



## TOWN OF SIDNEY

### Report to Advisory Planning Commission

**TO:** Chair and Members of the Commission  
**FROM:** Celina Fletcher, Municipal Planner  
**DATE:** August 29, 2024 File No. 9667 Fifth Street (Land)  
**SUBJECT:** Development Permit Application No. DP100845  
Development Variance Permit Application No. DV100358  
9667 Fifth Street

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#### PURPOSE:

The purpose of this report is to address the **Development Permit Application** and **Development Variance Permit Application** for the property located at **9667 Fifth Street** (*aerial photo attached as Appendix A*).

#### PROJECT SUMMARY:

- The proposal is to construct a new multi-family residential building containing a total of 8 townhouse dwelling units.
- The following variances are requested to allow the proposed design:
  - To increase the maximum building height from 8.0m to 8.92m;
  - To increase the maximum number of storeys from 2.5 to three;
  - To increase the maximum height of stairs permitted to project into a front yard from 1.2m to 1.95m;
  - To decrease the minimum interior side yard setback from 2.0m to 1.68m;
  - To decrease the minimum parking space setback from 1.0m to 0.8m; and
  - To decrease the minimum setback for an accessory building from 1.2m to 0.8m.
- The proposal is within the range of “bonus density” for the RM5 zone.
- The proposal is consistent with key objectives and policies contained within the Official Community Plan that support multi-unit residential development in appropriately designated areas.

#### BACKGROUND

The proposed development was presented to Council on July 15, 2024, where Council provided the following resolution:

*That Development Permit Application No. DP100845 and Development Variance Permit Application No. DV100358 (9667 Fifth Street) be forwarded to the Advisory Planning Commission for further review and comment, subject to the condition that prior to review by APC, the applicant provides a revised set of plans for the interior side yard setback.*

*MOTION CARRIED 6:1*

The applicant has provided a revised proposal since it was first presented to Council by removing the proposed ‘bump outs’ on the third storey of the building encroaching into the interior side yard setbacks and changing the rooflines from peaked roofs to flat roofs in order to reduce the requested setback variance and to reduce overlook into neighbouring properties. The proposal also now includes additional screened garbage and recycling areas, and additional bicycle parking, in response to comments made at the July 15 Council meeting. The drive aisle and parking area in the rear yard has also been widened to ensure vehicles have adequate space to maneuver in and out of parking spaces, which has resulted in the relocation of the accessory building to be within the required 1.2m setback.

**DESCRIPTION OF PROPOSED DEVELOPMENT:**

The applicant is proposing to construct one three-storey multi-unit residential building containing eight townhouse dwelling units stacked vertically with four single-level units located below four two-level units fronting Fifth Street (see Appendix C for Drawing Set V3). The four two-level units are to have kitchen and living areas on the main level and three bedrooms on the upper level. The four single-level units are to be accessed from the rear of the property; two are to have two bedrooms, and two are one-bedroom adaptable units. Unit sizes range from 61.8 m<sup>2</sup> (665 ft<sup>2</sup>) to 139.9 m<sup>2</sup> (1,505 ft<sup>2</sup>). On-site surface vehicle parking for the proposed development would be provided in the rear yard, accessed via the rear laneway. An existing storage shed is proposed to be relocated and repurposed in the rear yard to provide a secure area for bicycle parking and is also intended to house garbage and recycling facilities. Raised bed vegetable gardens are proposed in a common area located in the rear yard.

**LOCATION:**

The subject property is located along a major transit and active transportation route on the east side of Fifth Street between Oakville Avenue and Orchard Avenue. The surrounding neighborhood is developed with primarily single-family dwellings, multi-family townhouse developments, and small-lot single-family dwellings. The property is also in relatively close proximity to Tulista and Iroquois parks which are both located within 250 meters (820 ft) to the south. The following table outlines the Official Community Plan (OCP) and Zoning designations of the surrounding properties, as well as their current land uses:

**Table 1: Surrounding Land Use, Zoning and OCP Designations**

|              | OCP Designation                     | Zoning Designation                       | Current Land Use(s)                            |
|--------------|-------------------------------------|--|--|
| <b>North</b> | Multi-Unit Residential              | RM5 Townhouse Residential                | Single-Family Residential                      |
| <b>East</b>  | Intensive Neighbourhood Residential | R1 Intensive Ground-Oriented Residential | Single-Family Residential                      |
| <b>South</b> | Multi-Unit Residential              | RM5 Townhouse Residential                | Single-Family Residential, Townhouse Dwellings |
| <b>West</b>  | Multi-Unit Residential              | RM5 Townhouse Residential                | Single-Family Residential                      |

**OFFICIAL COMMUNITY PLAN BYLAW 2240:**

The subject property is designated as Multi-Unit Residential in the Town of Sidney Official Community Plan (OCP). The proposal is generally consistent with the intent of the OCP, which supports the integration of new housing types and forms into existing residential neighbourhoods and supports pedestrian- and transit-oriented development in multi-unit residential areas. It promotes walkability by creating a pedestrian-friendly development that addresses the street, in close proximity to community services and amenities.

**ZONING BYLAW 2275:**

The subject property is currently zoned Townhouse Residential (RM5), the intent of which is to provide for townhouse housing at a maximum height of 2.5 storeys, and single- and two-family housing, where permitted by the Zoning Bylaw. The following table provides a comparison between the proposed development and the requirements contained in the RM5 zone:

**Table 2: Zoning Comparison**

| Section               | Permitted in RM5 Zone                                  | Proposed Development                           | Conformity |
|-----------------------|--|--|------------|
| <b>Permitted Uses</b> | Townhouse Dwelling                                     | Townhouse Dwelling                             | Conforms   |
| <b>Density</b>        | Base Density: 0.75 FAR<br>Bonus Density: 1.30 FAR      | 1.07 FAR                                       | Conforms   |
| <b>Lot Area</b>       | 750 m <sup>2</sup> minimum<br>(8,073 ft <sup>2</sup> ) | 766 m <sup>2</sup><br>(8,245 ft <sup>2</sup> ) | Conforms   |
| <b>Lot Coverage</b>   | 50%  | 42%  | Conforms   |

|   |  |   |                           |
|---|--|---|---------------------------|
| <b>Height</b>                                   | 8.0 m (29.5 ft)  | 8.92 m (29.3 ft)  | <b>Variance Requested</b> |
| <b>Storeys</b>                                  | Max: 2.5<br>(Half storey ceiling elevation >0.6 m <1.2 metres above grade)                       | 3<br>(first story ceiling elevation at 1.80m above grade) | <b>Variance Requested</b> |
| <b>Setbacks:</b>                                |  |   |                           |
| <b>Front (west)</b>                             | Min: 4.5 m (14.7 ft)   | 4.50 m (14.7 ft)  | Conforms                  |
| <b>Rear (east)</b>                              | Min: 4.5 m (14.7 ft)   | 13.18 m (43.2 ft)   | Conforms                  |
| <b>Side Interior (north &amp; south)</b>        | Min: 2.0 m (6.6 ft)  | 1.68 m (5.5 ft)   | <b>Variance Requested</b> |
| <b>Townhouse-Specific Dwelling Regulations</b>  |  |   |                           |
| <b>Dwelling Units</b>                           | Min: 3 dwelling units attached   | 8 attached  | Conforms                  |
| <b>Permitted Stairs Projection into Setback</b> | Max: 3.0 m   | 2.67 m  | Conforms                  |
| <b>Height of stairs projecting into setback</b> | Max: 1.2 m   | 1.95 m  | <b>Variance Requested</b> |
| <b>Adaptable Dwelling Units</b>                 | Min. 20% of dwelling units (2 units)   | 20% (2 units)   | Conforms                  |
| <b>3-Bedroom Requirements</b>                   | Min. 10% of units, 50% within 1 <sup>st</sup> or 2 <sup>nd</sup> storey, Min. 100 m <sup>2</sup> | 50%, 100%, 139.9 m <sup>2</sup>                           | Conforms                  |
| <b>Accessory Building Regulations</b>           |  |   |                           |
| <b>Minimum Setback</b>                          | 1.2 m  | 0.8 m   | <b>Variance Requested</b> |

The proposed development complies with most zoning requirements with the exception of the variances being requested (see Appendix B for Letter of Rationale).

### OFF-STREET PARKING AND LOADING BYLAW NO. 2140

The proposed development provides 8 surface parking spaces located at the rear of the property. Five are of a standard parking space dimension, two are to be small car parking spaces, and one is to be a Type B accessible parking space. Each parking space is to be provided with electric vehicle charging infrastructure that terminates in an energized outlet capable of providing a minimum of Level 2 charging. The parking area is accessed via the rear laneway and slopes downward from the laneway towards the building. The plans have been updated to include 8 bicycle parking spaces at grade located at the front of each of the ground floor units, as well as 6 additional bicycle parking spaces located within the rear shed.

Parking requirements are summarized below.

**Table 3: Parking and Loading Requirements**

| Parking Type   | Required  | Proposed   | Conformity                |
|----------------|---|--|---------------------------|
| <b>Vehicle</b> | 1 per unit = <b>8 spaces</b>  | <b>8 parking spaces</b>                              | Conforms                  |
|                | No more than 30%, rounded up to nearest whole number for small car (Max. 2 small car parking spaces). | 5 standard size spaces<br>2 small car parking spaces |                           |
|                | Accessible Parking: 1 Type B parking space  | 1 Type B parking space                               |                           |
|                | Min. setback for parking spaces from any lot line: 1.0 m  | <b>0.8 m</b>   | <b>Variance Requested</b> |
| <b>Bicycle</b> | Not required for Townhouse Dwelling Units   | 14 bicycle parking spaces                            | n/a                       |

The proposed development complies with the requirements of Parking Bylaw No. 2140, with the exception of the variance requested for the minimum setback for parking spaces to the north and east property line. Staff see no concerns in supporting this variance request because the design of the parking area is shown to provide sufficient space for vehicles to maneuver and the parking spaces that about the adjacent laneway and north property line will be adequately screened by landscaping and fencing.

Staff would like to note that the rationale behind the variance request to reduce the minimum setback of the accessory building is to allow for sufficient space for maneuverability within the parking area.

### **TREE PRESERVATION BYLAW NO. 2138**

The purpose of the Town's Tree Preservation Bylaw is to exercise certain powers to preserve and protect trees within the Town of Sidney, regulate their cutting down and removal, and require their replacement. There are three trees on the property, none of which are bylaw-protected trees. Two Colorado blue spruce trees are located along the western frontage of the property and a European pear tree in the southeast corner of the property is proposed to be removed. The European pear tree is proposed to be removed to allow for the relocation of an existing shed.

The applicant has submitted an arborist report by D. Clark Arboriculture to assess impacts of the proposed siting of the development on all adjacent trees. The report indicates that some disruption is expected to the critical root zone of the trees on and near the property during demolition of the existing building on the property, during excavation, and with the installation of new civil services. The submitted arborist report verified that the proposed development will not significantly impact the adjacent trees and has provided recommendations to protect on-site and off-site trees. Staff recommend that the applicant adheres to the recommendations of the report.

The applicant has also indicated two 24 m<sup>2</sup> tree planting areas clear of any underground or above ground servicing and utilities to satisfy the new landscaping requirements in section 6 of the Zoning Bylaw.

### **INTERIM FLOOD CONSTRUCTION LEVEL (FCL) POLICY:**

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 which recommends a site-specific minimum floor elevation (FCL – flood construction level) for the development. The proposed development is planned to have a main floor elevation of 2.79m. The Engineer's report assesses the proposed development and states that the construction is safe for the use 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.

### **MULTI-UNIT RESIDENTIAL DEVELOPMENT PERMIT GUIDELINES:**

As the property is located within an area designated under the OCP as Multi-Unit Residential, the site is subject to the Public Realm and Open Space, Environmental Sustainability, General Form and Character, General Residential, and Multi-Unit 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 Multi-Unit Residential DP Guidelines, and would like to highlight the following guidelines:

#### **Environmental Sustainability**

- 24.4.2 *Recognizing the environmental impact of removing existing buildings, where a development site contains existing dwellings or structures that have not reached the end of their life expectancy, consider: a. Retaining them on site; b. Relocating them off-site; or c. Salvaging and repurposing their materials.*
- 25.3.27 *Ancillary or secondary buildings on a site, including shipping and storage containers and buildings constructed for the purposes of storage, should be designed and finished in a manner consistent with the principal building on a site.*

The existing shed on the property is being relocated and repurposed on-site as a common storage area. The cladding of the existing shed follows somewhat of a similar style to the proposed building on the property, with horizontal plank siding.

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.*

Heat pumps are to be located at the rear of the building within the patio areas for the ground level units, screened by the stairways that lead to the second level units.

24.4.35 *Design landscapes to support native pollinators (i.e. native flowering plants, composted mulch/incorporate logs) and migratory song birds (i.e. include coniferous trees for refuge); and design plant areas so that they have multiple layers of foliage (e.g. ground cover, shrub layer and trees).*

The proposed landscaping will accent the development and includes an extensive variety of both native and drought resistant and pollinator friendly species. Several of the plantings are native species, including Red Flowering Currant and Coastal Strawberry.

## **Form and Character**

25.3.9 *Provide bicycle parking at accessible locations on site, including:*

*a. Covered short-term bicycle parking in highly visible locations, such as near primary building entrances; b. Secure long-term bicycle parking within the building, preferably at street level; and c. Ensure bicycle parking, particularly that which is not at street level, is easily accessible to the street, including reducing doorways and using automatic openers.*

Plans include sheltered bicycle parking areas in locations at grade adjacent to the entrances of the lower units as well as within the accessory building on the property.

25.3.62 *The following landscaping practices are encouraged: a. Allocating space for food gardening and the use of edible plants; and b. Selecting tree species that provide high quality bird habitat and low maintenance fruit production.*

Raised vegetable garden beds are proposed within the rear yard of the property, providing a common space for residents to grow food or other plants.

25.3.5 *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.*

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

Pathways connect the entrances of the building, and vehicle and bicycle parking areas, to the street front.

25.3.10 *Ensure that internal circulation for vehicles is designed to provide sufficient space for turning and provides for logical and safe access and egress.*

A turning template for the parking area has been included with the plans, demonstrating that there is sufficient space for all vehicle parking spaces to enter and exit the parking area in a forward motion. The access aisle for the parking area is also larger than required by the Off-Street Parking and Loading Bylaw, which will help with manoeuvrability.

24.4.15 *Use simple shifts in massing and changes in exterior colours and textures to articulate façades.*

25.4.6 *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.*

25.6.29 *Scale buildings and façade elements to establish a consistent pattern along the street and internal roads. This may be accomplished by: articulating individual units through integration of recessed entries, balconies, a change in materials and slight projection, or recess in the façade.*

The proposed building incorporates numerous recesses and articulation on both the front facade that form a visual rhythm along Fifth Street. The front façade projects forward out towards the street and recesses between units to provide a covered porch at the entrances to the upper levels. The trim on the building and changes in cladding materials accentuates each individual unit, separating the upper and lower units and adding visual interest.

25.3.40 *Architectural elements and materials should be chosen to convey a feeling of quality and permanence by evoking traditional building design and materials, such as stone, timber, and brick.*

25.6.28 *An architecturally consistent design should be employed for the overall site, with subtle variations in building materials and colours in key locations to ensure visual interest.*

The building materials are consistent throughout all building elevations, utilizing horizontal Hardie board plank siding in blue and grey colours. Although these materials are of quality and are durable, the building does not utilize traditional building materials such as stone, timber, and brick. However, the building incorporates subtle variations in colour, material, and architectural features to add depth to the building's frontage.

25.3.54 *Design sites and landscapes to maintain pre-development flows through capture, infiltration, and filtration strategies, such as the use of rain gardens and permeable surfacing.*

25.4.22 *Hard-surfaced driveways and parking areas should be surfaced with materials that avoid a monotonous appearance.*

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

A large portion of the rear yard is to be covered in hard surfacing. To minimize the amount of impervious surfacing, the driveway area is proposed to be composed of permeable pavers, while individual parking spaces will be paved with asphalt. An interceptor is proposed between the parking area and the entrances to the lower units to capture run-off, as the parking areas are sloped towards the building. Permeable walkways are proposed along the north and south side yards of the building.

25.3.63 *Architectural lighting should be used to accentuate the design of the building, highlight landscaping and wayfinding features, and complement the adjacent public realm.*

Downcast LED lighting is to be installed on the north and south façade of the building, to illuminate the pathways from the street frontage to the rear yard. Lighting is also to be provided over the front entryways of the upper units.

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.*

25.4.1 *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.*

The roofline of the building has been redesigned since the application first went to Council, to change from a peaked roofline to a flat roof. As a result, the overall height of the building has decreased by 0.62m and appears more in scale with the single-family buildings on the neighbouring properties.

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.*

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

25.4.8 *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.*

25.6.30 *In the case of shared landings that provide access to multiple units, avoid having more than two doors in a row facing outward.*

The building is oriented to have a street interface with the main entryways to the upper-level units fronting Fifth Street, clearly discernible by the stairways leading to them. Each entryway

includes a covered porch, recessed into the building face; the two central units share a stairway up to their individual entrances. The proposal generally meets the above guidelines; however, the front doors of the building are not visible from the street.

The stairs leading to the front entrances of four units exceed the maximum height of 1.2m, at the requested height of 1.95m. The four ground floor units are accessed at grade although these entrances face the rear of the property.

- 25.6.2 *In general, establish a street wall along public street frontages to create a building height to street width ratio of 1:2, with a minimum ratio of 1:3 and a maximum ratio of 1:1.75. a. Wider streets (e.g. transit corridors) can support greater street wall heights compared to narrower streets (e.g. local streets); b. The street wall does not include upper storeys that are set back from the primary frontage; and c. A 1:1 building height to street width ratio is appropriate for a lane or midblock connection condition provided the street wall height is no greater than three storeys.*

While the proposal includes a variance to building height, a building height to street width ratio of approximately 1:2 would be established with the height proposed. This would closely align with the recommended ratio in this guideline, despite the requested increase in building height.

- 25.3.32 *Outdoor and rooftop service installations, including mechanical, electrical, and other service equipment, should be considered early in the design process and shown on architectural plans to avoid the need to add on separate screening structures.*

A mechanical room at each side of the building is proposed to enclose mechanical equipment and utility meters.

- 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.*

- 25.6.25 *Accommodate parking in one of the following ways: a. Centralize parking areas to eliminate the need to integrate parking into individual units; and b. For townhouses facing public streets, design integrated rear-access garages or carports.*

A centralized parking space is to be located at the rear of the property, accessed from the adjacent laneway. The perimeter of the property will be fenced so as to screen the parking area from the adjacent properties.

While the development conforms to the majority of design guidelines, staff would like to highlight the following items as potential areas for improvement:

- 25.6.23 *Screening, window placement, and the siting of access points should be considered to minimize the impact of vehicle headlights on building interiors.*

The location and slope of the driveway could potentially result in vehicle headlights shining directly into the two central rear units on the ground level as vehicles enter the property. Further screening may alleviate this, however, staff note that these two units have limited windows and opportunities for natural light penetration.

- 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.*

- 25.3.34 *Where screening structures are necessary, they should use consistent design, materiality, and scale that complements the building.*

- 25.3.18 *Screen solid waste facilities and unsightly building elements.*

- 25.3.53 *Unsightly site elements including utility kiosks, utility meters, solid waste compounds and storage, loading, and unloading areas should be incorporated into the design of buildings so they are not visible from abutting residential uses, adjacent properties, streets and the waterfront. Where this is not possible, screening or decorative wraps may be considered.*

Garbage and recycling areas are proposed underneath the stairways at the rear of the building, and underneath the roofline of the accessory building on the property. The building and the stairs prevent the garbage and recycling bins from being visible from adjacent

properties and the street, however they would still be visible from the lane and parking area unless additional screening is added. While the accessory building provides sufficient screening for the garbage and recycling area within, the garbage and recycling areas underneath the stairways do not appear to be screen. Staff recommend that screening details be included. Staff also recommend that plans be amended to indicate a common area allocated for solid waste collection on the property on pick-up days, since bins cannot block the sidewalk on the west side of the property nor the driving surface of the lane on the east side.

**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.*

Cladding materials and architectural elements of the building provide interesting facades at the front and rear of the property. While some change of material and colours are used on the north and south side façades of the building to emphasize where the building projected outwards in a previous set of plans, staff believe that further attention to this area could help to break up the massing on these building faces.

**DISCUSSION:**

The building and site design are overall consistent with the direction established in the Multi-Unit Residential Development Permit Area. The scale, form, and height of the development are largely compatible with the surrounding neighbourhood.

Staff see no concerns in providing support for the requested variances to increase the maximum permitted height and number of storeys, and to permit a staircase above 1.2m in height to project into the front yard of the property. Due to the relatively low existing grade of the property, the proposal involves raising the lower half storey of the building further out of the ground to address flood hazard. The Zoning Bylaw defines a half-storey as a storey with a ceiling elevation that is greater than 0.6 metres and does not exceed 1.2 metres above grade. Raising the lowest floor as proposed would increase the height of the ceiling to 1.95 metres above grade. This would result in the lowest level being considered a full storey and not a half-storey, bringing the total number of storeys to 3 and the total height of the building to 8.92 metres above the site's average existing grade. Staff also note that while the building would be three storeys as defined by the Zoning Bylaw, it would appear to retain a 2.5 storey scale, as the lower floor will be slightly recessed into the ground. Stairs projecting into the front yard would be higher than the Zoning Bylaw allows due to the raised elevation of the second floor of the building.

Additionally, staff would like to note that with the recent zoning bylaw update, the maximum permitted height and number of storeys on properties zoned R1 in the surrounding neighbourhood has increased from 9m to 10.5m for flat roofs and from 2.5 storeys to 3 storeys. The height of the proposed development is in line with other surrounding developments in the neighbourhood. Comparable variances to increase height and number of storeys have been granted for residential developments in the Orchard neighbourhood, largely due to flood hazard mitigation.

The recently adopted Zoning Bylaw included changes to the RM5 zone to increase the interior side yard setback from 1.5m to 2.0m. The intent of this increased setback is to align with OCP guidelines to achieve greater visual separation between multi-unit residential buildings, to provide more breaks in massing, and to allow for additional open space on a property. Staff note that the requested variance to allow for 1.68m side yard setbacks are greater than the previous 1.5m interior side setback requirement under the RM5 zone and that the plans consider the usability of this space by allowing for suitable space to provide landscaping and pathways to connect the lower units to and from the street.

**RECOMMENDATION:**

- 1. That owners and tenants in occupation of property within 75 metres (246 feet) of 9667 Fifth Street be notified regarding Development Variance Application No. DV100358 (to relax maximum height, maximum number of storeys, minimum interior side lot line setback, minimum setback from a parking space to property line, maximum height of stairs in the front yard area, and minimum setback 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 DP100845 (to permit the form and character of a three-storey, 8-unit townhouse development) for the property at 9667 Fifth 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. DP100845 the property owner shall, prior to issuance of Building Permit:
  - a. Address Design Guideline 25.4.10 (use of materials and colours to break up massing) to the satisfaction of the Director of Development Services;
  - b. Register a restrictive covenant on the title of the property prohibiting the future strata council from passing any bylaws that may restrict occupancy of the building based on age;
  - c. Register a flood hazard covenant on the title of the property referencing the submitted Engineer's report; 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.

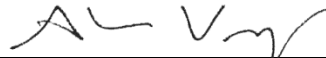
Respectfully submitted,

I concur,



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Celina Fletcher, MCIP RPP  
Municipal Planner



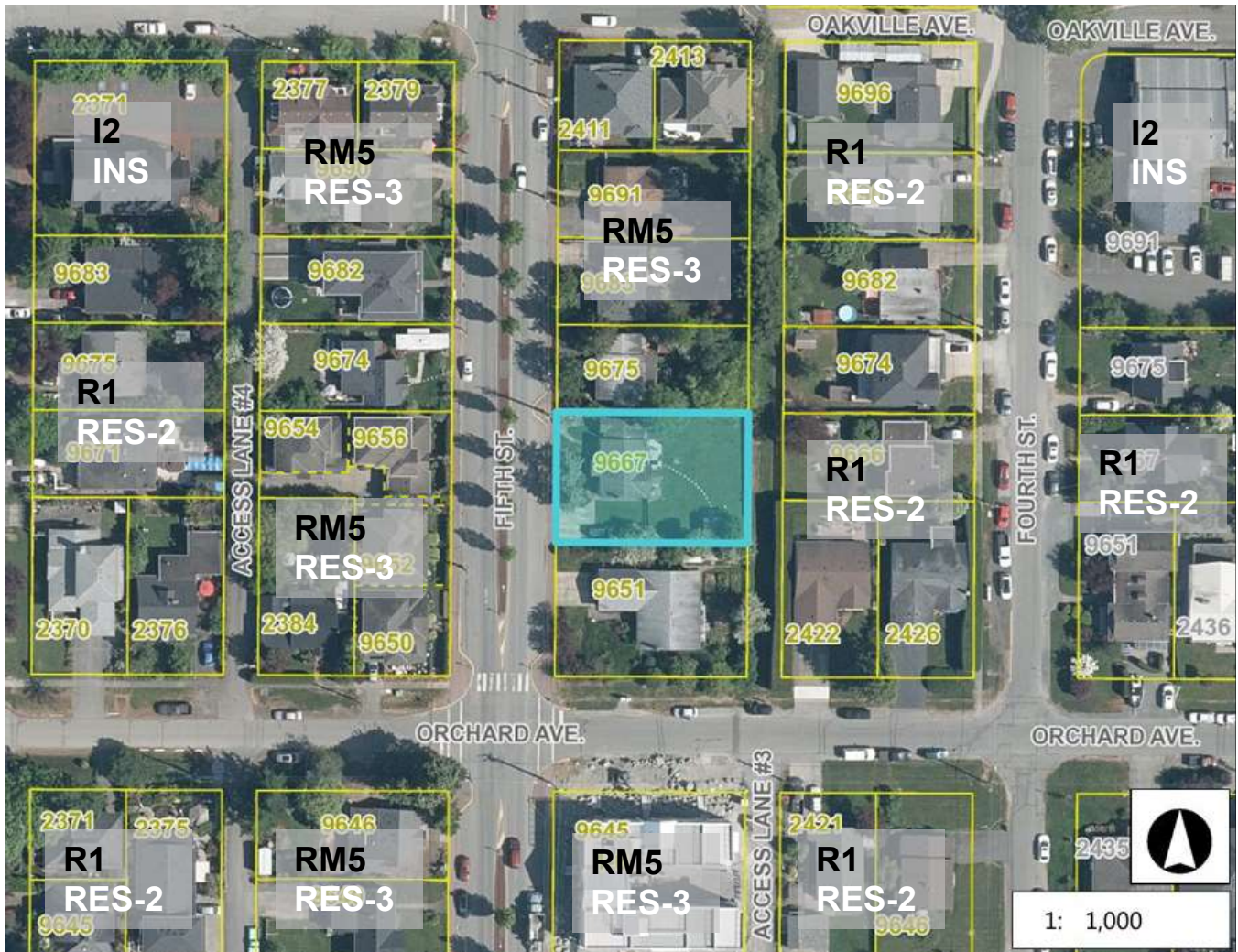
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Alison Verhagen, MCIP RPP  
Director of Development Services

Attachments: Appendix A: Aerial photo of subject property  
Appendix B: Drawing Set V3

Presenter: Niall Paltiel, Island View Land Management (applicant)

Appendix A: 2023 aerial photo of the subject property (9667 Fifth Street) outlined in blue, showing OCP (white) and Zoning (black) designations.



OCP Designation Legend:

**RES-2: Intensive Neighbourhood Residential**

**RES-3: Multi-Unit Residential**

June, 2024



## 9667 Fifth Street Row Homes

**Development Permit Application**

Rationale Letter

June, 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

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**Re: 9667 Fifth Street Development Permit Application**

Good Day,

On behalf of my project and consultant team, it is a pleasure to submit the following Development Permit Application to facilitate the creation of eight ground-oriented homes within the Orchard neighbourhood. 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 9667 Fifth Street in the winter of 2024. We have taken a careful account of the Towns zoning bylaw, Official Community Plan and the site-specific characteristics when crafting this application. Our team has committed to the following priorities which have guided this application:

- 1. Diversity of Homes** This application includes a very dynamic and sought after mix of housing types: three-bedroom family-oriented townhouses, modest two-bedroom at-grade homes, and at-grade one bedroom accessible homes.
- 2. Attainable Tenure** This application seeks to work with the Canada Mortgage and Housing Corporation to finance the construction of these homes as purpose-built market rentals. If this is not successful, the homes will be sold as attainable market housing options for people of varying ages and abilities.
- 3. Create Positive Transition** Design the massing and character of this building to thoughtfully transition from the intensive residential makeup of the Orchard neighbourhood towards the mixed-use town centre to the north.
- 4. Quality Open Space** Where possible, every part of this property which is not intended for housing (or parking) is designed to provide open space value: planting additional trees along the Fifth Street boulevard, screening the new laneway, or through the introduction of raised garden beds.

**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. This proposal will eliminate the current two car driveway access along Fifth Street and return it as a pedestrian-only sidewalk.

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:

|   |  |                                      |
|---|--|--------------------------------------|
| <b>Current Zoning:</b><br>RM5 - Multi-Family Low Density Residential  | <b>Sidney 2040 OCP Designation:</b><br>Neighbourhood Commercial      | <b>Lot Coverage:</b> 41 %            |
| <b>Proposed Zoning:</b><br>RM5 - Multi-Family Low Density Residential | <b>Development Permit Areas:</b><br>23.4 Public Realm and Open Space | <b>Building Height:</b> 9.54m*       |
| <b>Applicable Variances*:</b><br>Roof Height Variance                 | 24.4 Environmental Sustainability                                    | Two-Bed Garden Dwelling: 2           |
| Storey Variance   | 25.3 General Form and Character                                      | One-Bed Adaptable Garden Dwelling: 2 |
| Side Yard Setback   | 25.6 Neighbourhood Townhouse and Multi-Unit Residential              | Total Homes: 8                       |
| Distance of Parking Stall from the Drive Isle                         |  |                                      |
| <b>Setbacks:</b><br>Front Yard (w): 4.5m                              | <b>Vehicle Parking Stalls: 1</b><br>(per dwelling)                   |                                      |
| Side Yard (s): 1.68m*   | <b>Bike Parking Stalls: 1</b><br>(per dwelling)                      |                                      |
| Side Yard (n): 1.68m*   | Total Parking Spaces: 8  |                                      |
| Rear Yard (e): 4.5m   | Accessible Parking Stall: 1  |                                      |

**Planning Alignment**

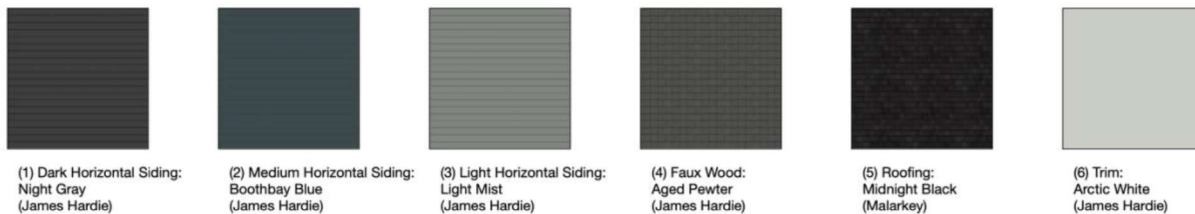
The proposed site plan and building design intends to work within the confines of the 2015 zoning bylaw and newly updated Sidney 2040 Official Community Plan to create a thoughtful mix of rental homes in this dynamic neighbourhood. The house design intends to provide a modest transition between the high density family residential Orchard Neighbourhood and the mixed-use commercial and apartment context in the Sidney town centre.

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
- 24.4 Environmental Sustainability
- 25.3 General Form and Character
- 25.6 Neighbourhood Townhouse and Multi-Unit Residential



*Figure 1: Proposed colour pallet direction*



*Figure 1: Front elevation with notional colour pallet*

## Variations:

This application requires five variations: (1) a numeric height variation; (2) a change in the allowable number of storeys; (3) side yard setback variations; (4) parking stall distance from the laneway; and (5) height of the front entry exterior stairwells. These variations are strongly recommended by the professional consultant team at Ryzuk Geotechnical to facilitate the flood plain construction level. A report has been included as part of this submission. Further detail on these variations is here:

- (1) Numeric height variation: The proposal requires the townhouse height to be varied from 9m to 9.54m or in other terms a 0.54m increase in allowable height. This increase in height is justified by:
  - a. the intent to provide a gentle, gradual slope from the rear parking area to the garden-level adaptive homes;
  - b. the requirements to balance flood plain construction levels with structural building requirements under the geotechnical engineers recommendation;
  - c. This will create a brighter and less 'sunken' garden dwelling which will introduce greater natural light and a higher standard of living for tenants in the one- and two-bedroom homes.



*Depiction of a gently sunken garden patio.*

- (2) Change in allowable number of storeys: this application varies the number of storeys from 2.5 to 3. This change is due to the definition of a storey under the Towns zoning bylaw requiring the dwelling to be further sunken into the ground. Similar to the former variance request (no 1), the nature of this request is predicated on the desire to make the ground-oriented homes accessible and the requirement to raise the building to mitigate flood plain and structural liability concerns.
- (3) Side yard setback variance: Our side yard setbacks have been reduced from 2.0 m to 1.68 m. The design we have provided was based on the recently revised RM-5 zoning bylaw which had a rear yard setback of 1.5m. We feel that the modest density proposed on the site, open space as well as the solar exposure that the proposed plan provides is beneficial to the project when considering the lack of habitable benefit from a larger side yard setback.

The landscape plan has been updated to honour the intent of the setback requirements which is: to take advantage of natural light exposure for landscape buffering while still providing adequate, accessible access from the front yard to the rear entries of the building. A more heavy landscape program has been introduced to the south property line as that will receive greater sun exposure throughout the year.

- (4) Parking stall distance from the laneway: The eastern parking stall proximity to the laneway encroaches by 0.2 of a meter. This variance is required due to special requirements in maintaining reasonable vehicle parking quantities (avoiding a variance) while also ensuring that we provide adequate access to accessibly access the garden-homes while providing them with adequate outdoor patio space.
  
- (5) Height of the front entry exterior stairwells: The Towns building bylaw does not encourage building-up the exterior grade of the finished site; further, the Town supports the retention of significant trees where possible. Acknowledging these objectives, the stairs require a 0.75m variance to accommodate the height of the proposed front steps. This variance is also necessitated by the building height provided by the FCL recommendations made by our consultant.

While not a formal variance, it should be noted that the proposed rear drive isle standard is narrower than traditionally contemplated by the Town of Sidney. The professionals at JE Anderson Civil Engineers have reviewed the parking layout and right of way widths and have ensured that vehicles will safely maneuver through this drive isle with no concerns. Further, this standard is typical in recent applications within the District of Saanich and City of Victoria. This narrower drive isle is necessary:

- Due to the lot width and desire not to alter the Towns vehicle parking requirements;
- To provide enough space for an external bike storage and refuse storage facility near the laneway;
- To reduce the amount of non permeable surfaces and promote sound rainwater management principles;
- To create planting opportunities for modest trees along the boulevard; and
- To create a raised vegetable garden bed space for tenants to share in urban agriculture.



## 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 or tenants of the flood risks associated with construction within the Flood Plain Construction area.

## 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.



## 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 Development Permit plan. Our intent is to propose these homes conforming to the parameters of the existing (2015) zoning bylaw (apart from our modest height 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



*We gratefully acknowledge that the ancestral land on which we work are within the traditional territories of the W̱SÁNEĆ peoples, specifically W̱JOŁEŁP (Tsartlip) and S̱ÁUTW̱ (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.

Provide smooth walking surfaces with adequate width to accommodate multiple users, mobility devices, and assist the visually and mobility impaired.

Ensure sidewalks are wide enough to maximize space for pedestrian activities and movement while still accommodating landscaping and activities

Locate and design publicly accessible open space to:

- a. Be directly accessible from the fronting public sidewalk;
- b. Maximize access to sunlight and encourage year-round use through the provision of landscaping, seating, and weather protection;

The planting of indigenous plant species is encouraged in all parks and landscaping in public open spaces.

### 24.4 Environmental Sustainability

Prior to the design of the project, a detailed survey indicating the location and condition of existing trees and vegetation on a site should be conducted and provided to the Town as part of the development process.

Ensure site planning and design achieves favourable microclimate outcomes through strategies such as:

- a. Locating outdoor spaces where they will receive ample sunlight throughout the year;
- b. Using materials and colours that minimize heat absorption;
- c. Planting both evergreen and deciduous trees to provide a balance of shading in the summer and solar access in the winter; and d. Using building mass, trees, and planting to buffer wind.

Provide bicycle parking that follows the BC Active Transportation Design Guidelines to maximize usability, specifically:

- a. Locate bicycle parking where it is easily accessible to the street to maximize convenience;
- b. Locate public bicycle parking in well lit and highly visible locations to encourage passive surveillance;
- c. Design bicycle parking to be functional for a wide range of bicycle types (i.e. e-bikes, bikes with child carriers, bikes with accessories);

Reduce the dangers of attractants and landscape reflections by ensuring outdoor landscaping features (e.g. trees, shrubs) are located at appropriate distance from glass to reduce reflections. Avoid interior landscaping near windows.

Consider landscape design that provides opportunities for food, shelter, and nesting sites, located at appropriate distance from glass to reduce reflections.

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.

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.

Design landscapes to support native pollinators (i.e. native flowering plants, composted mulch/incorporate logs) and migratory song birds (i.e. include coniferous trees for refuge); and design plant areas so that they have multiple layers of foliage (e.g. ground cover, shrub layer and trees).

Biodiversity landscaping and planting plans that ensure trees and vegetation are adaptable to the changing climate are required of new development.

25.3 General Form and Character

Site buildings to protect trees and significant natural and ecological features.

Develop in a manner compatible with adjacent structures and uses.

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.

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. Adjacent streets, where the site is large or has multiple frontages;
- c. Visitor parking areas to building entrances; and
- b. From the site to adjacent pedestrian/ trail/cycling networks (where applicable).

Provide bicycle parking at accessible locations on site.

Ensure that internal circulation for vehicles is designed to provide sufficient space for turning and provides for logical and safe access and egress.

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

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

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).

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.

Consider future land use direction when designing the transition in building heights from taller to shorter buildings both within and adjacent to the site.

Ancillary or secondary buildings on a site, including shipping and storage containers and buildings constructed for the purposes of storage, should be designed and finished in a manner consistent with the principal building on a site.

Incorporate subtle vertical and horizontal recesses / articulation on large primary façades (e.g. cladding details).

Ensure main building entries are clearly visible with direct sight lines from the fronting street.

Select building materials that will weather gracefully over time.

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.

Pedestrian pathways should provide clear sight lines and connect the following:

- a. Parking areas to building entrances; and
- b. Main building entrances to public sidewalks and transit stops.

Locate trees, shrubs, and other landscaping appropriately to optimize sight lines and pedestrian circulation.

Provide landscaping in strategic locations throughout the site to frame building entrances, soften edges, screen parking garages, and break up long façades.

Plant native and/or drought tolerant trees and plants suitable for the local climate.

Select trees for long-term durability, climate and soil suitability and compatibility with the site’s specific urban conditions.

Landscaping should be compatible with underground utilities and above ground utilities where they exist.

The following landscaping practices are encouraged:

- a. Allocating space for food gardening and the use of edible plants; and
- b. Selecting tree species that provide high quality bird habitat and low maintenance fruit production.

25.6  
Neighbourhood  
Townhouse and Multi-  
Unit Residential

Site buildings to be parallel to the street and to have a distinct front-to-back orientation to public street and open spaces.

Vehicle access from the street should be limited to no more than one curb cut per property and be located on the secondary street, where possible. Impacts on pedestrians and the streetscape should be minimized.

Express a unified architectural concept that incorporates variation in façade treatments. Strategies for achieving this include:

- a. Articulating façades by stepping back or extending forward a portion of the façade to create a series of intervals or breaks;
- b. Repeating window patterns on each step-back and extension interval;
- c. Providing a porch, patio, deck, covered entry, balcony, and/or bay window for each interval; and
- d. Changing the roof line by alternating dormers, stepped roofs, gables, or other roof elements to reinforce each interval.

Articulate the façade using design elements that are inherent to the building as opposed to being decorative. For example, create depth in

building façades by recessing window frames or partially recessing balconies to allow shadows to add detail and variety as a by-product of massing.

Locate semi-private open spaces to maximize sunlight penetration, minimize noise disruptions, and minimize 'overlook' from adjacent units.

Screening, window placement, and the siting of access points should be considered to minimize the impact of vehicle headlights on building interiors.

Consider providing additional parking spaces in accessible locations on the site with direct pedestrian connections to townhouse units.

An architecturally consistent design should be employed for the overall site, with subtle variations in building materials and colours in key locations to ensure visual interest.

Scale buildings and façade elements to establish a consistent pattern along the street and internal roads. This may be accomplished by: articulating individual units through integration of recessed entries, balconies, a change in materials and slight projection, or recess in the façade.

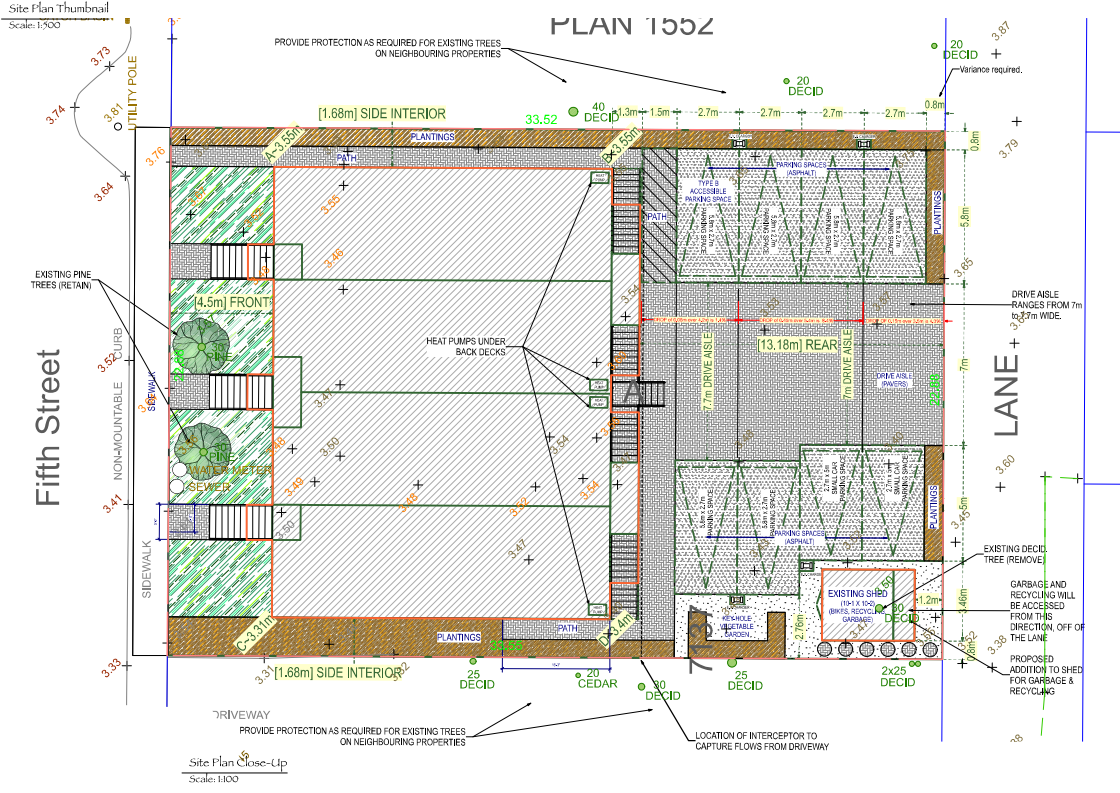
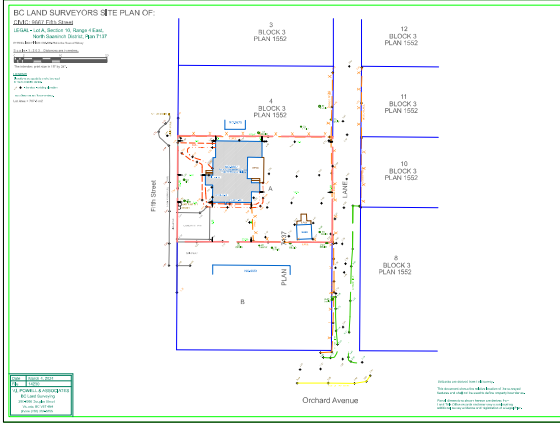
In the case of shared landings that provide access to multiple units, avoid having more than two doors in a row facing outward.

Design front patios to:

- a. Provide an entrance to the unit; and
- b. Establish a semi-private transition zone.

Design balconies to be inset or partially inset to offer privacy and shelter, reduce building bulk, and minimize shadowing.

# SITE PLAN & PROJECT INFO



| 9667 Fifth Street, Sidney, B.C. - Project Info Table     |   |   |   | APPENDIX C   |
|--|---|---|---|--|
| <b>Zoning and Permitted Uses</b>                         |   |   |   |  |
| Zone   | RMS - Multi-Unit Residential  | To provide for attached row housing and multi-family housing at a maximum height of 2.5 storeys | Notes   |  |
| Permitted Uses   | Accessory use, building or Structure, Row house dwelling, Townhouse Dwelling, Apartment Dwelling  | Proposal is to construct a 4-unit Townhouse, each with a suite, resulting in 8 dwellings.       |   |  |
| <b>Buildings and Structures</b>                          |   |   |   |  |
| Item   |   | Proposed  |   | Notes  |
| Lot Area   | Min. 750sq.m.   | 767sq.m.  | 8256sq'   | OK   |
| Maximum Residential Density                              | Max. 1,301 Floor Area Ratio (F.A.R.) (Bonus Density)  | 883sq'  | 1,07:1  | OK   |
| Lot Coverage   | Max. 50% (See 5.1.5 for exemptions) Covered porches and entrances, including stairs not exceeding 1.2 metres in height that are located in the front and exterior side yards shall not be included in lot coverage. (5.3.8.s.1)                                 | 3454sq'   | 42%<br>main building (not including stairs that are 1.2m or less above-grade) plus shed including Shed Addition | OK   |
| Height   | Max. 9m (roof pitch greater than 3:12) or Max. 6m (Roof pitch 3:12 or less)   |   | 6.92m avg. natural grade to peak  | Variance Required                                      |
| Storeys  | Max. 2.5 Storeys  |   | 3.0 Storeys   | Variance Required                                      |
| Front Setback  | Min. 4.5m (Covered porches and entrances, including stairs not exceeding 1.2 metres in height that are located in the front and exterior side yards shall be permitted to project an additional 3 metres into the front and exterior side yards. (5.1.6.3.0.1)) |   | 4.5m Front Yard Setback   | OK   |
| Rear Setback   | Min. 4.5m   |   | 13.18m Rear Yard Setback  | OK   |
| Side Interior Setbacks                                   | Min. 2.0m   |   | 1.88m Side Yard Setbacks  | Variance Required for 0.32m per side                   |
| Orientation  | Min. 3 dwelling units per building shall be attached  |   | 8 dwellings are attached.   | OK   |
| Adaptability   | 20% of all new townhouse dwellings in a development project shall be adaptable units as per Section 7. All calculations shall round up to the nearest whole number.   |   | 3 dwellings (or 25% of the project) are adaptable units   | OK   |
| Shape & Massing  | Townhouse dwellings must be a minimum of two (2) storeys, with the second storey of each dwelling unit having a minimum floor area of 20 square metres of finished habitable space.   |   | Four dwellings are 2-storeys while four dwellings on the lowest level are single story                          | OK   |
| <b>Accessory Structure in Rear Yard</b>                  |   |   |   |  |
| Height   | Max. 5m   |   | 3.65m   | OK   |
| Setbacks   | Min. 1.2m from any lot line   |   | 1.2m from East Property Line, 0.2m from South Property Line   | Variance Required for South Property Line setback      |
| Floor Area   | Max. 25% of Rear Yard Area  |   | 132.8sq'. Rear Yard Area is 504.2sq.m. or 3280.1sq'. Shed covers 4% of the rear yard.                           | OK   |
| Width  | Max. 50% width of rear lot line   |   | Width of shed is 3.1m. Width of rear yard is 22.88m. Shed's width is 13.5% of the width of the rear yard        | OK   |
| <b>Vehicle Parking &amp; Bicycle Parking Regulations</b> |   |   |   |  |
| Parking  | Min. 1 space per unit, including secondary suites. For this project, 8 spaces are required, and one must be a Type B Accessible Space.  |   | 8 Spaces are provided. 1 space is Type B Accessible   | OK   |
| Setback Requirements for Multi-Unit Parking              | Min. 1m setback required between parking areas and property line.   |   | North: 0.8m, South: 2.76m, East: 0.8m   | Variance Required for North and East parking setbacks. |

| Floor Area Calculations |                 |
|-------------------------|-----------------|
| Space                   | Area            |
| Unit A                  |                 |
| Main Floor              | 745 sq'         |
| Upper Floor             | 750.5 sq'       |
| Basement Level          | 864.7 sq'       |
| Mechanical Room         | 39.0 sq'        |
| Unit B                  |                 |
| Main Floor              | 745 sq'         |
| Upper Floor             | 750.5 sq'       |
| Basement Level          | 794 sq'         |
| Unit C                  |                 |
| Main Floor              | 745 sq'         |
| Upper Floor             | 750.5 sq'       |
| Basement Level          | 794 sq'         |
| Unit D                  |                 |
| Main Floor              | 745 sq'         |
| Upper Floor             | 750.5 sq'       |
| Basement Level          | 864.7 sq'       |
| Mechanical Room         | 39.0 sq'        |
| <b>TOTAL</b>            | <b>8838 sq'</b> |

| AVERAGE GRADE CALCULATION |            |
|---------------------------|------------|
| POINT                     | GRADE (m)  |
| A                         | 3.6        |
| B                         | 3.6        |
| C                         | 3.3        |
| D                         | 3.4        |
| <b>AVERAGE (m)</b>        | <b>3.5</b> |

\*\*\* PLANS ARE FORMATTED TO BE PRINTED AT 30" X 24" \*\*\*  
 \*\*\* ENGINEERS' SPECIFICATIONS TO SUPERCEDE THESE PLANS AS REQUIRED \*\*\*

Tara Cumming  
250-469-1956  
cumming.design@shaw.ca

PROJECT NO: **A-1**

DATE: **2024 Aug 22 9:08:35 AM**

DESIGN BY: **TARA & NIALL**

DRAWN BY: **TARA**

~ 9667 5th Street ~

# ELEVATIONS (East & West)



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



Front Left  
Scale: 3/32" = 1'-0"



Front Right  
Scale: 3/32" = 1'-0"



Rear Left  
Scale: 3/32" = 1'-0"



Rear Right  
Scale: 3/32" = 1'-0"



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

5'-10" UNDER THE 4TH TREAD DOWN FROM TOP

\*\*\* PLANS ARE FORMATTED TO BE PRINTED AT 36" X 24" \*\*\*  
\*\*\* ENGINEERS' SPECIFICATIONS TO SUPERCEDE THESE PLANS AS REQUIRED \*\*\*

|  |  |         |                           |            |              |                     |
|--|--|---------|---------------------------|------------|--------------|---------------------|
|  | Tara Cumming<br>250-481-5100<br>cumming.design@mlb.us.ca | DWG NO: | A-2                       | DESIGN BY: | TARA & NIALL | ~ 9667 5th Street ~ |
|  |  | DATE:   | 2024 Aug 22<br>9:08:35 AM | DRAWN BY:  | TARA         |                     |



# ELEVATIONS (North & South)

| Spatial Separations Calculations |                        |                                |                                       |  |                                       |  |    |
|----------------------------------|------------------------|--------------------------------|---------------------------------------|--|---------------------------------------|--|----|
| WALL                             | LIMITING DISTANCE (ft) | EXPOSING BUILDING FACE (sq.ft) | PROPOSED UNPROTECTED OPENINGS (sq.ft) | ALLOWABLE UNPROTECTED OPENINGS (sq.ft) | PROPOSED UNPROTECTED OPENINGS (sq.ft) | MINIMUMS must be greater than or equal to Proposed |    |
| North Elevation                  | 1.66m                  | 1277                           | 119                                   | 99.75                                  | 7.2%                                  | 7.1%   | OK |
| South Elevation                  | 1.66m                  | 1277                           | 119                                   | 99.75                                  | 7.2%                                  | 7.1%   | OK |



Example of Soft white LED downlighting to light pathways.



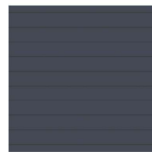
|  |  |                       |                                    |                     |
|--|--|-----------------------|------------------------------------|---------------------|
|  | Tara Cumming<br>250-489-4500<br>cumming.design@telus.net | DWG NO: <b>A-3</b>    | DESIGN BY: <b>TARA &amp; NIALL</b> | ~ 9667 5th Street ~ |
|  | DATE: 2024 Aug 22 9:08:37 AM                             | DRAWN BY: <b>TARA</b> |                                    |                     |

\*\*\* PLANS ARE FORMATTED TO BE PRINTED AT 36" X 24" \*\*\*  
 \*\*\* ENGINEERS' SPECIFICATIONS TO SUPERCEDE THESE PLANS AS REQUIRED \*\*\*

# STREETSCAPE & COLOUR SWATCHES



Streetscape (West Elevation)  
Scale: 1:100



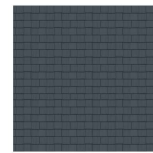
(1) Dark Horizontal Siding:  
Rainmaker  
(Dulux)



(2) Medium Horizontal Siding:  
Wentworth  
(Dulux)



(3) Light Horizontal Siding:  
Tuft  
(Dulux)



(4) Shakes:  
Rainmaker  
(Dulux)

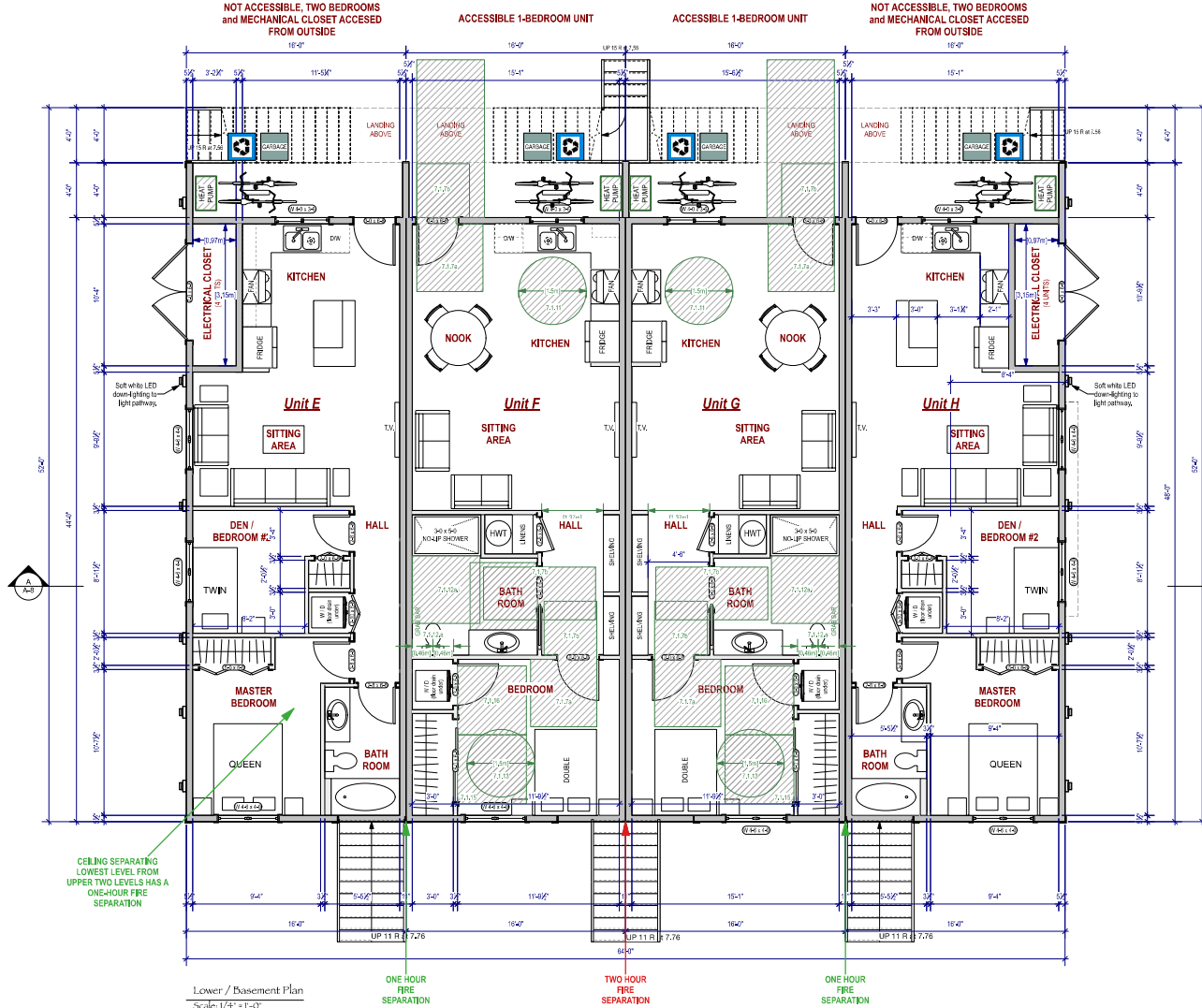


(5) Trim:  
Snowy Mountain Half  
(Dulux)

\*\*\* PLANS ARE FORMATTED TO BE PRINTED AT 36" X 24" \*\*\*  
\*\*\* ENGINEERS' SPECIFICATIONS TO SUPERCEDE THESE PLANS AS REQUIRED \*\*\*

|  |  |                                 |                                    |                     |
|--|--|---------------------------------|------------------------------------|---------------------|
|  | Tara Cumming<br>250-481-4368<br>cumming.design@shaw.ca | DWG NO: <b>A-4</b>              | DESIGN BY: <b>TARA &amp; NIALL</b> | ~ 9667 5th Street ~ |
|  |  | DATE: 2024 Aug 22<br>9:08:38 AM | DRAWN BY: <b>TARA</b>              |                     |

# LOWER FLOOR PLAN



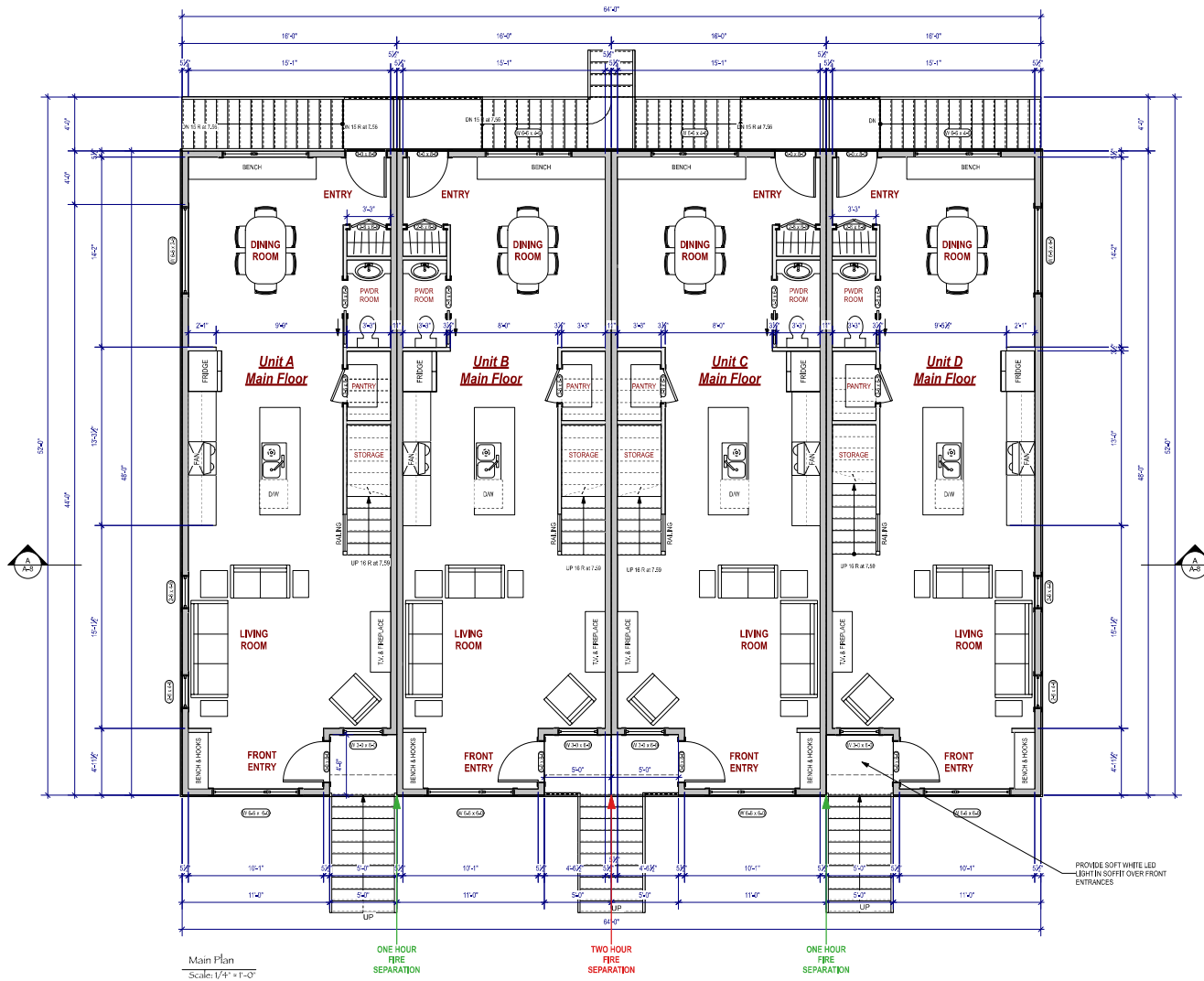
Lower / Basement Plan  
Scale: 1/4" = 1'-0"

- 2.1.1 Paths of Travel**
  - a. Exterior walkways to at least one main entrance shall:
    - i. be provided by means of a continuous plane not interrupted by steps or abrupt changes in level.
    - ii. have a permanent, firm and slip resistant surface such as asphalt, concrete pavers, well compacted crushed stone, or lumber with the planks across the direction of travel; and
    - iii. have an uninterrupted width of not less than 1.5 metres, and a gradient not steeper than 1 in 20.
- 2.1.2 Location of Accessible Units**
  - a. Where possible, all accessible units shall be located on the ground floor; however, if located above the main floor, those units must provide an area of refuge.
- 2.1.3 Notice of Accessible Features**
  - a. A permanent information sheet on the location and type of accessible features included in the unit shall be posted on, beside or inside the electrical panel.
- 2.1.4 Corridor Widths**
  - a. Corridors shall be not less than 1.2 metres wide for all interior routes.
- 2.1.5 Floor Surfaces**
  - a. Floor surfaces shall have no changes in level greater than 0.013 metres.
- 2.1.6 Doors**
  - a. Doors shall have a clear width when open of not less than 0.8 metres
  - b. Thresholds shall not exceed 0.013 metres high
  - c. Operating devices such as handles, pulls, latches, and locks shall:
    - i. be operable by one hand;
    - ii. not require fine finger control, tight grasping, pinching or twisting of the wrist to operate; and
    - iii. be mounted not more than 1.2 metres from the floor.
- 2.1.7 Maneuvering Space at Doors**
  - a. When the door swing is towards the maneuvering space, the space shall be not less than 1.5 metres long by a width equal to the door assembly width plus not less than 0.5 metres clear space beside the latching jamb of the door.
  - b. When the door swing is away from the maneuvering space, the space shall be not less than 1.2 metres long by a width equal to the door assembly width plus not less than 0.20 metres clear space beside the latching jamb of the door.
- 2.1.8 Controls and Outlets**
  - a. Light switches, circuit breakers, locks, and intercom buttons shall be located at a height between 0.4 metres and 1.2 metres from the floor.
  - b. Electrical receptacle outlets shall be located between 0.4 metres and 1.2 metres above the floor.
  - c. Thermostats shall be located between 0.4 metres and 1.2 metres above the floor.
  - d. The operable part of controls, such as thermostats, electrical meters, circuit breakers, locks and intercom buttons, microphones, and electrical and communication wall outlets shall be:
    - i. located adjacent to a clear floor space that has a width of not less than 0.75 metres;
    - ii. operable with one hand; and
    - iii. of a type that does not require tight grasping, pinching, or twisting of the wrist.
  - e. At least one switch/ electrical outlet shall be provided in the master bedroom and living room.
- 2.1.9 Alarms**
  - a. An alarm call receptacle shall be provided above the main entrance to allow for the connection of a personal visual or auditory signal.
- 2.1.10 Windows**
  - a. Opening and latching mechanisms shall be:
    - i. located adjacent to a clear floor space that has a width of not less than 0.75 metres;
    - ii. operable with one hand; and
    - iii. of a type that does not require tight grasping, pinching or twisting of the wrist.
- 2.1.11 Kitchens**
  - a. The distance between counters and all opposing base cabinets, counter tops, appliances or walls shall be not less than 1.5 metres
- 2.1.12 Bathrooms**
  - a. At least one toilet compartment shall:
    - i. have a space not less than 1.5 metres by 1.5 metres for access to the toilet and the future toilet; and this access space may overlap access space for other features;
    - ii. have a distance between the centre line of the toilet fixture and the adjacent wall of between 0.48 metres and 0.48 metres; and
    - iii. have wall structural support provided behind a toilet, shower or bathtub to allow the installation of grab bars.
- 2.1.13 Bedrooms**
  - a. At least one bedroom shall provide sufficient space for a turning area of not less than 1.5 metres diameter on one side of a standard one double bed.
- 2.1.14 Base Cabinets for Kitchens and Bathrooms**
  - a. The base cabinets under a kitchen or bathroom sink shall be removable.
  - b. At least one section of the kitchen counter shall have a work surface that is:
    - i. Not less than 0.75 metres wide x 0.81 metres deep; and is adjustable in height from 0.71 metres to 0.86 metres.
- 2.1.15 Clothes Storage**
  - a. Where provided, one hall closet and one bedroom closet shall have:
    - i. A clear floor space of not less than 1.5 metres diameter in front of the storage area; and
    - ii. A clear opening of not less than 0.8 metres.
- 2.1.16 Laundry Facilities**
  - a. A clear floor space of not less than 1.5 metres diameter shall be provided in front of clothes washing or drying equipment.
- 2.1.17 Living Areas**
  - a. Complete living facilities, including a kitchen, bathroom and bedroom, shall be provided on one level to avoid the need for lifts or elevators. However, where living areas are provided on two or more levels, clear or open space not less than 0.915 metres wide by 1.20 metres long shall be positioned one above the other on each level to provide space to accommodate the future installation of a residential elevator or lift.

\*\*\* PLANS ARE FORMATTED TO BE PRINTED AT 30" X 24" \*\*\*  
 \*\*\* ENGINEERS' SPECIFICATIONS TO SUPERCEDE THESE PLANS AS REQUIRED \*\*\*

|  |  |                                    |                            |                     |
|--|--|------------------------------------|----------------------------|---------------------|
|  | Tara Cumming<br>250-469-1456<br>cumming.design@shaw.ca | DATE:<br>2024 Aug 22<br>9:08:39 AM | DESIGN BY:<br>TARA & NIALL | - 9667 5th Street - |
|  |  | DRAWN BY:<br>TARA                  |                            |                     |

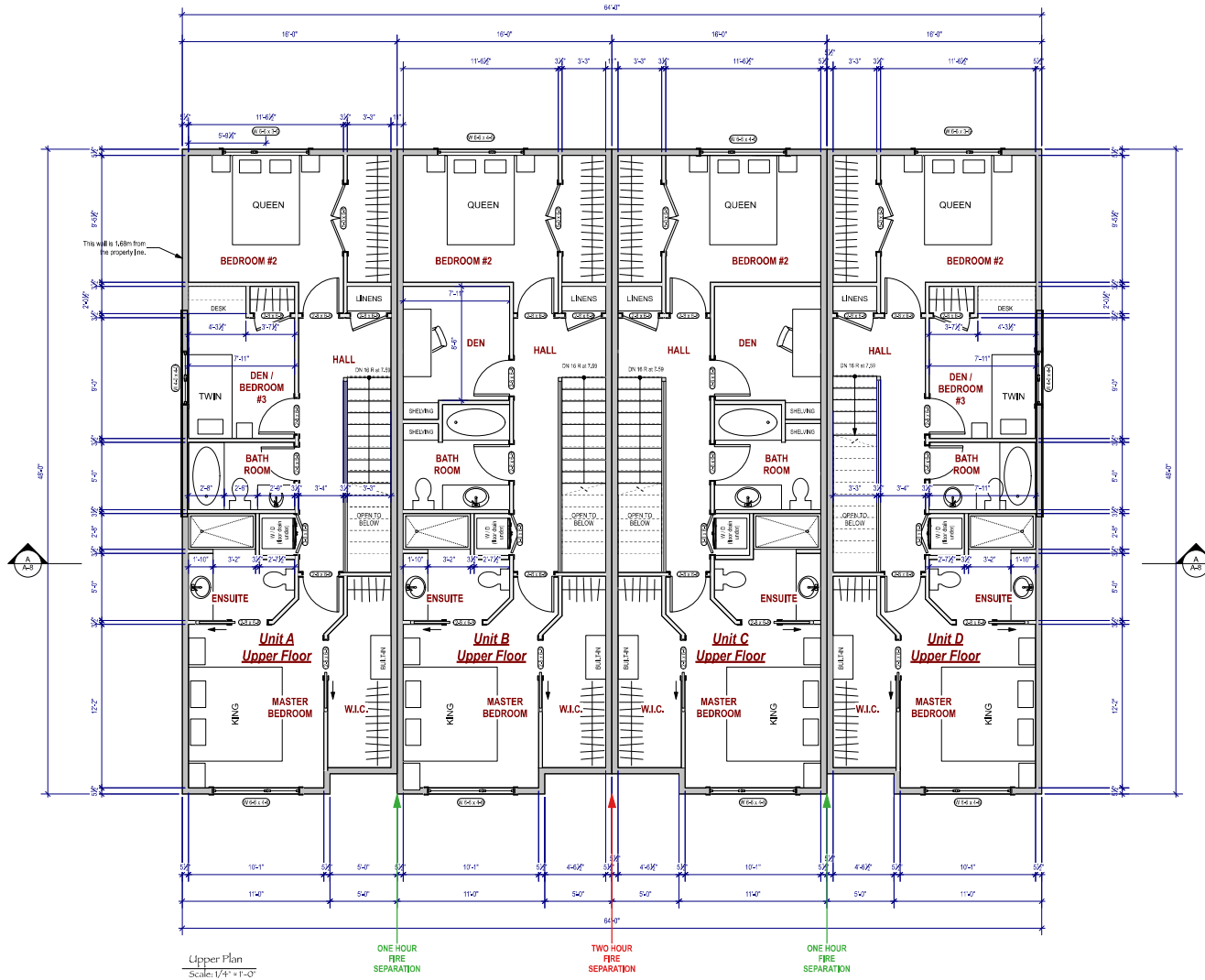
# MAIN FLOOR PLAN



\*\*\* PLANS ARE FORMATTED TO BE PRINTED AT 36" X 24" \*\*\*  
 \*\*\* ENGINEERS' SPECIFICATIONS TO SUPERCEDE THESE PLANS AS REQUIRED \*\*\*

|  |  |                                 |                         |                     |
|--|--|---------------------------------|-------------------------|---------------------|
|  | Tara Cumming<br>253-489-1158<br>cumming.design@shaw.ca | DWG NO: A-6                     | DESIGN BY: TARA & NIALL | ~ 9667 5th Street ~ |
|  |  | DATE: 2024 Aug 22<br>9:08:39 AM | DWG BY: TARA            |                     |

# UPPER FLOOR PLAN



Upper Plan  
Scale: 1/4" = 1'-0"

ONE HOUR  
FIRE  
SEPARATION

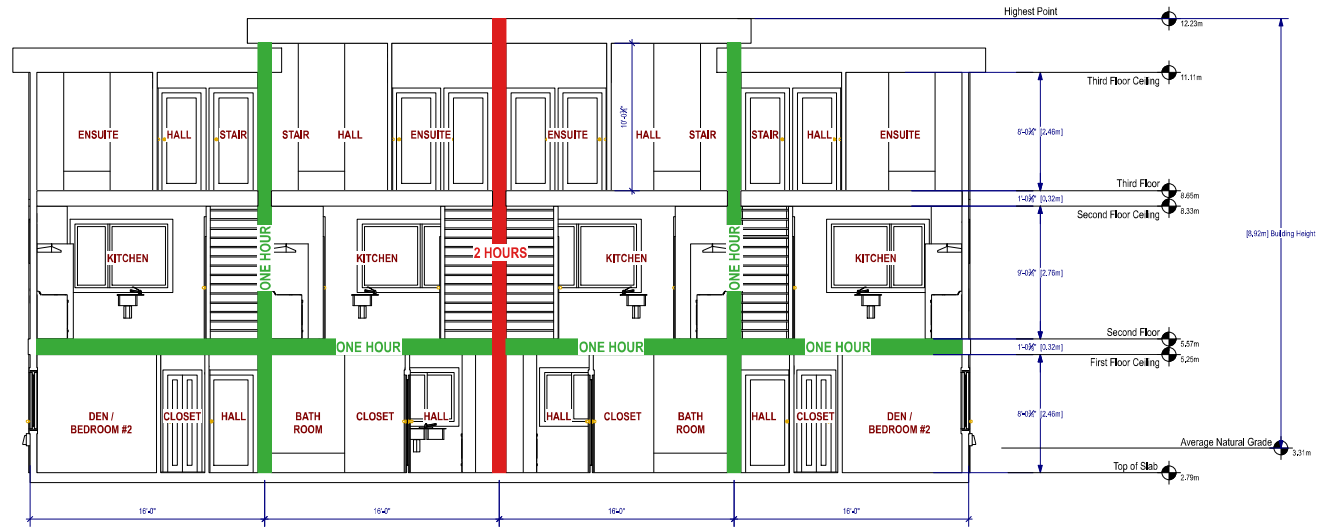
TWO HOUR  
FIRE  
SEPARATION

ONE HOUR  
FIRE  
SEPARATION

\*\*\* PLANS ARE FORMATTED TO BE PRINTED AT 36" X 24" \*\*\*  
 \*\*\* ENGINEERS' SPECIFICATIONS TO SUPERCEDE THESE PLANS AS REQUIRED \*\*\*

|  |  |                                     |                                    |                     |
|--|--|-------------------------------------|------------------------------------|---------------------|
|  | Tara Cumming<br>250-489-1198<br>cumming.design@shaw.ca | DWG NO: <b>A-7</b>                  | DESIGN BY: <b>TARA &amp; NIALL</b> | ~ 9667 5th Street ~ |
|  |  | DATE: <b>2024 Aug 22 9:08:39 AM</b> | DRAWN BY: <b>TARA</b>              |                     |

# GRAPHIC CROSS SECTION



Section AA  
Scale: 1/4" = 1'-0"

\*\*\* PLANS ARE FORMATTED TO BE PRINTED AT 30" X 24" \*\*\*  
\*\*\* ENGINEERS' SPECIFICATIONS TO SUPERCEDE THESE PLANS AS REQUIRED \*\*\*

|  |                                 |                                    |                     |
|--|---------------------------------|------------------------------------|---------------------|
|  Tara Cumming<br>253-481-4368<br>cumming.design@shaw.ca | DWG NO: <b>A-8</b>              | DESIGN BY: <b>TARA &amp; NIALL</b> | ~ 9667 5th Street ~ |
|  | DATE: 2024 Aug 22<br>9:08:40 AM | DRAWN BY: <b>TARA</b>              |                     |

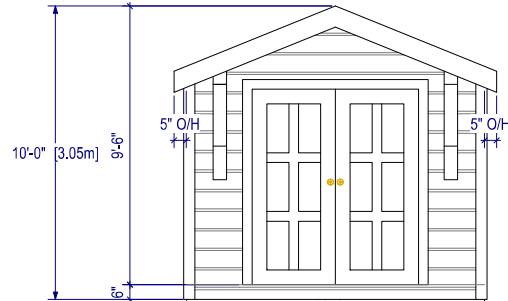
# PROPOSED RE-USE OF EXISTING SHED



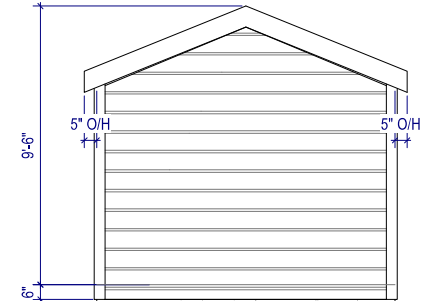
Existing Shed Front  
Scale: 1/4" = 1'-0"



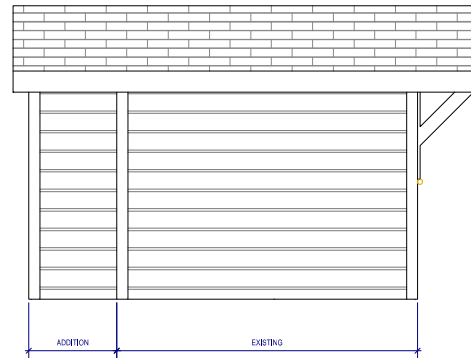
Existing Shed Side  
Scale: 1/4" = 1'-0"



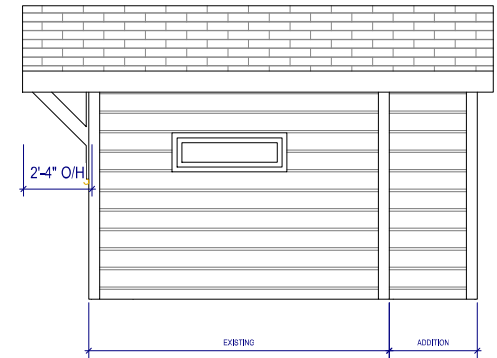
Existing Shed Front  
Scale: 1/2" = 1'-0"



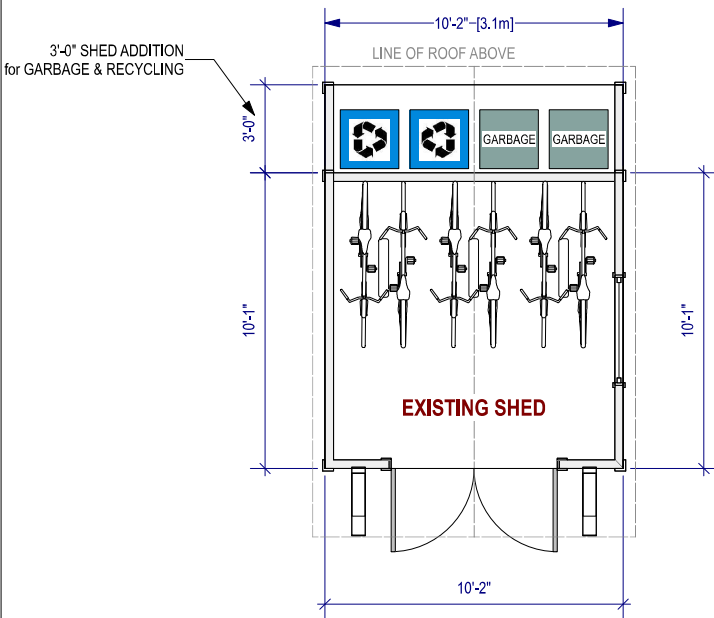
Existing Shed Rear  
Scale: 1/2" = 1'-0"



Existing Shed Left  
Scale: 1/2" = 1'-0"



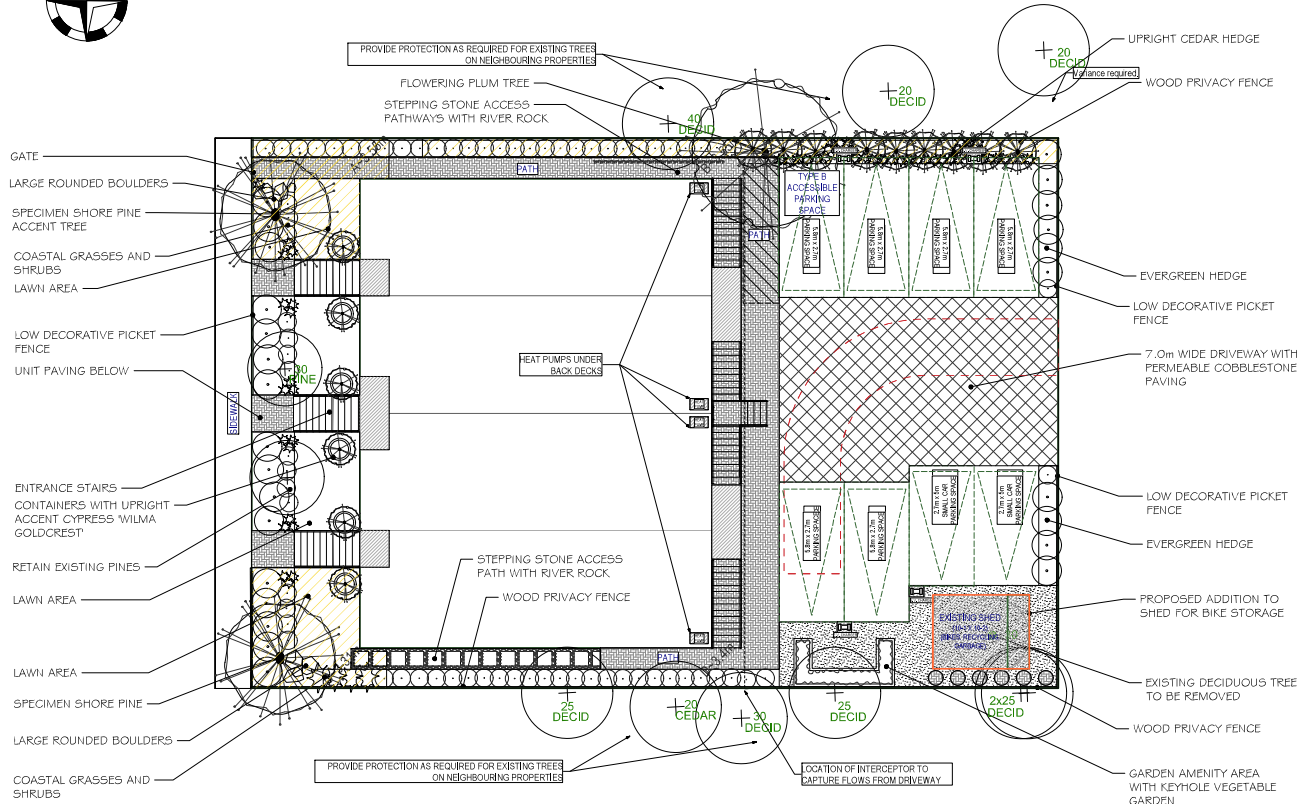
Existing Shed Right  
Scale: 1/2" = 1'-0"



Existing Shed Plan  
Scale: 1/2" = 1'-0"

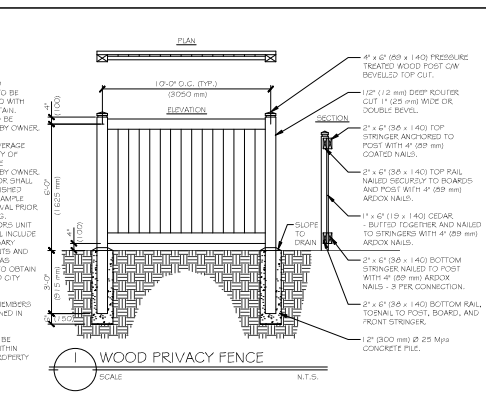
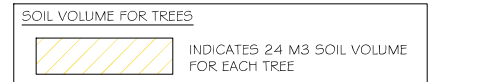
\*\*\* PLANS ARE FORMATTED TO BE PRINTED AT 36" X 24" \*\*\*  
\*\*\* ENGINEERS' SPECIFICATIONS TO SUPERCEDE THESE PLANS AS REQUIRED \*\*\*

|  |  |                           |                          |                     |
|--|--|---------------------------|--------------------------|---------------------|
|  | Tara Cumming<br>253-481-4368<br>cumming.design@shaw.ca | DWG NO:                   | DESIGN BY:               | ~ 9667 5th Street ~ |
|  |  | DATE:                     | DRAWN BY:                |                     |
|  |  | 2024 Aug 22<br>9:08:40 AM | TARA & NIALL<br><br>TARA |                     |

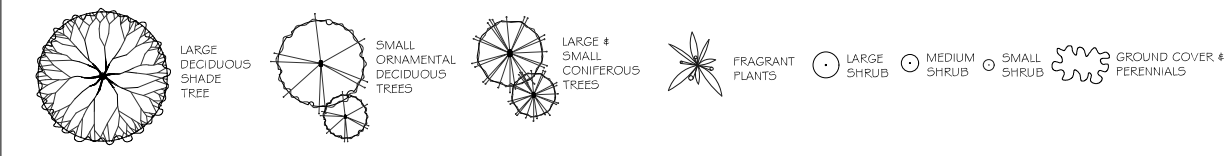


**Suggested Plant List** APPENDIX C

| Key                             | Common Name              | Latin Name  | Size     |
|---------------------------------|--------------------------|---|----------|
| <b>Trees</b>                    |                          |   |          |
| RMFP                            | Red Maple                | Acer rubra var. 'Red Sunset'                      | 50m Cal  |
| FRUN                            | Flaming Flowering Cherry | Prunus adamsiana                                  | 50m Cal  |
| JMAP                            | Red Japanese Maple       | Acer palmatum var. 'Bloodgood'                    | 50m Cal  |
| TRHU                            | Upright Cedar            | Thuja occidentalis var. 'Smaragd'                 | 1.5m Ht  |
| MAJA                            | Apple Tree               | Malus domingensis var. 'Coral'                    | 50m Cal  |
| FLUM                            | Flaming Plum Tree        | Prunus var. 'Sonnenschein'                        | 50m Cal  |
| SPHI                            | Shorea Pine              | Pinus contorta                                    | 50m Cal  |
| <b>Medium Shrubs</b>            |                          |   |          |
| CTLO                            | Chico Lyken Laurel       | Prinos laevis var. 'Chico Lyken'                  | 42' Foot |
| MRIB                            | Rhododendron             | Rhododendron var. 'Christmas Cheer'               | 42' Foot |
| MRSA                            | Rhododendron             | Rhododendron var. 'Ulysses'                       | 42' Foot |
| RFB                             | Red Flowering Currant    | Ribes sanguineum var. 'King Edward'               | 42' Foot |
| SRM                             | Summa                    | Summa japonica var. 'Rubra' (male & female)       | 42' Foot |
| VACC                            | Edible Blueberry         | Vaccinium var. 'Legacy'                           | 42' Foot |
| DNB                             | Dwarf Viburnum           | Viburnum doxidei                                  | 42' Foot |
| AJAP                            | Evergreen Azalea         | Azalea japonica var. 'Glorious Pinkish'           | 42' Foot |
| AJAZ                            | Evergreen Azalea         | Azalea japonica var. 'Compo White'                | 42' Foot |
| <b>Small Shrubs</b>             |                          |   |          |
| ADGS                            | Dwarf Dogwood            | Cornus sericea var. 'Rabey'                       | 42' Foot |
| ESOP                            | Creeping Euonymus        | Euonymia fortunei var. 'Emerald Gaiety'           | 42' Foot |
| HEB                             | Hebe                     | Physocarpus opulifolius var. 'Diable'             | 42' Foot |
| DNPI                            | Dwarf Pines              | Pinus japonica var. 'Tobusaki'                    | 42' Foot |
| POLY                            | Sword Fern               | Polystichum munitum                               | 42' Foot |
| DNBR                            | Dwarf Rhododendron       | Rhododendron var. 'Snow Belle' 4' Jack'           | 42' Foot |
| SMBC                            | Sweetbox                 | Sarcococca humilis                                | 42' Foot |
| SPGF                            | Godoliana Spirea         | Spirea bumalda var. 'Godoliana'                   | 42' Foot |
| SPBS                            | Dwarf Dandel Wreath      | Spirea bumalda var. 'Anthony Waterer'             | 42' Foot |
| LEV                             | Japanese Silver Holly    | Ilex crenata crenata                              | 42' Foot |
| FTH                             | Japanese Laurel Fern     | Adiantum japonicum                                | 42' Foot |
| <b>Vines</b>                    |                          |   |          |
| ARM                             | Evergreen Clematis       | Clematis armandi                                  | 45' Foot |
| CLEM                            | Montana Clematis         | Clematis montana var. 'Elsabeth'                  | 45' Foot |
| <b>Ground Covers</b>            |                          |   |          |
| ASTI                            | Aspidistra               | Aspidistra chinensis var. 'Fumid'                 | 45' Foot |
| HEAL                            | Coral Bell               | Hebeclia micrantha var. 'Palace Purple'           | 45' Foot |
| LMH                             | Yarrowleaf False Nettle  | Lamium maculatum var. 'Pink Panther'              | 45' Foot |
| MOSS                            | Scott's Moss             | Sagina subulata                                   | 45' Foot |
| VITB                            | Viburnum                 | Vaccinium vitis-idaea                             | 45' Foot |
| FRAG                            | Coastal Strawberry       | Fragaria chiloensis                               | 45' Foot |
| ANAL                            | Anemone                  | Anemone nemorosa var. 'Margaret Cook'             | 45' Foot |
| BEAR                            | Bearberry                | Arctostaphylos uva-ursi var. 'Vancouver Jade'     | 45' Foot |
| BERG                            | Bergenia                 | Bergenia cordifolia var. 'Trossingham Ruby'       | 45' Foot |
| WBC                             | Wormwood                 | Vinca minor var. 'Albaflora, 'Pavane'             | 45' Foot |
| <b>Perennials &amp; Grasses</b> |                          |   |          |
| RES                             | Sweet Iris               | Iris pallida var. 'Vancouver'                     | 45' Foot |
| LAV                             | English Lavender         | Lavandula angustifolia var. 'Munstead'            | 45' Foot |
| KUFF                            | Kuff Lily                | Stylocheilichne coarctata var. 'Vancouver Sunset' | 45' Foot |
| CARP                            | Variegated Sedge         | Carex nemosa aeneo var. 'Vancouver'               | 45' Foot |
| TEST                            | Orange New Zealand Sedge | Carex testacea                                    | 45' Foot |
| MISC                            | Miscanthus Grass         | Miscanthus sinensis                               | 45' Foot |



**SOFTSCAPE LEGEND**



**4★SITE**  
LANDSCAPE ARCHITECTURE  
AND SITE PLANNING 250.508.7885

The client has agreed to pay for any and all professional services provided by the firm. The client is responsible for obtaining all necessary permits and approvals from the relevant authorities. The client is responsible for providing all necessary information and documents to the firm in a timely manner. The client is responsible for providing all necessary access to the site for the firm to perform its services. The client is responsible for providing all necessary information and documents to the firm in a timely manner. The client is responsible for providing all necessary access to the site for the firm to perform its services.

ARCH. STAMP

9667 FIFTH STREET  
SIDNEY, BC

CLIENT

| REV. DATE  | NUMBER | DESCRIPTION       |
|------------|--------|-------------------|
| 04.10.2024 | 1      | ISSUED FOR REVIEW |
| 04.23.2024 | 2      | ISSUED FOR DP     |
| 07.05.2024 | 3      | REVISED FOR DP    |
| 07.25.2024 | 4      | REVISED FOR DP    |
| 08.19.2024 | 5      | REVISED FOR DP    |
| 08.24.2024 | 6      | REVISED           |

DATE: AUGUST 26, 2024  
SCALE: 1/8" = 1'-0"  
DRAWN BY: BF/RF

LANDSCAPE CONCEPT PLAN  
**L1**