#### REPORTS OF COMMITTEES

#### 3. Committee of the Whole - June 22, 2017

1. Development Permit with Variances Application No. 00037 for 1025, 1029, 1035, and 1075 Tolmie Avenue (Hillside/Quadra)

#### Motion:

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00037 for 1025, 1029, 1035 and 1075 Tolmie Avenue, in accordance with:

- 1. Plans date stamped April 7, 2017.
- 2. Development meeting all Zoning Regulations Bylaw requirement, except for the following variances:
  - i. Lot 2
    - a. reduce the front setback from 6.00m to 5.40m;
  - ii. Lot 3
    - a. reduce the front setback from 6.00m to 5.54m;
  - iii. Lot 5
    - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 6);
  - iv. Lot 6
    - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 5);
  - v. Lot 7
    - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 8);
  - vi. Lot 8
    - a. reduce the side setback (south) from 7.50m to 5.31m;
    - b. reduce the side setback (north) from 4.00m to 2.75m.
- The Development Permit lapsing two years from the date of this resolution.
  Prior to the issuance of a building permit the appropriate encroachment agreement be executed to the satisfaction of the Director of Sustainable Planning and Community Development."

**Carried Unanimously** 

#### 3. CONSENT AGENDA

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that the following items be approved without further debate:

3.1 Development Permit with Variances Application No. 00037 for 1025, 1029, 1035 and 1075 Tolmie Avenue (Hillside/Quadra)

Committee received a report dated June 8, 2017 from the Director of Sustainable Planning and Community Development regarding the proposal to subdivide the property located at 1025, 1029, 1035, and 1075 Tolmie Avenue into seven small lots and one panhandle lot, in order to construct eight single-family dwellings.

#### Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe, that Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00037 for 1025, 1029, 1035 and 1075 Tolmie Avenue, in accordance with:

- 1. Plans date stamped April 7, 2017.
- 2. Development meeting all Zoning Regulations Bylaw requirement, except for the following variances:
  - i. Lot 2
    - a. reduce the front setback from 6.00m to 5.40m;
  - ii. Lot 3
    - a. reduce the front setback from 6.00m to 5.54m;
  - iii. Lot 5
    - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 6);
  - iv. Lot 6
    - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 5);
  - v. <u>Lot 7</u>
    - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 8):
  - vi. Lot 8
    - a. reduce the side setback (south) from 7.50m to 5.31m;
    - b. reduce the side setback (north) from 4.00m to 2.75m.
- 3. The Development Permit lapsing two years from the date of this resolution.
- 4. Prior to the issuance of a building permit the appropriate encroachment agreement be executed to the satisfaction of the Director of Sustainable Planning and Community Development."

CARRIED UNANIMOUSLY 17/COTW



# Committee of the Whole Report For the Meeting of June 22, 2017

To: Committee of the Whole

Date:

June 8, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Permit with Variances Application No. 00037 for 1025, 1029,

1035 and 1075 Tolmie Avenue

#### RECOMMENDATION

That Council after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00037 for 1025, 1029, 1035 and 1075 Tolmie Avenue, in accordance with:

- 1. Plans date stamped April 7, 2017.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
  - i. Lot 2
    - a. reduce the front setback from 6.00m to 5.40m
  - ii Lot 3
    - a. reduce the front setback from 6.00m to 5.54m
  - iii. Lot 5
    - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 6)
  - iv. Lot 6
    - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 5)
  - v. Lot 7
    - a. permit required 7.0m drive aisle to project onto adjacent property (Lot 8)
  - vi. Lot 8
    - a. reduce the side setback (south) from 7.50m to 5.31m
    - b. reduce the side setback (north) from 4.00m to 2.75m.
- 3. The Development Permit lapsing two years from the date of this resolution.
- Prior to the issuance of a building permit the appropriate encroachment agreement be executed to the satisfaction of the Director of Sustainable Planning and Community Development."

#### LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Official Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

#### **EXECUTIVE SUMMARY**

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for the property located at 1025, 1029, 1035 and 1075 Tolmie Avenue. The proposal is to subdivide the site into seven small lots and one panhandle lot and construct eight single-family dwellings. The variances are related to reduced setbacks and shared access for several of the proposed lots.

The following points were considered in assessing these applications:

- the proposal is generally consistent with the objectives for sensitive infill contained in Development Permit Area 15A: Intensive Residential - Small Lot and Development Permit Area 15B: Intensive Residential - Panhandle Lot, of the Official Community Plan 2012 (OCP)
- the proposal is consistent with the housing policies of the Hillside Quadra Neighbourhood Plan, 1996, which encourages single-family dwellings on small lots that "fit comfortably" into the neighbourhood and are compatible in size and exterior design
- the proposal is generally consistent with the design guidelines contained in the Small Lot House Rezoning Policy
- the requested variances associated with reducing the front setbacks for Lots 2 and 3 are supportable, and are a result of widening Lots 5 and 6 to accommodate a shared driveway
- the requested side yard setback variances associated with the single-family dwelling on Lot 8 (panhandle lot) are supportable as the building would have minimal impact on privacy and overlook onto neighbouring properties, and the variances allow the building to be sited to minimize the potential impact on the neighbouring Sequoia tree
- the requested variances associated with the parking drive aisles for Lots 5, 6 and 7 are supportable as the number of driveway crossings onto Tolmie Avenue are reduced from five to three, and parking is provided at the rear of the lot which improves the street frontage and enhances the pedestrian and cyclist experience along Tolmie Avenue.

#### BACKGROUND

#### Description of Proposal

The proposal is to subdivide the site into seven small lots and one panhandle lot to construct eight single-family dwellings. Specific details include:

- each new small lot house would be two storeys without basements and the panhandle lot single-family dwelling would be one storey without a basement
- design elements of the houses are taken from the surrounding neighbourhood and

- include pitched rooflines, traditional style windows, covered entryways and single-car garages
- design elements of the small lot house on Lot 1 include a gently pitched roofline, contemporary style windows, prominent entryways on both street frontages, wooden knee braces and windows oriented to the streets; the exterior materials include horizontal cement board siding, cement panel siding with aluminium reveals, wood doors and vinyl windows
- design elements of the small lot house on Lot 2 include a pitched roofline, contemporary style windows, front garage, a prominent entryway and windows oriented toward the street; the exterior materials include horizontal cement board siding, cement panel siding with aluminium reveals, wood doors and vinyl windows
- design elements of the small lot house on Lot 3 include gently pitched roofline, covered entryways, and a front garage; exterior materials include shingle siding, cement board siding, wooden front door and vinyl windows
- design elements of the small lot house on Lot 4 include a contemporary roofline, prominent front entryway, front garage and windows oriented to the front and rear yards; the exterior materials include horizontal cement board siding, cement panel siding with aluminium reveals, wooden front door and vinyl windows
- design elements of the small lot house on Lot 5 include a pitched roofline, flat roof
  elements above the front entryway, wooden knee braces, rear detached garage, and
  windows oriented to the front and rear yards; exterior materials include horizontal
  cement board siding, cement panel siding with aluminium reveals, wooden braces and
  front door, and vinyl windows
- design elements of the small lot house on Lot 6 include a pitched roofline, covered entryways, prominent front door, and rear detached garage; exterior materials include horizontal cement board siding, cement panel siding with aluminium reveals and vinyl windows
- design elements of the small lot house on Lot 7 include a pitched roofline, prominent entryway, articulated front façade, rear detached garage and windows oriented to the front and rear yards; exterior materials include horizontal cement board siding, cement panel siding with aluminium reveals, wooden doors and beams, and stone clad columns
- design elements of the single-family dwelling on Lot 8 include a gently pitched roofline, windows oriented towards the front and rear yards, and floating slab construction to minimize impact on the critical root zone of the neighbour's large Sequoia tree; exterior materials include horizontal cement board siding, cement panel siding, stone clad columns and vinyl windows
- all driveways are designed to be permeable
- new hard and soft landscaping would be introduced.

#### The proposed variances are related to:

- Lot 2: reduce the front setback from 6.00m to 5.40m
- Lot 3: reduce the front setback from 6.00m to 5.54m
- Lot 5: permit required 7.0m drive aisle to project onto adjacent property (Lot 6)
- Lot 6: permit required 7.0m drive aisle to project onto adjacent property (Lot 5)
- Lot 7: permit required 7.0m drive aisle to project onto adjacent property (Lot 8)
- Lot 8: reduce the side setback (south) from 7.50m to 5.31m; reduce the side setback (north) from 4.00m to 2.75m.

#### Sustainability Features

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

#### **Active Transportation Impacts**

The applicant has not identified any active transportation impacts associated with this application.

#### **Public Realm Improvements**

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

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

The site is comprised of four separate lots. Three of the four lots are presently developed with single-family dwellings. Under the current R-J Zone, Low Density Attached Dwelling District, the property could be developed as 10 townhouse units.

#### **Data Tables**

The following data tables compare the proposed small lot houses with the R1-S2 Zone, and the proposed panhandle lot with the R1-B Zone panhandle regulations under Schedule H of the Zoning Bylaw. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal								
	Lot 1	Lot 2	Lot 3	Lot 4	Lot 5	Lot 6	Lot 7		
Site area (m²) - minimum	348.82	276.50	276.40	326.13	347.13	345.67	322.87	260.00	
Density (Floor Space Ratio) - maximum	0.45:1	0.52:1	0.52:1	0.47:1	0.48:1	0.49:1	0.48	0.60:1	
Total floor area (m²) - maximum	155.71	144.99	144.04	151.91	166.92	170.18	153.97	190.00	
Lot width (m) - minimum	12.61	10.00	10.00	10.00	10.66	10.66	10.00	10.00	
Height (m) - maximum	6.63	7.05	7.46	7.16	7.21	6.87	6.91	7.50	
Storeys - maximum	2	2	2	2	2	2	2	2	
Site coverage (%) - maximum	25.90	35.84	36.77	32.89	34.60	33.11	36.77	40.00	
Setbacks (m) – minimum:									
Front	6.00	5.40*	5.54*	6.19	6.07	6.45	6.03	6.00	
Rear	6.95	6.00	6.00	9.61	11.57	11.60	11.38	6.00	

Side	3.49	1.59	1.50	1.59	2.25	1.50	1.59	1.50/2.40
Side	2.42	1.50	1.59	1.50	1.50	2.25	1.50	1.50/2.40 (1.50m to non-habitable windows. 2.40m to habitable
Parking - minimum	1	1	1	1	1	1	1	windows)
Parking Clearance (m) - minimum	Yes	Yes	Yes	Yes	No*	No*	No*	3.00/7.00 (depends on parking angle)
Accessory Buildings								
Rear yard site coverage (%) - maximum	N/A	N/A	N/A	N/A	16.28	15.55	17.63	30
Floor Area (m2) - maximum	N/A	N/A	N/A	N/A	18.25	18.25	18.25	37
Height (m) – maximum	N/A	N/A	N/A	N/A	3.49	3.36	3.49	4.00
Setbacks (m) – minimum								
Front	N/A	N/A	N/A	N/A	28.20	27.96	27.93	18.00
Rear	N/A	N/A	N/A	N/A	0.75	0.75	0.75	0.6
Side	N/A	N/A	N/A	N/A	4.42	0.75	3.76	0.6
Side	N/A	N/A	N/A	N/A	0.75	4.42	0.75	0.6

Zoning Criteria	Proposal (Lot 8)	Zone Standard R1-B Panhandle
Site area (m²) - minimum	610.69	600.00
Lot width (m) – minimum	18.44	18.00
Floor area of all floors combined (m2) - maximum	141.79	280.00
Height (m) - maximum	4.45	5.00
Storeys – maximum	1	1
Setbacks (m) - minimum		
Front	7.67	7.50 (to habitable window)

Zoning Criteria	Proposal (Lot 8)	Zone Standard R1-B Panhandle
Rear	7.50	7.50 (to habitable window)
Side	5.31 (south)*	7.50 (to habitable window)
Side	2.75 (north)*	4.00 (to non-habitable window)
Parking – minimum	1	1

#### **Relevant History**

In 2014, Council approved a rezoning application from the R1-B Zone to the R-J Zone to allow for construction of 10 townhouse units. The concurrent Development Permit was approved with variances related to the number of units in an attached dwelling, site width, and setbacks, including a relaxed setback from Fifth Street of 4.70m.

#### **Community Consultation**

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on May 2, 2017 the application was referred for a 30-day comment period to the Hillside-Quadra Neighbourhood Action Committee CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

#### **ANALYSIS**

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

The OCP identifies this site within Development Permit Area 15A: Intensive Residential – Small Lot and Development Permit Area 15B: Intensive Residential – Panhandle Lot. The proposed design of the eight new single-family dwellings is generally consistent with the *Design Guidelines for Small Lot House (2002)*.

The proposed two-storey small lot houses, and the one-storey panhandle single-family dwelling have similar pitched rooflines, colour palette and exterior materials that are complementary to adjacent single-family dwellings and the overall neighbourhood character. The buildings blend contemporary style glazing, materials and design elements with traditional design features such as wooden knee braces, horizontal siding, and covered entryways. All the houses have windows that are maximized on the front and rear elevations, and the windows on the side elevations are smaller and carefully located to respect the privacy of adjacent neighbours.

The applicant is proposing a mix of hard and soft landscaping in the front and rear yards of all the lots and is also proposing to plant additional trees on site to replace the trees that would be removed with the proposal. The enhanced landscaping, as well as the extensive use of permeable pavers and shared driveways for Lots 5, 6, 7 and 8, minimizes the amount of hardscape and provides an opportunity to manage more storm water on-site.

#### Local Area Plan

The proposal is in keeping with the housing policies of the *Hillside-Quadra Neighbourhood Plan*, 1996, which give preference to family-oriented housing which are designed to "fit comfortably" into the neighbourhood. Creating seven small lots and one panhandle lot would fit in with the existing form and character of the neighbourhood and the established density for the area.

#### **Regulatory Considerations**

#### Front Setback Variances for Lots 2 and 3

The applicant is proposing to reduce the front setback for the small lot houses on Lots 2 and 3. A small reduction in the front setback to the front entrance is supportable given the setback is consistent with the setback of the houses to the south of the site along Fifth Street and the variance would not change the overall character of the streetscape. Staff recommend that Council consider supporting this variance.

#### Side Setback Variances for Lot 8

The applicant is proposing to reduce the north and south side yard setbacks for the single-family dwelling on Lot 8. The reduced north setback is a result of siting the building to minimize the impact on the critical root zone of the neighbour's large Sequoia tree. The applicant has provided an arborist report that provides further details on measures to mitigate the impact on the tree. The requested setback variance is supportable with sufficient distance and privacy maintained from the adjacent single-family dwellings. The reduced south side setback is supportable because the windows on the south elevation are minimal and the existing vegetation on the south property line provides sufficient screening to maintain privacy for the adjacent property.

#### Parking Clearance Variances for Lots 5, 6 and 7

Schedule C of the Zoning Bylaw requires a minimum clearance of 7.0m behind a parking stall in order to provide unobstructed access and egress from the parking stall. The applicant is proposing shared driveway access to the required parking for Lots 5, 6 and 7; therefore, a portion of the 7.0m clearance will project onto the adjacent property for these three lots. The variances are supportable as they allow for a reduction in the number of driveway crossings onto Tolmie Avenue and reduce the number of front garages, thus minimizing the impact on the streetscape character and reducing the potential for vehicle and pedestrian conflict.

#### CONCLUSIONS

The proposal to construct eight new single-family dwellings on seven small lots and one panhandle lot with the associated variances is consistent with Development Permit Area 15A: Intensive Residential – Small Lot and Development Permit Area 15B: Intensive Residential – Panhandle Lot. The small lot houses and the panhandle lot house are forms of sensitive infill development that fit in with the existing neighbourhood. Staff recommend that Council consider supporting this Application.

#### **ALTERNATE MOTION**

That Council decline Development Permit with Variances Application No. 00037 for the property located at 1025, 1029, 1035 and 1075 Tolmie Avenue.

Respectfully submitted,

Alec Johnston Senior Planner

**Development Services Division** 

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date:

Jore 14,7017

#### List of Attachments:

- Subject Map
- Aerial Map
- Plans date stamped April 7, 2017
- Letter from applicant to Mayor and Council dated September 26, 2016
- Arborist Report dated September 15, 2016

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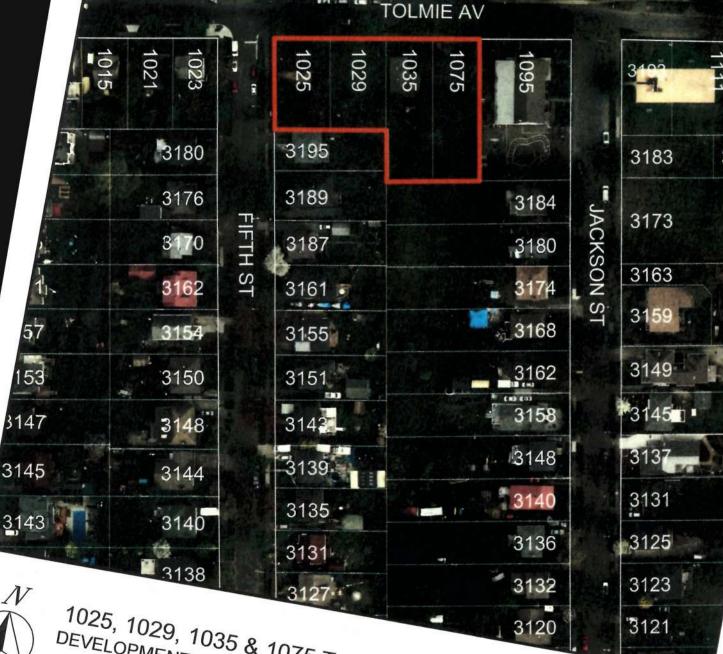
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1025, 1029, 1035 & 1075 Tolmie Avenue DEVELOPMENT PERMIT WITH VARIANCE #00037



# MUNICIPALITY OF SAANICH



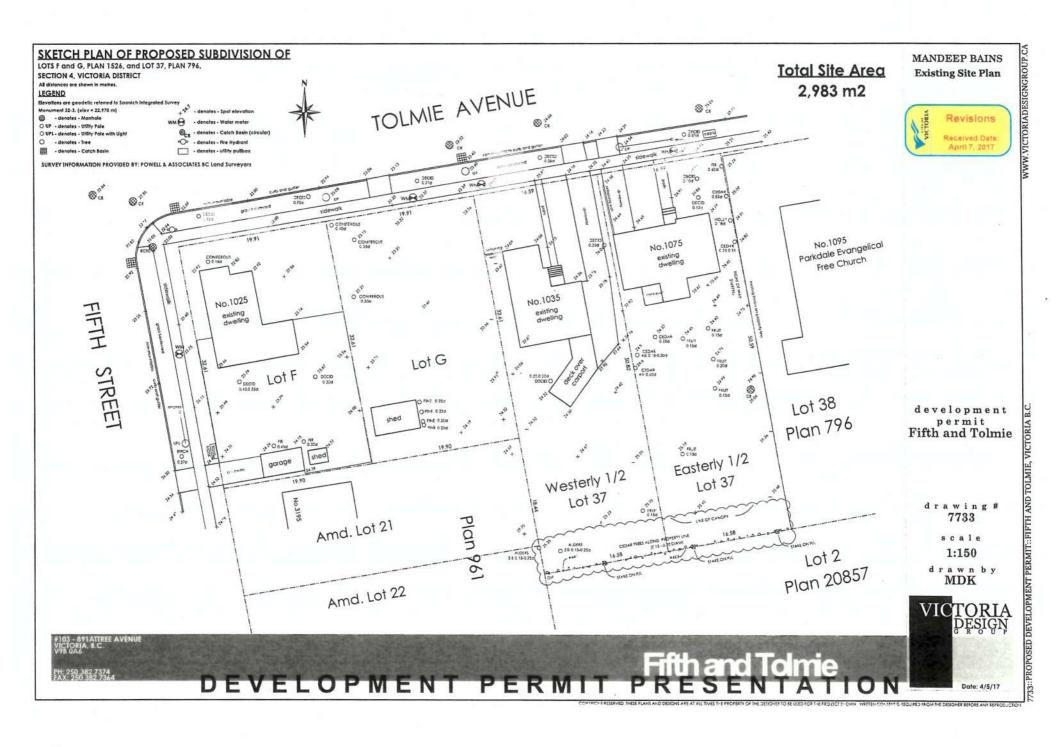


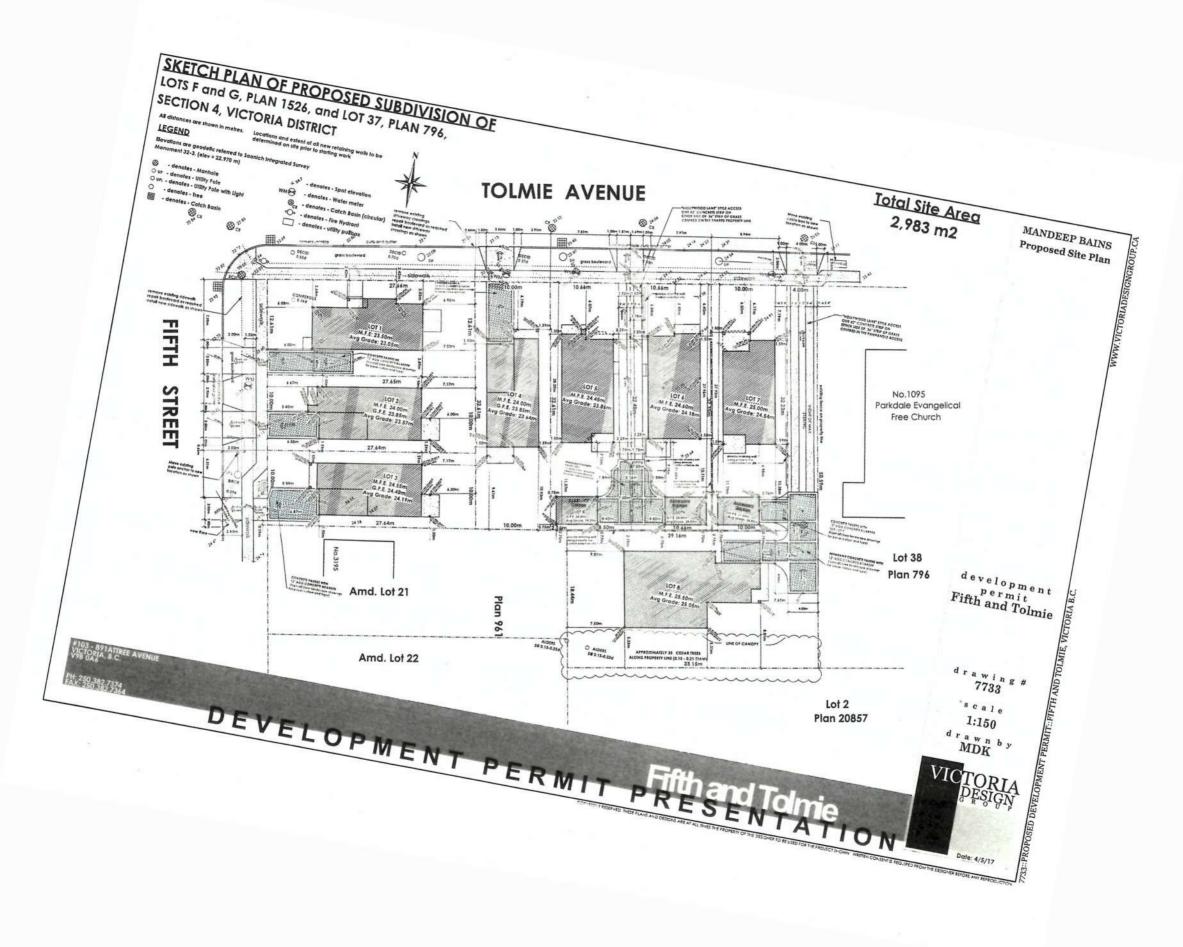
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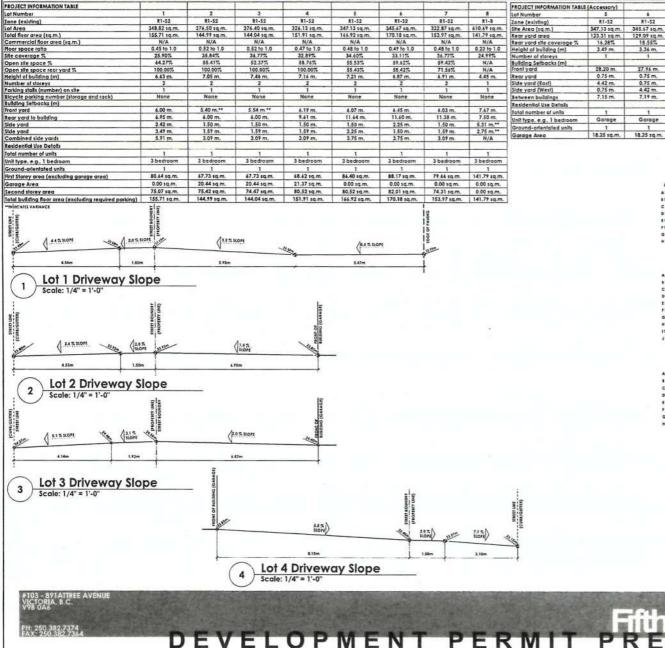


1025, 1029, 1035 & 1075 Tolmie Avenue DEVELOPMENT PERMIT WITH VARIANCE #00037









PROJECT INFORMATION TABLE (Accessory) R1-52 345.67 sq.m. 322.87 sq.m. 129.09 sq.m. 113.84 sq.m. 15.55% 17.63% 0.75 m. 0.75 m. 0.75 m. 3.76 m. 4.42 m. 7.19 m. 6.98 m. Garage Garage 18.25 sq.m.

A TO 8 ((23.23 - 22.63) + 7) + 5.47 - 124.43 \$ 10 C: ((22.83 - 22.90) + 2) + 4.62 + 105.64 C TO D. ((22.70 + 22.70) + 2) + 1.22 + 27.14 D TO E ((22.70 + 22.75) + 2) + 6.50 + 147.01 E 10 P: ((22.95 + 22.95) + 2) + 0.41 + 14.00 FTO G ((12.95 + 22.99) + 2) + 3 61 + 80.63 G 10 H: ((22.97 + 23.15) + 2) + 4.10 + 140.73 H 10 A ((23.15 + 23.23) + 2) + 14.43 + 231.27 Total = 982.43

Average Grade: 183.43 + 42.48 = 23.05m

A 10 8 ((23.47 + 23.20) + 2) - 13.82 - 322.47 8 TO C: ((23.30 + 23.54) + 2) + 3.44 + 92.55 C TO D. [[23.54 + 23.54] + 2] + 1.22 + 28.72 DIDE #23 54 + 23 741 + 25 x 2 95 + 49 27 E10 #: ((23.74 + 23.78) + 2) + 14.73 + 350.13 FTO G: ((23.78 + 23.64) + 21 + 3.51 + 83.26 G 10 H: ((23.44 + 23.44) + 2) + 1.52 + 35.74 H 10 t ((23.44 - 23.42) - 2) - 0.91 - 21.51 110 4: ((23.42 - 23.42) - 2) - 1.22 - 28.82 110 A ((23.42 - 23.47) - 2) - 2.41 - 58.42

Average Grade: 1011 84 + 44 33 = 23 57m

AYERAGE GRADE CALCULATION LOTS A 10 8 (123 95 + 23 95) + 21 + 14 88 + 356 36 110 C: [[23.75+24.36]+2]+3.14+95.61 C 10 D: ((24.34 + 24.34) + 2) + 1.22 + 29.70 D 10 E ((34,34 + 24,40) + 2) = 2,55 = 71,67 E10 F: ((34.40 + 24.40) + 2) + 14.73 + 359,41 FTO G ((24.40 - 24.20) + 2) - 3.51 - 85.21 G 10 H: ((24.20 + 24.20) + 2) + 1.37 + 33.25 H 10 A: ((24.30 + 23.95) + 2) + 3.40 + 81.86

Average Grade: 1113.34 + 44.02 + 24.19m

AVERAGE GRADE CALCULATION 1014

A TO 9: 1/22 51 + 21 A51 + 21 + 15 54 + 347 10 8 10 C: ((22.85 + 23.85) + 2) + 3.35 + 79.90 C TO D ((23.85 + 23.85) + 2) + 1.22 + 27.10 DTO E ((23.85 + 23.85) + 2) + 3.54 + 84 \*) E 10 F ((23.85 - 23.65) + 2) - 2.37 - 17.00 F10 G: ((23.84 + 21.30) + 2) + 12.14 + 310.25 G 10 H ((23.30 + 23.40) + 2) + 3.44 + 65.44 H 10 1: ((23.40 + 23.40) + 2) + 1.22 + 28.55 110 A: ((23.40 + 23.51) + 2) + 3.25 + 74.23

Average Grade: 1119,39 + 47,35 + 23.64m

AVIESGE GRADE CALCULATION LOT 5 A 10 8: ((34.07 - 23.65) + 2) - 13.61 - 324.10 810 C ((23.85 - 23.82) + 2) + 4.91 - 144.70 C TO D: ((23.82 + 23.60) + 2) + 14.33 + 339.76 D10 E: ((23.60 + 24.00) + 2) + 2.64 = 42.63 E10 P ((24.00 + 24.00) + 2) + 0.61 + 14.44 #10 G: ((24.00 + 24.00) + 2) + 0.61 + 14.64 G 10 H: ((24.00 - 24.00) + 2) - 1.22 = 31.73 H10 A: [[24.00 + 24.07] + 2] + 3.44 + 88.10

Average Grade: 1042.50 + 43.47 + 23.84m.

AVERAGE GRADE CALCULATION: LOT & ACCESSORY

A 10 8: ((2424 + 2441) + 2) + 547 + 122.87 \$10 C: ((24.4) + 24.15) + 21 + 3.45 + 48.87 C 10 D. ((24.15 + 24.24) + 2) - 5.47 - 132.83 D TO A: ((24.24 • 24.34) • 2) • 3.44 • 58.14 Total • 454.71

Average Grade: 444.52 + 18.30 = 24.27m

AVERAGE GRADE CAUCILIATION 1014 A 10 0: ([24.45 + 24.45] + 2) + 5.83 + 142.54 C10 D 1124.19 + 23.711+21 + 4.91 + 145.50

D10 E ((23.71 + 24.25) + 2) + 13.51 + 323.47 ETD # ((24.25+24.45)+2)+3.41+65.47 FTO G: ((24.45 + 24.45) + 2) + 0.31 + 7.58 G 10 A: ((24.45 + 24.45) + 2] + 3.40 + 63.13

Average Grade: 1002.26 + 41.45 + 24.18m

AVERAGE GRADE CALCULATION LOT & ACCESSORY

A 10 E: ((24.45 + 24.45) + 2) + 5.49 + 134.23 8 TO C: ((24.45 + 24.45) + 2) + 1.51 + 34.92 C TO D: (124.45 + 24.28) + 2) + 2 15 + 52.39 DIO E ((24.28 - 24.45) + 2) + 1.27 + 55.31 #10# ((2445+2445)+2) + 1.22 + 78.73 FTO A: ([2445+2445]+2)+244-89.41

Average Grade: 447.07 + 18.30 = 24.42m

AVERAGE GRADE CALCULATION: LOT 7 A 10 8: (124.76 + 24.55) + 21 + 13.47 + 237.17 810 C: ((2451 - 2409) + 2) + 4:51 + 148:05 C 10 0: ((24.01 - 24.72) + 2) = 14.72 = 351.41 DIGE ((2472-24 E1)+2)+34+1044 ETO F: ([24.61 + 24.74] + 2) + 1.07 + 24.51 F10 A: ((24.74 + 24.76) + 2) + 3.21 + 80.47

Average Grade: 1042.33 + 43.27 + 24.54m.

AVERAGE GRADE CALCULATION: LOT 7 ACCESSORY A 10 8: ((25.00 + 24.84) + 2) + 5.41 + 124.81 \$10 C: ((3484 + 2475) + 2) = 3.41 + 10.75 C 10 D ((24.75 + 24.85) + 2) + 5.47 + 134.02 D TO A: ((24.80 + 25.00) + 2) + 3.44 + \$1.13

Average Grade: 454 71 + 18 30 + 24 81m

AYERAGE GRADE CALCULATION: LOT 8 A TO 8: ((25.35+25.20)+2)+3.51+85.72 8 10 C ((25.20 + 25.20) + 2) + 7.04 + 177.91 C TO D: ((25.20 + 25.08) + 2) + 5.33 + 134.00 D10 E ((25.08 + 24.92) + 2) + 5.07 + 147.25 ETO F: ((24.12 - 24.10) + 2) - 1.52 - 37.84 FTO G: ((24.10 + 24.43) + 2) + 12.09 + 299.35 G 10 H: 1(24.42 + 25.24) + 21 + 10.34 = 248.28 H TO A: ((25.24 + 25.35) + 2) + 10.72 + 276.22

Average Grade: 1415 St a 54 48 a 75 65m

development permit Fifth and Tolmie

MANDEEP BAINS

Site Data Tables &

**Driveway Slopes** 

WWW.VICTORIADESIGNGROUP.CA

drawing# 7733

scale Not To Scale drawnby

33::PROPOSED DEVELOPMENT PERMIT::FIFTH AND TOLMIE, VICTORIA B.C

MDK





Lot.5

Tolmie Steet Elevations
Scale: 1/8" = 1'-0"

Lot 1

Lot 3 3195 Fifth Street

Fifth Steet Elevations
Scale: 1/8" = 1'-0"

development permit Fifth and Tolmie

drawing # 7733

scale 1/8" = 1'-0"

drawn by MDK

DEVELOPMENT

Lot 4

Lot 1

733::PROPOSED DEVELOPMENT PERMIT::FIFTH AND TOLMIE, VICTORIA B.C.

WWW.VICTORIADESIGNGROUP.CA





MANDEEP BAINS
Lot 1

Colour Legand
Colour Elevations

under Nank top 1 iding 5 month

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







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

North (Tolmie) Elevation
Scale: 1/4" = 1'-0"

development permit Fifth and Tolmie

WWW.VICTORIADESIGNGROUP.

drawing # 7733

s c a l e 1/4" = 1'-0"

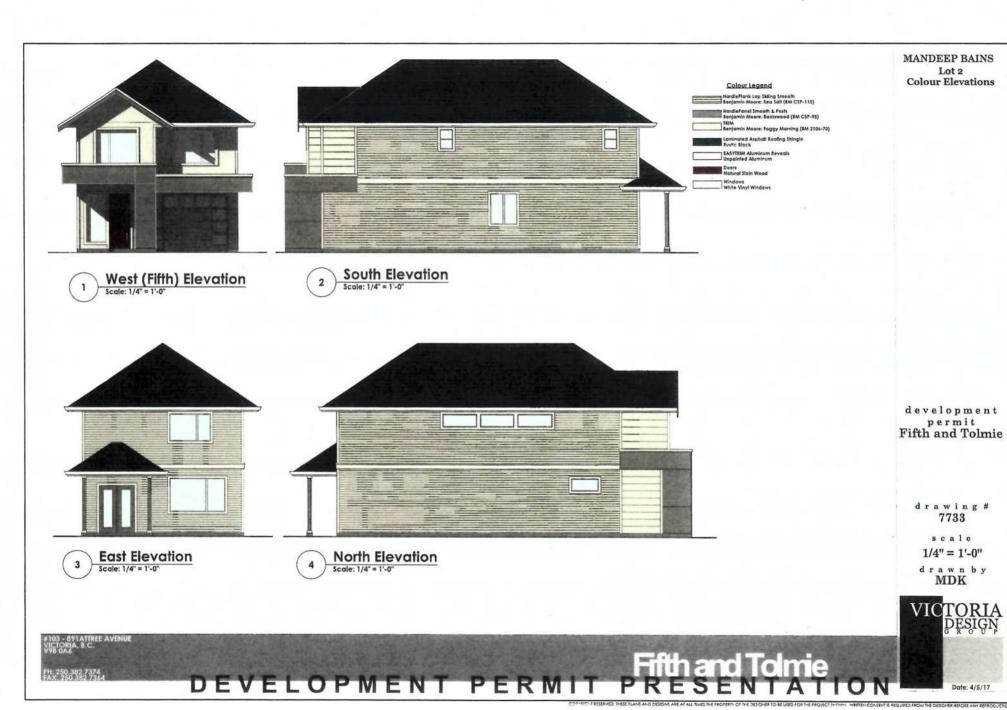
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VICTORIA DESIGN

V9B 0A6

Fifth and Tolmie
DEVELOPMENT PERMIT PRESENTATION

Date: 4/5/17



AND TOLMIE, VICTORIA B.C.

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development permit Fifth and Tolmie

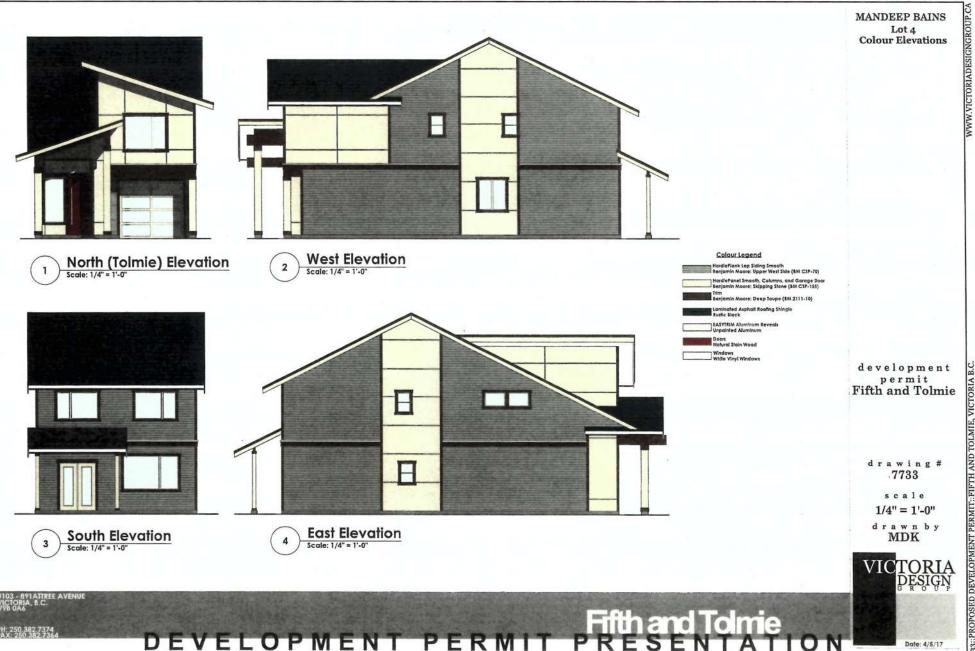
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drawing # 7733

scale 1/4" = 1'-0"

drawn by MDK

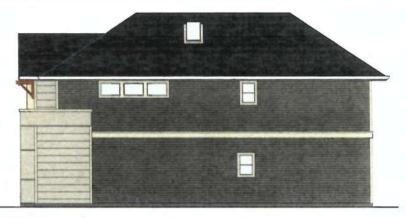
Fifth and Tolmie **DEVELOPMENT PERM** 



DEVELOPMENT PERMIT



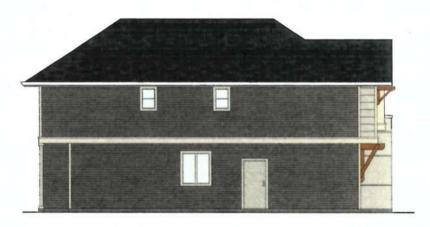
North (Tolmie) Elevation



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



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



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

MANDEEP BAINS Lot 5 Colour Elevations

Colour Legend Hardieflank Lap Siding Smooth Benjamin Moore: Barnswood (BM CSF+115) HardleFanel Siding Smooth Benjamin Moore: cosmopolitan (EM CSF-100) TRIM
Benjamin Moore: Camovilage (IM 2143-40) Laminated Asphalt tooling Shingle Oxford Grey EASYTRIM Aluminum Reveals Unpainted Aluminum Doors & Knee Braces Natural Stain Wood Windows White Vinyl Windows

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development permit Fifth and Tolmie

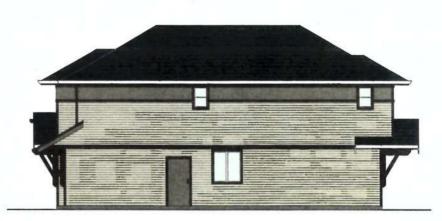
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scale 1/4" = 1'-0"

drawn by MDK

Fifth and Tolmie DEVELOPMENT



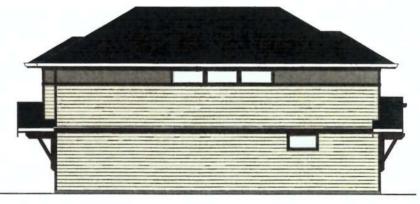


MANDEEP BAINS Lot 6 Colour Elevations WWW.VICTORIADESIGNGROUP.CA













Colour Legend

HardlePlank Lap Jiding Smooth
Benjamin Moore: Penthause (IM CSP-25)
HardlePanel Smooth (Swil Jains)
Benjamin Moore: Tweed Coal (IM CSP-85)
Tim
Benjamin Moore: Deep Cavior (IM 2130-26)
Laminated Asphalt Rooting Shingle
Ruttle Black

Doors
Senjamin Moore: Sive Danube (SM 2062-30)
Windows
White Vinyl Windows

development permit Fifth and Tolmie

drawing # 7733

s c a l e 1/4" = 1'-0" PROPOSED DEVELOPMENT PERMIT:: FIFTH AND TOLMIE, VICTORIA B.C.

drawn by MDK

VICTORIA DESIGN

VICTORIA B.C. V98 0A6

PH: 250 382 7374

DEVELOPMENT PERMIT PRESENTATION

Date: 4/5/13

to at arm too 1 and 1 an





MANDEEP BAINS Lot 7 Colour Elevations

Colour Legend

HardieFlank Lap Siding Smooth | Benjamin Moore: Museum Pelco (BM CSP-40) | HardieFanel Smooth | Benjamin Moore: Cathedral Gray (BM CSP-205)

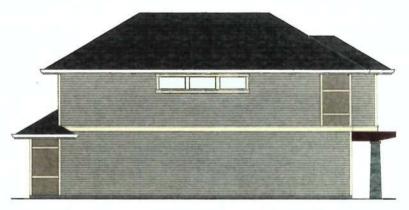
Laminated Asphalt Roofing Shingle Oxford Grey Doors and Exposed Beams Natural Stain Wood

North (Tolmie) Elevation
Scale: 1/4" = 1'-0"

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



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



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

development permit Fifth and Tolmie

drawing # 7733

s c a l e 1/4" = 1'-0"

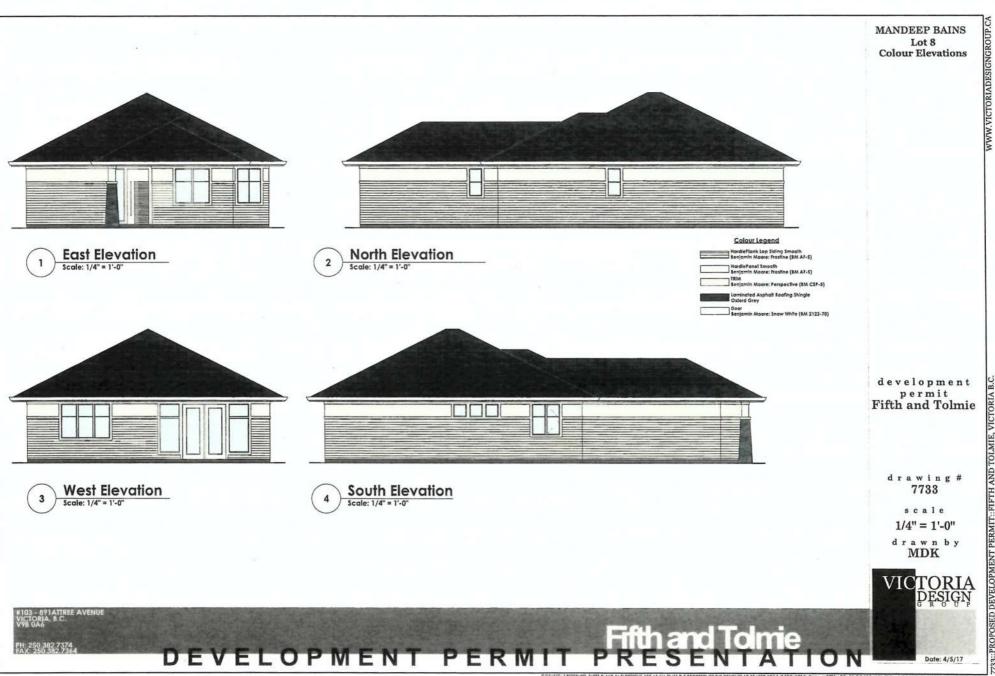
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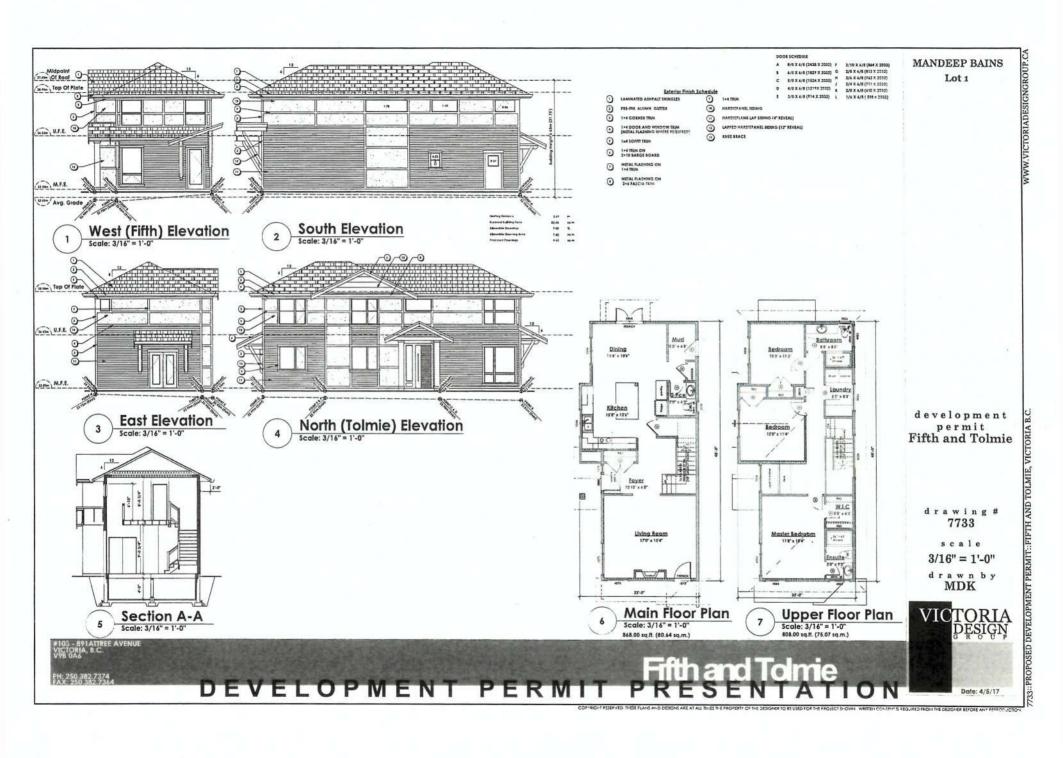
VICTORIA DESIGN

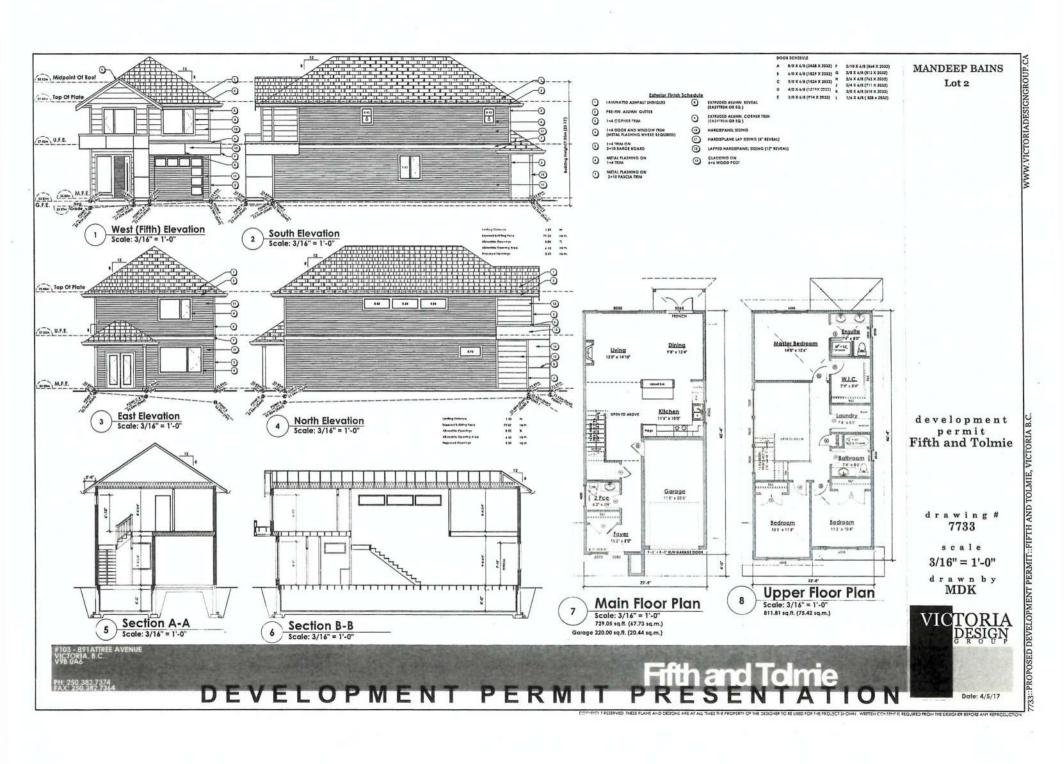
PH: 250 382 7374 FAX: 250 382 7344 DEVELOPMENT PERMIT PRESENTATION

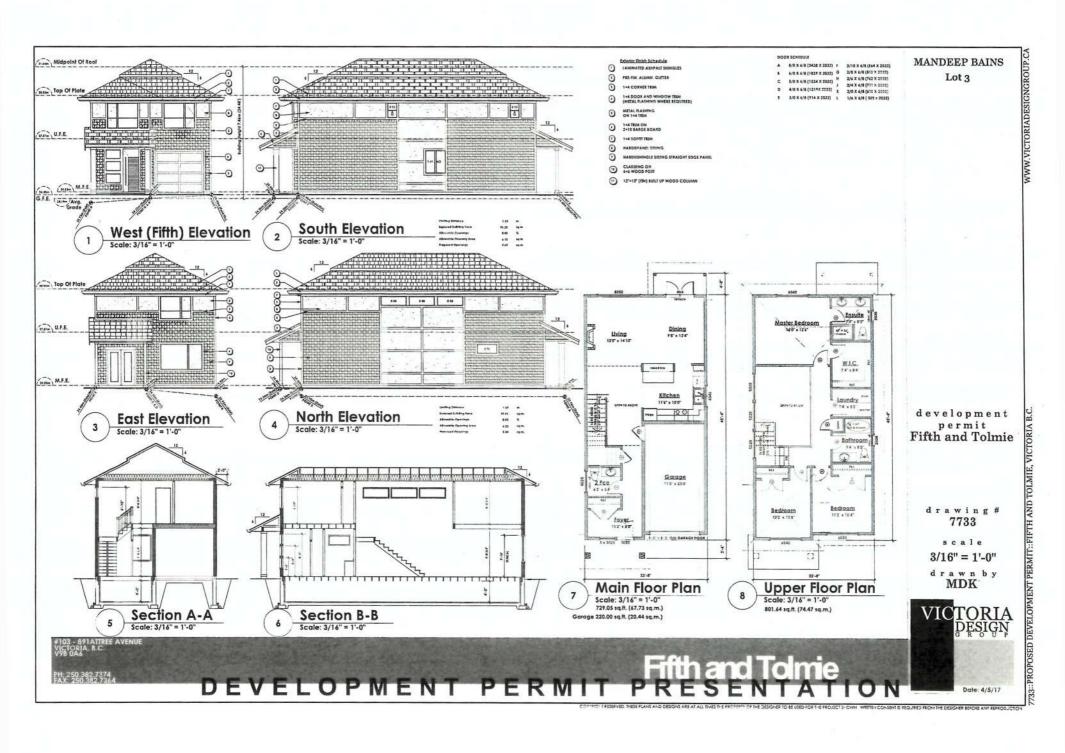
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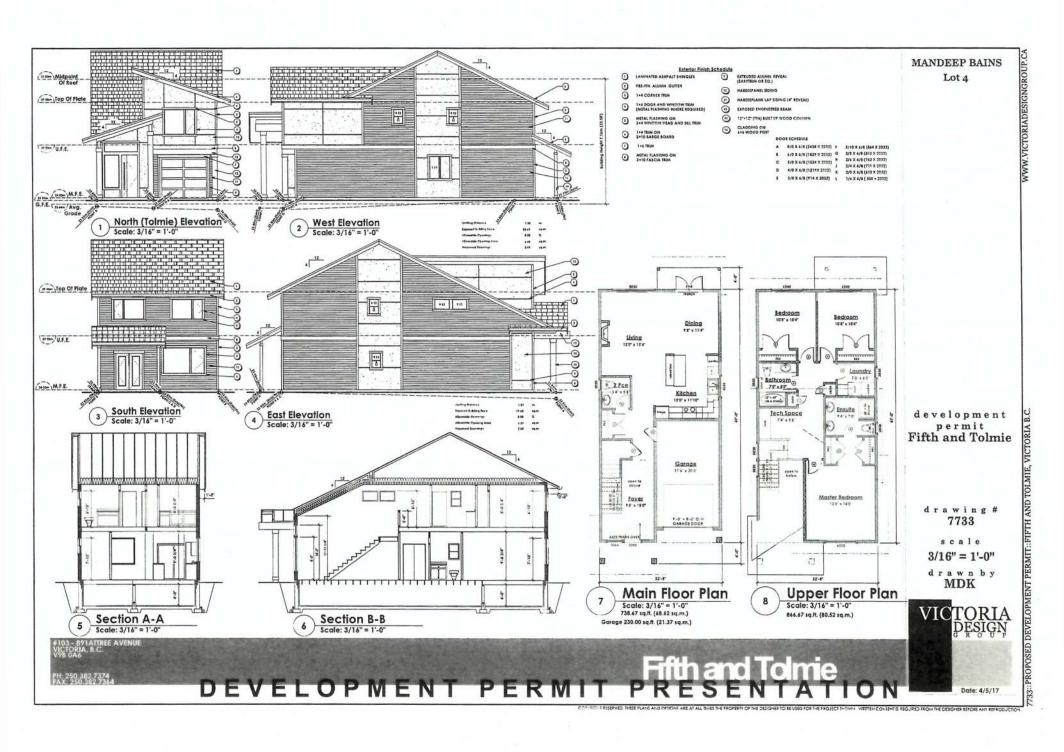
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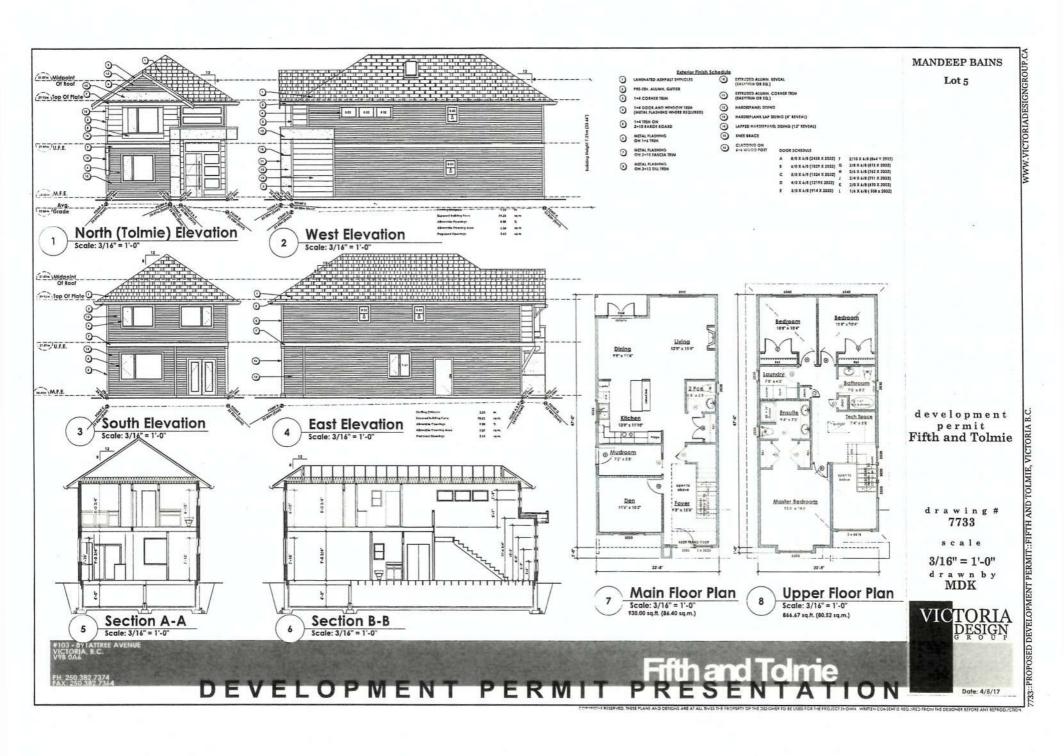


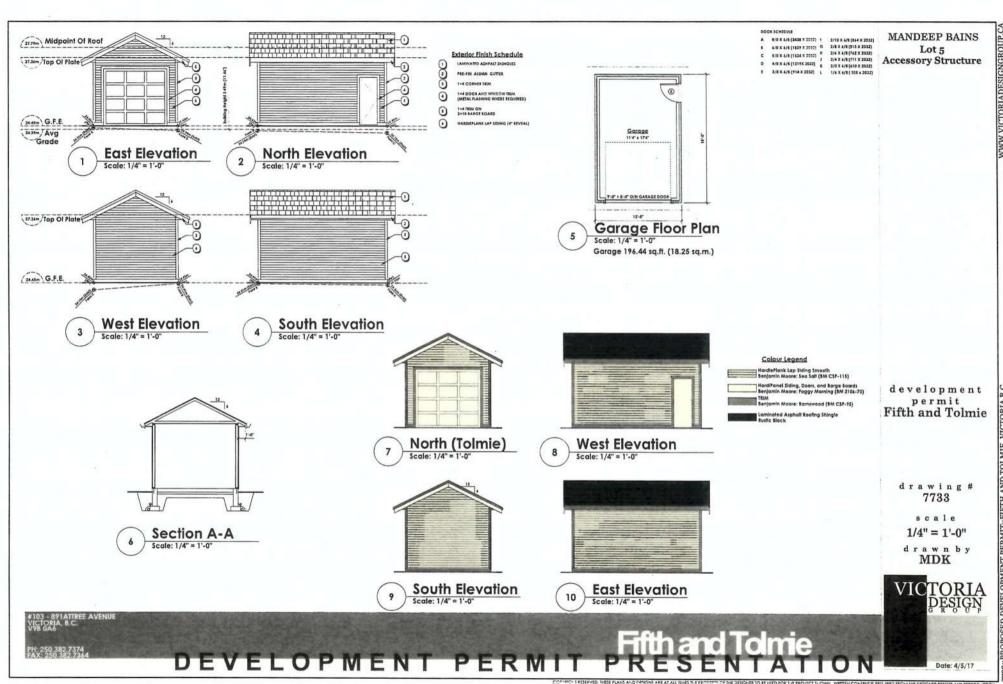


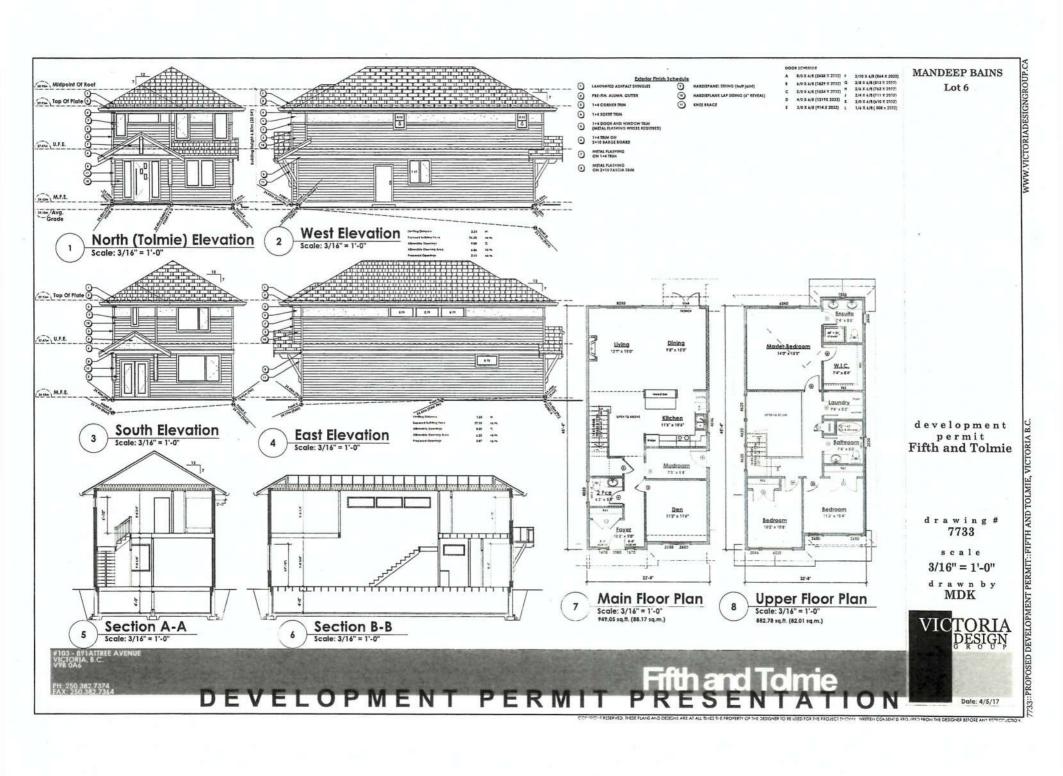


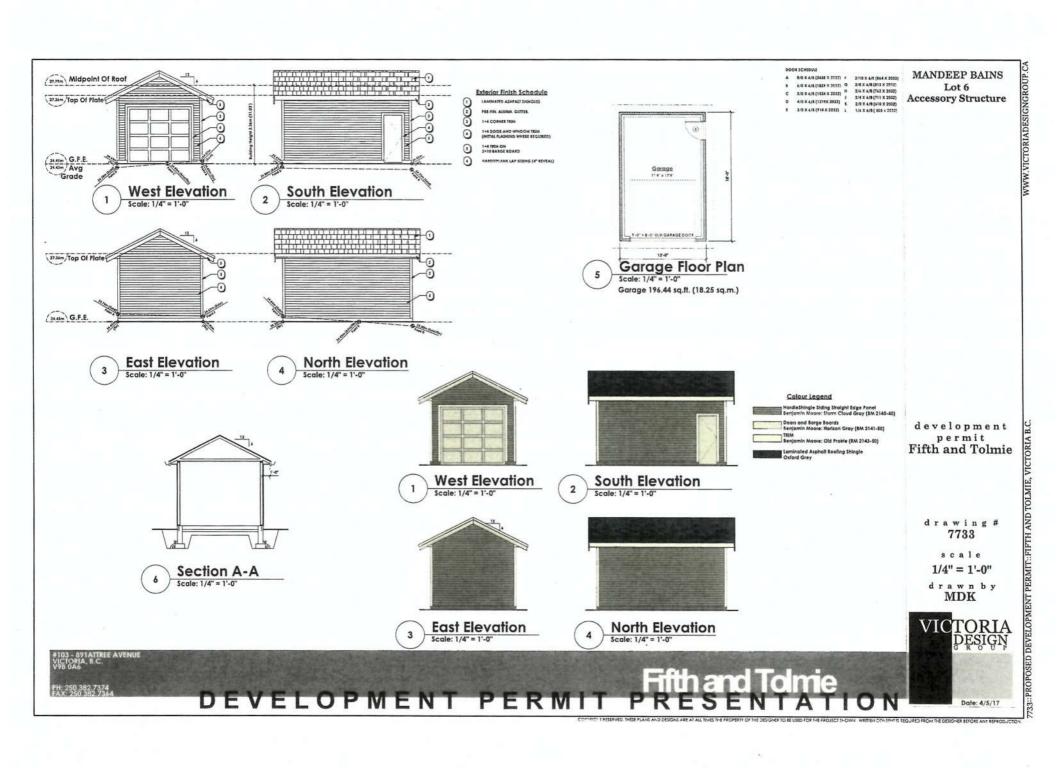


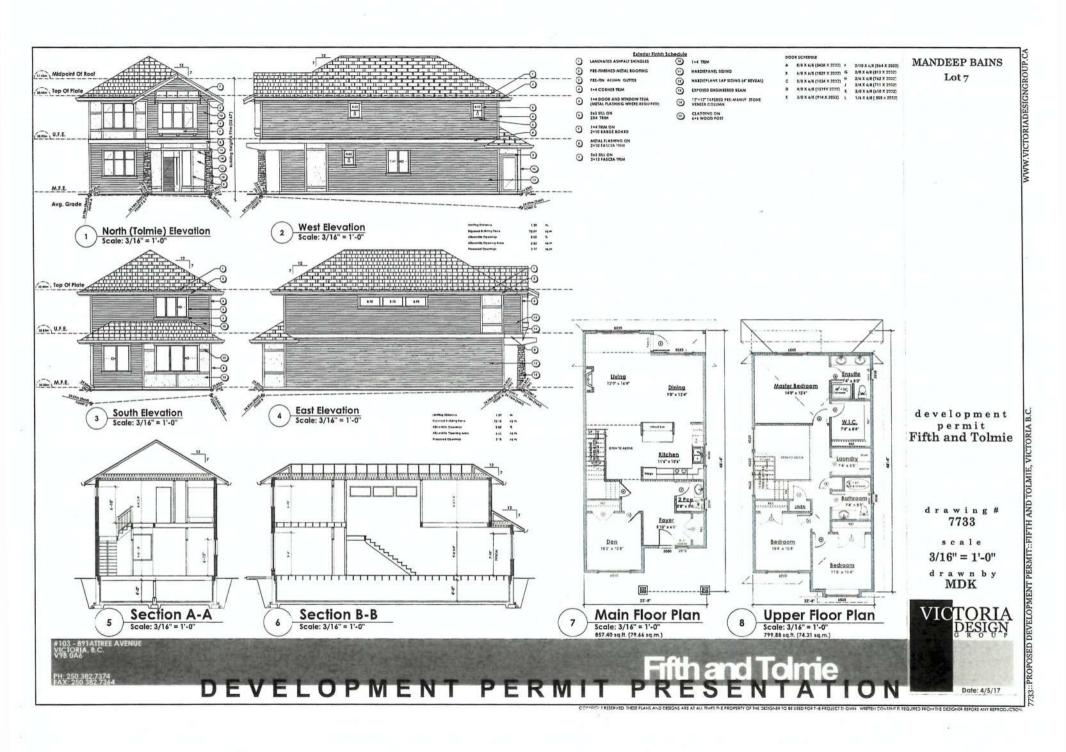


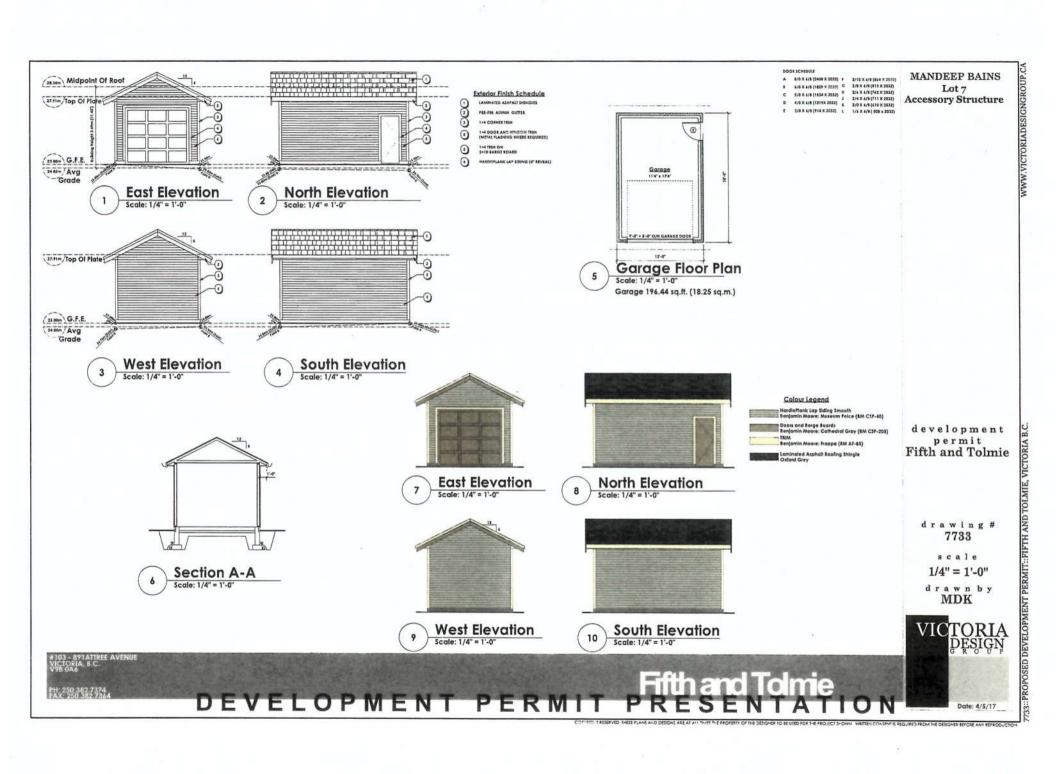


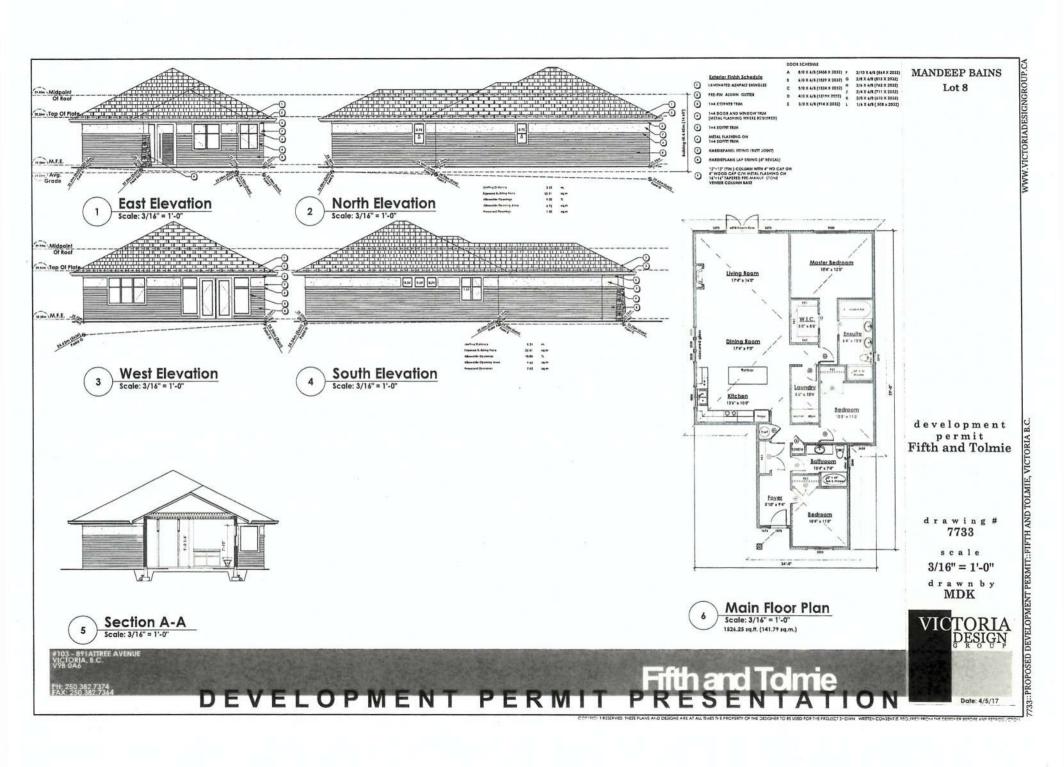


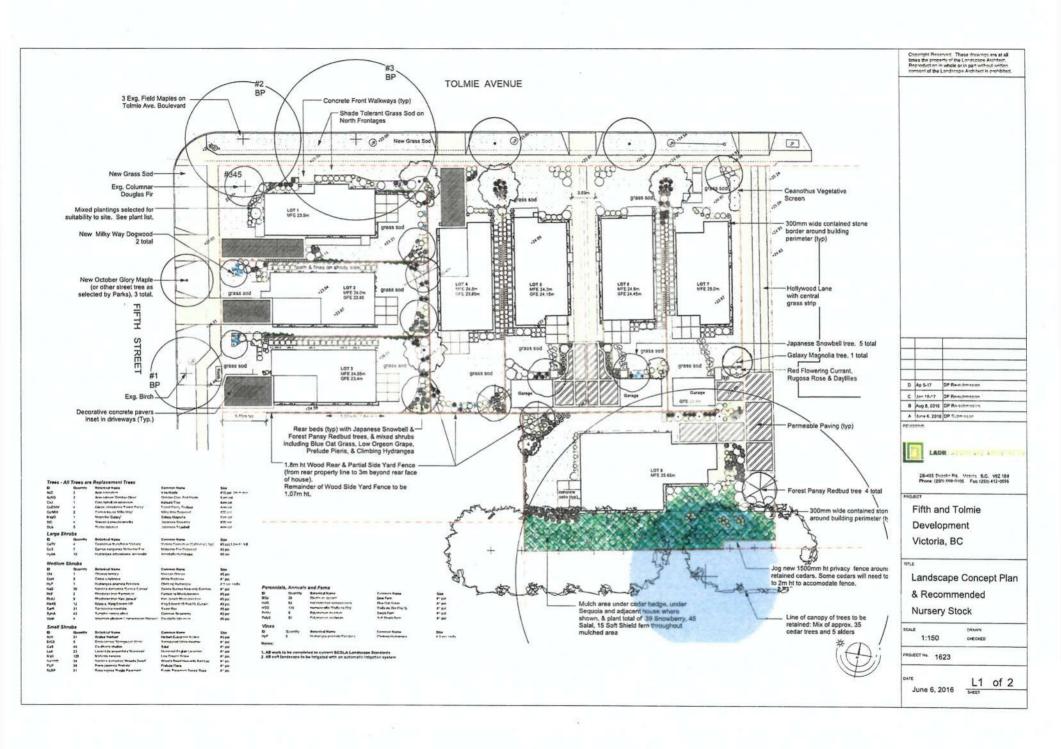


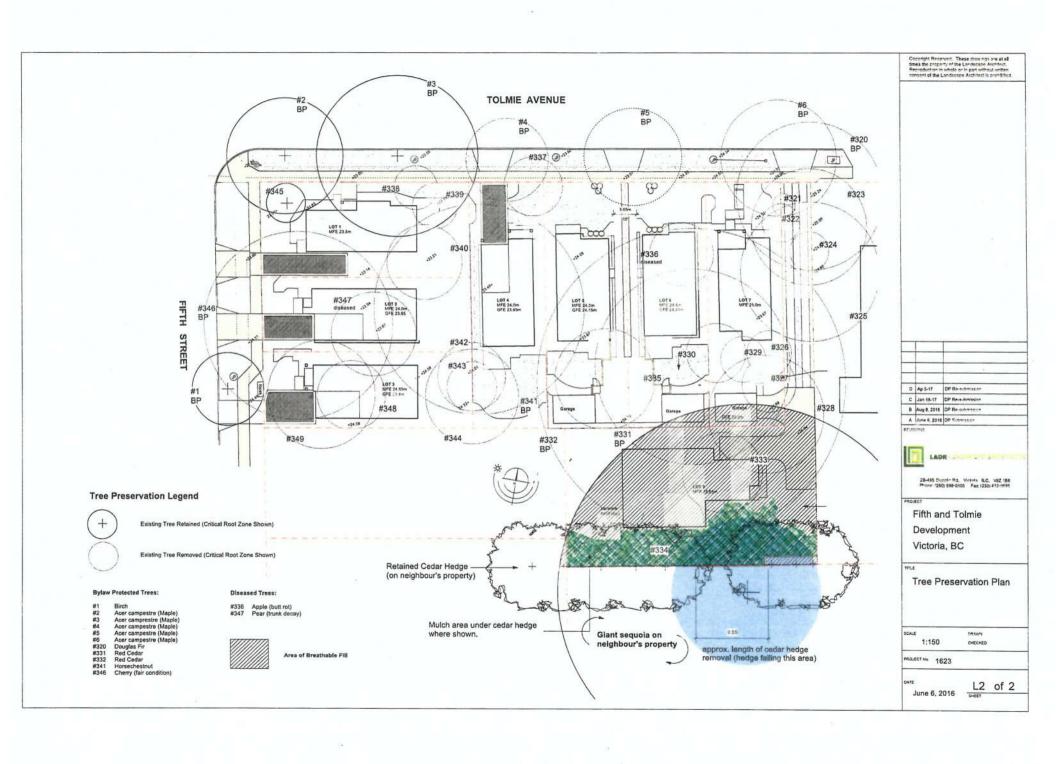








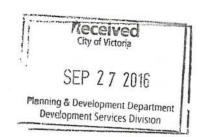




### Tolmie and Fifth

September 26, 2016

Mayor and Council City of Victoria 1 Centennial Square Victoria B.C. V8W 1P6



To the Mayor and Council:

The Bains Family is excited to propose a small lot subdivision on Tolmie at Fifth Street. The properties involved in this project have been in transition for a number of years. Our family has been trying to find a project that would fit the neighborhood as it stands today, as well as be a transition into the future.

This process started back in 2008 when we proposed a 10 unit townhouse complex. At that time we applied for the least number of units which made the project feasible as we realized we were changing the complexion of the neighborhood from single family dwellings to a multifamily complex. Unfortunately the project came to a full stop in 2009 when my brother passed away suddenly and abruptly, which caused the properties to be tied up in probate for three years. In 2014, when the project was finally approved, the existing economy at the time made a ten unit complex unfeasible. I have consulted a number of builders and the consensus is that for a land mass that size a townhouse project would need approximately 16 units to be profitable in today's building environment. Our family was not able to take on such a large project. As a result, we needed to think of something different moving forward.

We are currently proposing eight "small lot" single family dwellings which are allowed within the current zoning. We feel that this proposal allows for desperately needed infill lots, and allows us to do the development in small phases, meaning better quality control and decreasing the number of units to eight. The beauty of this proposal is that it does not require any setback or design variances (except for one window variance), thus not being intrusive to any neighbors.

The current design for the buildings and landscape layout fulfill the small lot guidelines for massing and quality. We have consulted with arborists to minimize the impact on existing trees. It should be noted that this is our second redesign of this small lot project, but our third submission. We have worked closely with the planning department to address all of their concerns. Particular attention has been paid to fit into the current eclectic architecture of the

### Tolmie and Fifth

neighborhood with an introduction of some modern elements to transition into the future. The color palate has also been chosen with an eye on existing buildings.

This project has had many different looks over the past eight years; however, we feel the current proposal in conjunction with the hard work of the planning department fits the needs of the neighborhood. Thank you for your close consideration of this project at Tolmie and Fifth.

Sincerely,

Mandeep Bains

7117 Veyaness Road

Saanichton, BC

Received City of Victoria

SEP 27 2016

Manning & Development Department Development Services Division



## Talbot Mackenzie & Associates

**Consulting Arborists** 

September 15, 2016

Mandeep Bains 7117 Veyaness Road Saanichton, BC V8M 1W1 Gay of Victoria

SEP Z 7 2015

Manning & Development Department Development Se, vices Division

Re: 1025 - 1075 Tolmie Avenue at Fifth

During our August 23, 2016 site visit, at your request, we reviewed the plans that were supplied for the proposed subdivision of this property, and an arborist spreadsheet from a previous 2008 inspection of the tree resource. We also reviewed the driveway and house footprint locations in relation to a large 160 cm Sequoiadendron tree located on the adjacent property at 3184 Jackson Street.

It appears from the plans that the entire building is within the area that Michael Gye identified as the critical root zone for that tree. In our opinion, this defined root zone is unusually large for this tree species and more closely reflects the protected root zone as defined by the municipal bylaw as the area the municipality uses to control activity within the root zone of a protected tree in the absence of a defined critical root zone and where there exists construction on all sides of the tree. Sequoiadendron is a tree species that is very tolerant to construction impacts, and in this case the construction activity will occur in only one quadrant of its root zone; therefore, we would probably have defined a critical root zone (CRZ) with a 10 metre radius or less.

It appears that the tree is about 3 metres from the property boundary and the footprint will be another 7 metres from this boundary, which would place it at the edge of the defined root zone and outside the root zone radius (RZR) - the portion of a tree's root zone where typically the critical supporting roots will be located. The driveway and turnaround will be within the CRZ, but, in our opinion, it would be reasonable to construct a driveway and parking within this area if it is designed to float over the root structures.

Mitigation of Impacts: We recommend the following procedures be implemented to reduce the impacts on the bylaw-protected Sequoiadendron tree to be retained.

Barrier fencing: The barrier fencing should be erected two metres outside the house footprint or in an alternate location identified by the project arborist once the building and construction locations have been determined. Barrier fencing should also be erected along the edge of the portion of the driveway and turn around area that encroaches within the tree's critical root zone.

The barrier fencing to be erected must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing (see attached diagram). The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation and construction), and remain in place through completion of the project. Signs must be posted around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose. Solid hording material may also be required to protect the trunks of trees from mechanical injury where vehicles or machinery are permitted close to tree trunks.

Driveway, parking and turnaround area: The construction of the driveway must be at an elevated grade where it encroaches within the critical root zone areas so it can bridge these root systems without excavating below the existing grade, thus reducing the subsequent impacts. The paved surface that is to be installed should be permeable to permit the infiltration of water and air beneath its surface. We have attached two possible designs for the driveway construction. The technique that is chosen for use will depend on how much the driveway grade can be raised above the existing site grade, and the number and size of roots that are encountered within the driveway footprint. The project arborist should review the driveway design and plan before it is finalized to determine if any alterations that favour tree retention can be implemented into this plan, and must supervise the excavation where it encroaches within the root zones of bylaw-protected trees. The portion of the driveway footprint that is outside the critical root zones of the subject trees can be constructed using a conventional construction technique.

**Excavation:** Excavation required for the building footprint and any excavation that may be possible for the driveway turn around area must be supervised by the project arborist.

Review and site meeting: Once the project receives approval, it is important that the project arborist meet with the principals involved and the work crews to review the information contained herein.

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

Thank you,

Talbot Mackenzie & Associates

Tom Talbot & Graham Mackenzie

ISA Certified, & Consulting Arborists

Enclosures: Barrier fencing specifications, Floating driveway specifications. plans reviewed.

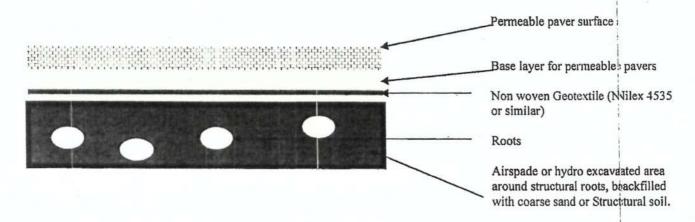
#### Disclosure Statement

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve the health and structure of individual trees or group of trees, or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an arborist to identify every flaw or condition that could result in failure nor can he/she guarantee that the tree will remain healthy and free of risk.

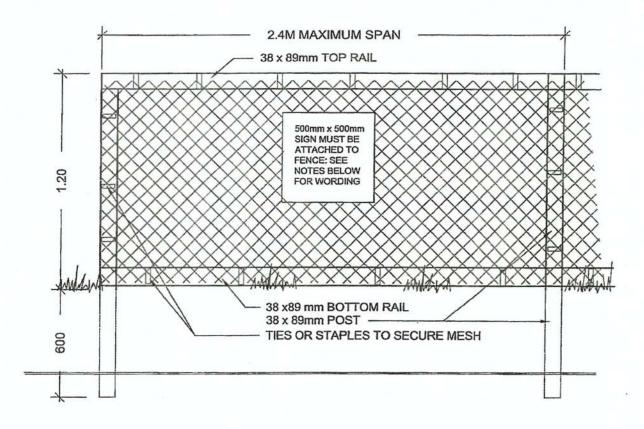
Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

#### Diagram -Permeable paver driveway crossing over Critical Root Zone



# Specifications for permeable paver driveway crossing over critical root zone

- 1. Excavate to a 6-8 inch depth, for the required permeable driveway surface, under the supervision of an ISA Certified Arborist.
- 2. Excavation for area around structural roots with an Airspade or by Hydro Excavation to bearing layer of soil if required.
- 3. Backfill area around roots with coarse sand or a structural soil mix
- 4. A layer of medium weight non woven Geotextile (Nilex 4535 or similar) is to be installed over the backfilled area of the driveway.
- 5. Construct base layer and permeable surface over Geotextile layer to required grade.



#### TREE PROTECTION FENCING

#### NOTES:

- FENCE WILL BE CONTRUCTED USING 38 X 89 mm (2"X4") WOOD FRAME: TOP, BOTTOM AND POSTS. \* USE ORANGE SNOW-FENCING MESH AND SECURE TO THE WOOD FRAME WITH "ZIP" TIES OR GALVANZIED STAPLES.
- ATTACH A 500mm x 500mm SIGN WITH THE FOLLOWING WORDING: WARNING-HABITAT PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE FACE OR AT LEAST EVERY 10 LINEAR METRES.
- \* IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED



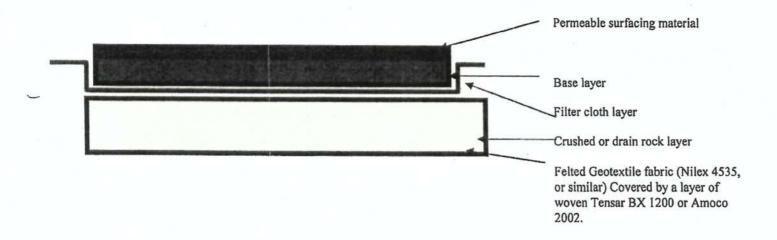
DETAIL NAME:

# TREE PROTECTION FENCING

H:\shared\parks\Tree Protection Fencing.pdf

			Ξ
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I	SCALE:	N.T.S.	

#### Diagram - Site Specific Floating Driveway, Parking and Sidewalk Areas



## Specifications for Floating Driveway and Parking Areas

- 1. Excavation for driveway or parking area construction must remove the sod layer only, where they encroach on the root zones of the protected trees
- 2. A layer of medium weight felted Geotextile fabric (Nilex 4535, or similar) is to be installed over the entire area of the critical root zone that is to be covered by the paving. Cover this Geotextile fabric with a layer of woven Amoco 2002 or Tensar BX 1200. Each piece of fabric must overlap the adjoining piece by approximately 30-cm.
- 3. A 10cm layer of torpedo rock, or 20-mm clean crushed drain rock, is to be used to cover the Geotextile fabric.
- 4. A layer of felted filter fabric is to be installed over the crushed rock layer to prevent fine particles of sand and soil from infiltrating £this layer.
- 5. The bedding or base layer and permeable surfacing can be installed directly on top of the Geotextile fabric.

Submitted by email to: Mayor and Council, City of Victoria at mayorandcouncil@victoria.ca

12 June 2017

#### Dear Mayor and Council

Re: 1025, 1029, 1035 & 1075 Tolmie Ave – DPV 00037

Thank you for the opportunity to comment on the variances associated with the proposed new development for these properties. Members of the Hillside Quadra Neighbourhood Action Committee (NAC) Executive have made the following observations regarding the proposal.

Our comments focus on the proposed creation of a panhandle lot (Lot 8), which would be subject to several variances. In general panhandle lots lack street presence and put houses in the middle of rear yards, decreasing access for emergency and everyday vehicles and reducing adjacent rear yard privacy. The usable outdoor space for Lot 8 is very limited. The small windows proposed on three elevations limit indoor light, and it is therefore possible that future residents would enlarge them, further reducing privacy for adjacent homes. Since the small lot zone already reduces yard and driveway requirements to functional limits, further reductions make a poor situation worse. We would suggest that the L-shaped development area is better suited to a more flexible arrangement of attached dwellings than to single homes.

Our other comments relate to the proposed design of driveways, in particular the driveway associated with the panhandle lot. The many driveway access points to the small and panhandle lots decrease street parking and increase pedestrian crossings of driveways. Lot 7 and 8 share a driveway, which is a good idea from the public street perspective, but limits use of the driveway for second or guest vehicles and puts more demand on street parking. Lot 7 is left with only a very small garage and no usable driveway space to leave room for emergency and Lot 8 access (likely via an unobstructed easement). Lot 7 and Lot 8 have very limited parking space and turning radii for vehicles. In an emergency, if the Lot 8 driveway is blocked emergency vehicles will need to get access via the rear yard of the church, assuming that church uses don't block access. Future subdivision of the church lot would further limit access. In addition, these driveway uses and vehicle movements are also adjacent to the church day care space, potentially exposing children to exhaust from idling vehicles.

We submit these comments in the hope that future plans for these properties might address these matters.

Sincerely,

Jenny Fraser, Chair Hillside-Quadra Land Use Committee

nag@quadravillagecc.com

cc: Sustainable Planning and Community Development Department, City of Victoria

at

cc: Hillside Quadra Neighbourhood Action Committee

at nag@quadravillagecc.com