

F.1.a.a Development Variance Permit Application No. 00274 for 3130 Jutland Road and 496-498 Cecelia Road (Burnside Gorge)

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00274 for 3130 Jutland Road and 496-498 Cecelia Road in accordance with:

1. Survey plan date stamped September 9, 2021, and landscape plan date stamped December 17, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. reduce the continuous soft landscaping area between a surface vehicle parking area and adjacent lot used primarily for residential purposes from 1m to 0.38m on proposed Lot B.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

G.1 3130 Jutland Road and 496-498 Cecelia Road: Development Variance Permit Application No. 00274 (Burnside Gorge)

Committee received a report dated September 29, 2021 from the Director of Sustainable Planning and Community Development regarding a Development Variance Permit application for the property located at 3130 Jutland Road and 496-498 Cecelia Road in order to permit a reduction to the width of a required continuous soft landscaping area to facilitate the construction of a mixed-use development consisting of community-oriented uses and approximately 88 affordable units, and recommending that it move forward to an opportunity for public comment.

Moved By Councillor Alto
Seconded By Councillor Andrew

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council, consider the following motion:

“That Council authorize the issuance of Development Variance Permit Application No. 00274 for 3130 Jutland Road and 496-498 Cecelia Road in accordance with:

1. Survey plan date stamped September 9, 2021, and landscape plan date stamped December 17, 2020.
2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. reduce the continuous soft landscaping area between a surface vehicle parking area and adjacent lot used primarily for residential purposes from 1m to 0.38m on proposed Lot B.
3. The Development Variance Permit lapsing two years from the date of this resolution.”

CARRIED UNANIMOUSLY

by a proposed lot line adjustment that would be required to facilitate the construction of a mixed-use development consisting of community-oriented uses and approximately 88 affordable and below-market dwelling units on the site (Lot A).

The following points were considered in assessing this application:

- Schedule C: Off-street Parking in the *Zoning Regulation Bylaw* requires a continuous soft landscape area with a minimum width of one metre (1m) between a parking area and an adjacent lot use primarily for residential uses to achieve a buffer strip for softening the visual impact of surface parking spaces.
- There is an existing surface parking lot on the west side of the Burnside School with no soft landscaping. There are no proposed changes to the parking lot, except for re-painting parking lines.
- The variance is supportable given that there would be an approximately 5.46m wide continuous soft landscape area consisting of trees and shrubs on the development site (proposed Lot A) adjacent to the existing surface parking lot, which would provide adequate screening and soften the visual impact of the surface parking spaces.

BACKGROUND

Description of Proposal

The proposal is to permit a reduction to the width of a required continuous soft landscaping area adjacent to an existing surface parking lot on the Burnside School lot (proposed Lot B), from 1m to 0.38m. This variance is being triggered by a proposed lot line adjustment that would be required to facilitate the construction of a proposed mixed-use development consisting of community-oriented uses and approximately 88 affordable and below-market dwelling units on the site (Lot A). There are active rezoning and development permit applications for the proposed development currently proceeding through the Council process.

Accessibility

The *British Columbia Building Code* regulates accessibility as it pertains to buildings. The accessibility of the Burnside School site will remain relatively unchanged from the current status.

Existing Site Development and Development Potential

The site is presently comprised of three separate parcels known as the Burnside School site, which includes the existing school, sports field and surface parking lot. Under the current R1-B Zone, each property could be developed as a public building, or a single-family dwelling with a secondary suite or garden suite.

Data Table

The following data table compares the proposal with the 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 where the proposal is legally non-conforming.

Zoning Criteria	Proposal – Lot B (school lot)	Existing Zone (R1-B Zone)
Site area (m ²) – minimum	3501	460
Lot width (m) – maximum	49.83	15
Total floor area (m ²) – maximum	3342	n/a
Height (m) – maximum	existing	11
Storeys – maximum	2.5 – 3** (existing)	2.5
Site coverage (%) – maximum	28	40
Setbacks (m) – minimum		
Front (Jutland Road)	0.92**	7.50
Rear (west)	15.17	12.46
Flanking Street (Cecelia Road)	15.18	3.50
Side (north)	1.99**	4.98
Parking – minimum	35	0** (non-conforming)
Parking location	Rear	Side or Rear
Width of landscape screen along internal property line (m) – minimum	0.38*	1
Landscape screen along internal property line (opaque visual barrier)	Trees and Shrubs	Trees, Shrubs or Wooden Fence
Landscaping for parking area with 30 or more parking spaces (%) – minimum	10	10
Driveway/Parking material	Asphalt	Solid Surface

Relevant History

On February 4, 2021, Council approved a motion to advance Rezoning Application No. 00655 for 3130 Jutland Road and 496-498 Cecelia Road and concurrent Development Permit Application No. 000532 to a public hearing in order to consider a proposal for a five-storey, mixed-use building consisting of ground floor community-oriented uses and rental dwelling units on the upper floors, and a four-storey, multi-unit residential rental building. The development will provide approximately 88 affordable and below-market rental dwelling units, secured for 60 years. An amendment to the *Official Community Plan (OCP)* from Public Facilities, Institutions, Parks and Open Space to Large Urban Village is required to facilitate this development.

Should Council approve the rezoning and development permit applications, a lot line adjustment (i.e., subdivision) will be required to facilitate the construction of the proposed mixed-use development. A survey plan was prepared in advance to confirm if any variances would be triggered by a lot line adjustment. A variance to reduce the width of a continuous landscaping area was identified on the survey. To avoid returning to Council in the future to deal with this technical variance, the development variance permit application is coming forward now for Council's consideration and will move forward concurrently with the current rezoning and development permit applications. This application is not delaying the other two applications from moving forward to a Public Hearing as all parties (City, Pacifica Housing, School District 61 and BC Housing) involved in the proposed development are currently working on the legal agreements associated with the rezoning application.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, on September 28, 2021, the application was referred for a 30-day comment period to the Burnside Gorge CALUC. At the time of writing this report, a letter from the CALUC had not been received.

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

Official Community Plan

The proposal to shift the east property line (dashed line in Figure 1 below) of 496 Cecelia Road (L-shaped lot) to create a rectangular-shaped lot and provide sufficient site area for the proposed mixed-use development is consistent with the *Official Community Plan, 2012 (OCP)*, which contains a broad objective to encourage the use of available tools to encourage more affordable housing across the housing spectrum.



Figure 1. Aerial photo of the subject site showing proposed lot line adjustment from blue to red dashed line

Burnside Gorge Neighbourhood Plan

The *Burnside Gorge Neighbourhood Plan* envisions the Burnside School site as a site for re-use and redevelopment with opportunities for community-service space and affordable housing. Adjusting the lot line to achieve this vision is consistent with the Plan. There will continue to be parking on proposed Lot B to serve Burnside School and the community-service space (refer to Figure 2 below).



Figure 2. Parking layout on proposed Lot B

Regulatory Considerations

Schedule C: Off-street Parking in the *Zoning Regulation Bylaw* requires a continuous soft landscape area with a minimum width of one metre (1m) between a parking area and an adjacent lot used primarily for residential uses to create a buffer strip for softening the visual impact of the surface parking spaces. The proposed width of the continuous landscape area on Lot B ranges between 0.35m to 0.51m.

The existing surface parking lot for the Burnside School currently has no soft landscaping. However, the landscape plan for the proposed mixed-use development will introduce an approximately 6m wide continuous soft landscaping area consisting of trees and shrubs adjacent to the existing parking lot, which would provide adequate screening and soften the visual impact of the parking spaces.

CONCLUSIONS

The proposal to permit a reduction to the width of a required continuous soft landscape area adjacent to an existing surface parking lot on the Burnside School lot to enable a lot line

adjustment and facilitate the construction of a proposed mixed-use development consisting of community-oriented uses and affordable and below-market rental housing further advances several objectives in the OCP and *Burnside Gorge Neighbourhood Plan*. It also achieves goals in the City's *2019-2022 Strategic Plan* and *Victoria Housing Strategy 2016-2025* to consider using existing City land to increase the affordable housing supply. A significant landscape buffer will be provided on the adjoining lot which will soften the visual appearance of a parking lot. Therefore, staff recommend that Council support the proposed variance.

ALTERNATE MOTION

That Council decline Development Variance Application No. 00274 for the property located at 3130 Jutland Road and 496-498 Cecelia Road.

Respectfully submitted,

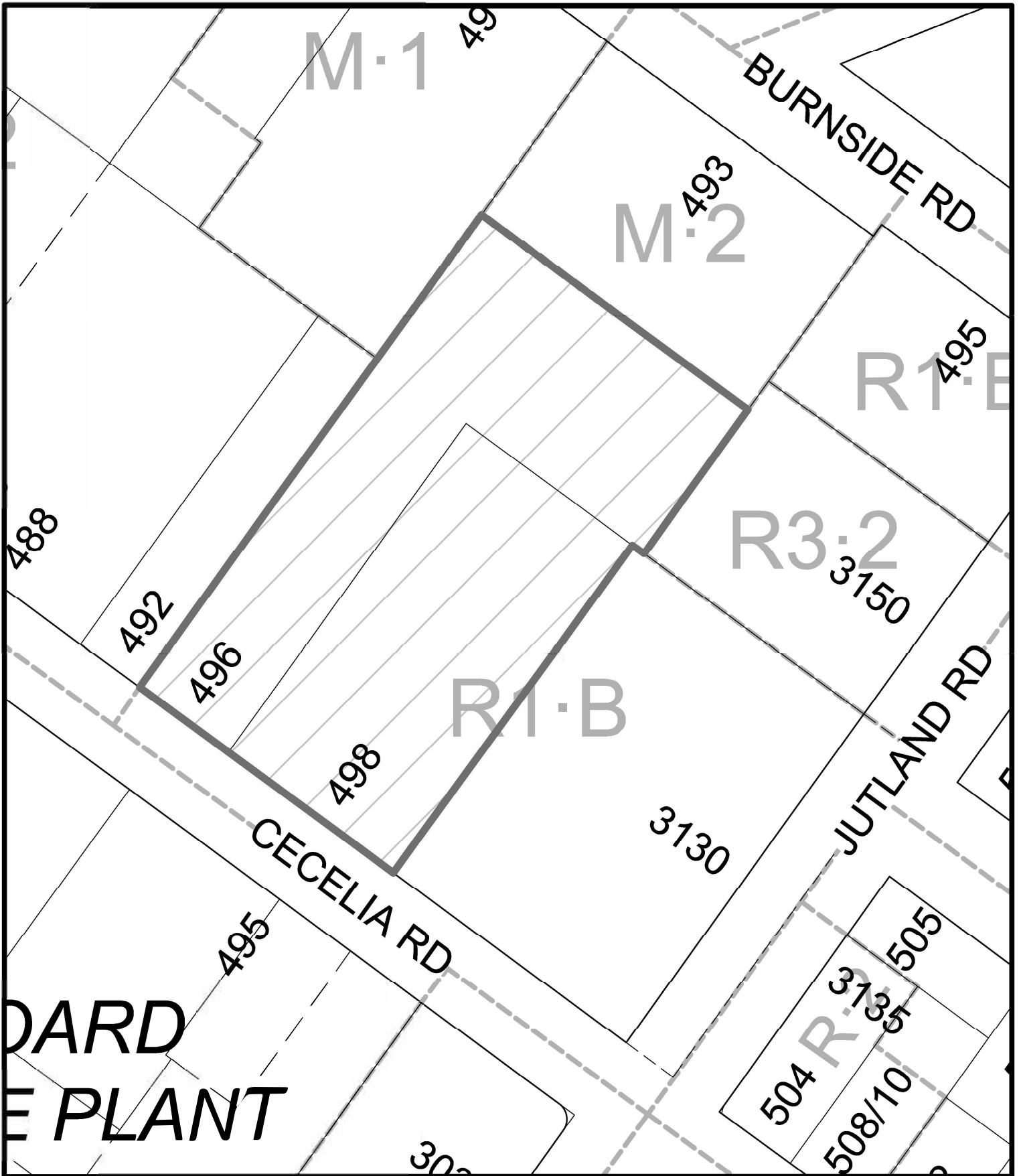
Leanne Taylor
Senior Planner
Development Services Division

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: Survey Plan date stamped September 9, 2021
- Attachment D: Landscape Plan date stamped December 17, 2020
- Attachment E: Letter from applicant to Mayor and Council dated September 27, 2021.



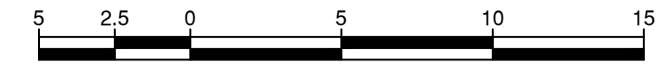
496 / 498 Cecelia Rd. & 3130 Jutland Rd.
DVP Application No. 00274





496 / 498 Cecelia Rd. & 3130 Jutland Rd.
DVP Application No. 00274





The intended plot size of this plan is 841mm in width by 594mm in height (ISO A1 size) when plotted at a scale of 1:250

All distances are in metres and decimals thereof.

- LEGEND**
- denotes catchbasin
 - denotes lawn basin
 - denotes drain cleanout
 - denotes sewer cleanout
 - denotes hydro pole
 - denotes streetlight davit
 - denotes lamp pole
 - denotes bollard
 - denotes sign
 - denotes fence
 - denotes non-mountable curb
 - denotes curb letdown
 - denotes edge of pavement
 - denotes edge of gravel
 - denotes building outline
 - denotes concrete pad
 - denotes brick pavers
 - denotes spot elevation
 - denotes deciduous tree, species and diameter
 - denotes existing property line
 - denotes proposed property line

Legal Description: Lot 1, Section 4, Victoria District, Plan EPP70074

PID: 030-095-859

Date of Field Survey: July 15, 21, 22 and 23, 2021.

Elevations are to geodetic datum.

Vertical Datum CGVD28 (HTV2.0).

Tree diameters are taken at breast height. Tree symbols are diagrammatic only to show relative sizes.

Lot boundaries shown hereon are derived from ties to existing survey evidence and Land Title Office records. Lot boundaries are subject to change upon legal survey.

This plan represents the best information available at the time of survey. GeoVerra Surveys (BC) Limited Partnership and its employees take no responsibility for the location of any underground conduits, pipes, or other facilities whether shown on or omitted from this plan. All underground installations should be located by the respective authorities prior to construction.

Refer to landscape plan for landscaping details.

Refer to landscape plan for details on landscaping strip.



Original Submission

Received Date:
September 09, 2021

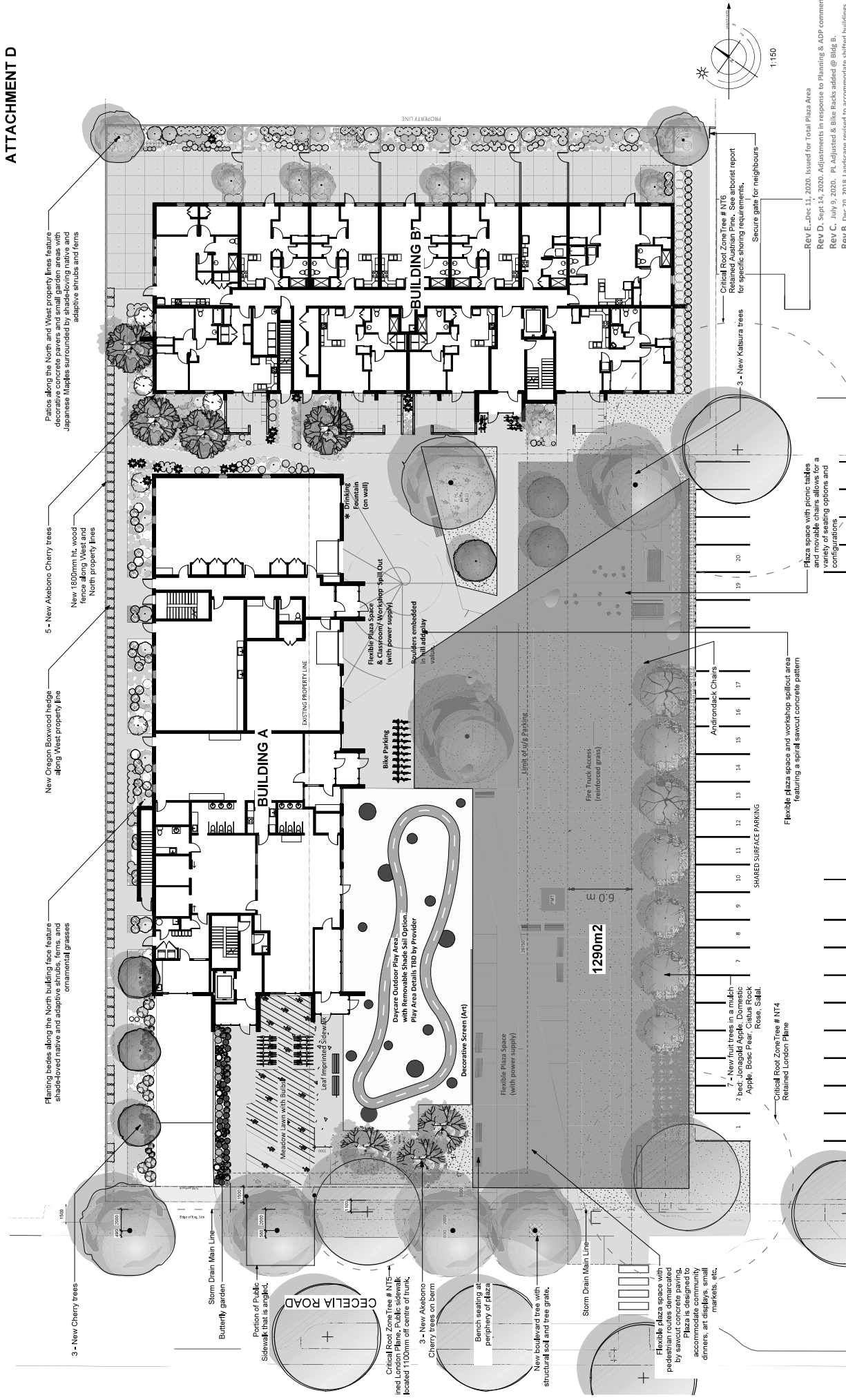
ISSREV	YYYY-MM-DD	DESCRIPTION	DRN	CHK
3	2021-09-09	Revised labels	TG	ME
2	2021-09-03	Revised labels and notes	TG	ME
1	2021-08-13	Parking stall dimensions and grades	TG	ME
0	2021-07-30	ORIGINAL PLAN PREPARED	MLR	MLE

CLIENT: CITY OF VICTORIA	CLIENT REF. NO:
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795 Market Street
Victoria, BC • V8T 0B4
t: 250-342-9767 • www.geoverra.com

PROJECT: 498 CECELIA ROAD VICTORIA, BC	TITLE: PROPOSED PARKING LAYOUT FOR LOT B
PROJECT NO: 21-00831-001	DRAWING NO:
SCALE: As-Noted	21-00831-001-TOPO01-R3
DISCIPLINE: GEOMATICS	SHEET NO: 1 OF 1

Printed: 2021-09-09 11:20 AM User: Tim.Gunn

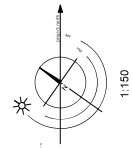


3130 Jutland Rd. | Landscape Concept Plan

LADR LANDSCAPE ARCHITECTS
 15555 Queens Ave., Victoria BC, V8T 1M5
 Phone: (250) 586-0100

Original Submission
 Received Date:
 December 17, 2020

Project No: 174 June 2018



REV E, Dec 11, 2020. Issued for Total Plaza Area
 REV D, Sept 14, 2020. Adjustments in response to Planning & ADP comments
 REV C, July 9, 2020. PL Adjusted & Bike racks added @ Bldg B.
 REV B, Dec 20, 2018. Landscape revised to accommodate shifted buildings.
 REV A, June 25, 2018

Flexible plaza space with pedestrian routes demarcated by sawcut concrete paving. Plaza is designed to accommodate community dinners, art displays, markets, etc.

Flexible plaza space and workshop spillout area featuring a spiral sawcut concrete pattern

Plaza space with picnic tables and a variety of seating options and configurations

Critical Root Zone Tree # NT6 Retained Australian Pine. See arborist report for specific staking requirements.

3 - New Katsura trees

Secure gate for neighbours

Critical Root Zone Tree # NT4 Retained London Plane

7 - New fruit trees in a mulch bed: Juniper, Apple, Pear, Cactus Pear, Rose, Salal.

Flexible Plaza Space (with power supply)

New boulevard tree with structural soil and tree grate.

Bench seating at periphery of Plaza

3 - New Akebono Cherry trees on berm

Critical Root Zone Tree # NT5 Retained London Plane. Public sidewalk located 1.0m from centre of trunk.

3 - New Akebono Cherry trees on berm

Decorative Screen (Art)

Meadow Lawn with Building

Leaf Imprinted Sidewalk

Portion of Public Sidewalk that is angled.

Butterfly garden

Storm Drain Main Line

3 - New Cherry trees

Planting beds along the North building face feature shade-loved native and adaptive shrubs, ferns, and ornamental grasses

New Oregon Boxwood hedges along West property line

5 - New Akebono Cherry trees

New 1800mm ht. wood fence along West and North property lines

Palisades along the North and West property lines feature decorative concrete pavers and small garden areas with Japanese Maples surrounded by shade-loving native and adaptive shrubs and ferns

Flexible Plaza Space & Classroom/Workshop Spill-Out (with power supply) - Aqueducts embedded in all adjoinig walls

Drinking Fountain (on wall)

EXISTING PROPERTY LINE

PROPERTY LINE

Limit of 1/2/6 Parking

6.0m

1290m²

Plant List

Trees
36

Botanical Name	Common Name	Size
<i>Acer palmatum</i>	Green Leaf Japanese Maple	6cm cal.
<i>Acer palmatum</i>	Coral Bark Japanese Maple	4cm cal.
TBD by Parks	TBD by Parks	7cm cal.
<i>Malus Evereste</i>	Domestic Apple	4cm cal.
<i>Malus Jonagold</i> (Semi-Dwarf)	Jonagold Apple	4cm cal.
<i>Prunus serrulata</i> 'Kwanzan'	Kwanzan Flowering Cherry	5cm cal.
<i>Autumnalis</i>	Autumnalis Cherry	5cm cal.
<i>Prunus communis</i> 'Bosc'	Bosc Pear	4cm cal.

Large Shrubs

Botanical Name	Common Name	Size
<i>Fatsia japonica</i>	Japanese Fatsia	#15 pot
<i>Hemodis x intermedia</i> 'Diane'	'Diane' Witchazel	#6 Pot

Medium Shrubs

Botanical Name	Common Name	Size
<i>Gaultheria shallon</i>	Saski	#3 pot
<i>Mahonia aquifolium</i>	Oregon Boxwood aka Falke Boxwood	#2 pot
<i>Paxistima myrsinites</i>	Hino Evergreen Azalea	#3 pot
<i>Ribes sanguineum</i> 'King Edward VII'	King Edward VII Flowering Currant	#3 pot
<i>Sarcococca racifolia</i>	Sweetbox	#3 pot

Small Shrubs

Botanical Name	Common Name	Size
<i>Calluna vulgaris</i> 'Firefly'	Firefly Heather	#1 pot
<i>Celastrus scandens</i>	Celastrus Rock Rose	#3 pot
<i>Daphne x transatlantica</i> 'Summer Ice'	Summer Ice Daphne	#2 pot
<i>Erica x darleyensis</i> 'Silberschneebe'	Silberschneebe Heather	#1 pot
<i>Gaultheria shallon</i>	Saski	#6 pot
<i>Mahonia nervosa</i>	Low Oregon Grape	#1 pot
<i>Mahonia repens</i>	Creeeping Oregon Grape	#1 pot
<i>Rhododendron</i> 'Eklira'	Eklira Rhododendron	#1 pot

Perennials, Annuals and Ferns

Botanical Name	Common Name	Size
<i>Achillea Moonshine</i>	Moonshine Yarrow	#1 pot
<i>Adiantum simplex</i> 'Hillside Black Beauty'	Hillside Black Beauty Bigbane	#1 pot
<i>Allium</i> 'Summer Beauty'	Summer Beauty Ornamental Onion	#1 pot
<i>Blechnum spicant</i>	Deer Fern	#1 pot
<i>Eryngium amethystinum</i>	Blue Sea Holly	#1 pot
<i>Helictotrichon sempervirens</i>	Blue Cat Grass	#1 pot
<i>Polypodium glycyrrhiza</i>	Lioncote Fern	#1 pot
<i>Polystichum munitum</i>	Western Sword Fern	#1 pot
<i>Smilacina racemosa</i>	Falke Solomon's Seal	#1 pot

Notes:

- All work to be completed to current Canadian Landscape Standard
- All soft landscape to be irrigated with an automatic irrigation system
- A minimum of 30% of the required common landscaped areas include a diverse combination of plants and vegetation that are native to southern Vancouver Island, food-bearing or that provide pollinator habitats.

Excerpt From Arborist's Report re Site Trees:

NT 4 London Plane
Platanus x acerifolia, DBH ~100cm, Crown: 22.0m CRZ:10.0m.
 Private tree, tag and dbh measurement not accessible due to existing barrier fencing. Extended etwined limbs, pruning wounds, asymmetric form due to hydro clearance pruning. Retain.

NT 5 London Plane
Platanus x acerifolia, DBH:55cm, Crown: 9m, CRZ: 5.5m
 Relative Tolerance: Good, Health Fair, Structure: Fair/poor
 Private tree, tag and dbh measurement not accessible due to clearance pruning. Small amount of dieback visible at branch tips. Retain.

NT 6 Austrian Pine
Pinus nigra, DBH:100.0cm, Crown: 12m, CRZ:12.0m.
 Relative Tolerance: Moderate, Health: Good, Structure: Fair/poor
 Private tree, tag and dbh measurement not accessible due to reaction wood below ground; some unions with included bark, 1.3m north of fence and 3m east of fence. Retain.

Project Arborist: Talbot Mackenzie & Associates.



Green Leaf Japanese Maple



Coral Bark Japanese Maple



Katsura



Crabapple



Jonagold Apple



Kwanzan Cherry



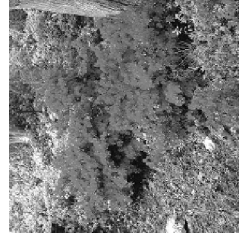
Autumnalis Cherry



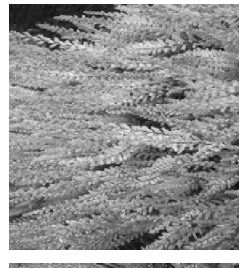
Bosc Pear



Diane Witch Hazel



Hino Crimson Azalea



Firefly Heather



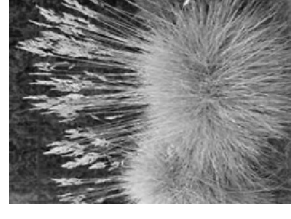
Summer Ice Daphne



Sunset Rock Rose



Blue Sea Holly



Blue Cat Grass



Saski

3130 Jutland Rd. | Landscape Concept

Rev B, Dec. 11, 2020. Plant List updated / Total Plaza Area
 Rev A, Sept. 14, 2020. Plant List updated & Arborist notes added.



LADR LANDSCAPE ARCHITECTS
 15555 Queens Ave., Victoria BC, V8T 1M5
 Phone: (250) 589-0100
 Project No: 174 Jun 12/18

City of Victoria
1 Centennial Square
Victoria BC
V8W 1P6

Attn: Mayor and Council

September 27, 2021

Re: Development Variance Permit Application for Burnside Affordable Housing 496-498 Cecelia Road

Mayor and Council,

A technical review of the rezoning application for the Burnside Affordable Housing project has identified the need for a technical variance. The project involves a lot line adjustment to the easterly boundary of the site which is adjacent Burnside School. The zoning review identified a requirement in Schedule C of the Off-Street Parking Regulations (Bylaw 80-159) where a one metre landscape buffer between the new property line location and the existing parking lot of Burnside School site is necessary.

To offset the minimal width of the landscape strip between sites, substantial landscaping along the easterly project boundary has been incorporated into the design. The projects' landscape plans will enhance planting up to the property boundary and the result will achieve the intent of the landscape buffer required in Schedule C.

This proposed technical variance would not impact the existing parking lot at the Burnside School site and will have no negative effects on the final design of the affordable housing project. Thank you for your consideration of this request.

Thank You,



Matthew Vos
Development Manager
TL Housing Solutions

Development Variance Permit
Application No. 00274 for
496 and 498 Cecelia
and
3130 Jutland Road



1



2



Subject Property



3



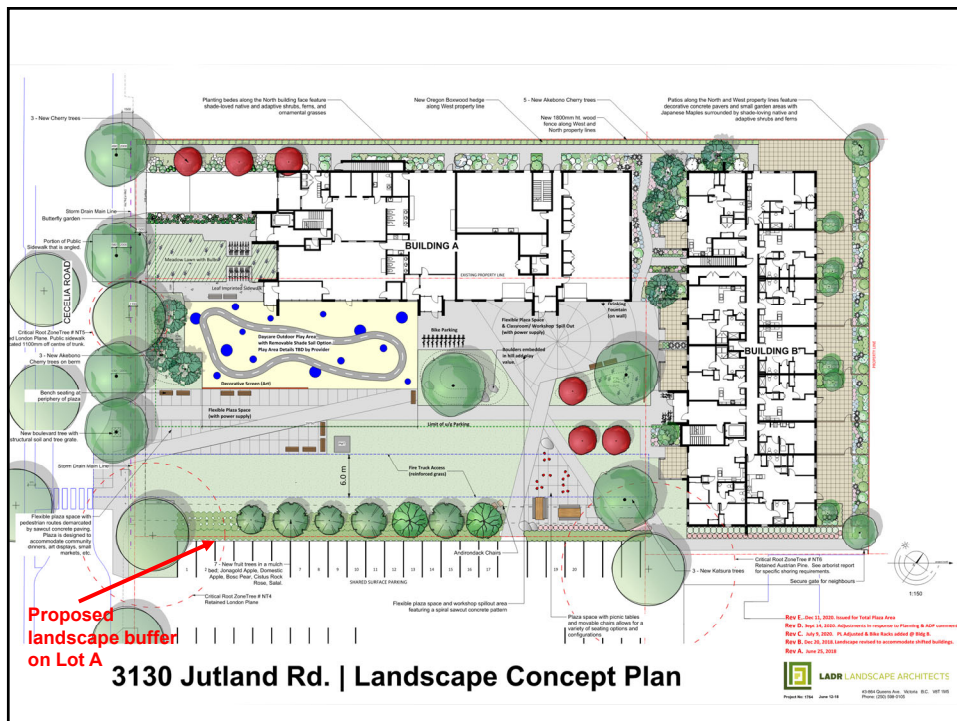
Burnside School



4



5



6