TOWN OF SIDNEY



Report to Advisory Planning Commission

TO:	Chair and Members			
FROM:	Celina Fletcher, Municipal Planner			
DATE:	October 31, 2024 File No. 9633 Third St (Land)			
SUBJECT:	Development Permit Application No. DP100827			
	Development Variance Permit Application No. DV100312			
	9633 Third Street			

PURPOSE:

The purpose of this report is to address **Development Permit Application No. DP100827** and **Development Variance Permit Application No. DV100312** for the properties being created by the subdivision of **9633 Third Street** (*Aerial photo attached as Appendix A*).

REPORT SUMMARY:

- The proposed development would involve the construction of two single-family small lot dwellings, each on a new fee simple lot resulting from the subdivision of the subject property.
- A variance is requested to relax the rear yard coverage for an accessory building on each new fee simple lot.
- The proposal is generally consistent with the key objectives and policies contained within the Official Community Plan that relate to small lot residential development.

DESCRIPTION OF PROPOSED DEVELOPMENT:

The applicant is proposing to construct two single-family dwellings on two new fee simple lots to be created by subdivision of the subject property. The two new lots would each be 255 m^2 (2,745 ft²) in area (*refer to Appendix C for Drawing Set V2*).

Each of the single-family dwellings is designed to have living space and a primary bedroom on the main floor, with two bedrooms on the upper level. The homes would be a modern architectural style with a combination of angular and flat roofs, and lap siding and faux wood on the facades. Both units are proposed to have a patio facing the front yard, with a detached garage located within the rear yard. One on-site vehicle parking space for each dwelling unit is to be accommodated within the garage, accessed via the rear laneway.

This proposal does not comply with the maximum rear yard coverage requirement for accessory buildings and includes a variance request to increase the maximum area of an accessory building relative to the rear yard area. The proposed garages on each new fee simple lot will take up 35.8% of the rear yard area, where the Zoning Bylaw permits an accessory building to take up to a maximum of 25% of a rear yard area (see Table 2 for details and Appendix B for Letter of Rationale).

LOCATION:

The subject property is located on the east side of Third Street between Orchard and Ocean Avenues. The property is currently a vacant lot. The single-family dwelling that was previously on the property was recently demolished following a fire. The surrounding neighbourhood to the north, east, south, and west is developed with predominantly single-family dwellings of varying ages and townhouse dwellings to the east and south-east. The following table outlines the Official Community Plan, Zoning designations and land uses on surrounding properties:

	OCP Designation Zoning Designation		Current Land Use(s)	
North	Intensive Neighbourhood Residential	R1 - Intensive Ground-Oriented Residential	Single-family dwellings, 1 and 2 storeys	
East	Multi-Unit Residential	RM6 - Multi-Unit Residential – Tier 1	Single-family dwellings, two-family dwelling, townhouse dwellings, 2 storeys	
South	Intensive Neighbourhood Residential	R1 - Intensive Ground-Oriented Residential	Single-family dwellings, 1 and 2 storeys	
West	Intensive Neighbourhood Residential	R1 - Intensive Ground-Oriented Residential	Single-family dwellings, 1 and 2 storeys	

 Table 1: Surrounding Land Use, Zoning and OCP Designations

OFFICIAL COMMUNITY PLAN BYLAW 2240:

The subject site is designated as Intensive Neighbourhood Residential in the Town of Sidney Official Community Plan (OCP). Located on the south side of the downtown core, the OCP encourages increased residential density in this area in order to provide for a pedestrian-friendly neighborhood close to downtown amenities. Staff are of the opinion that the proposed development complies with the objectives and policies in the OCP.

ZONING BYLAW 2275:

The subject property is currently zoned Intensive Ground-Oriented Residential (R1), the intent of which is to provide for intensive ground-oriented housing of all types up to 4 units on smaller lot sizes. The following table provides a comparison between the proposed development and the zoning requirements of the R1 zone:

Section	Permitted in R1 Zone	Proposed Development	Conformity
Permitted Uses	Dwelling units, max. of 3 on lots 280 m ² or less	Lot A & B: Single-Family Dwelling	Conforms
Lot Area	Min. 250 m ² (2,691 ft ²)	255 m ² (2,745 ft ²)	Conforms
Lot Coverage	Max. 50%	Lot A & B: 49.7%	Conforms
Height	Max. 12.0m (39.4 ft)	Lot A: 8.00m (26.2 ft) Lot B: 6.82m (22.4 ft)	Conforms
Storeys	Max: 3 storeys	2 storeys	Conforms
Setbacks:			
Front (west)	Min: 3.0 metres (9.8 ft)	Lot A: 4.64m (15.2 ft) Lot B: 4.64m (15.2 ft)	Conforms
Rear (east)	Min: 3 metres (9.8 ft)	Lot A: 9.40 m (30.8 ft) Lot B: 9.40 m (30.8 ft)	Conforms
Side Interior	Min: 1.2 metres (3.9 ft)	Lot A: 1.23 m (4.0 ft) & 1.22 m (4.0 ft) Lot B: 1.22 m (4.0 ft) & 1.22 m (4.0 ft)	Conforms
Accessory Building Width	Max: 50% lot width (3.81 m for Lot A & B)	Lot A & Lot B: 47%	Conforms
Accessory Building Coverage	Max: 25% of rear yard area	Lot A & Lot B: 35.8%	Variance Requested

Other than the requested variance to permit an accessory building with an area greater than 25% of the rear yard area, the proposed development complies with provisions of the Zoning Bylaw.

Staff are supportive of the requested variance to increase the maximum area that an accessory building may occupy in a rear yard. Comparable variances have been recently granted for several small-lot single-family developments in the Orchard neighbourhood to provide for detached garages with an area greater than 25% of the rear yard area that also exceeded the maximum permitted lot coverage. Staff note that the maximum permitted lot coverage for the zoning of the subject property has increased with the recent Zoning Bylaw update, and the total proposed lot coverage remains under the maximum permitted lot coverage more cohesively with the redevelopment of the site.

OFF-STREET PARKING AND LOADING BYLAW NO. 2140

The following table outlines the parking requirements for the development based upon the proposed uses:

Parking Type	Required	Proposed	Conformity
Vehicle	1 per dwelling unit = 1 per property	Lot A: 1 parking space Lot B: 1 parking space	Conforms
Bicycle	Not required	n/a	n/a

Table 3: Parking and Loading Requirements

The proposed development complies with the bylaw requirements by providing one vehicle parking space within a single car garage that is accessed via the rear laneway.

TREE PRESERVATION BYLAW NO. 2138

The applicant has submitted an arborist report by D. Clark Arboriculture assessing the existing trees near the subject property. There are no trees on the property, however, there are two protected trees located on the municipal boulevard on Third Street. Construction activities are anticipated to encroach on the critical root zone of the trees located to the south of the property. The submitted arborist report indicates that the proposed development will not significantly impact the adjacent trees and has provided recommendations to protect off-site trees during construction. The recommendations within the arborist report have been reviewed and accepted by the Town's arborist. No trees are proposed for removal; however, staff acknowledge that the proposed change in grade and locations for civil servicing associated with this design would directly impact and require the removal of one of the boulevard trees. A tree removal permit would be required prior to removal of any boulevard trees.

INTERIM FLOOD CONSTRUCTION LEVEL (FCL) POLICY:

The subject property has a relatively low natural grade, at 2.63m on the proposed Lot A and 2.5m on the proposed Lot B. Development on properties with an existing elevation below 5 metres is guided by the Town's Interim Flood Construction Level (FCL) Policy DV-014. As per the policy, the applicant has provided a report from a qualified Professional Engineer assessing flood hazard on the site and recommending a site-specific minimum floor elevation (FCL – flood construction level) for the development. The Engineer's report assesses the proposed elevations of the development, and states that the construction is safe for the uses intended as per legislation in section 56 of the *Community Charter*. As per Interim Flood Construction Level Policy DV-014, a covenant is required to be registered on title, intending to notify future owners of the flood risk.

INTENSIVE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT PERMIT GUIDELINES:

As the property is located within an area designated under the OCP as Intensive Neighbourhood Residential, the site is subject to the General Form and Character, General Residential, and Intensive Neighbourhood Residential Development Permit Area Guidelines. The purpose of these guidelines is to address the form and character of the proposed development, including landscaping and the siting, exterior design and finish of the building.

Staff are of the opinion that the proposed development generally conforms to the Intensive Single Family Development Permit Guidelines. There are several guidelines that staff would like to highlight:

- 24.4.36 Biodiversity landscaping and planting plans that ensure trees and vegetation are adaptable to the changing climate are required of new development.
- 25.3.59 Plant native and/or drought tolerant trees and plants suitable for the local climate (i.e. xeriscaping).

The landscape plan for the development proposes a large variety of plant species, many of which are drought tolerant and pollinator friendly species. The plantings also include native plant species, such as Sword Fern, Salal, and Red Flowering Currant.

25.3.50 Fencing should incorporate landscaping and allow visibility above the height of 1.5 meters.

A low decorative picket fence is proposed to delineate the two properties and wood privacy fencing is proposed along the interior lot lines (approx.0.9m above finished grade). Plantings are proposed adjacent to the fencing along the south property lines.

24.4.34 Design, construct and maintain storm water management systems in accordance with the requirements of the Town's and Regional Bylaws including provisions for quantity and quality control, erosion and sediment control measures during construction and the on-going maintenance of storm water management facilities. The project engineer shall be required to certify to the Town that the required construction and on-going storm water management systems have been implemented.

The applicant has provided preliminary drawings from a professional engineer that demonstrate a storm water management system that will not adversely affect the drainage of the adjoining properties.

- 25.3.25 Consider future land use direction when designing the transition in building heights from taller to shorter buildings both within and adjacent to the site.
- 25.3.24 Integrate new developments with the existing neighbourhood by considering the transition between building heights and massing, paying particular attention to building elevations visible from the public realm (waterfront, streetscapes).

The grade of the property to the north is approximately 1.67m above the average natural grade of the subject property. This proposal involves the addition of fill to raise the grade of the property to help transition the substantial change in grade between the property to the north, the subject property, and the property to the south. The Zoning Bylaw now permits taller buildings up to three storeys, however, the buildings proposed are two storeys as are the existing neighbouring buildings. The rooflines of the two proposed buildings are angled upwards towards the taller single-family dwellings to the north and south of the subject property which helps the perceived height of the proposed dwellings to appear to be in scale with the surrounding buildings.

25.3.35 Ensure main building entries are clearly visible with direct sight lines from the fronting street. 25.3.36 Provide weather protection such as awnings and canopies at primary building entries.

While the main entrances are at the sides of the dwellings and are not visible from the street, each dwelling also includes an entrance to the covered patio area in the front yard that would be clearly visible from the street. Both entrances are covered and connected by a pathway to Third Street.

25.4.5 Porches, balconies, and decks facing a street should present an open and accessible appearance that encourages interaction between the dwelling and the street.

25.4.4 Design private outdoor amenity spaces to have: a. Access to sunlight; b. Railing and/or fencing to help increase privacy; and c. Landscaped areas to soften the interface with the street or open spaces.

The front yards for each dwelling unit include a patio area that can be directly accessed from the living room. A low decorative picket fence and landscaped area is proposed, which will help to increase privacy and delineate the public and private interface.

- 25.4.12 Window openings on sidewalls should be planned to avoid aligning with windows of adjacent dwellings.
- 25.3.23 Locate and design buildings to maintain access to sunlight, and reduce overlook between buildings and neighbouring properties (e.g. by locating windows to minimize overlook and direct sight lines into adjacent units). Take into account adjacent land use and potential future development when designing for privacy, so as not to preclude future development from occurring.

Consideration has been given in the design of the houses to off-set the windows along common interior lot lines in order to maintain privacy. The arrangement of windows and the floor plans of the two dwellings are nearly identical, however, the south facing elevations include higher windows which will help to minimize overlook between buildings.

- 25.3.28 Step back the upper storeys of buildings and arrange the massing and siting of buildings to consider shadowing on lower level units, adjacent buildings, as well as public and open spaces such as sidewalks, plazas, and courtyards.
- 25.3.30 Incorporate subtle vertical and horizontal recesses / articulation on large primary façades (e.g. cladding details).
- 25.3.42 Building materials should be used consistently throughout all building elevations that are visible from the street and public open spaces.

The dwellings are similar in form but employ complementary variations in exterior finishes, colours, and rooflines, giving the overall development some visual interest, depth and differentiation. The second storey is stepped back from the front elevation of the first storey which helps to emphasize an inviting entrance to the patio area. The garages are to have the same cladding in the same colour as the lower storey of each dwelling, with rooflines angled to match the angle of the rooflines over the dwellings.

25.3.41 Consider the colours and materials of adjacent or neighbouring buildings when selecting material and building colour to provide consistency and balance of the overall streetscape.
 25.3.4 Develop in a manner compatible with adjacent structures and uses.

The proposed development is of similar size and massing as other small lot single-family developments within the surrounding neighbourhood. The design of the building on Lot A pulls similar architectural elements from the building to the north such as the roofline and shape of the windows. Overall, the two designs help to balance the more contemporary architecture of the buildings to the north of the property to the more traditional styles within the neighbourhood.

- 25.4.10 Architectural elements and materials should be chosen to convey a feeling of quality and permanence. Cladding materials and architectural detailing should break up large flat surfaces and monotonous façades.
- 25.3.39 Select building materials that will weather gracefully over time.

The exteriors of the proposed dwellings each incorporate three separate finishes painted in different colours. These include fibre cement lap siding in two different shades of grey, accented by faux wood Hardie panel on Lot A. The house on Lot B will be finished in lap siding painted in two darker shades of grey, also accented by faux wood Hardie panel.

- 25.3.17 Locate off-street parking and other 'back-of- house' uses (such as loading, solid waste collection, utilities, and parking access) away from public view or the view of adjacent properties.
- 25.4.9 The impact of garage doors on the street should be minimized through recessing the garage entrance, high quality garage door design, and utilizing a secondary frontage if on a corner lot or a lane.

Vehicle access to both Lots A and B would be from the lane located at the rear (east) side of the property. The plans offer parking spaces within a garage in the rear yard.

- While the development conforms to the majority of design guidelines, staff would like to highlight the following items as potential areas for discussion:
- 24.4.22 Prioritize high efficiency heat recovery ventilation systems and electric heat pump technologies.
- 25.3.19 Noise producing mechanical equipment should be located in order to reduce disturbance to neighbouring properties, with consideration of acoustic and visual screening.
- 25.3.34 Where screening structures are necessary, they should use consistent design, materiality, and scale that complements the building.

Heat pumps are to be located in the rear yard on the patio area between the dwelling and the garage. Screening is not indicated on the plans, however, the heat pumps are located in a narrow space between two buildings and would not likely be visible to neighbouring properties, particularly with fencing to the north and south. Staff do have some concerns about the practicality of the heat pump location in relation to circulation, as the short distance between the dwellings and the garages create a narrow corridor.

- 25.4.21 Use textured, permeable paving for hard surfaced areas such as walkways, patios, driveways, and parking areas.
- 24.4.33 Minimize the amount of impervious surfacing and apply sustainable storm water practices that reduce the speed of run-off, keep storm water clean, and allow for gradual infiltration into the ground such as permeable paving, rain gardens, bioswales and other biofiltration features into the landscape design.

There appears to be a large amount of hard surfacing on the two properties, with a mix of hard surfacing materials to be utilized. A concrete walkway is proposed next to each garage and the south side yard pathways are to be completed in stepping stones set in river rock. The north side yard pathways and both the front and rear patio areas are to be surfaced with patio pavers. Details have not been provided on what specific paver materials will be used. Staff will work with the applicant to determine what these materials will be prior to the Development Permit being approved.

DISCUSSION:

A number of properties in the neighbourhood have been redeveloped with small-lot single-family dwellings similar to this application over the past decade. The proposed development is generally consistent with the other developments in the neighbourhood in terms of style, lot size, and overall design.

The proposal includes placing fill on the property to raise the average grade by 0.67m. This would create a transition in grade from the property to the north, which is higher than the subject property, to the property to the south, which is lower. The letter of rationale notes that the raised grade would allow the entrances to the homes to be at a similar grade as the street, with a primary bedroom and living space on the ground floor to accommodate a more accessible, ground-oriented design to allow for ageing in place (see *Appendix B for design rationale*). Engineering staff have reviewed the proposed grade alterations and associated civil designs for infrastructure connections. Detailed designs would be reviewed prior to issuance of building permits.

Development Permit Application No. DP100827 and Development Variance Permit Application No. DV100312 – 9633 Third Street |October 31, 2024 | Page 7

RECOMMENDATION:

- That owners and tenants in occupation of property within 75 metres (246 feet) of 9633 Third Street be notified regarding Development Variance Permit Application No. DV100312 (to relax the requirements for the size of an accessory building) and that any written correspondence received be forwarded to Council at the time of consideration of approval of the variance;
- 2. That Development Permit Application No. DP100827 (to permit the form and character of two small lot single-family dwellings) for the property at 9633 Third Street be brought before Council for consideration of approval if Council authorizes the issuance of the development variance permit;
- 3. That as conditions of approval of Development Permit Application No. DP100827, the property owner shall, prior to the issuance of Building Permit:
 - a. Address Design Guideline 25.3.19 (heat pump location) to the satisfaction of the Director of Development Services;
 - b. Register a flood hazard covenant on the title of the property referencing the submitted Engineer's report.
 - c. Install tree protection fencing around the drip line of all off-site trees to be retained to the satisfaction of the Town Parks Department, to be kept in place until such time that all construction on the property is complete, and follow all recommendations in the Arborist report prepared by D. Clark Arboriculture dated April 9, 2024; and
 - d. Pay to the Town a deposit in the amount of 115% of the estimated cost to complete the hard and soft landscaping for the development.

Respectfully submitted,

I concur,

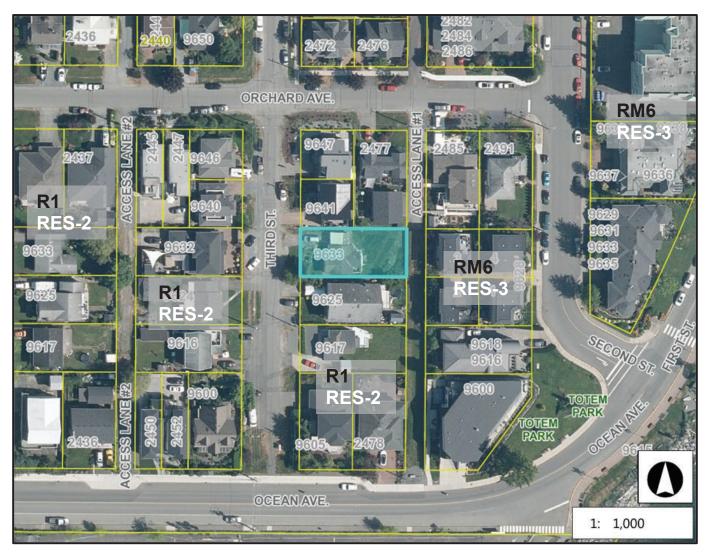
Celina Fletcher Municipal Planner

Alison Verhagen, MCIP[®]RPP Director of Development Services

Attachments: Appendix A: Aerial photo of property Appendix B: Letter of Rationale Appendix C: Drawing Set V2

Presenter: Niall Paltiel, Applicant

Appendix A: 2023 Aerial Photo of 9633 Third Street, showing Zoning (black) and OCP (white) designations, with the subject property outlined in blue.



OCP Designation Legend:

RES-2: Intensive Neighbourhood Residential RES-3: Multi-Unit Residential

June, 2024



9633 Third Street Small-Lot Residential

Development Permit and Subdivision Application

Rationale Letter



June 27, 2024

Attn: Mayor McNeil Smith Sidney Council Cc: Ms. Alison Verhagen Director of Development Services Ms. Celina Fletcher Current Planning Town of Sidney 2440 Sidney Avenue Sidney, BC V8L 1YL

Re: 9633 Third Street Development Permit and Subdivision Application

Good Day,

On behalf of my project and consultant team, it is a pleasure to submit the following Development Permit and Subdivision Application to facilitate the creation of two small lot single family homes in the Orchard neighbourhood in Sidney, BC. As proud residents and patrons of the Saanich Peninsula, it is our intent to invest in, enhance and create much-needed housing diversity within this beautiful neighbourhood.

Island View Land Management purchased the subject property at 9633 Third Street in the winter of 2024 following a tragic structure fire which occurred during the winter break of 2023. Following placing this property under contract, we immediately began the necessary environmental remediation work and demolition of the damaged house. From the moment we purchased this property, we have committed to the following priorities which have guided this application:

1. Age In Place Design both homes with a primary bedroom on the main floor and reasonably minimal grade changes which provides low impact living opportunities. 2. Accessible Excellence Work to exceed the minimum standards established by the Town of Sidney and BC Building Code where it comes to accessible design standards. Design both homes to blend and enhance the existing 3. Compliment the neighbourhood with modest roof pitch heights and a subtle, yet Neighbourhood modern west coast design. 4. Soak in the Sun Create exceptional indoor and outdoor living spaces which take advantage of the Third Street western sun exposure and create an interesting public-private interface. 5. Provide Laneway Access Extend the towns public laneway access to our property line to facilitate the expansion of a rear vehicle and cycling access for our property and the homes / commuters beyond.

It has been a pleasure to work with the talented team of professionals at the Town of Sidney to date and we are pleased to reimagine housing on this property.



SALIENT DATA

Below are the salient numbers behind the two homes being created on this one single lot:

Current Zoning: R1-3: High Density Residential Orchard Area	Sidney 2040 OCP Designation: Intensive Neighbourhood Residential	Ground Level Allowable Lot Coverage: 40 %
Proposed Zoning: R1-3: High Density Residential	Development Permit Areas: 23.4 Public Realm and Open	Ground Level Proposed Lot Coverage: 49.7 % (inc. garage)*
Orchard Area	Space 24.4 Environmental Sustainability	Second Floor Allowable Lot Coverage: 30%
	25.3 General Form and Character 25.4 General Residential 25.5 Intensive Neighbourhood Residential	Second Floor Proposed Lot Coverage: 27.7 % Allowable Height: Building 1: 8m Building 2: 6.82m
Setbacks: Front Yard (w): 4.64m	Vehicle Parking Stalls: 1 (per dwelling)	Number of Bedrooms: 3 (per dwelling)
Side Yard (s): 1.22m	Bike Parking Stalls: 2 (per dwelling)	Number of Bathrooms: 2.5 (per dwelling)
Side Yard (n): 1.22m		(per awering)
Rear Yard (e): 9.4m		

* Variance sought. Rationale provided below.

Planning Alignment

The proposed site plan and house design intends to work within the confines of the 2015 zoning bylaw and newly updated Sidney 2040 Official Community Plan to create a thoughtful mix of small lot single family residences in this dynamic neighbourhood. The house design intends to create a bridge between newer constructed homes and more traditional residential homes within the immediate Orchard neighbourhood.

Tara Cumming of Cumming Design has thoughtfully worked with feedback and inputs from the Sidney planning department as well as with our engineering and design consultants to ensure the project is low-impact, mindful of the relevant planning policies and complies with the necessary civil servicing and flood plain construction requirements.

Appendix A includes a summary of all relevant Development Permit Areas from the updated Town of Sidney Official Community Plan. Below is a brief statement on how the project works to address those policies. Relevant OCP DPA sections include:



23.4: Public Realm and Open Space	The application works to meet the OCP's intent of creating vibrant, dynamic and street-oriented homes. Vehicle and cycling access is entirely via the laneway and the home frontages are designed to create clearly delineated entry pathways and generous outdoor living spaces. All boulevard trees are protected as part of this application.
24.4 Environmental Sustainability	The homes are oriented to efficiently take advantage of the west-facing street orientation. Homes will be constructed to BC Building Step Code Level 3 to ensure the envelope is efficient and low impact. The landscape plan introduces doubt resistant, indigenous landscape elements throughout the landscape plan. No traditional lawns are proposed, as well to ensure that water conservation and permeability are top of mind.
25.3 General Form and Character	Dynamic, tapered frontages create a unique and thoughtful orientation towards Third Street. The homes are designed to be of a high quality in both material ity and design. The homes - through the covered front patio design – are intended to create an inviting and high-quality interface between the public and private realm.
25.4 General Residential	The homes are designed to uniquely fulfill the general design guidelines established by the Towns Official Community Plan while contextually transitioning in height and massing from the larger, high-elevation home to the north down to the more grade-oriented neighbouring home to the south. Roofline changes, modest retaining walls and thoughtful landscape design will assist in softening the transitions between the proposed homes and our neighbours.
25.5 Intensive Neighbourhood Residential	The outdoor and indoor space, including openings and window placements, have been designed to respect current and future

placements, have been designed to respect current and future neighbours. The proposed material board, colour pallet and building articulation design is intended to enhance the neighbourhood subtly and thoughtfully: current and future.

















(1) Vertical Siding: Uncertain Gray (Sherwin Williams)

(2) Faux Wood: White Granite (Rustic Series Hardie)

(4) Vertical Siding: Keystone Gray (Sherwin Williams)

(5) Faux Wood: Sand Castle (Rustic Series Hardie)

(6) Horizontal Siding: Peppercorn (Sherwin Williams)

(7) Trim & Fascias: Modern White (Sherwin Williams)

Figure 1: Proposed colour pallet direction.





Figure 1: Front elevation with notional colour pallet

Variance:

This application proposes a ground-level lot coverage increase from 40% to 49.7% for both dwellings (and their garages). The justification for this modest variance is as follows:

- The variance supports the creation of an extremely adaptive friendly design on the ground level which includes:
 - Primary bedroom located on the main floor;
 - More gentle elevation and grade changes on the exterior of the building;
 - Accessible primary bathroom layout space; and
 - Generous hallways and turn radii throughout the living area.



- This design also proposes including the option of covered dethatched car ports or garages which increases the ground level lot coverage to support the safe and secure storage of an Electric Vehicle as well as secure bike storage.
- The addition of a primary bedroom on the main floor provides a reduced amount of space required on the second level. The reduced space on the second level benefits the proposal in the following ways:
 - Reduced overlook to neighbouring properties; and
 - More interesting building articulation and setbacks from Third Street.



- A larger lot coverage on the ground level also provides a larger roof overhang in the front of the house. This overhang will create a patio which takes advantage of the western-facing exposure and assists in creating a dynamic public-private outdoor amenity space for each home. This has been largely informed by the Towns updated residential design guidelines (OCP 2023).
- While the lot coverage is increased, this site is unique in that there is not a single tree affected by the design. We are able to work within the site topography, flood plain construction level, and around the existing (preserved) boulevard trees to deliver this plan while not negatively impacting the urban canopy.



• A covered garage also provides ample storage for active transportation amenities (bikes, ebikes, scooters, etc.

Flood Plain Construction

The team at Ryzuk Geotechnical Consultants have reviewed the proposed layouts and elevations and support the construction of these homes on top of a standard crawl space. The crawl space will of course be non-habitable, and we are prepared to issue a Section 219 information covenant on the property to inform future purchasers of the flood risks associated with construction within the Flood Plain Construction area. The crawl space will be constructed within the parameters of the Towns height restrictions and the home will fall within the appropriate height designation as stipulated in the Land Use Bylaw.

Civil Servicing

JE Anderson and Associates has reviewed the preliminary storm, sewer and water municipal service locations, capacities, and elevations. The proposed homes will be built to high efficiency standards and will not create an undue strain on the existing municipal service system. JE Anderson has no concerns with the on-site storm retention capacity (to be detailed at Building Permit), gravity-fed sewer connection or water service capacity. Further, our arborist has surveyed the locations of the boulevard trees and does not anticipate any challenges in servicing the proposed homes while protecting the existing cedar tree root zones.



Contribution

The primary contribution this proposal provides is two, modest-size, quality homes within the beautiful, walkable and amenity-rich Orchard neighbourhood.

In addition to the primary contribution, Island View Land Management proposes a financial contribution to the Peninsula Food Bank as part of the proceeds from this project. This is a voluntary (non-policy or bylaw required) amenity which is intended to acknowledge and respect the social challenges that the past tenants of this property faced and work to help make the Town a safer and more thriving place for people of all socio-economic backgrounds.

Closing

It has been a sincere pleasure to work with the talented staff at the Town of Sidney in developing this application. We have carefully worked within the parameters established by the Town through the updated Official Community Plan and servicing bylaws and policies to deliver this comprehensive subdivision and Development Permit plan. Our intent is to propose these homes conforming to the parameters of the existing (2015) zoning bylaw (apart from our modest lot coverage variance).

Island View Land Management looks forward to further work with our neighbours, the Town and our development team to help bring these homes to fruition.

Thank you for your consideration.

With respect,

Niall Paltiel President c: (250) 514 - 8429 e: niall@ivlm.ca w: www.ivlm.ca ISLAND VIEW LAND MANAGEMENT

We gratefully acknowledge that the ancestral land on which we work are within the traditional territories of the W_SANEC peoples, specifically W_JOŁEŁP (Tsartlip) and S_TAUTW_(Tsawout) Nations.



Appendix A: Development Permit Area Review

23.4 Public Realm and Open Space All streetscape and public realm improvements shall be barrier-free to accommodate individuals of all abilities, including the elderly and those using mobility aids.

Enhancement of streetscapes throughout the Town is encouraged through tree preservation and tree planting on public open spaces and boulevards, where possible.

24.4 Environmental Ensure site planning and design achieves favourable microclimate outcomes through strategies such as: Locating outdoor spaces where they will receive ample sunlight, planting trees to provide a balance of shading in the summer and solar access in the winter, and using building mass, trees, and planting to buffer wind.

Use appropriately designed exterior shading devices (such as fixed awnings or retractable canopies, roofs projections, overhangs, and fixed fins) to block unwanted solar gains.

25.3 General FormTopography and Preservation:and CharacterSite buildings to protect trees and significant natural and ecological
features.

Use: Develop in a manner compatible with adjacent structures and uses

Site Circulation:

Design internal circulation patterns (streets, sidewalks, pathways) to be integrated with and connected to the existing and planned future public street, bicycle and/or pedestrian network.

Accessibility and Accommodating Pedestrians and Cyclists: Apply universal accessibility principles to primary building entries, sidewalks, plazas, mid-block connections, lanes, and courtyards through the appropriate selection of materials, stairs, and ramps as necessary, and the provision of wayfinding and lighting elements.

Provide pedestrian pathways on site to connect:

a. Main building entrances to public sidewalks and open space

Vehicle Circulation and Driveways:

Consolidate driveway and laneway access points to minimize curb cuts and impacts on the pedestrian realm or common open spaces.

Building Orientation:

Site buildings and orient primary façades and entries to the fronting street or a central open space to create street/edge definition and activity.



Avoid large expanses of uniform materials and flat monotonous façades
facing streets and public open spaces.

Parking and Servicing:

Locate off-street parking and other 'back-of-house' uses (such as loading, solid waste collection, utilities, and parking access) away from public view or the view of adjacent properties.

Avoid locating off-street parking between the front façade of a building and the fronting public street.

25.4 GeneralDesign all residential buildings and units to have easy access to useableResidentialprivate or semi-private outdoor amenity space.

Design front yards to include a path from the fronting street to the primary entry, landscaping, and semiprivate outdoor amenity space.

Design private outdoor amenity spaces to have access to sunlight; railing and/or fencing to help increase privacy; and, landscaped areas to soften the interface with the street or open spaces.

Porches, balconies and decks facing a street should present an open and accessible appearance that encourages interaction between the dwelling and the street.

Architectural elements and materials should be chosen to convey a feeling of quality and permanence. Cladding materials and architectural detailing should break up large flat surfaces and monotonous façades.

Design of open space should emphasize usability, with convenient access from the interior of units so that open space can be used as part of everyday living.

Create a semi-private entry or transition zone from the public realm to individual private units by utilizing design elements such as: changes in grade, decorative railings, and planters; and, articulation and pattern of the building as it relates to the street.

Site Design:

Design new residential developments to take into consideration the relationship between building height, site coverage, and setbacks; and between new buildings and surrounding properties, streets and other features.

Design all residential buildings and units to have easy access to useable private or semiprivate outdoor amenity space.



Design front yards to include a path from the fronting street to the primary entry, landscaping, and semi-private outdoor amenity space.

Design private outdoor amenity spaces to have:

- a. Access to sunlight;
- b. Railing and/or fencing to help increase privacy; and c. Landscaped areas to soften the interface with the street or open spaces.

Building Design:

Porches, balconies, and decks facing a street should present an open and accessible appearance that encourages interaction between the dwelling and the street.

Design façades to articulate individual dwelling units by recessing or projecting building elements, varying materials and exterior finishes, and using entrance features, roofline features, or other architectural elements.

Design primary unit entrances to provide: a. A clearly visible front door directly accessible from a public street or publicly accessible pathway; and b. Architectural entrance features such as stoops, porches, shared landings, patios, recessed entries, and canopies.

Incorporate individual entrances to ground floor units that are accessible from the fronting street or public open spaces. A maximum of 1.2 m height from grade (e.g. 5-6 steps) is desired for front entryways.

Architectural elements and materials should be chosen to convey a feeling of quality and permanence. Cladding materials and architectural detailing should break up large flat surfaces and monotonous façades.

Design and orient buildings so that windows and balconies overlook public streets, parks, walkways, and shared amenity spaces while minimizing views into private residences.

Window openings on sidewalls should be planned to avoid aligning with windows of adjacent dwellings.

Limit overlook into adjacent properties' private spaces and interiors through use of skylights, clerestory/piano windows, and obscure glazing.

Design of open space should emphasize usability, with convenient access from the interior of units so that open space can be used as part of everyday living.



Outdoor living spaces should be visible from the interior of dwelling units in order to promote the usability and safety of the space.

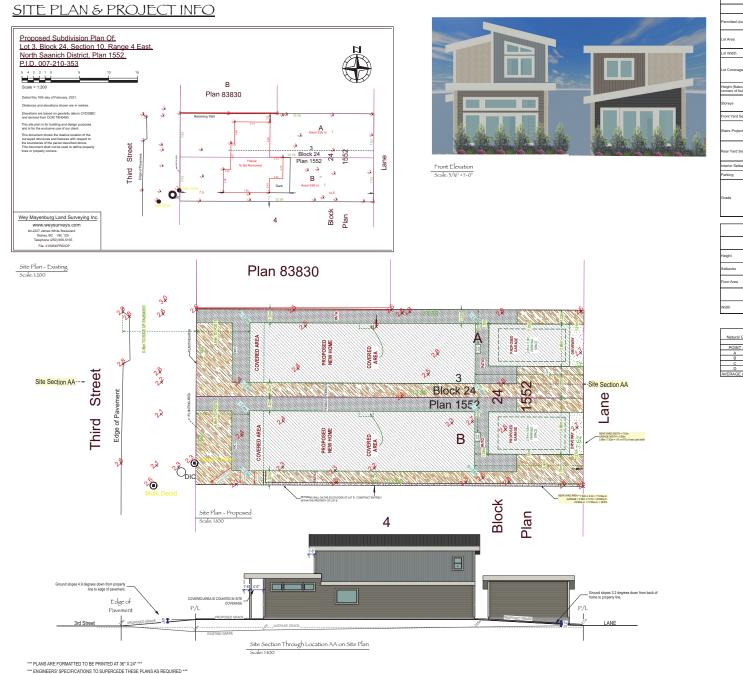
Use textured, permeable paving for hard surfaced areas such as walkways, patios, driveways, and parking areas.

25.5 IntensiveConsideration should be given to how the overall property functions (i.e.Neighbourhoodparking, outdoor space, landscaping, building orientation, storage, etc.)Residentialfor each dwelling on the property.

Roofs should be varied and/or pitched to reduce the bulk of the building and to emphasize a human scale.

Roof structures that span both units in a singular, monolithic roof form are discouraged. Developments are encouraged to break up the building mass by articulating the roofline with secondary roof elements.

Landscape elements such as gateways, trellises, lighting, planting areas and hard surfacing should be used to create a sense of entry and delineation to each unit.



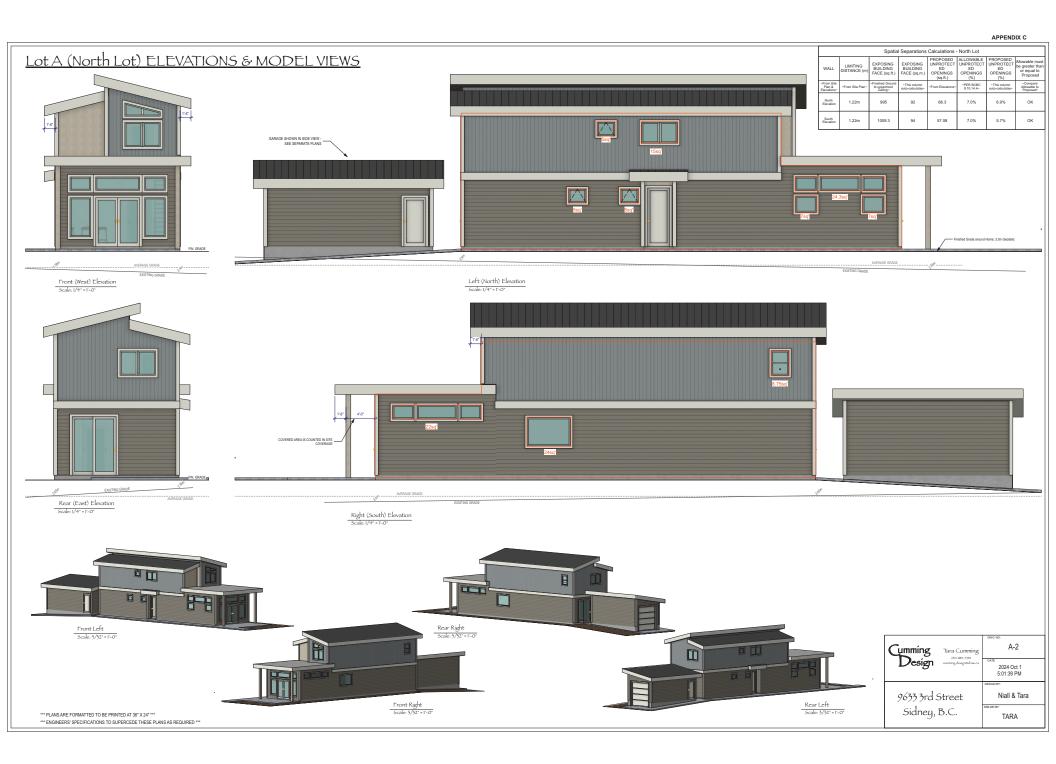
6933 3rd Street - Data Information Table - Proposed New Homes					
ltem	R1 - Neighbourhood Residential	Proposed Lot A (North)	Proposed Lot B (South)		
Permitted Uses Pertaining to this Application Accessory Building, Single Family Dwelling, Secondary Suite, Home Occupation				ок	
Lot Area	Min. 250sq.m	255sq.m. (2744.8sq')	255sq.m. (2744.8sq')	ок	
Lot Width	Min. 7.5m	Lot Width is 7.62mm	Lot Width is 7.62mm	OK	
Lot Coverage	Max 50% covered area on West side, cov		1363.8sq' = 49.7% (Including covered area on West side, Covered Entrance, and Garage)	ок	
Height (Natural grade at extreme four corners of building, to highest point)	Max. 10.5m (Roof pitch 3:12 or less) or Max. 12.0m (Roof pitch greater than 3:12)	8m	6.82m	ОК	
Storeys	Max. 3 Storeys	2 Storeys	2 Storeys	ок	
Front Yard Setback	Min. 3.0m	4.64m to Posts	4.64m to Posts	ОК	
Stairs Projecting into Front Yard Setback	Unenclosed stairs & landings are permitted in the front & rear setback	N/A	N/A	ок	
Rear Yard Setback	Min. 3.0m	9.4m	9.4m	ок	
Interior Setbacks	Min. 1.2m	1.22m Each Side	1.22m Each Side	ОК	
Parking	Min. 1 space	1 Parking space	1 Parking space	OK	
Grade	Per Building Bylaw 3.6.5: No person shall alter or allow the alteration of the ground elevations of a site in a manner that adversely affects the drainage of adjoining properties.	perimeter of building is 2.63m. Proposed finished grade	Average natural grade around perimeter of building is 2.5m. Proposed finished grade around perimeter of building is 3.17m (0.67 above existing)	Variance Requested	

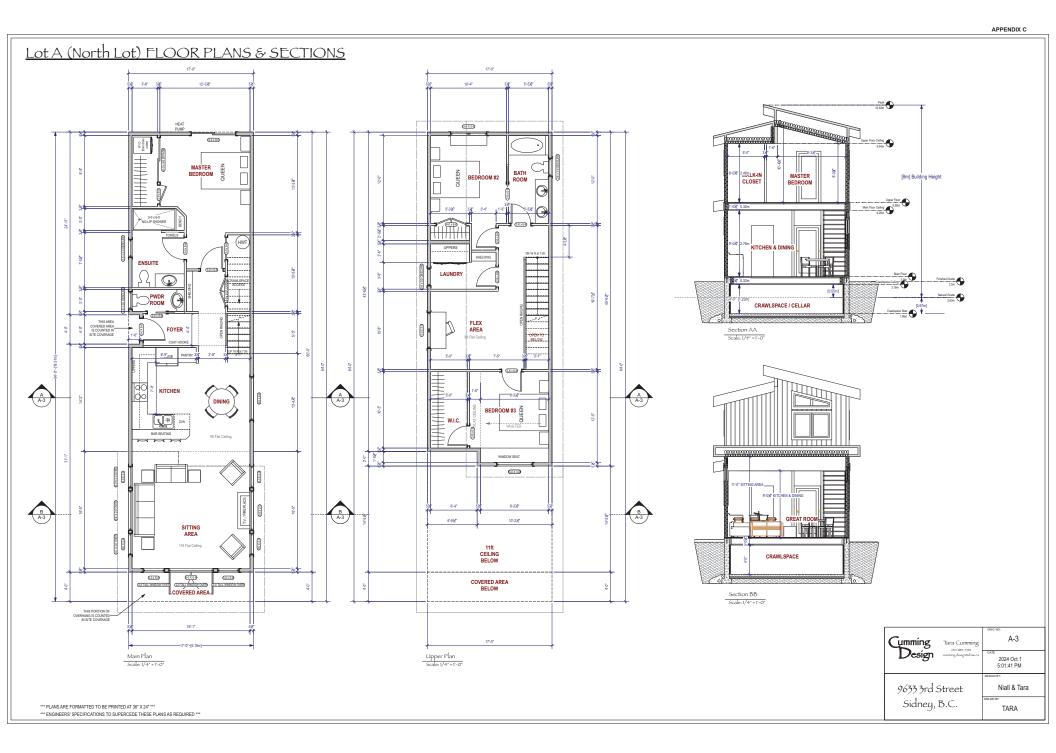
9633 3rd Street - Data Information Table - Proposed Garages					
ltem	R1 Neighbourhood Residential	Proposed Lot A (North)	Proposed Lot B (South)		
Height	Max. 5.0m	-4.15m	-4.15m	ок	
Setbacks	Min. 1.2m from any lot line	1.22m (North), 2.75m (South), 1.21m (East)	1.21m (North), 2.75m (South), 1.21m (East)	ОК	
Floor Area	Max. 25% Rear Yard	35.80%	35.80%	Variance Required	
		(Garage is 276sq' or 25.6sq.m. Rear Yard is 71.6sq.m.)	(Garage is 276sq' or 25.6sq.m. Rear Yard is 71.6sq.m.)		
Width	Max. 50% Rear Yard	47%	47%	ок	

Natural Grad	e - North Lot	Natural Grad	e - South Lot
POINT	GRADE (m)	POINT	GRADE (m)
A	2.55	E	2.40
В	2.90	F	2.70
C	2.65	G	2.60
D	2.40	н	2.30
AVERAGE (m)	2.63	AVERAGE (m)	2.50

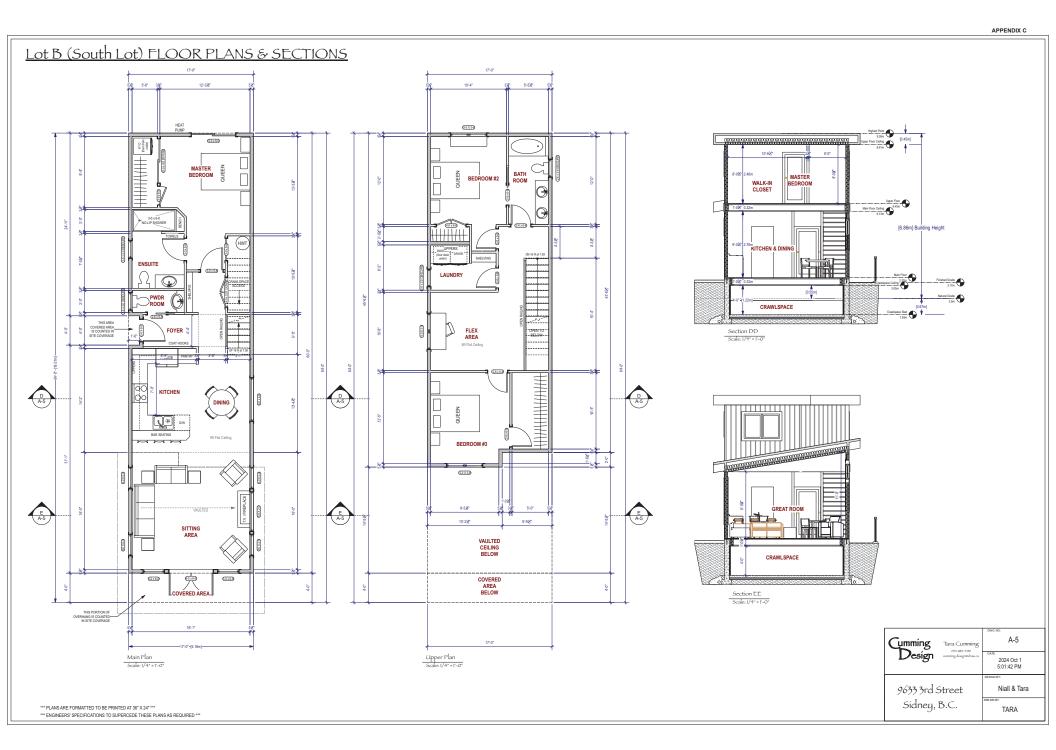
Cumming	Tara Cumming	A-1
Design	cunning.design#shaw.ca	2024 Oct 1 5:01:38 PM
9633 3rd 5	Street	Niall & Tara
Sídney,	B.C.	TARA

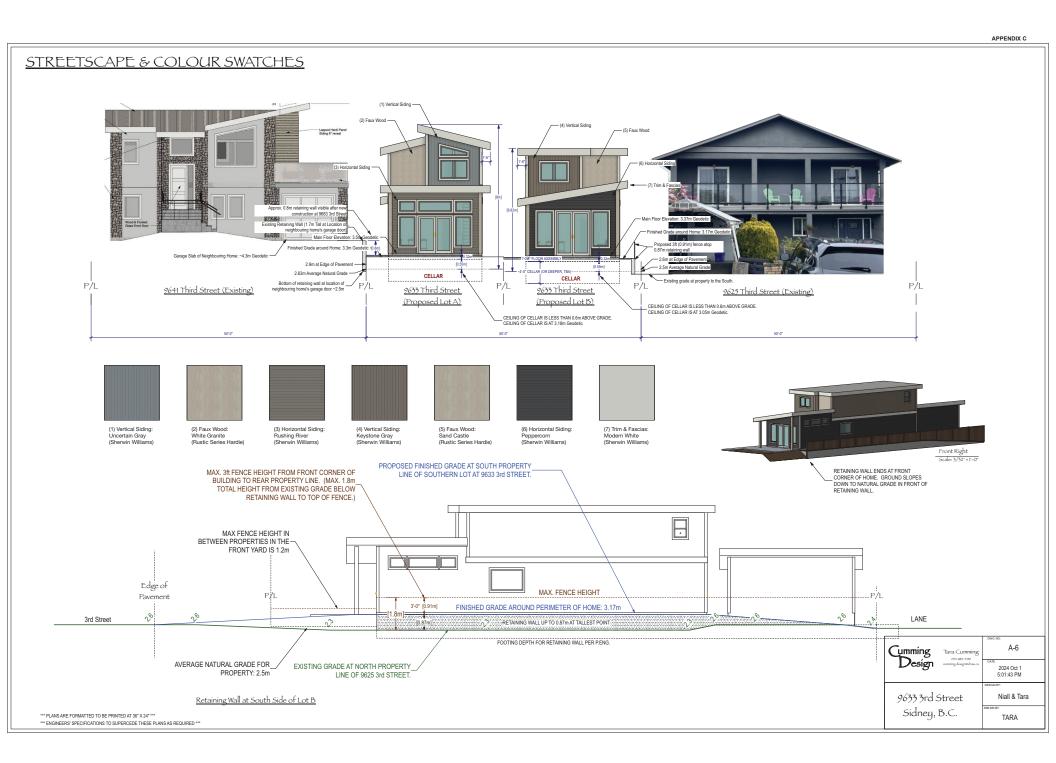
APPENDIX C

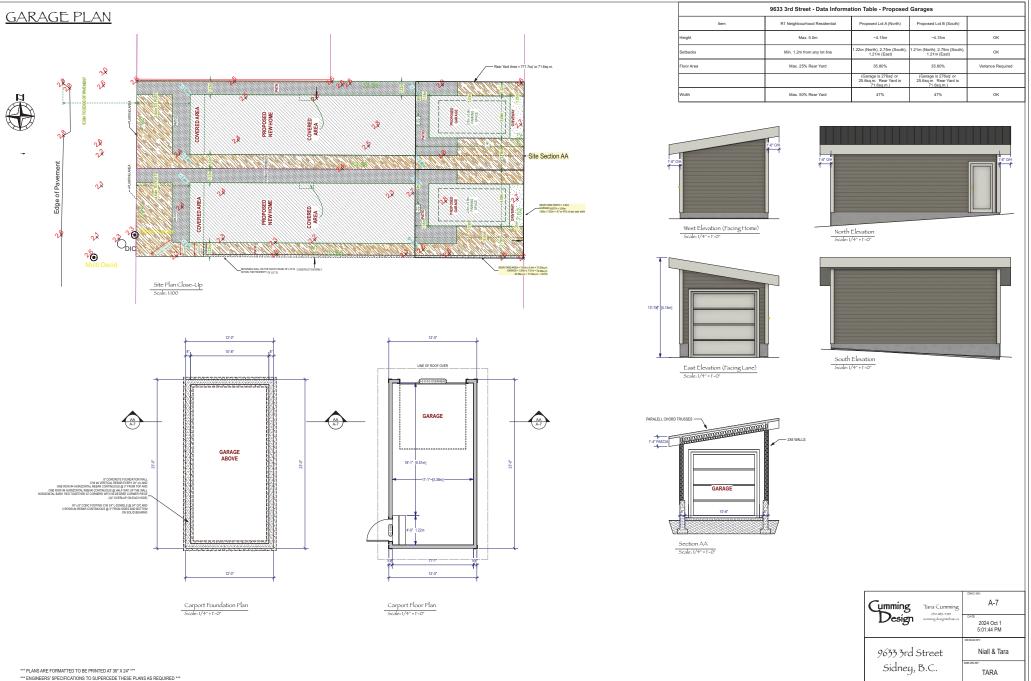












APPENDIX C

APPENDIX C

