



CITY OF COLWOOD

3300 Wishart Road | Colwood | BC V9C 1R1 | 250 294-8153
planning@colwood.ca | www.colwood.ca

File: DP000016 - Pool and Accessory Building at 3341 Betula Pl

DEVELOPMENT PERMIT DP000016

THIS PERMIT, issued **May 2, 2024**, is,

ISSUED BY: **CITY OF COLWOOD**, a municipality incorporated under the *Local Government Act*,
3300 Wishart Road, Victoria, BC, V9C 1R1

(the "City")

PURSUANT TO: Section 490 of the *Local Government Act*, RSBC 2015, Chapter 1

ISSUED TO: Nelson, Troy
3341 Betula Pl
Victoria BC V9C 2N7

(the "Permittee")

-
1. This Natural Hazards (Steeply Sloped) and Environmental (Hillside) Development Permit applies to those lands within the City of Colwood described below, and any and all buildings, structures, and other development thereon:

LOT 15, SECTION 78, ESQUIMALT LAND DISTRICT, PLAN VIP23807
3341 BETULA PL
(the "Lands")

2. This Development Permit regulates the development and alterations of the Land, and supplements the "*Colwood Land Use Bylaw, 1989*" (Bylaw No. 151), to ensure the Natural Hazard, and Environmental considerations for the development to construct an accessory building with rooftop pool and sundeck and associated site improvements are consistent with the guidelines for areas designated as "Steeply Sloped" and "Hillside" in the City of Colwood Official Community Plan (Bylaw No. 1700).
3. This Development Permit is **NOT** a Building Permit or a subdivision approval.
4. This Development Permit is issued subject to compliance with all of the bylaws of the City of Colwood that apply to the development of the Lands, except as specifically supplemented by this Permit.

5. The Director of Development Services or their delegate may approve minor variations to the schedules attached to and forming part of this Development Permit, provided that such minor variations are consistent with the overall intent of the original plans and do not alter the form and character of the development authorized by those plans.
6. If the Permittee does not substantially start the construction permitted by this Permit within 24 months of the date of this Permit, the Permit shall lapse and be of no further force and effect.
7. The development is to be constructed in accordance with the following plans and specifications, which are attached to and form as part of this permit:
 - Schedule 1 Environmental Impact Assessment prepared by Corvidae Environmental Consulting Inc. dated January 22, 2024.
 - Schedule 2 Geotechnical Report prepared by Ryzuk Geotechnical dated March 20, 2024.
 - Schedule 3 Grading Plan prepared by Barefoot Planning+Design.
8. This Development Permit authorizes the construction of an accessory building with rooftop pool and sundeck along with any associated site works. The Lands shall not be altered, nor any buildings or structures constructed, except in accordance with the following conditions:

ENVIRONMENTAL CONDITIONS


General

- 8.1. Where required, Federal and Provincial environmental approvals shall be obtained prior to any works occurring on the Lands.
- 8.2. Clearing of the lot prior to issuance of a Building Permit shall be limited to the minimum area required for construction.
- 8.3. Development on the Lands shall comply the recommendations contained in the Environmental Report prepared by Corvidae Environmental Consulting Inc. (Schedule 1).

HAZARD LANDS

- 8.4. All works shall adhere to the assessment and recommendations contained in the Geotechnical Report prepared by Ryzuk Geotechnical (Schedule 2) and be in substantial compliance with the Grading Plan prepared Barefoot Planning+Design (Schedule 3) and be completed under the guidance and approval of a Geotechnical Engineer.
- 8.5. This permit does not authorize any blasting on the site.

ISSUED ON THIS 2nd DAY OF MAY, 2024.



JOHN ROSENBERG, A.Sc.T.
DIRECTOR OF ENGINEERING AND DEVELOPMENT SERVICES



January 22, 2024

Corvidae Environmental Consulting Inc.
6526 Water Street
Sooke, BC V9Z 0X1

Kelsea Fielden
Planner, Development Services
Colwood City Hall
3300 Wishart Road
Victoria, BC, V9C 1R1

Re: 3341 Betula Place, Colwood, Construction of pool and accessory structure.

To Kelsea Fielden,

On January 16, 2024, a site visit was conducted by Corvidae Environmental Consulting Inc. (Corvidae) at 3341 Betula Place, Colwood, pertaining to a development variance permit associated with the construction of a pool and accessory structure (the development) on the premises – (see *Figure 1*). As per the Colwood Official Community Plan (OCP)¹, the property falls under the Hillside Environmental Development Permit Area (DPA) and Natural Hazards DPA.

Under Section 22.1 guidelines for hillside developments, Corvidae has reviewed the proposed development within the context of minimizing ecosystem disturbance and protecting open space and wildlife corridors.

Under Section 23.1 guidelines for development on steep slopes, Corvidae has calculated the slope at the proposed development to be 22% (4 m rise, 18.2 m run) – (see *Figure Figure 1*). Therefore, the Natural Hazards DPA does not apply.

Where development of the property is proposed on hillside slopes, the proponent will consider:

- *Open space and corridors between development areas or lots should be retained to provide continuous habitat linkages within the site and surrounding area. Significant features such as rock outcrops, streams, cliffs, and stands of trees should be incorporated into the open space.*
- *Development on steep slopes and hillsides must not alter quantity, timing or quality of runoff from the site.*
- *Post-development, exposed soil on steep slopes subject to erosion shall be re-vegetated with vegetation native to the Coastal Douglas-Fir Biogeoclimatic zone or otherwise protected from run-off erosion.*

¹ colwood.civicweb.net/document/131567/



- *Avoid using fast-growing non-native plants to retain soils. Temporary erosion control measures must be maintained during and post-construction until native vegetation is re-established and capable of protecting slopes from erosion.*
- *Avoid tree removal on steep slopes. Trees intercept precipitation and reduce stormwater runoff volumes, protect soils from erosion, and protect the scenic quality of the community.*
- *Where trees are not present, and soils are suitable, new trees which are native to the Coastal Douglas-Fir Biogeoclimatic Zone must be planted.*
- *Do not clear more trees and vegetation than is necessary to install services for any given phase of the development.*
- *Take advantage of topography and minimize disruption of rock outcroppings, sensitive ecosystems, mature trees and culturally significant features.*

The development is located in the middle of the property and northeast of the residence. Behind the residence, the back portion of the property climbs steeply with rock outcrops and native species. The residence sits on a flat terrace in front of the steep slope. The terrace then naturally slopes southeast through the proposed development followed by a gentle manicured slope ending at Betula Place. The slope where the development is proposed was previously landscaped to a manicured lawn bordered by trees and shrubs.

As excavation of the proposed development has been initiated, appropriate measures have been taken to address soil exposure and mitigate potential erosion risks within the site during construction. All exposed soils have been effectively covered and site drainage has been maintained. As part of the design, all trees in proximity to the structure have been avoided and no new clearing of native vegetation, trees or rock outcrops is proposed. The property is not fenced, and the proposed development has been incorporated into the existing access (staircase) to the residence. With unimpeded access behind and in front of the residence and proposed development, wildlife connectivity will be maintained and no alteration to drainage or water quality is anticipated.

Appendix A includes photographic documentation of the proposed pool and accessory structure locations for reference.

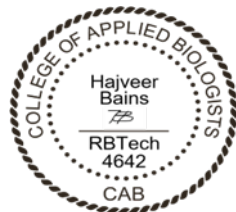
RECCOMENDATIONS AND CONCLUSION

Upon completion of the structure, Corvidae recommends the site be seeded with a fall rye grass seed mix for all exposed soils to ensure ecological compatibility and stabilization.

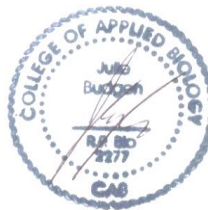
In conclusion, the design and construction of the proposed development aligns with the guidelines of Section 22.1 Hillside DPA. There is minimal impact on the ecological environment, the design incorporates the natural topography, and it presents no hazards to people or property. The proposed development will maintain wildlife connectivity as there is unimpeded access to open spaces and corridors between the street, proposed development and main residence. There is minimal change with runoff occurring onsite as the property has been previously developed for a residential home allowing for adequate drainage. There is no alteration of key topographic features such as sensitive ecosystems, mature trees, and culturally significant features.



Letter Prepared By:



Hajveer Bains, RBTech
Environmental Professional



Julie Budgen, R.P.Biol.B.Sc.,
Environmental Planner

Corvidae Environmental Consulting Inc.



APPENDIX A – SITE PHOTOS

Photo 1. View looking west at the excavation of the proposed pool and structure. January 16,2024



Photo 2. View looking east at the excavation of the proposed pool and structure. January 16,2024



Photo 3. View looking north. All exposed soils have been covered with polyurethane plastic that are subject to rainfall or snow, no evidence of runoff or erosion. January 16,2024



Photo 4. View looking west. Gravel has been placed for the foundation walls. There is no evidence of erosion or impacts being made to the surrounding environment. January 16,2024

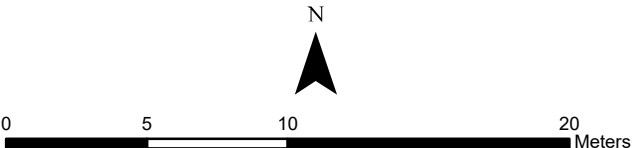




Capital Regional District

Property Boundary

 Property Boundary



Project: 3341 Betula Place | Sources: Capital Regional District

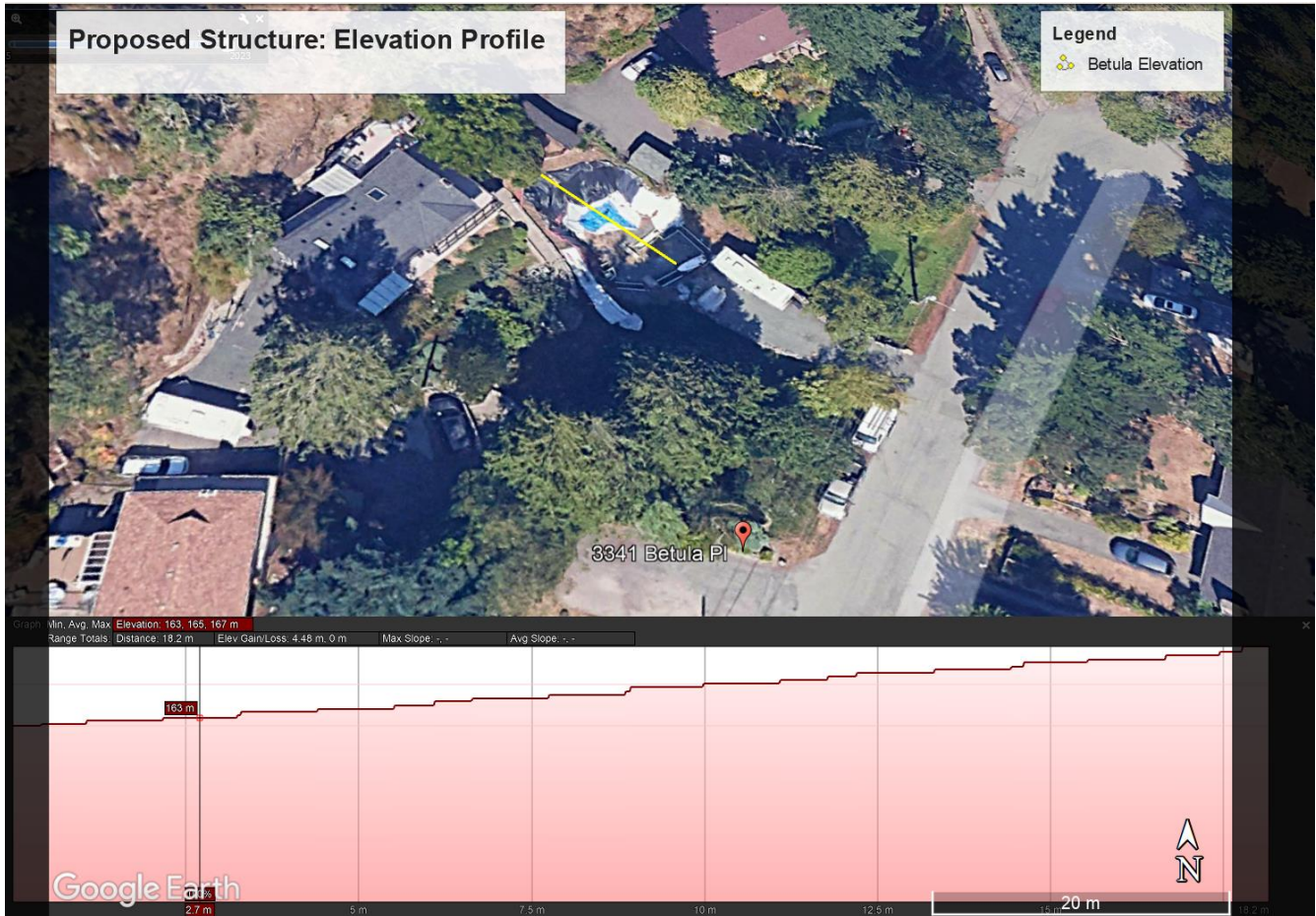
CORVIDAE
 ENVIRONMENTAL CONSULTING INC

Rev. #	Date
0	January 17, 2024

Corvidae Project No.
 COR-2024-007

Figure 1

Figure 2. Elevation profile of proposed structure.





RYZUK GEOTECHNICAL
Engineering & Materials Testing

6-40 Cadillac Ave, Victoria, BC, V8Z 1T2 Tel: 250-475-3131 E-mail: mail@ryzuk.com www.ryzuk.com

March 20, 2024
File No: 7447-5

Barefoot Planning
910 Lucas Ave,
Victoria, BC
V8X 4M7

Attn: Evan Peterson (By E-mail: evan@barefootplanning)

Re: Proposed Accessory Building Geotechnical Assessment
3341 Betula Place – Colwood, BC

As requested, we attended the referenced site on January 22, 2024, to complete a site reconnaissance of the property to visually assess the existing geotechnical conditions. We have also completed a review of the site plan produced by Wey Mayenburg Land Surveying Inc., dated December 16, 2020.

We understand the site is designated as being within the Natural Hazards Development Permit Area (DPA) – Steep Slopes, as per the City of Colwood Official Community Plan (OCP), Bylaw 1700, amended September 26, 2022. In accordance with the Natural Hazards DPA guidelines, development on lands with slopes greater than 30% must be avoided unless a qualified geotechnical professional can provide the following: recommendations for mitigation measures to reduce the risk of natural hazards, conditions and form of development necessary to reduce the risk of potential natural hazards to acceptable levels, and a geotechnical evaluation of the property to certify that the site is safe for the intended use and outline development requirements to ensure human safety and slope stability. According to this DPA, development is not permitted within 10 m from the crest or toe of steep slopes or within 15 m from the crest or toe where slopes are steeper than 30% unless otherwise recommended by a qualified geotechnical professional.

In this regard, we have prepared this revised report to address potential slope instability and other geological hazards pertaining to the proposed accessory building. Our associated observations, comments, and recommendations are contained herein. Our work has been completed in accordance with, and is subject to, the previously accepted Terms of Engagement.

SITE DESCRIPTION & PROPOSED DEVELOPMENT

The site is a single-family lot of approximately 1830 m² in area. The lot is bounded by Betula Pl to the east, and similar single-family lots on all other sides. Based on the site plan, the site slopes down from the west to Betula Place on the east, with approximately 15 m of relief across the site. There is an approximately 10-15 m wide level bench on the slope, where the existing residence is located, and another level area at the bottom of the property. The single-family residence that currently occupies the property sits near the top of the property on the western edge of the property.

The proposed accessory building will be located near the northern edge of the property, approximately halfway down the slope. We understand that the proposed accessory building would consist of a split-level structure containing a pool on the upper level, and a home gym on the lower. As the building will be built into the slope, the top of the upper level will be level with the bench the main residence is located

on, and the bottom level will be a walkout onto the lower lawn. The building is designed such that the existing grade of the slope will be retained once construction is completed.

During our site attendance, site conditions generally matched that of the survey, however, we noted that excavation for the accessory building had generally been completed. The proposed accessory building location is on a slope of approximately 45%. Excavations had been cut into the slope, with a maximum height of approximately 3.5 m and near vertical. The top of the excavation is level with the upper bench on the slope, and the base is level with the lower lawn. As well, we observed a rock retaining wall approximately 2.5 m tall on the neighbouring property, which terminates adjacent to the north of the excavation.

Above the area proposed for the accessory building, and past the level bench, there is a steeper slope which continues up the hillside above the property, with approximately a 55-70% inclination. The location of the proposed accessory building is setback from the toe of the slope approximately 12 m. The slope is largely exposed bedrock or shallow bedrock. No loose rock or free-standing boulders were observed on the slope.

GEOTECHNICAL ASSESSMENT

During our site assessment, no indications of slope instability or other geological failure hazard that would preclude safe development were noted. No indications of historical and potential rockfall hazard, such as displaced boulders or detachable blocks of bedrock that could negatively impact the proposed accessory building were observed. Grading or alterations of any key topographic features will not be required. We do not consider there to be any risk related to slope hazard at the proposed site.

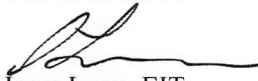
We understand that the excavations will be backfilled once construction is complete, and as such will not pose any hazard once construction is complete. However, unless instructions regarding the excavation have already been provided by a qualified registered professional, then we recommend that Ryzuk Geotechnical or another qualified registered professional provides such prior to further work on the accessory building, particularly relating to the doweling of foundations to resist seismic sliding.

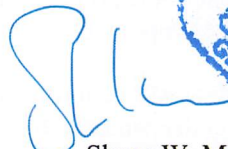
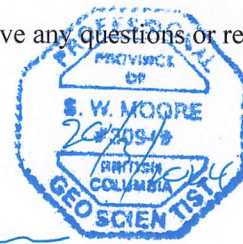
CLOSURE

Based on the above and provided our recommendations are followed, it is our professional opinion that the proposed accessory building would not expose persons or property to slope instability or other geological failure hazards and that the proposed accessory building would be feasible from a geotechnical perspective. As such, we consider that the land may be used safely for the use intended, pursuant to and in accordance with Section 56 of the Community Charter. Colwood is an approved and authorized user of its report and may rely on its information for Development Permit approval.

We trust the preceding is suitable for your purposes at present. If you have any questions, or require anything further, please do not hesitate to contact us.

Sincerely,
Ryzuk Geotechnical
PTPN: 1002996


Isaac Lunn, EIT
Junior Engineer



Shane W. Moore, P. Geo.
Senior Geoscientist

3341 BETULA PLACE

GRADING PLAN

The site will be re-graded back to the original slope and grades on the east, north, and west sides of the subject area. The south side grade has not be altered. See plans and diagrams below.

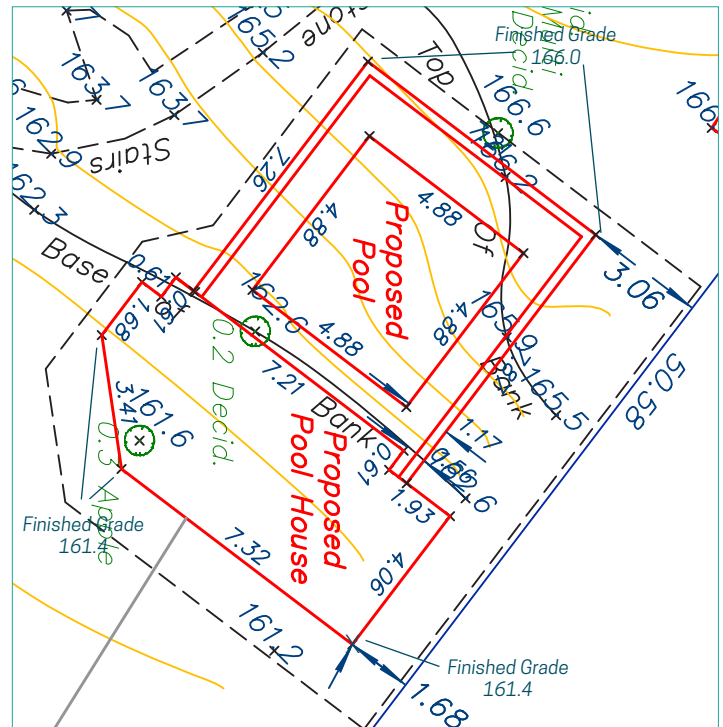
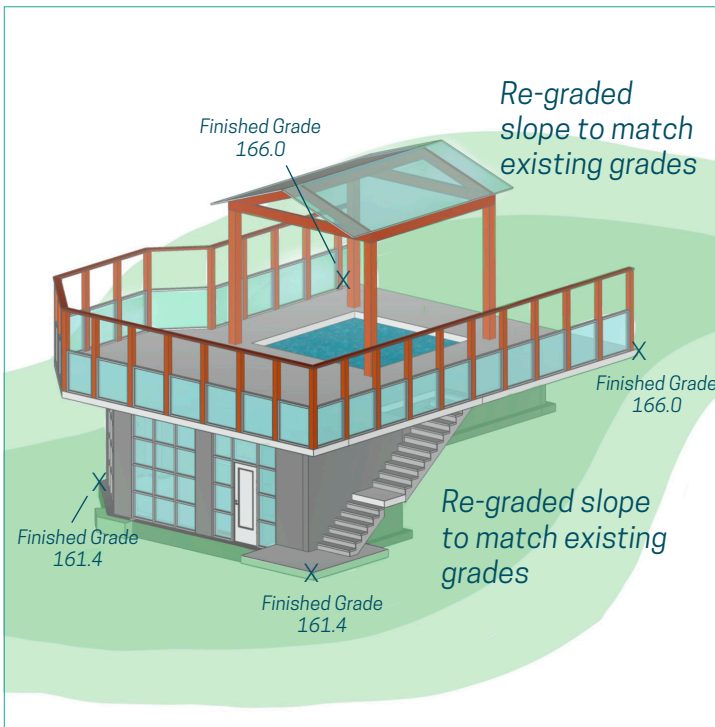
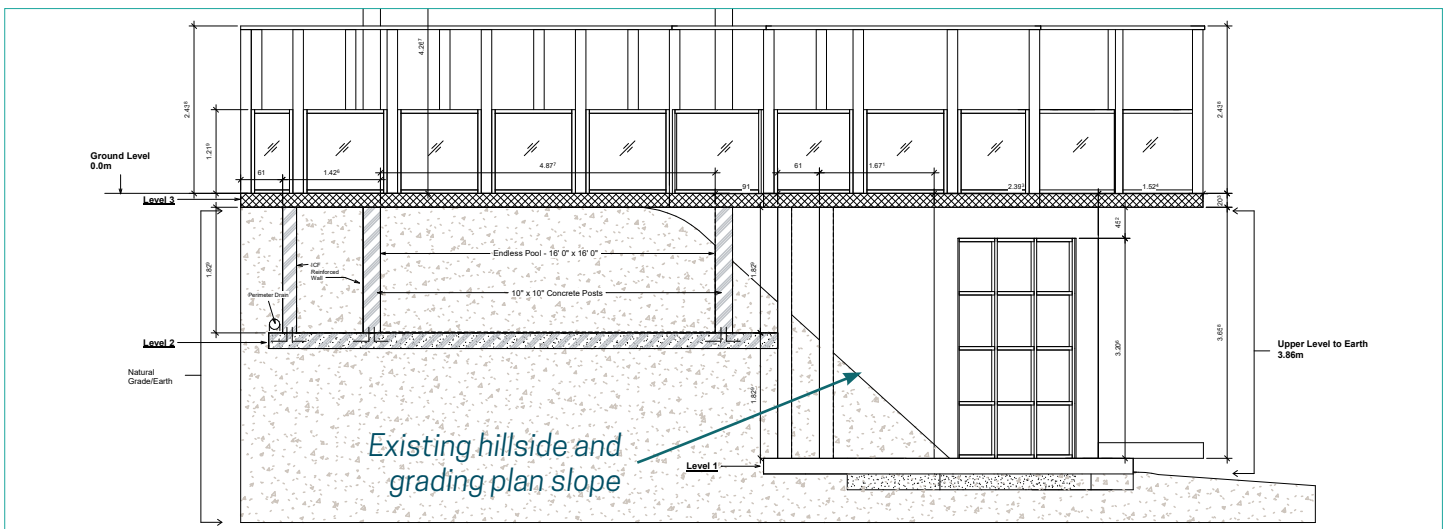


Illustration of site grading, post-construction to maintain existing slope

Site plan showing existing grades to be maintained post-construction



West elevation of proposed project, showing pre-construction slope.