

F. REPORTS OF COMMITTEE

F.1 Committee of the Whole

F.1.a Report from the November 5, 2020 COTW Meeting

F.1.a.d 1133 Fort Street: Rezoning Application No. 00727 (Fairfield)

Moved By Councillor Young

Seconded By Councillor Thornton-Joe

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00727 for 1133 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

F. LAND USE MATTERS

F.3 1133 Fort Street: Rezoning Application No. 00727 (Fairfield)

Committee received a report dated October 22, 2020 from the Director of Sustainable Planning and Community Development regarding the proposed Rezoning Application No. 00727 for 1133 Fort Street in order to discharge a Land Use Contract and legitimize the current commercial uses on-site.

Moved By Councillor Alto
Seconded By Councillor Young

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00727 for 1133 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of November 5, 2020

To: Committee of the Whole **Date:** October 22, 2020

From: Karen Hoese, Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00727 for 1133 Fort Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw that would authorize the proposed development outlined in Rezoning Application No. 00727 for 1133 Fort Street, that first and second reading of the Zoning Regulation Bylaw Amendment and Land Use Contract Discharge Bylaw be considered by Council and a Public Hearing date be set.

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 546 of the *Local Government Act*, a Land Use Contract may be discharged by bylaw with the agreement of the local government and the owner of the property and following a Public Hearing.

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 1133 Fort Street. The proposal is to discharge a Land Use Contract (LUC) and to rezone from the R3-1 Zone to a site-specific zone in order to legitimize the current commercial uses on-site.

The following points were considered in assessing this application:

- the proposal is generally consistent with the *Official Community Plan*, as the proposal achieves heritage conservation objectives
- the property is generally consistent with the *Fairfield Neighbourhood Plan*, as conservation and possible adaptive re-use of heritage buildings is strongly encouraged
- the proposal is consistent with Council's direction to terminate all remaining Land Use Contracts in the City of Victoria.

BACKGROUND

Description of Proposal

The property located at 1133 Fort Street is currently regulated by a Land Use Contract (LUC), which restricts the property to be used for residences, office uses except medical offices, and antique stores. On June 30, 2024, all Land Use Contracts in British Columbia will automatically expire. Upon expiration this property will fall under the R3-1 Zone, Multiple Dwelling District, and the commercial uses would become legally non-conforming. The property owners have proactively applied to discharge the LUC and rezone the property to ensure the commercial uses currently operating will continue to be permitted within the *Zoning Regulation Bylaw*.

The LUC regulating 1133 Fort Street effectively secured four items. The first item was the legal protection of the heritage building, which has subsequently been protected under heritage designation. The second item is requiring a minimum of four parking stalls. There is currently a total of six parking stalls at the rear of the property, and Schedule C of the *Zoning Regulation Bylaw* would now require a minimum of five stalls. The third item is protection of trees at the rear of the property. The applicant has submitted correspondence from the City of Victoria Park Administrator to the property owner, dated July 18, 1980, which permitted the removal of one tree and confirmed that only one tree remained: a Weeping ash. This tree remains on the property to this day. Finally, the LUC restricted the uses to residences, office uses except medical offices, and antique stores. Permitting these uses through the underlying zoning is the subject of this application.

If the application is forwarded to a Public Hearing, a new site-specific zone will be created for Council's consideration that permits the commercial uses found in the CA-2 Zone, Fort Street Special Commercial District for buildings constructed prior to January 1, 2020. Additionally, the Land Use Contract would be discharged.

Sustainability

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

Active Transportation

The applicant has not identified any active transportation impacts associated with this application.

Public Realm

No public realm improvements beyond City standard requirements are proposed in association with this Rezoning Application.

Accessibility

The British Columbia Building Code regulates accessibility as it pertains to buildings. At this time there are no proposed changes to the existing heritage building.

Land Use Context

The area is characterized mainly by multi-unit residential uses, with some commercial uses operating out of converted heritage houses.

Existing Site Development and Development Potential

The site and existing heritage-designated building are currently occupied with offices. Under the current R3-1 Zone, the property could be developed for multi-unit residential purposes, but any changes would require a Heritage Alteration Permit.

Data Table

The following data table compares the proposal with the standard CA-2 Zone, Fort Street Special Commercial District. An asterisk is used to identify where the proposal does not meet the requirements of the existing Zone. Two asterisks are used to identify a legal non-conforming condition.

Zoning Criteria	Proposal	Zone Standard CA-2
Site area (m ²) – minimum	631	N/A
Use within 6m of front of the building at street level	Office **	Office not permitted
Density (Floor Space Ratio) – maximum	0.28	2.50
Total floor area (m ²) – maximum	179.81	N/A
Height (m) – maximum	9.89	15.50
Storeys – maximum	3	N/A
Setbacks (m) – minimum		
Front (Fort Street)	5.42 (building) 4.51 (stairs)	0
Rear (Meares Street)	10.42	0
Side (west)	6.8	0
Side (east)	2.41	0
Vehicle parking – minimum	6	0 (CA-2 requirement) 5 (Schedule C requirement)
Bicycle parking – minimum		
Short term	0	0
Long term	0	0

Relevant History

On February 23, 2017, Council directed staff to begin the early termination of all remaining Land Use Contracts within the City of Victoria. Staff subsequently brought forward reports that resulted in Council terminating 13 LUCs that were seen as overly permissive towards commercial uses. The Land Use Contract regulating the subject property was not among the 13 LUCs terminated by the City in 2017. The applicant is amenable to terminating the Land Use Contract at 1133 Fort Street as part of this application.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant had preliminary conversations with the Fairfield-Gonzales CALUC. The Fairfield-Gonzales CALUC concluded that a community meeting was not required for this proposal (Attachment E).

ANALYSIS

Official Community Plan

The subject property is designated Urban Residential within the *Official Community Plan, 2012* (OCP), within which commercial uses along arterial roads are only envisioned as part of mixed-use developments. However, the OCP also indicates that guidelines can be varied when goals towards heritage conservation are achieved. Staff believe the proposal is consistent with the OCP since the building is heritage-designated, the uses are already legally present on site and formalizing them in a new zone helps to ensure ongoing flexibility in the repurposing of this heritage resource.

Fairfield Neighbourhood Plan

The *Fairfield Neighbourhood Plan* identifies the property within the Fort Street Corridor, which is recognized as a special character area with its concentration of heritage properties with smaller scale commercial uses at street level. The subject property is also located within the Urban Residential designation of the Plan, which strongly encourages conservation and possible adaptive re-use of buildings of heritage merit.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no Tree Preservation Bylaw impacts and there are no impacts to public trees with this application. The existing Land Use Contract protected three trees at the rear of the property. The applicant has submitted correspondence from the City of Victoria Park Administrator to the property owner, dated July 18, 1980, which permitted the removal of one tree: a Weeping ash. This tree remains on the property to this day.

The third tree is unaccounted for, with no formal record of its removal. However, the aforementioned letter from the Park Administrator identified only one tree was left on the property as of July 18, 1980, so the removal of the tree did not occur in recent years. Nonetheless, the focus of this application is on establishing a new zone that will formalize the existing uses.

CONCLUSIONS

The proposal to terminate the Land Use Contract and rezone the property at 1133 Fort Street is consistent with the heritage goals in the OCP and the Urban Residential designation in the

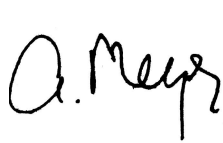
Fairfield Neighbourhood Plan. In addition, terminating the Land Use Contract is consistent with Council's direction in 2017 to terminate all remaining LUCs. Staff therefore recommend Council consider supporting this application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00727 for the property located at 1133 Fort Street.

Respectfully submitted,


Mike Angrove
Senior Planner
Development Services Division




Karen Hoese, Director
Sustainable Planning and Community
Development Department

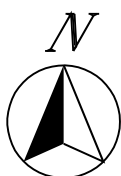
Report accepted and recommended by the City Manager:



Date: October 26, 2020

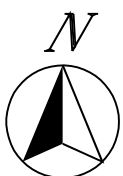
List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans dated September 15, 2020
- Attachment D: Letter from applicant to Mayor and Council dated January 21, 2020
- Attachment E: Community Association Land Use Committee email dated September 23, 2019
- Attachment F: Letter from Parks Department, dated July 18, 1980.



1133 Fort Street
Rezoning No.00727





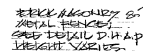
1133 Fort Street
Rezoning No.00727



88.5% K² O ELEMENT NOT INCLUDED

ALL INFORMATION DERIVED FROM BUILDING DEPARTMENT
RECORDS AND SITE MEASUREMENT; THIS APPLICATION
PROPOSES ZONING TO REPLACE CANCELLED LAND
USE CONTRACT. ALL CONDITIONS ARE EXISTING, NO
WORK IS PROPOSED TO EXISTING HERITAGE
DESIGNATED BUILDING.

ALL SITE DATA AND CALCULATIONS UPDATED FROM FIELD SURVEY BY GLEN MITCHELL, B.C.L.S. 2020-06-04
FILE NO. 000-058-394



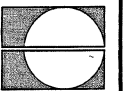
REVISED: SURVEY DATA - 05/06/20
PLANNING - 14/09/20 - 16/10/20

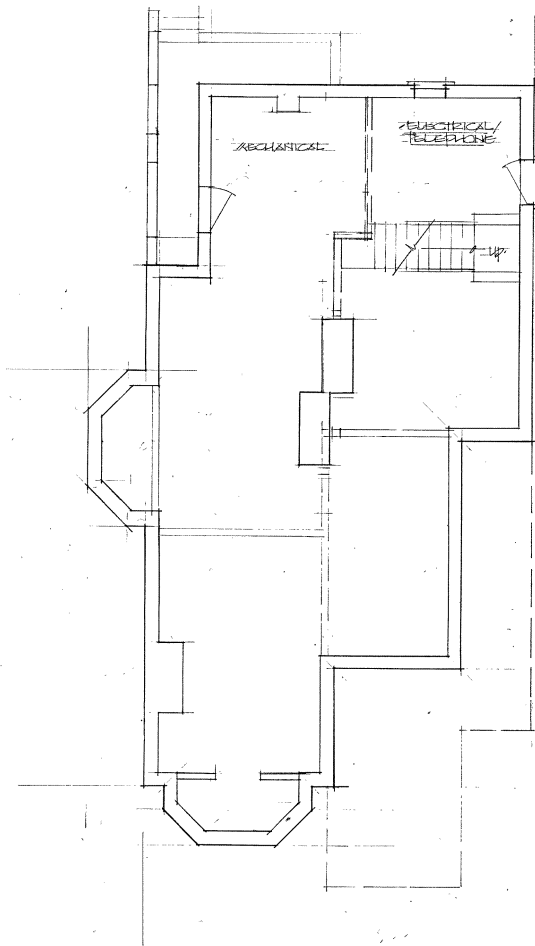
DRAWING NO. _____
DATE 09
DESIGNER'S NAME _____
SCALE 1:1800
DATE & JULY 28, 2020
PROJECT NO. 1600

The drawing shows a cross-section of a building. It features a gabled roof supported by a central vertical post or column. The interior space is divided into two main areas by this central support. The walls are shown with hatching to indicate their thickness and construction. There are also some smaller details like windows or doors indicated by simple lines.

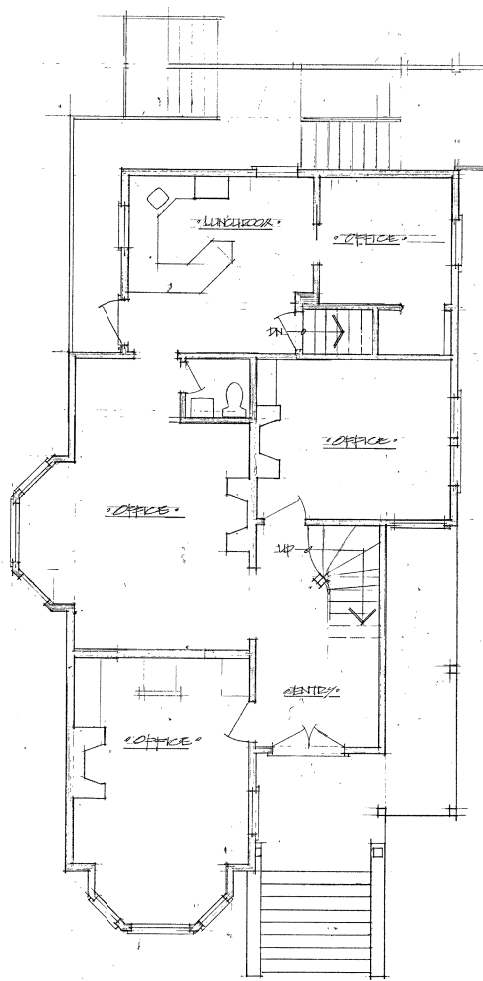
1183 West St.
S I T E P L A N & P R O J E C T I N F O R M A T I O N.
BATTERY STREET HOLDINGS,
for
PROPOSED REZONING
VICTORIA, B.C.

banks
design

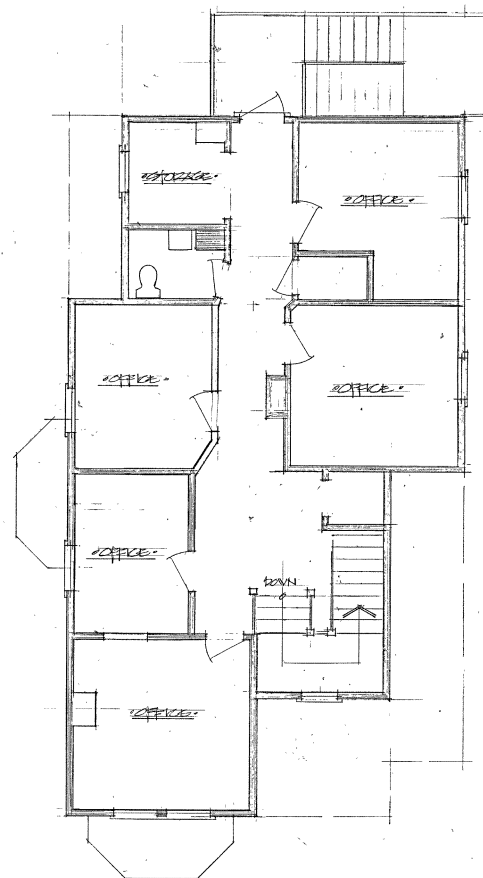




• LOWER FLOOR PLAN •
80.50 A. (953.21 SF)



• MAIN FLOOR PLAN •
95.42 A. (1027.123 SF)



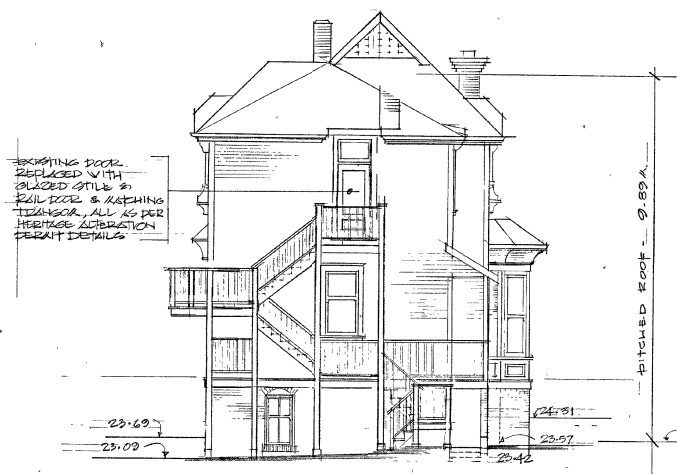
• UPPER FLOOR PLAN •
84.33 A. (900.375 SF)

DRAWN BY: MB
DESIGN: EXISTING
SCALE: 1/4" = 1'-0"
DATE: APRIL 10, 2019
DRAWING NO.: 1600

PROPOSED REZONING
for
1133 FORT STREET
FLOOR PLANS
VICTORIA, B.C.



Victoria 250-986-3331

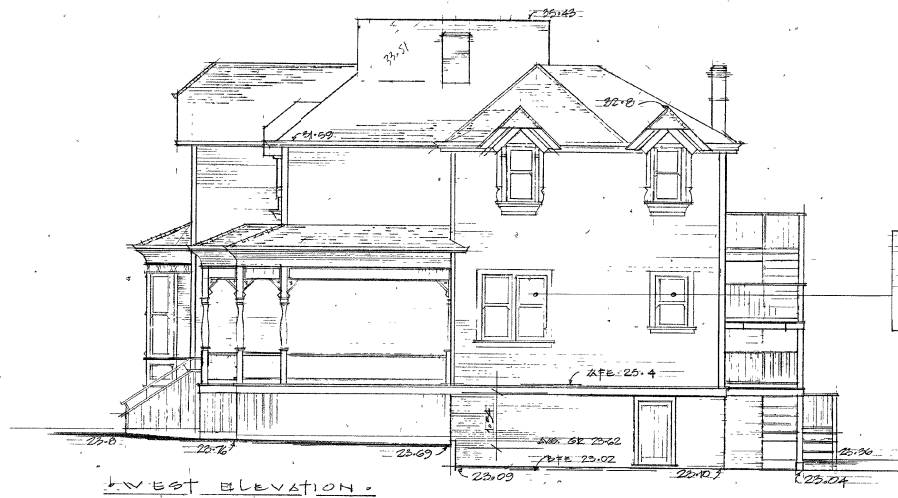


• SOUTH ELEVATION (KEARNS STREET) •

EXISTING DOOR REDUCED WITH GLAZED WOOD STILES & RAIL DOOR & RATCHING TECHNIQUE, ALL AS PER HERITAGE ALTERATION PERMIT DETAILS



• EAST ELEVATION •



• WEST ELEVATION •

NEW WOOD ARCH WINDOWS TYPICAL TO ALL EXTERIOR CLOSED OPENINGS; WINDOWS HEAD TO OPEN OUT WHERE INSTALLED ON OPERATING SIDE; BY METAL ADJUSTABLE HOLD OPENS



• NORTH ELEVATION (FORT STREET) •

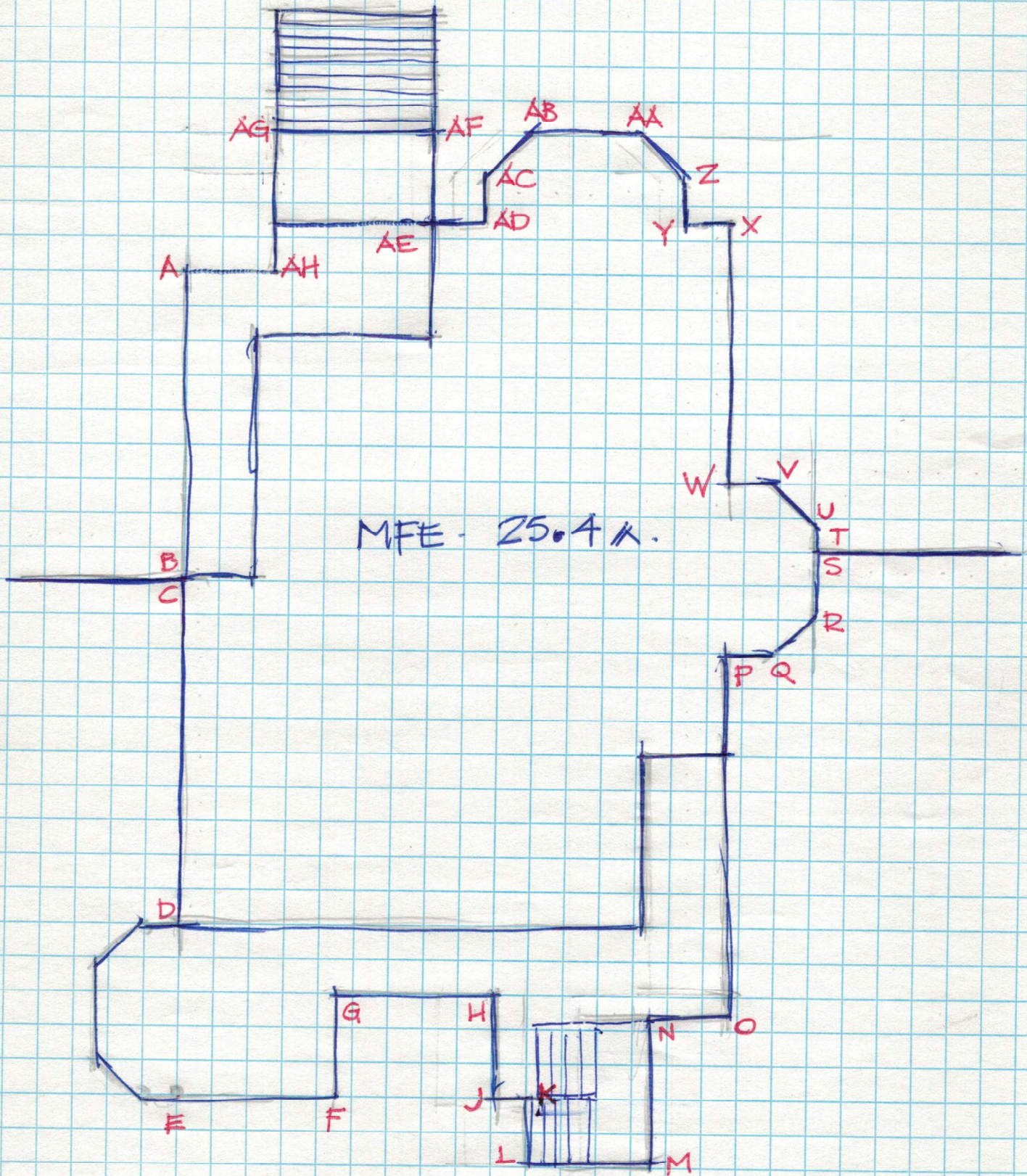
EXISTING ENTRY DOORS TO BE STRIPPED, RE-BUILT, REFINISHED, NEW STILES OR RE-INTEGRATED STILES; ALL AS PER HERITAGE ALTERATION PERMIT. NEW HARDWARE

DENVER - SURVEY DATA - 05/06/20
PLANNING - 14/09/20

DRAWING TITLE: **EXISTING**
 DESIGNER: **AB**
 SCALE: **3/16" = 1'-0"**
 DATE: **JULY 20, 2020**
 PROJECT NO: **1800**

PROPOSED FOR ZONING: **RATIER STREET HOLDINGS**
 BUILDING ELEVATIONS
 VICTORIA, B.C.
 1133 FORT ST.

banks design
 Victoria 250.386.3331



1133 FORT STREET
AVERAGE GRADE CALCULATIONS

AB	23.76	23.69	23.725×6.0	-	142.35
CD	23.09	23.10	23.095×7.43	-	171.595
DE	23.10	23.04	23.07×2.2	-	50.75
EF	23.04	23.17	23.105×1.4	-	32.347
FG		23.17	23.17×1.1	-	25.48
GH		23.17	23.17×1.42	-	32.90
HJ		23.17	23.17×1.1	-	25.48
JK	23.17	23.36	23.265×1.9	-	44.203
KL	23	23.36	23.36×1.0	-	23.36
LM	23.36	23.42	23.39×1.82	-	42.56
MN	23.42	23.46	23.44×2.0	-	46.88
NO	23.46	23.49	23.475×1.08	-	25.353
OP	23.49	23.57	23.53×6.97	-	164.004
PQ	23.57	23.57	$23.57 \times .35$	-	8.249
QR	23.57	23.56	23.565×1.15	-	27.099
RS		23.56	23.56×1.3	-	30.628
TU	24.31		$24.31 \times .29$	-	7.04
UV		24.31	24.31×1.15	-	27.956
VW	24.31	24.23	$24.27 \times .35$	-	8.4945
WX	24.23	24.20	24.215×5.35	-	129.55
XY		24.20	24.2×0.39	-	9.438
YZ		24.20	24.2×0.35	-	8.47
ZA		24.20	24.2×1.15	-	27.83
AAB		24.20	24.2×1.59	-	38.478
ABAC	24.20	24.0	24.10×1.15	-	27.715
ACAD	24.20	23.88	$24.04 \times .35$	-	8.414
ADAE		23.88	$23.88 \times .36$	-	8.596
AFAF	23.88	24.0	23.94×2.1	-	50.274
AFAG	24.0	24.12	24.06×2.7	-	64.962
AGAH	24.12	23.76	23.94×2.1	-	50.274
AHA	23.76	23.76	23.76×1.4	-	33.264

PERIMETER = 59.011

1394.0368

$$\text{AVG. GR.} = \frac{23.6211}{1}$$

1133 FORT STREET -
Average Grade Calculation

Main Floor Elevation (by bus) 25.04 m
floor assembly thickness 0.238 m.

Ceiling height of lowest level 25.16 m
average grade as calculated - 23.62 m

Ceiling is 1.54 m above 1.54
average grade, so lowest floor is
included in total floor area

This is reflected in Project Data included
on Drawing A1. of 268.37 m²

LOWEST STOREY VS. AVG GRADE CALCS.

SEE DRAWING A3.

1133 FORT STREET

21-Jan-20

Mayor Lisa Helps and Councillors,
Corporation of the City of Victoria,
1 Centennial Square,
Victoria, B.C. V8W 1P6

RE: Proposed Rezoning of 1133 Fort Street
Lot 1110, Victoria City, except the northerly 8 feet

Dear Mayor Helps and Councillors:

We are pleased to submit our application for the above noted property, to put in place a zone that will accurately reflect the present use and occupancy, and bring the property into closer conformity with the Official Plan.

This application is in fact driven by the Province's decision to terminate Land Use Contracts, under which this property was regulated. While the underlying zoning of R3-1 dictated residential use, the building, heritage designated, has been used for commercial purposes for many years.

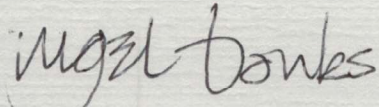
Discussion with the Planning Department led to the conclusion that the existing CA-2, Fort Street Special Commercial zone is an ideal fit for the property, meeting almost all criteria. There are a few small non conformities with the zone requirements; these were existing legal non-conformities under the now cancelled land use contract.

There is no work or alteration of any kind required for the building under this application; neither would there be any impact on existing tenancies. The charm of the existing building and its context are maintained exactly as is, and uses are brought much more in line with zoning. This project also maintains a large percentage of open space by utilizing existing parking and drives. The proposal will also preserve neighbourhood amenity through minimal disruption of the existing streetscape.

We have presented the proposal to the Fairfield Gonzales Community Association land use committee, and they have determined that it does not require a full public meeting, as there are no proposed changes to the subject property.

Thank you for your consideration of this application.

Yours Very Truly,



Nigel Banks, on behalf of
the Bavington Family





Nigel Banks [REDACTED]

Re: 1133 Fort Street

1 message

CALUC chair [REDACTED]
To: Nigel Banks [REDACTED]

Mon, Sep 23, 2019 at 5:59 AM

Hi Nigel:

Thank you for the thoughtful presentation on Thursday. Our committee has decided that your proposal does not need to go to a public community meeting.

Thanks again.
Kevin

Kevin White
Interim Chair,
Fairfield-Gonzales Community Association
Land Use Committee

A Volunteer committee helping our neighbours engage in community planning by providing opportunities and processes to collect and forward residents' comments to City Council



FAIRFIELD GONZALES
COMMUNITY ASSOCIATION
the place to connect

Fairfield Gonzales Community Place
1330 Fairfield Road
Victoria BC V8S 5J1
near Moss street and Sir James Douglas School

[REDACTED]

From: Nigel Banks [REDACTED]
Sent: Thursday, September 19, 2019 9:26 AM
To: CALUC chair [REDACTED]
Subject: Re: 1133 Fort Street

Hi Kevin-
Just confirming tonight's meeting. is it still 7 pm?
Thanks

Nigel Banks

Sent from my iPhone

On Sep 3, 2019, at 7:03 PM, CALUC chair [REDACTED] wrote:

Hi Nigel:

Unfortunately, we did not have enough members to make a quorum this Thursday; therefore, we had to move the meeting to September 19 as part of a public meeting. I apologize for the late notice in notifying you of the change.

Many thanks, Kevin

Kevin White

Interim Chair,

**Fairfield-Gonzales Community Association
Land Use Committee**

A Volunteer committee helping our neighbours engage in community planning by providing opportunities and processes to collect and forward residents' comments to City Council

<Outlook-1515711930.png>

Fairfield Gonzales Community Place

1330 Fairfield Road

Victoria BC V8S 5J1

near Moss street and Sir James Douglas School

From: Nigel Banks [REDACTED]

Sent: Tuesday, September 3, 2019 9:31 AM

To: CALUC chair [REDACTED]

Subject: Re: [1133 Fort Street](#)

hi, Kevin-

here is the background to the [1133 fort street](#) rezoning:

2016 - province mandates an end to Land Use Contracts

2017- City of Victoria cancels same, leaving a number of properties, including this one, and several neighbouring ones going up Fort Street in limbo.

2018- I am retained by owners, the Bavington family, to pursue new appropriate zoning for the properties. After much discussion, we are proceeding with an application to rezone to Fort Street Special Commercial, a zone which includes all the uses presently in the building.

The proposal involves NO changes of any type to the existing site and buildings.

Just wanted to confirm that your committee Meeting is still scheduled for September 5th, at Fairfield Community Place.

regards

nigel banks
banks design

On Tue, Aug 13, 2019 at 1:13 PM CALUC chair [REDACTED] wrote:

Hi Nigel:

A full presentation is not required; however, please be prepared to explain the following:

As this rezoning involves absolutely no changes to the existing heritage building, its' site or occupants, I am writing to ask your associations' consideration of waiving a public meeting to review the proposal.

Any supplementary material would be helpful and possible save time.

Many thanks,

Kevin White
Interim Chair,
Fairfield-Gonzales Community Association
Land Use Committee

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1515711930374_PastedImage

Fairfield Gonzales Community Place
1330 Fairfield Road
Victoria BC V8S 5J1
near Moss street and Sir James Douglas School



From: Nigel Banks [REDACTED]
Sent: Monday, August 12, 2019 8:26 AM
To: CALUC chair [REDACTED]
Subject: Re: 1133 Fort Street

hi, Kevin-

Yes, I can attend. would you like any material before the meeting? Will your committee want a full presentation?
there are no changes proposed to the building or uses- this is more of a housekeeping issue driven by the City.
many thanks
nigel banks

nigel banks
banks design



On Sun, Aug 11, 2019 at 11:34 AM CALUC chair [REDACTED] wrote:

Hi Nigel:

Are you free to attend the next CALUC meeting (open for presentations) - scheduled for September 5, 2019 at 7:00 p.m. (address below)?

Thanks, Kevin

Kevin White
Interim Chair,
Fairfield-Gonzales Community Association
Land Use Committee

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FAIRFIELD GONZALES
COMMUNITY ASSOCIATION
the place to connect

Fairfield Gonzales Community Place
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Victoria BC V8S 5J1
near Moss street and Sir James Douglas School

From: Nigel Banks [REDACTED]
Sent: Tuesday, July 30, 2019 9:29 AM
To: CALUC chair [REDACTED]
Subject: RE: 1133 Fort Street

Dear Ms. Albert-

We exchanged correspondence concerning the proposed rezoning of the above property in April and May, and I have been most remiss in not following up. I wonder when we might meet or chat to discuss moving forward; as I recall we both had extended trips which prevented scheduling. This property is part of the city's initiative to clean up a number of properties which fell under land use contracts terminated by the province.

I look forward to hearing from you.

Many thanks

nigel

nigel banks

banks design

[REDACTED]

[REDACTED]

From: CALUC chair [mailto:[REDACTED]]
Sent: April 23, 2019 10:19 AM
To: Nigel Banks <[REDACTED]>
Subject: Re: [1177-1185 Fort Street](#), "The Gables"

Mr Banks,

Many apologies for this less than timely response. I have missed this email and my only excuse has been scheduling many development proposals for Preliminary Meetings and Community Meetings.

I have reached out to some of our Committee members for their input and will, with any luck, get back to you within 24 hours.

Please accept my apologies for this oversight,

Alice J. Albert

Chair,

Fairfield-Gonzales Community Association

Land Use Committee

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FAIRFIELD GONZALES
COMMUNITY ASSOCIATION
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Victoria BC V8S 5J1

near Moss street and Sir James Douglas School

[REDACTED]

[REDACTED]

From: Nigel Banks <[REDACTED]>
Sent: Wednesday, April 17, 2019 9:32 AM
To: CALUC chair
Subject: Fwd: [1177-1185 Fort Street](#), "The Gables"

Ms. Alice Albert

Chair, Land Use Committee

Fairfield Gonzales Community Association

.dear Ms. Albert

I am writing on behalf of the Bavington Family, the long-time owners of the property at [1133 Fort Street](#). As your committee may know, last year the City, as mandated by the Province of BC, cancelled the Land Use Contracts dating back many years which have regulated this property, as well as others in your neighbourhood area. In cancelling these contracts, the City requires that the properties put in place, through a Rezoning process, a zoning that will regulate use and density in a conventional manner.

I am handling that process for the owners, and we are ready to apply on their behalf for Zone CA-2, Fort Street Special Commercial District, which the planning department has recommended as covering all uses presently in the building. This would also retain as legal non-conforming any anomalies that do not fit within the suggested zoning.

As this rezoning involves absolutely no changes to the existing heritage building, its' site or occupants, I am writing to ask your associations' consideration of waiving a public meeting to review the proposal.

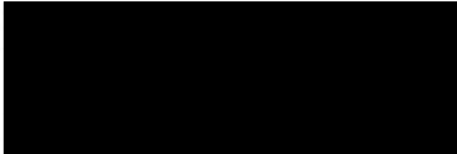
I am more than happy to handle such a presentation if your Association feels it is necessary, but I am unsure of the benefit to you.

sincerely yours

nigel banks

nigel banks

banks design





City of **VICTORIA** British Columbia

Office of
ALAN I. SMITH, B.S.A.
The Park Administrator
RONALD EDWARDS, O.D.H.
Superintendent of Maintenance

City Hall, #1 Centennial Square
Victoria, B.C.
V8W 1P6
(604) 385-5711

July 18, 1980

File: 2100

Mr. G. Scott Kendrew,
Coach House Realty Ltd.
203 - 1121 Yates St.
Victoria, B.C.
V8V 3N1

Dear Mr. Kendrew:

Re: Pear Tree at Rear of
1133 Fort Street
(Your Letter of July 17)

Please be advised that an onsite inspection of the pear tree in question revealed that it is unsound and should be removed. In no way can it be classed as a heritage tree.

We will also verify that there is only one other tree on the property, a Weeping Ash, that can provide an aesthetic outlook to the property. If any excavation is to take place near the roots, we would suggest that all torn roots be cut clean across and painted so that maximum healing can be effected. A good quality tree paint will close the wound.

Yours very truly,

Alan I. Smith

A.I. Smith,
Park Administrator.

AIS:ms

COACH HOUSE REALTY LTD

July 17th, 1980

Mr. A. Smith
Parks Administrator
1 Centennial Square,
Victoria, B. C.
V8W 1P6

Dear Sir:

We are writing this letter to request permission to remove the pear tree at the rear of 1133 Fort Street. This tree has a hollow centre that has decayed and rotted away, with the outer rim keeping it alive. We feel it is a safety hazard and would like to remove it from the property.

Further to our conversation on July 14, 1980, the Land Use Contract indicates three trees on the property. We purchased the property in June of 1979 and at that time were advised by the former owners that they had removed one tree with the City's permission.

Best regards,

COACH HOUSE REALTY LTD.,

G. Scott Kendrew

GSK/lf

cc. Planning Department