

**E.1.c.a 1022 Summit Avenue: Rezoning Application No. 00790
(Hillside/Quadra)**

Moved By Councillor Thornton-Joe
Seconded By Councillor Loveday

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.

CARRIED UNANIMOUSLY

E.1 1022 Summit Avenue: Rezoning Application No. 00790 (Hillside/Quadra)

Committee received a report dated November 25, 2021 from the Director of Sustainable Planning and Community Development regarding a Rezoning Application for the property located at 1022 Summit Avenue in order to convert the existing single-family dwelling into a multi-unit residential building consisting of three ground-oriented dwelling units and recommending that it move forward to a Public Hearing.

Committee discussed the following:

- *That this is a good form of infill and no trees are posed for removal.*

Moved By Councillor Isitt

Seconded By Councillor Loveday

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:

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CARRIED UNANIMOUSLY



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

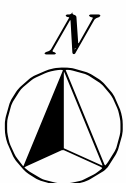
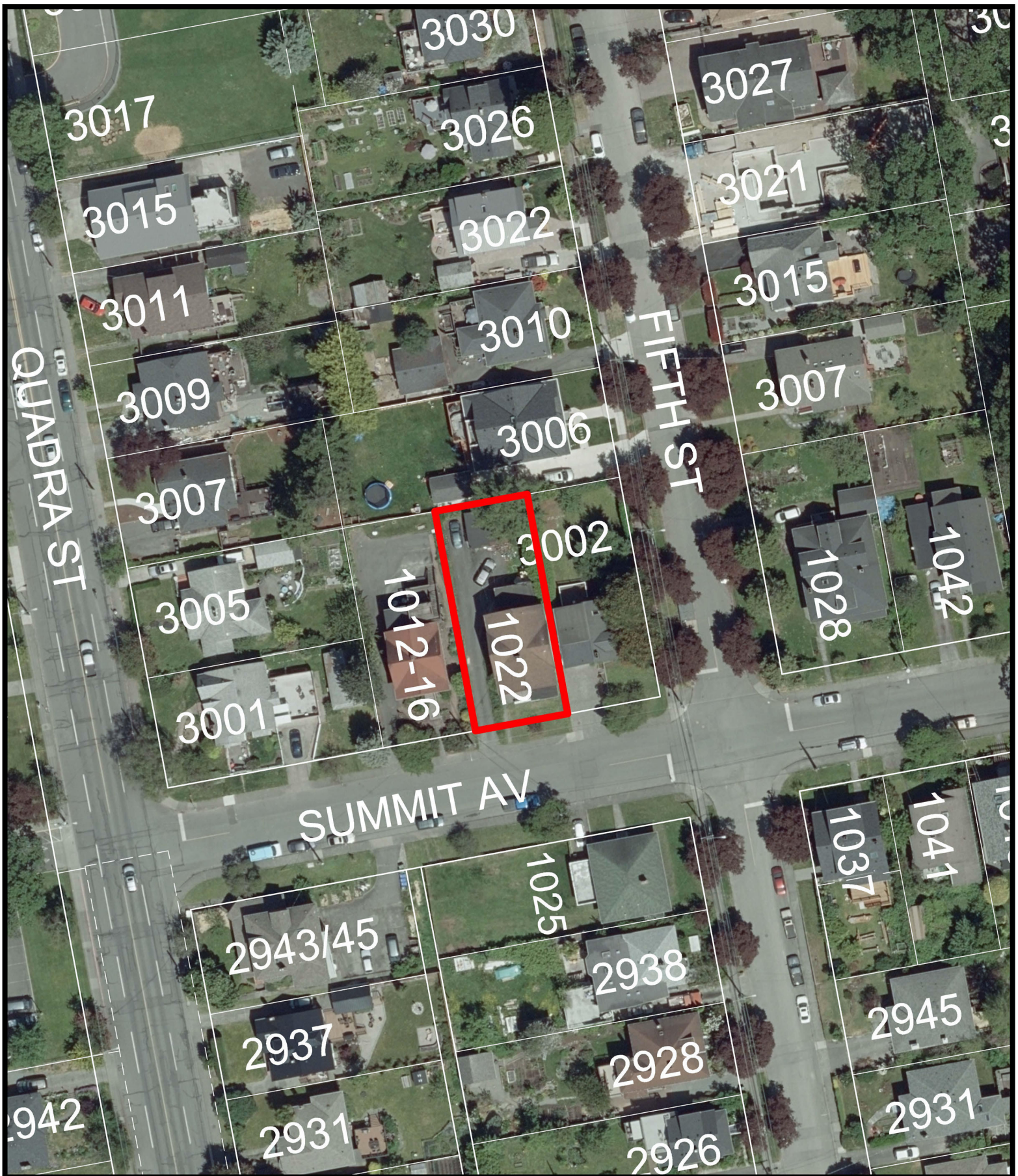
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped September 27, 2021
- Attachment D: Letter from applicant to Mayor and Council dated July 7, 2021
- Attachment E: Community Association Land Use Committee Comments dated May 29, 2021
- Attachment F: Pre-Application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



R1-B

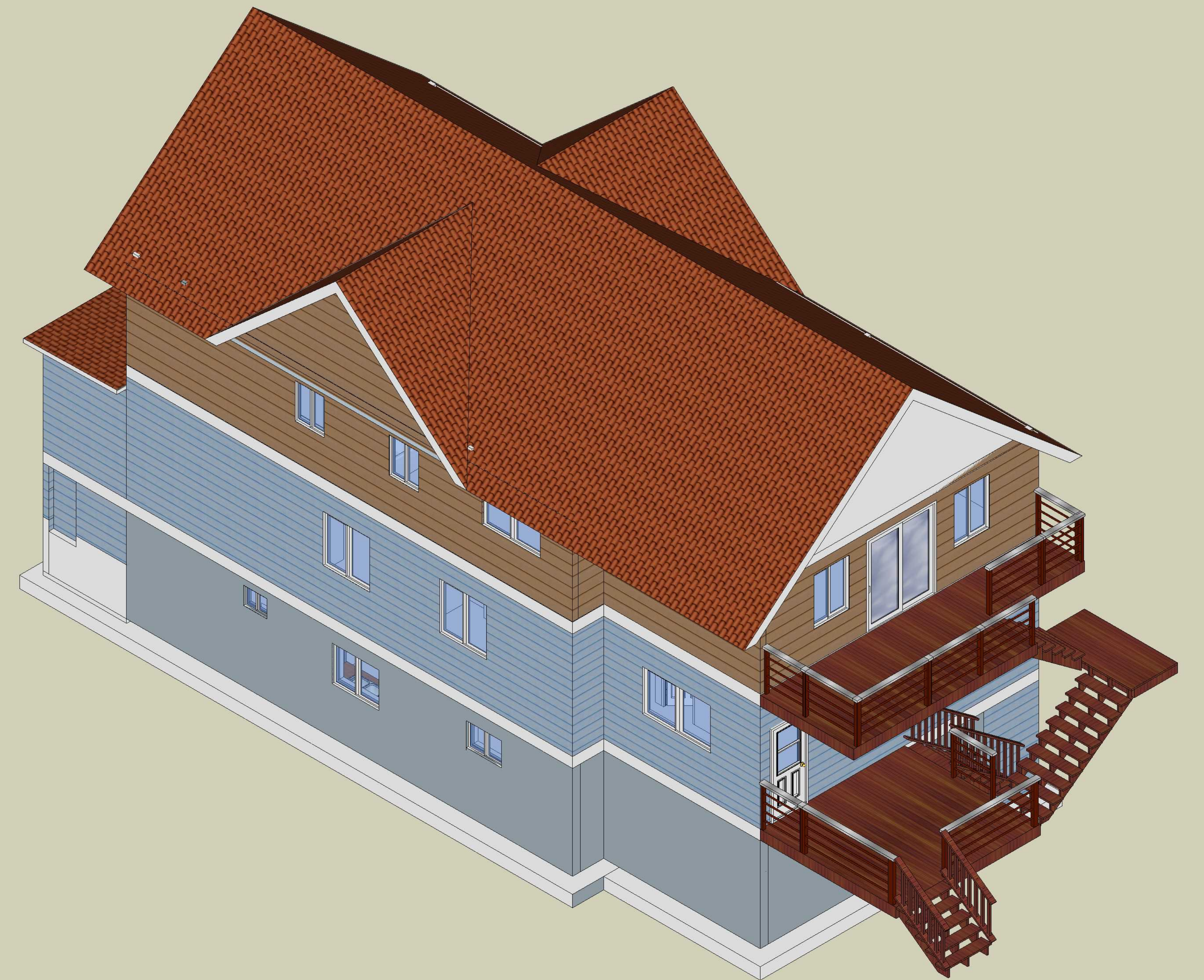
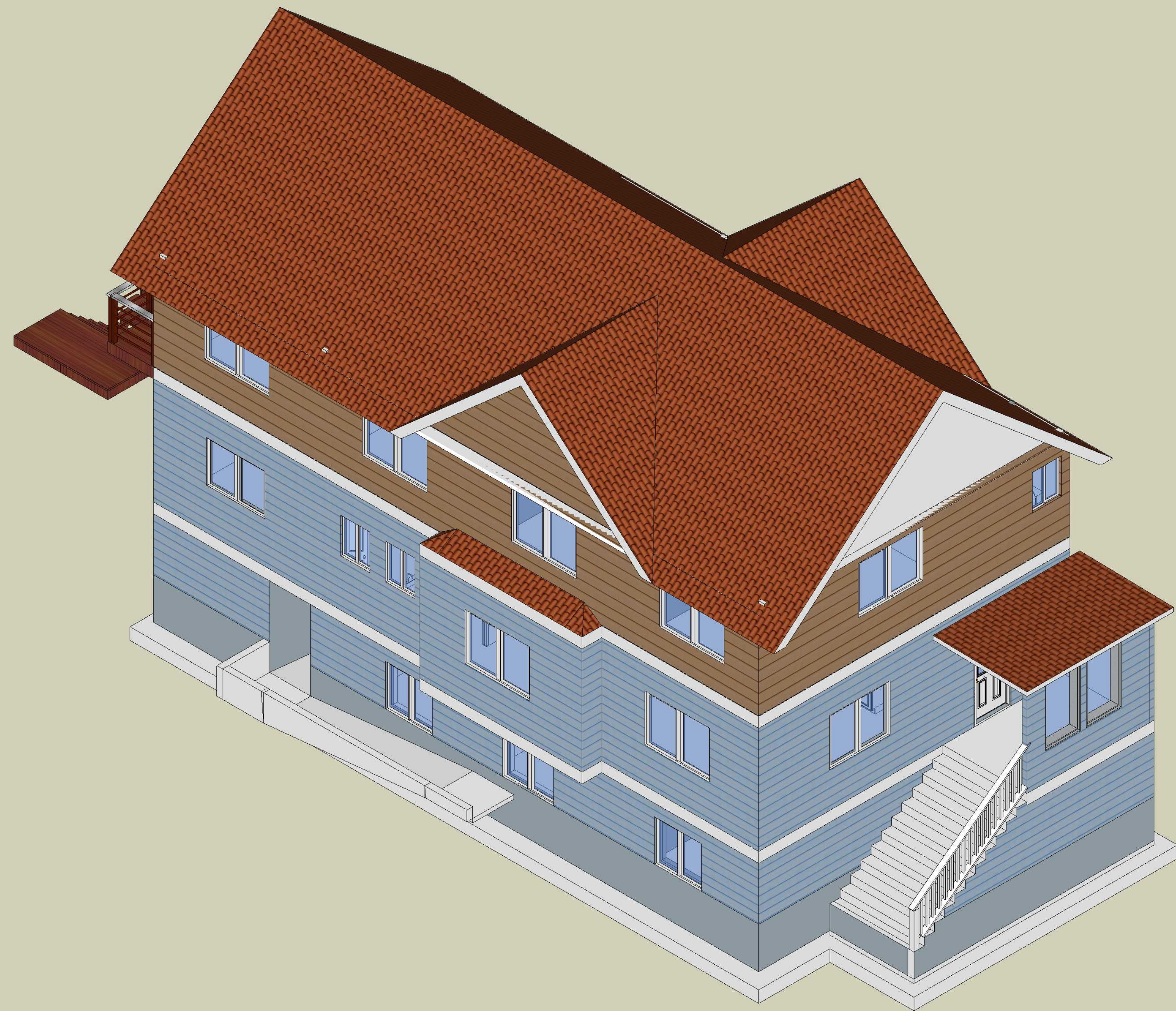
1022 Summit Avenue
Rezoning No.00790



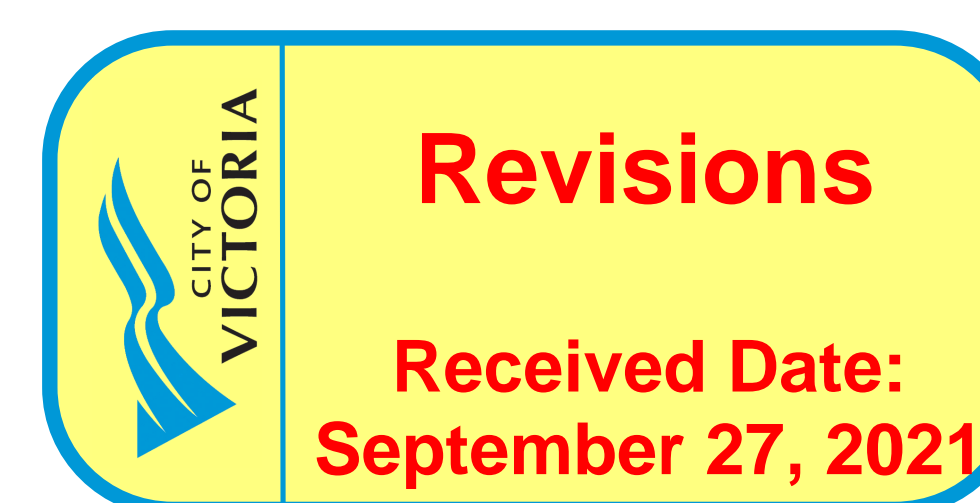


1022 Summit Avenue
Rezoning No.00790





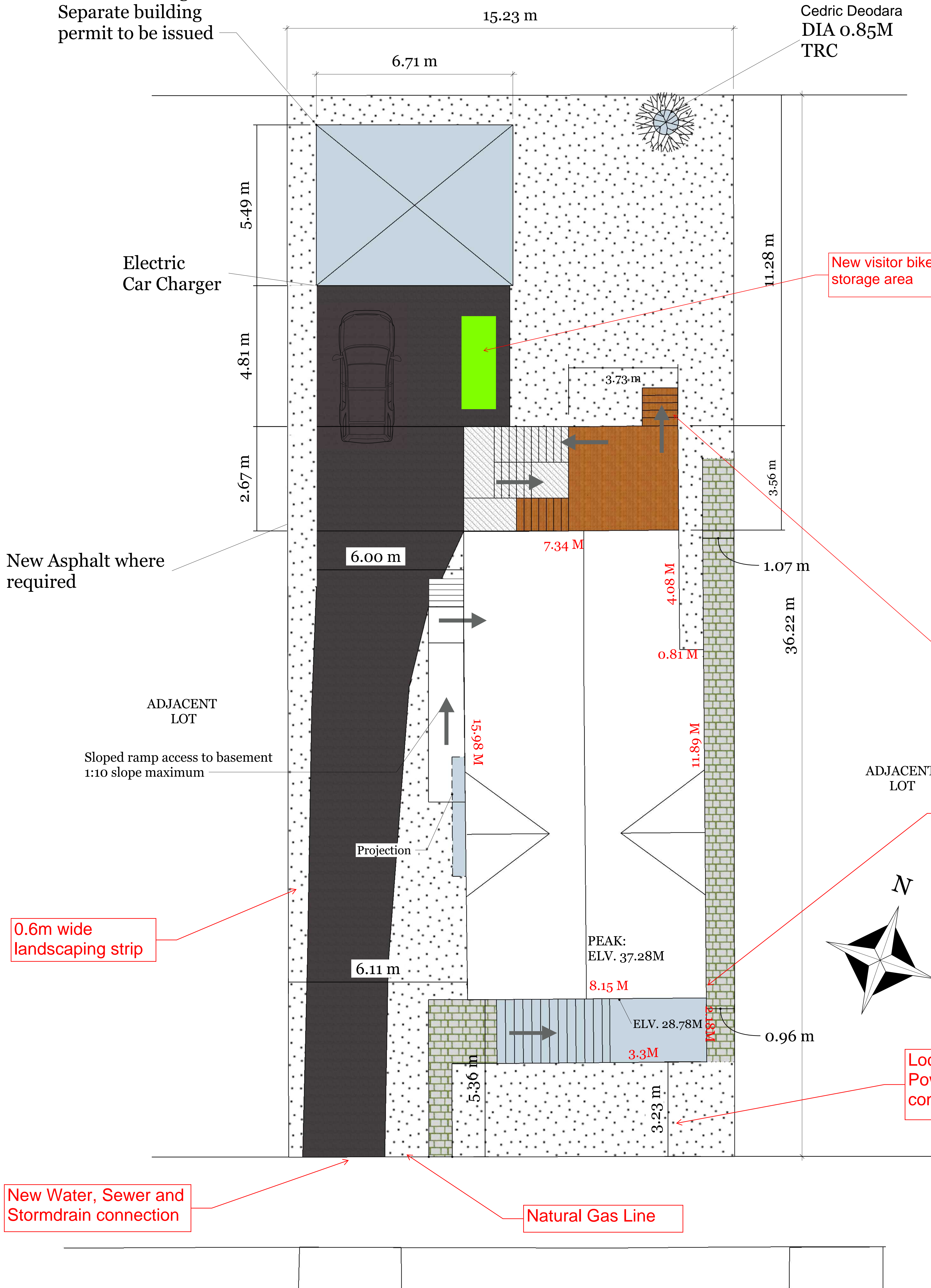
1022 Summit Avenue
Home Renovation



March 31, 2021

Detached Garage
Separate building
permit to be issued

Cedric Deodara
DIA 0.85M
TRC



PROJECT DATA TABLE	PROVIDED	PERMITTED
Municipal Address	1022 Summit Ave, Victoria, BC	
Legal Address	LOT 3 BLOCK A PLAN 1283 SECTION 4 VICTORIA	
Zoning		
Site Area	551.6 M2 / 5,783 SF	
Site Coverage	188.7 M2 / 2031 SF	40% x 5783SF = 220.6 M2 / 2,313 SF
SC - Principal Building	137 M2 / 1,475 SF	
SC - Accessory Building (Garage)	36.8 M2 / 396 SF	37 M2 / 398 SF
SC - Attached Deck (At grade)	14.9M2/ 160 SF	
SC - Landscape	204.4M2 / 2199 SF	
Front Yard	3.22 M / 10.6 FT	
Side Yard	0.96M / 6.96M Combined	
Rear Yard	11.11M / 36.4 FT	
Height	8.72M (Roof to grade midpoints)	
Number of Stories	3 stories	
Floor Area:		3,584 SF / 330 SM
Basement	86.6 M2 / 932 SF	
Main Floor	118.4 M2 / 1,274 SF	
Second Floor	116.6 M2 / 1,255 SF	

Project Details:

- Primary building renovation
- Basement to be demolished while house is shored and foundation walls reconstructed to suit.

NOTE: BUILDING LOCATION AND HEIGHT WILL NOT CHANGE FROM ITS CURRENT STATE

Note: steps will not protrude beyond the minimum setback of 9.06m - final dimensions will be shown on survey when submitted.

Likely location of new Meter Base

Location of Temporary Power Pole for construction power

New Water, Sewer and Stormdrain connection

Natural Gas Line

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778-873-7072
tar.deol@outlook.com

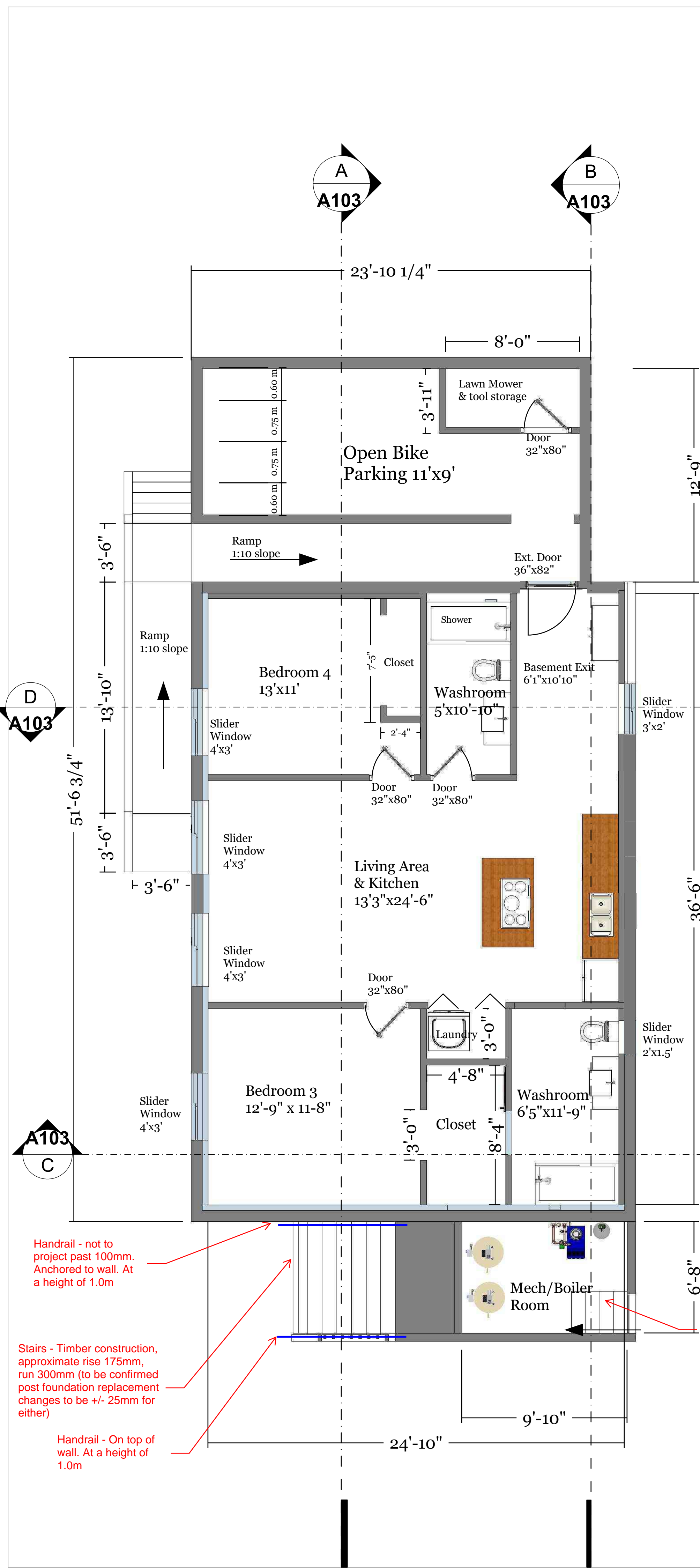
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Project:
1022 Summit Ave

Drawing Title:
Site Plan

Project Number:	Date: March 31, 2021
	Scale: 3/16" = 1'
Drawn by: TD	Checked by: TD
Drawing Number: A101	Revision: 1

SUMMIT AVE



1 Basement Plan View
Scale: 1/4" : 1'

Basement Finish Schedule:

- **Flooring:** Vinyl/laminate as required
- **Interior Walls:** 2x4 construction & 1/2" drywall all sides
- **Exterior Walls:**

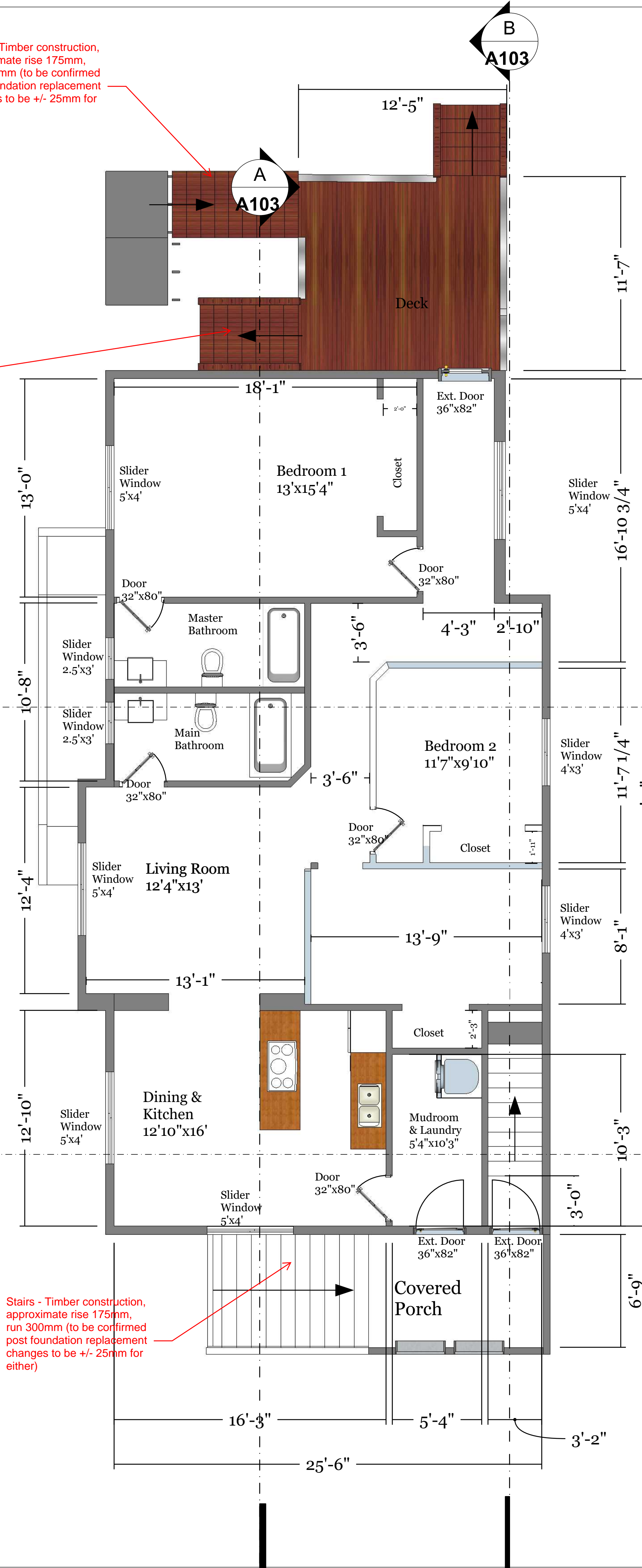
- ~8" concrete walls (as per structural), moisture barrier up wall above exterior grade level and below bottom plate, mechanically fastened by 1x3 on flat
- 2x3 or 2x4 wall construction on interior face of exterior wall
- insulate with fiberglass/rockwool batt insulation
- finished with 1/2" drywall

- **Ceiling Finish**
- insulate with 2 layers of 2x4 batt insulation (rockwool)
- finish with 5/8" thick drywall
- Include Z bar or equivalent decoupling element

*Note: 6 mil poly to be placed under basement slab for moisture protection

Rockwool safe & sound

Two layers separated by Green glue Noiseproofing compound



2 Main Floor Plan View
Scale: 1/4" : 1'

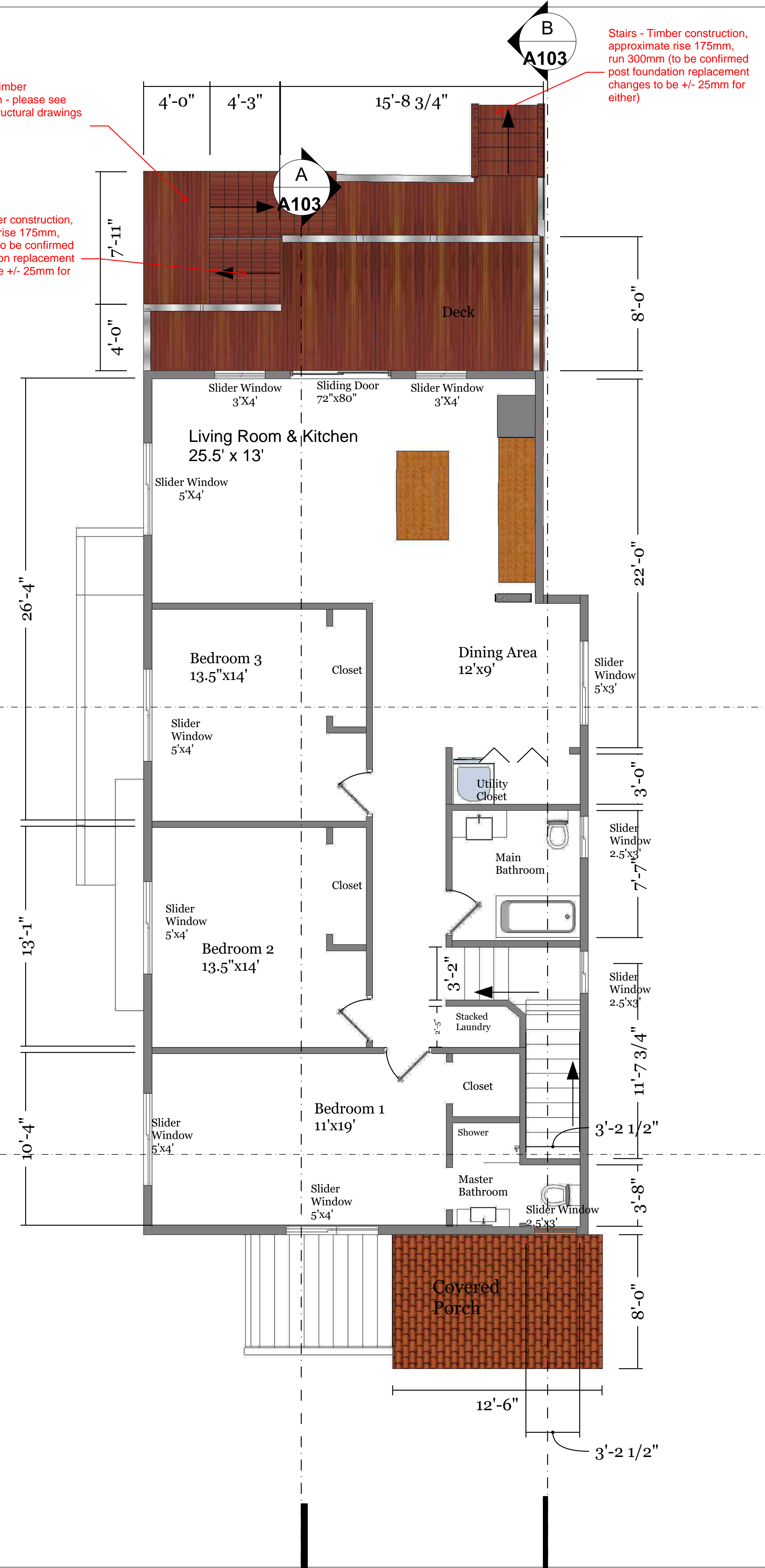
Main Floor Finish Schedule:

- **Flooring:** Vinyl/laminate as required
- **Interior Walls:** 2x4 construction & 1/2" drywall both sides
- **Exterior Walls:**

- 2x6 walls with 3/4" exterior sheathing
- insulate with fiberglass/rockwool batt insulation
- finished with 1/2" drywall
- **Ceiling Finish**
- insulate with 2 layers of 2x4 batt insulation (rockwool)
- finish with 5/8" thick drywall
- Include Z bar or equivalent decoupling element

Rockwool safe & sound

Two layers separated by Green glue Noiseproofing compound



3 2nd Floor Plan View
Scale: 1/4" : 1'

2nd Floor Finish Schedule:

- **Flooring:** Vinyl/laminate as required
- **Interior Walls:** 2x4 construction & 1/2" drywall both sides
- **Exterior Walls:**

- 2x6 walls with 3/4" exterior sheathing
- insulate with fiberglass/rockwool batt insulation
- finished with 1/2" drywall
- **Ceiling/Attic Finish**
- insulate with blown fiberglass insulation
- finish with 5/8" thick drywall

6 mil thick poly moisture barrier

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778-873-7072
tar.deol@outlook.com

REVISIONS

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Project:

1022 Summit Ave

Drawing Title:

Plan Views

Project Number: Date: March 31, 2021

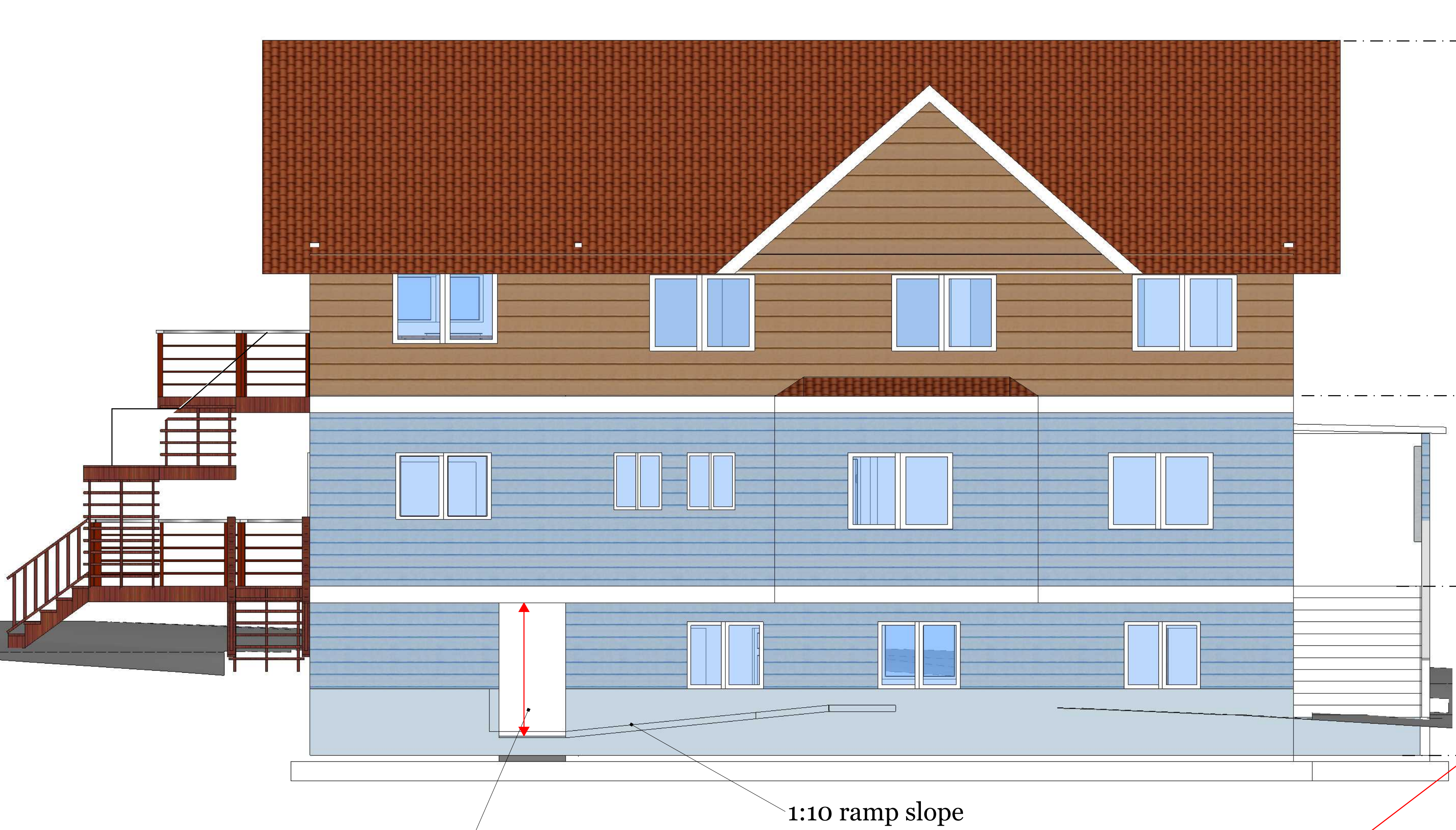
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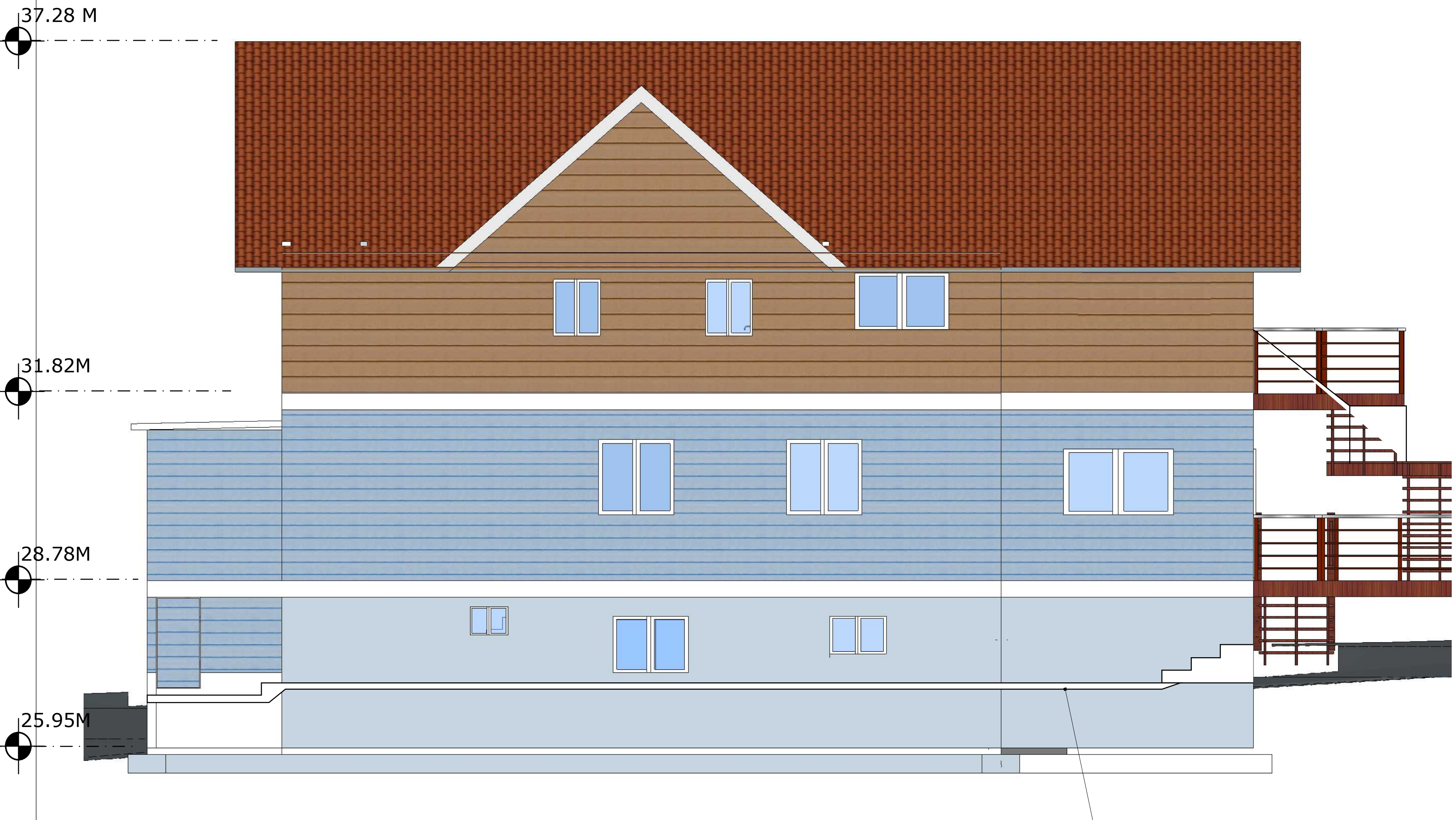
A102 1

- Exterior Siding**
- Sheathing membrane (Tyvek) or similar
 - Strapping secured to sheathing (1x2)
 - Hardy plank secured to strapping



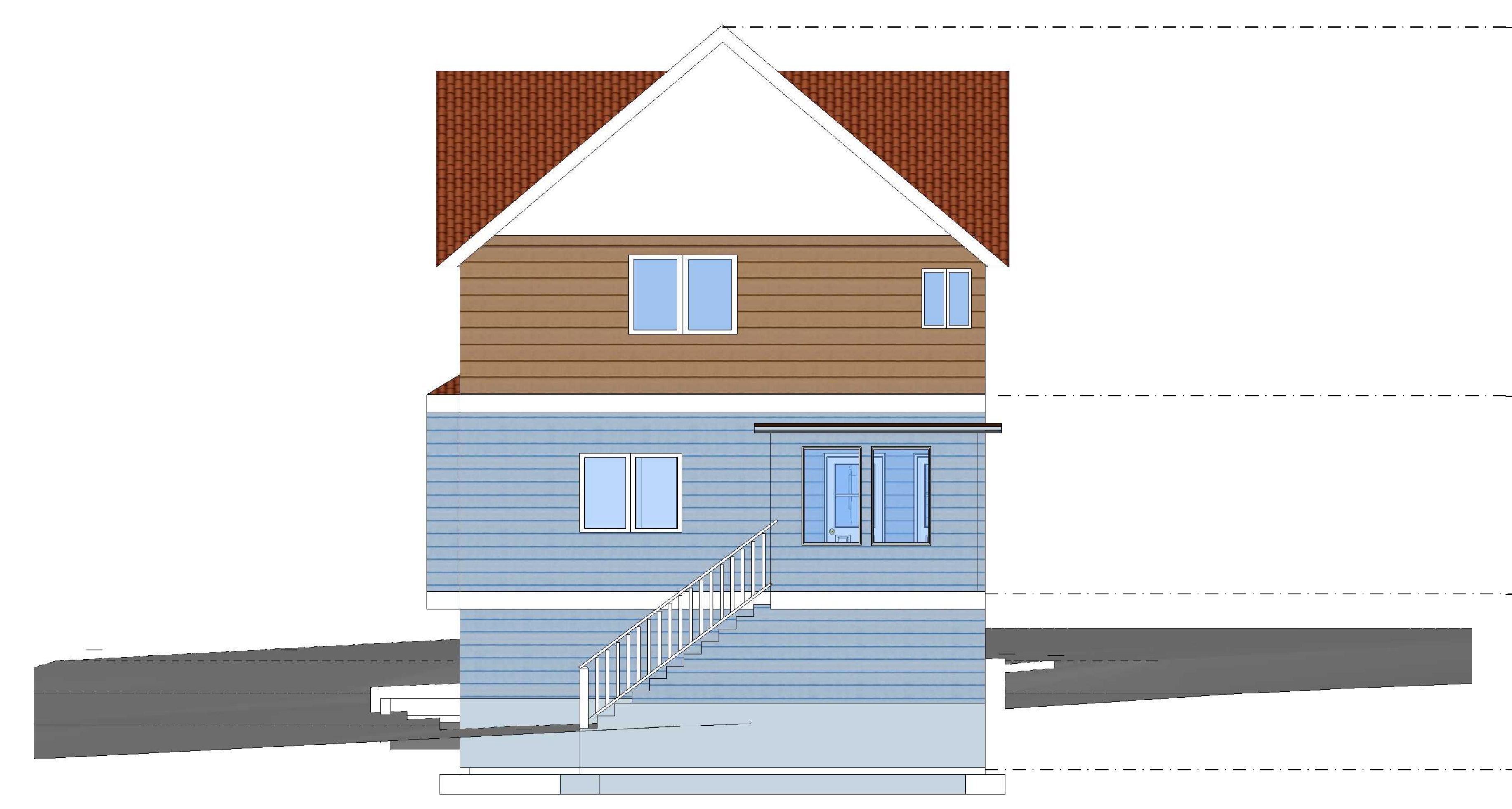
A Elevation West
Scale: 1/4" : 1'

Note: Basement at lower elevation - average depth to lower approximately 60cm.

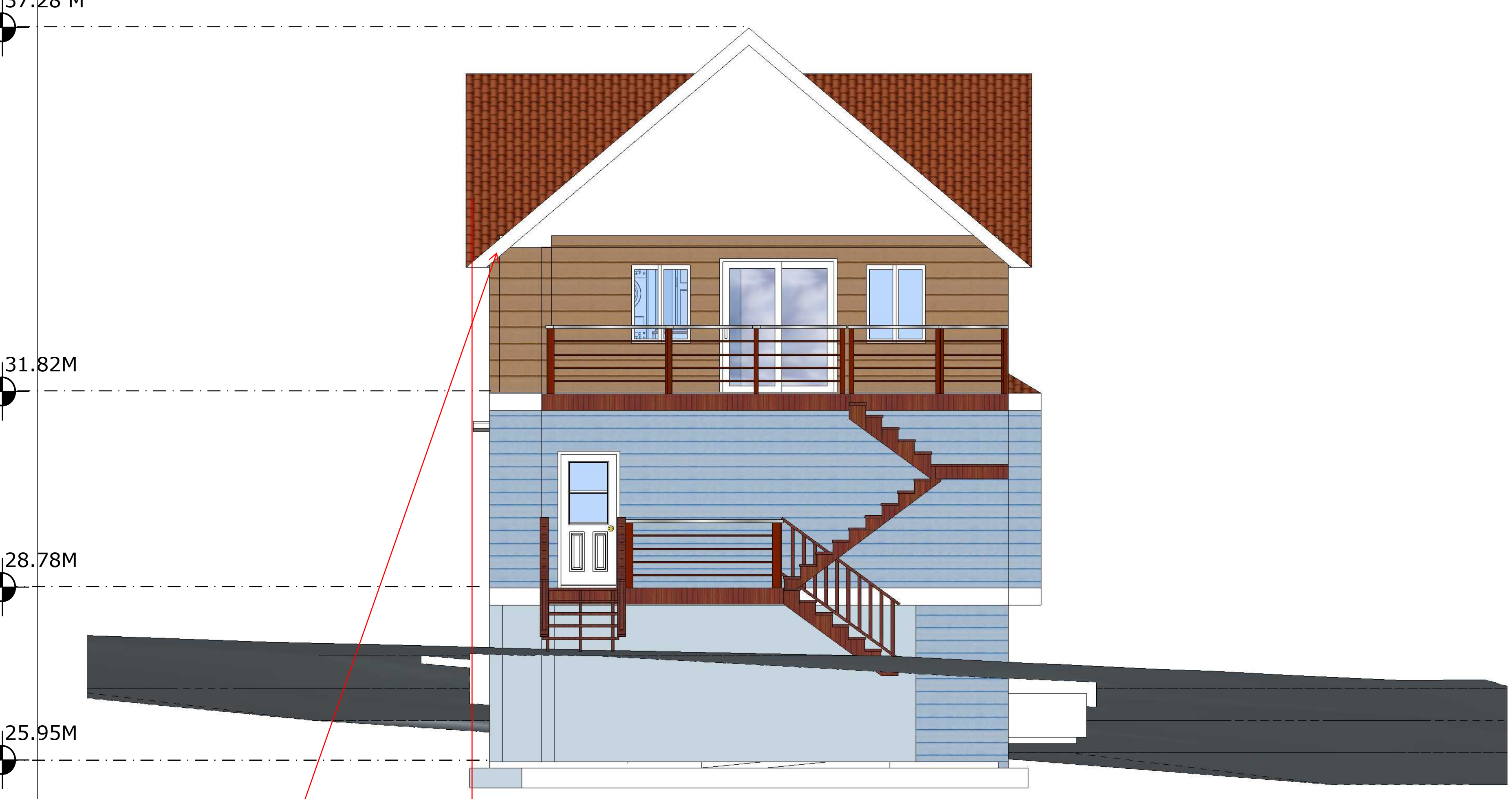


B Elevation East
Scale: 1/4" : 1'

Stepped and pathway as required for pathway 6" below underside of windows



C Elevation Front
Scale: 1/4" : 1'



D Elevation South
Scale: 1/4" : 1'

Note: Edge of soffit projection to be a minimum of 0.5m from the property line. Max projection off the side of the house is 1.0m

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tar.deol@outlook.com

REVISIONS	
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Project:
1022 Summit Ave

Drawing Title:
Building Elevations

Project Number: Date:
March 31, 2021

Scale:
1/4" = 1'

Drawn by: Checked by:
TD TD

Drawing Number: Revision:

A104 1

July 7, 2021

Re: Rezoning for 1022 Summit Ave.

Dear Mayor and Council,

I am requesting a new zone to be permitted for my property on Summit Ave. The property was converted to a duplex pre-1984 and the building has reached the end of its service life. It is my intention to change the allowable number of suites from two to three while completely renovating the home.

The home renovation will result in the building having three dwelling units – two 3-bedroom and 2-bathroom suites and one 2-bedroom 2-bathroom suite. The intent of the rezoning is to provide owner use and rental suites to small families as identified in in the city's "missing middle housing" analysis. From speaking with city staff and others in the city, there is a demand for suitable housing for families. These suites will help fill that void.

The project will be a benefit to the neighborhood by increasing the visual appeal of the property as well as providing a safe and comfortable place to live for the occupants. Furthermore, the original timber structure will be reused in order to minimize waste and environmental impacts. The building will be slightly longer but not change shape such that it will not change the look and feel of the neighborhood. All the services (hydro, sewer, water & storm sewer) to the building will be upgraded to current standards, secure and covered bike parking will be provided and an electric car charger will be installed in order to satisfy the requirement of schedule C and encourage "greener living."

The development would be minimally inconvenient for the neighbors as good off-street parking is available for the construction equipment. There would be some considerable noise during the jacking, excavation and concrete pour phases, but after that the impact will not be substantial. I plan to perform most of the work myself with a very small crew in order to ensure a minimal impact on the neighboring properties. Also, there will be no displaced tenants as a result of this development.

In summary, the overarching plan is to provide high quality living space for small families while keeping the building structure and feel similar to its current state. Please consider this application and reach out to me in case there is any confusion or more information is required from me.

I sincerely appreciate your consideration.

Frank Maier

By email to: Hillside Quadra Area Planner, Michael Angrove,
mangrove@victoria.ca, CALUC@victoria.ca
City of Victoria

29 May 2021

Dear Michael Angrove:

Re: Hillside-Quadra CALUC Community Meeting for 1022 Summit Avenue

Community Meeting Details

Date: 29 April 2021

Location of meeting: Online via Zoom

Attendance: 10: 9 local residents; 1 proponent

Hillside Quadra Neighbourhood Action Committee (NAC): 3 members

Meeting Chair: Jon Munn; Zoom host CALUC Co-Chair: Rowena Locklin

Note taker: John Hall

Proposed Development Details

Proponent and owner Frank Maier presented the proposal and answered questions. Prior to 1984 the house was converted to a duplex. He bought the c.1910 house in 2019 in order to renovate the existing building to accommodate three family units, one of which he may occupy in the future. He intends to keep the units rental and not strata.

The subject property currently has one 2 ½ storey house with a partial above-ground basement on a 5,783 sq ft (551.6 sq m) lot on the north side of Summit Avenue near Fifth Street.

The applicant proposes to rezone from the existing R1-B Zone to a new zone which will permit three units or a 'triplex.' Extensive renovations are needed to correct previous unpermitted (rear) renovations, meet the building code (electrical, fire separation) and provide an 8-ft ceiling height for the proposed lower/ basement unit. The building will remain in the same location with a new extension on back done to required setbacks of 1.5m. The current 0.98m east setback is legal non-conforming and will not change. The building will be raised and a new foundation poured. The floor area will increase from 3200 sq ft to 3500 sq ft. The top floor suite will increase in floor area, but the other suites will remain the same.

Discussion

Issues

A number of issues were discussed.

Tenure

There was a brief discussion regarding rental and strata options and the proponent indicated he was not going to create three legally separate/ strata units. One attendee commented on the benefit of more rental housing.

Dwelling Setback

The nonconforming nature of the old house, particularly the 0.98m east setback, was briefly discussed. The proponent said he had support of the neighbours, but the adjacent eastern neighbour at 3002 Fifth Street who would be most affected did not attend the meeting.

Design – Privacy, Landscape, Parking

The adjacent resident to the rear stated that the proposed back decks are not far from their bedroom. They also raised some concern regarding their view to downtown. They expect to collaborate in future to ensure privacy for them and the 1022 tenants and support the development. One proposal is to put up screens on the decks to give their house and the tenants' privacy.

There was a brief discussion regarding retention and height of the Douglas fir at the rear of the lot. The applicant stated that it can be retained and likely no root pruning would be necessary.

Some meeting attendees were surprised that only one parking spot is required. A garage with two moderate spots will remain in the back where two small vehicles could park. Two electric vehicle chargers are proposed, while the presented drawing shows one by the garage at the rear.

Conclusion

The discussion regarding the proposal for 1022 Summit Avenue centred on how the renovated building would accommodate privacy of neighbours. Some concern regarding parking was raised, but this was not a cause for objection.

Jon Munn
CALUC Co-Chair
Hillside Quadra Neighbourhood Action Committee

cc. Hillside Quadra NAC, Frank Maier

Survey Responses

1022 Summit Avenue Feedback

Have Your Say

Project: 1022 Summit Avenue



VISITORS

5

CONTRIBUTORS

2

RESPONSES

2

0

Registered

0

Unverified

2

Anonymous

0

Registered

0

Unverified

2

Anonymous



Respondent No: 1

Login: Anonymous

Email: n/a

Responded At: Apr 26, 2021 17:48:49 pm

Last Seen: Apr 26, 2021 17:48:49 pm

IP Address: n/a

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

I own 2937 Quadra St., approximately 2 houses south of the subject property. I think it is an eellent proposal for the use of the land/house at 1022 Summit Ave., the City desperately needs more housing, and the current lack of density is unacceptable in my view. My neighbourhood could stand much more in the way of infill,suites in existing homes, and general densification. I fully support the proposal.

Q3. **Your Full Name** Ann Elizabeth (Betty) Andersen

Q4. **Your Street Address** 2937 Quadra St., Victoria, BC V8T4E9

Q5. **Your email address (optional)** not answered



Respondent No: 2

Login: Anonymous

Email: n/a

Responded At: May 11, 2021 07:34:18 am

Last Seen: May 11, 2021 07:34:18 am

IP Address: n/a

Q1. **What is your position on this proposal?** Support

Q2. **Comments (optional)**

not answered

Q3. **Your Full Name** Doug Darwish

Q4. **Your Street Address** 300 Waterfront Crescent

Q5. **Your email address (optional)** not answered



Tenant Assistance Plan

The Tenant Assistance Plan and appendices must be submitted at the time of your rezoning application, and should be submitted directly to housing@victoria.ca. Please contact your Development Services Planner with questions or concerns.

Date of submission of Tenant Assistance Plan to Housing Policy staff:

Current Site Information

Site Address:	1022 Summit Ave
Owner Name:	Frank Maier
Applicant Name and Contact Info:	Frank Maier 250-880-7500
Tenant Relocation Coordinator (Name, Position, Organization and Contact Info):	Frank Maier

Existing Rental Units

Unit Type	# of Units	Average Rents (\$/Mo.)
Bachelor		
1 BR		
2 BR	2	0
3 BR		
3 BR+		
Total		

Current Building Type (check all that apply):

- Purpose-built rental building
 Non-market rental housing
 Condominium building
 Single family home(s), with or without secondary suites
 Other, please specify:

Converted from SF to duplex pre 1984

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](#).

The City of Victoria's [Tenant Assistance Policy](#) is intended to supplement the Residential Tenancy Act and offer additional support for tenants in buildings that are being considered for redevelopment. To review the full Tenant Assistance Policy and supporting documents, please refer to the City of Victoria's [website](#).

POLICY APPLICATION

If your plans to redevelop this property will result in a loss of residential rental units AND will require tenants to relocate out of the existing building(s), please submit a Tenant Assistance Plan with your application.

Do you have tenant(s) who have been residing in the building for more than one year, at the time when application is submitted? Yes No

If yes, tenants are eligible for support. Please complete the full form.

If no, please skip to and complete Appendix A: Occupant Information and Rent Roll.

When completing this form, please refer to the Tenant Assistance Policy guidelines for Market Rental and Non-Market Rental Housing Development. Please note that the form includes the required FOIPPA section 27(2) privacy notification which should be communicated to tenants.

APPLICANT: Please complete the following sections to confirm the details of the Tenant Assistance Plan:	CITY STAFF: Did applicant meet policy?	
Compensation Please indicate how you will be compensating the tenant(s). Please specify whether option 1 or 2 will be provided, and whether at existing rents or CMHC average rates. (See Policy Section 4.1 or 5.1)		Yes <input type="checkbox"/> No <input type="checkbox"/>
Moving Expenses Please indicate how the tenant(s) will receive moving expenses and assistance. Please specify whether option 1 or 2 will be offered. (See Policy Section 4.2)		Yes <input type="checkbox"/> No <input type="checkbox"/>
Relocation Assistance Please indicate how the tenant(s) will receive relocation assistance, including the staff responsible or whether a third-party will be involved. (See Policy Section 4.3 or 5.3)		Yes <input type="checkbox"/> No <input type="checkbox"/>
Right of First Refusal Please indicate whether the applicant is offering right of first refusal to the tenant(s). Please indicate your reasoning. (See Policy Section 4.4 or 5.5).		Yes <input type="checkbox"/> No <input type="checkbox"/> N/A <input type="checkbox"/>
Tenants Requesting Additional Assistance Please indicate whether tenant(s) have requested additional assistance above policy expectations, and specify what additional assistance will be provided. (See Policy Section 6.0)		Yes <input type="checkbox"/> No <input type="checkbox"/>

APPLICANT:

Please complete the following sections to confirm the details of the Tenant Assistance Plan:

How and when did you inform tenants of the rezoning or development application? (Please refer to Policy Section 3.4)

How will you be communicating to tenants throughout the rezoning or development application (including decisions made by Council)? (Please refer to Policy Section 3.4)

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)

Other comments (if needed):

[Empty text area for other comments]

FINAL Tenant Assistance Plan Review - [For City Staff to complete]

Application reviewed by Amanda Blick McStravick (City Staff) on 2021-11-12 (Date)

Did the applicant meet TAP policy? Yes No N/A

Staff comments on final plan:

Tenant Assistance Policy does not apply as there are no eligible tenants on site.



M.B. ARBORICULTURE

Michael Bridgman, Consulting Arborist

ISA certified #UI-1221AM

3412A Gratton Road, Victoria, BC V9C 1Z1

Tel: 250-634-2376

Email: mbarboriculture@gmail.com

Arboricultural Impact Assessment & Tree Protection Plan

Client: Frank Maier

Client email: maierfrank@outlook.com

Property location: 1022 Summit Ave

Site visit conducted at: August 6, 2021

Site conditions: Sunny

Date of completed report: August 24, 2021

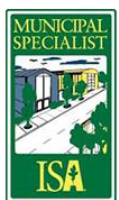
Completed by:

Michael Bridgman

ISA Certified Arborist #UI-1221AM

ISA Tree Risk Assessor

Insurance policy numbers: SR034748 (CCGL), PSG00589802 (E&O)



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1.0 Summary

To provide optimal tree protection during the planned construction work, the proposal will limit the extent of the foundation within the PRZ of the Douglas Fir (T30) protected under the City of Victoria Tree Protection Bylaw (No. 21-035) by utilizing concrete pads that will allow for the retention of roots greater than 5cm in diameter. The placement of the pilings will be decided upon after trial pits are dug to ensure the placement will have the least impact on the tree's root system.

The Project Arborist shall be onsite to supervise any excavation or fill placement required within the PRZ.

All retained trees will require tree protection measures including tree protection fencing (TPF), ground protection and supervision of activities in the PRZ by the on-site Project Arborist.

All other significant tree cover within the area will remain intact and unaffected.

No construction works or heavy plant machinery will access the site until the tree protection measures outlined within the report are completed and agreed by the Project Arborist.

2.0 Scope of work

MB Arboriculture was instructed by Frank Maier (Client) to undertake a tree impact assessment at 1022 Summit Avenue in preparation for the proposed development and subsequent construction work where trees protected under the City of Victoria Tree Protection Bylaw (No. 21-035) may be impacted. This report provides a general assessment of these trees located on the parcel of land in question.

The scope of work:

- Identify trees protected under the City of Victoria Tree Protection Bylaw (No. 21-035) that may be impacted by activities occurring as part of the proposed project
- Assess the health and structural condition of these “protected trees”
- Provide recommendations for the protection of trees through all phases of construction to minimize impacts to health and structural condition
- Identify conflicts or conditions that require removal and replacement of

“protected trees”.

3.0 Tree survey methodology

The tree survey includes any trees protected within the scope of the tree bylaw both on-property and off-property that could potentially be impacted by the proposed development. The initial visual inspection of these protected trees on the property was undertaken on the August 11, 2021 as well as any boulevard, municipal owned trees included due to the proximity of the canopies and rooting areas to the site. Trees were surveyed individually and inspected from ground level only; no climbing inspections or specialist decay detection were used. Should a more detailed inspection be deemed appropriate, this will be covered under the Recommendations.

The trees were inspected to determine their health, condition and capability to withstand the proposed construction.

For the completion of the survey, I assigned a tree reference number, and tag to trees protected within the property. Tags were not placed on any trees on municipal land or neighbouring properties and, as access was not granted, only estimated measurements were taken. Details of genus and size (DBH in cm) were noted (see Appendix I Tree Inventory). Protected Root Zone (PRZ) is in meters. Canopy spread was recorded in meters. Tree condition (both physiological and structural) was assessed and an indication of their tolerance to construction activity given¹.

4.0 Tree resource and site description

The terrain of the site is relatively flat in a well-developed area. The overall tree cover for the lot is sparse with just a single Douglas Fir located in the north-east corner close to the garage. A well-established Cypress hedge located in the neighbour’s yard to the east runs the extent of the fence line and has been pruned back hard on one side. This is not protected under the City of Victoria Tree Protection bylaw. A small ornamental Crab Apple owned by the municipality is located at the frontage of the property. Upon my visit there was no sign of any recent soil disturbances in and around the trees.

¹ Trees and Development - A technical guide to preservation of trees during land development. By Matheny N and Clark JR.

5.0 Foreseeable impacts due to construction activity

The proposed project is to replace the existing foundation along with the underground utilities, as well as construction of an addition at the rear of the property. A total of two [2] trees were surveyed. One [1] located on the property and one [1] located/owned by the municipality.

The current plan is to retain all the trees both on and off property and incorporate them into the design. Protection measures will need to be implemented before any further demolition or construction activities take place to ensure the impacts from said work is minimized. These protection measures are covered in Section 5.0.

Given the addition at the rear of the property the Douglas Fir (T30) located in the north-east corner of the property will need tree protection fencing as detailed in the site map. Where footings/foundation are to be within the PRZ of the tree in question concrete pad footings are being used to reduce the damage to roots and disturbance of the soil. The smallest practical diameter will be used and selected to protect the PRZ from any potentially toxic effects of uncured concrete. All support locations shall be hand dug to a depth of 60cm to identify any roots present over 5cm in diameter. The priority will be to remove the soil without damaging the bark and wood of significant woody roots. Trial pits should be excavated to ensure all pilings are located to avoid severing any roots in excess of 5cm; retention of individual roots and clumps greater than 5cm is the goal. This will ensure little to no detrimental impact on the health of T30. Any excavation within the PRZ of T30 shall be done under direct Arborist supervision and direction. Sufficient flexibility should be allowed in the design to allow support locations to be moved to avoid any roots over 5cm in diameter. Alternatively, structures can be cantilevered to avoid roots.

Prior to backfilling, retained roots should be surrounded with top soil or uncompacted sharp sand or other loose inert granular fill before soil or other suitable material is replaced. This material should be free of contaminants and other foreign objects.

Tree protection measures such as TPF, ground protection and limitations on construction activity shall be implemented to ensure that the tree is protected during the construction phase. TPF will be utilized as well as ground protection (such as current hard surfacing) to reduce the incidence of compaction and likelihood of soil contamination.

All of the proposed locations of the new services (water, sewer, storm sewer, gas, electric) are to be routed from the front of the home. The placement is outside the PRZ of the Crab Apple (M31)(see Appendix II). TPF will be required to protect tree M31 from any construction machinery and foot traffic.

When raising the home to improve/upgrade the foundation, the placement of the support pads and movement of machinery and beams shall be outside the PRZ of the trees outlined in this report and as far away as feasible to ensure there is no compaction to the soil surrounding the trees. There should be no vehicular or repeated pedestrian access to the PRZ of the trees contained in this report unless existing ground protection (current driveway/hard standing) is retained or new protective measures such as 20 cm of coarse wood chips and a double layer of ¾ inch plywood are installed and agreed upon.

Any excavation within the PRZ of the trees will be undertaken with hand tools and/or with a small excavator with a non toothed grading bucket under the direct on-site supervision by the Project Arborist.

The construction is not expected to have an overall negative impact on the health or vitality of any tree marked for retention.

6.0 Tree protection & mitigation plan

The PRZ of all protected trees identified in this report to be retained will be 18 times the diameter of the tree.²

Tree protection fencing (TPF) will be required as outlined in the Tree Management Plan (Appendix II) and Appendix IV. All fencing required should be erected, agreed and verified prior to the commencement of any construction work including erection of any temporary structures. Once established the fences should not be removed or altered without prior consultation with the Project Arborist and approval of the municipality. Fencing should be clearly visible and suitable for the location. Securely affixed orange snow fence or plywood and clearly marked as **WARNING - TREE PROTECTION AREA** should be affixed to the fence (see notes on TPF specification by the City of

² Best Management Practices (BMP) - Managing Trees During Construction, Second Edition By Kelby Fite and E. Thomas Smiley

Victoria in Appendix IV). Special attention should be paid to ensure that the fencing remains rigid and intact.

Once areas around trees have been protected by fencing, any works on the remaining site area may commence providing activities do not impact the protected areas. Site access will be via the existing driveway.

If temporary access is required outside of the TPF but within the PRZ for whatever reason soil shielding in the form of ground protection shall be used. A range of methods can be utilised including retaining existing hard surfaces that already protect the soil, installing new materials or a combination of both such as in the form of 20 cm of coarse wood chips and a double layer of ¾ inch plywood. Additional measures such as the temporary use of load bearing geotextile fabric may be employed with the approval of the Project Arborist. Whatever the choice of method the end result must be the underlying soil (rooting area) remains undisturbed and retains the capacity to support existing and new roots.

Any storage of materials on site should be clear of all retained trees and positioned to ensure no contamination/run-off into soils in proximity to trees.

The removal of existing structures and/or hard surfaces from within PRZs should be undertaken separately to construction i.e manually and with sensitivity. Any excavation within or adjacent to the PRZ, at any depth, for any reason shall be directly supervised by the Project Arborist. This includes excavation for all underground services, driveways and sidewalks, and structural foundations and the removal of any stumps in the PRZ by an excavator or similar machine. Working radially inward toward the tree, the excavator will remove the soil incrementally with a non-toothed grading bucket allowing any exposed roots to be pruned to an acceptable standard by the Project Arborist. Any roots encountered may need to be cut, and if so, should be done so as cleanly as possible and back to sound tissue under direct onsite supervision by the Project Arborist. Any roots found with a diameter less than 5cm shall be cleanly cut by the Project Arborist; roots 5cm in diameter or above shall be excavated around without damaging them. The Project Arborist shall then decide if its feasible or necessary to retain the root. Roots that have been pruned are to be covered with a layer of burlap and kept damp for the duration of the project.

Where applicable, a Hydro-vac or Airspade® may be employed to expose critical roots and in areas where there is likelihood that larger structural roots may be present.

Tree protection measures will not be amended in any way without approval from the Project Arborist. Any additional tree protection measures will be documented in a memo to the Parks Department at the City of Victoria and the developer.

7.0 Role of the Project Arborist

Pre-Construction

- Prior to construction, all trees identified to be retained will be protected with TPF. The fencing shall be inspected by the Project Arborist (after installation), and photographed and maintained for the whole duration of construction. It shall not be removed until authorized by the Project Arborist and Municipality.
- A site meeting to include the Project Arborist, developer, project supervisor and any other related parties to review/amend the tree protection plan will be held at the beginning of the project. This meeting is where the details of the tree protection should be agreed and finalised.
- If appropriate, preparation of any revised plans and specifications for the agreement of the Municipality.

During Construction

- If excavation is required within the PRZ, this must be supervised/directed and documented by the Project Arborist.
- The developer must keep a copy of the tree protection plan on site to be reviewed and/or initialed by everyone working inside or around the PRZ of trees.
- The Project Arborist is responsible for ensuring that all aspects of this tree protection plan, including violations, are documented in memorandums to the municipality and the developer.

Post-Construction

- Following construction, the PRZ and trees shall be inspected by the Project Arborist and documented according.

- Removal of TPF and ground protection (if needed). The TPF should only be authorised for removal once there is no risk of damage to the PRZ from any construction activity.

8.0 Tree replacement plan

As per Schedule “E” of the bylaw (No. 21-035), two planting areas were identified; one at the front of the property and one to the rear (see Appendix VII). Planting area 1 at the rear of the property is constrained by the existing large Fir (T30) as well as the proximity to the house and garage. Given these factors it is proposed that a medium tree (*Cercidiphyllum japonicum*) be planted in this location. In planting area 2, it is proposed that 1 small tree be planted (*Magnolia grandiflora*), given the proximity of existing tree M31 and location of site services.

9.0 Recommendations

All trees protected under the City of Victoria Tree Protection bylaw will be retained.

All retained trees should be suitably protected with appropriate TPF and ground protection (with set back as necessary to allow for the works within the PRZ) for the duration of the construction project and shall only be removed upon completion of all the construction works.

Any excavation within the PRZ of any retained trees will be undertaken under the direct supervision and guidance of the Project Arborist. Works will be stopped if the activities are considered to have the potential to damage the trees outlined in this report. All work within the PRZ shall be carried out by a preferred method (Hydro-vac or Airspade®) or other agreed upon method.

No prior pruning of retained trees is required based on the visual assessment undertaken that was only intended to address significant hazards identified during the assessment.

Disclosure statement

An arborist uses their professional education and experience to assess trees and provide recommendations on the management of trees that will promote or improve their physical and structural health and reduce risks to human life and the built environment.

This report, its appendices and any subsequent revisions thereof, will form part of any formal planning application in respect of the development of this site, and as such will be open to public scrutiny and comment.

Limitations

The use of this report is intended solely for the addressed client and may not be used or reproduced without the consent of the author.

The findings of this study are valid for a period of 12 months from the date of survey. If works have not commenced by this date, an updated site visit should be carried out by a suitably qualified and experienced arborist to assess any changes to the trees and groups on site and to inform a review of the conclusions and recommendations made.

Trees are living organisms and as such their structural and physical health is influenced by age, growth, pest and diseases and climate and weather conditions. Defects that may affect a trees structure or health may be concealed within the tree or beneath the ground. It is not possible for an arborist to identify all flaws or conditions that may result in failure nor can an arborist guarantee that a tree will remain healthy and free of risk in the future.

Trees are dynamic living organisms, whose health and condition can be subject to rapid change, depending on a number of external and internal factors. The conclusions and recommendations contained in this report relate to the trees at the time of inspection. .

The information in this report is limited to only the items that were examined and reported on and reflect only the visual conditions present at the time of the assessment. Any significant alteration to the site that may affect the trees that are present will necessitate a re-assessment of the site and trees.

Unless stated, the inspection was limited to a visual examination of the accessible components without dissection or probing.

Site plans or other diagrams in this report are intended as visual aids only and are not to scale.

APPENDIX I Tree Inventory

Tree Ref #	Species	Bylaw status	DBH (cm)	PRZ (m)	Canopy spread (m from trunk)	Structural condition	Health condition	Retention suitability	Tolerance to construction activity	Remove/ Retain	Comments
30	Douglas Fir (<i>Pseudotsuga menziesii</i>)	Bylaw	70	13	6	Good	Good	Suitable	Moderate	RETAIN	Minor deadwood/some broken lower branches/long laterals
M31	Crab apple (<i>Malus</i> spp.)	Municipal	9	2	1	Poor	Good	Suitable	Moderate	RETAIN	Municipal owned boulevard tree/fairly newly planted/ has had some poor pruning undertaken previously

Tree Inventory Key

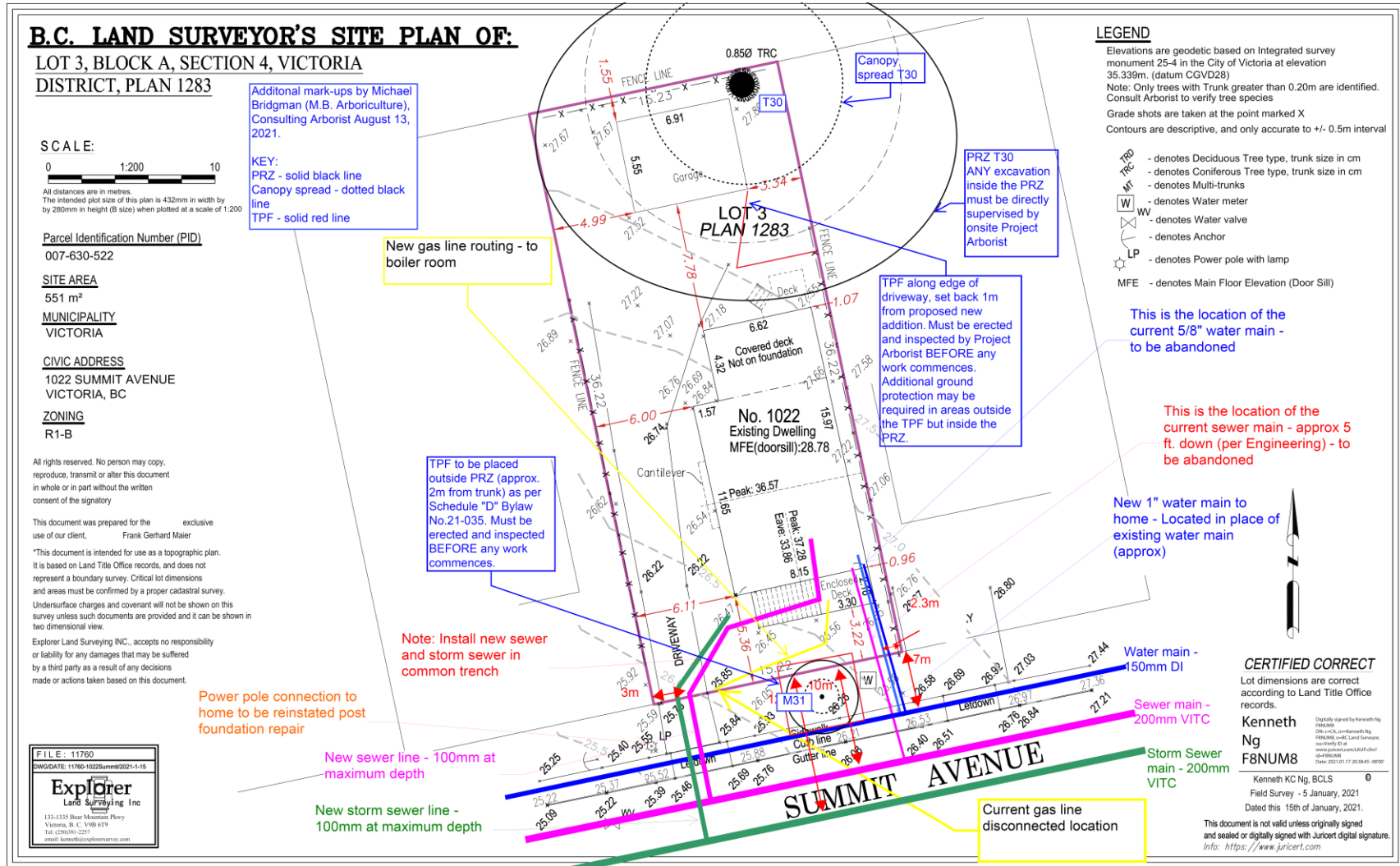
Tree numbers (#) – tree numbers relate to the location of the tree on the site plan and assigned tag (Appendix II)

Tree species – common names (*latin names*)

DBH – diameter at breast height (measured 1.4m from grade)

PRZ – protected root zone is a radius in meters from the tree truck calculated as $(DBH \text{ in cm} \times 18)/100$ Ref: Best Management Practices (**BMP**) - Managing Trees During Construction, Second Edition By Kelby Fite and E. Thomas Smiley

APPENDIX II Tree Survey & Tree Management Plan



APPENDIX III Photographs

All photographs were taken on August 11, 2021 (unless specified).



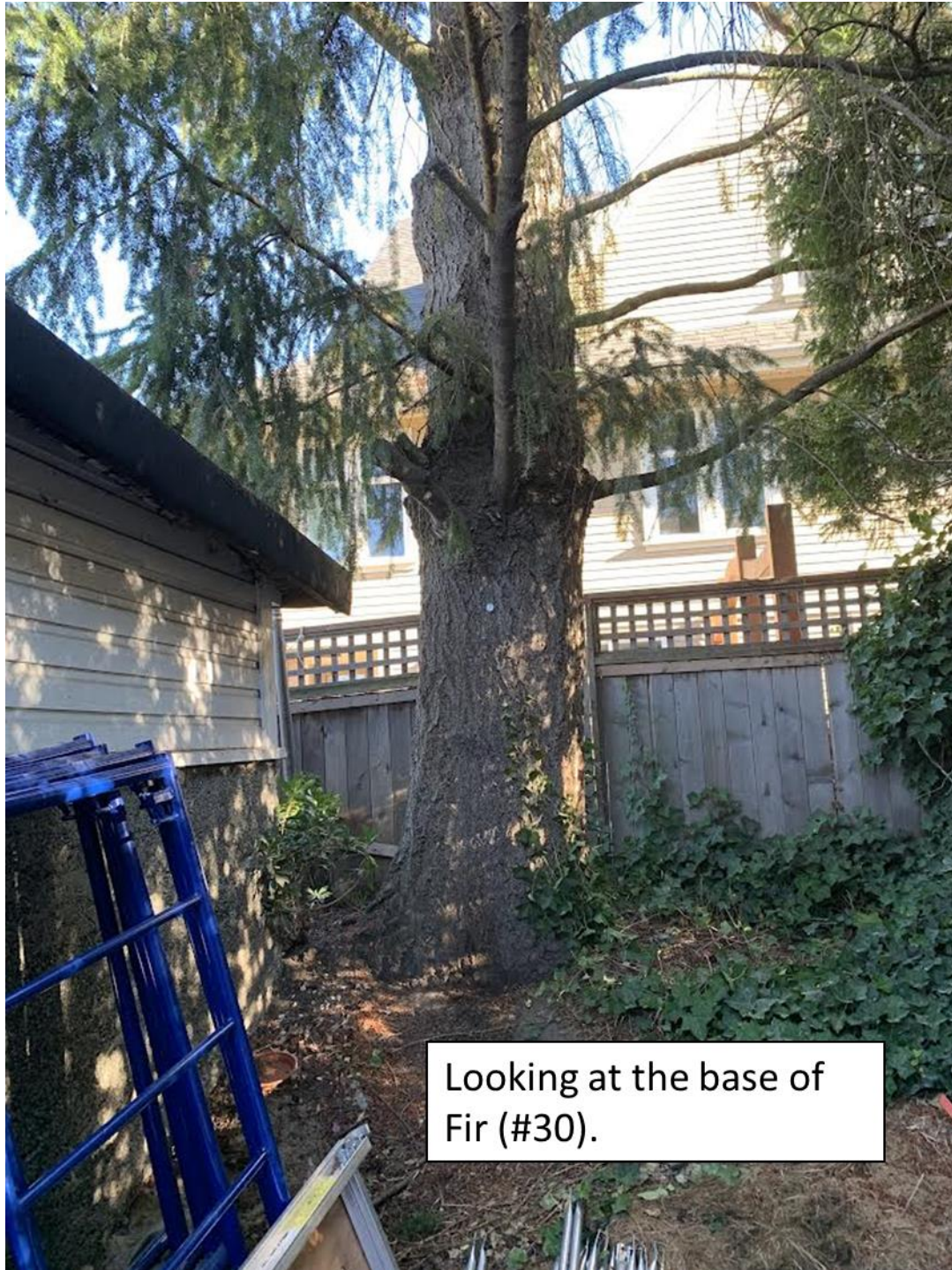
Picture 1 – Looking at the frontage of the property.



Picture 2 – Looking at overall form of Fir #30.



Picture 3 – Looking at Crab Apple M31 overall form.



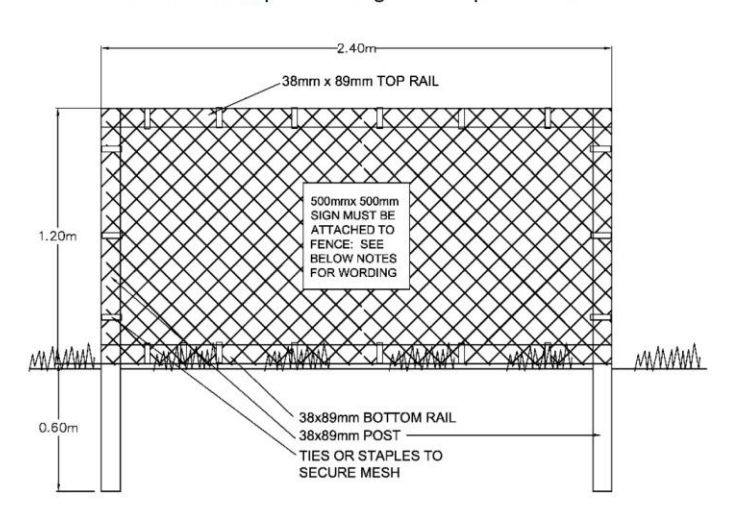
Picture 4 – Looking at the base of the Fir #30.

APPENDIX IV Tree Protection Fencing

SCHEDULE "D"

TREE PROTECTION BARRIER REQUIREMENTS

- 1 The requirements for tree protection barriers are as follows:
 - (a) The barrier must be placed around the outside of the protected root zone of the tree, or as approved by the Director; and
 - (b) The barrier must meet the following specifications:
 - (i) it must have a minimum height of 1.2 m,
 - (ii) 38 mm x 89 mm timbers must be used for vertical posts, top and bottom rails (in rocky areas, metal posts (T-bar or rebar) drilled into rock will be accepted), and cross-bracing (in an "X"),
 - (iii) spacing between vertical posts must be a maximum of 3.0 metres on center,
 - (iv) the structure must be sturdy with vertical posts driven firmly into the ground,
 - (v) there must be continuous plastic mesh high visibility screening (e.g. orange snow fencing), and
 - (vi) it must have visible all weather 500 mm x 500 mm signage on it with the wording "Warning – Tree Protection Area".
- 2 Below is an example showing an acceptable barrier:



Ref: City of Victoria Bylaw No. 21-035

APPENDIX V Tree Impact Summary Table**Table A. Tree Impact Summary Table as specified by City of Victoria Bylaw No. 21-035 Schedule "C"**

	A	B	C	D	
Tree Status	Total # of protected trees	# of trees to be REMOVED	# of NEW or REPLACEMENT trees to be planted	# of EXISTING non protected trees counted as replacements	Net change (A-B+C+D)
Onsite trees	1	0	2	0	3
Offsite trees	0	0	0	0	0
Municipal trees	1	0	n/a	n/a	1
Total	2	0	2	0	4

No trees are to be removed. Two trees are proposed to be planted to increase canopy coverage on the lot.

APPENDIX VI Replacement Tree Summary Table**Table B. Tree Replacement Summary Table as specified by City of Victoria Bylaw No. 21-035 Schedule "C"**

	Count	Multiplier	Total
ONSITE Minimum replacement tree requirement			
A. Protected trees removed	0	x1	A. 0
B. Replacement trees proposed (Schedule E Part 1)	1	x1	B. 1
C. Replacement trees proposed (Schedule E Part 2)	1	x0.5	C. 0.5
D. Replacement trees proposed (Schedule E Part 3)	0	x1	D. 0
E. Total replacement trees proposed (B+C+D)			E. 1.5
F. Onsite replacement tree deficit (A-E)			F. 0
ONSITE Minimum trees per lot requirement (onsite trees)			
G. Tree minimum on lot			G. 3
H. Protected trees retained (other than specimen trees)	1	x1	H. 1
I. Specimen trees retained	0	x3	I.0
J. Trees per lot deficit (G-(B+C+H+I))			J.0.5
OFFSITE Minimum replacement tree requirement (offsite trees)			
K. Protected trees removed	0	x1	K.0
L. Replacement trees proposed per Schedule E part 1 or 3	0	x1	L.0
M. Replacement trees proposed from Schedule E part 2	0	x0.5	M.0
N. Total replacement trees proposed (L+M)			N.0
O. Offsite replacement tree deficit (K-N)			O.0
Cash-in-lieu requirement			
P. Onsite trees proposed for cash in-lieu (F or J, whichever is larger)			P.0.5
Q. Offsite trees proposed for cash in-lieu (Enter O.)			Q.0
R. Cash-in-lieu proposed ((P+Q)x\$2000)			R.\$1000

APPENDIX VII Replacement Tree Plan

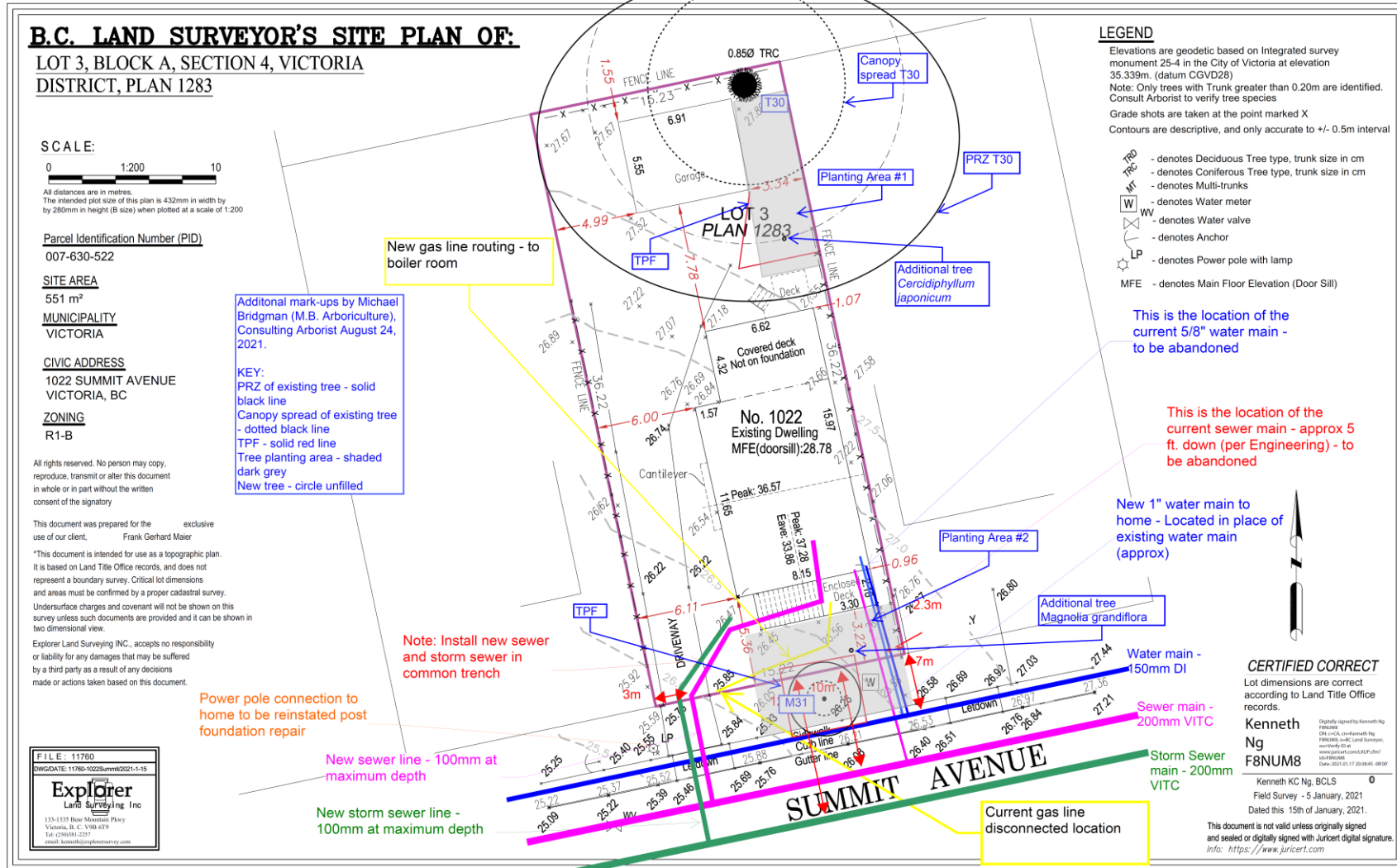


Table C. Estimated soil volume per planting area

Planting Area ID	Area (m2)	Soil volume multiplier	A. Estimated soil volume	Replacement Trees Proposed			Soil Volume Required (m3)			
				B. #Small	C. #Medium	D. #Large	E. Small	F. Medium	G. Large	Total
ONSITE										
Planting Area 1	35	1	35			1			35	35
Planting Area 2	55	1	55	1			8			8
OFFSITE (Excluding City property)										
Planting Area OSA	N/A									

Rezoning Application for 1022 Summit Avenue



Aerial View



Existing Building

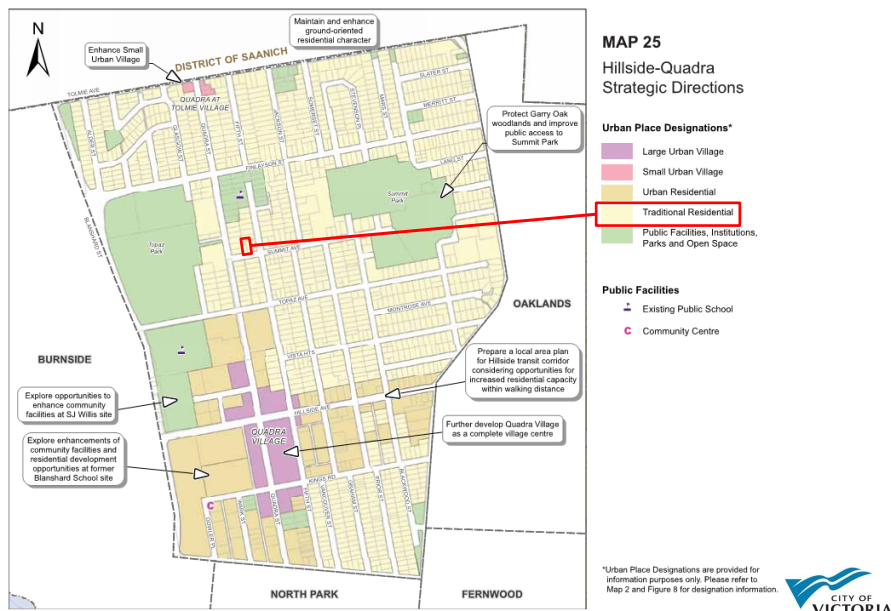
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3

Official Community Plan

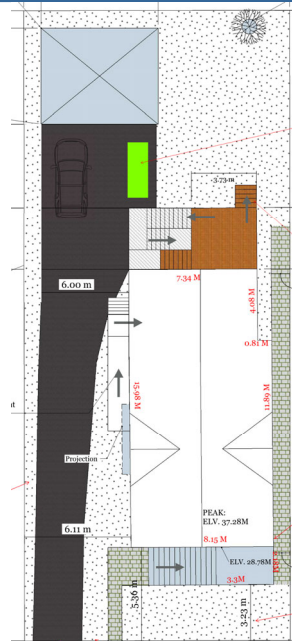
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4

Site plan

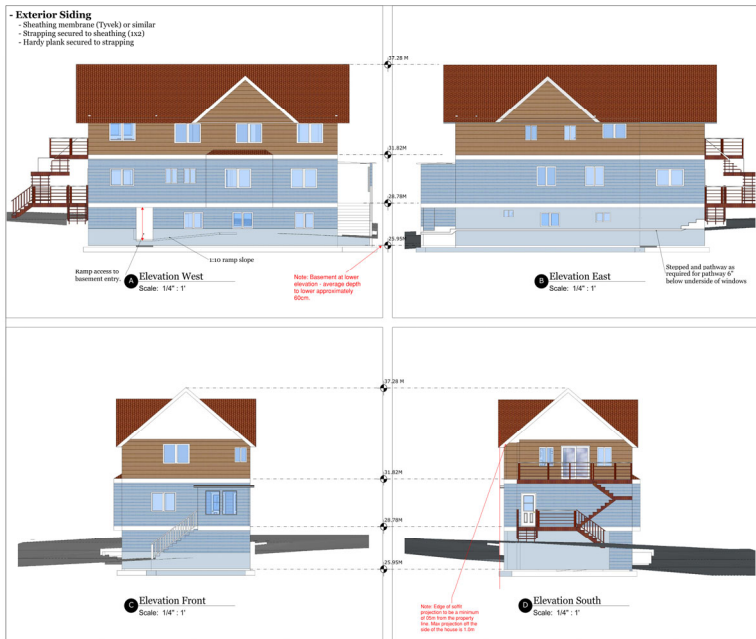
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5

Elevations

6



6

Floor Plan

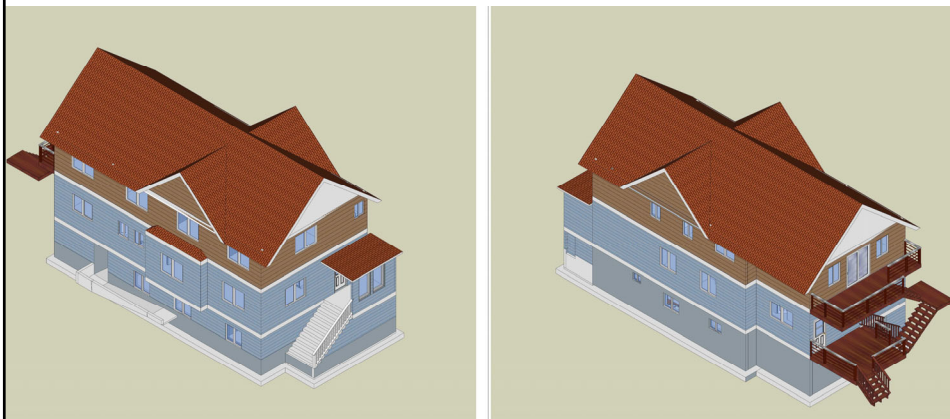
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7

Perspective view

8



8