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- The owner has applied for Heritage Designation for the existing mansion. The owner does not foresee major changes needed and will provide the required maintenance and upkeep to ensure the building is preserved.
- A grant of 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, within 7 days of a new sub-division plan for 511 Foul Bay Road being registered at the Victoria Land Title Office.
- House B was relocated further south to provide the 7.5m rear setback in order to address one of the significant concerns about protecting the Arbustus #20 rootzones as it is a significant tree on the site due to its good health and size. We also proposed increasing the rear setback to from 4.0m to 7.5m to address a concern of the adjacent neighbour to regarding the proximity between their home and House B. This change requires the removal of Garry Oak #24 on the property of 515 Foul Bay. As another benefit to this change we are able to increase the privacy buffer of mixed species hedge at the north property line, and we are able to improve the successional Garry Oak planting on the site.
- House C was relocated further west to a 4m setback from the east property line following discussions with the neighbour at 615 Foul Bay. We have agreed to move the house C to the 4m setback and prune some of the limbs of this healthy garry oak tree on the Lot C property to meet the neighbours request. We also confirmed that the root zones of the neighbouring trees will not be below the garage of House C. The Arborist will be providing a detailed root management plan to preserve the existing tree roots and will be on-site for inspections during the site excavations and road construction.
- The owner has agreed to register a covenant for tree protection on the site of the retained Garry Oaks located in the zoned identified on the added Arborist drawing AB1.2. The drawing is a conceptual sketch of the areas of the protected trees. We will continue to work with the Parks Department in registering this covenant prior to the issue of Building Permit. The project Arborist has offered the following comments on this item.
- A blasting & rock removal workplan will be developed and submitted to the City for review and approval prior to Building Permit approval. The homes were designed without basements, and House A and B are completely above natural grade, while House C is 95% above natural grade, so not incur massive rock blasting on the site which would have affected the roots of the existing site and neighbours trees as well as the heritage mansion. These measures include the following:
  - pre-shearing during the drilling phase
  - establishing a cleared area on the side of the rock away from the trees for the blast wave to move into,
  - using smaller charges
  - "decking" the charges to detonate explosives in sequence, rather than all at once;
  - measuring and maintaining a maximum acceptable peak particle velocity of 25mm/sec at the nearest edge of the protected tree area.

- Please see the Arborist letter attached that thoroughly defines the action plan for tree root preservation on Lot C and for the adjacent common road access area.
- We attended the site visit with the City of Victoria Fire Department, Parks, and Planning Staff and confirm that there are a few trees that require limbing of lower branches, that is trees #26, 29 and 30 as they are just below the required 5m clearance height for the fire trucks. The pruning required will not significantly affect the overall health of the trees, and this work will be done to ensure fire truck access is provided.

### **Rental Agreement**

Within this Development Permit Application, the developer is offering to commit to a 10-year Housing Rental agreement for the existing rental of the 5 Units within the Mansion as per the attached letter included to remain as rental units. Also, they will provide ongoing maintenance and repairs to the Mansion to ensure continued longevity of the building, and in preservation of the heritage character and elements of the building.

### **Project Benefits and Amenities:**

The development offers 3 mid-sized single family homes to a community that offers many amenities such as schools, shopping areas, parks and beaches.

This development offers a 10 year rental agreement to maintaining the 5 rental units of the Mansion, and added modest densification to the neighbourhood that is within the existing zoning of the R1-G Panhandle for FSR, and site coverage.

The house footprints are unique to each lot as they are designed to accommodate the Garry Oak canopies and root zones. A minimal amount of existing Garry Oaks that are in poor condition or could not be retained are scheduled for removal and replacement. The replacement Garry Oaks will double those removed. This creates an opportunity for Garry Oak succession planning throughout the site. The existing mature oaks are approximately of the same age and they will reach their lifespan around the same time. This upcoming dramatic change to the site, will be mitigated by the succession planting of these new trees.

### **Neighbourhood**

The proposed development of this site offers architectural renewal to community that is characterized predominantly by older homes. Newer contemporary homes are appearing in the neighbourhood as replacements of existing homes, and in the development of older, larger lots that have been developed into Bare Land Strata developments. The mixing of older and heritage homes with contemporary residences, offering a vibrancy to this esteemed neighbourhood.

The site is a panhandle lot is accessed off of Foul Bay Road, as the entry road meanders up a hill and the mansion perches on the rock at an upper level of the site. A glimpse of the mansion is seen from the street, Views of the neighbouring properties

cannot be seen through the existing vegetation on the site and on the neighbours sites. The proposed homes will not be evident from Foul Bay Road due to their siting locations and elevations. The proposed homes are of the same heights, while the mansion is considerably higher due to the basement level that is partially above grade and its sloped roof. Homes A and B are just above natural grade and are approximately the same height as the mansion level 2 floor. Building C resides in the south-east corner of the site, elevated on the rock outcrop to reduce site changes, and shares a similar eaves line of the mansion.

#### **Design and Development Permit Guidelines**

The size of the proposed lots and houses are proportioned to meet the existing zoning bylaws for density, green space and site coverage that is also suitable for the neighbourhood. Variances are requested on the number of stories from one storey, to two, so that the building footprints can be reduced and create maximum greenspace and preservation of existing trees. The variances for building height is to accommodate the 2 storey homes. The Garry Oak trees on the site have a strong presence and are bylaw protected, therefore, the structure of the proposed homes encroach into the setbacks, as the preservation of the existing Garry Oaks and Arbutus trees are the main priority for the siting of the homes. As the proposed subdivided sites create irregular lots, the largest rectangle has been determined, and setbacks for the 4m (non habituated rooms) and 7.5m setback for the (habituated) rooms indicated on the submitted drawings. Variances on these setbacks is sought to allow for a development that meets the density of the FSR, Site Coverage, open space and preserves existing bylaw protected trees.

The proposed landscaping modifications comprises of replacement Garry Oaks, columnar cedar hedging along the north property line as a privacy screening, the removal of invasive species and new native, drought tolerant plantings are proposed along the entrance borders off of Foul Bay Road. This is to beautify the landscaping in an area that is currently unkept and occupied with smaller invasive plants. Additionally, the bush along the northern property line that will be removed for the homes A and B, is generally scrub plantings with minimal landscape appeal and invasive species. The Garry Oaks and Arbutus trees in this area will be retained, maintained for health improvements, cedar hedge added and a new fence to provide privacy for future home owners and the adjacent neighbours. Future landscaping immediately around the homes will be at the discretion of the future owners.

The size and scale of the homes are modest, and their character contemporary, inspired by the character of the mansion. The character defining features of the mansion include main floor rubble stone entry porch and side cladding, white stucco, with black painted timber accents, black timber horizontal banding at the second floor level, upper level roof decks, banked windows in groups of four, cantilevered projections and recessed decks. All of these features were included in the design of the proposed homes, with stone cladding, black timber cladding and white fiber cement board. The black horizontal bands of the mansion are mimicked in the homes.

Recessed balconies and projection balconies and decks are included. The mansion is well lit throughout, as are the proposed homes, with banks of windows in fours and single smaller windows in rooms requiring privacy.

### **Community Consultation**

All of the immediately adjacent neighbours were invited to Moore Wilson Architects' office on the evening of September 28<sup>th</sup>, 2016. All of the neighbours attended the meeting. Fred Rohani, the developer was present and responded to the questions asked, as was Carolyn Wilson, the project architect, Scott Murdoch the Landscape Architect and Jeremy Gye the Arborist who presented the proposed development to the neighbours. As the property borders one neighbor to the north, that neighbor was interested in the maintenance of her privacy from the development. While there is a new fence proposed at that boundary, preserved Garry Oaks and an Arbutus, we also added after the meeting a tall cedar hedge, that will grow quickly and add another layer of privacy screening between the homes. The neighbours that flank the entry driveway to the north and south of the driveway had many questions regarding our decision to relocate the driveway onto the 515 Foul Bay site. The existing driveway is shared with the neighbor to the south, and exists on their property in an easement. We had proposed moving the driveway as we considered that the neighbours would not want an increase of vehicles on this shared driveway. We discovered at the meeting and in following discussions that the owner to the south preferred the driveway to remain in the easement in its' current location. The driveway has been widened to permit fire truck access and turnaround, requiring the existing rubble stone wall along Foul Bay to be partially demolished and rebuilt to widen the driveway. As part of the wall is in very poor condition, improvements will be made to this wall. The neighbour to the north of the driveway requested a new fence to divide the 2 properties and for the driveway to remain in its current location. Both changes requested have been provided. Many questions were focused on the preservation of existing trees on the site and ability of the City of Victoria to ensure that this Development Permit will be enforced should the homes be constructed by private owners of the subdivided lots.

### **Transportation**

The proposed parking provided for the Mansion House Conversion and single family residences meet the bylaw requirements, and do not exceed or reduce the required quantities. As the Mansion houses five apartments the requirements for Class A and Class Bike lock-ups are provided with outdoor racks adjacent to the main entrance and indoor lock-ups in the common area of the basement.

The existing driveway is shown as a widened road, at 6m wide plus a 1.5m sidewalk for the overall required width for fire truck access.

### **Heritage**

The existing Mansion built in 1910, and designed by Francis McClure, is a registered Heritage building, and is not a designated Heritage building. The view the mansion will remain as is, while the proposed homes, are smaller in scale and are located towards the borders preserving the original experience of entry to the site, with the mansion

perched on the rocks and large Garry Oaks in the center of the site.

The exterior of the Mansion appears to be in excellent condition, and the developer is committed to preserving the exterior of the Heritage Mansion, and will provide ongoing repairs and maintenance to Mansion as required to prevent deterioration of the building.

#### **Green Building Features**

The homes are designed to maximize southern exposure, for passive solar heat gains. Shading is provided from large overhangs are created by balconies, and the existing site and neighbouring trees that provide shade in the summer and heat gains in the winter months. The exterior materials offer high durability, quality materials that will provide longevity and low maintenance to the exterior. The building envelopes and glazing will have higher performing thermal values.

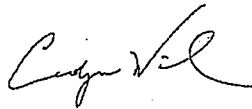
The entry driveway is asphalt up to the main level of the homes, which then changes to permeable pavers. This will allow rainwater to replenish the ground water and tree roots, and not overburden the storm water system. Greenspace is maximized with the 2 storey buildings, that provide a reduced footprint. Mature, existing trees are preserved by having the homes designed 'around' the tree canopies and roots. Where small amounts of roots maybe located below a slab, the slab will be supported by piles rather than foundation walls. Landscape irrigation is not provided as the site landscaping is of native, drought tolerant species.

#### **Infrastructure**

Please see the attached letter provided by Herold Engineering for the Infrastructure description.

We look forward to meeting with you soon on this application.

Yours Truly,



Carolynn Wilson  
Architect AIBC – Principal  
Moore Wilson Architects Inc.