



Committee of the Whole Report For the Meeting of December 9, 2021

To: Committee of the Whole **Date:** November 25, 2021
From: Karen Hoese, Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00790 for 1022 Summit Avenue

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00790 for 1022 Summit Avenue, 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. Revised plans to add a door to the long-term bicycle storage and to provide more details regarding the landscape screening and type of short-term bicycle rack, to the satisfaction of the Director of Sustainable Planning and Community Development.
2. Provision of a Replacement Tree Plan that ensures the tree minimum is met as outlined in the Bylaw 21-035, to the satisfaction of the Director of Parks, Recreation and Facilities.

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.

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 1022 Summit Avenue. The proposal is to rezone from the R1-B Zone to a site specific zone in order to convert the existing single-family dwelling into a multi-unit residential building consisting of three ground-oriented dwelling units.

The following points were considered in assessing this application:

- the proposal is generally consistent with the Traditional Residential Urban Place Designation in the *Official Community Plan* (OCP, 2012), which supports house conversions

- the proposal is generally consistent with the *Hillside-Quadra Neighbourhood Plan* (1996) policies to maintain the form and character of the mature areas of the neighbourhood and to allow for conversions of detached homes that meet the City's building and parking standards
- the proposal is consistent with the *Schedule G – House Conversion Regulations*, except for new additions that created additional floor area and therefore trigger a rezoning.

BACKGROUND

Description of Proposal

This Rezoning Application is to convert the existing single-family dwelling into a multi-unit residential building consisting of three ground-oriented dwelling units.

Affordable Housing

The applicant proposes the creation of three residential units, for a net increase of one unit, which would increase the overall supply of housing in the area.

Tenant Assistance Policy

The proposal is to renovate an existing building which would not result in a loss of existing units. The house is currently occupied by the owner and the secondary suite is uninhabitable and vacant. Therefore, no tenants are being displaced and a Tenant Assistance Plan is not required.

Sustainability

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

Active Transportation

The application proposes four secure bicycle stalls and six short term bicycle stalls, which support active transportation.

Public Realm

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

Accessibility

No accessibility improvements are proposed beyond what is required through the *British Columbia Building Code*.

Land Use Context

The area is characterized primarily by single-family dwellings and duplexes.

Existing Site Development and Development Potential

The site is presently a single-family dwelling with a basement suite. Under the current R1-B Zone, the 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 existing R1-B Zone. 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 previous approval by the Board of Variance or a legal non-conforming condition.

Zoning Criteria	Proposal	Existing R1-B Zone	Conversion Regulations (Schedule G)
Site area (m ²) – minimum	551.6	460	N/A
1 st and 2 nd storey floor area (m ²) – maximum	204.4	280	N/A
Combined floor area	321.7*	300	250
Minimum unit area (m ²) – minimum	116	N/A	33
Height (m) – maximum	8.72**	7.6	N/A
Storeys – maximum	3**	2	N/A
Addition within last five years	Yes*	N/A	Not permitted
Roof deck	Yes**	Not permitted	Not permitted
Setbacks (m) – minimum			
Front	3.22**	7.5	
Rear	9.98	9.06	
Side (east)	0.96**	1.52	N/A
Side (west)	5.5	3.0	
Combined side yards	6.46	4.5	
Parking – minimum	1	1	0
Bicycle parking stalls – minimum			
Long Term	4	N/A	4
Short Term	6	N/A	6

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Hillside-Quadra CALUC at a Community Meeting held on April 29, 2021. A letter dated May 29, 2021 and the Pre-Application Consultation Comments from the Online Feedback Form are attached to this report.

ANALYSIS

Official Community Plan

The subject property is designated Traditional Residential in the *Official Community Plan, 2012* (OCP), which supports ground-oriented buildings such as house conversions.

Hillside-Quadra Neighbourhood Plan

The *Hillside-Quadra Neighbourhood Plan* (1996) supports maintaining the form and character of the mature areas of the neighbourhood and envisions conversions of detached homes that meet the City's building and parking standards.

Tree Preservation Bylaw and Urban Forest Master Plan

The goals of the *Urban Forest Master Plan* include protecting, enhancing, and expanding Victoria's urban forest and optimizing community benefits from the urban forest in all neighbourhoods. This Rezoning application was received after July 1, 2021, so it falls under *Tree Protection Bylaw No. 21-035*.

Two trees have been inventoried by the project arborist, including one boulevard crab apple tree and one bylaw protected Douglas fir tree on the subject property. Both trees will be protected and retained. The *Tree Protection Bylaw* requires that three new bylaw-protected trees be planted on-site. Staff are confident that these three trees can be accommodated on-site but are requesting confirmation through a tree replacement plan from the project arborist. This has been included in the recommended Council motion to be provided prior to a Public Hearing.

Tree Impact Summary Table

Tree Status	Total # of Trees	Trees to be REMOVED	NEW Trees	NET CHANGE (new trees minus total to be removed)
Subject property trees, protected	1	0	3	+3
Subject property trees, unprotected	0	0	0	0
City trees	1	0	0	0
Total	2	0	3	3

Regulatory Considerations

This type of house conversion would normally fall within *Schedule G*; however, unpermitted additions were constructed in the past. The new owner is currently rectifying these renovations in order to meet current *BC Building Code*, but the renovations technically constitute an addition within the last five years. *Schedule G* outlines that any extension to a building within the past five years that creates additional floor area is considered a change to density, and therefore requires a rezoning. Given that the applicant is bringing the renovations up to current safety requirements and that three updated residential units will be created, staff are supportive of the proposed rezoning.

CONCLUSIONS

The proposal to convert the existing single-family dwelling into a three-unit multi-unit residential building is consistent with the policies found within the OCP and the *Hillside-Quadra Neighbourhood Plan*. Staff therefore recommend that Council consider supporting the application.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00790 for the property located at 1022 Summit Avenue.

Respectfully submitted,

Mike Angrove
Senior Planner – Development Agreements
Development Services Division

Karen Hoese, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager.

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 27, 2021
- Attachment D: Letter from applicant to Mayor and Council dated July 7, 2021
- Attachment E: Community Association Land Use Committee Comments dated May 29, 2021
- Attachment F: Pre-Application Consultation Comments from Online Feedback Form
- Attachment G: Tenant Assistance Plan
- Attachment H: Arborist Report dated August 24, 2021.