

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.b Report from the May 23, 2019 COTW Meeting

I.1.b.f 2220 Cook Street - Rezoning Application No.00684 & Development Permit with Variances Application No. 00107 (North Park)

Moved By Councillor Alto

Seconded By Councillor Loveday

Rezoning Application No. 00684

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00684 for 2220 Cook Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of a Statutory Right-of-Way of 4.91m off Cook Street, to the satisfaction of the City Solicitor.
2. Preparation and execution of a Statutory Right-of-Way and Section 219 Covenant, which secures the northern-most parking stall as a car share stall and provides free access to this stall for public use, to the satisfaction of the City Solicitor.
3. Preparation and execution of an easement that permits shared use between the two lots of the driveway, to the satisfaction of the City Solicitor.
4. Proof of an agreement with a car share organization, to the satisfaction of the Director of Sustainable Planning and Community Development, ensuring eleven lifetime car share memberships (three on the southern lot and eight on the northern lot) that run with the individual units.
5. Preparation of a Housing Agreement to secure the northern property as rental in perpetuity and to ensure that any stratas on the southern property cannot prohibit rental of the units, executed by the applicant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development.

Development Permit with Variances Application No. 00107

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00684, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00107 for 2220 Cook Street, in accordance with:

1. Plans date stamped April 18, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:

- i. reduce the required number of vehicle parking stalls on the north lot from 6 to 3
 - ii. reduce the required number of vehicle parking stalls on the south lot from 4 to 2
 - iii. reduce the landscape area adjacent to a street boundary from 1.0m to 0.60m on the north lot
 - iv. reduce the landscape area adjacent to a residential boundary from 1.0m to 0m on the north and south lots
 - v. eliminate the requirement for a landscape screen adjacent to a residential boundary.
3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

F.2 2220 Cook Street - Rezoning Application No.00684 & Development Permit with Variances Application No. 00107 (North Park)

Council received a report dated May 9, 2019 from the Acting Director of Sustainable Planning and Community Development presenting Council with information regarding a rezoning and development permit with variances application to subdivide an existing lot at 2220 Cook Street into two lots, retain the existing building on the northern lot and construct a new triplex on the southern lot.

Moved By Councillor Collins

Seconded By Councillor Loveday

Rezoning Application No. 00684

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00684 for 2220 Cook Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of a Statutory Right-of-Way of 4.91m off Cook Street, to the satisfaction of the City Solicitor.
2. Preparation and execution of a Statutory Right-of-Way and Section 219 Covenant, which secures the northern-most parking stall as a car share stall and provides free access to this stall for public use, to the satisfaction of the City Solicitor.
3. Preparation and execution of an easement that permits shared use between the two lots of the driveway, to the satisfaction of the City Solicitor.
4. Proof of an agreement with a car share organization, to the satisfaction of the Director of Sustainable Planning and Community Development, ensuring eleven lifetime car share memberships (three on the southern lot and eight on the northern lot) that run with the individual units.
5. Preparation of a Housing Agreement to secure the northern property as rental in perpetuity and to ensure that any stratas on the southern property cannot prohibit rental of the units, executed by the applicant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development.

Development Permit with Variances Application No. 00107

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00684, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit with Variances Application No. 00107 for 2220 Cook Street, in accordance with:

1. Plans date stamped April 18, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:

- i. reduce the required number of vehicle parking stalls on the north lot from 6 to 3
 - ii. reduce the required number of vehicle parking stalls on the south lot from 4 to 2
 - iii. reduce the landscape area adjacent to a street boundary from 1.0m to 0.60m on the north lot
 - iv. reduce the landscape area adjacent to a residential boundary from 1.0m to 0m on the north and south lots
 - v. eliminate the requirement for a landscape screen adjacent to a residential boundary.
3. 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of May 23, 2019

To: Committee of the Whole **Date:** May 9, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00684 for 2220 Cook Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00684 for 2220 Cook Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of a Statutory Right-of-Way of 4.91m off Cook Street, to the satisfaction of the City Solicitor.
2. Preparation and execution of a Statutory Right-of-Way and Section 219 Covenant, which secures the northern-most parking stall as a car share stall and provides free access to this stall for public use, to the satisfaction of the City Solicitor.
3. Preparation and execution of an easement that permits shared use between the two lots of the driveway, to the satisfaction of the City Solicitor.
4. Proof of an agreement with a car share organization, to the satisfaction of the Director of Sustainable Planning and Community Development, ensuring eleven lifetime car share memberships (three on the southern lot and eight on the northern lot) that run with the individual units.
5. Preparation of a Housing Agreement to secure the northern property as rental in perpetuity and to ensure that any stratas on the southern property cannot prohibit rental of the units, executed by the applicant to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures as well as the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the

housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 2220 Cook Street. The proposal is to rezone from the R-2 Zone, Two Family Dwelling District, to a site-specific zone in order to subdivide the existing lot, retain the existing apartment building on the northerly lot and construct a triplex on the southerly lot.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential designation in the *Official Community Plan* (2012), which envisions ground-oriented multi-unit residential buildings up to three storeys along arterial roads
- the proposal is generally consistent with the *North Park Local Plan* (1996), which envisions house conversions and limited townhouses.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the R-2 Zone, Two Family Dwelling District, to a site-specific zone in order to subdivide the existing lot, retain the existing apartment building on the northerly lot and construct a triplex on the southerly lot.

Two site-specific zones would be created to accommodate the proposal, should it proceed to a Public Hearing. The zone for the northern lot would secure the rental tenancy in addition to a proposed Housing Agreement. The following criteria would be captured as variances and will be discussed in relation to the concurrent Development Permit with Variances Application:

- reduce the required vehicle parking stalls on both lots
- reduce the landscaped areas adjacent to parking areas on both lots.

Affordable Housing Impacts

The applicant proposes the creation of three new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed, which would secure the existing building as rental in perpetuity. A Housing Agreement is also being proposed to ensure future Strata Bylaws could not prohibit the rental of units within the new triplex.

Tenant Assistance Policy

The proposal retains an existing rental building and therefore a Tenant Assistance Policy is not required.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- a six-stall short term bicycle rack is proposed for each of the lots (twelve stalls in total)
- the new building would have ten long term bicycle stalls; an excess of four stalls
- both buildings will be enrolled in car share programs, and a parking stall with electric charging station hookups will be secured by legal agreement for use by a car share company.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Land Use Context

The immediate area has a wide variety of land uses and built forms, including single family dwellings, duplexes, multi-unit residential, commercial, and institutional uses. George Jay Elementary School is located directly across the street to the east, Central Park and Crystal Pool are located one block west of the property and Royal Athletic Park is located one block south of the property.

Existing Site Development and Development Potential

The site is presently occupied by a single family dwelling that has been converted into an eight-unit rental building. Under the current R-2 Zone, Two Family Dwelling District, the property could be developed as a duplex.

Data Table

The following data table compares the proposal with the R-2 Zone, Two Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone and two asterisks is used to identify a legally non-conforming scenario.

Zoning Criteria	Proposal Building A - New	Proposal Building B - Existing	Existing R-2 Zone
Site area (m ²) – minimum	329.54 *	455.91 *	555.00
Density (Floor Space Ratio) – maximum	0.74 *	0.83 *	0.50
Total floor area (m ²) – maximum	251.50 *	380.39 *	164.77 (Building A) 227.96 (Building B)
Lot width (m) – minimum	15.36	21.24	15.00
Height (m) – maximum	9.17 *	9.12 **	7.60

Zoning Criteria	Proposal Building A - New	Proposal Building B - Existing	Existing R-2 Zone
Storeys – maximum	3 *	3 **	2
Site coverage (%) – maximum	34	40	40
Open site space (%) – minimum	46	33	30
Open site space in rear yard (%) – minimum	4 *	3 *	33
Setbacks (m) – minimum			
Front	7.00 *	0.94 **	7.50
Rear	3.00 *	3.94 **	10.70
Side (north)	3.00 (building) 2.81 * (steps)	n/a	3.00
Side (south)	2.25 (building) 2.01 (steps)	3.00	1.54
Side on flanking street (Queens Ave)	n/a	6.24	3.50
Combined side yards	4.82	9.24	4.50
Parking – minimum	2 *	3 *	4 (Building A) 6 (Building B)
Visitor parking included in the overall units – minimum	0	1	0 (Building A) 1 (Building B)
Landscape area adjacent to street boundary (m) – minimum width	n/a	0.60 *	1.00
Landscape area adjacent to residential boundary (m) – minimum width	0.00 *	0.00 *	1.00
Landscape screen adjacent to residential boundary (m) – minimum width	None *	None *	Visual barrier
Long term bicycle parking stalls – minimum	6	0 **	4 (Building A) 8 (Building B)
Short term bicycle parking stalls – minimum	6	6	6 (Building A) 6 (Building B)

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the North Park CALUC at a Community Meeting held on November 22, 2018. The minutes from that meeting are attached to this report.

ANALYSIS

Official Community Plan

The Official Community Plan (OCP, 2012) designates the property within the Traditional Residential urban place designation. Within this designation multi-unit buildings up to three storeys, including attached dwellings, are envisioned along arterial and secondary arterial roads. Cook Street is classified as an arterial road. The envisioned floor space ratio is up to approximately 1 to 1, compared to the proposed floor space ratio which is 0.74 to 1 for the proposed building and 0.88 to 1 for the existing building.

Local Area Plans

The *North Park Local Plan* identifies the property within Area 1, which envisions single family dwelling, duplexes, and the conversion of houses to suites. Townhouses are to be considered based on their merit. The proposal is for a triplex, which from the street reads as a duplex with a basement suite. Staff therefore consider the application consistent with the intent of the Plan.

Tree Preservation Bylaw and Urban Forest Master Plan

There are two existing public trees on the subject property boulevards, one European Beech at 2cm diameter at breast height (DBH) size and a Hawthorn 16cm DBH on Queens Avenue. All will be retained with this application. The small Beech tree will be transplanted to allow for the proposed driveway and site servicing off Queens Avenue. Two new public trees are proposed on Cook Street, where there are currently no public trees on the boulevard. Tree species will be determined by Parks at the building permit stage.

There is a multi-stem 93cm DBH protected Lawson cypress and a non-protected multi-stem English yew tree on the subject site, both of which will be retained. An exploratory dig was conducted by the project arborist and it was determined that the trees' roots would not be adversely affected by the proposed parking area for Building B.

There are several neighbours' trees to the south that could potentially be affected by the driveway and patio construction for Building A – a 60cm DBH Douglas fir, 45cm DBH flowering cherry, and a Leyland cypress hedge to the west. The project Arborist will be in attendance supervising the patio and driveway construction to ensure protection of these neighbours' trees.

Regulatory Considerations

Should Council consider forwarding the Rezoning Application to a Public Hearing, staff recommend that a 4.91m Statutory Right-of-Way (SRW) on Cook Street be secured to help fulfill Council-approved OCP objectives such as enhanced facilities for walking, cycling, public transit and boulevards, which support the long-term viability of large canopy trees.

CONCLUSIONS

The three-storey, ground-oriented building form is consistent with the Traditional Residential designation in the OCP, which envisions multi-unit buildings up to three storeys and densities of approximately 1:1 FSR. The triplex form is consistent with the *North Park Local Plan* and is sensitive to the existing context in the immediate area. Staff recommend that Council consider forwarding this application to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00684 for the property located at 2220 Cook Street.

Respectfully submitted,



Michael Angrove
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

May 17, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 18, 2019
- Attachment D: Letter from applicant to Mayor and Council dated January 1, 2019
- Attachment E: Community Association Land Use Committee Minutes from the November 22, 2018 Meeting
- Attachment F: Tree Preservation Plan.



Committee of the Whole Report

For the Meeting of May 23, 2019

To: Committee of the Whole **Date:** May 9, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Development Permit with Variances Application No. 00107 for 2220 Cook Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, and after the Public Hearing for Rezoning Application No. 00684, if it is approved, consider the following motion:

“That Council authorize the issuance of Development Permit with Variances Application No. 00107 for 2220 Cook Street, in accordance with:

1. Plans date stamped April 18, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of vehicle parking stalls on the north lot from 6 to 3
 - ii. reduce the required number of vehicle parking stalls on the south lot from 4 to 2
 - iii. reduce the landscape area adjacent to a street boundary from 1.0m to 0.60m on the north lot
 - iv. reduce the landscape area adjacent to a residential boundary from 1.0m to 0m on the north and south lots
 - v. eliminate the requirement for a landscape screen adjacent to a residential boundary.
3. The Development Permit lapsing two years from the date of this resolution.”

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit with Variances Application for the property located at 2220 Cook Street. The proposal is to subdivide the existing lot into two lots, retain the existing building on the northern lot and construct a new triplex on the southern lot. This Development Permit with

Variances pertain primarily to the new triplex as well as landscaping changes across the whole site.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012)
- the proposal is consistent with the urban design goals of the *North Park Local Plan*
- the variances to reduce the vehicle parking requirements are considered supportable by staff, as the applicant is providing car share memberships for each unit and there is additional long term bicycle parking in the new building
- the variances related to the reduction in landscape areas and screening adjacent to parking stalls are considered supportable by staff, as the retention of the existing building makes it difficult to achieve the minimum standards as set by Schedule 'C'.

BACKGROUND

Description of Proposal

The proposal is to subdivide the existing lot into two lots, retain the existing building on the northern lot and construct a new triplex on the southern lot. Specific details related to the new building include:

- two two-storey units fronting directly onto Cook Street and a third single-storey unit accessed from the south side of the building
- traditional architectural design consistent with the existing neighbourhood context
- materials that include wood shingles, wood siding, fiber cement siding and shingles, and fiberglass shingles.

The proposed variances are related to:

- reducing the required number of vehicle parking stalls on the north lot from 6 to 3
- reducing the required number of vehicle parking stalls on the south lot from 4 to 2
- allowing parking to occur in the side yard of the north and south lots
- reducing the landscape area between a parking stall and a street boundary from 1.0m to 0.60m on the north lot
- reducing the landscape area between a parking area and a residential boundary from 1.0m to 0m on the north and south lots
- eliminating the requirement for a landscape screen between a parking area and a residential boundary.

Affordable Housing Impacts

The applicant proposes the creation of three new residential units which would increase the overall supply of housing in the area. A Housing Agreement is also being proposed, which would secure the existing building as rental in perpetuity and would ensure that future Strata Bylaws could not prohibit the rental of units within the new triplex.

Tenant Assistance Policy

The proposal retains an existing rental building and therefore a Tenant Assistance Policy is not required.

Sustainability Features

The applicant has not identified any sustainability features associated with this proposal.

Active Transportation Impacts

The application proposes the following features which support active transportation:

- a six-stall short term bicycle rack is proposed for each of the lots (twelve stalls in total)
- the new building would have ten long term bicycle stalls; an excess of four stalls
- both buildings will be enrolled in car share programs, and a parking stall with electric charging station hookups will be secured by legal agreement for use by a car share company.

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently occupied by a single-family dwelling that has been converted into an eight-unit rental building. Under the current R-2 Zone, Two Family Dwelling District, the property could be developed as a duplex.

Data Table

The following data table compares the proposal with the R-2 Zone, Two Family Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone and two asterisks is used to identify a legally non-conforming scenario.

Zoning Criteria	Proposal Building A - New	Proposal Building B - Existing	Existing R-2 Zone
Site area (m ²) – minimum	329.54 *	455.91 *	555.00
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Zoning Criteria	Proposal Building A - New	Proposal Building B - Existing	Existing R-2 Zone
Height (m) – maximum	9.17 *	9.12 **	7.60
Storeys – maximum	3 *	3 **	2
Site coverage (%) – maximum	34	40	40
Open site space (%) – minimum	46	33	30
Open site space in rear yard (%) – minimum	4 *	3 *	33
Setbacks (m) – minimum			
Front	7.00 *	0.94 **	7.50
Rear	3.00 *	3.94 **	10.70
Side (north)	3.00 (building) 2.81 * (steps)	n/a	3.00
Side (south)	2.25 (building) 2.01 (steps)	3.00	1.54
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Combined side yards	4.82	9.24	4.50
Parking – minimum	2 *	3 *	4 (Building A) 6 (Building B)
Visitor parking included in the overall units – minimum	0	1	0 (Building A) 1 (Building B)
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Landscape screen adjacent to residential boundary (m) – minimum width	None *	None *	Visual barrier
Long term bicycle parking stalls – minimum	6	0 **	4 (Building A) 8 (Building B)
Short term bicycle parking stalls – minimum	6	6	6 (Building A) 6 (Building B)

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on January 14, 2019 the application was referred for a 30-day comment period to the North Park CALUC. The applicant also attended a CALUC meeting on November 22, 2018. The minutes from that meeting are attached to this report.

This application proposes variances; therefore, in accordance with the City's *Land Use Procedures Bylaw*, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP, 2012) identifies this property within Development Permit Area 16 – General Form and Character (DPA16). Design Guidelines that apply to this DPA are the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006), and *Guidelines for Fences, Gates and Shutters* (2010).

The design of the new building is sensitive to the existing context, both in terms of height and massing as well as in its traditional architectural style. The existing street relationship is improved through at-grade entrances, front doors of two units facing onto Cook Street, and parking access being located at the rear. Private amenity space for the new units is distinguished through the use of plantings, paving and fencing. For these reasons, staff believe the proposal is generally consistent with the key design guidelines.

Local Area Plans

The *North Park Local Plan* defers the design considerations of new housing projects to the applicable design guidelines. However, the general urban design goals of the Plan note that housing design should give an articulated form to separate units and that an attractive sidewalk environment should be created. These goals are achieved in this proposal as the two units fronting onto Cook Street are distinct and the new boulevards would be an improvement to the pedestrian realm.

Tree Preservation Bylaw and Urban Forest Master Plan

There are two existing public trees on the subject property boulevards, one European Beech at 2cm diameter at breast height (DBH) size and a Hawthorn 16cm DBH on Queens Avenue. All will be retained with this application. The small Beech tree will be transplanted to allow for the proposed driveway and site servicing off Queens Avenue. Two new public trees are proposed on Cook Street, where there are currently no public trees on the boulevard. Tree species will be determined by Parks at the building permit stage.

There is a multi-stem 93cm DBH protected Lawson cypress and a non-protected multi-stem English yew tree on the subject site, both of which will be retained. An exploratory dig was conducted by the project arborist and it was determined that the trees' roots would not be adversely affected by the proposed parking area for Building B.

There are several neighbours' trees to the south that could potentially be affected by the driveway and patio construction for Building A – a 60cm DBH Douglas fir, 45cm DBH flowering cherry, and a Leyland cypress hedge to the west. The project Arborist will be in attendance supervising the patio and driveway construction to ensure protection of these neighbours' trees.

Regulatory Considerations

Two site-specific zones will be created should this application proceed to a Public Hearing. The north lot with the existing building would be zoned for rental tenure to ensure the property remains rental in perpetuity. The variances associated with this proposal are all related to parking.

The first variance is to reduce the vehicle parking from six stalls to three stalls on the north lot and from 4 stalls to 2 stalls on the south lot. These variances are supportable, as the applicant is willing to secure car share memberships for each unit and a car share stall with an electric charging station on the north lot. In addition, the triplex will have eight long term bicycle stalls, exceeding the six stall requirement.

The next variances relate to the parking and landscape screening. As per Schedule 'C', parking stalls are required to have landscaping and screening when adjacent to streets. A variance is therefore required on the north lot to reduce the landscape area adjacent to a street boundary from 1.0m to 0.60m. This variance is supported by staff, as the location of the existing building makes it impossible to achieve both two 2.70m wide stalls and a 1.0m landscape area. The existing building also creates variances to landscaped areas adjacent to the residential area to the west. A 3.0m drive aisle is required to access the three southern parking stalls, which does not leave much room for landscaping and screening. In addition, the property to the west shares a driveway crossing with the subject property, which prevents a landscape screen from being constructed in this area. Therefore, staff support the variances to reduce the landscape area adjacent to a residential boundary from 1.0m to 0m on the north and south lots, as well as the variance to eliminate the requirement for a landscape screen adjacent to a residential boundary.

CONCLUSIONS

The proposed development is generally consistent with the relevant Design Guidelines and represents a good fit in the immediate and general context. The proposal is also consistent with the *North Park Local Plan*. Finally, the proposed variances relating to parking either reflect existing conditions or are mitigated through the promotion of car sharing and active transportation. Therefore, staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Permit with Variances Application No. 00107 for the property located at 2220 Cook Street.

Respectfully submitted,



Michael Angrove
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

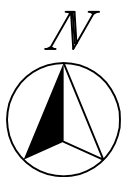
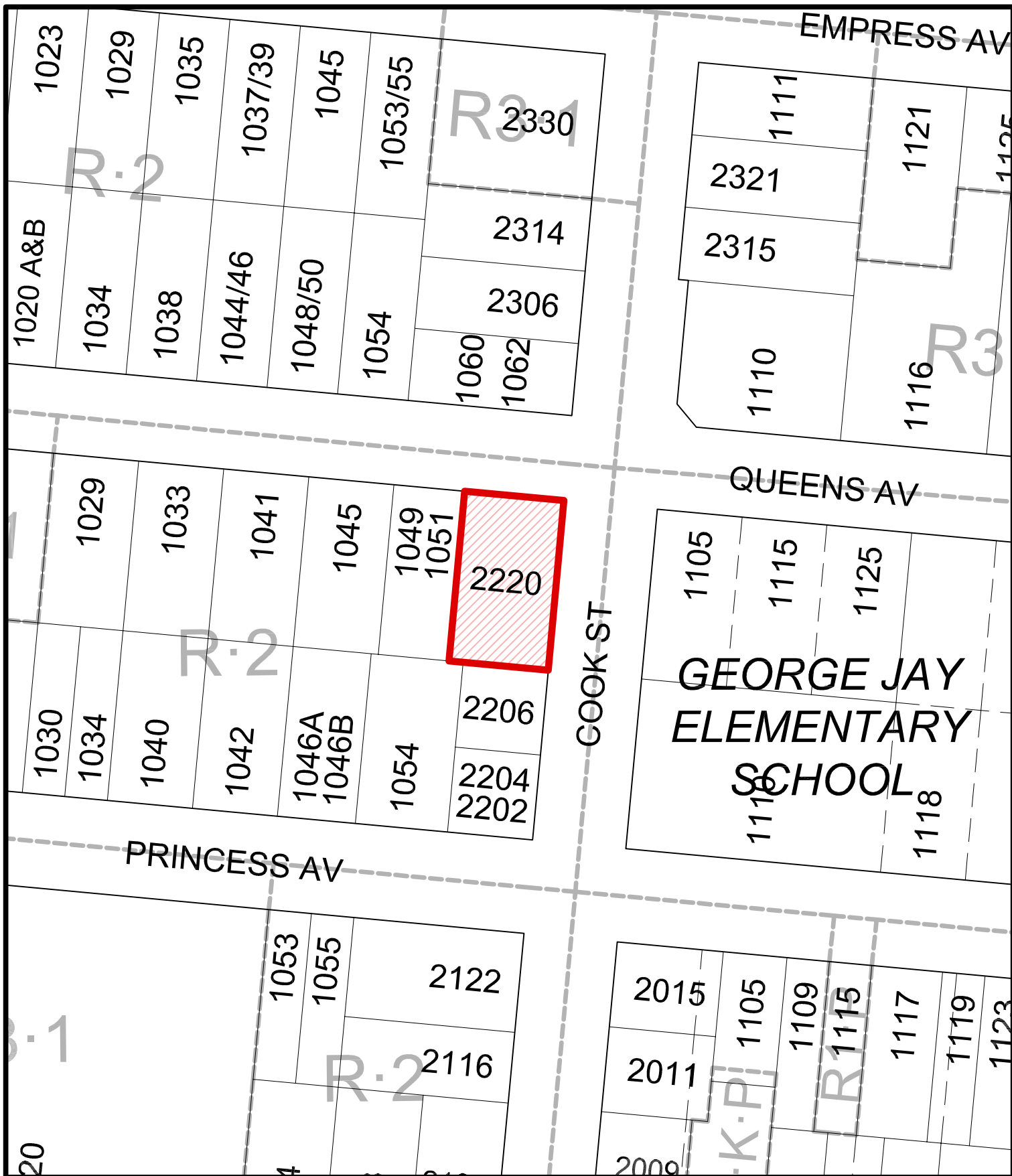
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Date:

May 17, 2019

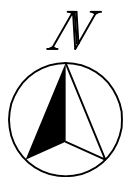
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped April 26, 2019
- Attachment D: Letter from applicant to Mayor and Council dated January 1, 2019
- Attachment E: Community Association Land Use Committee Minutes from the November 22, 2018 Meeting
- Attachment F: Tree Preservation Plan.

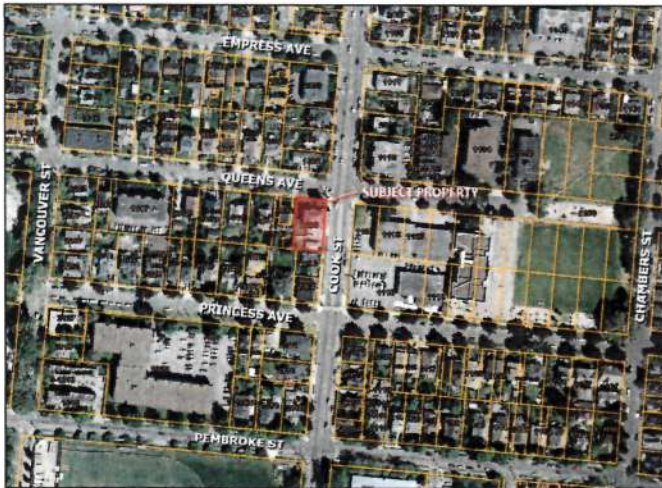


2220 Cook Street
Rezoning No.00684





2220 Cook Street



① Perspective - Looking NW

Drawing List

A0.00 Project Data
A1.01 Building A Site Plan & Landscape Plan
A1.02 Survey & Height Calculations
A1.03 Street Elevations
A2.01 Building A Plans
A2.02 Building B Plans
A3.01 Elevations - Building A
A3.02 Elevations - Building B
A3.11 Spatial Separations
A4.01 Building Sections

BUILDING A SUBMITTED FOR REZONING & DEVELOPMENT PERMIT.

Project Information Table - Building A	
Zone	Proposed SITE SPECIFIC
Site Area	785.45 m ² (EXISTING) 328.50m ² (subdivided lot)
Total Floor Area ¹	251.49m ²
Commercial Floor Area	N/A
Floor Space Ratio	0.74 : 1
Site Coverage %	14%
Open Site Space %	44% 4% Rear Yard
Height of Buildings ¹	9.17m
Stories #	3 + 11 stories - includes Attics at 2.5m max height
Parking Stalls #	1.41 per unit (0.70m ²) x 1 = 2 spaces provided 8.1.00 per unit (0.70m ²) x 1 = 4 Visitor + 0.1 per unit x 1 = 0
Bicycle Parking #	1.22 Long Term per Unit x 1 = 4 6 Short Term per Building
Building Setbacks	
Front Yard (East)	0.20m
Rear Yard (West)	3.00m
Side Yard (North)	3.00m
Side Yard (South)	2.25m
Residential Use Details	
Total Number of Units	3
Unit Type Breakdown	3 two bedroom units
Ground Oriented Units	3 residential units
Minimum Unit Floor Area	180.7m ²
Total Residential Floor Area	251.5m ²

¹ Long term bicycle parking not included in area calculation per zoning before amendment 18-017.
² Refer to elevation drawings for height calculations.

Floor Area - Zoning - Building A	
Name	Area
Building A Level 1	89.72 m ²
Building A Level 2	85.95 m ²
Building A Level 3	95.83 m ²
Building A Level 4	251.49 m ²
Unit Floor Areas - Building A	
Name	Area
Unit 1	89.72 m ²
Unit 2	85.95 m ²
Unit 3	42.0 m ²
Unit 4	47.9 m ²
Unit 5	47.9 m ²
Unit 6	47.9 m ²
Unit 7	47.9 m ²
Unit 8	47.9 m ²
Unit 9	47.9 m ²
Unit 10	47.9 m ²
Unit 11	47.9 m ²
Unit 12	47.9 m ²
Unit 13	47.9 m ²
Unit 14	47.9 m ²
Unit 15	47.9 m ²
Unit 16	47.9 m ²
Unit 17	47.9 m ²
Unit 18	47.9 m ²
Unit 19	47.9 m ²
Unit 20	47.9 m ²
Unit 21	47.9 m ²
Unit 22	47.9 m ²
Unit 23	47.9 m ²
Unit 24	47.9 m ²
Unit 25	47.9 m ²
Unit 26	47.9 m ²
Unit 27	47.9 m ²
Unit 28	47.9 m ²
Unit 29	47.9 m ²
Unit 30	47.9 m ²
Unit 31	47.9 m ²
Unit 32	47.9 m ²
Unit 33	47.9 m ²
Unit 34	47.9 m ²
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Unit 36	47.9 m ²
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Unit 38	47.9 m ²
Unit 39	47.9 m ²
Unit 40	47.9 m ²
Unit 41	47.9 m ²
Unit 42	47.9 m ²
Unit 43	47.9 m ²
Unit 44	47.9 m ²
Unit 45	47.9 m ²
Unit 46	47.9 m ²
Unit 47	47.9 m ²
Unit 48	47.9 m ²
Unit 49	47.9 m ²
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Unit 54	47.9 m ²
Unit 55	47.9 m ²
Unit 56	47.9 m ²
Unit 57	47.9 m ²
Unit 58	47.9 m ²
Unit 59	47.9 m ²
Unit 60	47.9 m ²
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Unit 62	47.9 m ²
Unit 63	47.9 m ²
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Unit 71	47.9 m ²
Unit 72	47.9 m ²
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Unit 74	47.9 m ²
Unit 75	47.9 m ²
Unit 76	47.9 m ²
Unit 77	47.9 m ²
Unit 78	47.9 m ²
Unit 79	47.9 m ²
Unit 80	47.9 m ²
Unit 81	47.9 m ²
Unit 82	47.9 m ²
Unit 83	47.9 m ²
Unit 84	47.9 m ²
Unit 85	47.9 m ²
Unit 86	47.9 m ²
Unit 87	47.9 m ²
Unit 88	47.9 m ²
Unit 89	47.9 m ²
Unit 90	47.9 m ²
Unit 91	47.9 m ²
Unit 92	47.9 m ²
Unit 93	47.9 m ²
Unit 94	47.9 m ²
Unit 95	47.9 m ²
Unit 96	47.9 m ²
Unit 97	47.9 m ²
Unit 98	47.9 m ²
Unit 99	47.9 m ²
Unit 100	47.9 m ²

ATTACHED ARE LESS THAN 1800mm IN HEIGHT & ARE NOT COUNTED IN TOTAL RESIDENTIAL FLOOR AREA.

EXISTING BUILDING TO REMAIN IN PLACE. EXISTING LOT TO BE SUBDIVIDED.

Project Information Table - Existing Building with Subdivided Lot	
Zone (existing)	SITE SPECIFIC
Site Area	785.45 m ² (EXISTING) 455.91m ² (subdivided lot)
Total Floor Area ¹	380.39m ²
Commercial Floor Area	N/A
Floor Space Ratio	0.83 : 1
Site Coverage %	40%
Open Site Space %	23% Total 3% Rear Yard
Height of Buildings ¹	9.17m
Stories #	3 stories
Parking Stalls #	0.75 per unit x 1 = 6 Visitor + 0.1 per unit x 1 = 1
Bicycle Parking #	1.00 Long Term per Unit x 1 = 6 6 Short Term per Building
Building Setbacks	
Front Yard (East)	0.20m (Existing) 4.81m (NW at Cook Street)
Rear Yard (West)	3.04m (Existing) 3.00m (Shared drive site easement)
Side Yard (North)	6.24m (Existing)
Side Yard (South)	2.00m (To proposed subdivision line)
Residential Use Details	
Total Number of Units	3 Suites and 3 Boarding Rooms
Unit Type Breakdown	3 Bachelor Suites and 3 Boarding Rooms
Ground Oriented Units	Ground level used for storage - low ceiling
Minimum Unit Floor Area	N/A
Total Residential Floor Area	380.39m ² (Existing)

¹ Long term bicycle parking not included in area calculation per zoning before amendment 18-017.
² Refer to elevation drawings for height calculations.

Floor Area - Zoning - Existing Bldg	
Name	Area
Building B Level 1	131.00 m ²
Building B Level 2	57.3 m ²
Building B Level 3	131.77 m ²
Building B Level 4	131.82 m ²
Building B Level 5	360.39 m ²
Unit Floor Areas - Existing Bldg	
Name	Area
Common Room	57.3 m ²
Common Room	57.3 m ²
Room 1	22.2 m ²
Room 2	12.8 m ²
Room 3	18.4 m ²
Room 4	14.3 m ²
Room 5	18.4 m ²
Room 6	22.7 m ²
Room 7	24.0 m ²
Room 8	23.3 m ²
Room 9	247.4 m ²

BUILDING B SUBMITTED FOR REZONING ONLY.

Project Information Table - Building B (Future)	
Zone (existing)	SITE SPECIFIC
Site Area	785.45 m ² (EXISTING) 455.91m ² (subdivided lot)
Total Floor Area ¹	254.60m ²
Commercial Floor Area	N/A
Floor Space Ratio	0.77 : 1
Site Coverage %	13%
Open Site Space %	29% 0% Rear Yard
Height of Buildings ¹	9.17m
Stories #	3 stories
Parking Stalls #	0.75 per unit x 1 = 6 Visitor + 0.1 per unit x 1 = 1
Bicycle Parking #	1.00 Long Term per Unit x 1 = 6 6 Short Term per Building
Building Setbacks	
Front Yard (East)	4.81m - 5.0m at Cook Street
Rear Yard (West)	3.00m - Shared drive site easement
Side Yard (North)	6.24m
Side Yard (South)	2.00m
Residential Use Details	
Total Number of Units	6
Unit Type Breakdown	6 one bedroom units
Ground Oriented Units	2 residential units
Minimum Unit Floor Area	37.0m ²
Total Residential Floor Area	254.60m ²

¹ Long term bicycle parking not included in area calculation per zoning before amendment 18-017.
² Refer to elevation drawings for height calculations.

Floor Area - Zoning - Building B	
Name	Area
Building B Level 1	128.13 m ²
Building B Level 2	117.45 m ²
Building B Level 3	117.02 m ²
Building B Level 4	154.66 m ²
Unit Floor Areas - Building B	
Name	Area
Unit 1	37.2 m ²
Unit 2	39.1 m ²
Unit 3	41.7 m ²
Unit 4	41.2 m ²
Unit 5	35.8 m ²
Unit 6	37.2 m ²
Unit 7	38.2 m ²
Unit 8	37.1 m ²
Unit 9	328.4 m ²

Project Scope:

Property to be subdivided into two lots.
New 3 story, 3 unit building proposed for the South lot (Building A).
Existing building to remain in place at the North lot, and will receive new exterior gains.
A replacement for the existing building is included with this proposal (Building B) with the intent of providing usable data for determining maximum density and height of an 8 unit rental building if the existing building is ever damaged and requires repair & relocation or replacement outside of the SRW.
The North property will be rezoned as rental only, in perpetuity.
Future lease with the current tenant (Vital), will include a clause giving them the right of first refusal to buy the North property should it ever go up for sale.
4.5m Statutory Right-of-Way and removal of the existing driveway crossing at Cook Street has been included per The City's requirements. New driveway and services located at Queen's Avenue.
Additional bicycle parking stalls, more than the minimum required, are proposed for Building A.
Both buildings to be involved in a car share program, with dedicated on-site parking.

APPLICANT

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1137 NORTH PARK STREET
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250-883-1571

CONTACT: GARDE COLLINS
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ARCHITECT

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250-384-1969

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Issue Date

For Rezoning/
Development Permit Jan. 4, 2019

Revision
No. Description Date

Received
City of Victoria

APR 18 2019

Planning & Development Department
Development Services Division

Consultant

2220 Cook
Street
Victoria, BC

Project Data

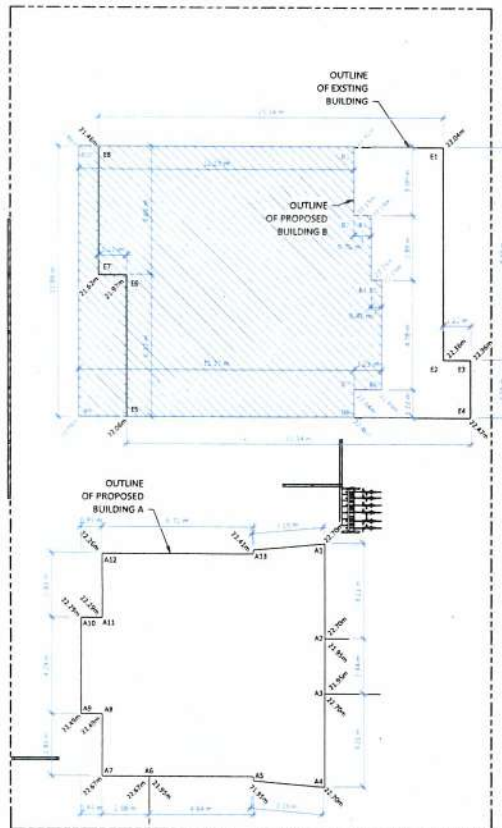
Date 2019-04-17-8:

Drawn by

Checked by

A0.00

Scale



BUILDING A HEIGHT CALCULATION

A3 & A2	$(32.70 + 22.70) \times 21 = 4.23m = 15.37'$
A2 & A3	$(31.90 + 22.90) \times 21 = 2.44m = 15.54'$
A3 & A4	$(32.70 + 22.70) \times 21 = 4.23m = 15.37'$
A4 & A3	$(32.70 + 22.70) \times 21 = 4.23m = 15.37'$
A5 & A6	$(31.90 + 22.90) \times 21 = 4.44m = 10.83'$
A6 & A5	$(32.67 + 22.67) \times 21 = 2.04m = 47.15'$
A7 & A8	$(32.67 + 22.67) \times 21 = 2.83m = 44.80'$
A8 & A7	$(32.67 + 22.67) \times 21 = 0.85m = 21.36'$
A9 & A10	$(32.67 + 22.67) \times 21 = 4.29m = 16.05'$
A10 & A9	$(32.67 + 22.67) \times 21 = 0.85m = 21.37'$
A11 & A12	$(32.29 + 22.29) \times 21 = 2.81m = 43.04'$
A12 & A11	$(32.29 + 22.29) \times 21 = 4.77m = 150.09'$
A13 & A14	$(32.41 + 22.70) \times 21 = 2.28m = 24.82'$
A14 & A13	$42.53m = 139.52'$

192.40 + 42.53m = 22.40m Average Grade

EXISTING BUILDING HEIGHT CALCULATION

E1 & E2	$(22.04 + 22.36) \times 21 = 9.33m = 207.13'$
E2 & E3	$(22.36 + 22.36) \times 21 = 1.23m = 27.28'$
E3 & E4	$(22.36 + 22.36) \times 21 = 2.50m = 37.16'$
E4 & E5	$(22.47 + 22.06) \times 21 = 15.34m = 341.54'$
E5 & E6	$(22.06 + 21.97) \times 21 = 6.25m = 106.83'$
E6 & E7	$(21.97 + 21.82) \times 21 = 1.22m = 26.59'$
E7 & E8	$(21.82 + 21.46) \times 21 = 5.86m = 151.80'$
E8 & E9	$(21.46 + 21.01) \times 21 = 26.30m = 344.62'$
E9 & E10	$(21.01 + 21.01) \times 21 = 16.88m = 1,252.19'$

1,252.19 + 56.89m = 22.81m Average Grade

BUILDING B HEIGHT CALCULATION

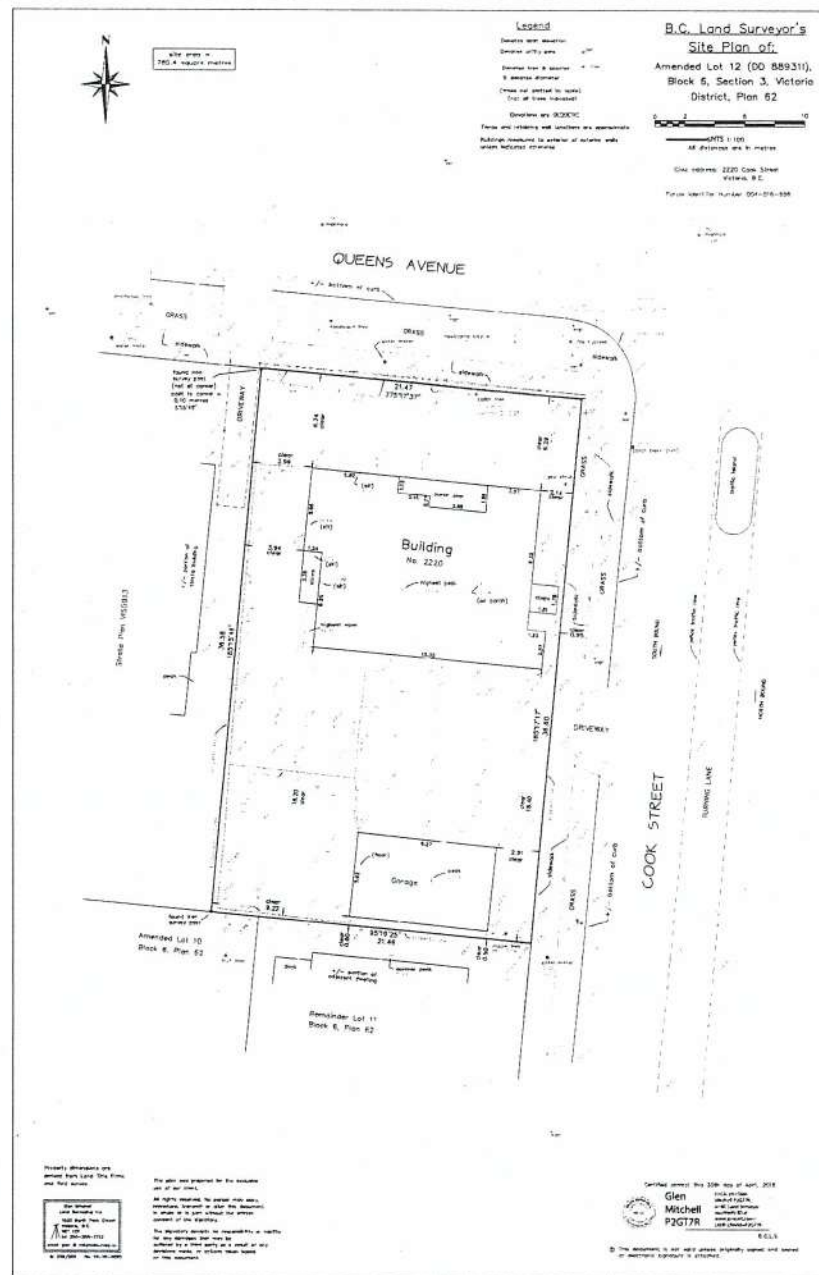
B1 & B2	$(21.91 + 21.15) \times 21 = 3.00m = 66.09'$
B2 & B3	$(22.15 + 22.15) \times 21 = 0.76m = 39.83'$
B3 & B4	$(22.15 + 22.15) \times 21 = 2.88m = 64.16'$
B4 & B5	$(22.25 + 22.25) \times 21 = 0.47m = 30.46'$
B5 & B6	$(22.25 + 22.44) \times 21 = 4.78m = 106.81'$
B6 & B7	$(22.44 + 22.44) \times 21 = 1.22m = 27.80'$
B7 & B8	$(22.44 + 22.44) \times 21 = 1.22m = 27.79'$
B8 & B9	$(22.44 + 22.04) \times 21 = 11.73m = 177.01'$
B9 & B10	$(22.04 + 21.46) \times 21 = 11.89m = 258.81'$
B10 & B11	$(21.46 + 21.91) \times 21 = 12.22m = 266.60'$
B11 & B12	$50.79m = 1,117.03'$

1,117.03 + 50.79m = 21.89m Average Grade

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Planning & Development Department
Development Services Division



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Issue Date
For Rezoning/
Development Permit Jan. 4, 2019

Revision
No. Description Date

Consultant

2220 Cook
Street
Victoria, BC

Survey & Height
Calculations

Date 2019-04-17 8:24:40 AM
Drawn by CC
Checked by CL

A1.02

Scale 1:100

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Issue Date

For Rezoning/
Development Permit Jan. 4, 2019

Revision No. Description Date

Consultant

2220 Cook
Street
Victoria, BC

Street Elevations

Date 2019-04-17 8:24:47 AM

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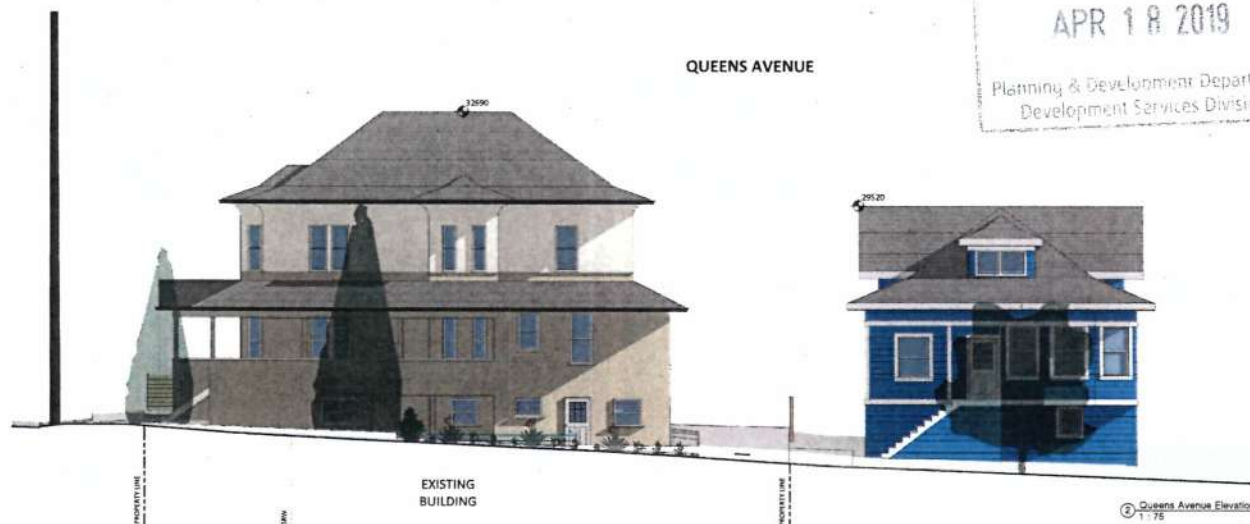
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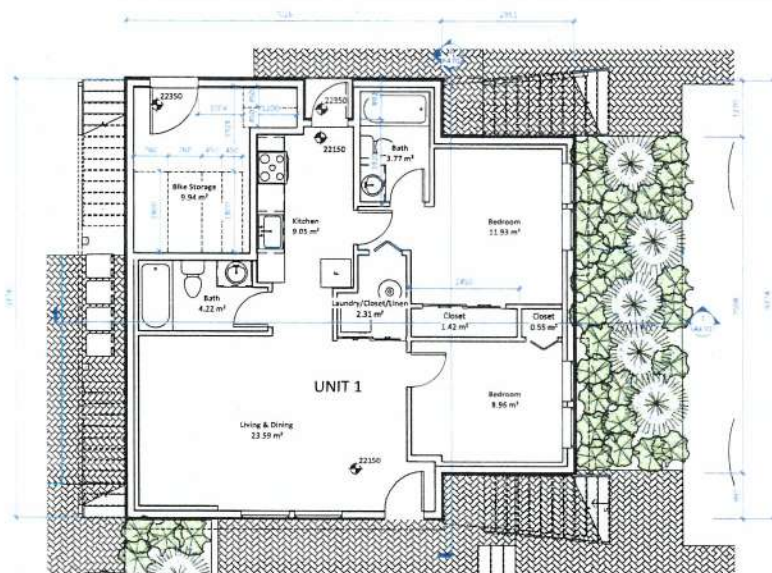
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COOK STREET



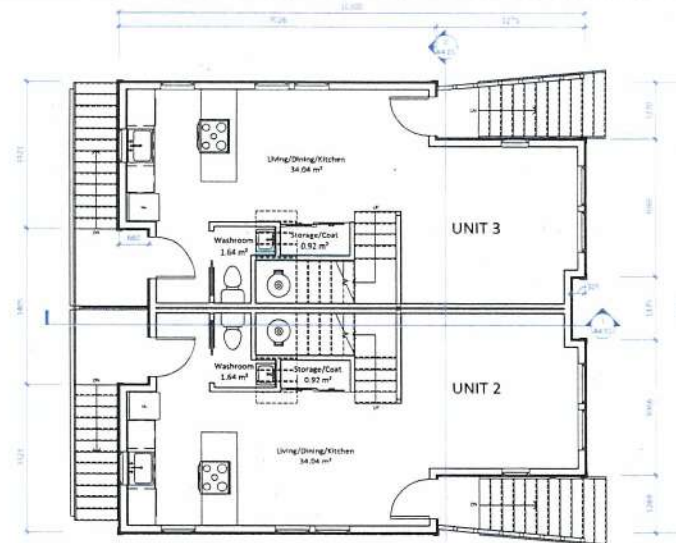
QUEENS AVENUE





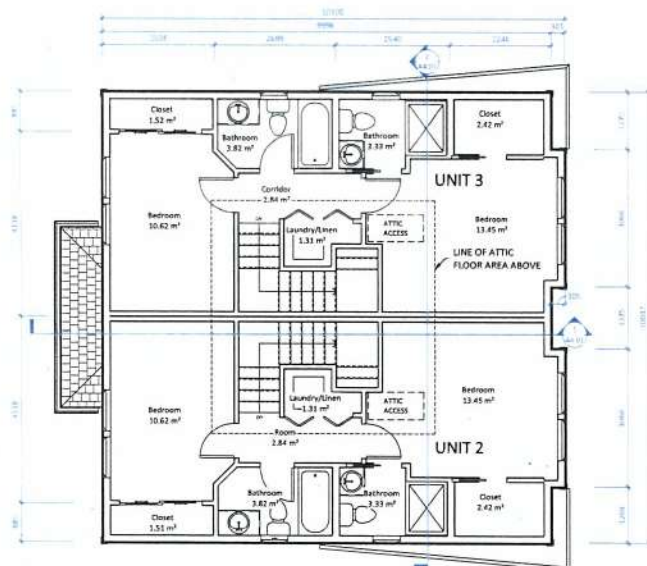
LEVEL 1 FLOOR AREA = 69.70 m²

① Building A - Level 1
1:50



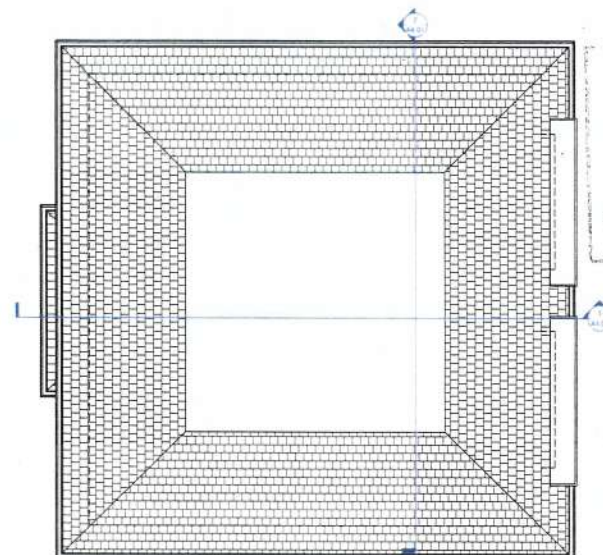
LEVEL 2 FLOOR AREA = 85.95 m²

② Building A - Level 2
1:50



LEVEL 3 FLOOR AREA 95.85 m²

③ Building A - Level 3
1:50



④ Building A - Roof Plan
1:50

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For Rezoning/ Development Permit	Jan. 4, 2019

Revision	Description	Date
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Planning & Development Department
Development Services Division

2220 Cook
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Victoria, BC

Building A Plans

Date	2019-04-17 8:24:48 AM
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Checked by	CL

A2.01

Scale	1:50
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Christine Lintott
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Suite 3 - 284 Queens Avenue, Victoria, BC, V8T 1G5
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Development Services Division

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Building B Plans

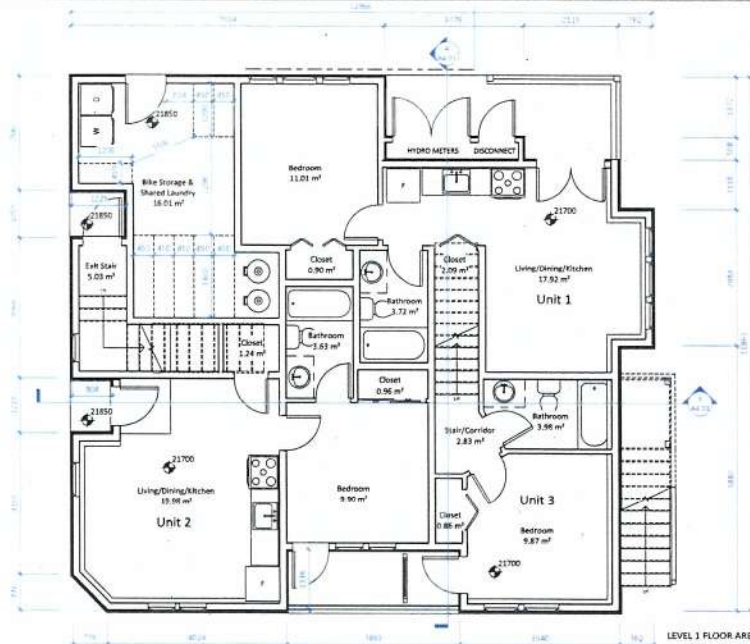
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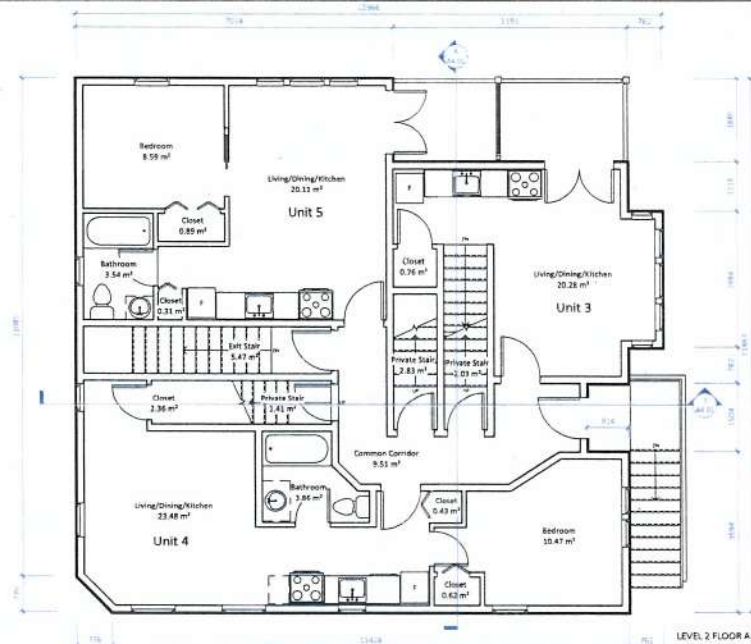
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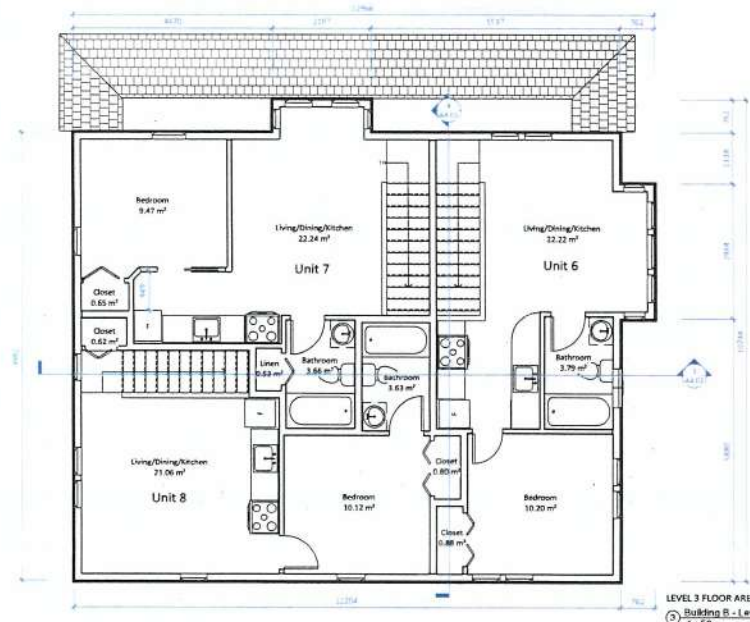
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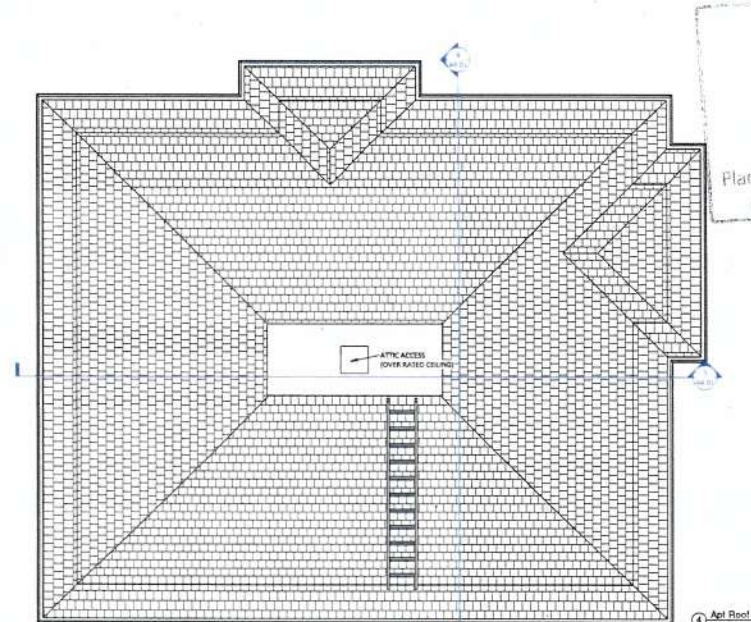
LEVEL 1 FLOOR AREA = 109.13 m²
① Building B - Level 1
1:50



LEVEL 2 FLOOR AREA = 127.45 m²
② Building B - Level 2
1:50



LEVEL 3 FLOOR AREA = 118.09 m²
③ Building B - Level 3
1:50



④ Attic Floor
1:50

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Consultant

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Development Services Division

2220 Cook
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Victoria, BC

Elevations - Building A

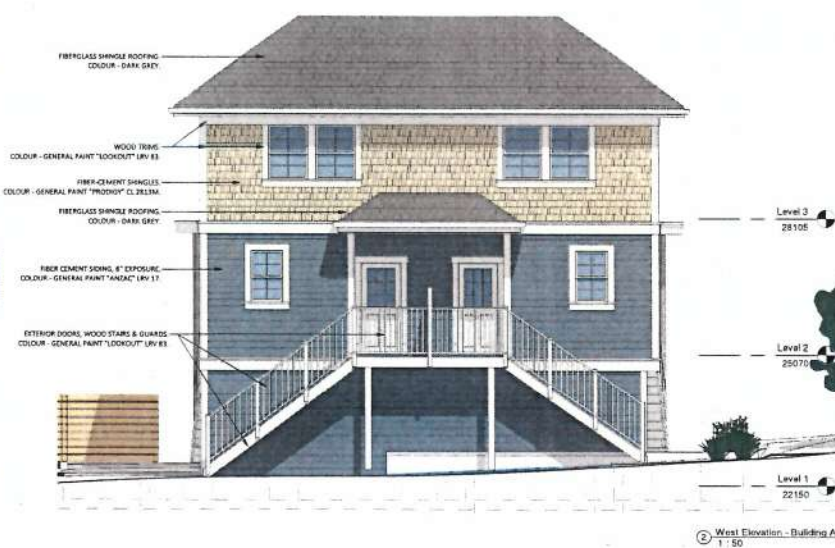
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Checked by CL

A3.01

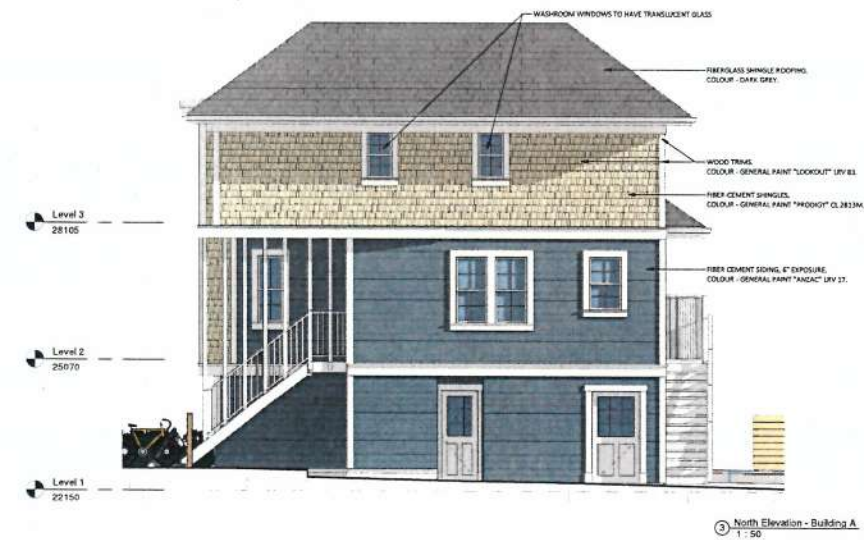
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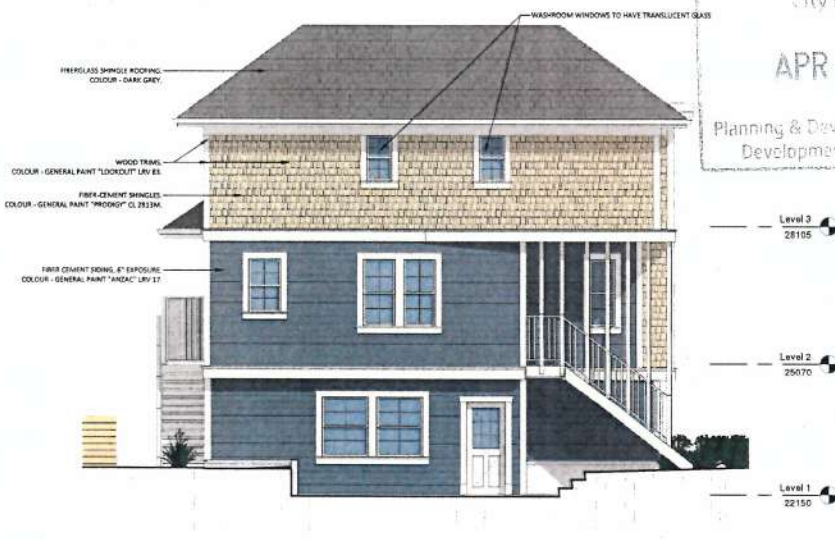
1 East Elevation - Building A
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2 West Elevation - Building A
1:50



3 North Elevation - Building A
1:50



4 South Elevation - Building A
1:50

Christine Lintott
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Development Permit Jan. 4, 2019

Revision

No. Description Date

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City of Victoria

APR 18 2019

CONFIRMED

Planning & Development Department
Development Services Division

2220 Cook
Street
Victoria, BC

Elevations - Building B

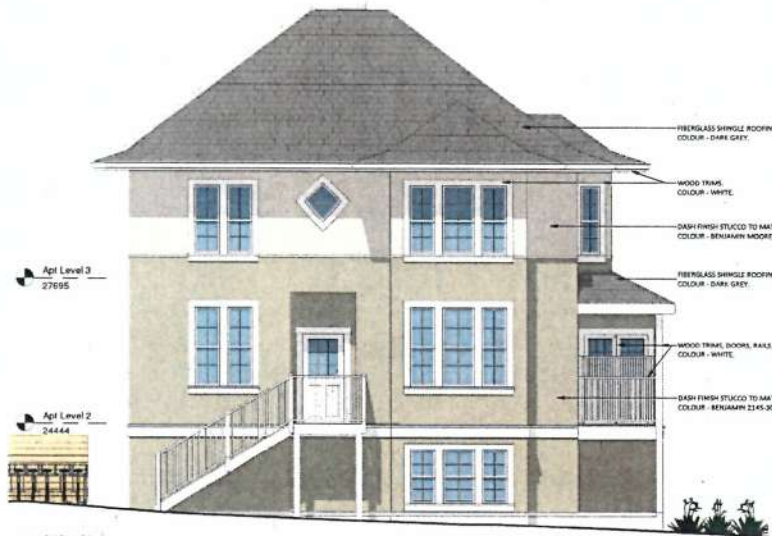
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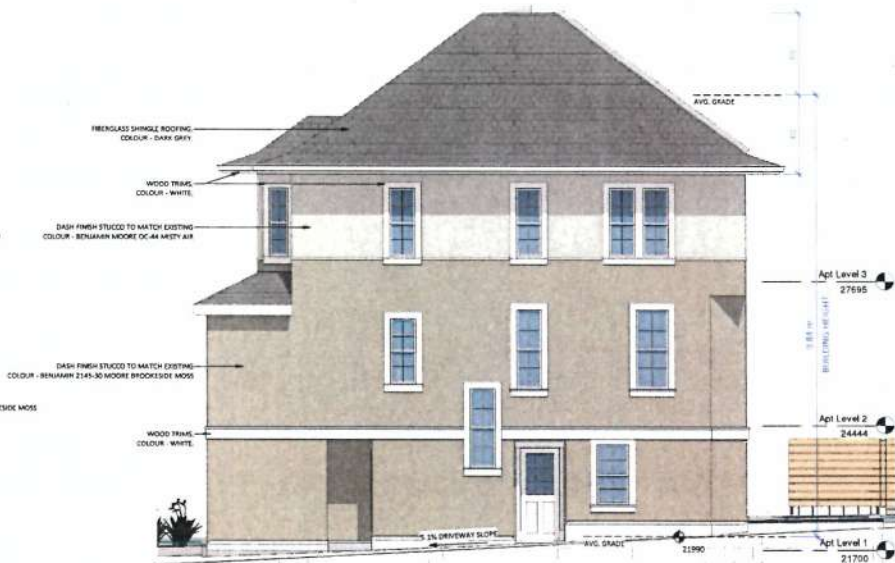
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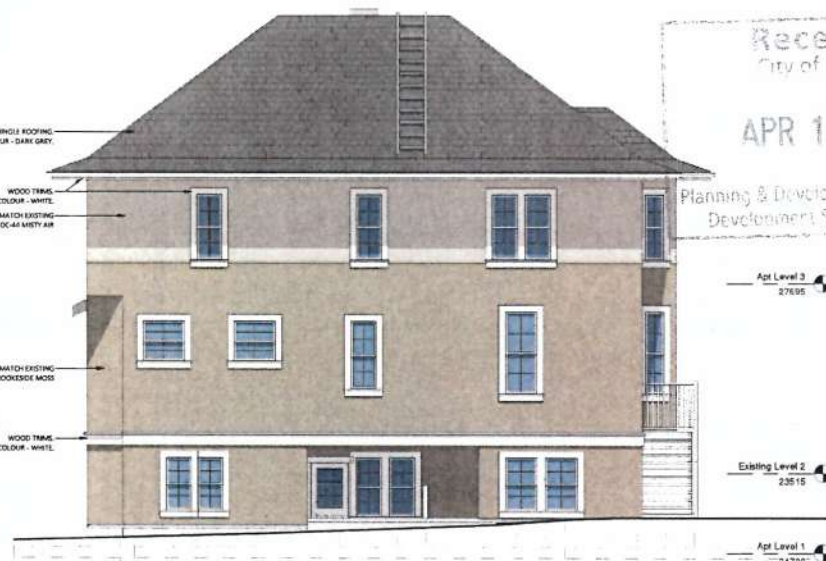
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2 West Elevation - Building B
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3 North Elevation - Building B
1:50



4 South Elevation - Building B
1:50



Issue	Date
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Revision	
Rev. Description	

Consultant

2220 Cook
Street
Victoria, BC

Spatial Separations

Date 2019-04-17 8:25:03 AM

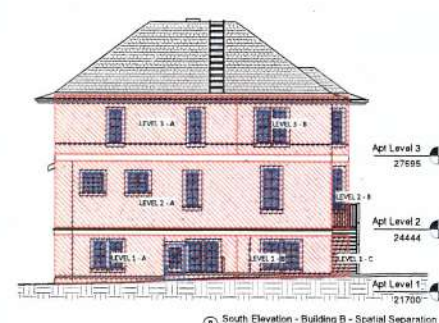
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Checked by	
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A3 11

AS.11



QUEENS AVENUE



9 Site Plan - Spatial Separations
1 : 200

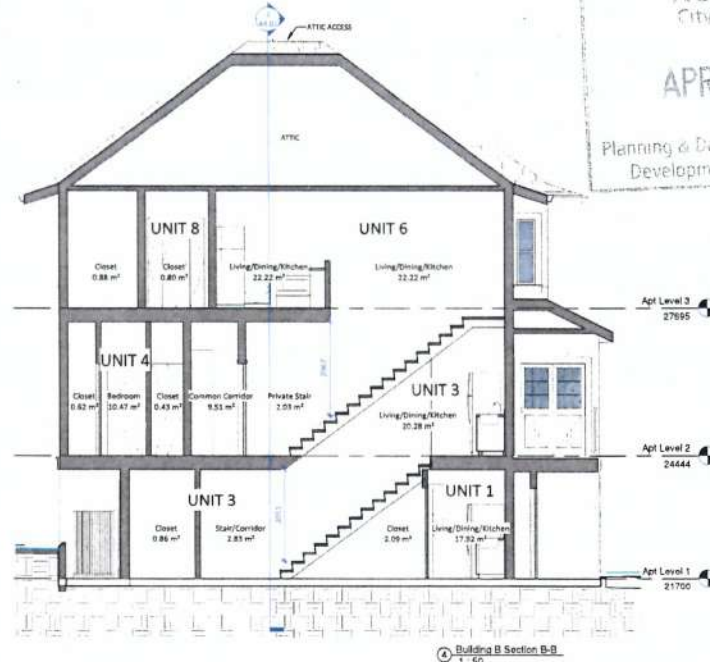
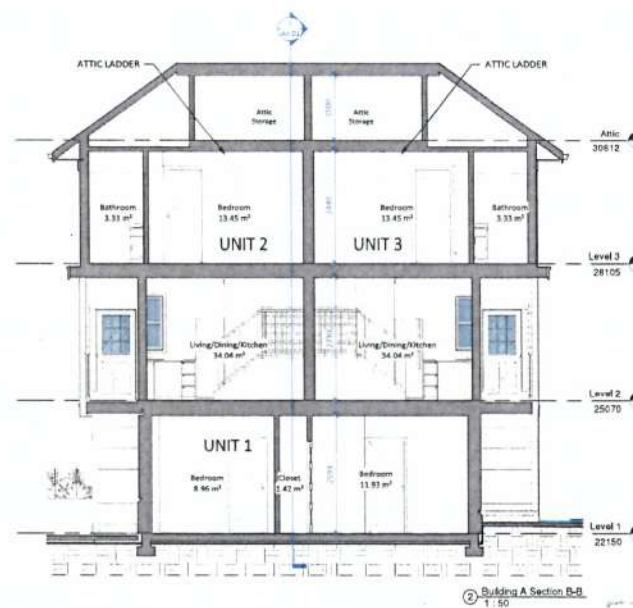
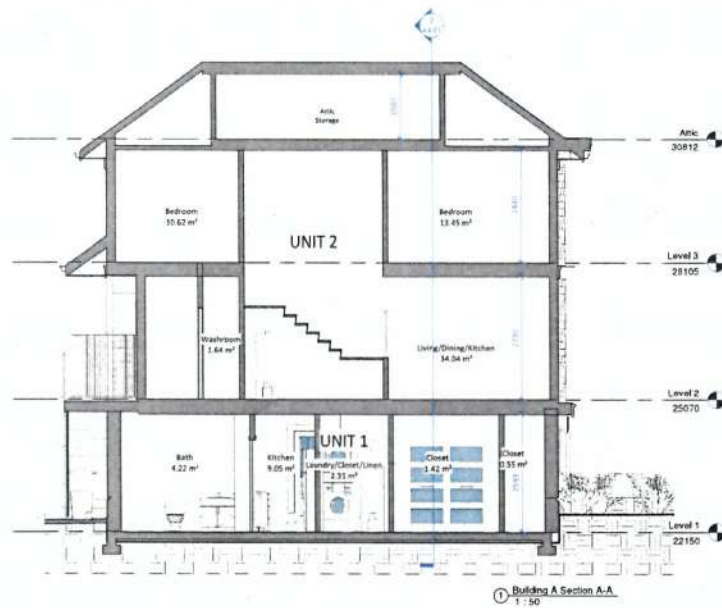
LIMITING DISTANCE & SPATIAL SEPARATIONS ANALYSIS

BIOE 1101.001									
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				REACTIVITY	POSITIVE		REAL	QUANTIFICATION	
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EAST (DATE) 2.0.0	17.27	21.24	6.21	100	10	5.0			
EAST (DATE) 3.0.0	17.27	21.24	6.21	100	10	5.0			
WEST (DATE) 1.0	1.00	14.29	0	20	0	1.0			
WEST (DATE) 1.0	1.00	14.00	0	20	0	1.0			
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SOUTH (DATE) 1.0	1.00	14.00	0	20	0	1.0			

[illegible]

179 Building A - Windsor Overlay at South Neighbor
1-100
APR 18 2019
City of Victoria
Planning & Development Department
Development Services Division

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Issue	Date
For Rezoning/ Development Permit	Jan. 4, 2019

Revision	By	Description	Date
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Received
City of Victoria
APR 18 2019
Planning & Development Department
Development Services Consultant

2220 Cook
Street
Victoria, BC

Building Sections

Date	2019-04-17 8:25:07 AM
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To Mayor and Council

01/01/2019

Proposed for 2220 Cook St. (at Queens) is subdivision of a large lot into two separate parcels. Current improvements to the property include a garage to the South and large Edwardian home to the North. This well maintained 2-1/2 story older building has been leased by VIHA for more than 20 years enabling them to provide a mix of eight rooms and suites to their clients.

Approval of this subdivision would allow the garage on the South lot to be removed and replaced with a new strata triplex. The North lot and existing apartment building would be retained for VIHA's continued use with no displacement or disruption to their tenants.

Additional parts of this proposal would include a 4.91 meter statutory right-of-way along the Cook street frontage in favour of the city of Victoria, almost one quarter of the property!

Instead of the R2 legal non-conforming zone/use, the existing building and land will be provided with suitable zoning for its use and registered in perpetuity as rental apartments only. The existing building will encroach into the new SRW. Therefore, in the event it is ever damaged to the point where reconstruction is required plans are provided to demonstrate it's still possible to rebuild eight one bedroom apartments in a form similar to the existing outside of the SRW.

Future lease agreements with VIHA will include a clause giving them a right of first refusal to purchase the rental property should selling it ever be contemplated by the owners.

Moving the driveway access from Cook street to Queens will reduce the access points onto Cook street and provide more on-street parking along the Cook street frontage. The proposed shared access to the two lots from Queens avenue will be achieved by widening an existing driveway crossing servicing the neighbouring property to the West. This will minimize any loss of on-street parking along the Queens avenue frontage.

On-site parking for this development will provide two stalls for the proposed triplex, two stalls for the apartment building and one stall permanently dedicated to a community car share. As well as for the community's use, both buildings will be enrolled in the car share program as will two multifamily buildings being proposed 1-1/2 blocks away at 945 Pembroke street. By providing car share on-site no street parking is lost and the option to provide a charging station for an electric car becomes possible. More than required bicycle parking is provided in this proposal.

The garage is mostly unused, replacing it with an energy efficient triplex will provide three new two bedroom homes within walking distance to all amenities. This proposal is consistent with directions outlined in the OCP, it's scale and character style build-form are similar to that of the surrounding buildings. It provides respectful development with no loss of homes or displacement of people, provides benefits to the city and comes with support from the community and VIHA.

Thank you for your consideration of this proposal.

Sincerely

Garde Colins



**North Park Neighbourhood Association
Community Land Use Meeting
Nov. 22, 2018, 7 p.m.
2220 Cook Street**

MINUTES

PROPONENT:

- Garde Collins, Linhar Projects

ARCHITECT:

- Christine Lintott

ATTENDANCE:

- Approximately a dozen residents from North Park attended, including adjacent neighbours to 2220 Cook Street.
- Partners in the proposed development were also in attendance.

OPENING REMARKS

Garde Collins

Our proposal is to subdivide the existing R2 lot at 2220 Cook St. into two lots. We would retain the existing apartment on the northerly lot and develop a triplex on the southerly lot. We will be applying for rezoning for the land plus a Development Permit with Variance for the southerly lot.

The City of Victoria's OCP encourages higher density than a duplex on an R2 lot on an arterial road such as Cook Street. The City would like higher density that maximizes the lot—for example, a 3-storey multi-unit building. We intend to keep the existing house and add a building next to it. It's a better fit for the neighbourhood.

The current house at the corner of Cook and Queens streets is leased by VIHA, and used to house people with housing challenges. We intend to keep VIHA as a tenant.

The garage on the southerly lot is currently used for storage. This is where we would develop the triplex. The building will be similar in height to the existing building.

The triplex will be a side-by-side duplex with two 2-bedroom/2 bath units on the main floor in a mirror image. The entrances will face the street. Upstairs will be the third 2-bedroom 2 bath suite. The triplex will have a bike lockup room and guest bike racks at front.

The City wants to remove the existing driveway with access onto Cook St. We're proposing a driveway off Queens St., with access to the back of the new building. That will remove parking from Queens Ave. and allow for more parking on Cook St. The Modo carshare would love to have a parking spot in this location so our proposal includes 1 stall for community carshare parking. The next closest carshare spot is in Fernwood. The new triplex would also have 2 parking stalls.

The City has a 5-metre statutory right-of-way (SRW) along Cook St. to accommodate future road widening. Therefore, buildings on the lot needs to be set back 5 metres. The existing building does not comply with the SRW as is but they will allow us to keep the building.

The original building will not be changed under our proposal. We want to retain the 8 suites and are not intending to change it in the future. However, if it was damaged (for example, by fire) in the future, it would need to be rebuilt with greater setbacks from Cook St. We would need new zoning to rebuild a rooming house in the future, so we're applying for that as part of this project. Plans have also been drawn to rebuild the 8-suite building, if it needs to be replaced in the future. It would be 3 stories and moved back on the lot 2 feet, removing the porch.

Similar R2 rooming houses in the City that have had fires cannot be rebuilt as rooming houses because of zoning restrictions. Houses are now sitting empty as they can't be rebuilt on the same footprint.

VIHA would have the first right of refusal in the future if we sell the property.

QUESTION PERIOD

Do any of the new units meet the definition of affordability?

The City has just come out with a new policy. We're considering how we can fit into that. In future the existing building would be registered as 8 units (5 rooms and 3 suites) and would be affordable. We would have to go back to apply for rezoning if VIHA ever leaves this building. The rezoning would apply only to the land.

Are the 8 units required to be affordable?

It's a bit in flux. The definitions are changing. The City will want us to come in to talk about how we can make that work – we still have to have that conversation.

Bike storage is great, but new owners in the triplex are all going to drive. Is this enough parking? Two spots for the triplex are not enough.

There are also 3 spots for the existing building.

What's required for parking and what are you providing?

The requirements range from 1 to 1.45 parking stalls per unit. If you provide a carshare space, as we've proposed, variances are available. The City requires 2 spaces for the existing building and 4 for the new triplex. We're providing 2 spaces for the triplex plus a new carshare space. That makes 5 total spaces, plus additional parking space along Cook St.

Is the proposed driveway narrower than usual?

No, it's 3 metres. It's standard. It takes away the back yard from the existing property.

Are you allowed to put the cars next to the house on Queens?

We have to provide screening. We'll have to see what the City says.

Will the new property be strata-titled and sold with a parking variance? There's not enough parking for 3 independently owned 2-bedroom units. (This issue was mentioned repeatedly.)

Yes, we'll have to have some kind of variance. This isn't as bad as some areas in terms of the pressures on parking. The kind of people who buy places typically judge how much space they need and buy what they need. For the City the parking is a lower denominator than affordable housing.

What other designs did you consider? We have condos on Pembroke with parking at the back.

The property isn't deep enough to do that on this property. If parking is restricted, buyers will be restricted to people who have one car. It isn't worth it for a developer to build just a duplex or a Single Family Dwelling.

I think it's inevitable that we'll end up with more density living downtown and it's the way things are going.

NPNA Chair's comment:

We're always talking about preserving more affordable housing. Preserving the 8-unit building is a huge bonus. The MODO spot is a significant contribution.

What other designs have you considered?

Originally we were going to move a house from Pembroke St. to the garage property but that didn't work out. Moving the other house was the only other plan we had.

I'm curious if other designs were generated for entire property – other combinations of suites etc.

To do more units it would all need to be rental, and we aren't in a position to do that.

Were partnerships with VIHA or CMHC for affordable housing considered?

No, we've already got the 8 units for affordable units. There isn't the space on the lot to put a lot of units on this property.

I would have liked to have seen alternate design options, that included putting parking underground etc.

Underground on this site is all rock.

I would have liked to have seen the property explored for other designs and partnership opportunities.

We can't do anything more affordable than what's currently there.

What best practices in heritage infill have you applied to come up with this design?

Are you trying to mimic heritage? We suffer from less than optimal urban design because the City doesn't have a heritage infill policy. Did you explore other designs for the property and how does it meet best practices?

When we do heritage restoration work we use beautiful millwork. We can't use wood on two sides of this new building due to fire regulations. The materials have a big impact on what you see. We have limited space here so there is only so much we can do.

How did you arrive at the two-column mirror design?

The two units mirror each other, and the doors must face the street. We've accomplished what the City requires, and people don't want their doors facing each other.

The roof pitch follows the roof pitch of the existing building. It also mimics the hip roof of the neighbouring building.

Are the box bays a characteristic of heritage houses?

We are trying to balance functional needs with nods to the heritage of area. We're not calling it a heritage infill. The existing (VIHA) building is rough. It's not really a heritage building.

Do you have an urban design person?

We've won heritage restoration awards, and architect Christine Lintott has as well. We thought this design suited the project best of all those we considered. The colours came from the building project at 1110 Pembroke Street. We have done restoration projects, such as at 864 Queens.

The windows on the south side look directly at our bedroom and living room area, and the window size concerns me. We're concerned about privacy. (Comment from immediate neighbours to south)

We'll consider that in the design. The windows won't be lined up directly across from your windows.

Will any units be accessible?

There may be room for a ramp, and we'll look at that.

Will you be doing any exterior improvements to the existing building? It would be nice to see some sprucing up of this building.

We'll be painting it. We put a new roof on this year. We've talked about making the upstairs more accessible for stretcher access, which would require some redoing to the back of the house. The colours in the design have been taken from a large heritage building on Wark St.

Is there a landscaping plan or any screening planned?

The neighbour behind on Queens has a 12-foot hedge so we thought that was adequate. There are plans for native plantings between buildings.

In your other projects did the City require a lot of changes? Are you expecting this to flow fairly easily?

The new Council is interested in affordable housing. Where they come from and what they come back with may change things at the time of application.

What is your break-ground goal?

The City is backed up with large applications. There are a number of stages in the application process. Our Pembroke property took 2 years. It's hard to say.



Talbot Mackenzie & Associates
Consulting Arborists

2220 Cook St, Victoria

Construction Impact Assessment & Tree Preservation Plan

Prepared For: Garde Collins
Linhar Projects Ltd.
1137 North Park Street
Victoria, BC V8T 1C7

Prepared By: Talbot, Mackenzie & Associates
Michael Marcucci – Consulting Arborist
ISA Certified # ON-1943A
TRAQ – Qualified

Date of Issuance: March 26, 2019

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Talbot Mackenzie & Associates

Consulting Arborists

Jobsite Property: 2220 Cook St, Victoria, BC

Date of Site Visits: February 11 and 25, 2019

Site Conditions: Residential lot. No ongoing construction activity.

Summary: The proposal includes subdividing the property and constructing a new house with two proposed parking stalls within the CRZ of a bylaw protected Lawson Cypress tree (NT 1). Exploratory excavations indicate that there will be minimal root loss as a result of the re-grading associated with the new parking stalls. A small municipal boulevard tree (Beech NT 3) will require removal or transplanting as a result of the driveway and new services.

Scope of Assignment:

- To inventory the existing bylaw protected trees and any trees on municipal or neighbouring properties that could potentially be impacted by construction or that are within three metres of the property line
- Review the proposal to subdivide the property and construct a new house, which would include widening the existing driveway, providing two parking stalls and new services. The existing house will be retained. The new house does not have a full basement.
- Comment on how construction activity may impact existing trees
- Prepare a tree retention and construction damage mitigation plan for those trees deemed suitable to retain given the proposed impacts

Methodology: We visually examined the trees on the property and prepared an inventory in the attached Tree Resource Spreadsheet. No trees were tagged. Information such as tree species, DBH (1.4m), crown spread, critical root zone (CRZ), health, structure, and relative tolerance to construction impacts were included in the inventory. The conclusions reached were based on the information provided within the attached building and site plans from Christine Lintott Architects (dated 2019-03-22). The Tree Protection Site Plan was created by adding comments to the site plan provided.

Limitations: Other than the exploratory excavations in the locations specified, no other exploratory excavations have been conducted and thus the conclusions reached are based solely on critical root zone calculations and our best judgement using our experience and expertise. The location, size and density of roots are often difficult to predict without exploratory excavations and therefore the impacts to the trees may be more or less severe than we anticipate.

Summary of Tree Resource: Only one bylaw protected tree exists on the subject property: a multi-stem Lawson Cypress (NT01). Municipal trees on the boulevard as well as neighbour's (or shared) trees and hedges were included in the inventory.

Trees to be Removed:

NT 03 Columnar Beech: The Beech within the boulevard east of the existing driveway will require removal or transplanting due to the widened driveway and proposed services. The tree would be 70cm from the estimated driveway flare and within the trench footprint for the new sanitary and storm services (shown on the Landscape Plan). Depending on the preference of the municipality, the tree could either be transplanted a few metres east of the new driveway entrance or removed. Hydro lines are located above the boulevard.

Hedge NT 5: The small hedge west of the existing driveway (unknown ownership between neighbour and applicant) will require removal for re-grading of the driveway. We recommend confirming ownership and informing the neighbour of the plans to remove or transplant these plants.

Potential Impacts on Trees to be Retained and Mitigation Measures

- **Parking Stalls and Lawson Cypress NT 01:**

Two parking stalls are proposed within the CRZ of this tree. Exploratory excavations were conducted to assess what grade the parking stalls could be constructed at without significantly impacting the health of the tree (pictures are at the bottom this report). It is our understanding that the applicant is required to plant a hedge on the border of the parking stall in order to screen it from the street. In order to do this, the applicant would prefer to remove the existing wall and lower the grade of the stalls in order to create more growing room within the planting bed for the hedge.

Exploratory excavations were completed by hand-digging a narrow trench, 1.6m west of the trunk of the tree, beginning from the existing retaining wall and ending 2-3m from the retaining wall at the house. The depth explored was 45 to 50cm below existing grade (at or below the grade of the existing sidewalk). Only three roots were observed within the trench (all were retained): one 7cm in diameter, one 2.5cm, and one 1cm. In our opinion, the loss of these roots alone is unlikely to significantly impact the health or stability of the tree. It should be noted that the root disease *Phytophthora* is responsible for the decline of Lawson Cypress trees locally and could rapidly infect and lead to the decline of the tree at any time.

Based on conversations with the applicant, no further excavation or root loss is anticipated, other than the three roots observed. The retaining wall for the grade change would be constructed no closer to the tree than the exploratory trench. If additional roots are encountered below the 45-50cm depth explored, these can be retained below both the retaining wall and driveway construction using our "floating driveway specification" attached. If additional roots are encountered at a greater depth, we may recommend that the parking stalls be constructed

using a permeable surface. We do not recommend removing the portion of the retaining wall east of the parking stalls as the base of the tree could potentially be braced against it.

It is possible, but very unlikely that roots have grown underneath the exploratory trench and then have curved upwards to a shallower depth (rocks were encountered at the bottom of most of the trench). If a significant amount of roots have done this, the change in grade may be limited. The project arborist should supervise the excavation associated with the parking stalls.

- **Leyland Cypress Hedge NT 6:** It is our understanding that the applicant plans to retain the Lawson Cypress hedge along the property line. These trees require frequent pruning to maintain as a hedge and have aggressive root systems which may uplift the driveway in the future. Therefore, a more suitable option may be replanting with a less aggressive and invasive plant. However, if retention is desired, we would recommend an arborist supervise the excavation for the driveway and prune any roots severed or retain structural roots necessary for stability.
- **Cherry NT 7:** This tree will be over three metres from the proposed patio. If a critical amount of roots are encountered during excavation, we may recommend that the patio be raised over the roots and made permeable in order to avoid adverse health impacts.
- **Arborist Supervision:** All excavation occurring within the critical root zones of protected trees should be completed under supervision by the project arborist. In particular, the following activities should be completed under the direction of the project arborist:
 - Excavation associated with the parking stalls and retaining wall removal and construction within the CRZ of Lawson Cypress NT 1
 - Excavation associated with the patio within the CRZ of Cherry NT 7
 - Excavation for the new driveway within the CRZ of Leyland Cypress hedge NT 6
 - If the municipality would like European Beech NT 3 to be transplanted, this should be supervised by either the municipal arborist or the project arborist
- **Pruning Roots:** Any severed roots must be pruned back to sound tissue to reduce wound surface area and encourage rapid compartmentalization of the wound. Backfilling the excavated area around the roots should be done as soon as possible to keep the roots moist and aid in root regeneration. Exposed roots should be kept moist until the area is backfilled, especially if excavation occurs during a period of drought. This can be accomplished in number of ways including wrapping the roots in burlap or installing a root curtain of wire mesh lined with burlap, and keeping the area moist throughout the construction process.
- **Barrier fencing:** The areas surrounding the trees to be retained should be isolated from the construction activity by erecting protective barrier fencing. Where possible, the fencing should be erected at the perimeter of the critical root zones. The barrier fencing must be a minimum of 4 feet in height, of solid frame construction that is attached to wooden or metal posts. A solid board or rail must run between the posts at the top and the bottom of the fencing. This solid frame can then be covered with plywood, or flexible snow fencing. The fencing must be erected prior to the start of any construction activity on site (i.e. demolition, excavation, construction), and remain in place through completion of the project. Signs should be posted

around the protection zone to declare it off limits to all construction related activity. The project arborist must be consulted before this fencing is removed or moved for any purpose.

- **Minimizing Soil Compaction:** In areas where construction traffic must encroach into the critical root zones of trees to be retained, efforts must be made to reduce soil compaction where possible by displacing the weight of machinery and foot traffic. This can be achieved by one of the following methods:
 - Installing a layer of hog fuel or coarse wood chips at least 20 cm in depth and maintaining it in good condition until construction is complete.
 - Placing medium weight geotextile cloth over the area to be used and installing a layer of crushed rock to a depth of 15 cm over top.
 - Placing two layers of 19mm plywood.
 - Placing steel plates.
- **Mulching:** Mulching can be an important proactive step in maintaining the health of trees and mitigating construction related impacts and overall stress. Mulch should be made from a natural material such as wood chips or bark pieces and be 5-8cm deep. No mulch should be touching the trunk of the tree. See “methods to avoid soil compaction” if the area is to have heavy traffic.
- **Blasting:** Care must be taken to ensure that the area of blasting does not extend beyond the necessary footprints and into the critical root zones of surrounding trees. The use of small low-concussion charges and multiple small charges designed to pre-shear the rock face will reduce fracturing, ground vibration, and overall impact on the surrounding environment. Only explosives of low phytotoxicity and techniques that minimize tree damage should be used. Provisions must be made to ensure that blasted rock and debris are stored away from the critical root zones of trees.
- **Landscaping and Irrigation Systems:** The planting of new trees and shrubs should not damage the roots of retained trees. The installation of any in-ground irrigation system must take into account the critical root zones of the trees to be retained. Prior to installation, we recommend the irrigation technician consult with the project arborist about the most suitable locations for the irrigation lines and how best to mitigate the impacts on the trees to be retained. This may require the project arborist supervise the excavations associated with installing the irrigation system. Excessive frequent irrigation and irrigation which wets the trunks of trees can have a detrimental impact on tree health and can lead to root and trunk decay.
- **Arborist Role:** It is the responsibility of the client or his/her representative to contact the project arborist for the purpose of:
 - Locating the barrier fencing
 - Reviewing the report with the project foreman or site supervisor
 - Locating work zones, where required
 - Supervising any excavation within the critical root zones of trees to be retained
 - Reviewing and advising of any pruning requirements for machine clearances

- **Review and site meeting:** Once the project receives approval, it is important that the project arborist meet with the principals involved in the project to review the information contained herein. It is also important that the arborist meet with the site foreman or supervisor before any site clearing, tree removal, demolition, or other construction activity occurs and to confirm the locations of the tree protection barrier fencing.

Exploratory Excavation Photos (February 25, 2019)



Photo 1



Photo 2: 7cm diameter retained root in foreground near existing retaining wall.



Photo 3



Photo 4: 2.5cm retained root on the right side within the trench.

Talbot Mackenzie & Associates

Please do not hesitate to call us at (250) 479-8733 should you have any further questions.

Thank you,



Michael Marcucci
ISA Certified # ON-1943A
TRAQ – Qualified

Talbot Mackenzie & Associates
ISA Certified Consulting Arborists

Encl. 1-page tree resource spreadsheet, 1-page tree protection site plan with trees, 5-page building plans excerpts, 1-page barrier fencing specifications, 1-page raised paved surface specification, 2-page tree resource spreadsheet methodology and definitions

Disclosure Statement

The tree inventory attached to the Tree Preservation Plan can be characterized as a limited visual assessment from the ground and should not be interpreted as a "risk assessment" of the trees included.

Arborists are professionals who examine trees and use their training, knowledge and experience to recommend techniques and procedures that will improve their health and structure or to mitigate associated risks.

Trees are living organisms, whose health and structure change, and are influenced by age, continued growth, climate, weather conditions, and insect and disease pathogens. Indicators of structural weakness and disease are often hidden within the tree structure or beneath the ground. It is not possible for an Arborist to identify every flaw or condition that could result in failure or can he/she guarantee that the tree will remain healthy and free of risk.

Remedial care and mitigation measures recommended are based on the visible and detectable indicators present at the time of the examination and cannot be guaranteed to alleviate all symptoms or to mitigate all risk posed.

Tree ID	Common Name	Latin Name	DBH (cm) ~ approximate	Crown Spread (m)	CRZ (m)	Relative Tolerance	Health	Structure	Remarks and Recommendations	Retention Status
NT 1	Lawson Cypress	<i>Chamaecyparis lawsoniana</i>	37, 36, 30, 28	9.0	11.5	P	Good	Fair	Potentially shared ownership with municipality. Codominant unions at base. Hydro lines north of canopy	Retain
NT 2	Hawthorn	<i>Crataegus oxyacantha</i>	16.0	5.0	2.0	G	Fair	Fair	Municipal boulevard tree (ID #18754). East of existing driveway. Trunk injury at base	Retain
NT 3	Columnar European Beech	<i>Fagus sylvatica</i> 'Fastigiata'	2.0	1.0	1.5	P	Good	Good	Municipal boulevard tree (ID#34176). Hydro lines above	Transplant or Removal
NT 4	English Yew	<i>Taxus baccata</i> 'Fastigiata'	Multistem	3.0	4.0	G	Good	Good	Informed by municipality that it is on private property and not bylaw protected.	Retain
NT 5	Pyramidal Cedar hedge	<i>Thuja occidentalis</i> 'Pyramidalis'	2.0	1.0	1.5	M	Fair	Good	Shared ownership potentially. Beside existing driveway near entrance. 2m tall	Transplant or Removal
NT 6	Leyland Cypress hedge	<i>Cupressus x leylandii</i>	~5-12cm	2.0	2.0	G	Fair	Fair	Shared ownership likely. Beside fence. 4m tall.	Retain
NT 7	Cherry	<i>Prunus spp</i>	~45	12.0	5.5	M	Fair	Fair	Neighbour's, ~3.5m from rear fence	Retain
NT 8	Douglas-fir	<i>Pseudotsuga menziesii</i>	~60	12.0	9.0	P	Fair	Fair	Neighbour's, ~5m west from SW corner of property.	Retain
NT 9	Columnar European Beech	<i>Fagus sylvatica</i> 'Fastigiata'	2.0	1.0	1.5	P	Good	Good	Municipal boulevard tree (ID#34178), west of driveway. Hydro lines above	Retain



Issue	D
For Reasoning/	
Development Permit	Jan. 4, 2001

Revision	
By: Description	

Consultant	
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2220 Cook
Street
Victoria, BC

Survey & Height Calculations

Date	20130322 055653
Version	
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Issue Date
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Revisions
By: Date: Rev:

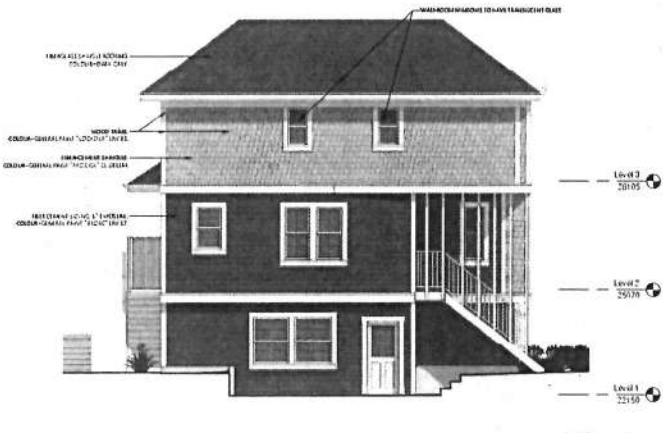
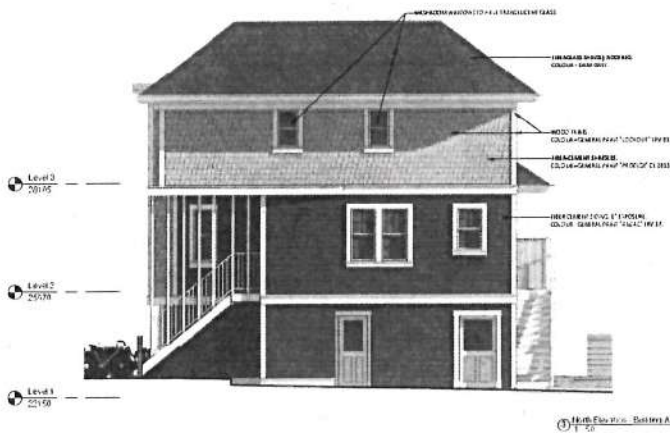
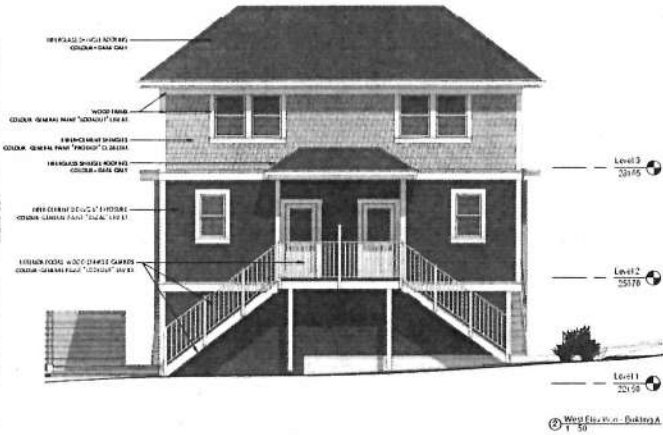
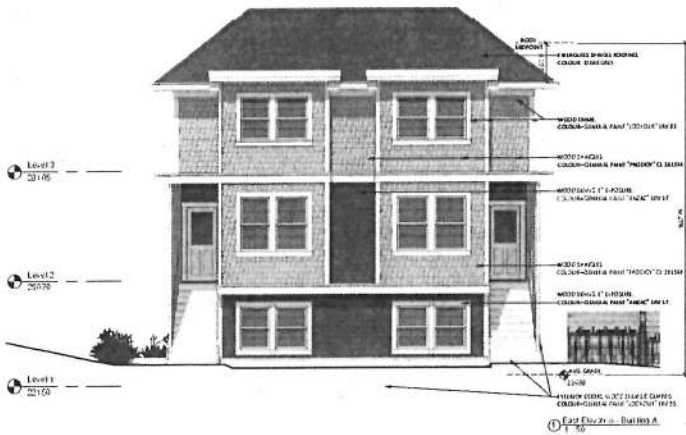
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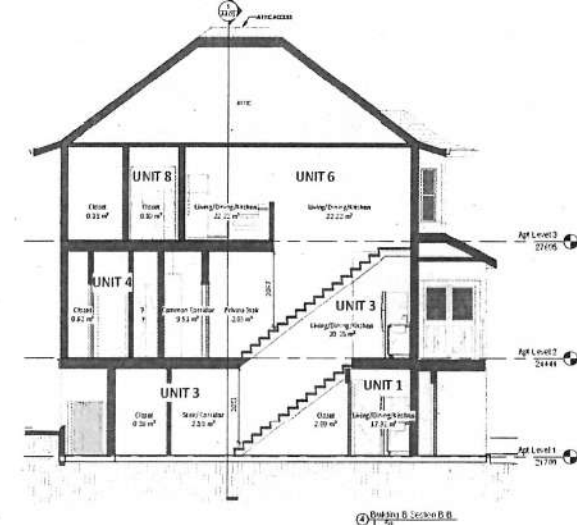
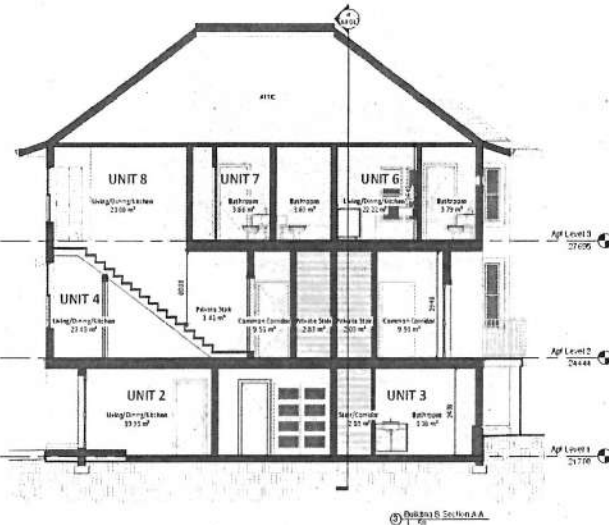
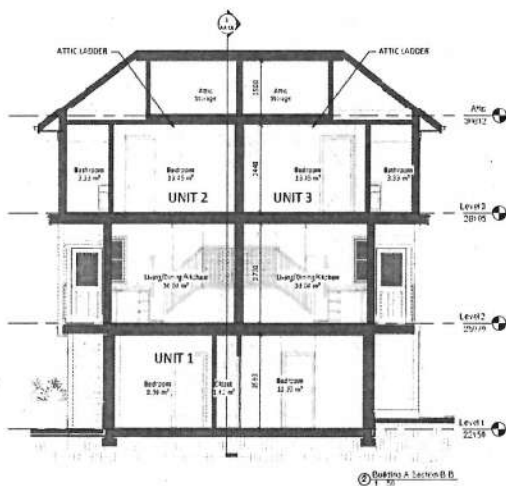
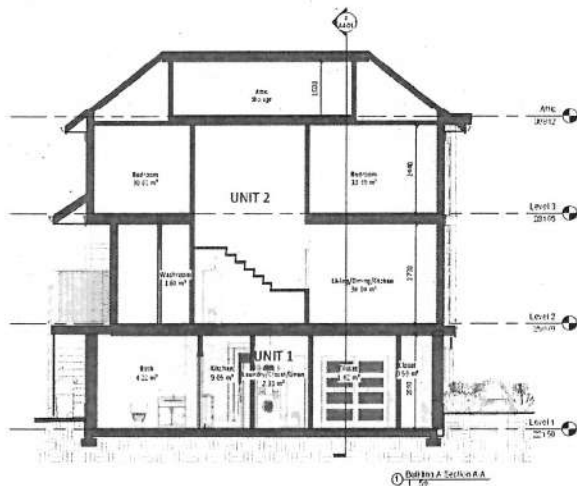
Elevations - Building A

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Development Permit: Jan 4, 2011

Revisions:
No. Description

Consultant:

2220 Cook
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Building Sections

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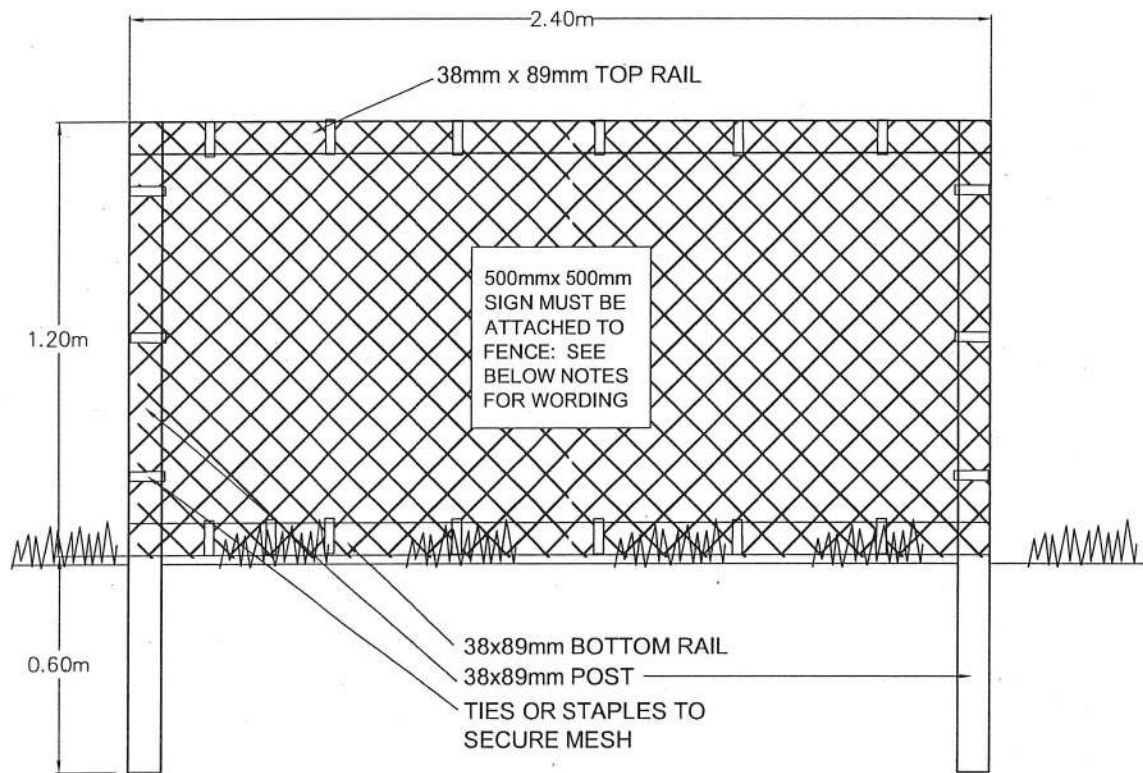
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A4.01

Scale: 1/50

THIS DRAWING IS A COPYRIGHT DRAWING & SHALL NOT BE REPRODUCED OR REDUCED WITHOUT WRITTEN PERMISSION FROM CHRISTINE LIMBERT ARCHITECTS. THIS DRAWING SHALL NOT BE USED FOR CONSTRUCTION PURPOSES UNLESS, OR IF APPROVED & SIGNED BY CHRISTINE LIMBERT ARCHITECTS AS SHOWN THE GENERAL CONTRACTOR SHALL CHECK & VERIFY ALL DIMENSIONS & REPORT ALL ERRORS & DISCREPANCIES TO CHRISTINE LIMBERT ARCHITECTS. SHOW 2: ALL THE DIMENSIONS.



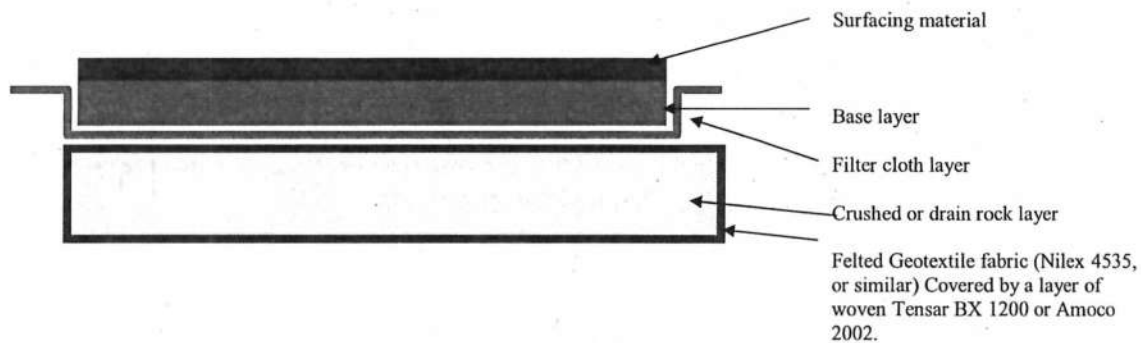
TREE PROTECTION FENCING

1. FENCE WILL BE CONSTRUCTED USING 38 mm X 89mm WOOD FRAME: TOP, BOTTOM AND POSTS * USE ORANGE SNOW-FENCING MESH AND SECURE THE WOOD FRAME WITH "ZIP" TIES OR GALVANIZED STAPLES.
 2. ATTACH A 500mm X 500mm SIGN WITH THE FOLLOWING WORDING: WARNING- TREE PROTECTION AREA. THIS SIGN MUST BE AFFIXED ON EVERY FENCE OR AT LEAST EVERY 10 LINEAR METERS.
- * IN ROCKY AREAS, METAL POSTS (T-BAR OR REBAR) DRILLED INTO ROCK WILL BE ACCEPTED

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Diagram – Site Specific “Floating” Driveway, Parking and Walkway



Specifications for “Floating” Driveway, Parking and Walkway Areas

1. Excavation for construction of the driveway/parking/walkway areas must remove the sod layer only, where they encroach on the root zones of the protected trees
2. A layer of medium weight felted Geotextile fabric (Nilex 4535, or similar) is to be installed over the entire area of the critical root zone that is to be covered by the driveway. Cover this Geotextile fabric with a layer of woven Amoco 2002 or Tensar BX 1200. Each piece of fabric must overlap the adjoining piece by approximately 30-cm.
3. A 10cm layer of torpedo rock, or 20-mm clean crushed drain rock, is to be used to cover the Geotextile fabric.
4. A layer of felted filter fabric is to be installed over the crushed rock layer to prevent fine particles of sand and soil from infiltrating this layer.
5. The bedding or base layer and permeable surfacing can be installed directly on top of the Geotextile fabric.
6. Two-dimensional (such as CombiGrid 30/30 or similar) or three-dimensional geo-grid reinforcements can be installed in combination with, or instead of, the geotechnical fabric specified in the attached diagram.
7. Ultimately, a geotechnical engineer should be consulted and in consultation with the project arborist may specify their own materials and methods that are specific to the site's soil conditions and requirements, while also avoiding root loss and reducing compaction to the sub-grade.



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Tree Resource Spreadsheet Methodology and Definitions

Tag: Tree identification number on a metal tag attached to tree with nail or wire, generally at eye level. Trees on municipal or neighboring properties are not tagged.

NT: No tag due to inaccessibility or ownership by municipality or neighbour.

DBH: Diameter at breast height – diameter of trunk, measured in centimetres at 1.4m above ground level. For trees on a slope, it is taken at the average point between the high and low side of the slope.

* Measured over ivy

~ Approximate due to inaccessibility or on neighbouring property

Crown Spread: Indicates the diameter of the crown spread measured in metres to the dripline of the longest limbs.

Relative Tolerance Rating: Relative tolerance of the tree species to construction related impacts such as root pruning, crown pruning, soil compaction, hydrology changes, grade changes, and other soil disturbance. This rating does not take into account individual tree characteristics, such as health and vigour. Three ratings are assigned based on our knowledge and experience with the tree species: Poor (P), Moderate (M) or Good (G).

Critical Root Zone: A calculated radial measurement in metres from the trunk of the tree. It is the optimal size of tree protection zone and is calculated by multiplying the DBH of the tree by 10, 12 or 15 depending on the tree's Relative Tolerance Rating. This methodology is based on the methodology used by Nelda Matheny and James R. Clark in their book "Trees and Development: A Technical Guide to Preservation of Trees During Land Development."

- 15 x DBH = Poor Tolerance of Construction
- 12 x DBH = Moderate
- 10 x DBH = Good

To calculate the critical root zone, the DBH of multiple stems is considered the sum of 100% of the diameter of the largest stem and 60% of the diameter of the next two largest stems. It should be noted that these measures are solely mathematical calculations that do not consider factors such as restricted root growth, limited soil volumes, age, crown spread, health, or structure (such as a lean).

Health Condition:

- Poor - significant signs of visible stress and/or decline that threaten the long-term survival of the specimen
- Fair - signs of stress
- Good - no visible signs of significant stress and/or only minor aesthetic issues

Structural Condition:

- Poor - Structural defects that have been in place for a long period of time to the point that mitigation measures are limited
- Fair - Structural concerns that are possible to mitigate through pruning
- Good - No visible or only minor structural flaws that require no to very little pruning

Retention Status:

- X - Not possible to retain given proposed construction plans
- Retain - It is possible to retain this tree in the long-term given the proposed plans and information available. This is assuming our **recommended mitigation measures are followed**
- Retain * - See report for more information regarding potential impacts
- TBD (To Be Determined) - The impacts on the tree could be significant. However, in the absence of exploratory excavations and in an effort to retain as many trees as possible, we recommend that the final determination be made by the supervising project arborist at the time of excavation. The tree might be possible to retain depending on the location of roots and the resulting impacts, but concerned parties should be aware that the tree may require removal.
- NS - Not suitable to retain due to health or structural concerns

Application for Rezoning &
Development Permit
at
2220 Cook Street





Existing Site

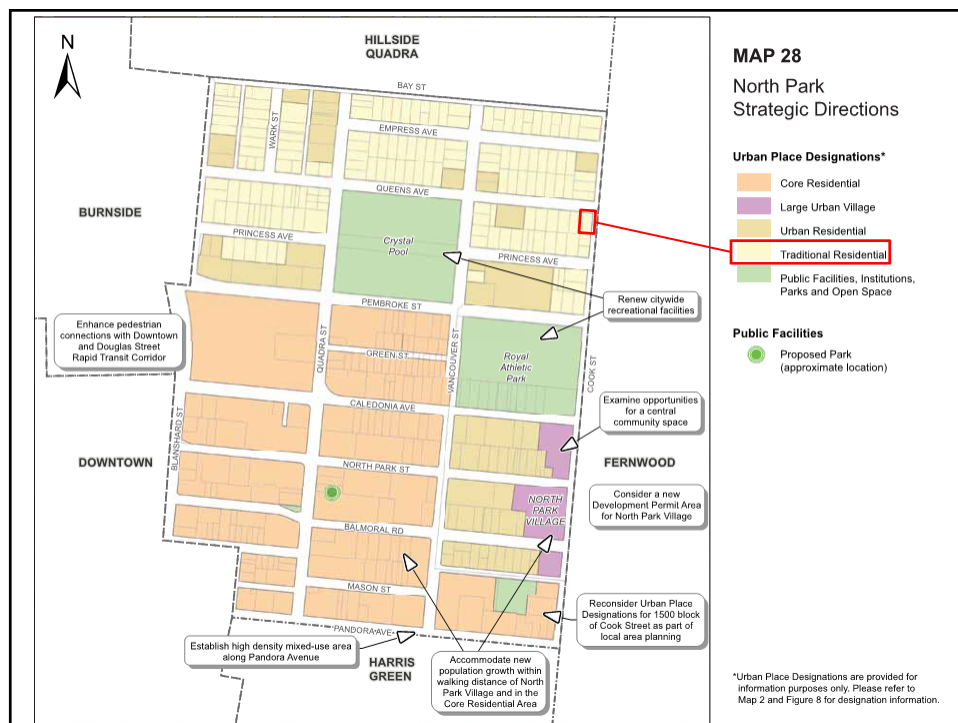


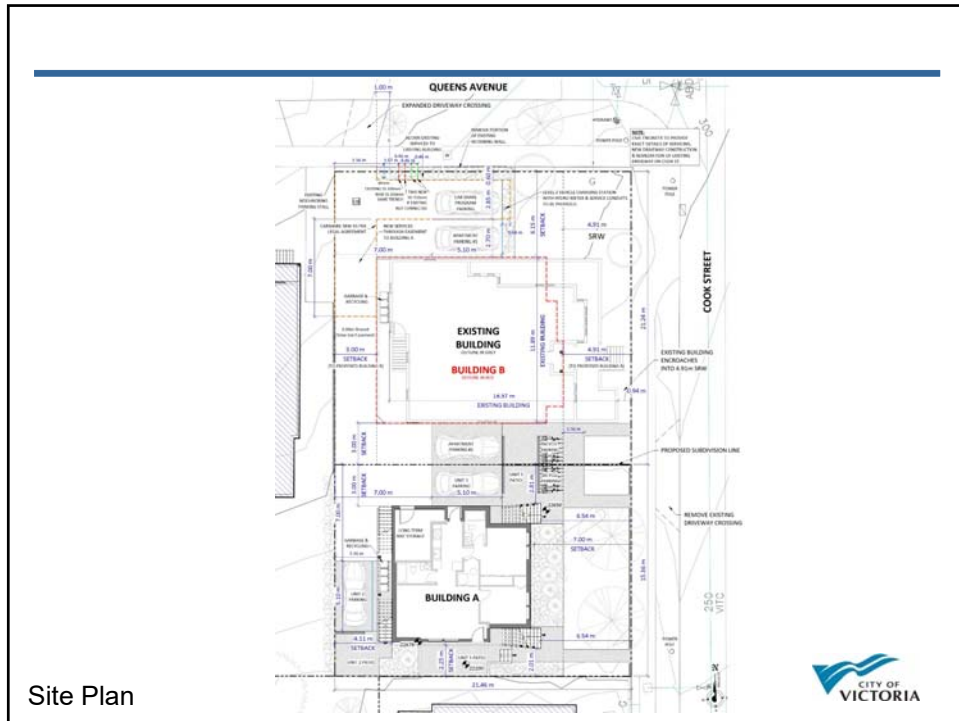
Neighboring Property at Cook Street



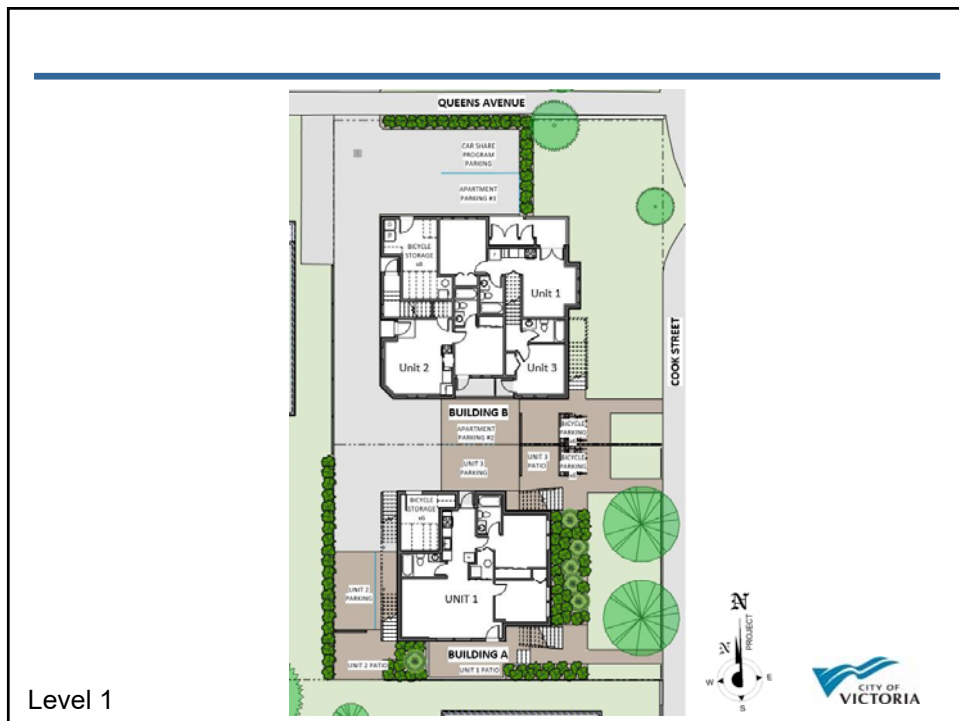


Neighboring Property at Queens Avenue





Site Plan



Level 1

