent to the property. It is easily accessible, with the entrance on Mary St. Pick ups and drop offs of children are very quick, between five and ten minutes. Also, pick ups are staggered between 8am and 8:30am, and drop offs between 3pm and 5pm. As for the noise level, a Montessori School is not a loud school and after 5pm, on weekends and during holidays the building is completely quite.

Presently 40% of our parents walk or bike to school as we are a neighbourhood school, (many new cyclists with the new bike lanes).

Teachers have 1 parking spot on the property, and three teachers can park on the street. In our previous location the Annex beside Vic West - we had no parking at all, and it was never an issue for 14 years. Find attached a study on parking patterns on Mary Street.

2) It is a 5 minute walk from the Vic West Elementary - an ideal location for parents dropping off their older children at Vic West Elementary and walking or biking with their toddlers to Skinner St. Also, the house is in close proximity to trails for nature walks, and Banfield Park.

### **Building Design:**

- 1) Architecturally pleasing beam with canopy above doors will be created to enhance the transition from the street to the building entrances. See Elevation Plan (North, South and West) - a beam on the outside of the hardy planks(wood/metal flashing), canopy/awning will be attached
- 2) Building materials: Hardy Planks on the lower part of the building, the planks will go past the belly band so to minimize the appearance of the lift. Cedar Planks around main entrance to create an inviting entryway (see North Elevation), continuing around the corner (see West Elevation).

The upper part of the building will be Hardy Panels so to enhance the clean lines of the hardy planks and the cedar siding. The colour scheme is off white and grey which will compliment the neighbourhood and the natural surroundings.

#### Transportation Review:

Find attached a study on parking patterns on Mary Street.

### **Underground Utilities:**

Mr. Bruce Crawshaw was hired to determine whether the proposed preschool will require sewer attenuation or not. Report will be submitted in the next week.

Bruce Crawshaw, P.Eng., LEED AP

WESTBROOK CONSULTING LTD.

#115 - 866 Goldstream Avenue

Fax: (250) 391-8593

Victoria, BC, V9B 0J3 Phone: (250) 391-8592 ext. #223 Received

NOV 1 7 2017

Monning & Development Department Development Services Division

### Parks Division:

Mr. Darryl Clark, consulting arborist from D Clark Arboriculture, was hired to provide an arborist report that the four publicly owned trees on the boulevard surrounding the proposed development, are reviewed and tree protection measures will be taken. Report will be submitted in the next week.

# • Permits and Inspections Division:

- 1) The architect, who will be working on the proposed development is Mr. Alan Lowe from Alan Lowe Architect inc.
- 2) Travel distances are indicated on the Main Floor plan, and Second Floor plan. Exit is clearly marked on the First Floor. Exit is marked on the Second Floor.

### Green items:

The preservation of trees and planting of more trees are part of the green features contained within the development of the property - existing plum tree, raised vegetable beds, planting of cedars (see Landscaping Plan). Additional green features are: installation of one EV station, secured and protected bike racks, installation of solar panels, hardy planks on the exterior, energy efficient windows, vinyl flooring with renewable cork backing, low VOC paint, water efficient plumbing fixtures and toilets.

It takes a village to raise a child, and we need to create childcare spaces that are completely devoted to nurturing children in their most important formative years so that they can develop into healthy, resilient, caring, kind and well-educated citizens. The City can not do it on its own, and needs the help of private individuals to take on the social responsibility. Our city is growing very rapidly, and we already have a shortage of childcare spaces. This is an opportunity to allow us to create a beautiful, quality childcare centre that will serve the Vic West neighbourhood for many years to come.

# The Vic West Community Plan Draft:

- 1) Outlines plans to change Land Use: more support for commercial uses at intersection of major roads, converting single detached houses to commercial or mixed use, maintaining green space therefore allowing for building multi unit houses up to three stories along Skinner St., connecting the Craigflower Village by adding small commercial businesses.
- 2) Further, the goal in the Community Plan is to "create more childcare options to support families with children living in Vic West" (Chapter 13, Point 2 of the Plan)
  We have presently 50 children on our waitlist for the 2018 school year.

# Parking patterns on Mary Street:

Parking patterns observed during a two week period in September 2017.

Parking patterns were observed from Monday to Friday during the following hours: from 8-8:30am which is the drop off period, and between 3pm and 5pm which is the pick up period. During these periods there were always at least 10 parking spots available on Mary Street. We also observed parking patterns on Raynor Avenue, specifically the two blocks between Catherine Street and Russell Street during the same drop off and pick up period. Raynor Avenue has multiple parking availabilities.

Victoria Montessori will have an enrolment of 32 children. As we are a neighbourhood childcare facility at least 40% of our families will be arriving by foot or bicycle. This has been the average for the last 14 years. This leaves approximately 20 families who will be arriving by car, staggered during a 30 minute period at drop off. These drop offs do not last more than 10 minutes. Pick ups are staggered between 3pm and 5pm, and also do not last more than 10 minutes.

In regards to parking for our 4 teachers, one parking spot is available on the property, and 3 cars can park in front of the building. A parking variance is requested.

Both Mary Street and Raynor Avenue are not designated "Residential Parking Only", therefore parking can be shared with the community.



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

Arborist Report for Development Purposes Re: Proposed Construction

Site Location: 323 Skinner St., Victoria BC Darryl Clark PN-6253A TRAQ Certified November 17, 2017

November 17, 2017 Victoria Montessori Preschool and Childcare 1250 Highrock Ave. Victoria BC V9A 4V8

Re. Proposed Construction 323 Skinner St. Victoria BC V9A 3B5

# **Scope of Work**

D. Clark Arboriculture has been retained by Victoria Montessori Preschool and Childcare to provide comments on trees impacted by a potential house raise, and a Tree Protection Plan for the property at 323 Skinner St. as per the requirements of the City of Victoria.

### Summary

Construction on a building, specifically a house raise, at 323 Skinner St. will impact the Protected Root Zone of no bylaw protected trees on the property, 5 non-bylaw protected trees on the property and 4 city owned boulevard trees. The trees at 323 Skinner St. require tree protection measures for retention including tree protection fencing, root zone barriers and supervision of activities in the protected root zone of the trees. Construction can proceed following the recommendations in this report.

# **Introduction and Methodology**

I (Darryl Clark) visited the site on Nov. 11, 2017 at 8:20 am to perform an assessment of trees onproperty and off-property that could potentially be impacted by proposed development. Site conditions surrounding affected trees were favorable with a well maintained landscaped yard and clear and maintained city boulevard on the south and west sides. A design provided by our client indicates building changes including modifications to the existing height of the building as well as exterior and interior renovations. This report was completed on November 17, 2017.

### Tasks performed include:

- An aerial site map was marked indicating tree locations
- visual inspection of (6) on-property and (5) off-property "protected" trees was performed, and notes were collected on health and structural condition
- Photos were taken to document the site and affected on-property and off-property trees
- Tree height was estimated to the nearest metre.
- A scaled survey map is included with tree protection overlaid for reference

# Tree Inventory

Tree Inventory									
Tag#	Species	cm/DBH	Height/m	PRZ/m	Canopy/m	Structure	Health	Retain/Remove	Bylaw Protected
1	Malus pumila	3	2	0	1	Fair	Poor	Retain	No
2	Malus pumila	5	3	1	1	Fair	Poor	Retain	No
3	Prunus domestica	22	4	3	5	Good	Good	Retain	No

4	Salix matsudana	16	4	2	4	Fair	Good	Retain	No
5	Prunus pissardii	44	4	5	5	Good	Good	Retain	No
6	Acer macrophylum	31	5	4	3	Fair	Good	Retain	No
29914	Crataegus lavallei	8	5	1	1	Good	Good	Retain	City Owned
29953	Prunus serrulata	27	5	3	6	Good	Good	Retain	City Owned
29952	Acer Saccharinum	85	9	10	12	Fair	Good	Retain	City Owned
29951	Acer macrophylum	92	9	11	8	Fair	Good	Retain	City Owned
29950	Acer macrophylum	55	9	7	9	Fair	Good	Retain	City Owned

<u>DBH</u>-Diameter at Breast Height. Measured at 1.4m from the point of germination. Where the tree is multi-stemmed at 1.4m, the DBH shall be considered 100% of the largest stem and 60% of the sum of the remaining stems, rounded to the nearest cm. <u>PRZ</u>-Protected Root Zone. The PRZ shall be considered 12x the DBH, rounded to the nearest whole meter.



**Impacts of Construction** 

The proposed construction is to clear the lot to make way for a new daycare/preschool. Construction is not expected to have an overall negative impact on any tree marked for retention, or its health and vitality.

Equipment traffic in and out of the site is expected to impact the root zone of all trees. Access to the site will be from the front of the property through the main gate off Skinner and the driveway off Mary. Additional paths for large beams may be required.

Excavation for capping of services has not yet been determined to impact protected trees.

Excavation for the removal of the existing foundation may impact the protected root zone of city owned trees #29950, 29951, 29952 and 29953.

New water sewer and potentially storm water services may require upgrades. Electrical service is expected to impact tree #29950 and 29951. Natural gas is not expected to be brought in to the building.

#### **Tree Protection Plan**

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

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

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

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

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

All paved surfaces that are new and inside the PRZ of protected trees will employ alternative construction methods including loadbearing geotextile fabric or a geogrid/geocell system. A memo will be provided to the developer and the city after a construction method has been chosen to be approved before proceeding with construction of any paved surfaces.

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

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

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

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

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

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

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

### **Replacement Trees**

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

Trees #2, 3 and 6 are not bylaw protected and should be considered for removal prior to construction. In the case of #2 and 3, their poor health warrants removal. In the case of #6, it is clearly a tree from seed or sucker that would not have been planted in this location. Its location and structure are likely to lead to issues with related to risk and infrastructure in the future. If these trees are to be removed it is recommended that no penalties be applied under this tree protection plan.

Thank you for the opportunity to comment on these trees.

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

Darryl Clark

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

# Disclosure Statement

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

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

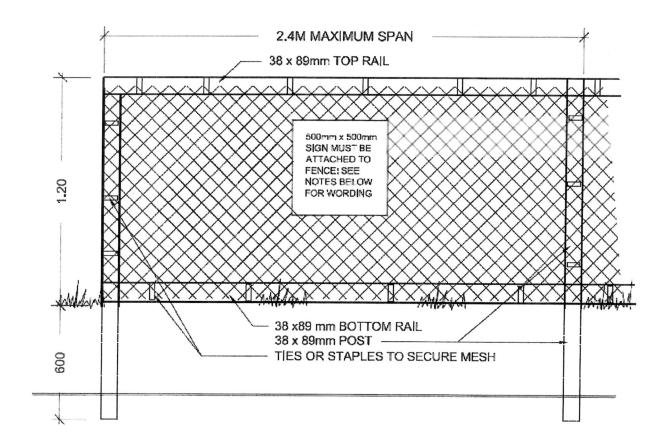
Trees are living organisms and subject to continual change from a variety of factors including but not limited to disease, weather and climate, and age. Disease and structural defects may be concealed in the tree or underground. It is impossible for an arborist to detect every flaw or condition that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

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

### **Assumptions and Limiting Conditions**

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

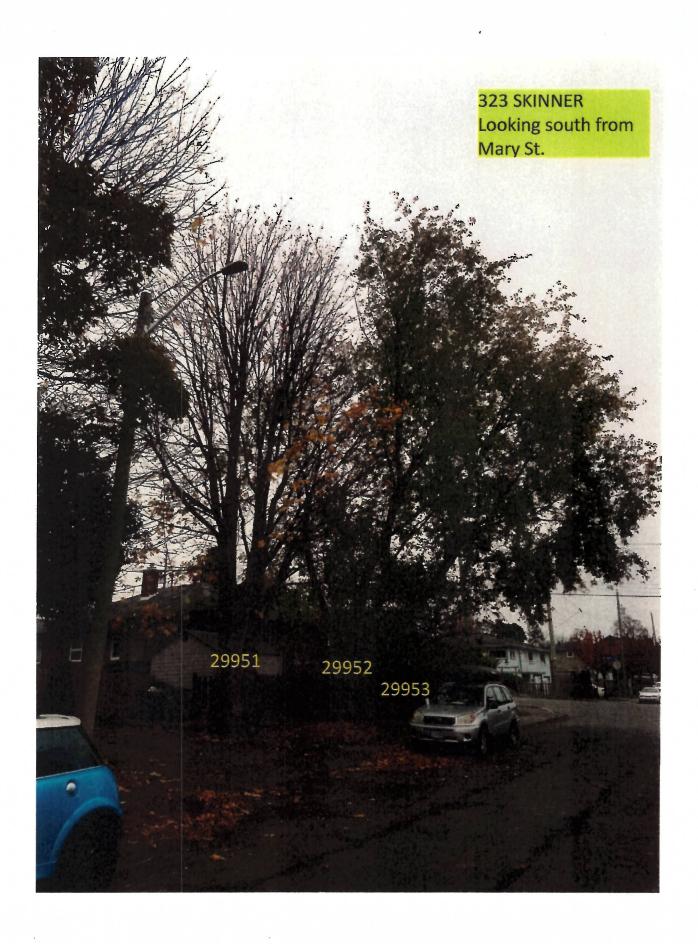
# Appendix A

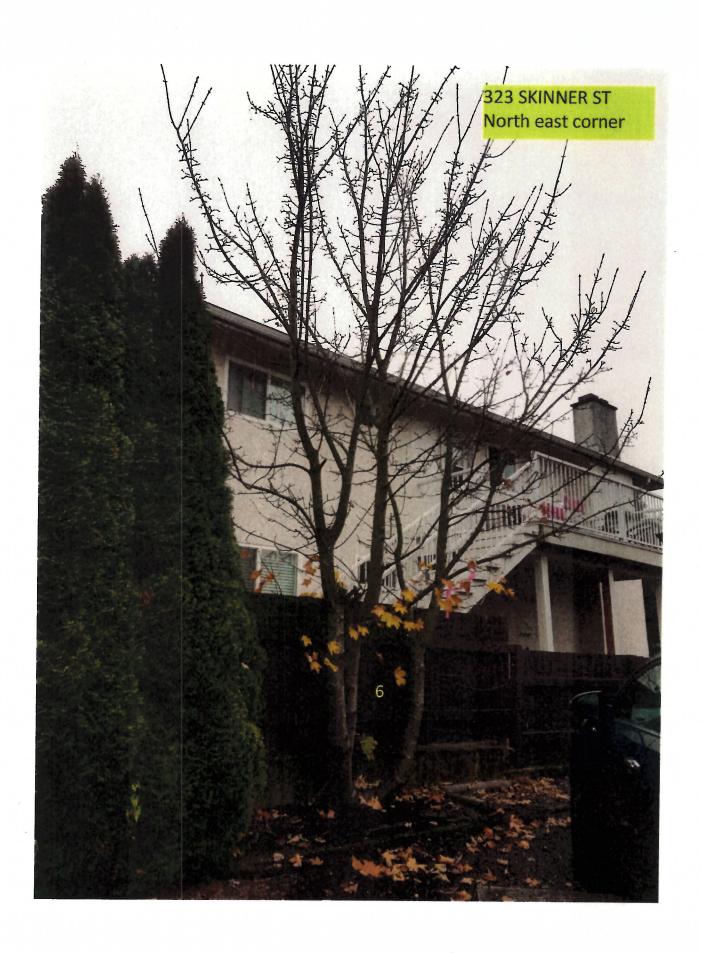


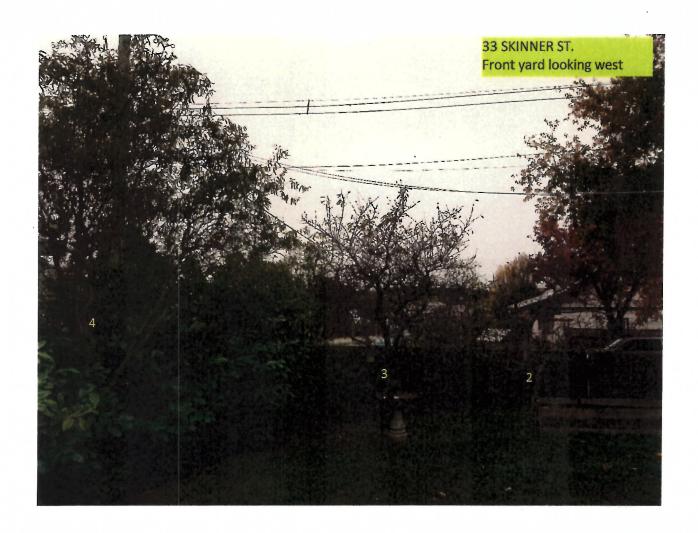
# TREE PROTECTION FENCING

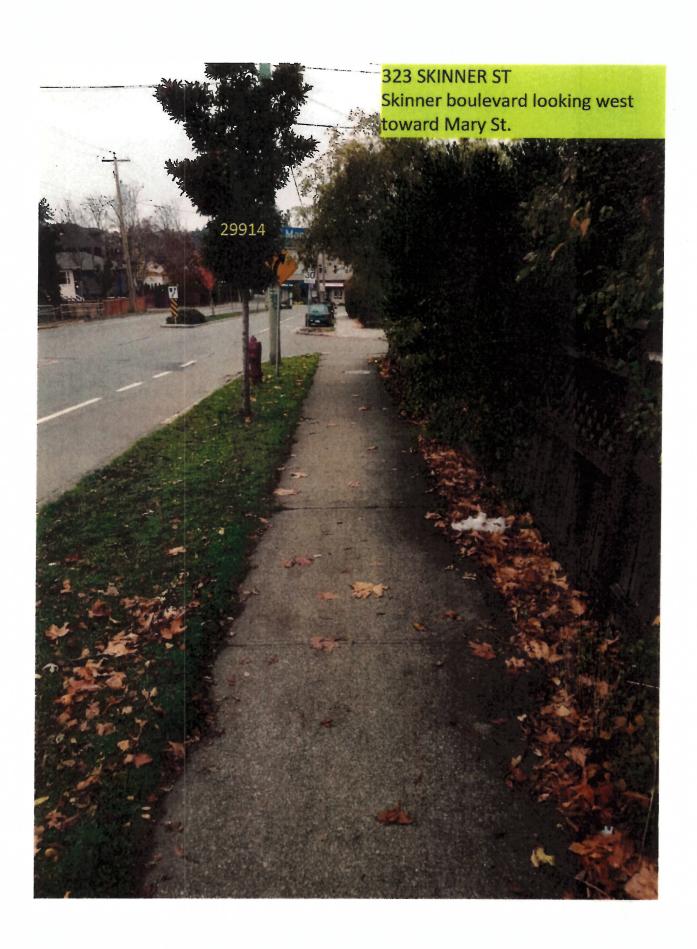
# **Tree Protection Fencing Specifications:**

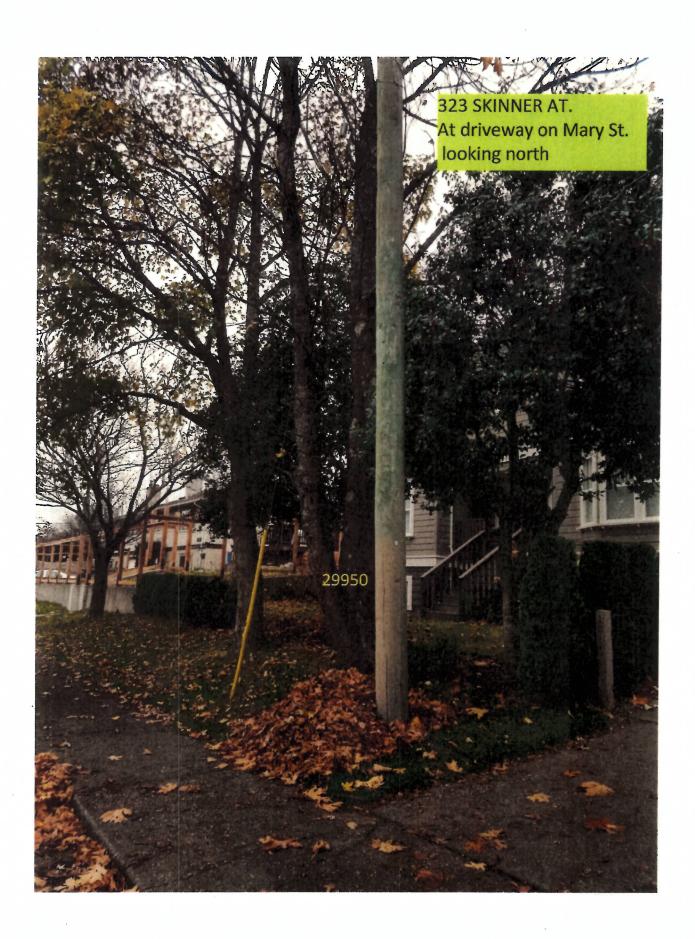
- 1. The fence will be constructed using 38 x 89 mm (2" x 4") wood frame:
  - Top, Bottom and Posts. In rocky areas, metal posts (t-bar or rebar) drilled into rock will be accepted
  - Use orange snow fencing mesh and secure to the wood frame with "zip" ties or galvanized staples. Painted plywood or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











# BC LAND SURVEYORS SITE PLAN OF: Civic: 323 Skinner Street **LEGEND** Legal Lot 2, Section 31, Esquimalt District, Plan VIP58823 PROTECTED ROOT ZONE Parcel Identifier: 018-736-581 in the City of Victoria TREE PROTECTION FENCE **COARSE WOODCHIPS** Scale - 1: 200 Distances are in metres. The intended print size is 11" by 17". LEGEND Elevations are to geodetic datum. + - denotes - existing elevation Tree diameters are in centimetres. Lot Area = 460 m2The following non-financial charges are shown on the current title and may affect the property. EH57838 - Easement EH57839 - Easement No.1011 18.28 asement EH57839 7.6 2 No.317 peak-30.2 COARSE WOODCHIPS 151

Skinner Street

July 24, 2017

File: 12,613 - 23

POWELL & ASSOCIATES

B C Land Surveyors
250-2950 Douglas Street
Victoria, BC V8T 4N4

Setbacks are derived from field survey.

Parcel dimensions shown hereon are
derived from Land Title Office records.

This document shows the relative location of the surveyed features and shall not be used to define property boundaries.

Jeannie Achuff 420 Raynor Ave Victoria BC V9A 3A6

September 1, 2017

To Whom It May Concern:

I have recently become aware of Ms. Ivana Tunklova's plans to relocate her preschool, Victoria Montessori, to a property around the corner from my house on Skinner Rd. I was very excited when I learned of this plan, as my son attended Victoria Montessori at the location it occupied for close to 15 years next to Vic West Elementary.

Vic West is growing and changing rapidly, and as single parent I value deeply what this neighbourhood has to offer as far as community, diversity of services, walkability, and family-friendly assets. Our family has been involved in the tradition of Montessori education for 3 generations and I can attest to the uniqueness of this approach to fostering growth and development for the youngest members of our community. I have come to know a number of families all within walking distance of the old school location, as well as this new proposed location, and I can safely say that the neighbourhood will be, overall, very pleased to keep this particular quality of school in our local community.

While there may be concerns about increased traffic and noise coming from the school, I know the patterns of this program and I know Ms Ivana's commitment to being a good neighbour, so I am confident that she will be an excellent addition to our particular neck of the woods and will work openly with neighbours to create a plan that feels good to everyone.

In summary, this letter is to express my full support and excitement to welcome Victoria Montessori to our little corner of Vic West. I hope that the city grants her requests for rezoning such that she may beautify the property as intended and bring another level of vitality to our locale.

With Kind Regards,

Jeannie Achayt

Jeannie Achuff

### Hello!

When I recently found out - through a flyer that came in our mailbox - of the possibility of a Montessori School opening in our neighbourhood, I was immediately thrilled!

It will be exciting to see a new hub, devoted entirely to the nurturing of young minds in our community.

Overall I believe this opportunity will increase the familial and community values I want to be surrounded by, and that I see many other neighbourhoods benefit from.

Thank you for taking the time to hear these thoughts and if I can be of any further assistance, please do not hesitate to contact me.

Sincerely, Carolyn Morris 415 Raynor Avenue, VicWest:)



Victoria Montessori Preschool 1250 Highrock Ave. Victoria, BC, V9A 4V7 250.380.0534 victoriamontessori@shaw.ca

To Whom It May Concern:

I am a professional with two young children and I well know the challenges of finding quality, affordable daycare for my children.

I am writing to request that you work with School District 61 to delay the eviction of the Victoria Montessori preschool from its rented facility on the school grounds of Vic West Elementary until the 2018-19 school year (at which time the preschool will relocate to a private, local facility). I recognize that the recent ruling by the Supreme Court on class sizes necessitates the school board to make use of all available space, but in this case such expansion is at the expense of a beloved and desperately needed local childcare facility.

My family is one of 30 that would be directly affected by this eviction. The removal of the Victoria Montessori preschool from our neighbourhood would be a loss to the community and would send us all scrambling for local childcare. The proposed alternative locations for the 2017-18 are a considerable distance from its current location, and do not offer the same resources. This is a challenge for the majority of us who depend on local childcare accessible without a vehicle.

In the words of your party's leader John Horgan, the lack of affordable childcare in this province is a crisis. Evicting the Victoria Montessori preschool and <u>relocating it outside of the neighbourhood would remove one</u> of the few preschools in our community. Finding childcare is difficult and stressful, and I worked hard to find a preschool that was the right fit for my spirited preschooler. The location of the Victoria Montessori Preschool and the excellent care and curriculum suit the needs of my child perfectly, and my child could not be happier. It would be a major disruption to my son and our family to have the Victoria Montessori preschool removed from our neighbourhood, even temporarily.

Sincerely, Sandy Allen

To Whom It May Concern

It has come to my attention that Victoria Montessori Preschool space is being affected by the recent Supreme Court's decision, threatening school's existence at the current location. Both my children are enrolled at Victoria Montessori and as such, this issue is of critical importance to me. I am writing in support of Ivana Tunklova and Victoria Montessori Preschool. It is very difficult to find high quality early childhood education in Victoria that would be on par with Victoria Montessori.

Thank you! Sincerely, Vanja Petrovic



Victoria Montessori Preschool 1250 Highrock Ave. Victoria, BC, V9A 4V7 250.380.0534

victoriamontessori@shaw.ca

## To Whom It May Concern

We are greatly opposed to the idea of moving the Victoria Montessori Preschool from its present location. First and foremost of course is how this will affect our daughter. There are many reasons why we chose this school, and why she is so happy there, but **the location was a key factor.** The classroom is a very nice space with lots of natural light and a perfect fit for the number of students. The outside area is wonderful and as a parent I appreciate so much that my three year old has such a safe outside area to play in. Not every playground is that safe where children have the freedom to play without worry. Furthermore, our daughter took a very long time to adapt to attending school and I am concerned that a new location will make it all very difficult for her again.

It does not make sense to put a preschool classroom in a school with pre-teens. At such a vulnerable age, I do not want my daughter on a playground with 12 and 13 year olds. I have never before seen a mix of a preschool and a middle school - because it is a bad idea!

A change in location will also negatively affect our bike commute to and from work. It will take longer to get to the new proposed location from downtown on the bike and this will negatively impact my work schedule. I also am concerned about having a safe, covered place to lock the bike trailer. Bike trailers are targets for thieves and I appreciate that we can safely leave ours at the current location. Perhaps if the appropriation announcement had been made earlier it would have been more acceptable, but this is extremely short notice for a very significant change. As a parent I have no option to find a new preschool if we do not like the new location. Daycare space is almost as difficult to find as a rental in Victoria, and we have already committed to next school year - in its current location!

Moving the school will cause our daughter and us a lot of difficulties. We ask you to please reconsider and leave the school where it is for just one more year.

Sincerely, Nancy Wyeth and Cosme Esparza

### To Whom It May Concern,

As you know, British Columbia -- particularly fast-developing areas like Victoria -- is suffering from a shortage of licensed childcare spaces. While parents of children at Victoria Montessori consider themselves lucky to have access to such high-quality care, this isn't a luxury for our families. We as parents all depend on this childcare so that we can work and sustain reliable employment. Many of us have chosen Victoria Montessori not just for its excellent reputation, but also because of its location near our homes or workplaces. A change in location, if far from the centre's current site, would pose significant hardship for families who may be forced to find alternative care where there isn't much to spare in this city.

Sincerely, Sutton Eaves 150 Memorial Crescent Victoria, BC



Victoria Montessori Preschool 1250 Highrock Ave. Victoria, BC, V9A 4V7 250.380.0534 victoriamontessori@shaw.ca

To Whom It May Concern,

We are a family who would be impacted by the School District's recent decision regarding the space currently occupied by Victoria Montessori Preschool at Vic West Elementary. It is our understanding that the preschool has purchased a house in the area that will be hopefully ready in time for the 2018/2019 school year.

Our 4-year-old son currently attends Victoria Montessori Preschool, will be attending over the summer and is enrolled for the 2017/2018 school year. We are two working parents and also have a 20-month-old daughter who we are fortunate to have cared for by extended family. Finding a preschool that met the needs of our entire family (including extended family) was a challenging process, so we were thrilled and relieved to get a spot at Victoria Montessori when our son was 2.

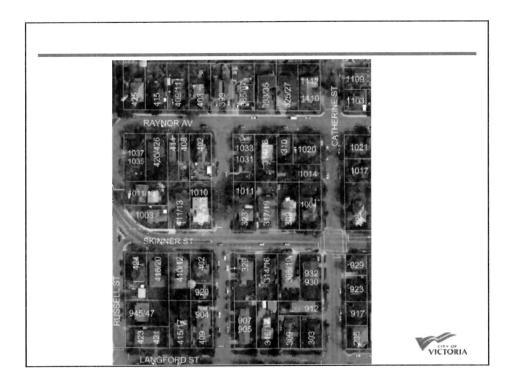
We chose Victoria Montessori because it had an excellent reputation, and the location was very convenient in relation to our workplaces and our daughters' caregivers, especially as we rely on assistance from extended family with respect to pick ups and drop offs. Another important consideration in choosing Victoria Montessori was its private classroom and fully enclosed and secure yard and playground for the children. Our son has flourished in his first year at this school and we are confident that this will continue in his second year. He had a long period of adjustment and anxiety when he first began attending out-of-home care and we are concerned that a move will cause more stress.

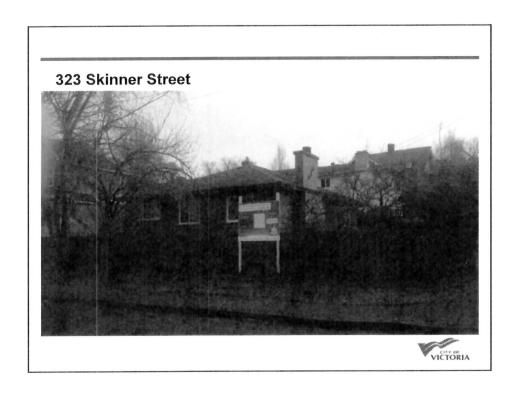
If you have any questions or wish to discuss this matter further, please do not hesitate to contact us at
Sincerely,

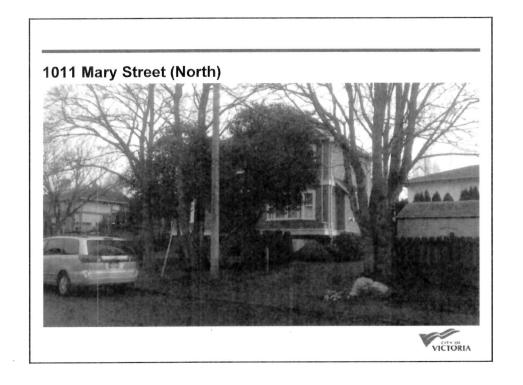
Anne and Curtis Vogt

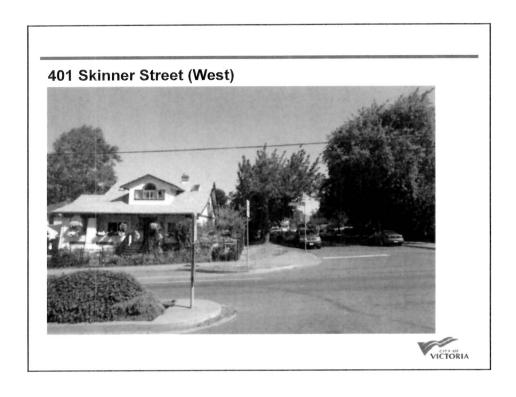
## Rezoning Application for 323 Skinner Street

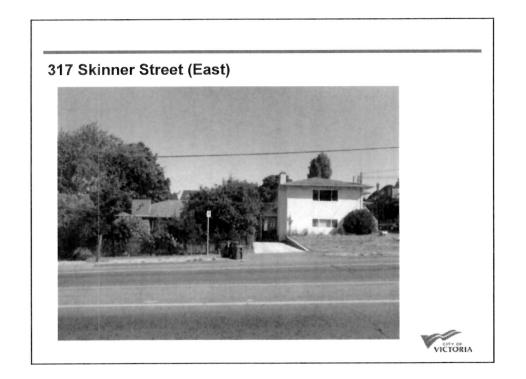


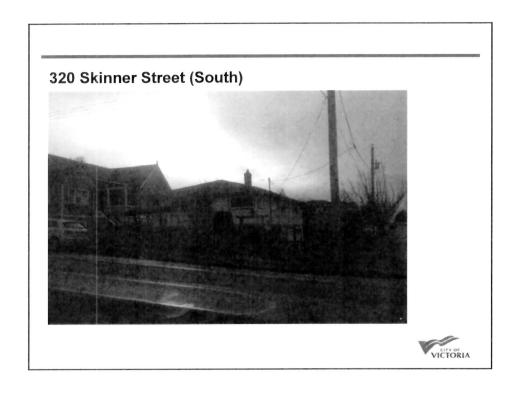


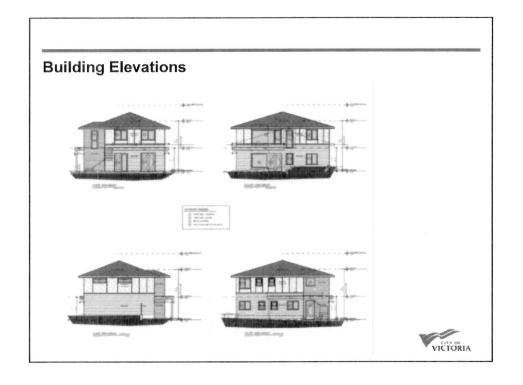


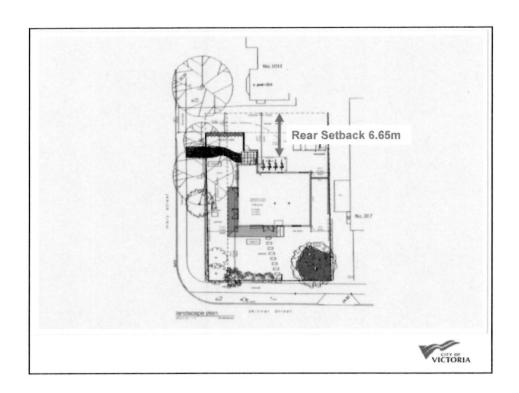


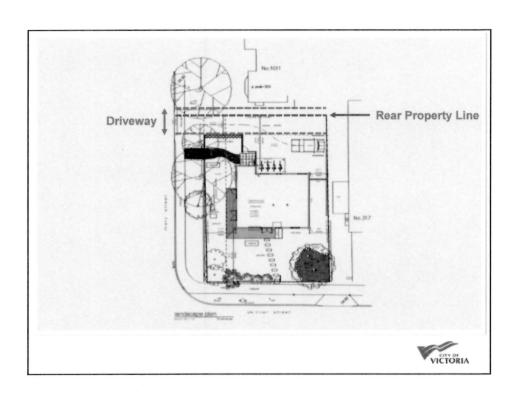


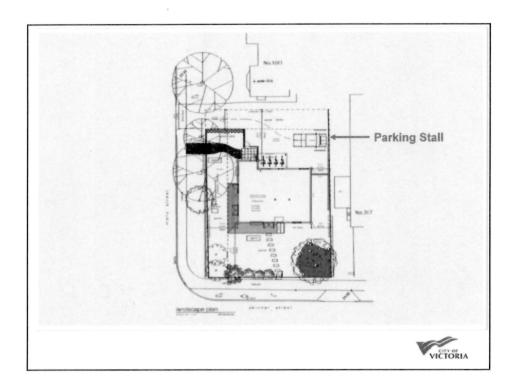












# Development Permit Application for 323 Skinner Street



