

DISTRICT OF SAANICH

DPR01034

DEVELOPMENT PERMIT

To: **GIC Developments Ltd., Inc. No. BC1305809**
#4 – 3318 Oak St
Victoria, BC
V8X 1R1

(herein called “the Owner”)

1. This Development Permit is issued subject to compliance with all of the Bylaws of the Municipality applicable thereto, except as specifically varied by this Permit.
2. This Development Permit applies to the lands known and described as:

Lots 7, 13, 14, and 15, Section 64, Victoria District, Plan 1319

982 Annie Street and 975, 981, and 985 McKenzie Avenue

and

Strata Lots A and B, Section 64, Victoria District, Strata Plan 848, Together with an Interest in the Common Property in Proportion to the Unit Entitlement of the Strata Lot as Shown on Form 1

986 and 988 Annie Street

(herein called “the lands”)

3. This Development Permit further regulates the development of the lands as follows:
 - (a) By varying the provisions of the Zoning Bylaw, 2003, Section 7.4(a) to permit buildings and structures to be constructed with a total of 8 visitor parking spaces (37 visitor parking spaces required).
 - (b) By varying the provisions of the Zoning Bylaw, 2003, Section 7.4(g) to permit the following as the Transportation Demand Management Plan:
 - a. The provision of one car-share vehicle
 - i. The car share operator will provide free membership (\$500 value) for up to 69 residents and \$100 driving credit to new members.
 - b. A bicycle maintenance station.
 - c. Weather-protected Class II bicycle parking.
 - d. Marketing efforts focusing on transportation options, and a transportation options brochure for new residents that highlights transit and active transportation amenities, routes, and destinations.

- (c) By varying the provisions of the Zoning Bylaw, 2003, Section 7.5(a) and Table 7.2 to permit off-street residential parking to be constructed with a minimum depth for 90 degree parking stalls of 5.1 m (5.5 m required).
 - (d) By varying the provisions of the Zoning Bylaw, 2003, Section 7.5(a) and Table 7.2 to permit off-street residential parking to be constructed with a minimum width of a two-way maneuvering aisle for 90 degree parking stalls of 7.0 m (7.3 m required).
 - (e) By varying the provisions of the Zoning Bylaw, 2003, Schedule 745.4(a)(ii) to permit buildings and structures to be constructed 3 m from an interior side lot line (4 m required).
 - (f) By varying the provisions of the Zoning Bylaw, 2003, Schedule 745.6(b) to permit accessory off-street parking to be located 0 m from any window provided in a habitable room (3 m required).
 - (g) By requiring the buildings and lands to be constructed and developed in accordance with the Architectural Plans prepared by koka architecture + design, the Landscape Plans prepared by Forsite Landscape Architecture, and the Civil Plans prepared by McElhanney, received on November 26, 2024, and copies of which are attached to and form part of this permit.
4. The Owner shall substantially start construction with respect to the development within 24 months from the date of issuance of the permit, in default of which the permit will lapse and will be of no further force or effect.
5. Notwithstanding Clause 4, construction of driveways and parking areas, and delineation of parking spaces shall be completed prior to the issuance of an Occupancy Permit.
6. (a) Prior to issuance of a Building Permit, the Owner shall provide to the Municipality security by cash, certified cheque, or an irrevocable letter of credit in the amount of \$357,918 to guarantee the performance of the requirements of this Permit respecting landscaping.
- (b) A Landscape Architect registered with the British Columbia Society of Landscape Architects must be retained for the duration of the project until the landscaping security has been released. Written letters of assurance must be provided at appropriate intervals declaring the registered Landscape Architect, assuring that the landscape work is done in accordance with the approved Landscape Plan, and indicating a final site inspection confirming substantial compliance with the approved Landscape Plan (BCSLA Schedules L-1, L-2, and L-3).
- (c) All landscaping must be served by an automatic underground irrigation system.
- (d) The owner must obtain from the contractor a minimum one-year warranty on landscaping works, and the warranty must be transferable to subsequent owners of the property within the warranty period. The warranty must include provision for a further one-year warranty on materials planted to replace failed plant materials.
- (e) Any protective fencing of trees or covenant areas must be constructed, installed and signed according to the specifications in Appendix X.

- (f) No site activity shall take place prior to the installation of any required tree of covenant fencing and the posting of "WARNING – Habitat Protection Area" signs. The applicant must submit to the Planning Department a photograph(s) showing the installed fencing and signs. Damage to, or moving of, any protective fencing will result in an immediate stop work order and constitute a \$1,000 penalty.
 - (g) The landscaping requirements of this Permit shall be completed within four months of the date of issuance of the Certificate of Occupancy for the development, in default of which the Municipality may enter upon the lands, through its employees or agents, and complete, correct or repair the landscaping works at the cost of the Owner and may apply the security, interest at the rate payable by the Municipality for prepaid taxes.
 - (h) In the event that any tree identified for retention is destroyed, removed or fatally injured, a replacement tree shall be planted in the same location by the Owner in accordance with the replacement guidelines as specified within the Saanich Tree and Vegetation Retention, Relocation, and Replacement Guidelines. The replacement tree shall be planted within 30 days of notice from the Municipality in default of which the Municipality may enter upon the lands and carry out the works and may apply the security provided herein in payment of the cost of the works. For the purpose of this section, existing trees identified for retention and new trees planted in accordance with the landscape plan attached to and forming part of this permit shall be deemed to be "trees to be retained".
7. The lands shall be developed strictly in accordance with the terms and conditions and provisions of this Permit and shall comply with all Municipal bylaws except for those provisions specifically varied herein. Minor variations which do not affect the overall building and landscape design and appearance may be permitted by the Director of Planning or in the Director's absence, the Manager of Current Planning.
8. Notwithstanding the provisions of Section 7 of this Permit the following changes will be permitted and not require an amendment to this Permit:
- (a) When the height or siting of a building or structure is varied 20 cm or less provided, however, that this variance will not exceed the maximum height or siting requirements of the Zoning Bylaw, 2003.
 - (b) Changes to the relative location and size of doors and windows on any façade which do not alter the general character of the design or impact the privacy of neighbouring properties following consultation with Director of Planning or in the Director's absence, the Manager of Current Planning.
 - (c) Where items noted under Section 8(b) are required to comply with the Building Code and/or the Fire Code and those changes are not perceptible from a road or adjacent property.
 - (d) Changes to soft landscaping provided the changes meet or exceed the standards contained on the Landscape Plans forming part of this Permit.

9. The terms and conditions contained in this Permit shall enure to the benefit of and be binding upon the Owner, their executors, heirs and administrators, successors, and assigns as the case may be or their successors in title to the land.
10. This Permit is not a Building Permit.

AUTHORIZING RESOLUTION PASSED BY THE MUNICIPAL COUNCIL ON THE

_____ DAY OF _____ 20 _____

ISSUED THIS _____ DAY OF _____ 20 _____

Corporate Officer

APPENDIX X

PROTECTIVE FENCING FOR TREES AND COVENANT AREAS

Protective fencing around trees and covenant areas is an important requirement in eliminating or minimizing damage to habitat in a development site.

Prior to any activities taking place on a development site, the applicant must submit a photo showing installed fencing and “WARNING – Habitat Protection Area” signs to the Planning Department.

Specifications:

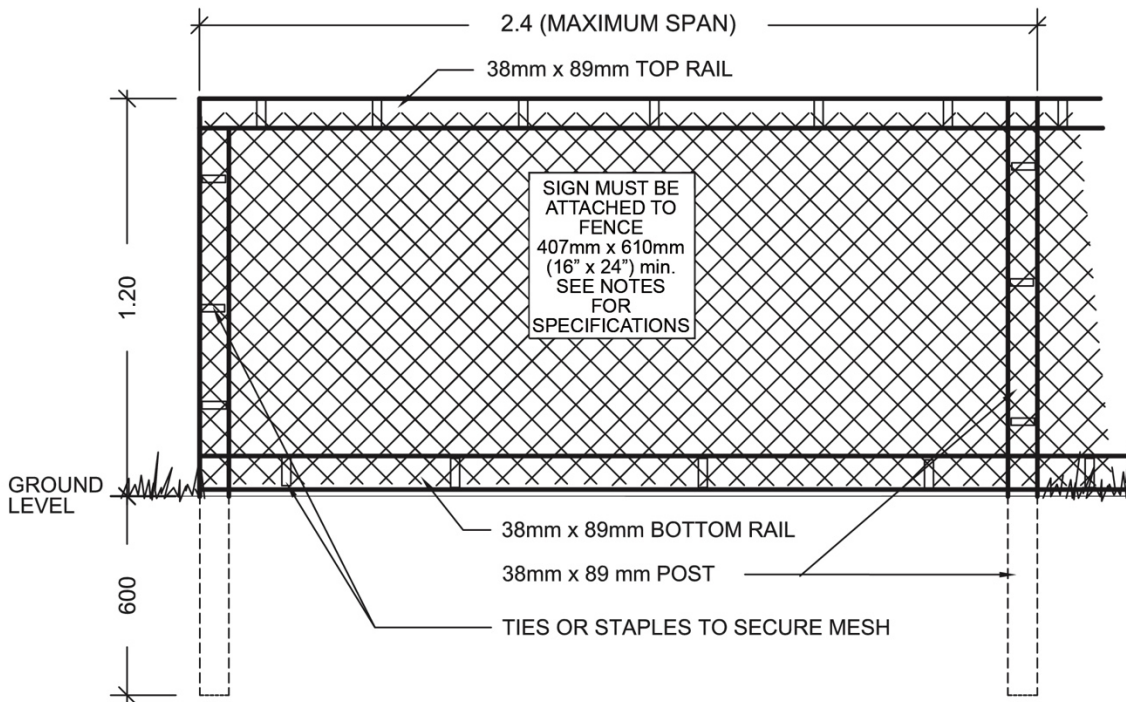
- Must be constructed using 2” by 4” wood framing and supports, or modular metal fencing
- Robust and solidly staked in the ground
- Snow fencing to be affixed to the frame using zip-ties or galvanized staples
- Must have a “WARNING – HABITAT PROTECTION AREA” sign affixed on every fence face or at least every 10 linear metres



Note: Damage to, or moving of, protective fencing will result in a stop work order and a \$1,000 penalty.



Schedule "C"
TREE PROTECTION FENCING



Tree Protection Fencing Specifications:

1. The fence will be constructed using 38 x 89 mm (2" x 4") wood frame:
 - Top, Bottom and Posts. *
 - Use orange snow fencing mesh and secure to the wood frame with "zip" ties or galvanized staples.
2. Attach a sign with minimum size of 407 mm x 610 mm (16" x 24") with the following wording:
 - **DO NOT ENTER** - Tree Protection Zone (For retained trees) or;
 - **DO NOT ENTER** - Future Tree Planting Zone (For tree planting sites)

This sign must be affixed on every fence face or at least every 10 linear metres.

* In rocky areas, metal posts (t-bar or rebar) drilled into rock will be accepted.

DATE: November 2019
SCALE: N.T.S.