

# DISTRICT OF SAANICH

DPR00878

## DEVELOPMENT PERMIT

To: **1335873 B.C. LTD, INC.NO. BC1335873**  
**EL SERENO DR**  
**VICTORIA, BC**

*(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:

**Lot 1, Section 64, Victoria District, Plan 22060**

**4079 Quadra 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 828.3.6(a)(iv) to permit the apartment use portion of the mixed-use development to be constructed with a 3.75 m setback from a lot line which abuts a street (Quadra Street) (7.5 m required).
  - (b) By varying the provisions of the Zoning Bylaw, 2003, Section 828.3(a)(i) to permit an accessory structure (a pergola) to be sited 1.7 m from a lot line which abuts a street (Quadra Street) (3.75 m required).
  - (c) By varying the provisions of the Zoning Bylaw, 2003, Section 828.3(a)(iii) to permit an accessory structure (a pergola) to be sited 1.7 m from an interior side lot line (6.0 m required).
  - (d) By varying the provisions of the Zoning Bylaw, 2003, Section 7.3(a) and Table 7.1 to permit the mixed-use development to be constructed with a total of 21 parking spaces (27 spaces required).
  - (e) By varying the provisions of the Zoning Bylaw, 2003, Section 7.3(a) and Table 7.1 to permit the mixed-use development to be constructed with a total of two parking spaces for the apartment use (six spaces required).

- (f) By varying the provisions of the Zoning Bylaw, 2003, Section 7.3(a) and Table 7.1 to permit the mixed-use development to be constructed with a total of 19 parking spaces for the medical office use (21 spaces required).
  - (g) By varying the provisions of the Zoning Bylaw, 2003, Section 7.6(b) and Table 7.3 to permit the maneuvering aisle accessing only one bank of parking to be 5.92 m in width (6.75 m required).
  - (h) By varying the provisions of the Zoning Bylaw, 2003, to require the buildings and lands to be constructed and developed in accordance with the Architectural Plans prepared by O.C.A Architecture Inc., Landscape Plans prepared by Victoria Drakeford Landscape Architect, and the Civil Engineering Plans prepared by McElhanney, date stamped received on October 15, 2024, 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 \$153,420 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 Schedule C of the Tree Protection Bylaw (attached for reference as Appendix C).
    - (f) No site activity shall take place prior to the provisions of the Tree Protection Bylaw being satisfied.

- (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

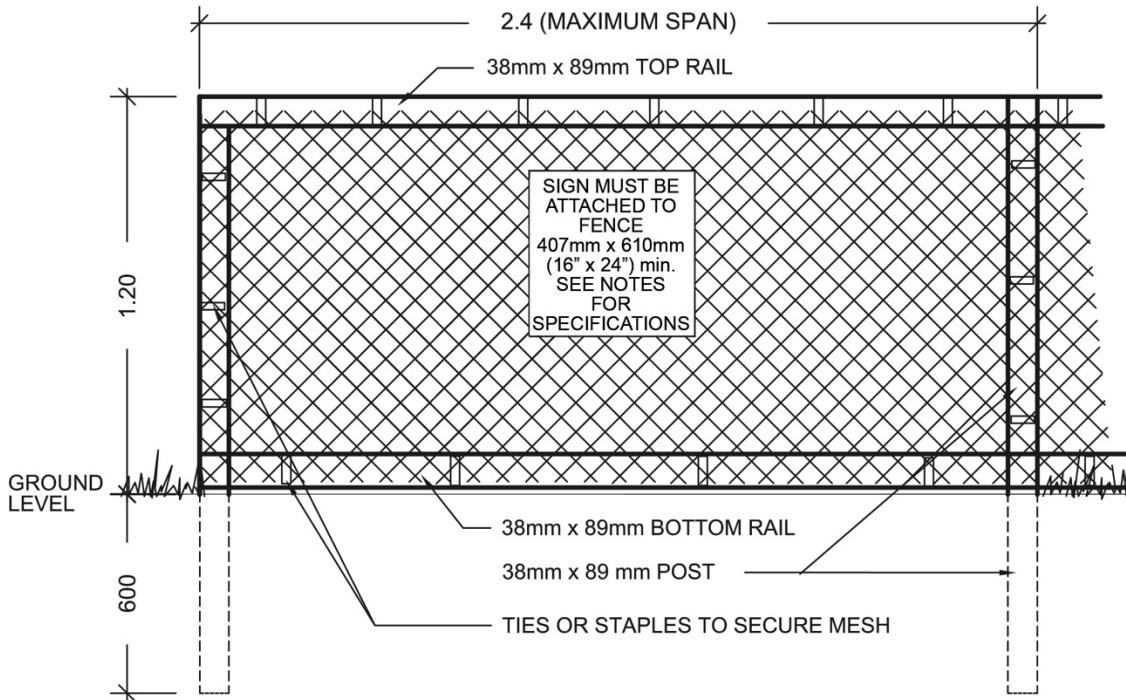
\_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

ISSUED THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 20 \_\_\_\_\_

\_\_\_\_\_  
Corporate Officer

**Schedule "C"**

**TREE PROTECTION FENCING**



**Tree Protection Fencing Specifications:**

- 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.
- 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.