

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.b Report from the September 19, 2019 COTW Meeting

**I.1.b.i 514 and 518 Sumas Street: Rezoning Application No. 00691
(Burnside-Gorge)**

Moved By Councillor Potts

Seconded By Councillor Young

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00691 for 514 and 518 Sumas 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. Prepare and execute a Housing Agreement to ensure that future Strata Bylaws cannot prohibit the rental of dwelling units.
2. Prepare and execute a legal agreement to secure a 1.172m Statutory Right-of-Way along the lane frontage.

CARRIED UNANIMOUSLY

E.2 514 and 518 Sumas Street: Rezoning Application No. 00691 (Burnside-Gorge)

Council received a report dated September 5, 2019 from the Acting Director of Sustainable Planning and Community Development providing information on a Rezoning application that would provide for an increase in density, and permission for an attached dwelling. The report recommends Council approval subject to certain conditions.

Moved By Councillor Potts

Seconded By Councillor Young

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00691 for 514 and 518 Sumas 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. Prepare and execute a Housing Agreement to ensure that future Strata Bylaws cannot prohibit the rental of dwelling units.
2. Prepare and execute a legal agreement to secure a 1.172m Statutory Right-of-Way along the lane frontage.

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of September 19, 2019

To: Committee of the Whole

Date: September 5, 2019

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

Subject: Rezoning Application No. 00691 for 514 and 518 Sumas 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. 00691 for 514 and 518 Sumas 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. Prepare and execute a Housing Agreement to ensure that future Strata Bylaws cannot prohibit the rental of dwelling units.
2. Prepare and execute a legal agreement to secure a 1.172m Statutory Right-of-Way along the lane frontage.

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.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the properties located at 514 and 518 Sumas Street. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to the RT Zone, Traditional Residential Attached Dwelling District, in order to increase the density to 1:1 Floor Space Ratio (FSR) and permit an attached dwelling.

The following points were considered in assessing this application:

- the subject properties are designated Urban Residential in the *Official Community Plan, (2012 OCP)*, which supports attached and detached buildings up to three storeys and a density of up to 1.2:1 FSR. The OCP also supports multi-unit residential buildings at this location
- the land use designation in the *Burnside Gorge Neighbourhood Plan* is Urban Residential, which supports multi-unit residential development up to four-storeys and a density of up to 2:1 FSR
- the applicant is proposing a ground-oriented, housing form that would be more suitable for families
- should Council approve the Rezoning Application then the applicant will apply for a Development Permit, which would also require Council approval
- the applicant has provided a Tenant Assistance Plan (attached).

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone from the R1-B Zone, Single Family Dwelling District, to the RT Zone, Traditional Residential Attached Dwelling District in order to increase the density to 1:1 Floor Space Ratio (FSR) and permit an attached dwelling.

The proposed differences from the existing R1-B Zone are related to increasing the density, height, site coverage, and reducing the front and rear yard setbacks.

Affordable Housing Impacts

The applicant is proposing attached dwelling units in order to provide larger units suitable for families. A Housing Agreement is being proposed, which would ensure that future Strata Bylaws could not prohibit the rental of units.

Tenant Assistance Policy

The proposal is to demolish two existing buildings, which would result in a loss of two existing residential rental units. Consistent with the Tenant Assistance Policy, the applicant has provided a Tenant Assistance Plan, which is attached to this report.

Sustainability Features

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

Active Transportation Impacts

Given that the applicant has only submitted a Rezoning Application at this time, the details on the active transportation impacts are not available and will be provided at the Development Permit stage for Council's consideration.

Public Realm Improvements

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

Accessibility Impact Statement

Details regarding the accessibility of the project would be provided at the Development Permit stage for Council's consideration.

Land Use Context

The area is characterized by a mix of single family dwellings and duplexes.

Existing Site Development and Development Potential

The site is presently two single-family dwellings.

Under the current R1-B Zone, each property could be developed as a single-family dwelling with a secondary suite or garden suite.

Data Table

The following data table compares the proposal with the RT Zone.

Zoning Criteria	Proposal	Existing R1-B Zone	Zone Standard RT Zone
Site area (m ²) – minimum	1018	460	920
Density (Floor Space Ratio) – maximum	1:1	n/a	1:1
Lot width (m) – minimum	30.48	15	20
Height (m) – maximum	10.50	7.60	10.50
Storeys – maximum	3	2	3
Site coverage (%) – maximum	50	40	50
Open site space (%) – minimum	50	n/a	30
Number of dwellings units in an attached dwelling	4	n/a	4
Separation space between buildings (within the site) (m) – minimum	7	n/a	5
Setbacks (m) – minimum			
Front	6	7.50	6
Rear	4	8.36	4
Side (east)	4	3.04	4

Zoning Criteria	Proposal	Existing R1-B Zone	Zone Standard RT Zone
Side (west)	4	3.04	4
Combined side yard	8	4.50	n/a
Parking – minimum	To be determined at the Development Permit stage		
Visitor parking included in the overall units – minimum	To be determined at the Development Permit stage		
Bicycle parking stalls – minimum	To be determined at the Development Permit stage		

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Burnside Gorge CALUC at a Community Meeting held on August 17, 2018. A letter dated August 18, 2018 is attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan*, (OCP, 2012) Urban Place Designation for the subject properties is Urban Residential, which supports attached and detached buildings up to three storeys and a density of up to 1.2:1 FSR. The OCP also supports multi-unit residential buildings up to six storeys at this location.

The OCP also encourages an increase in a wide range of housing choice within neighbourhoods to support a diverse and inclusive community. The applicant feels that a smaller scale housing development would be a better fit adjacent to Sumas Park and that an attached housing form would offer more family-size units in the neighbourhood.

Local Area Plans

Burnside Gorge Neighbourhood Plan

The land use designation of the subject properties in the *Burnside Gorge Neighbourhood Plan* (2017) is Urban Residential, which supports multi-unit residential development up to four storeys and a density of up to 2:1 FSR. The applicant is proposing ground-oriented housing even though the policies support more intensification and higher density residential development west of Sumas Park and in close proximity to Jutland Road.

Tree Preservation Bylaw and Urban Forest Master Plan

An inventory and assessment of eight trees that may be impacted by the development was undertaken by Gye + Associates, as outlined in the Arborist Report dated September 11, 2019. There is a bylaw-protected Arbutus with 12cm diameter at breast height (DBH) located near the east property line, which is proposed for retention. Two non-bylaw purple-leaf plum trees (30cm and 28cm DBH) are proposed for removal due to conflict with the proposed building envelope of

Block one. Realignment of the sidewalk from the edge of the road to the property line will require the removal of two purple-leaf plums on the municipal frontage (18cm and 38cm DBH). On the new boulevard, three trees have been proposed and the species will be determined by Parks at the Building Permit stage. The cottonwood, elm, and purple-leaf plum trees in Sumas Park would be protected during any construction on the subject property with tree protection fencing.

Density Bonus Policy

The Rezoning Application was received April 4, 2019 and is subject to Council's interim Affordable Housing Policy, which is summarized in Council's motion dated November 22, 2018:

That Council direct staff to negotiate for inclusive housing or cash-in-lieu on all strata projects except in buildings of 10 units or less.

Based on the proposed RT Zone, the applicant could potentially construct up to eight ground-oriented attached dwelling units on the site and would therefore be technically exempt from the requirement to provide inclusive housing or cash-in-lieu with this proposal. The proposal is more consistent with a built form and density typically proposed for properties designated Traditional Residential in the OCP. That said, the applicant is willing to enter into a housing agreement to ensure that future strata bylaws cannot prohibit the rental of dwelling units, and may be willing to explore an opportunity to incorporate some level of below market-housing within the project, if it is financially feasible. Staff will continue to explore this possibility with the applicant and report back to Council prior to Public Hearing.

Regulatory Considerations

Statutory Right-of-Way

A Statutory Right-of-Way (SRW) of 1.172m is required on the lane frontage to achieve a standard road right-of-way for a lane and enable two-way traffic on the lane in the future.

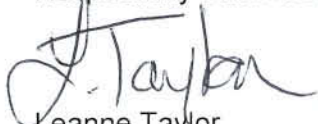
CONCLUSIONS

The proposal is consistent with the OCP and the *Burnside Gorge Neighbourhood Plan* from a use, height and density perspective, and further advances the housing objectives in the OCP related to providing a wide range of housing choice within neighbourhoods to support a diverse and inclusive community. Staff recommend that Council consider advancing the Rezoning Application to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00691 for the properties located at 514 and 518 Sumas Street.

Respectfully submitted,



Leanne Taylor
Senior Planner
Development Services Division

JH



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager

Joelyn Jenkins
Date: Sept. 12, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated/date stamped September 4, 2019
- Attachment D: Letter from applicant to Mayor and Council dated July 8, 2019
- Attachment E: Community Association Land Use Committee Comments dated August 18, 2018
- Attachment F: Arborist Report dated September 11, 2019
- Attachment G: Tenant Assistance Plan.



CITY OF
VICTORIA



514 and 518 Sumas Street
Rezoning No.00691

outline HOME DESIGN

www.outlinehomedesign.com
© 2018 018 3981 0.100@outlinehomedesign.com

PROJECT ADDRESS

514 / 518 Sumas Street
Victoria BC

Lot 17 & 18, Block 1, Section 4
Victoria District, Plan 1134

RD 007-867-379 / 005-154-246

ZONE R1-8 (Residential)

LOT AREA 101.8m² (Combined)

Data Table Project

Owner	Designer
110000 AC Ltd	Outline Home Design
PO Box 17233 The City of Victoria, BC	PO Box 17233 The City of Victoria, BC
V8B 1B1	V8B 1B1
Client Address	514 / 518 Sumas Street
Legal Address	Legal Lot 17, Block 1, Section 4 Victoria District, Plan 1134
Project Description	Attached Housing Units, 2 Units, 2 Buildings
Project Information	
Zone (existing)	R1-8
Zone (proposed)	R1-8
Site Area	101.8m ² (101.8m ²)
Lot Area	101.8m ² (101.8m ²)
Site Coverage	100%
Open Site Space	100%
Building Height	10.0m
Max. Storeys	3
Parking Space on Site	10.0m ² (10.0m ²)
Building Setbacks	10.0m
Front Yard	4.00m
Rear Yard	4.00m
Side Yard (S)	4.00m
Side Yard (W)	4.00m
Residential Use Details	
Maximum Number of Units	8 MAX (At Block)
Unit Type	Attached Ground Overhead
Minimum Floor Area	100.0m ² (100.0m ²)
Maximum Floor Area	100.0m ² (100.0m ²)
Maximum Floor Area	100.0m ² (100.0m ²)

REVISION NOTES

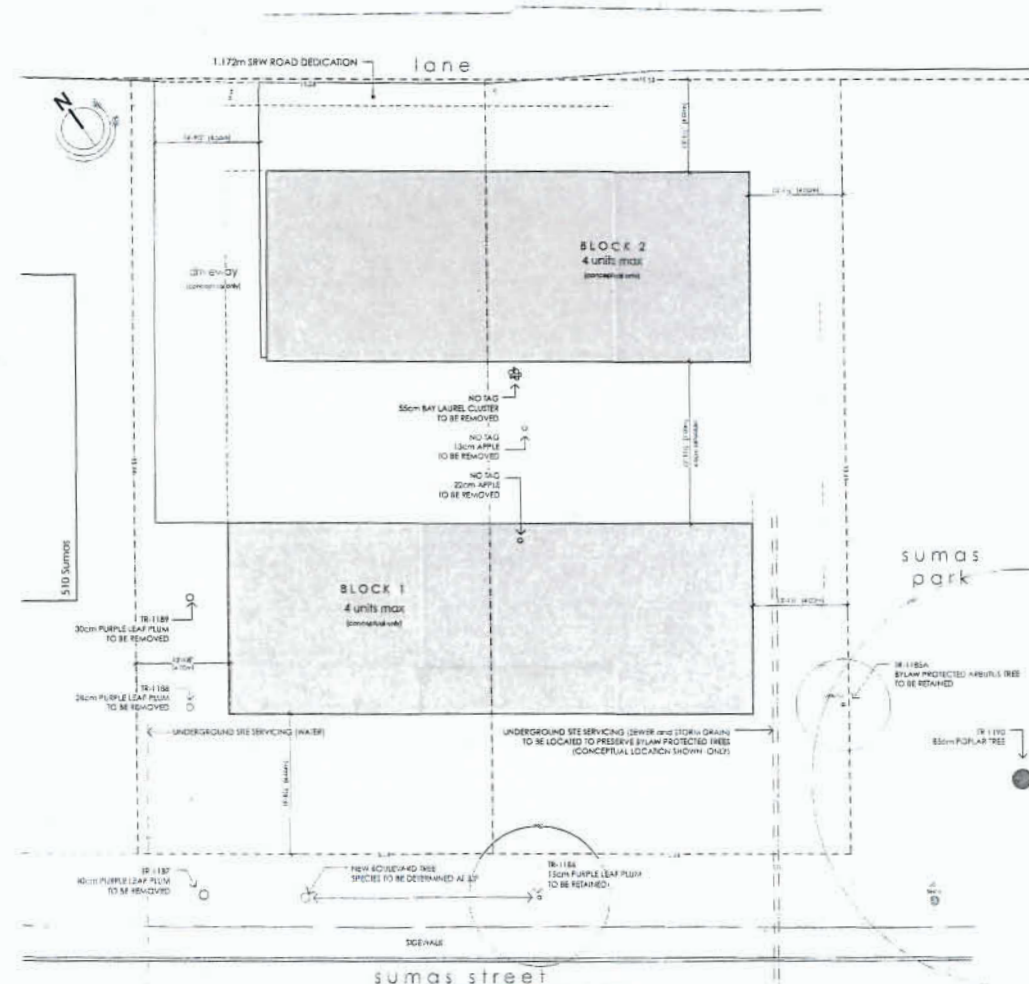
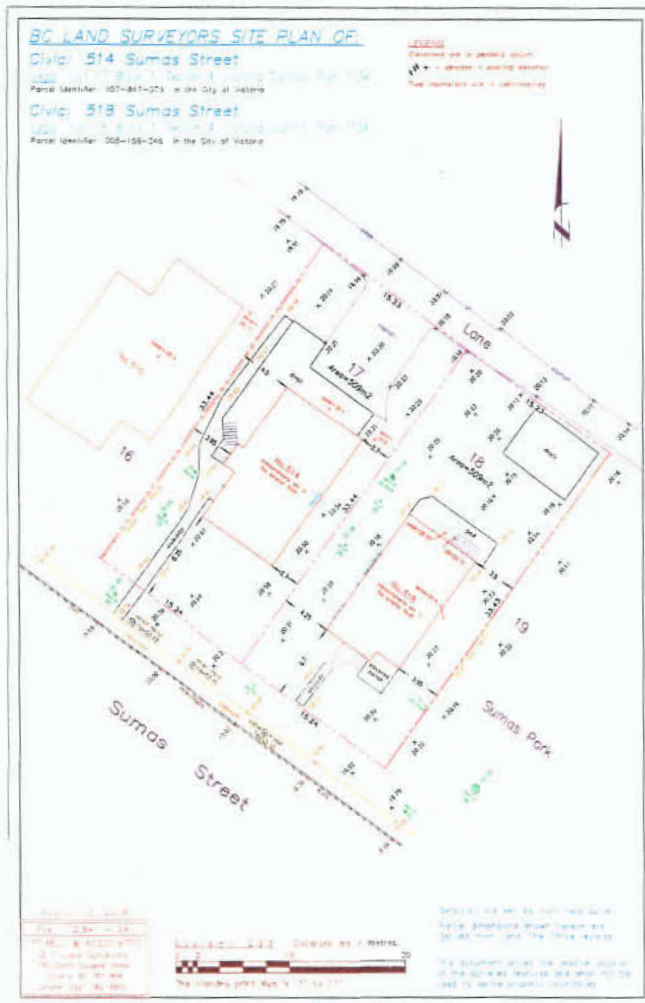
R1 - April 3, 2019 - Issued For Rezoning
R1 - August 27, 2019 - Re-Issued For Rezoning

DRAWING LIST

A1 Site Layout & Data

514 / 518 Sumas Street
Proposed Townhouses

NO.	DATE	BY	SCALE	AS NOTED
1	2019-04-03	001	1:1	
2	2019-08-27	001	1:1	
3	2019-08-27	001	1:1	
4	2019-08-27	001	1:1	
5	2019-08-27	001	1:1	
6	2019-08-27	001	1:1	
7	2019-08-27	001	1:1	
8	2019-08-27	001	1:1	
9	2019-08-27	001	1:1	
10	2019-08-27	001	1:1	
11	2019-08-27	001	1:1	
12	2019-08-27	001	1:1	
13	2019-08-27	001	1:1	
14	2019-08-27	001	1:1	
15	2019-08-27	001	1:1	
16	2019-08-27	001	1:1	
17	2019-08-27	001	1:1	
18	2019-08-27	001	1:1	
19	2019-08-27	001	1:1	
20	2019-08-27	001	1:1	
21	2019-08-27	001	1:1	
22	2019-08-27	001	1:1	
23	2019-08-27	001	1:1	
24	2019-08-27	001	1:1	
25	2019-08-27	001	1:1	
26	2019-08-27	001	1:1	
27	2019-08-27	001	1:1	
28	2019-08-27	001	1:1	
29	2019-08-27	001	1:1	
30	2019-08-27	001	1:1	
31	2019-08-27	001	1:1	
32	2019-08-27	001	1:1	
33	2019-08-27	001	1:1	
34	2019-08-27	001	1:1	
35	2019-08-27	001	1:1	
36	2019-08-27	001	1:1	
37	2019-08-27	001	1:1	
38	2019-08-27	001	1:1	
39	2019-08-27	001	1:1	
40	2019-08-27	001	1:1	
41	2019-08-27	001	1:1	
42	2019-08-27	001	1:1	
43	2019-08-27	001	1:1	
44	2019-08-27	001	1:1	
45	2019-08-27	001	1:1	
46	2019-08-27	001	1:1	
47	2019-08-27	001	1:1	
48	2019-08-27	001	1:1	
49	2019-08-27	001	1:1	
50	2019-08-27	001	1:1	
51	2019-08-27	001	1:1	
52	2019-08-27	001	1:1	
53	2019-08-27	001	1:1	
54	2019-08-27	001	1:1	
55	2019-08-27	001	1:1	
56	2019-08-27	001	1:1	
57	2019-08-27	001	1:1	
58	2019-08-27	001	1:1	
59	2019-08-27	001	1:1	
60	2019-08-27	001	1:1	
61	2019-08-27	001	1:1	
62	2019-08-27	001	1:1	
63	2019-08-27	001	1:1	
64	2019-08-27	001	1:1	
65	2019-08-27	001	1:1	
66	2019-08-27	001	1:1	
67	2019-08-27	001	1:1	
68	2019-08-27	001	1:1	
69	2019-08-27	001	1:1	
70	2019-08-27	001	1:1	
71	2019-08-27	001	1:1	
72	2019-08-27	001	1:1	
73	2019-08-27	001	1:1	
74	2019-08-27	001	1:1	
75	2019-08-27	001	1:1	
76	2019-08-27	001	1:1	
77	2019-08-27	001	1:1	
78	2019-08-27	001	1:1	
79	2019-08-27	001	1:1	
80	2019-08-27	001	1:1	
81	2019-08-27	001	1:1	
82	2019-08-27	001	1:1	
83	2019-08-27	001	1:1	
84	2019-08-27	001	1:1	
85	2019-08-27	001	1:1	
86	2019-08-27	001	1:1	
87	2019-08-27	001	1:1	
88	2019-08-27	001	1:1	
89	2019-08-27	001	1:1	
90	2019-08-27	001	1:1	
91	2019-08-27	001	1:1	
92	2019-08-27	001	1:1	
93	2019-08-27	001	1:1	
94	2019-08-27	001	1:1	
95	2019-08-27	001	1:1	
96	2019-08-27	001	1:1	
97	2019-08-27	001	1:1	
98	2019-08-27	001	1:1	
99	2019-08-27	001	1:1	
100	2019-08-27	001	1:1	



Received
City of Victoria

SEP 04 2019

Planning & Development Department
Development Services Division

Burnside Gorge Neighbourhood Plan

Seikix and Cecelia Village
Designated Urban Residential
- 3 Storey Maximum
- Up to 1.2 FSR
- Multi Unit Residential on Consolidated Lots





Mayor and Council
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

July 8, 2019 (Revised)

Re: Rezoning Application
514 / 518 Sumas Street
Victoria BC

Dear Mayor & Council,

For your consideration, we are proposing to rezone the two subject properties to enable the future development of two blocks of attached dwellings. Adjacent to Sumas Park, the location is in the Selkirk and Cecilia Village area of the Burnside Gorge Neighbourhood, and is designated Urban Residential in the 2017 Neighbourhood Plan. The current zoning is R1-B (single family residential), and would not allow for the type of development we are proposing. Through rezoning, the Neighborhood Plan does envision potential changes to the existing character of Sumas Street, and our proposal would see a development in keeping with the objectives of the Neighbourhood Plan.

Two buildings are proposed, with a central access way between. Vehicular access to the property is from the rear yard lane way and all parking is interior to the site. The proposed units are in two separate buildings ; one block of units would face directly onto Sumas Street, while the second block would be accessed from the interior access way and front onto the laneway. Each dwelling would contain individual garage parking along with a functional three bedroom family oriented floor plan.

The density of the proposed development (1.00 FSR) is within the 1.2 FSR target established in the Neighbourhood Plan, as is the building height (3 Storeys). The building setbacks are less than what would be found in the existing R1-B zone for front and rear yard, but are similar in the side yards. The proposed zone Site Coverage is greater than the existing R1B zone (50% as opposed to 40%)

Currently there are two single family homes on the properties. A Tenant Assistance Plan has been completed and provided with our application for the event that the rezoning is approved and the proposed development proceeds. The existing buildings will be resold (if suitable) or deconstructed. All attempts will be made during the deconstruction to resell / repurpose / recycle materials to limit the items sent to landfill.

Our goal is to create livable modern dwellings for families. The proximity to shopping and schools, along with the myriad of transit options available make this a desirable location in the heart of a vibrant community. Our proposal would see new options for families in a location that has been designated for density increase. We have received support and encouragement during multiple meetings with the neighbourhood and the Burnside Gorge Land Use Committee. It is our opinion that this proposal would add to the diversity of the Burnside Gorge neighbourhood and would be a positive development for the community.

Your time in considering this proposal is appreciated, and I look forward to discussing it further and answering any questions you may have.

Sincerely,

A handwritten signature in black ink, appearing to read 'Tim Rodier', with a stylized flourish extending to the right.

Tim Rodier
Outline Home Design

August 18, 2018

Mayor & Council
#1 Centennial Square
Victoria, BC

Dear Mayor and Council:

CALUC Community Meeting for Rezoning Application for 514 & 518 Sumas Street

On August 17th, 2018, the Burnside Gorge Land Use Committee (BGLUC) hosted a CALUC community meeting that was advertised to discuss a proposal to rezone 514 & 518 Sumas Street from R1-B single family residential to Site Specific residential.

Tim Rodier of Outline Home Design presented.

The proposal is for the rezoning of this property to allow for a 7 unit townhouse complex. There would be 4 units facing Sumas Street and 3 units along the rear laneway. The units would be 2 1/2 stories high with some roof decks above for a building height of approx. 8 meters. The FSR is 1.1:1 with a site coverage of 38.9%. Front and rear setback relaxations would be required. There are 9 vehicle parking stalls including 2 visitor spaces, with all access from the laneway. 7 parking stalls are internal with 2 visitors stalls partially dropped below street level. All units are three bedroom of 1300- 1600 sq. ft in size.

Comments and questions from the attendees focused on the following:

- Concern over the increased traffic in narrow laneway, especially with nearby playground adjoining the lane. Proponent noted that nearby bus corridors and walkability/ cycling would reduce demand for vehicle traffic.
- Concern over traffic access off Jutland Road into lane.
- Question whether blasting would be required. Response is that is unknown but not expected.
- Question whether the units along the laneway are landscaped. Yes there are plans for trees and greening along the laneway.

Vote: As per the process of a BGCA rezoning community meeting, there was a straw poll held. There were 8 meeting attendees with 6 in favour, none opposed, and 2 abstaining.

Respectfully,





Burnside Gorge Community Association

471 Cecelia Road, Victoria, BC V8T 4T4
T. 250-388-5251 | F. 250-388-5269
info@burnsidegorge.ca | www.burnsidegorge.ca

Avery Stetski
Land Use Committee Chair
Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department
Tim Rodier, Outline Home Design



GYE + ASSOCIATES

Consultants in Urban Forestry and Arboriculture

Arborist Report

514 & 518 Sumas Street, Victoria Rezoning Application

Date of Report: September 12, 2019

Date of Field Work: December 4, 2018

Prepared by Jeremy Gye

ISA Certified Arborist # PN-0144AM

On behalf of Gye and Associates, Urban Forestry Consultants Ltd.

Tel: (250) 544-1700

Email: jgye@gyeandassociates.ca



EXECUTIVE SUMMARY

The existing lots at 514 and 518 Sumas Street are proposed for rezoning. The proposed site is located on the west side of Sumas Park. A number of trees currently grow within the site, within the park near the boundary with the site and on the municipal boulevard fronting the site. (See attached tree plan.)

- There are two ornamental plums, two fruiting apples, a Bay laurel and one Arbutus growing on the proposed site. The Arbutus has protected status within the City of Victoria's Tree Preservation Bylaw and will be retained and protected. All five non-bylaw trees will be removed. No replacement trees are required on private property.
- There is one Cottonwood tree and a newly planted elm tree on the west side of the park, both of which will be preserved.
- Three Japanese plum trees are located on the Sumas Street boulevard, fronting lots 514, 518 and the west side of Sumas Park respectively. It is anticipated that the boulevard-plum currently fronting 514 Sumas Street (Tree 1187) will be critically impacted by proposed services and utilities that must be trenching up the west side of the proposed site. The remaining two boulevard-plums will be retained and preserved.

Tree protection measures are prescribed to protect the boulevard and park trees. The removal of the boulevard tree fronting 514 Sumas Street shall be compensated for by a payment of cash-in-lieu to the City.



Fig-1 Context photo: aerial image of subject lots and Sumas Park



ASSIGNMENT

Gye and Associates (G&A) have been retained to prepare a tree protection plan drawing and report in support of the owner's rezoning application, as well as on-site services during the site servicing phase. This report has been prepared in accordance with the City's published Terms of Reference for Tree Preservation Plans.

METHODOLOGY

- A site visit was made to identify, measure and assess the condition of relevant trees. The proposed architectural site plan and engineering site servicing plan were reviewed to assess potential tree impacts associated with the project.
- Biometric and assessment data was recorded and is presented in table format below (Table-1) on the referenced tree plan.
- Protected Root Zone (PRZ) radii were calculated for the subject trees. The PRZ was calculated using the method recommended by Nelda Matheny and James Clark, which considers the relative tolerance of the tree species to disturbance, the biological age of the tree and its stem diameter at chest height.¹ Soil depth and texture and the health and condition of the tree were also considered. Multipliers of 12x the stem diameter have been derived using this method on a tree-by-tree basis.
- The homeowner and project design team were interviewed to obtain a history of the site and a better understanding of the proposed redevelopment.
- Topographic survey and lot layout drawings for rezoning were provided to the arborist to incorporate into the attached Tree Preservation Plan drawing, including the location of existing trees and proposed underground services.
- The canopy and protected root zone (PRZ) of each tree was plotted to scale on the tree plan.
- The site plan was reviewed to identify elements that encroach within the PRZ or crown of each tree. Underground services were also delineated on the plan and reviewed for potential impacts.
- Tree protection measures were developed to protect trees designated for retention both on site and off-site.

OBSERVATIONS

SITE DESCRIPTION

The subject property is located in a mature urban residential neighborhood. The terrain of the site is relatively flat. The majority of the lot surface is either constructed or landscaped. No recent

¹ Nelda Matheny and James R. Clark, Tree and Development, A Technical Guide to Preservation of Trees During Land Development (International Society of Arboriculture, Champaign IL, USA. 1998 P. 74)

soil disturbances were noticed during the site visit. A single-family home is located on each of the existing lots. Vehicular access to the lots is from the alley at the northerly side of the properties.

TREE RESOURCE

Eleven (11) trees are in the vicinity of the proposed re-development. Six of these trees are located on the subject properties (two flowering cherries, two fruiting apples, a Bay laurel and one Arbutus). Two Japanese plum trees are located on the municipal boulevard fronting the lots. One Japanese plum is located on the boulevard fronting Sumas Park. Two trees (one poplar and one elm) are located along the west side of Sumas Park, which is the adjacent property to the east.



Fig-2 Subject lots and boulevard trees, looking westerly.

All trees are considered to be in fair – good health and structural condition. Biophysical attributes are presented below in the following table.

Table -1. Tree inventory table

G&A Tree ID	Common Name	Scientific Name	DBH (cm)	Protected Root Zone Radius (m)	Crown Radius (m)	Health (Good, Fair, Poor)	Structural Condition (Good, Fair, Poor)	Bylaw-Protected Tree?	Comments	Recommendations
1185	Ornamental plum	Prunus spp.	32	4	3	Fair	Fair	No	Boulevard tree; scars at the base of the trunk	Retain and protect
1185A	Arbutus	Arbutus menziesii	12	2	1.5	Good	Good	Yes	Located on Lot 518	REMOVE
1186	Ornamental plum	Prunus spp.	18	3	2	Fair	Fair	No	Boulevard tree	Retain and protect
1187	Ornamental plum	Prunus spp.	38	5	4	Fair	Fair	No	Boulevard tree	Retain and protect
1188	Ornamental plum	Prunus spp.	28	4	2	Fair	Fair	No	Located on Lot 514	REMOVE
1189	Ornamental plum	Prunus spp.	30	4	4	Good	Good	No	Located on Lot 514	REMOVE
1190	Cottonwood	Populus trichocarpa	81	9	8	Good	Fair	Yes	Park tree; no tag; overextended branches	Retain and protect
1190A	Elm	Ulmus minor	8	1	1	Fair	Fair	Yes	Park tree; new plant; no tag	Retain and protect
NT001	Bay laurel	Laurus nobilis	55	6	2	Good	Fair	No	Multi-stemmed: 17 cm +0.6(11+12+15+14+12)cm	REMOVE
NT002	Fruiting apple	Malus sp.	13	2	2	Poor	Fair	No		REMOVE
NT002	Fruiting apple	Malus sp.	22	3.5	3	Fair	Fair	No		REMOVE



Fig-3 Park-cottonwood tree # 1190B
looking south.

SITE PLAN

The rezoning site plan includes the following elements that are located within or immediately adjacent to tree protection areas identified in the attached tree plan:

- Installation of underground services and utilities—such as sewer, storm, water, electrical power, gas and communications—to the property boundary.

DISCUSSION

The existing sewer, drain and water services require upgrading. The preliminary servicing design drawing shows sewer and drain proposed for installation near the south-east corner of the subject property. At the front property line, the sewer line will be approximately 1.8 m below existing grade. It is expected gas service will come in next to the sewer and drain service. This location is sufficiently distant from Arbutus 1185A, the park poplar #1190B and the boulevard-plum #1185 to avoid any significant impacts. The preliminary servicing design drawing shows the water service connecting to the frontage at the south-west corner of the site and running up the west side. It is anticipated that in-ground utilities such as hydro, telephone and cable will also be located in this area. The horizontal separation requirements between these services and utilities will require trenching within 1m of boulevard-plum #1187; we therefore recommend the removal and replacement of this tree.

TREE PROTECTION MEASURES



Tree protection measures to limit impacts from the construction of the foundation, driveway and in-ground services include the following:

- Underground services are located as far from the boulevard trees as possible.
- Prior to the release of a tree or demolition permit by the City, the applicant and their general contractor are required to meet on site with the project arborist to review the Tree Preservation Plan in detail.
- All tree protection areas (TPAs) shall be fenced to prevent soil compaction, rutting and other forms of disturbance within the PRZ. This includes new protection fencing inside the east side of the property to protect the Arbutus and park trees.
- If it should prove absolutely necessary to reduce the extent of the tree fencing to facilitate site access, then the growing soils within the PRZ must be armoured and protected to prevent soil disturbance (such as for site access off Sumas Street). Acceptable soil-armouring materials include steel plates or 200mm of compacted road base on top of geo-textile cloth.
- Site access for the excavator and bin-trucks required for demolition of the existing houses is recommended at the north end of the site.
- All excavation within or adjacent to TPAs shall be supervised by the project arborist;
- Where considered necessary by the arborist, pneumatic or hydraulic excavation techniques shall be used in place of mechanical excavation.
- The project arborist shall prune any tree roots or branches damaged during excavation;

Additional detail is provided on the attached tree plan. If diligently implemented, the tree protection measures specified in the Tree Management Plan and this report will effectively preserve the two boulevard trees and two off-site trees for the long-term benefit of both the homeowner and the community.

ROLE OF THE PROJECT ARBORIST

In addition to assisting with tree preservation planning during the rezoning design and permit application phases of the project, the arborist shall be present during the site servicing phase of the project to supervise all works occurring within or immediately adjacent to the tree protection areas identified on the attached tree plan.

The following is a summary of the key interventions required by the arborist (G&A). **The owner's site servicing contractor and civil engineer are responsible for coordinating with the arborist for all required on site work.**

1. A mandatory site meeting is required with the project arborist, site servicing contractor and civil engineer to review the tree preservation plan prior to work commencing on site. The purpose of the meeting is to systematically review the objectives of the plan and the specific measures required to protect the relevant trees during the site servicing phase of the project.



2. The arborist shall inspect the prescribed tree protection fencing and any soil armouring prior to work commencing on site.
3. The use of explosive for rock removal can kill or injure trees if not managed carefully. If rock removal is required as part of the site preparation phase, the building and blasting contractor shall meet on site with the arborist to develop the rock removal work plan together, prior to an estimate of costs being provided by the blasting contractor.
4. The arborist shall be present to oversee the following site work within or immediately adjacent to the Tree Protection Areas identified on the attached plan:
 - a. trenching for both municipal service connections and extension of these underground services to the property boundary;
 - b. associated rock removal or blasting;
 - c. periodic site inspections to ensure effective compliance with required tree preservation measures;
 - d. meetings as required to resolve any emergent conflicts between site servicing requirements and tree protection.
5. At completion of site servicing, the arborist shall ensure that any tree protection or restoration deficiencies are addressed by the owner and contractor. Once all deficiencies have been repaired, the arborist shall prepare a letter to the City of Victoria confirming successful completion of project, including resolution of any deficiencies.

End report.

CERTIFICATION:

This report and the opinions expressed within it have been prepared in good faith and to accepted arboricultural standards within the scope afforded by its terms of reference and the resources made available to the consultant.

Prepared and submitted on behalf of Gye and Associates, Urban Forestry Consultants Ltd,

Jeremy Gye – Senior Consultant

Gye and Associates, Urban Forestry Consultants Ltd.

Consulting Arborist (Diploma, American Society of Consulting Arborists, 1997)

ISA Certified Arborist (Certification No. PN-0144A)

ISA Certified Municipal Specialist (Certification No. PN-0144AM)

ISA Tree Risk Assessment Qualified

APPENDIX

Tree Preservation and Landscape Plan drawing (see attached).



DRAWN BY _____
SHEET NO. _____



Sustainable Planning and Community Development
1 Centennial Square
Victoria, BC V8W 1P6

Tenant Assistance Plan

This form must be submitted with your rezoning or development application. For contact, please send questions to your development services planner.

SUMMARY: Instructions to a complete and successful tenant assistance plan are as follows:

STEP 1	BACKGROUND: Understand your rights and responsibilities as a landlord. Please review the documents in the background section pertaining to relocating tenants and the City's rental replacement policies.
STEP 2	TENANT ASSISTANCE PLAN: Complete form including: a. Current site information b. Draft tenant assistance plan c. Tenant communication plan d. Appendix A: Current occupant information and rent rolls (Confidential) e. Appendix B: Correspondence with tenants (Confidential)
STEP 3	SUBMIT: Save and return the completed form to staff for comment by email.
STEP 4	FINALIZE: Complete and submit a Final Tenant Assistance Plan with consideration of staff comments on draft plan previously submitted.

BACKGROUND: Rights and Responsibilities of Landlords and Tenants

The rights and responsibilities of landlords and tenants are regulated by the Province and is set out in the [Residential Tenancy Act](#). Please refer to the [Tenant Assistance Policy](#) and information regarding rental housing policies available on the City of Victoria's [website](#) for more information regarding the City of Victoria's rental housing policies.

TENANT ASSISTANCE PLAN

A. CURRENT SITE INFORMATION

Site Address:	514 & 518 Sumas St, Victoria, BC, V8T 4S3
Owner Name:	Trent Praski & Harry White
Company Name:	1137836 BC Ltd
Tenant Relocation Coordinator (Name, Position, Organization):	

CURRENT TOTAL RENTAL UNITS

Unit Type	Number of Units
Bachelor	
1 BR	
2 BR	
3BR	2 + 1
3BR+	
Total	3

Tenant Assistance Plan

This form must be submitted with your rezoning or development application. For contact, please send questions to your development services planner.

B. TENANT ASSISTANCE PLAN

Tenant Assistance Plan Components	Applicant		City Staff		Applicant (Final)		
	Draft Tenant Assistance Plan (to be completed by the applicant with rezoning application)		Did the applicant meet policy?	City Staff Comments (to be completed by staff during application review)	Final Tenant Assistance Plan (to be completed by the applicant following staff review, addressing staff comments)		
	Date:	March 28, 2019		Date:	August 29, 2019	Date:	September 5, 2019
Compensation by tenancy length: <ul style="list-style-type: none"> Up to 5 years: 3 months' rent 5 to 9 years: 4 months' rent 10-19 years: 5 months' rent 20+ years: 6 months' rent 	Given the small # of units, relatively short tenancies, absence of any disabilities or vulnerabilities, the tenants would be offered compensation at double the provincial RTA amount, from one-month to two-months rent, plus an additional \$750 in moving costs.		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Applicant currently does not meet policy requirements as tenants are subject to compensation based on length of tenancy. Please clarify moving cost in the moving expenses below.	Three units total with tenancy tenures under 1-year, 2-years, and 3-years. The tenants would be offered compensation based on length of tenancy: up to 5-years: 1-month rent provincial + 3-months rent municipal = 4-months rent compensation. Tenants 5 to 9 years would receive 1-month provincial + 4 months municipal rent compensation = 5-months rent compensation.		
Notification: <ul style="list-style-type: none"> A minimum of 4 months notice to end tenancy 	4-months notice to end tenancy will be provided but could possibly be extended.		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Residential Tenancy Act requires a minimum of four months. Meets policy requirement.	4-months notice to end tenancy will be provided but could possibly be extended.		
Moving Expenses: <ul style="list-style-type: none"> An insured moving company may be hired by the applicant, with all arrangements and costs covered Fixed rates apply for: <ul style="list-style-type: none"> \$500 - Bachelor and 1 BR \$750 - 2+ BR 	\$750 moving expenses will be provided.		Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	Meets policy requirement	\$850 compensation towards insured moving company for 3-bd units will be provided.		

	Applicant		City Staff	Applicant (Final)
Tenant Assistance Plan Components	Draft Tenant Assistance Plan (to be completed by the applicant with rezoning application)	Did the applicant meet policy?	City Staff Comments (to be completed by staff during application review)	Final Tenant Assistance Plan (to be completed by the applicant following staff review, addressing staff comments)
	Date: March 28, 2019		Date: August 29, 2019	Date: September 5, 2019
Relocation Assistance: <ul style="list-style-type: none"> Tenant Relocation Coordinator provided Three options provided comparable in size, location and rent amount (min. of one option in same neighbourhood) 	<p>The rental units are single family homes. The owner is not affiliated with any non-profit housing agencies.</p> <p>The rental units are privately-owned and provided at market rates.</p> <p>Market townhouse units will be developed and could not successfully be offered for rental after completion.</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>Please clarify and provide city staff documentation on whether tenants have requested relocation assistance in applicant's communication with tenants.</p> <p>Please indicate whether options will be provided if tenants have requested relocation assistance.</p>	<p>The tenants are aware of the rezoning application and have been sent a link to the City of Victoria page for T.A.P. None of the tenants have requested relocation assistance at this time.</p> <p>A tenant relocation co-ordinator will be assigned to assist in finding comparable units for a tenant if they need it.</p>
Right of First Refusal: <ul style="list-style-type: none"> Offer to return to the building, with rent rates discounted by 10% of starting rates 	<p>The completed townhome development will not be offered for rent.</p>	<p>Yes <input type="checkbox"/></p> <p>No <input type="checkbox"/></p>	N/A	N/A
Vulnerable Tenants: Please identify additional assistance offered to vulnerable tenants. This may include: <ul style="list-style-type: none"> Long-term tenants who may be paying significantly below market-rent, and for whom entering the current market may present financial challenges Tenants with specific housing needs due to a disability Seniors, who may be long-term tenants and living on a fixed income Families with young children, who may have difficulty finding appropriate units 	<p>None of the tenants have extended tenure or vulnerabilities or disabilities which could cause difficulties finding new rental accomodations.</p>	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p>	<p>Please confirm with tenants by providing written communication to City staff</p>	<p>None of the tenants have extended tenure or vulnerabilities or disabilities which could cause difficulties finding new rental accomodations.</p> <p>The tenants have been offered additional assistance.</p> <p>None of the tenants have requested additional assistance or self-identified to be a member of a vulnerable group.</p>
Other Comments:	<p>The average length of tenancy is 2 years. The existing units are SFH (not purpose built rental) A local caretaker tends to the property and could potentially aid in helping tenants with relocation assistance if needed. The tenants do not have any disabilities</p>			

C. TENANT COMMUNICATION PLAN

A Tenant Communication Plan outlines how and when applicants intend to engage and notify tenants of input opportunities throughout the development application process. Please indicate:

Tenant Communication Plan Components	Applicant Draft Tenant Communication Plan <i>(to be completed by the applicant with rezoning application)</i>	City Staff City Staff Comments <i>(to be completed by staff during application review)</i>	Applicant (Final) Final Tenant Communication Plan <i>(to be completed by the applicant following staff review, addressing staff comments)</i>
How and when did you inform tenants of the rezoning or development application?	The tenants were informed by written letter at the time the rezoning application was submitted.	Meets policy requirement	The tenants were informed by written letter at the time the rezoning application was submitted.
How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)?	Tenants will receive a written letter for each communication update during the rezoning application process.	Meets policy requirement	Tenants will receive a written letter for each communication update during the rezoning application process.
What kind of resources will you be communicating to your tenants and how will you facilitate tenants in accessing these resources? (Please see the City's website for a list of resources)	Website links will be provided to tenants informing them of their rights under the Residential Tenancy Act and City of Victoria Tenancy Relocation Guidelines. The owners will be quick to answer, to the best of their knowledge, any questions that the tenants have regarding the process	Meets policy requirement.	Website links will be provided to tenants informing them of their rights under the Residential Tenancy Act and City of Victoria Tenancy Relocation Guidelines. The owners will be quick to answer, to the best of their knowledge, any questions that the tenants have regarding the process
Have tenants had the opportunity to include their needs in the Tenant Assistance Plan (including the opportunity to self-identify vulnerabilities)?	The tenants have been invited to disclose any vulnerabilities in the Letter to Tenants informing them of the intent to apply for rezoning.	Please confirm tenants to respond to tenant assistance plan	The tenants have been invited to disclose any vulnerabilities in the Letter to Tenants informing them of the intent to apply for rezoning. None of the tenants have identified verbally or in writing any additional needs beyond those covered in the T.A.P, nor have they self-identified to be a member of a vulnerable group.
Are tenants satisfied with the considerations and compensation in this TAP? Why or why not?	The # of rental units is low, and the relationship between the property owner and tenants is very good. There is nothing to suggest that will change. The tenants have not communicated any dissatisfaction with the TAP.	Please confirm with tenant response.	Tenant 1 provided his input regarding the T.A.P. during conversation. Tenant 1 said that it is fine and plans to move back to the East Coast. Tenant 2 replied only that they will be sad to go. Tenant 3 decided to move-out and a new tenant was chosen who was aware of the rezoning and has received the same Letter to Tenants. No tenants have requested additions to the TAP.
Other communications notes:		Please continue written communications between applicants and tenants as best practice and submitted to the city.	Written communications regarding the rezoning application has been provided to the tenants, and will continue throughout the rezoning application process.

FINAL TAP Review - [For office use only]

Application received by Kai Okazaki (City Staff) on September 13, 2019 (Date)

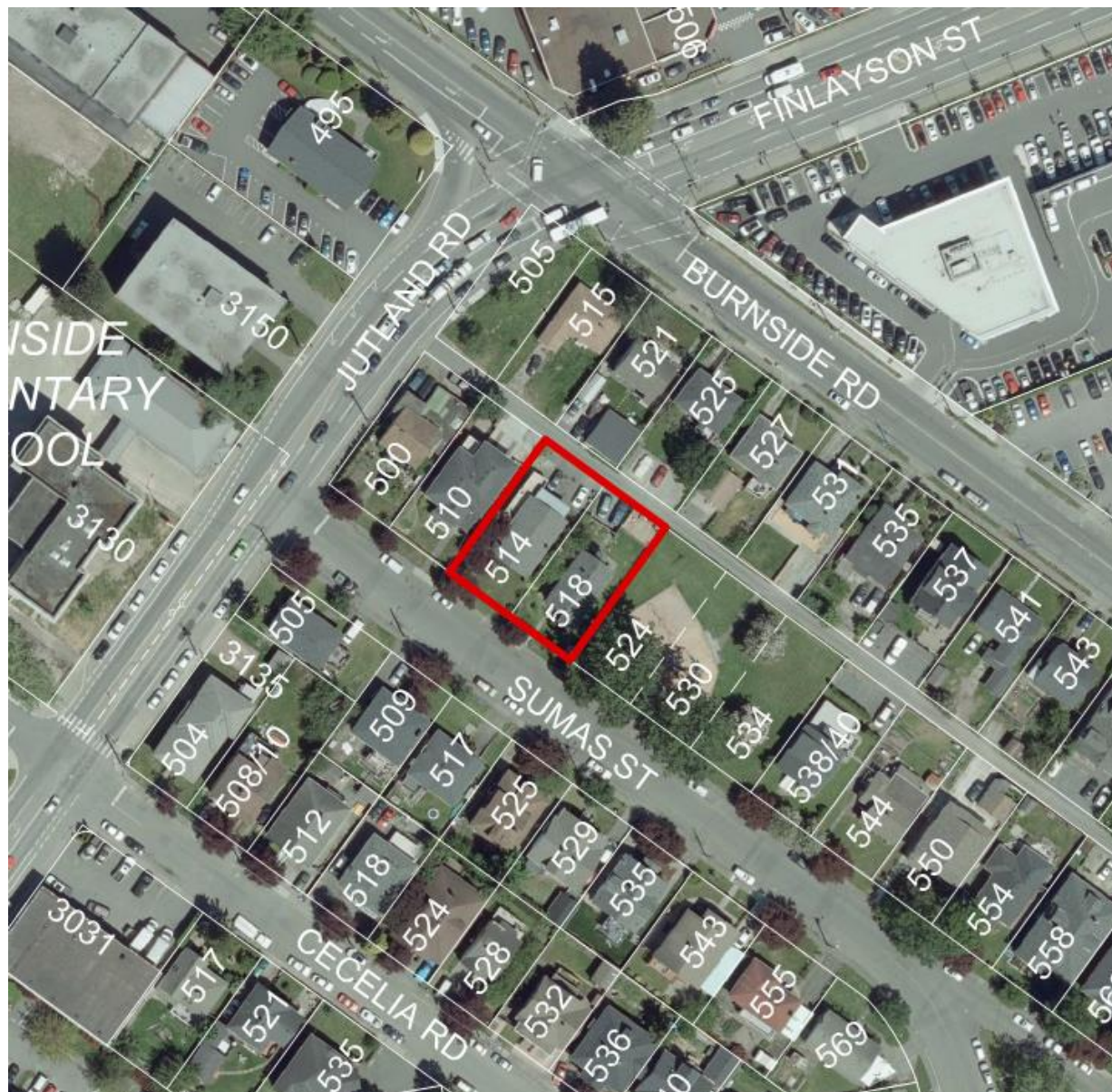
Did the applicant meet the final TAP policy? Yes ☒ No ☐

Staff comments on
final plan:

The applicant meets the requirements identified in the tenant assistance plan and the objectives of the policy.

The applicant worked diligently with City staff on tenant assistance, where they have offered compensation and moving expenses above the policy requirement. City staff has also received confirmation from the tenants that they have all reviewed and accepted the components identified in this tenant assistance plan.

Rezoning Application for 514 and 518 Sumas Street





Subject Property – 514 Sumas Ave



Subject Property – 518 Sumas Ave



Single-family dwellings to the west



Sumas Park to the east

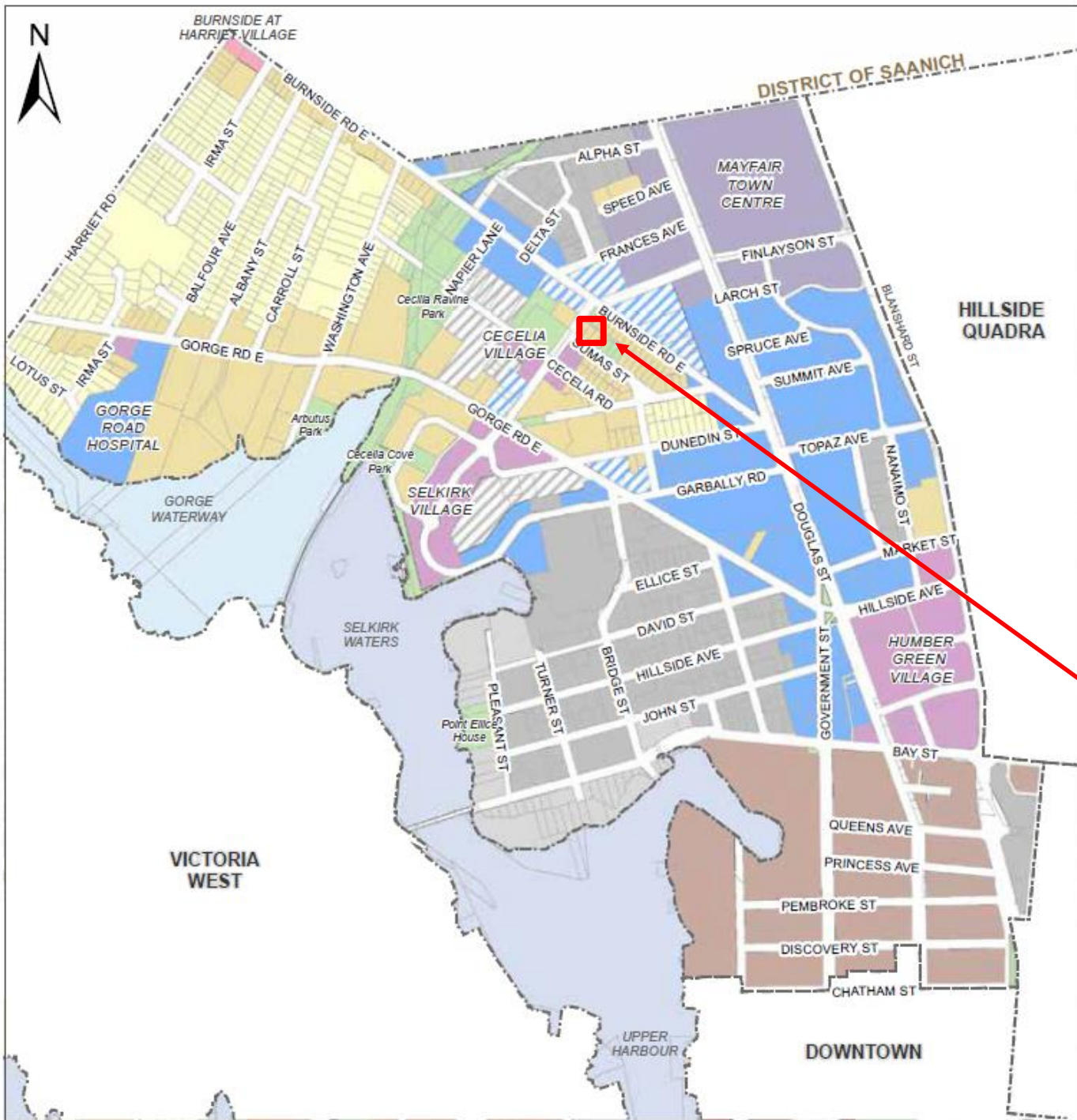


Single-family dwellings to the south



MAP 19

Burnside Neighbourhood



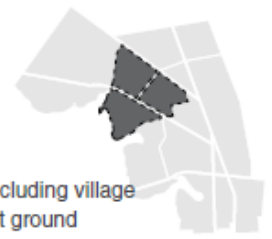
Urban Place Designations*

- Core Employment
- Industrial Employment
- Employment-Residential
- Industrial Employment-Residential
- Marine Industrial
- General Employment
- Town Centre
- Large Urban Village
- Small Urban Village
- Urban Residential**
- Traditional Residential
- Public Facilities, Institutions, Parks and Open Space
- Working Harbour
- Marine











*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.

Selkirk and Cecelia Village

Land Use Policies

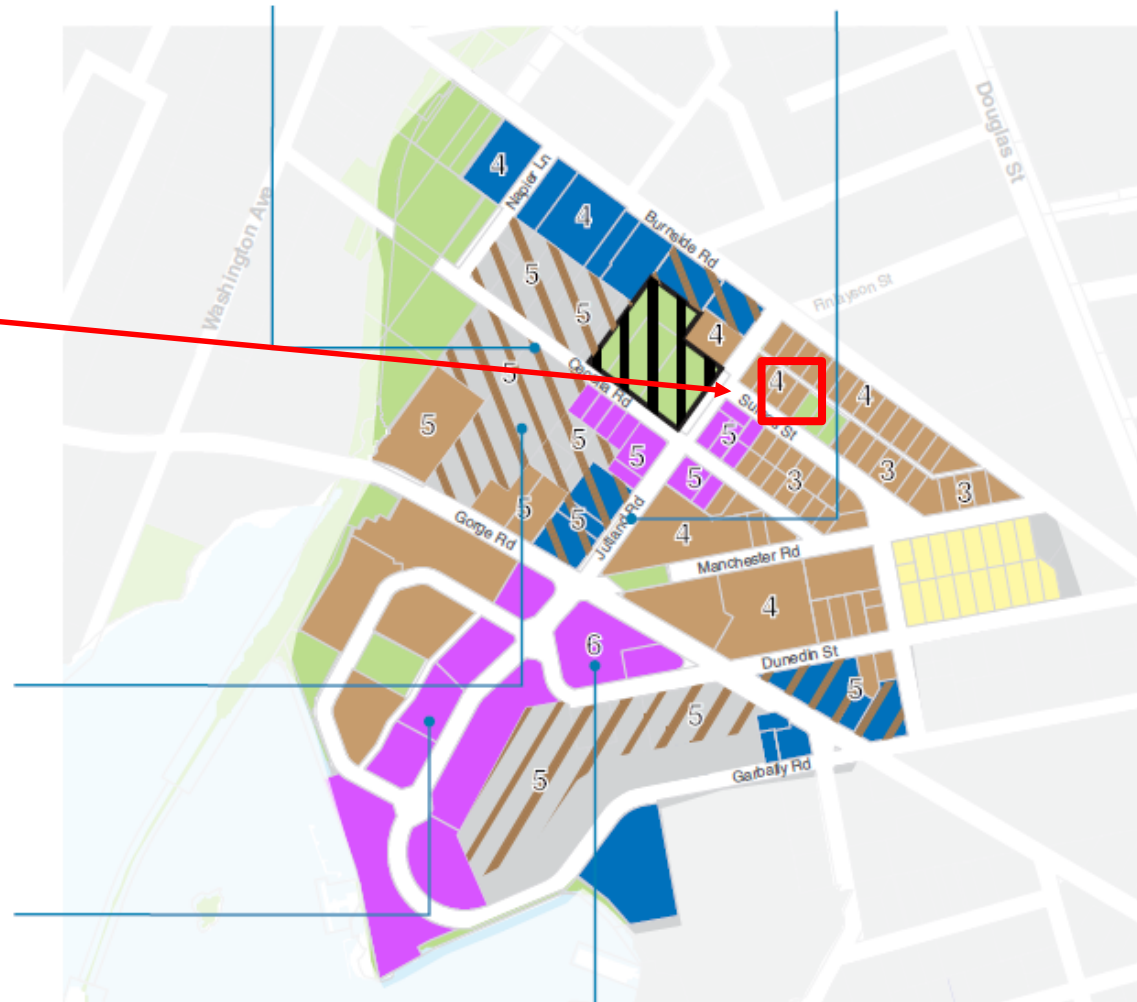


Legend

-  Industrial Employment
-  Industrial Employment with limited residential
-  General Employment
-  General Employment with limited residential
-  Traditional Residential
-  Urban Residential
-  Large Urban Village
-  Park/Open Space
-  Special Planning Area
-  Anticipated Building Height (storeys)

Along Cecelia Road, uses which activate the street such as cafes, food services, personal services and retail uses may be located within industrial flex spaces (see 13.1.4)

Light industrial or commercial uses, including village commercial uses, should be located at ground level along Jutland Road in areas designated for Employment with Limited Residential (see 13.1.1.c.)

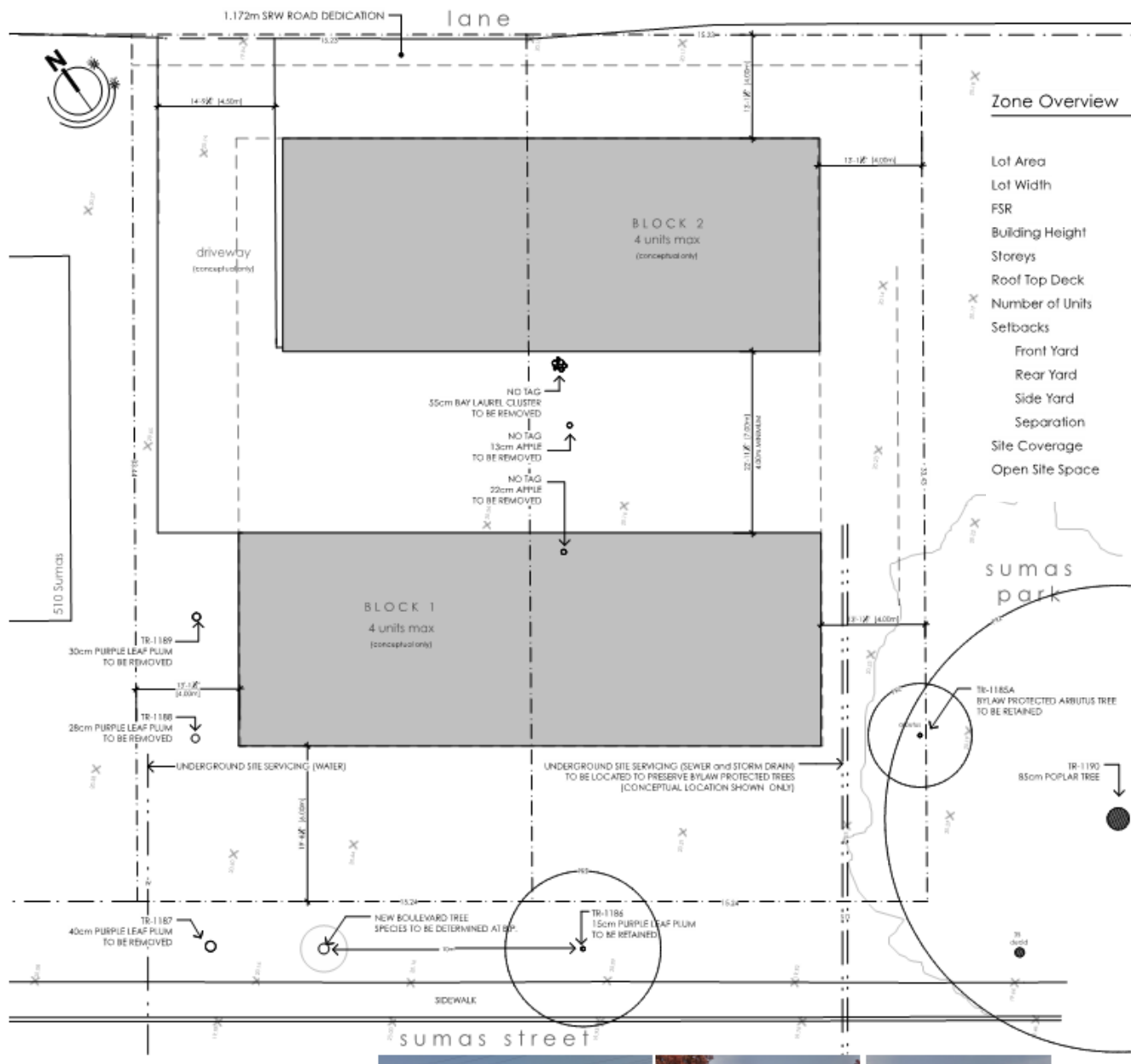


13.1.6 With any future redevelopment of the GVSD works yard, a mix of light industrial employment and residential uses, with connectivity established throughout the site, and an urban village frontage on Cecelia Road opposite the Burnside School site, would be supported.

Live-work uses or home occupations would be supported in the townhomes fronting on Jutland Road

For mixed use projects which are primarily residential on this site, more than six storeys may be supported with a building height generally consistent with the existing building across Jutland Road.

Map 11: Future Land Use Map for Selkirk and Cecelia Village sub-area



Zone Overview

RT-1 ZONE

Lot Area	920m ² minimum, 1018m ² Proposed
Lot Width	20m minimum, 30.48m Proposed
FSR	1/1 maximum
Building Height	10.5m maximum
Stores	3 maximum
Roof Top Deck	Not Permitted
Number of Units	4 / Building maximum
Setbacks	
Front Yard	6.00m minimum
Rear Yard	4.00m minimum
Side Yard	4.00m minimum
Separation	4.00m minimum
Site Coverage	50% maximum
Open Site Space	30% minimum

Site Plan