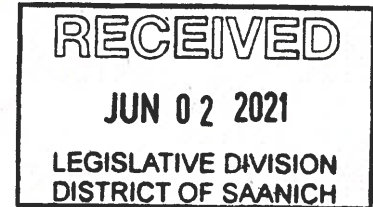




The Corporation of the District of Saanich

Report

To: Mayor and Council
From: Sharon Hvozanski, Director of Planning
Date: June 1, 2021
Subject: Development Permit Amendment
File: DPA00965 • 3100 (3120) Tillicum Road



RECOMMENDATION

- 1. That Development Permit Amendment DPA00965 be approved.
2. That prior to final ratification of the Development Permit Amendment, the applicant register a covenant to secure the provision of all tree planting sites and specifications on landscape as-built plans at the end of construction for a record of the site.

PURPOSE

The purpose of this report is to seek direction from Council on the subject application. The application is for an amendment to Development Permit DPR00676 for changes to the building design and materials for Saanich Neighbourhood Place (SNP) Early Childhood Centre. The applicant is Iredale Architecture (David Bootsman).

DISCUSSION

Background

On August 21, 2017, Council approved and issued Development Permit DPR00676 to allow Sannich Neighbourhood Place Daycare to construct a standalone building located behind G. R. Pearkes Recreation Centre that would house an Early Childhood Centre for up to 60 children ages 1-5 years old, additional office space to lease, and general meeting and event space for the community.

A Building Permit to begin construction was originally issued March 21, 2018. As it was nearing expiry, the permit was re-issued on February 7, 2020. On July 16, 2020, a Stop Work order was posted by Saanich Parks for tree damage in the park. While this remains part of an ongoing Bylaw Enforcement case, the Stop Work order was completed July 28, 2020 and construction resumed. At around this time, the applicant was considering changes to the Building and Site Design (see below) and made an application for a Development Permit Amendment on September 11, 2020 for approval for these changes.

The Development Permit Amendment application was circulated to all relevant Sections and Departments for review and comment. Unfortunately, Building Inspections Services received revised plans from the applicant on December 18, 2020, but did not circulate them to the Planning Department, as is typical, for review and signoff. Inspections subsequently issued a

Building Permit enabling construction to commence on the site. As a result, there are inconsistencies between what was approved by Council as part of the original Development Permit, and what has been constructed. As such, the changes Council is being asked to approve have already been completed.

Changes to Building and Site Design

Foundation

The previously approved one-storey building has an area of 722 m². The design of the building was originally based on modular construction, where modules constructed elsewhere would be brought to the site and set on concrete footings and pilasters. To allow for plumbing, electrical, and other services to be located in the crawlspace, the floor height was to be located approximately 1 m above grade. Additional architectural elements such as porches, gables, stairs, and ramps were proposed to provide access and to help soften the modular look (see Figure 2).

The applicant submitted revised drawings to Building Inspections Services. The revised Building Permit drawings moved away from the modular design approach and instead proposed a building to be constructed on-site. The applicant has indicated that the change in construction methodology was based on their recent findings that the modular approach would have been more expensive than on-site construction. As a result, the proposed crawlspace below the building has been eliminated and the applicant has constructed the building lower to the ground, removing the need for the steps and ramps (see Figure 3).

With the elimination of the crawlspace, the foundation plan has changed slightly within the building footprint, as the building has now been constructed on a slab. It is important to note that the location of the building footprint has not changed and the building appears similar as the previously approved design, just minus the ramps and stairs.

Roof

The roof drains have also changed slightly as a result of proposed alterations to the way the flat roof slopes. This alteration was required in part to eliminate the need for some drains in order to reduce construction costs and to ensure there would be no ponding on the roof. None of these changes are visible at grade.

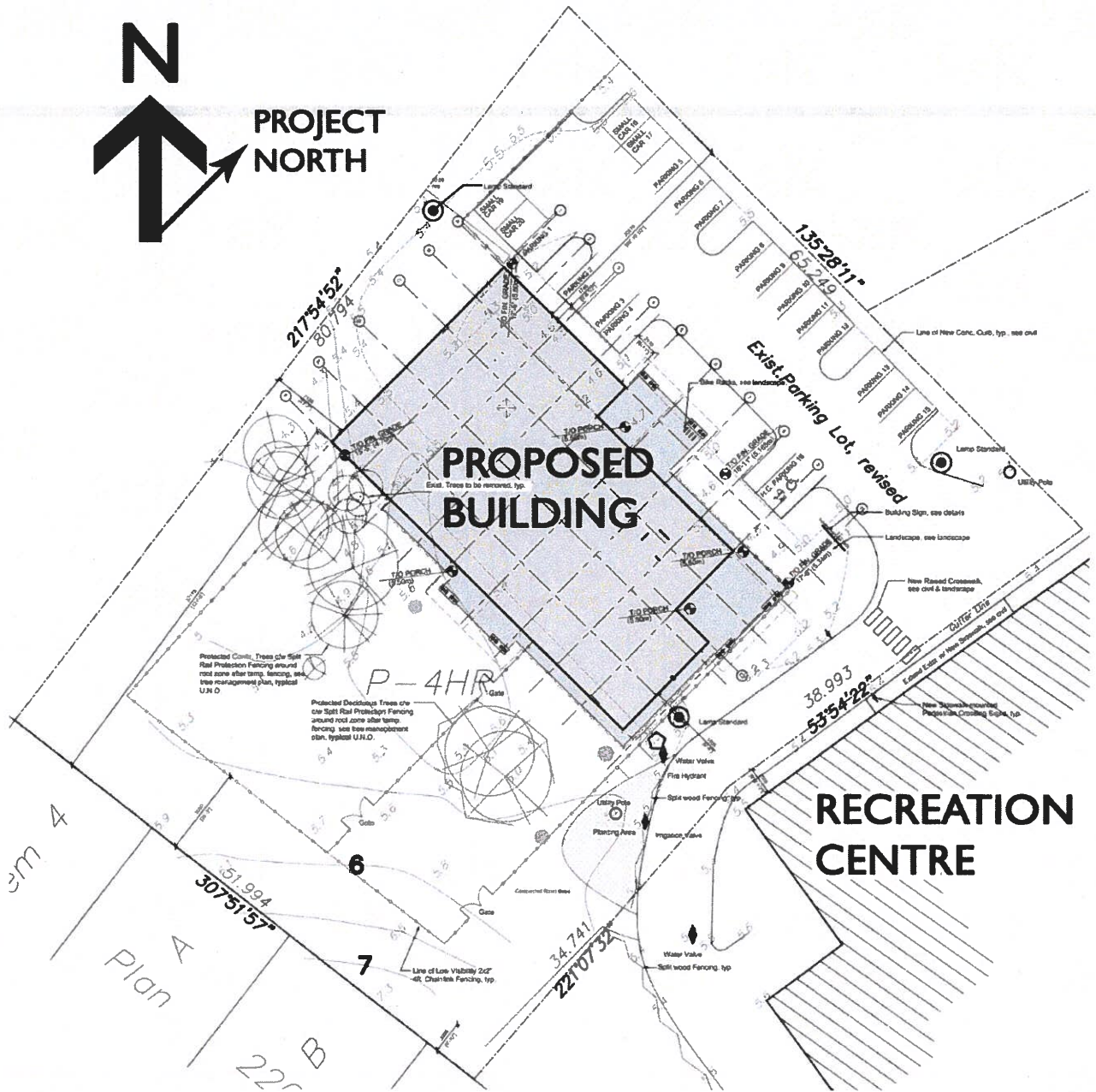
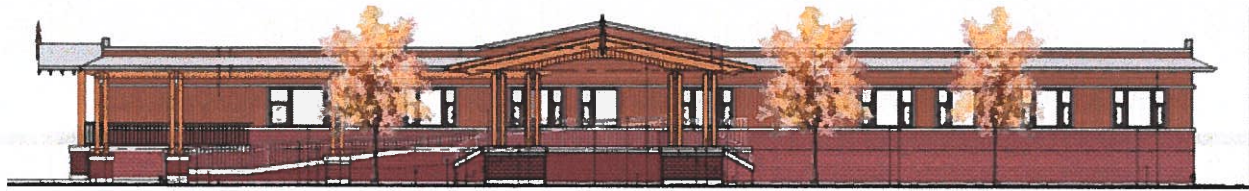


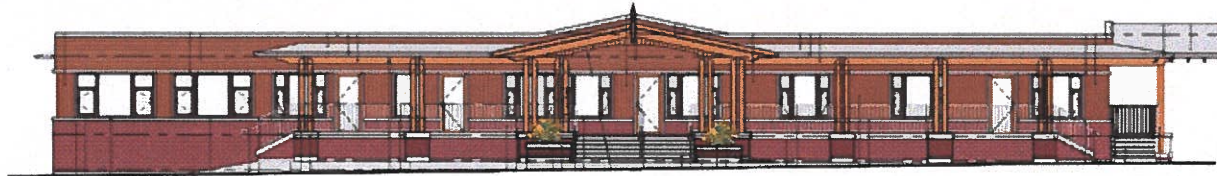
Figure 1: Proposed Site Plan (from plans by Iredale Group Architecture)

Siding

The original Development Permit also called for natural cedar siding. To reduce long-term maintenance costs, the applicant has substituted the natural cedar siding for Hardie board siding that would mimic the look of cedar and be stained to match the colour of natural cedar.

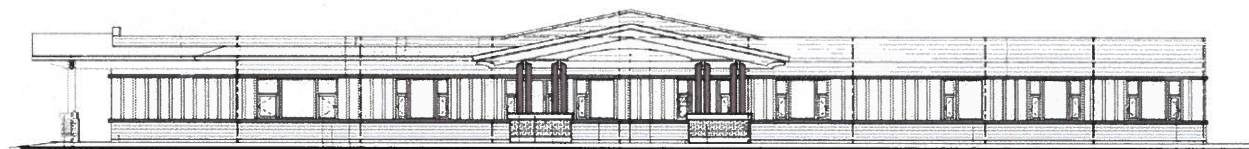


Front (North) Elevation

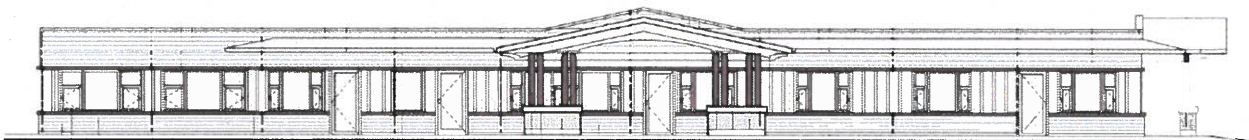


Rear (South) Elevation

Figure 2: Elevations as per Approved Development Permit (from plans by Iredale Group Architecture)



Front (North) Elevation



Rear (South) Elevation

Figure 3: Proposed/Constructed Elevations (from plans by Iredale Group Architecture)

Landscaping

The applicant has also provided a landscape plan and additional details for the use of the land at the rear of the proposed daycare for play areas. The applicant states that their intention is to retain as many of the healthy trees as possible, which is why they have relocated the stormwater retention tanks, removed the proposed stroller parking, and are flexible in the placement of the fencing to limit tree removal.

The applicant states that the proposed play areas would meet and exceed licensing requirements for the purpose, as specified in the "Community Care and Assisted Living Act – Child Care Licensing Regulations" and the Director of Licensing's "Standards of Practice for Safe Play Spaces." The play areas would be designed to be a low impact, naturalized play spaces suited for children 0-5 years of age and (as required) would be comprised of two distinct spaces to ensure safety and healthy active play for distinct age groups 0 - 2.5 and 2.5 - school entry.

Fencing would extend to the front corner of the building, ensuring safe access to the outdoor play area for each of the three program rooms. As noted, fencing layout would be adjusted as needed to accommodate placement of existing trees, and those designated to be retained. The arborist report inventoried 206 trees on Saanich-owned land in total, so with 106 removals, a total of 100 trees are being retained site wide. Some hazardous plant materials may need removal (e.g. falling hazard, toxic plant species). In addition, shrub removal would be required to ensure safe spaces for play, and appropriate levels of visibility for children and caregivers using the space.

The applicant states that "The objective of the play areas is to provide outdoor play experiences that engage and challenge the children attending full day childcare programs at Full o' Beans and Beansprouts Infant and Toddler Care. With a focus on maintaining a naturalized play space we will encourage healthy active outdoor play and develop citizens who appreciate the value of natural areas and the non-human species who call such areas home."

Tree # 661, a 24 cm DBH Garry Oak and surrounding trees proposed for retention are now shown on the landscape plans. The landscape plans show a "compacted road base" note adjacent to these trees. During the onsite meeting this area was discussed and the applicant's team committed to installing an access path to the play area in such a way that it would not require any tree removals and be built to minimize all impacts to retained trees. This will be a condition of any further tree permits for the site and can be field fit under arborist supervision at the landscape and construction stage of the development.

A total of 106 trees have been or are proposed to be removed. The Development Permit approved tree planting on the site shows 9 proposed trees to be planted, which would result in a total net loss of 97 trees as a result of this development. This falls well short of the intent of the Urban Forest Strategy, which aims to have at least one tree planted for each one removed. However, the Bylaw requirements for the site have been met with the submission.

In a typical application, replacement trees to meet the intent of the Urban Forest Strategy would be discussed through the application process. However, as this is a Council-supported daycare on Saanich lands, Council may wish to forego this option. Again, it is important to note that replacement of the 97 trees in question is not a requirement under the Bylaw—the applicant has met their Tree Bylaw requirements with the original and current applications.

The proposed Garry Oak planting sites on the west side of the building adjacent to the stormwater detention tanks appear too close to the building to meet the Bylaw replacement criteria. In addition, the current area is filled with blast rock and the applicant's landscape plan has not indicated if soil volume, sufficient to grow trees, will be remediated in this area. During the onsite meeting the applicant's team committed to remediating the planting area to meet Saanich tree planting specifications. Parks recommends that all tree planting sites and specifications are addressed on landscape as-built plans at the end of construction for a record of the site. As no bonding was taken for this project, this would need to be secured by covenant and has been included in the recommendation.

Parks recommends that all municipal trees have the recommended available soil volume for their size class (8 m³ for small, 12 m³ for medium, and 16 m³ for large class trees). In addition, Parks requires the applicant to ensure that all replacement trees are shown to be planted to the replacement tree standards in the Bylaw.

As part of their review of the original Development Permit application for potential tree impacts, Parks staff asked the applicant to identify trees within 5 m of the building footprint that were 10 cm diameter at breast height (dbh) or greater and/or 5 m height and taller. This resulted in a Tree Management Plan (dated April 5, 2017) which identified, using that definition, a total of 17 trees (4 of which were identified to be removed). Also, at that stage of the review, Parks staff were not supportive of the proposed stormwater management approach and suggested that other options should be pursued. This resulted in the applicant relocating the stormwater management system, as described above.

The revised arborist report now recommends the removal of an additional 18 trees that are defined as protected trees under the Tree Protection Bylaw No. 9272 (Bylaw) by virtue of being on Saanich-owned land but are not protected by virtue of size and species in the Bylaw. These removals are for the children's play area. Of these 18 trees 11 are native trees being a mix of Aspen (6), Douglas-Hawthorn (4) and Black Cottonwood (1) with the remainder being (non-native) English Hawthorn (7). These removals are consistent with the original Development Permit concept for a children's play area.

All of the trees previously removed or trees that are proposed for removal are not protected by size or species through the Tree Protection Bylaw. However they are considered protected trees as per the Bylaw amendments in effect February 5, 2020 that included all trees growing on Saanich-owned property. Under the Amending Bylaw No. 9548, the Designated Provisions of increased replacement trees and security deposits do not apply to building permits in support of Development Permits for a period of two years following the date of approval. Due to this, and the fact that the Development Permit Amendment is substantially the same layout as the original Development Permits the Bylaw-required tree replacement criteria for this project has not changed from the original Development Permits. However this proposed Development Permit Amendment has provided further details on the required tree removals for the project.

In 2010 Saanich Council adopted the Urban Forest Strategy. A key goal of the strategy is "To Protect and Enhance the Urban Forest". Further to this goal is the "No Net Loss" canopy policy. Parks notes that while the current proposal does not meet the intent of this important policy, it is the same layout as the previously approved Development Permit just with further information provided by the applicant.

The project has previously removed, for the building envelope and site servicing with Saanich's authorization, one tree considered a protected tree (tree #244, a 4 cm Garry Oak) under permit (TRP16895) and 57 trees that are protected by virtue of growing on Saanich-owned property. However these 57 trees are covered under the Bylaw amendments transition clauses and do not require replacement trees.

At the outset of the project there were 30 trees removed from Saanich-owned property, without Saanich's authorization that are part of an ongoing Bylaw investigation. The resolution of this issue is ongoing and any replacement tree requirements for these trees will be dealt with as a part of the resolution of this issue and should not influence the outcome of this review.

As noted above, there were 22 trees listed as "to be determined" (TBD) in the original arborist report, however a subsequent arborist report dated November 2020 (received December 3, 2020) reduced that number to 12 in consultation with Saanich Parks, Engineering and the project arborist, engineer and contractor, as noted above for the relocated stormwater management system. Also as noted, excavations are now complete and all 12 of the trees listed as TBD were retained.

Parks has identified the following Tree totals:

- Number of Bylaw protected by size and species onsite trees: 7
- Number of Bylaw protected by growing on Saanich-owned land on the site: 206
- Number of Bylaw protected by size and species trees that have been removed: 1
- Number of Bylaw protected by growing on Saanich-owned land that have been removed: 87
- Number of Bylaw protected by growing on Saanich-owned land that are proposed for removal: 18
- Total tree removals: 106

There are a total of nine trees shown to be planted on the property. The number of trees required to be planted according to the Tree Protection Bylaw is 1 (at a 1:1 ratio). There are an additional 18 trees that would require replacement, were it not for the transition clause of the February 2020 amendment to the Tree Protection Bylaw.

With total tree removals at 106 trees, and 9 trees proposed to be planted, there would be a total net loss of 97 trees as a result of this development.

CONCLUSION

The applicant has requested an amendment to the approved Development Permit for Saanich Neighbourhood Place for changes to the building design and materials resulting from a change from modular to wood frame construction and elimination of the proposed crawlspace.

Inspections Services received revised Building Permit plans from the applicant on December 18, 2020, however they were not circulated to the Planning Department for review or approval. As a result, there are inconsistencies between what was approved under the original Development Permit and what has been constructed.

The applicant has noted that the completed alterations make the building safer and more accessible for children, and would reduce long-term maintenance costs. The change from modular to wood frame construction makes use of nearby resources and maintain jobs locally. Relocation of the storm water retention helped to reduce tree impacts and is supported by both the Engineering and Parks Departments. There are no significant changes to the building appearance and no change to the building footprint.


Tree removals in the proposed play areas have been minimized as much as possible while still meeting licensing requirements, which is intended to foster an appreciation for the natural environment at an early age.

According to the August 2020 Saanich Childcare Inventory and Action Plan, the District of Saanich has 22 licensed childcare spaces available for every 100 children 0-12 years of age. The Action Plan notes that Tillicum is one of the five neighbourhoods (along with Carey, Gordon Head, Quadra and Shelbourne) where the majority of children 12 and under live.


The Action Plan also states that, "If the estimated need for childcare within the District of Saanich was to be fully met, given the estimated 2020 population, it would require the creation of 2,935 spaces, though 354 of these [including these as-yet unbuilt spaces at Saanich Neighbourhood Place] are already underway. As the population will continue to grow, the estimated need will increase over time. "

The proposed Daycare centre has already been approved by Council, and a number of requirements such as creation of a leasehold parcel to secure financing have been completed. The application as submitted is calling for the removal of 18 additional trees in the children's play area as part of this Development Permit Amendment. While some previous tree removals were unfortunate, staff have worked with the applicant and their contractor to minimize tree removals as much as possible while still meeting the child care requirements for the outdoor play area.

The current changes to be considered under the current Development Permit Amendment are best thought of as refinements to an already approved project that go some way to meeting a pressing need for additional daycare spaces in Saanich. For the above noted reasons, Staff support the Development Permit Amendment, subject to the recommendations outlined on page 1 of this Report.

Prepared by: 

Chuck Bell
Planner

Reviewed by: 

Shari Holmes-Saltzman
Manager of Current Planning

Approved by: 

Sharon Hvozdzanski
Director of Planning

NDF/CWB/jsp

Attachments

ADMINISTRATOR'S COMMENTS:

I endorse the recommendation from the Director of Planning.



Paul Thorkelsson, Chief Administrative Officer