



**Planning and Land Use Committee Report
For the Meeting of January 29, 2015**

To: Planning and Land Use Committee **Date:** January 15, 2015
From: Helen Cain, Senior Planner, Development Services Division
Subject: **Official Community Plan Amendment Application and Rezoning Application #00453 for 1521-1531 Elford Street** –Update on Statutory Requirements for Consultation During OCP Amendment

RECOMMENDATION

Staff recommend that Committee forward this report to Council and consider the updated motion related to consultation requirements pertaining to the proposed Official Community Plan Amendment (changes shown in bold below):

1. That Council direct staff to prepare the Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application #00453 for 1521-1531 Elford Street, subject to:
 - a. referral to Advisory Design Panel directing their attention to the transition of the adjacent house and park to the overall street appearance;
 - b. completion of a Third-Party Land Lift Analysis to be conducted by a consultant, agreed to by the City and paid for by the applicant, to establish the value of any increase in density that exceeds the floor space ratio of 1:1 for that portion of the development located on the property at 1531 Elford Street, with a contribution of 75% of the value to the Parks and Greenways Acquisition Reserve Fund, secured to the satisfaction of the City Solicitor and Assistant Director, Sustainable Planning and Community Development;
 - c. registration of the following:
 - i. Housing Agreement ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units, to the satisfaction of the City Solicitor and Assistant Director, Sustainable Planning and Community Development,
 - ii. Section 219 Covenant to secure six new Garry Oak trees in Stadacona Park to the satisfaction of the City Solicitor and Director of Parks, Recreation and Culture,
 - iii. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Statutory Right-of-Way of 2.4 m along Pandora Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works.

2. That Council direct staff to prepare the necessary *Official Community Plan* Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. **That Council determine, pursuant to section 879(1) of the *Local Government Act*, that the affected persons, organizations and authorities are those property owners and occupiers immediately adjacent to the subject properties; determine that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; posting of a notice on the City's website inviting affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.**
 - b. **That Council determine, pursuant to section 879 (2)(a) of the *Local Government Act*, that having regard to the previous Community Association Land Use Committee (CALUC) Community Meeting, the consultation proposed at this stage is an adequate opportunity for consultation.**
 - c. That Council consider consultation under section 879(2)(b) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give first reading to the Official Community Plan Amendment Bylaw;
 - e. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw;
 - f. That Council give second reading to the Official Community Plan Amendment Bylaw;
 - g. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
3. Following consideration of the Official Community Plan Amendment Bylaw and Rezoning Application #00453, that Council approve a Development Permit for 1521-1531 Elford Street, in accordance with:
 - a. plans for Rezoning Application #00453 and Development Permit Application #000374, stamped July 30, 2014;
 - b. development meeting all *Zoning Regulation Bylaw* requirements;
 - c. final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Sustainable Planning and Community Development;

- d. Council approval of any necessary encroachment agreements to the satisfaction of the City Solicitor, Director of Engineering and Public Works and the Director of Parks, Recreation and Culture, prior to the issuance of a Building Permit.

LEGISLATIVE AUTHORITY

In accordance with section 876 of the *Local Government Act*, Council may adopt one or more Official Community Plans. Pursuant to section 137(1)(b) of the *Community Charter*, the power to amend an *Official Community Plan* is subject to the same approval and other requirements as the power to adopt a new *Official Community Plan* Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with new information, analysis and recommendations regarding a request for an *Official Community Plan 2012* (OCP) amendment, a Rezoning Application and a Development Permit Application for the properties located at 1521-1531 Elford Street. The proposal is for a new four-storey, 32-unit apartment building with a floor space ratio (FSR) of 1.45:1.

On October 9, 2014, Council (minutes attached) advanced these Applications to a Public Hearing in a motion that included Council consideration of consultation for the OCP amendment as recommended in an earlier staff report (dated September 18, 2014, attached).

This report provides an expanded recommendation that addresses statutory obligations for consultation on the proposal to amend the Urban Place Designation of the subject properties from Traditional Residential to Urban Residential. Specifically, staff recommend that notice of the proposed OCP Amendment be provided to the adjacent property owners and occupiers and that notice be posted on the City's website in advance of first and second reading of the OCP Amendment. The notice will invite affected persons, organizations and authorities to ask questions of staff and to provide any written or verbal comments to Council for their consideration.

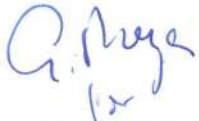
Statutory Requirements for OCP Amendment Consultation

The *Local Government Act* (LGA) section 879(1) requires a Council to provide one or more opportunities it considers appropriate for consultation with persons, organizations and authorities it considers will be affected by an amendment to the OCP. Consistent with section 879 (2)(a) of the LGA, Council must further consider whether consultation should be early and ongoing. This statutory obligation is in addition to the Public Hearing requirements. In this instance, staff recommend for Council's consideration that notifying the immediately adjacent owners and occupiers of land along with posting a notice on the City's website will provide adequate opportunities for consultation with those affected.

The OCP Amendment Application to change the Urban Place Designation of 1521-1531 Elford Street from Traditional Residential to Urban Residential will allow for increased density and multi-unit residential uses across the site. Given the surrounding area is primarily multi-unit residential and City park land; given that through the Community Association Land Use Committee (CALUC) Community Meeting process all owners and occupiers within a 200m

radius of the site were notified and invited to participate in a Community Meeting; the consultation proposed at this stage in the process is recommended as adequate and consultation with specific authorities, under Section 879(2)(a) of the LGA, is not recommended as necessary.

Respectfully submitted,




Helen Cain
Senior Planner
Development Services Division



Alison Meyer, Assistant Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

Date:



Jason Johnson
January 10, 2015

HC:aw

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List of Attachments

- Council Minutes for October 9, 2014 meeting
- Planning and Land Use Committee Report dated September 18, 2014.

2. **Rezoning Application #00453 and Development Permit Application #000374 for 1521 and 1531 Elford Street:**

It was moved by Councillor Helps, seconded by Councillor Alto,

1. That Council direct staff to prepare the *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00453 for 1521-1531 Elford Street, subject to:
 - a. Referral to Advisory Design Panel with direction for attention to the transition to the adjacent heritage registry house and park and overall street appearance;
 - b. Completion of a Third-Party Land Lift Analysis to be conducted by a consultant, agreed to by the City and paid for by the applicant, to establish the value of any increase in density that exceeds the floor space ratio of 1:1 FSR for that portion of the development located on the property at 1531 Elford Street, with a contribution of 75% of the value to the Parks and Greenways Acquisition Reserve Fund, secured to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development;
 - c. Registration of the following:
 - i. Housing Agreement ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units, to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development,
 - ii. Section 219 Covenant to secure six new Garry Oak trees in Stadacona Park to the satisfaction of the City Solicitor and Director of Parks, Recreation and Culture,
 - iii. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Statutory Right-of-Way of 2.4 m along Pandora Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
2. That Council direct staff to prepare the necessary *Official Community Plan* Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council gives first reading to the *Official Community Plan* Amendment Bylaw;
 - b. That Council consider the *Official Community Plan* Bylaw, Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan* Amendment Bylaw;
 - c. That Council consider consultation under section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the *Official Community Plan* Amendment Bylaw;
 - e. That Council refer the *Official Community Plan* Amendment Bylaw for consideration at a Public Hearing.
3. Following consideration of the *Official Community Plan* Amendment Bylaw and Rezoning Application #00453, that Council approve a Development Permit for 1521-1531 Elford Street, in accordance with:
 - a. Plans for Rezoning Application #00453 and Development Permit Application #000374, stamped July 30, 2014;
 - b. Development meeting all Zoning Regulation Bylaw requirements;
 - c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development;

- d. Council approval of any necessary encroachment agreements to the satisfaction of the City Solicitor, Director of Engineering and Public Works and the Director of Parks, Recreation and Culture, prior to the issuance of a Building Permit.

Carried

For:

*Mayor Fortin, Councillors Alto, Coleman,
Helps and Thornton-Joe*

Against:

Councillors Gudgeon, Isitt, Madoff, and Young

Council meeting
October 9, 2014



1521 & 1531 Elford Street
 Rezoning #00453
 Bylaw #





1521 & 1531 Elford Street
Rezoning #00453
Bylaw #





Planning and Land Use Committee Report

For the Meeting of October 2, 2014

Date: September 18, 2014 **From:** Helen Cain, Senior Planner
Subject: *Official Community Plan* Amendment, Rezoning Application #00453 and
Development Permit Application #000374 for 1521 and 1531 Elford Street

Executive Summary

The purpose of this report is to provide Council with information, analysis and recommendations regarding a request for an *Official Community Plan 2012* (OCP) amendment, a Rezoning Application and a Development Permit Application for the properties located at 1521-1531 Elford Street. The proposal is for a new four-storey, 32-unit apartment building with a floor space ratio (FSR) of 1.45:1.

The following points were considered in assessing these applications:

- The OCP designates the properties as Traditional Residential. However, the subject site is located along the Pandora Avenue transit corridor and within walking distance (200 m) of Stadacona Village, where the OCP envisions density up to 1.2:1 FSR with potential bonus density up to a total of approximately 2:1 FSR.
- The proposed design is subject to Development Permit Area 16 General Form and Character (DPA 16) and adequately meets the majority of the applicable guidelines. However, staff have outstanding concerns related to providing a transition to the adjacent house and Stadacona Park and the street appearance of the apartment building.
- The proposal would result in the loss of three Garry Oak trees in Stadacona Park; staff recommend that the proponent cover the cost of the tree replacement.

Staff recommend that Council amend the OCP to designate the subject properties as Urban Residential and advance these applications to a Public Hearing, subject to referral to Advisory Design Panel and the completion of a Third-Party Land Lift Analysis for the requested bonus density.

Recommendations

1. That Council direct staff to prepare the *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00453 for 1521-1531 Elford Street, subject to:
 - a. referral to Advisory Design Panel with direction for attention to the transition to the adjacent house and park and overall street appearance;
 - b. completion of a Third-Party Land Lift Analysis to be conducted by a consultant, agreed to by the City and paid for by the applicant, to establish the value of any increase in density that exceeds the floor space ratio of 1:1 FSR for that portion

of the development located on the property at 1531 Elford Street, with a contribution of 75% of the value to the Parks and Greenways Acquisition Reserve Fund, secured to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development;

c. registration of the following:

- i. Housing Agreement ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units, to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development,
- ii. Section 219 Covenant to secure six new Garry Oak trees in Stadacona Park to the satisfaction of the City Solicitor and Director of Parks, Recreation and Culture,
- iii. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
- iv. Statutory Right-of-Way of 2.4 m along Pandora Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works.

2. That Council direct staff to prepare the necessary *Official Community Plan* Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:

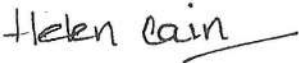
- a. That Council gives first reading to the *Official Community Plan* Amendment Bylaw;
- b. That Council consider the *Official Community Plan* Bylaw, Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan* Amendment Bylaw;
- c. That Council consider consultation under section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
- d. That Council give second reading to the *Official Community Plan* Amendment Bylaw;
- e. That Council refer the *Official Community Plan* Amendment Bylaw for consideration at a Public Hearing.

3. Following consideration of the *Official Community Plan* Amendment Bylaw and Rezoning Application #00453, that Council approve a Development Permit for 1521-1531 Elford Street, in accordance with:

- a. plans for Rezoning Application #00453 and Development Permit Application #000374, stamped July 30, 2014;

- b. development meeting all Zoning Regulation Bylaw requirements;
- c. final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development;
- d. Council approval of any necessary encroachment agreements to the satisfaction of the City Solicitor, Director of Engineering and Public Works and the Director of Parks, Recreation and Culture, prior to the issuance of a Building Permit.

Respectfully submitted,



Helen Cain
Senior Planner
Development Services Division





Deb Day, Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager: _____
Jason Johnson

Date: _____

HC:lw

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1.0 Purpose

The purpose of this report is to present Council with information, analysis and recommendations regarding an OCP Amendment, a Rezoning Application and a Development Permit Application for the properties located at 1521 and 1531 Elford Street.

2.0 Background

2.1 Description of Proposal

The subject site is two lots located at the corner of Pandora Avenue and Elford Street. The property at 1521 Elford Street is in the R3-2 Zone (Multiple Dwelling District) and the property at 1531 Elford Street is in the R1-B Zone (Single Family Dwelling District). The proposal is to rezone the properties to allow a four-storey, 32-unit apartment building with a density of 1.45:1 floor space ratio (FSR). It should be noted that the portion of the development on the south lot (1531 Elford Street) would be 1.63:1 FSR, and on the north lot (1521 Elford Street) would be 1.3:1 FSR. As the proposed density and apartments are not permitted in Traditional Residential, an OCP amendment is required to change the designation of both parcels to Urban Residential.

The proposed site plan, architecture and landscape design include:

- apartment building form with four storeys on the south portion and three storeys on the north portion and a massing that is stepped back from the street wall on the third, or fourth, storey
- visible entrances on both street frontages, and access to the underground parking from Elford Street
- balconies on all elevations with metal railings and metal or glazed inset panels
- stucco siding (white, grey) mixed with horizontal wood panels for accent details
- individual patios surfaced in non-permeable pavers and concrete driveway along the north side of the building to the parkade
- on the subject site, removal of three Garry Oak trees at the construction phase, balanced with new trees, shrubs and groundcover introduced around the patios
- on public lands, retention of a Garry Oak tree on Elford Street, five new boulevard trees on Pandora Avenue, and the removal of three Garry Oak trees in Stadacona Park that would be lost in the construction of the underground parking.

2.2 Green Building Features

The applicant has submitted a "Sustainability Statement" (attached) that offers to provide two years of transit passes for the strata owners, and to use materials with recycled content and low toxicity. At the Building Permit phase, the applicant indicates that the interior would address water and energy conservation and that construction waste would be diverted from landfill.

2.3 Existing Site Development and Development Potential

There is an existing triplex on the property at 1521 Elford Street and a vacant house in poor condition at 1531 Elford Street. Development potential under current zoning would allow a multiple dwelling, such as an apartment building, of six storeys or more, with densities up to 1.6:1 FSR on the lot at 1521 Elford Street, and a single family dwelling at 1531 Elford Street.

2.4 Data Table

The data table (below) compares the proposal with the existing R3-2 Zone (Multiple Dwelling District) and R1-B Zone (Single Family Dwelling District). The proposal is less stringent than the existing zones in criteria identified with an asterisk (*) below.

Zoning Criteria	Proposal	Zone Standard R3-2	Zone Standard R1-B
Site area (m ²) – minimum	1910.00	920.00	460.00
Total floor area (m ²) – maximum	2774.82*	2292.00	300.00
Density (Floor Space Ratio) – maximum	1.45:1	1.6:1	n/a
Height (m) – maximum	16.13	18.50	7.60
Site coverage (%) – maximum	47.30*	40	40.00
Open site space (%) – minimum	47.80*	60	N/A
Storeys – maximum	4	6 or more (depending on consistency with other regulations)	2
Setbacks (m) – minimum			
North (Rear)	5.00* (building) 0.00* (parkade)*	8.07	3.05 (side)
South (Front: Pandora Avenue)	5.43* (building)*	10.50	N/A
East (Side: Stadacona Park)	5.00* (building) 0.00* (parkade)	8.07	8.38 (rear)
West (Side: Elford Street)	4.23* (building) 0.00* (parkade)	0.00	7.50 (front)
Parking stalls – minimum	40*	45	1
Visitor parking stalls – minimum	3*	5	N/A
Bicycle storage – minimum	32	32	N/A
Bicycle rack – minimum	12 (2 racks)	12 (2 racks)	N/A

2.5 Land Use Context

The immediately adjacent land uses include:

- to the north, a house converted to a multiple dwelling in the R1-B Zone (Single Family Dwelling District)
- to the south, a four-storey apartment building in the R3-2 Zone (Multiple Dwelling District)
- to the east, Stadacona Park
- to the west, six-storey apartment building in the R3-2 Zone (Multiple Dwelling District)

2.6 Legal Description

Lots 8 and 9, Section 75, Victoria District, Plan 2307.

2.7 Relevant History

At the meeting on January 23, 2014 (Minutes attached) the Planning and Land Use Committee considered a Development Permit Application for the property located at 1521 Elford Street. As stated in the applicant's letter, the property owner has since purchased the adjacent property, 1531 Elford Street, and is proposing a larger building with a different design than originally proposed. However, the previous application has not been withdrawn, pending a Council decision on the current Rezoning and Development Permit Application.

2.8 Consistency with City Policy

2.8.1 Official Community Plan, 2012

The proposal is aligned with OCP objectives and policies related to land use management. OCP Objective 6(a) targets housing growth in close walking distance (200 m) of Large Urban Villages and supports densities up to 1.2:1 FSR in such locations with eligibility for bonus density up to a total of 2:1 FSR, if a proposal contributes to Citywide goals, e.g. amenities. However, the proposal would require an OCP amendment because the subject properties are designated Traditional Residential. As the subject site is situated within 200 m of Stadacona Village, staff recommend that Council change the designation of the properties located at 1521-1531 Elford Street to Urban Residential.

Should Council support the OCP amendment, Council is required to consider consultation with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board and the provincial government and its agencies. However, further consultation is not recommended as necessary for this amendment to change the Urban Place Designation as this matter can be considered under policies in the OCP Bylaw.

Council is also required to consider OCP Amendments in relation to the City's *Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and the *Capital District Solid Waste Management Plan*. This proposal will have no impact on any of these plans.

2.8.2 Fernwood Neighbourhood Plan, 1994

Fernwood Neighbourhood Plan, 1994, includes a "summary map" that identifies the policy direction for the subject properties as "retention of Single Family Dwelling and consideration of Small Lot Infill Housing". Although an apartment building is not envisioned in the local area plan, the properties are situated in close proximity to Stadacona Village (approximately 68 m and 105 m for 1521 and 1531 Elford Street, respectively), which the OCP identifies as a strategic location for housing growth. As the immediate land use context is primarily three- to six-storey apartment buildings, staff are recommending support for the proposed use. However, it is also recommended that the proposal be refined to further address the transition to the park setting and low-scale residential area to the north, as discussed in "Section 4 – Issues" of this report.

2.9 Community Consultation

In accordance with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning Applications, the applicant consulted with the Fernwood CALUC on June 4, 2014. A letter from the CALUC is attached to this report.

3.0 Issues

The main issues related to these applications are:

- strategic growth and bonus density
- logical assembly of parcels
- design review and analysis
- loss of Garry Oak trees
- encroachment into Right-of-Way and park
- multi-modal transportation planning.

4.0 Analysis

4.1 Strategic Growth and Bonus Density

OCP Policy 6.23 states that new development with densities up to approximately 2:1 FSR may be supported in Urban Residential areas within 200 m of a Large Urban Village where the proposal significantly advances OCP objectives. For instance, a monetary contribution to a public amenity may justify a proposed density above 1.2:1 FSR.

The proposed development has a total density of 1.45:1 FSR, exceeding the base density of 1.2:1 FSR for Urban Residential areas. However, the property located at 1521 Elford Street has an existing entitlement of up to 1.6:1 FSR under the existing R3-2 Zone. The portion of the development on the property located at 1531 Elford Street, which is located in the R1-B Zone, would have a density of 1.3:1 FSR; obtaining density above 1:1 FSR would require an OCP amendment as this parcel is designated Traditional Residential.

Council has provided direction to staff to report back on Third-Party Land Lift Analysis requirements for applications that involve bonus density, and, in the interim, to provide recommendations based on density ceilings in the OCP and applicable local area plans. Since Council adoption of the OCP in 2012, staff have taken this approach in Planning and Land Use Committee reports on rezoning applications such as the proposals for 836-838 Broughton Street; 605-629 Speed Avenue and 606-618 Francis Street; and 1075 Pandora Avenue.

Given that the maximum density that is permitted in Traditional Residential is 1:1 FSR, staff are recommending that Council direct a Third-Party Land Lift Analysis be undertaken to determine the monetary value of the lift from 1:1 to 1.3:1 FSR, and that 75% of any increase in monetary value be contributed to the City's Parks and Greenways Acquisition Reserve Fund. This approach is consistent with Council's direction to continue to assess In addition, a Section 219 Covenant for sewage attenuation is required for any infrastructure improvements related to increased density.

4.2 Logical Assembly of Parcels

OCP Policy 6.8 provides direction for the logical assembly of sites to enable the best realization of permitted development for an area. The proposal is consistent with this planning principle as lot consolidation would contribute to growth near to Stadacona Village rather than creating an "orphan lot" at 1531 Elford Street, which would decrease the development potential of the site.

4.3 Design Review and Analysis

The proposed design has been reviewed in relation to DPA 16 General Form and Character. Staff analysis of the proposal is summarized below, in relation to outstanding design issues.

4.3.1 Context and Transition

In DPA 16, new infill should be sensitive to its context. One relevant guideline (Policy 1.2) is that "where new development is directly abutting lands in a different OCP Urban Place Designation, or it directly abuts a different Development Permit Area, the design should provide a transition between areas in ways that respond to established form and character, and that anticipate any future development". While the siting of the building would provide adequate setbacks for "breathing room" in relation to the adjacent house to the north and the park to the east, the transition in height and massing could be improved. Specifically, refinements to the north and east elevations should be considered with respect to stepping back the building wall on the third or fourth storeys, and removing or reducing the extent of the balcony projections into the east setback.

4.3.2 Street Appearance

Policy 2.1.3 of the applicable design guidelines states that "new development that is located on a corner site should be designed to contribute to both streetscapes". The proposed design has features to provide visual interest such as building wall articulation and projecting balconies. However, refinements to the west, south and east elevations are recommended to increase the prominence of the main entrances to the building, and bring cohesion to the overall design.

The visual impact of the large size and scale of the new building, relative to the adjacent house and park, should also be mitigated. While the street walls would be broken into human-scaled proportions, the building lacks a "base". One way to address this issue would be to reconsider the placement of colour in exterior finishes to mark the lower and upper portions of the building.

4.4 Loss of Garry Oak Trees

With respect to plan details related to the Tree Protection Bylaw, three (3) Garry Oaks on the subject site would be removed. Staff support their removal because one tree, near the west property line, is in poor condition and two additional trees, near the north property line, would be affected during the construction of the underground parking. These trees would be replaced with five proposed street trees on Pandora Avenue.

Additionally, three Garry Oak trees in Stadacona Park would be lost as the result of excavation and construction on the subject properties. Staff are recommending that the applicant commit to covering the cost of removing the existing trees and planting six new trees in the park. This obligation would be secured through a Section 219 Covenant.

4.5 Encroachment into Right-of-Way and Park

If it is determined that excavation for the underground parking in this proposal will result in anchor pins remaining in the public Right-of-Way along Elford Street or in Stadacona Park, Council approval to authorize an encroachment agreement, or agreements, would be required before any excavation and construction can begin. Staff recommend that Council approve any necessary encroachments agreements to be secured prior to the issuance of a Building Permit.

4.6 Multi-Modal Transportation Planning

To enable the future improvement of sidewalks along Pandora Avenue, staff are requesting a Statutory Right-of-Way (SRW) of 2.40 m along that frontage to be registered on property title, prior to a Public Hearing. The applicant has agreed and the plans identify the requested SRW.

5.0 Resource Impacts

There are no resource impacts anticipated with this application.

6.0 Conclusions

This proposal for a four-storey apartment building within walking distance of Stadacona Village is aligned with OCP policies for strategic growth locations and fits with the general massing and scale of the adjacent three to six-storey apartment buildings. The proposed design adequately complies with most of the DPA 16 guidelines, but there are outstanding concerns with respect to the transition to the adjacent house and park and street appearance. Staff are recommending that these applications be referred to Advisory Design Panel for comment, and that a Third-Party Land Lift Analysis be completed, prior to advancing to a Public Hearing.

7.0 Recommendations

7.1 Staff Recommendations

1. That Council direct staff to prepare the *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00453 for 1521-1531 Elford Street, subject to:
 - a. referral to Advisory Design Panel with direction for attention to the transition to the adjacent house and park and overall street appearance;
 - b. completion of a Third-Party Land Lift Analysis to be conducted by a consultant, agreed to by the City and paid for by the applicant, to establish the value of any increase in density that exceeds the floor space ratio of 1:1 FSR for that portion of the development located on the property at 1531 Elford Street, with a contribution of 75% of the value to the Parks and Greenways Acquisition Reserve Fund, secured to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development;
 - c. registration of the following:

- i. Housing Agreement ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units, to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development,
 - ii. Section 219 Covenant to secure six new Garry Oak trees in Stadacona Park to the satisfaction of the City Solicitor and Director of Parks, Recreation and Culture,
 - iii. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Statutory Right-of-Way of 2.4 m along Pandora Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
- 2. That Council direct staff to prepare the necessary *Official Community Plan* Bylaw, Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council gives first reading to the *Official Community Plan* Amendment Bylaw;
 - b. That Council consider the *Official Community Plan* Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan* Amendment Bylaw;
 - c. That Council consider consultation under section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the *Official Community Plan* Amendment Bylaw;
 - e. That Council refer the *Official Community Plan* Amendment Bylaw for consideration at a Public Hearing.
- 3. Following consideration of the *Official Community Plan* Amendment Bylaw and Rezoning Application #00453, that Council approve a Development Permit for 1521-1531 Elford Street, in accordance with:
 - a. plans for Rezoning Application #00453 and Development Permit Application #000374, stamped July 30, 2014;
 - b. development meeting all Zoning Regulation Bylaw requirements;

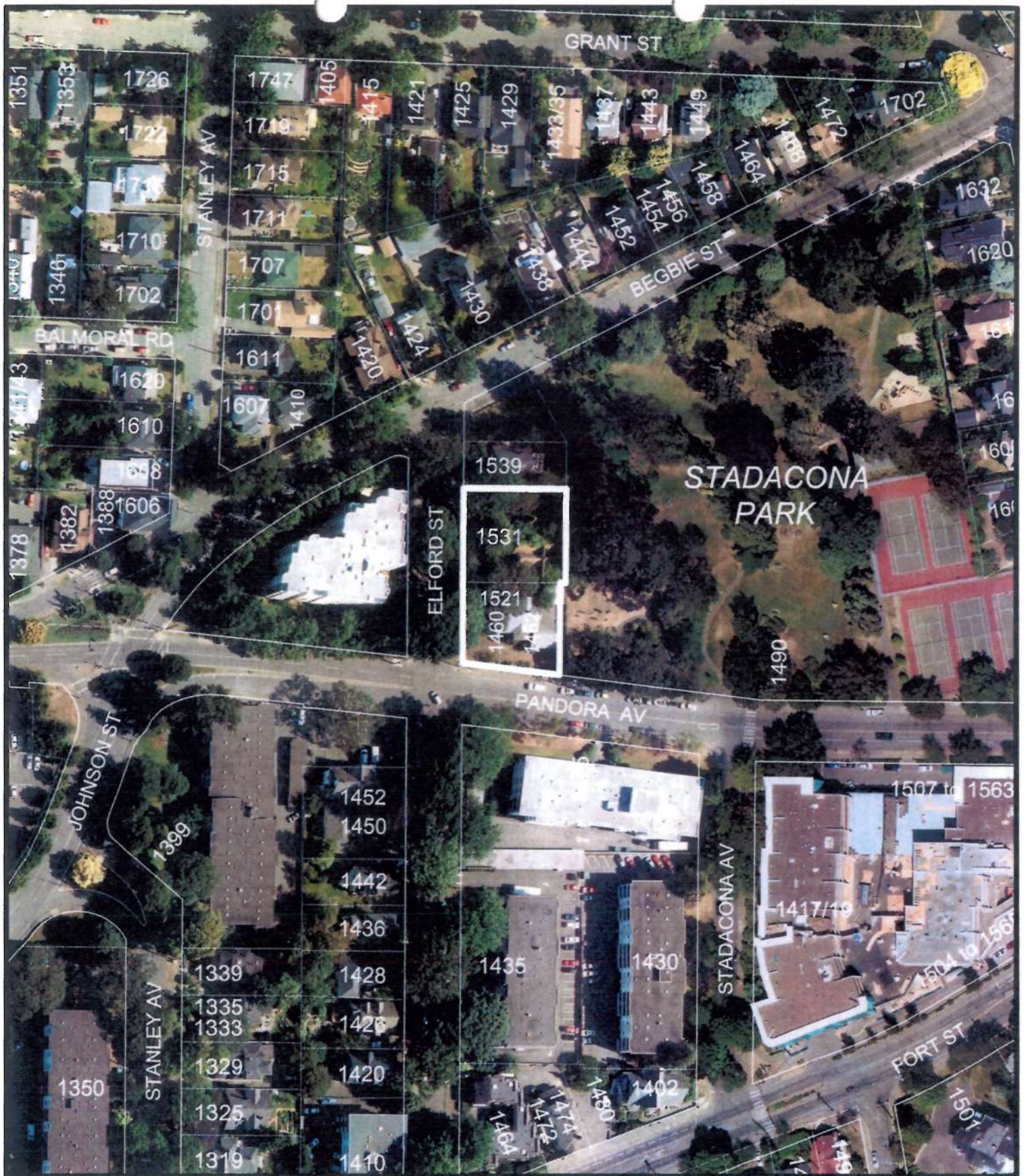
- c. final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development;
- d. Council approval of any necessary encroachment agreements to the satisfaction of the City Solicitor, Director of Engineering and Public Works and the Director of Parks, Recreation and Culture, prior to the issuance of a Building Permit.

7.2 Alternate Recommendation

That Council decline Rezoning Application #00453 and Development Permit Application #000374 for the properties located at 1521-1531 Elford Street.

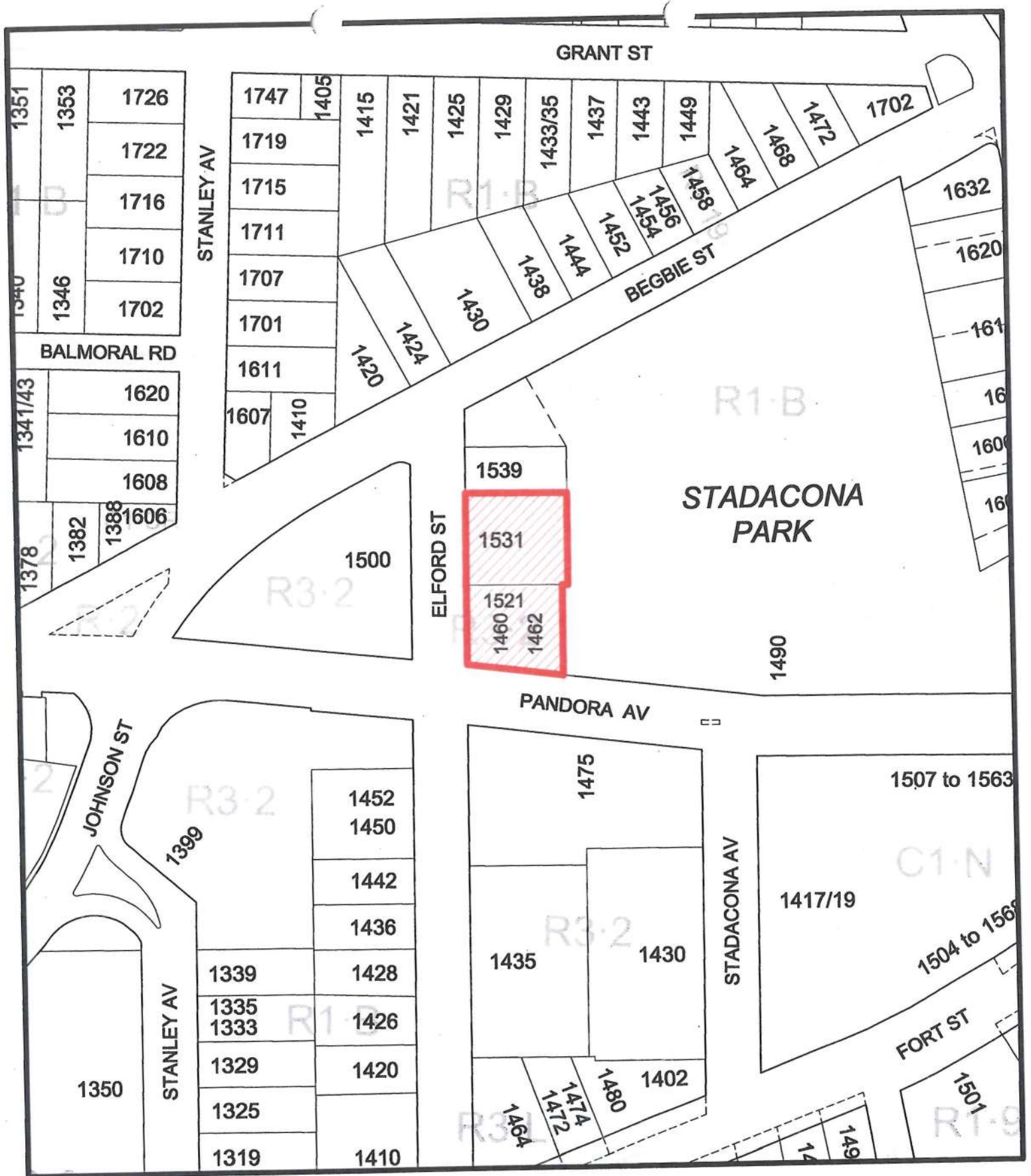
8.0 List of Attachments

- Aerial map
- Zoning map
- Letters from Alan Lowe, stamped July 30, 2014 and June 5, 2014
- Sustainability Statement, from Alan Lowe, stamped July 30, 2014
- Plans for Rezoning Application #00453 and Development Permit Application #00374, stamped July 30, 2014
- Arborist Report, from Gye + Associates, dated August 10, 2014
- Planning and Land Use Committee Minutes for January 23, 2014 meeting
- Letter from Fernwood Community Association Land Use Committee, stamped June 16, 2014.



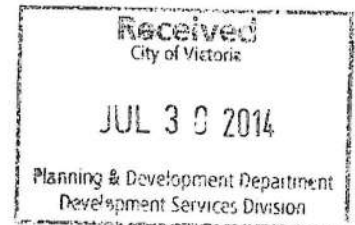
1521 & 1531 Elford Street
 Rezoning #00453
 Bylaw #





28 July 2014 (revised)

City of Victoria
Planning Department
#1 Centennial Square
Victoria, British Columbia, V8W 1R6



Attention: Mayor and Council

Re: 1521 and 1531 Elford Street, Victoria British Columbia

Your Worship Mayor Fortin and Council,

We are pleased to submit this rezoning application for a 32 unit residential condominium project in the Fernwood neighbourhood. The property at 1521 Elford Street is presently zoned R3-2 Multiple Dwelling District and the property at 1531 Elford street is presently zoned R1-B Single Family Dwelling District. We are proposing to consolidate the two lots and create a new zone for this proposed development.

We were in the process of applying for a development permit with variances on the property at 1521 Elford when the neighbouring property came on the market. Our development permit was reviewed at a Planning and Land Use Committee meeting in January 2014 but we have since put that application on hold to pursue this rezoning application.

We feel this rezoning application is consistent with the 2012 Official Community Plan and advances the plans objectives. The subject properties however are designated as Traditional Residential in the OCP and we would need to request an Official Community Plan amendment to Urban Residential. The property at 1521 Elford Street already has a R3-2 zone which allows up to 6 storeys and a FSR of 1.6 to 1.0. The R3-2 zone and the characteristics of that zone is better suited with the Urban Residential designation than the Traditional Residential designation. The property at 1531 Elford would be a logical land assembly that will further advance the plan objectives of being located within 400 metres of a large urban village, located along transit routes, and located along secondary arterials.

Except for the heritage conversion to the north, the remainder of the adjacent properties to the south west of Stadacona Park are all within the Urban Residential designation. We intend to use the property at 1531 Elford as a transition down towards the heritage conversion by keeping the density of this portion of the property down to 1.3 to 1.0. The overall combined FSR that we are seeking for the development will be 1.45 to 1.0. The OCP states that increased densities of up to 2.0 to 1.0 may be considered in strategic locations for the advancement of plan objectives.

The plan states that urban residential areas should generally:

- be located within 400 metres of a large urban village (Stadacona Centre)
- be located along frequent transit routes (Begbie Street and Pandora Avenue)
- be located along secondary arterial routes (Begbie Street and Pandora Avenue)

The general development guidelines of the Official Community Plan also states the following:

- Encourage logical land assembly (the two properties are within 150 metres of Stadacona Centre and have mixed zoning)
- Consider site specific amendments of the plan that are consistent with the intent of the plan (intent is to create higher residential densities around urban villages)
- Encourage residential densities within 400 meters of an urban village

Given the new OCP is focusing on our population growth within walking distance (400 metres) of large urban villages such as Stadacona Centre and along arterials and secondary arterials, this site an excellent candidate to be redeveloped for multi-family residential use. This site also benefits from being adjacent to green space in the form of Stadacona Park as well as nearby Scurrah Green, Verrinder Park, and Johnson Street Green.

The R3-2 zone allows buildings up to 6 storeys in height. Our initial proposal to develop 1521 Elford Street was for a 6 storey building but planning staff encouraged our client to redesign the project for a 4 storey building. The R1-B zone allows for building that have a minimum side yard setback of 1.5 metres and a height of 7.6 metres (2.5 to 3 storeys). Our proposal is to blend the zones together so that building is set back at least 5.0 metres from all property lines except for a small section at the corner where the setback is 4.23 metres. We have pulled the buildings away from Stadacona Park so the setback is at least 6.08 metres with the majority of the setback at 7.0 metres. The section of the building closest to the heritage house on Elford Street will have the second floor set back an additional 1.8 metres from the property line. The site slopes down considerably from Pandora Avenue to Begbie Street so our building form will also step down towards Begbie Street and the heritage house.

Through our community meetings, we heard that doors on the street were important so we have also created doors to the two ground floor units off Elford Street. We feel that the stepping down of the building towards the heritage building, the doors along Elford Street, the stepping back of the building on the upper floors, the variety of materials proposed for the building, and the larger setbacks create a more human scale to this building, creates a good streetscape and relation to the street, as well as fits the context of the area and creates a transition to the heritage house to the north. This building also creates a transition to the enclave of more traditional homes along Begbie Street starting with the heritage house to the north.

We have been through the CALUC process in Fernwood twice and feel that the majority of the comments have been positive. There were some concerns about the design of the building and how a preference for pitched roofs would be a better fit. We feel however, the contrast in design from the traditional pitched roofs on the houses to the north and along Begbie Street, accentuates the heritage nature of the homes and allows for the rich variety of building forms that makes this city.

Parking was also an issue that the community had some concerns about. We are requesting a minor variance for parking, but we will still have at least one parking stall per unit plus visitors parking on site. One of the members of the community commented that this new development will not be creating any parking problems as it will be providing at least one parking stall per unit plus visitors parking, but it has been the conversions in the neighbourhood that have created the parking problems. There is the 3 unit house to the north that only has one parking space, and many 4-6 unit conversions along Belmont that only have 1 or 2 parking spaces.

The project provides bicycle parking in the underground parking area as well as visitor parking stalls. As the building is located adjacent to transit routes and bike lanes, we feel the variance requested is reasonable.

We trust that this proposal is in keeping with the neighbourhood and your vision for this area within the newly adopted Official Community Plan. Should you have any questions, please feel free to contact us at 250-360-2888.

Yours truly,

A handwritten signature in dark ink, appearing to read "Alan Lowe". The signature is fluid and cursive, with the first name "Alan" and last name "Lowe" clearly distinguishable.

Alan Lowe
Alan Lowe Architect Inc.

cc. Client



05 June 2014

City of Victoria
Planning Department
#1 Centennial Square
Victoria, British Columbia, V8W 1R6

Attention: Mayor and Council

Re: 1521 and 1531 Elford Street, Victoria British Columbia

Your Worship Mayor Fortin and Council,

We are pleased to submit this rezoning application for a 33 unit residential condominium project in the Fernwood neighbourhood. The property at 1521 Elford Street is presently zoned R3-2 Multiple Dwelling District and the property at 1531 Elford street is presently zoned R1-B Single Family Dwelling District. We are proposing to consolidate the two lots and create a new zone this proposed development.

We were in the process of applying for a development permit with variances on the property at 1521 Elford when the neighbouring property came on the market. Our development permit was reviewed at a Planning and Land Use Committee meeting in January 2014 but we have since put that application on hold to pursue this rezoning application.

We feel this rezoning application is consistent with the 2012 Official Community Plan and advances the plans objectives. The plan states that urban residential areas should generally:

- be located within 400 metres of a large urban village (Stadacona Centre)
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- Consider site specific amendments of the plan that are consistent with the intent of the plan (intent is to create higher residential densities around urban villages)
- Encourage residential densities within 400 meters of an urban village

Given the new OCP is focusing on our population growth within walking distance (400 metres) of large urban villages such as Stadacona Centre and along arterials and secondary arterials, this site an excellent candidate to be redeveloped for multi-family residential use. This site also benefits from being adjacent to green space in the form of Stadacona Park as well as nearby Scurrah Green, Verrinder Park, and Johnson Street Green.

The R3-2 zone allows buildings up to 6 storeys in height. Our initial proposal to develop 1521 Elford Street was for a 6 storey building but planning staff encouraged our client to redesign the project for a 4 storey building. The R1-B zone allows for building that have a minimum side yard setback of 1.5 metres and a height of 7.6 metres (2.5 to 3 storeys). Our proposal is to blend the zones together so that building is set back at least 5 metres from all property lines, and the front section closest to the heritage house on Elford Street will have the third floor set back an additional 2 metres from the property line. The site slopes down considerably from Pandora Avenue to Begbie Street so our building form will also step down towards Begbie Street and the heritage house. Through our community meetings, we heard that doors on the street were important so we have also created doors to the two ground floor units off Elford Street.

We feel that the stepping down of the building towards the heritage building, the doors along Elford Street, the stepping back of the building on the upper floors, the variety of materials proposed for the building, and the larger setbacks create a more human scale to this building, creates a good streetscape and relation to the street, as well as fits the context of the area and creates a transition to the heritage house to the north. This building also creates a transition to the enclave of more traditional homes along Begbie Street starting with the heritage house to the north.

We have been through the CALUC process in Fernwood twice and feel that the majority of the comments have been positive. There were some concerns about the design of the building and how a preference for pitched roofs would be a better fit. We feel however, the contrast in design from the traditional pitched roofs on the houses to the north and along Begbie Street, accentuates the heritage nature of the homes and allows for the rich variety of building forms that makes this city.

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We trust that this proposal is in keeping with the neighbourhood and your vision for this area within the newly adopted Official Community Plan. Should you have any questions, please feel free to contact us at 250-360-2888.

Yours truly,

A handwritten signature in dark ink, appearing to read 'Alan Lowe', with a stylized, cursive script.

Alan Lowe
Alan Lowe Architect Inc.

cc. Client

1521 AND 1531 ELFORD STREET - SUSTAINABILITY STATEMENT

Parcel Address: 1521/1531 Elford Street

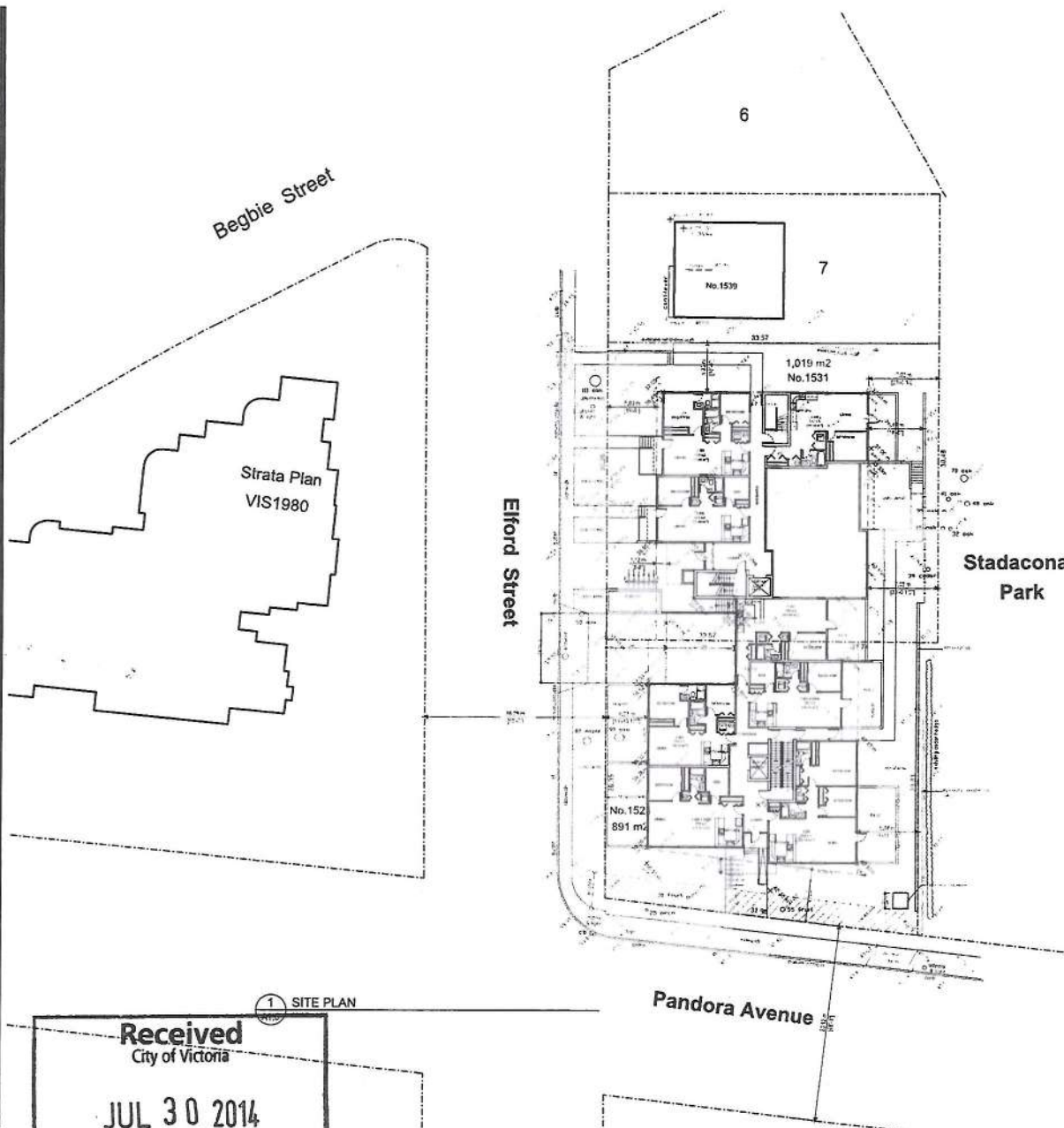
Environmental Indicators

The project is located at the corner of Elford Street and Pandora Avenue and is within walking distance to Stadacona Centre. This project is a consolidation of two sites, one zoned R3-2 Multiple Dwelling District and the other zoned R1-B Single Family. The R3-2 zoned property is a legal triplex and the R1-B zoned property contains a boarded up house that has been used by squatters for many years. The site is located adjacent to a triplex conversion to the north, a six storey condominium across the Elford Street to the west and a four storey apartment building across Pandora Avenue to the south. The site is strategically located along a bike route and convenient to bus routes along Pandora Avenue and Begbie Street. As the site has been developed in the past, the site does not support ecologically sensitive areas.

The project will see the construction of a new 32 unit, four storey multi-family residential building with one level of underground parking. The majority of the building mass will be situated on the R3-2 zoned property with the building stepping down towards the north.

General building sustainable initiatives proposed are as follows:

- Redevelop an existing site with higher density to minimize urban sprawl
- Reduction in required parking stalls/ increase in bicycle parking (32 secured / 12 at entrance) to encourage alternate modes of transportation and walking
- BC Transit passes provided to purchasers for first two years
- Deconstruction of existing buildings
- Water conservation – low-flow plumbing fixtures, dual flush toilets
- Energy efficient appliances and light fixtures
- Operable windows for natural ventilation
- Use of recycled content in materials
- Use of non-toxic materials
- Diversion of construction waste from landfill



SITE DATA

LEGAL ADDRESS: LOTS 8 & 9, SECTION 75, VICTORIA DISTRICT, PLAN 2307

CIVIC ADDRESS: 1521 / 1531 ELFORD STREET
VICTORIA, BRITISH COLUMBIA

ZONING DATA

ZONING: R3-2 & R1-B TO NEW ZONE

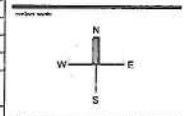
OCCUPANCY CLASSIFICATION: GROUP C - RESIDENTIAL

BUILDING CLASSIFICATION: 3.2.2.50 GROUP C, UP TO 6 STORES, SPRINKLERED
3.2.2.50 2) a) Floor assemblies shall be fire separations with a F.R.R. not less than 1 HR.

	Existing 1521 / 1531 R3-2 / R1-B	Required / Allowed	New Zone	Variance Requested
ZONE (EXISTING)				
Site area	Total 1910 sq.m (20,559 sq. ft)	1910 sq.m		
Floor Areas:				
Basement (U/G PARKING)			1605.48m²	
Ground Floor (north)			265.88 m²	
Ground Floor (south) 2nd Floor (north)			815.79m²	
2nd Floor (south), 3rd Floor (north)			763.08 m²	
3rd Floor (south), 4th Floor (north)			595.26 m²	
4th Floor (south)			334.8 m²	
Gross Floor Area			2774 m² (Does not include park levels etc.)	
Building Area			866.3m²	
Open Site (Roof)	80%		47.8%	12.2 %
Floor space ratio	1.6:1	1.4:1	1.62:1	1.3:1
Site coverage %	40 %	40 %	47.3 %	7.3 %
Height of Building (m)	18.5 m		16.12 m	
Number of Storeys			4	
Parking stalls on site		1.5 per unit 45 stalls	40	5
Bicycle parking (storage and racks)			32	
Building Setbacks (m)				
Front yard (Pandora)	7.5m	7.5m	5.43m	
Rear yard	7.5m	7.5m	5.0m	
Side yard	7.5m	1.5m	6.86m	
Side yard West (Elford)	7.5m	3.0 m	4.23m	
Overhead Load			84	
Total number of units			32	
Type of Units / number			32 x 1 BDR / 10 x 2 BDR	
Total Residential Floor Area			2704 sq. m²	
Fire Protection			Sprinklered	

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10/06/14



2. APPROVED FOR THE CITY OF VICTORIA 28 JULY 2014
3. APPROVED FOR THE CITY OF VICTORIA 28 JULY 2014
4. APPROVED FOR THE CITY OF VICTORIA 28 JULY 2014

alan lowe architect inc.

222-1000 Vancouver St. 1 250 555 5555
Vancouver, British Columbia V6C 2E6

EXISTING GRADE

AVERAGE GRADE CALCULATION:	
POINTS A&B - (40.10+40.10=80.2)/2=40.10 x 21.43 m =	859.34
POINTS B&C - (40.10+40.10=80.2)/2=40.10 x 30.21 m =	1211.42
POINTS C&D - (38.38+40.10=78.48)/2=39.24 x 10.87 m =	426.53
POINTS E&F - (37.00+37.00=74.00)/2=37.00 x 6.97 m =	257.89
POINTS F&G - (37.00+37.00=74.00)/2=37.00 x 20.94 m =	774.78
POINTS H&I - (36.48+36.90=73.38)/2=36.69 x 15.48 m =	567.06
POINTS I&J - (35.90+37.00=72.90)/2=36.45 x 3.80 m =	140.41
POINTS J&K - (37.00+37.00=74.00)/2=37.00 x 5.6 m =	207.20
POINTS K&L - (37.00+37.00=74.00)/2=37.00 x 4.2 m =	155.40
POINTS L&M - (37.00+37.00=74.00)/2=37.00 x 1.41 m =	52.17
POINTS M&N - (35.89+35.89=71.78)/2=35.89 x 7.12 m =	255.53
POINTS O&P - (35.89+37.04=72.93)/2=36.46 x 8.84 m =	322.35
POINTS Q&R - (38.52+38.52=77.04)/2=38.52 x 8.22 m =	316.63
POINTS S&T - (39.26+39.26=78.52)/2=39.26 x 8.54 m =	339.20

TOTAL 5896.81

AVERAGE GRADE: 5886.81 / 155.08m(PERIMETER) = 37.95m GEODETIC

RESIDENTIAL DEVELOPMENT

1521 & 1531 ELFORD STREET

SITE PLAN SITE DATA

project NO.	13-378
DATE	1/20/14
BY	ALAN LOWE
FOR	ALAN LOWE ARCHITECT INC.

A1.0

Received
City of Victoria

JUL 30 2014

Planning & Development Department
Development Services Division

PROJECT INFORMATION

LEGAL ADDRESS: LOTS 8 & 9, SECTION 75, VICTORIA DISTRICT, PLAN 2307

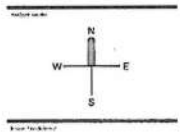
CIVIC ADDRESS: 1521 & 1531 ELFORD STREET
VICTORIA, BRITISH COLUMBIA

ZONING DATA

EXISTING ZONING: (1521 ELFORD): R1-8 SINGLE FAMILY DWELLING
EXISTING ZONING: (1531 ELFORD): R1-8 SINGLE FAMILY DWELLING
SITE AREA (1521 ELFORD): 891 m²
SITE AREA (1531 ELFORD): 1,019 m²
TOTAL SITE AREA: 1,910 m²

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consent of the drafter is prohibited.

Scale: 1:100



1. PROJECT LOCATION: 25 JULY 14

2. PROJECT PREPARATION: 4 JULY 14

3. Project: Residential

4. Date:

alan lowe architect inc.

203-1110 Glenwood Pl. 1st floor

Vancouver, British Columbia V6E 1A1

140

RESIDENTIAL DEVELOPMENT

1521 & 1531 ELFORD STREET

EXISTING SITE PLAN

project no.: 13-378

date: 4 JULY 14 scale: 1:200

drawn by: LORR checked by: JLR

project no.: 13-378

A1.1

Begbie Street

Elford Street

Stadacona Park

Pandora Avenue

1 EXISTING SITE PLAN
SCALE: 1:200

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City of Victoria

JUL 30 2014

Planning & Development Department
Development Services Division



EAST ELEVATION FROM STADACONA PARK



APPROACHING SITE WESTBOUND ON PANDORA AVE.



ACROSS THE STREET (ELFORD ST. @ PANDORA AVE)



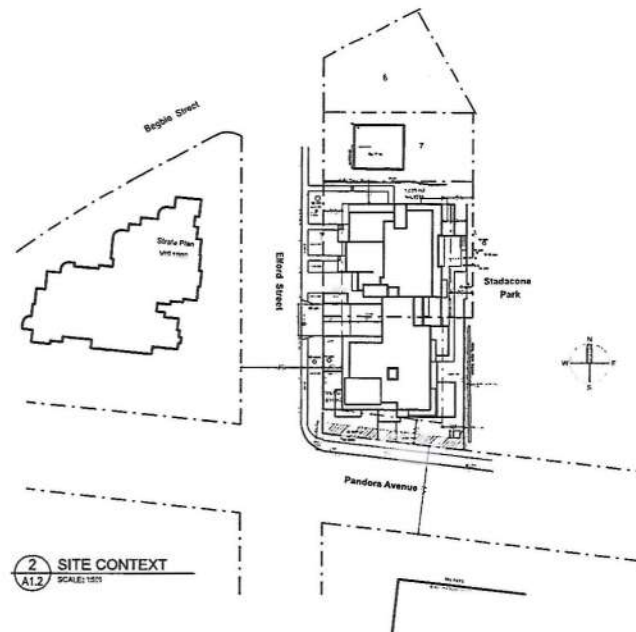
PROPERTY LINE ADJACENT TO STADACONA PARK



ACROSS THE STREET (PANDORA AVE)



EXISTING PANDORA STREET ELEVATION



2 SITE CONTEXT
SCALE: 1:100



BEGBIE STREET

PANDORA AVENUE

3 PHOTOS
SCALE: NTS



1 STREETSCAPE - ELFORD STREET
SCALE: NTS

Received
City of Victoria
JUL 30 2014
Planning & Development Department
Development Services Division

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Scale Footprint

2 REVISION APPLICATION 24 JULY 14
1 REVISION APPLICATION 5 JUNE 14
No. Revised 7 (Revisions) EAP

alan lowe architect inc.

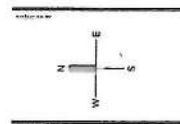
203-1110 Government St.
Victoria, British Columbia
V8T 1C2

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELFORD STREET
SITING CONTEXT

project no.: 15-078
date: 5 JUNE 2014 scale: AS NOTED
prepared by: LOWE design by: JW

A1.2

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2. SITE PLAN APPLICATION 24 JULY 2014
 3. SITE PLAN APPLICATION 3 JULY 2014
 No. 2014-0000000 Date

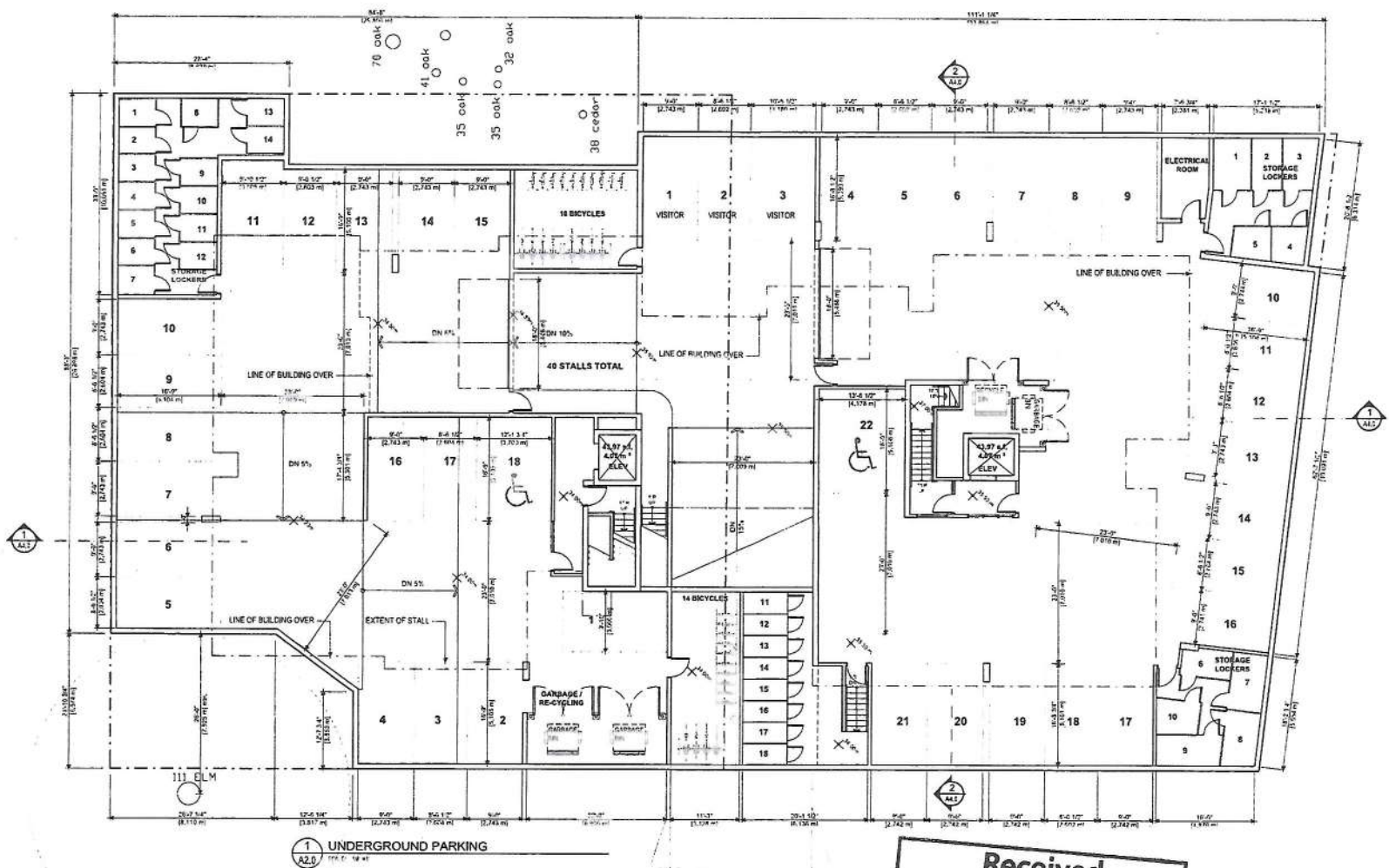
alan lowe architect inc.
 203 - 1114 (Dundas Street E)
 Toronto, Ontario M4M 1B7

RESIDENTIAL DEVELOPMENT
 1521 & 1531 ELM STREET
 UNDERGROUND PARKING

project no.: 13-078
 date: 13 JUL 2014 scale: 1/8" = 1'-0"
 prepared by: LOWE checked by: JH

A2.0

Received
 City of Victoria
 JUL 30 2014
 Planning & Development Department
 Development Services Division





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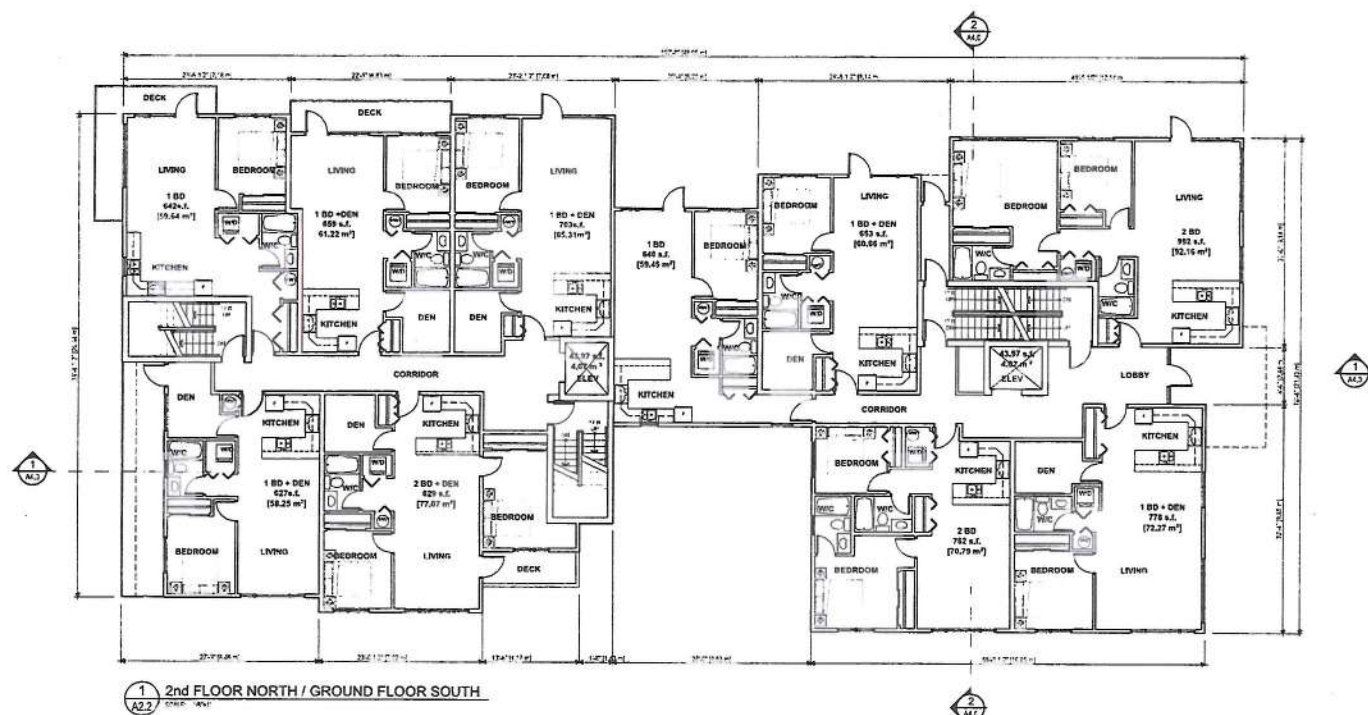
GROUND FLOOR NORTH

Category	Topic	Author	Year
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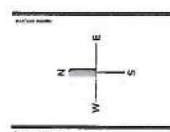
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Planning & Development Department
Development Services Division

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1 2nd FLOOR NORTH / GROUND FLOOR SOUTH
A2.2



2. SITE PLAN APPLICATION 28 JULY 14
1. SITE PLAN APPLICATION 9 JUNE 14
No. 100 and 101-103 East 1st Ave. City

alan lowe architect inc.
202 - 1110 Glenview Dr. • 251-564-8888
Vancouver, British Columbia
V6H 1Y6

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELMFORD STREET
FLOOR PLAN
2ND FLOOR NORTH
GROUND FLOOR SOUTH

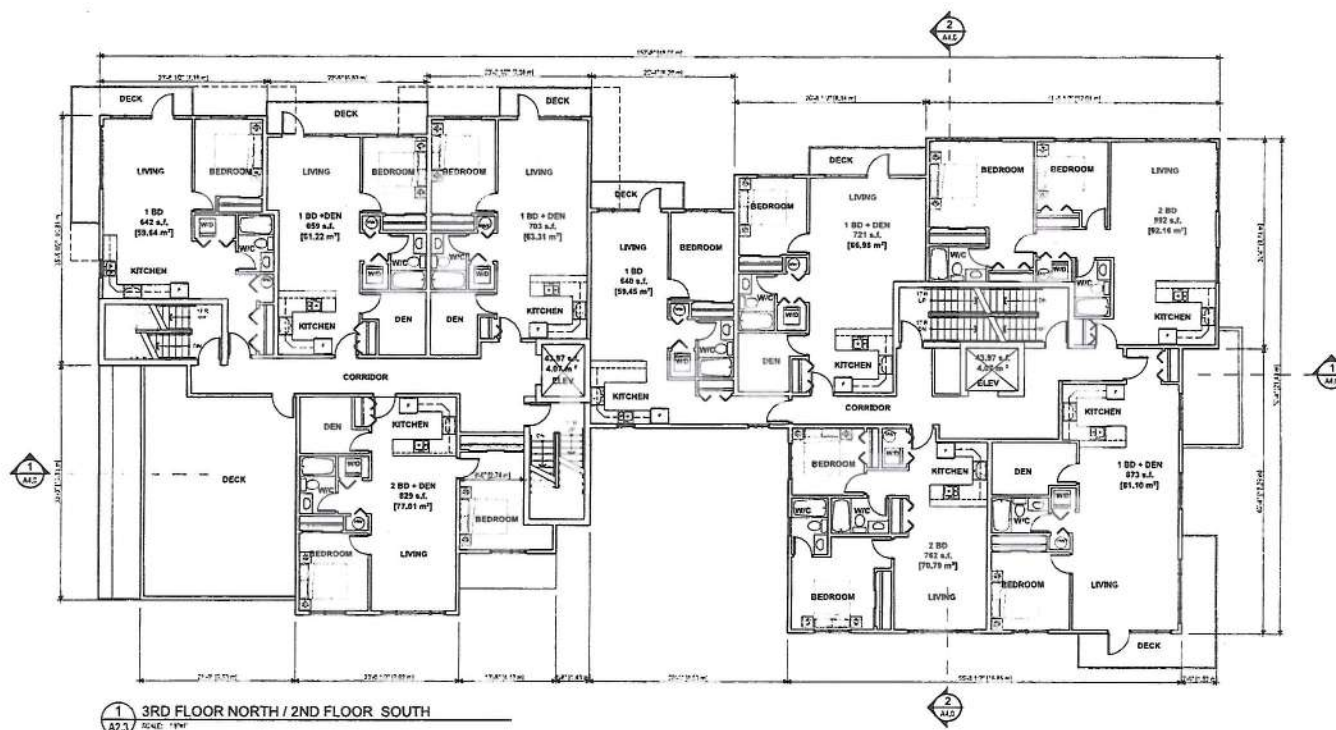
PROJECT NO.	13-378
DATE	9 JUNE 2014
SCALE	1/8"=1'
DESIGNED BY	LOWE
CHECKED BY	JM

A2.2

Received
City of Victoria

JUL 30 2014

Planning & Development Department
Development Services Division



1 3RD FLOOR NORTH / 2ND FLOOR SOUTH
A2.3 SCALE: 1/8" = 1'-0"

2. REVISIONS APPLICATION	28 JULY 14
1. REVISIONS APPLICATION	4. 3. 2014
NO. REVISION	DATE

alan lowe architect inc.
203 - 1118 Thompson St.
Vancouver, British Columbia
V6E 2T6

RESIDENTIAL DEVELOPMENT

1521 & 1531 ELFDOR STREET

FLOOR PLAN
3rd FLOOR NORTH
2nd FLOOR SOUTH

project no.	13-078
date	3 JULY 2014
drawn by	LDW
checked by	JLL

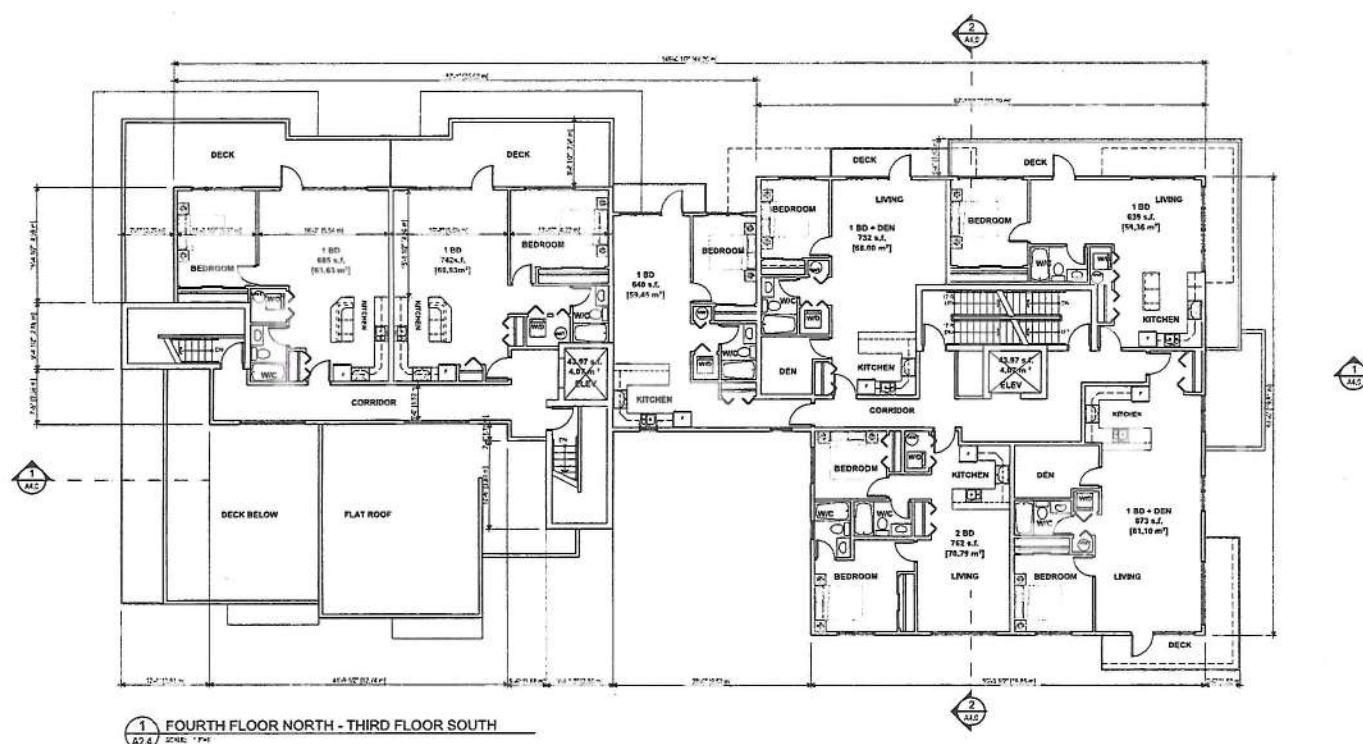
A2.3

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City of Victoria

JUL 30 2014

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1
A2.4
FOURTH FLOOR NORTH - THIRD FLOOR SOUTH

2. REVISIONS AND DATE
1. REVISIONS AND DATE
RE: SENSEI, THESE

alan lowe architect inc.
225 - 1110 (P.O. Box 1110)
VICTORIA, BRITISH COLUMBIA
V8N 1A2

RESIDENTIAL DEVELOPMENT

1521 & 1531 ELMFORD STREET

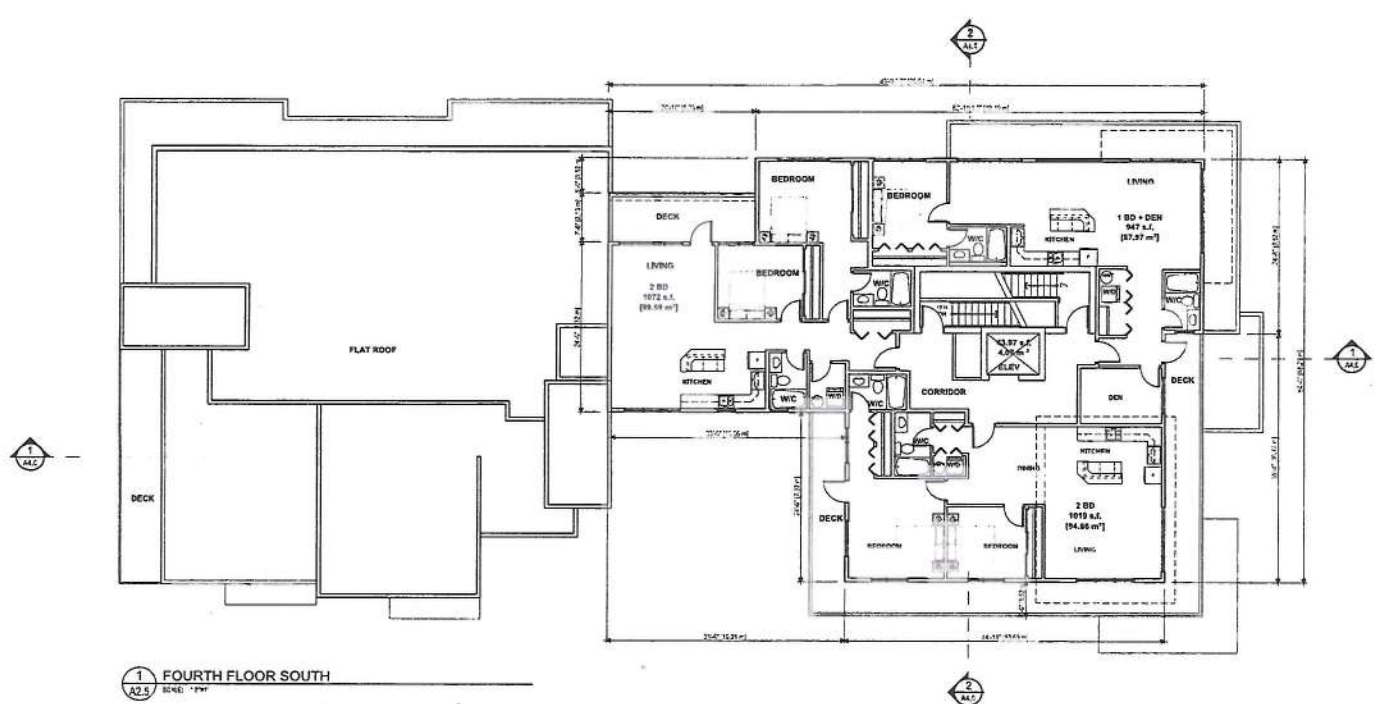
FLOOR PLAN
4th FLOOR NORTH
3rd FLOOR SOUTH

project no. 13-378
date: 5 JUNE 2014
author: LOWE
scale: 1/8" = 1'-0"

A2.4

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Development Services Division

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1 FOURTH FLOOR SOUTH
 A2.5 3048 1994

2. REZONING APPLICATION 28 JULY 14
 1. REZONING APPLICATION 5 JUNE 14
 No. Project / Revision Date

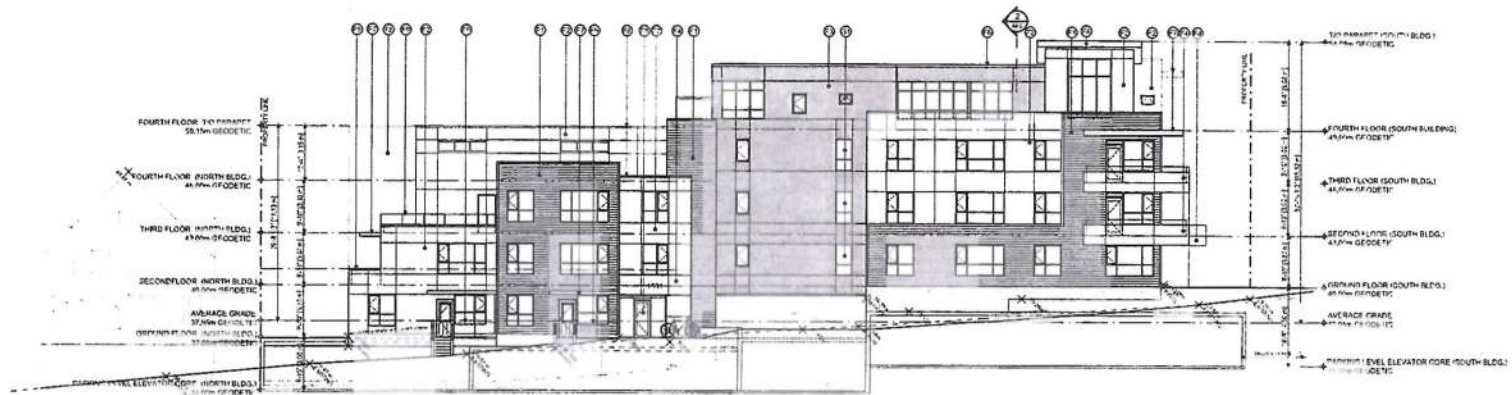
alan lowe architect inc.
 223 - 1112 Pender Street W. 2nd Floor
 604-681-1234

RESIDENTIAL DEVELOPMENT
 1521 & 1531 ELFDOR STREET
 4th Floor SOUTH

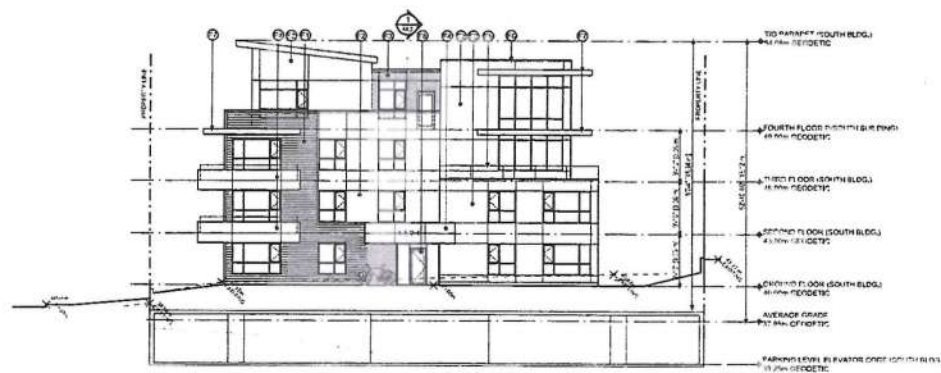
project no.: 13-378
 date: 5 AUG 2014 scale: 1/200
 prepared by: LOWE
 checked by: JLM

A2.5

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 JUL 30 2014
 Planning & Development Department
 Development Services Division



2 WEST ELEVATION (ELFORD STREET)
SCALE: 1/8" = 1'-0"



1 SOUTH ELEVATION (PANDORA AVE.)
SCALE: 1/8" = 1'-0"

EXTERIOR FINISHES & NOTES:

- (1) INTERIOR FINISHES
- (2) EXTERIOR FINISHES
- (3) EXTERIOR FINISHES
- (4) EXTERIOR FINISHES
- (5) EXTERIOR FINISHES
- (6) EXTERIOR FINISHES
- (7) EXTERIOR FINISHES
- (8) EXTERIOR FINISHES
- (9) EXTERIOR FINISHES
- (10) EXTERIOR FINISHES

2. REVISIONS AND STATUS: 15 JULY 14
1. REVISIONS AND STATUS: 5 JUNE 14
NO. DATE BY

alan lowe architect inc.
223 - 1110 GARDEN ST. VICTORIA, BC V8T 1C1
TEL: 250-383-1111 FAX: 250-383-1112

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELFORD STREET
ELEVATIONS

Received
City of Victoria

JUL 30 2014

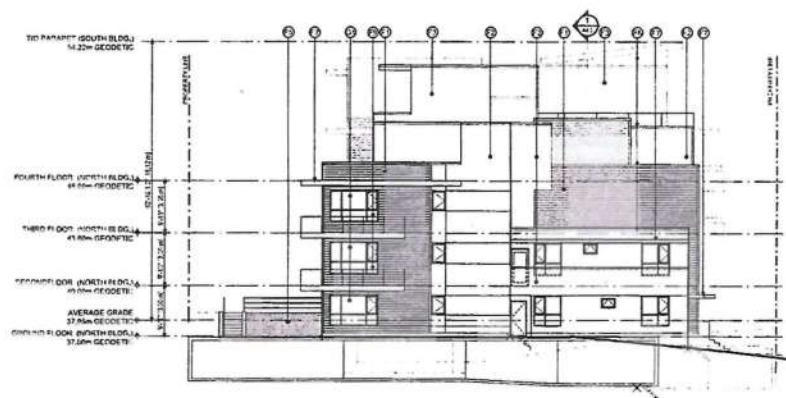
Planning & Development Department
Development Services Division

project no: 13-072
DATE: 5 JUNE 2014 SCALE: 1/8" = 1'-0"
DRAWN BY: LJOE CHECKED BY: JLS

A3.0



1 EAST ELEVATION
A3.1 SCALE: 1/2" = 1'-0"



2 NORTH ELEVATION
A3.1 TONE: 1 1/2" x 1 1/2"

EXTERIOR FINISHES & NOTES :

- ☐ P1. PREPARED: JAMES HENRY
- ☐ P2. 6TH FLOOR - 10300E
- ☐ P3. 6TH FLOOR - 10300E
- ☐ P4. DETENTION: HOTEL PARKS
- ☐ P5. NOTIFIED
- ☐ P6. 1ST FLOOR: HOTEL PARKS
- ☐ P7. 1ST FLOOR: HOTEL PARKS
- ☐ P8. 1ST FLOOR: HOTEL PARKS
- ☐ P9. 1ST FLOOR: HOTEL PARKS
- ☐ P10. 1ST FLOOR: HOTEL PARKS

2	REZONANT AFFILIATION	26 JULY 94
1	REZONANT AFFILIATION	5 JUNE 94
No.	Request / Response	Date

alan lowe architect inc.

203 • 1116 Humphrey St • 207 967 2528
Monday, 10:00am - 6:00pm

RESIDENTIAL DEVELOPMENT
1521 & 1531 ELFORD STREET
PETERBORO, ONT.
ELEVATIONS

project no.: 13-376	
exp: 5 JUNE 2014	order: 2012-01
evaluation: LOWE	frequency: 2W

A3.1

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City of Victoria

JUL 30 2014

Planning & Development Department
Development Services Division

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2. RESTAURANT APPLICATION 28 JULY '14
1. RESTAURANT APPLICATION 5 JUNE '14
No. Revised / Resubmit: 0/0

alan lowe architect inc.
303-1110 Courtenay Rd.
Victoria, British Columbia V8T 1C1
Tel: (250) 363-1555

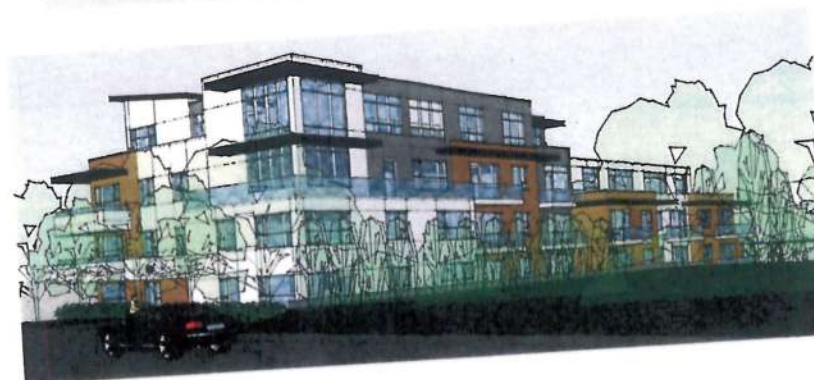
RESIDENTIAL DEVELOPMENT
1431 & 1431 ELFD STREET
RENDERINGS

project no.: 13-378
date: 5 JUNE 2014 scale: 3/32"=1'
checked by: LOWE drawn by: JH

A3.2

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City of Victoria
JUL 30 2014
Planning & Development Department
Development Services Division

An architectural rendering of a modern, multi-story building. The building features a mix of white, brown, and grey panels, with large glass windows and a prominent entrance area. It is surrounded by stylized green trees and landscaping. A small figure of a person is visible near the entrance for scale.



alan lowe architect inc

209 - 1110 Government St
Ottawa, Ontario K1P 6H8

project no.:		13-378
date:	6 JUNE 2014	scale:
location:	1. CONE	drawn by:

A3.3

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City of Victoria

JUL 30 2014

Planning & Development Department
Development Services Division


 A4.0 12A.1- 122 to 140'202 • 1110 Guyton Street • 1 25th Ave. West
 Nevada, Idaho • Nevada
 89401 • 702-735-1110
 www.1110guyton.com

1521 & 1531 ELFORD STREET

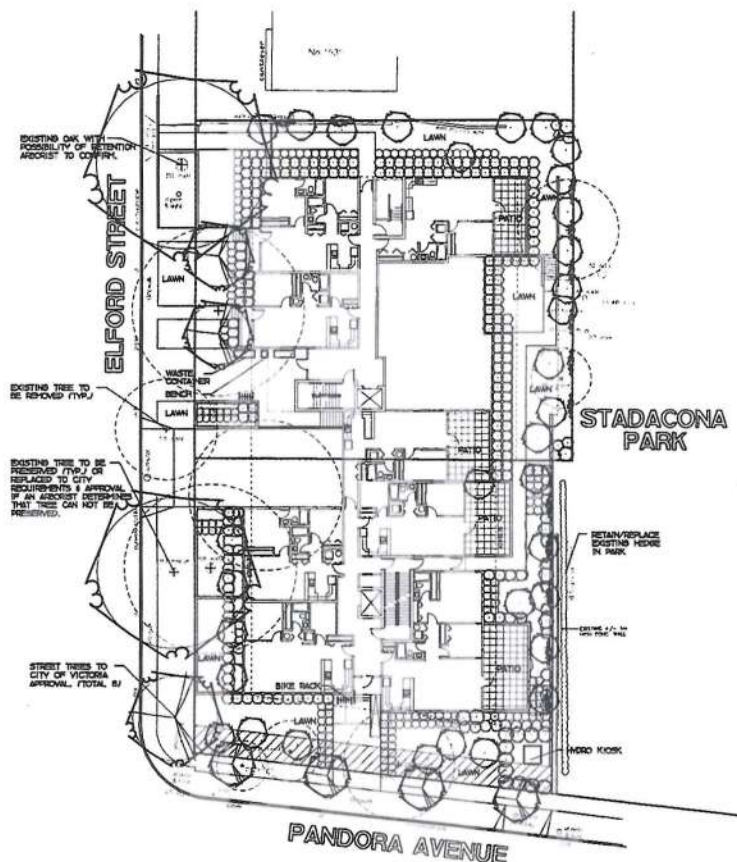
SECTION
A4.0 1048: 1025 to 1027

JUL 30 2014

Planning & Development Department
Development Services Division

project no.:		13-375	
date:	5 JUNE 2014	scale:	3:02" = 1'
changed by:	LOST	drawn by:	JW

A4.0



LEGEND



MEDIUM DECIDUOUS TREE TO BE A SELECTION OF:
RED MAPLE (RED), YALOW (Y), CAMELIA (CA),
SIZE 2" CH POT, APPROPRIATE NO. = 12



MADRONO TO BE A SELECTION OF:
STAR MAGNOLIA (RED), YALOW (Y), CAMELIA (CA),
SIZE 2" CH POT, APPROPRIATE NO. = 12



NOOTKA TO BE A SELECTION OF:
NOOTKA (RED), MADRONO (RED),
SIZE 2" CH POT, APPROPRIATE NO. = 12



ESCALLONIA TO BE A SELECTION OF:
ESCALLONIA (RED), MADRONO (RED),
SIZE 2" CH POT, APPROPRIATE NO. = 12



MADRONO TO BE A SELECTION OF:
STAR MAGNOLIA (RED), YALOW (Y), CAMELIA (CA),
SIZE 2" CH POT, APPROPRIATE NO. = 12



MADRONO TO BE A SELECTION OF:
STAR MAGNOLIA (RED), YALOW (Y), CAMELIA (CA),
SIZE 2" CH POT, APPROPRIATE NO. = 12



MADRONO TO BE A SELECTION OF:
STAR MAGNOLIA (RED), YALOW (Y), CAMELIA (CA),
SIZE 2" CH POT, APPROPRIATE NO. = 12

NOTES

- LANDSCAPE HEREIN IS TO BE INSTALLED WITH A FULLY AUTOMATIC IRRIGATION SYSTEM.
- THIS DRAWING IS CONCEPTUAL ONLY AND NOT INTENDED FOR CONSTRUCTION PURPOSES.
- THIS DRAWING IS FOR SOFT LANDSCAPE ONLY.

Received
City of Victoria

JUL 30 2014

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Development Services Division

1. 01/25/14 S.P. BUREAU
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ELFORD STREET CONDOMINIUMS VICTORIA, B.C.

1 : 200



LANDSCAPE PLAN | P1

3.1 Official Community Plan Amendment, Rezoning Application #00453 and Development Permit Application #000374 for 1521 and 1531 Elford Street

Committee received a report dated September 18, 2014 which provided Committee with information, analysis and recommendations regarding a request for an *Official Community Plan* (OCP) amendment, a Rezoning Application and a Development Permit Application for the properties located at 1521-1531 Elford Street. The proposal is for a new four-storey, 32-unit apartment building with a floor space ratio (FSR) of 1.45:1.

Action: It was moved by Councillor Helps, seconded by Councillor Coleman, that Committee recommends:

1. That Council direct staff to prepare the *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00453 for 1521-1531 Elford Street, subject to:
 - a. Referral to Advisory Design Panel with direction for attention to the transition to the adjacent house and park and overall street appearance;
 - b. Completion of a Third-Party Land Lift Analysis to be conducted by a consultant, agreed to by the City and paid for by the applicant, to establish the value of any increase in density that exceeds the floor space ratio of 1:1 FSR for that portion of the development located on the property at 1531 Elford Street, with a contribution of 75% of the value to the Parks and Greenways Acquisition Reserve Fund, secured to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development;
 - c. Registration of the following:
 - i. Housing Agreement ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units, to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development,
 - ii. Section 219 Covenant to secure six new Garry Oak trees in Stadacona Park to the satisfaction of the City Solicitor and Director of Parks, Recreation and Culture,
 - iii. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Statutory Right-of-Way of 2.4 m along Pandora Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
2. That Council direct staff to prepare the necessary *Official Community Plan* Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council gives first reading to the *Official Community Plan* Amendment Bylaw;
 - b. That Council consider the *Official Community Plan* Bylaw, Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local*

Government Act and deem those plans to be consistent with the proposed *Official Community Plan Amendment Bylaw*;

- c. That Council consider consultation under section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the provincial and federal governments and their agencies due to the nature of the proposed amendments;
 - d. That Council give second reading to the *Official Community Plan Amendment Bylaw*;
 - e. That Council refer the *Official Community Plan Amendment Bylaw* for consideration at a Public Hearing.
3. Following consideration of the *Official Community Plan Amendment Bylaw* and Rezoning Application #00453, that Council approve a Development Permit for 1521-1531 Elford Street, in accordance with:
- a. Plans for Rezoning Application #00453 and Development Permit Application #000374, stamped July 30, 2014;
 - b. Development meeting all *Zoning Regulation Bylaw* requirements;
 - c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development;
 - d. Council approval of any necessary encroachment agreements to the satisfaction of the City Solicitor, Director of Engineering and Public Works and the Director of Parks, Recreation and Culture, prior to the issuance of a Building Permit.

CARRIED 14/PLUC0243

For: Mayor Fortin, Councillors Alto, Coleman, Helps, Thornton-Joe
Against: Councillors Gudgeon, Isitt, Madoff, Young

Committee discussed:

- If further revisions could be made to reduce tree loss in Stadacona Park. Whether revisions to save trees will lead to a larger parking variance.
- Concerns on how this proposal is going to impact the park.
- Evidence to support the argument that the current buildings were beyond repair.
- The CALUCs concerns regarding the impact on the park and how this proposal will impact the street.
- Concerns regarding the removal of trees both on private and park land, and how the applicant will be planting new trees.
- Whether the proposal is ready for Advisory Design Panel.
- How urban parks can benefit from urban development. As it can increase public use in the park.
- Whether the proposal could fit better in its context.

- The meaning of Traditional Residential and whether this is the ideal project to be surrounding the park.

Action: It was moved by Councillor Thornton-Joe, seconded by Councillor Madoff, that Committee amend the recommendation as follows:

1. That Council direct staff to prepare the *Zoning Regulation Bylaw* amendment that would authorize the proposed development outlined in Rezoning Application #00453 for 1521-1531 Elford Street, subject to:
 - a. Referral to Advisory Design Panel with direction for attention to the transition to the adjacent **heritage registry** house and park and overall street appearance;
 - b. Completion of a Third-Party Land Lift Analysis to be conducted by a consultant, agreed to by the City and paid for by the applicant, to establish the value of any increase in density that exceeds the floor space ratio of 1:1 FSR for that portion of the development located on the property at 1531 Elford Street, with a contribution of 75% of the value to the Parks and Greenways Acquisition Reserve Fund, secured to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development;
 - c. Registration of the following:
 - i. Housing Agreement ensuring that future strata bylaws cannot prohibit strata owners from renting residential strata units, to the satisfaction of the City Solicitor and Director of Sustainable Planning and Community Development,
 - ii. Section 219 Covenant to secure six new Garry Oak trees in Stadacona Park to the satisfaction of the City Solicitor and Director of Parks, Recreation and Culture,
 - iii. Section 219 Covenant for sewage attenuation, as required, to the satisfaction of the City Solicitor and Director of Engineering and Public Works,
 - iv. Statutory Right-of-Way of 2.4 m along Pandora Avenue to the satisfaction of the City Solicitor and Director of Engineering and Public Works.
2. That Council direct staff to prepare the necessary *Official Community Plan* Amendment Bylaw and that concurrent with the Rezoning Application advance to a Public Hearing:
 - a. That Council gives first reading to the *Official Community Plan* Amendment Bylaw;
 - b. That Council consider the *Official Community Plan* Bylaw, Amendment Bylaw in conjunction with the *City of Victoria 2012-2016 Financial Plan* and the *Capital Regional District Liquid Waste Management Plan* and *Capital Regional District Solid Waste Management Plan* pursuant to section 882(3)(a) of the *Local Government Act* and deem those plans to be consistent with the proposed *Official Community Plan* Amendment Bylaw;
 - c. That Council consider consultation under section 879(2) of the *Local Government Act* and determine that no referrals are necessary with the Capital Regional District Board; Councils of Oak Bay, Esquimalt and Saanich; the Songhees and Esquimalt First Nations; the School District Board; and the

provincial and federal governments and their agencies due to the nature of the proposed amendments;

- d. That Council give second reading to the *Official Community Plan Amendment Bylaw*;
 - e. That Council refer the *Official Community Plan Amendment Bylaw* for consideration at a Public Hearing.
3. Following consideration of the *Official Community Plan Amendment Bylaw* and Rezoning Application #00453, that Council approve a Development Permit for 1521-1531 Elford Street, in accordance with:
- a. Plans for Rezoning Application #00453 and Development Permit Application #000374, stamped July 30, 2014;
 - b. Development meeting all Zoning Regulation Bylaw requirements;
 - c. Final plans to be generally in accordance with plans identified above to the satisfaction of the Director of Sustainable Planning and Community Development;
 - d. Council approval of any necessary encroachment agreements to the satisfaction of the City Solicitor, Director of Engineering and Public Works and the Director of Parks, Recreation and Culture, prior to the issuance of a Building Permit.

On the amendment:
CARRIED UNANIMOUSLY 14/PLUC0244

On the main motion:
CARRIED 14/PLUC0245

For: Mayor Fortin, Councillors Alto, Coleman, Helps, Thornton-Joe
Against: Councillors Gudgeon, Isitt, Madoff, Young

PLUC Meeting
October 2, 2014



GYE + ASSOCIATES

Consultants in Urban Forestry and Arboriculture

August 10, 2014

1521 On The Park Properties Ltd.
1933 Keating X Rd, Victoria, BC V8M 2A4

Attention: Dave Vidalin

Dear Mr. Vidalin:

Re: 1521 & 1531 Elford Street, Victoria, BC

Purpose of Report

This report has been prepared in support of your rezoning and development permit application for the above properties. The report, which includes a Tree Plan drawing, has the following objectives:

1. Provide a comprehensive and accurate description of the tree resource, both on the subject properties and adjacent public lands.
2. Provide accurate biometrics of all protected trees and an assessment of their condition;
3. Indicate the critical root zone required to sustain trees recommended for preservation;
4. Provide recommendations for tree removal and retention.
5. In order to preserve selected trees, provide guidelines to assist with modifications to the site plan and design of the proposed building, including underground parking;
6. Provide protection measures for the preservation of selected trees.



Figure-1: Context Photo



Urban Forests by Design

T (250) 544-1700
E jgye@gyeandassociates.ca
W www.gyeandassociates.ca



Site Description, including adjacent lands

The site is currently comprised of two partially treed traditional residential lots, bounded by Elford Street to the west, Stadacona Park to the east, Pandora Street to the south and another residential lot to the north.

The Trees

The northerly-most lot (1531 Elford) supports one large Deodar Cedar tree (#2) and a moderately-sized Douglas Fir (#15)—both in good condition (see Table-1 below). The south lot supports two large Garry Oak trees. The oak located closest to Elford Street (Tree # 5) exhibits large conks around the base of the trunk from the fungal pathogen *Inonotus dryadeus*. This decay fungus attacks the roots and bole (or root crown) of the tree. Visible conks are an indicator of advanced decay.



Figure-2: Fungal conks at base of Oak # 5

Three large boulevard trees are located on Elford Street, adjacent to the two properties: a very large English Oak, a moderately-sized Garry Oak and a large Sycamore maple. The English Oak appears in good health and exhibits no structural defects. The Garry Oak is in poor health. The Sycamore maple appears in good health, but has a pronounced lean across the street and is likely structurally dependant upon Oak # 5 for its anchorage (see Figure-5 below).

There are no trees of significance located on Pandora Street to the south of 1521 Elford St. A significant copse of nine mature Garry Oaks is located within Stadacona Park immediately adjacent to 1531 Elford Street. These oaks are generally in good health, although three 12" diameter oaks closest to the property boundary have pronounced (phototropic) leans into the site.

The residential lot located to the north of the site has no significant trees located within 5m of the shared property line.



Figure-3: Stadacona Park Oaks

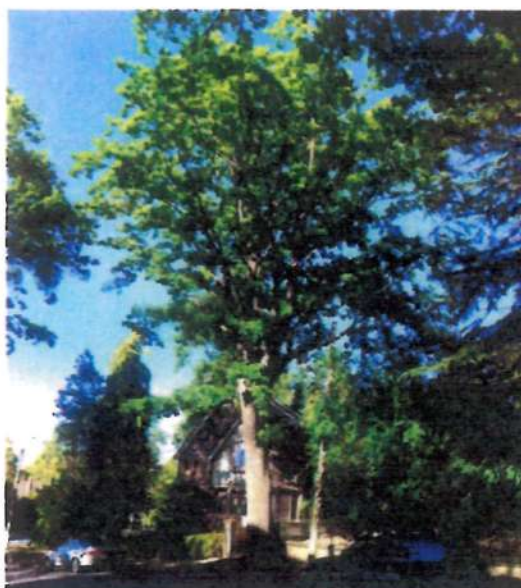


Figure-4: Boulevard English Oak # 1
(adjacent 1531 Elford St.)



Figure-5: Boulevard Garry Oak #3
(adjacent 1531 Elford St.)



Figure-6: Boulevard Sycamore # 4 & private
Garry Oak #5 (adjacent 1521 Elford St.)



Figure-7: Base of Tree #s 4 and 5, looking north

Proposed Land Use

Rezoning will create one building lot from the two existing residential properties for the purpose of constructing a large multifamily residential building with underground parking.

Anticipated Tree Impacts

The underground parking footprint will take up most of the site and will impact to a greater or lesser extent all of the trees discussed thus far.

- Any trees within the interior of the site will be forfeit. This includes Tree #s 2, 5, 6 and 15.
- The boulevard Oak # 3 will be significantly impacted by the entrance to the underground parkade. Given its poor condition, it is recommended that the tree be removed and replaced.
- The boulevard Sycamore Maple # 4 will be impacted both by the parkade excavation and by the removal of its companion tree, Oak # 5. It is recommended that this boulevard tree be removed and replaced.
- The three park oaks noted above lean well into the building footprint. The critical root zones of these trees, as well as portions of the root zone of the six other oaks, also extend into the parkade footprint.

Summary Tree Removal and Compensation Recommendations:

1. Remove Tree #s 2 – 6, as well as Park Oaks 10, 11 and 12. The rationale for these removals has been reviewed on site with the City Parks Development Officer.
2. Provide replacement tree compensation to the City at a ratio of 1:1 for the removal of the two boulevard trees and a ratio of 2:1 for the removal of the three park oaks.



Tag #	Common Name	DBH (cm)	Protected Root Zone radius (m) (12x)	Health	Structural Condition	Recommendations	Rationale/Comments
1	English Oak	112	13	Good	Good	RETAIN	
2	Deodar Cedar	95	11	Good	Fair	REMOVE	Inside building footprint
3	Garry Oak	50	6	Poor	Fair	REMOVE	Poor condition; impacted by entranceway
4	Sycamore	80	10	Fair	Poor	REMOVE	Poor structural condition; heavy impacts from underground parkade excavation. 20 degree phototropic lean to west. Co-dependant with Tree 5
5	Garry Oak	90	11	Poor	Poor	REMOVE	Inside building footprint. Large Innotus Draedus conks at base of tree (see photos)
6	Garry Oak	80	10	Fair	Fair	REMOVE	Inside building footprint
7	Garry Oak	54	6	Good	Fair	RETAIN	
8	Garry Oak	61	7	Good	Fair	RETAIN	
9	Garry Oak	30	4	Good	Fair	RETAIN	
10	Garry Oak	33	4	Fair	Fair	REMOVE	Poor structural condition; heavy impacts from underground parkade excavation.
11	Garry Oak	33	4	Fair	Fair	REMOVE	Poor structural condition; heavy impacts from underground parkade excavation.
12	Garry Oak	36	4	Fair	Fair	REMOVE	Poor structural condition; heavy impacts from underground parkade excavation.
13	Garry Oak	46	6	Good	Fair	RETAIN	
14	Garry Oak	57	7	Good	Fair	RETAIN	
15	Douglas Fir	51	6	Fair	Fair	REMOVE	Inside building footprint
16	Garry Oak	53	6	Good	Fair	RETAIN	

Table-1: Detailed Tree Inventory



Tree Preservation

The trees with the highest potential for preservation are the very large boulevard English Oak (located at the north-west corner of the site) and six of the nine park oaks.

Boulevard Tree # 1 (112cm diameter English Oak)

This tree is one of the largest English Oaks in the City and is remarkable for its condition and form. This tree is one of many large shade trees of similar age that extend south along the 1100 and 1200 blocks of Elford street, forming an allée of overarching canopy. The appraised value of this tree is conservatively estimated to be \$35,000.¹

The biggest challenge with preserving this oak is its sheer size. Using the City's default multiplier of 18x the stem diameter for calculating critical root area, this 1.12m diameter oak would require a protected root zone 40 metres across! The City multiplier is applied as a rough guide, independent of soil conditions, species resilience to disturbance or tree condition. The authoritative guide for managing trees and development is Matheny and Clark's Trees and Development – A Technical Guide to the Preservation of Trees during Land Development, which does take these factors into account in recommending an appropriate multiplier.² The multiplier recommended for a mature tree that is moderately resilient to disturbance and in good condition is 12, which gives a protected root zone radius of 13.4m (44'). As can be seen on the attached Tree Plan drawing, even this reduced set-back represents a significant encroachment into the potential parking footprint and so must come at the expense of parking spaces that are all ready below that required by the City (and therefore currently the subject of an application for a variance).

The use of multipliers, even when calculated in a more nuanced manner as recommended by Matheny and Clark, is at best a rough "rule-of-thumb" for gauging the amount of area required to sustain a tree in the long-term. Tree roots grow opportunistically and their actual distribution, extent, density and soil depth can vary widely depending upon site conditions.

In light of this fact and given the conflict between tree habitat and parking requirements, Gye and Associates Ltd (G&A) undertook to try and empirically assess the spatial extent of the tree's root system. A mini-excavator was contracted, under supervision of the arborist, to explore for roots on the east side of the tree. A narrow trench was established 12m from the base of the tree and gently extended toward the base of the tree to a depth of 2m. Few roots were encountered and the results of the root exploration were judged inconclusive.³

¹ Trunk Formula Method, Guide for Plant Appraisal, 9th Edition, Council of Tree and Landscape Appraisers (International Society of Arboriculture, Champlain IL. USA. 2000)

² Copyright © 1998 by International Society of Arboriculture, Exponent Publishers, Hagerstown, IN, USA

³ Few roots were encountered until the trench reached a point approximately 5m distant from the tree. At a depth of 1.1m, a 65mm diameter oak root was encountered. The root was oriented in line with the tree and rose as it extended away from the tree, suggesting larger structural roots further down. At this point, the trench was continued for 2 more metres at a reduced depth of 1m in order not to damage large woody roots. Further roots ranging in size from 30 – 50mm were encountered. On a tree of this size, structural roots 200mm in diameter and greater would be expected at this distance (3m) from the tree. As none were found, it is surmised that these roots are located below the elevation reached by the excavator.



Figure-8. Root exploration trench
(Note root debris along right-hand edge of trench)

It should be noted that the ambient grade of the site inside the property line is approximately 1.2m higher than the street grade where the tree is located and is supported by a retaining wall at the property boundary. The 2m depth of our trench represented the safest practical depth the machine could dig to, given the size of the machine and WorkSafe BC regulations. It is entirely possible that much larger structural roots are located further down than we could dig. In well-drained soils, the roots of vigorous broadleaved species, such as English Oak, are often found hugging the surface of bedrock or other root-limiting strata, such as glacial till. At these vertical boundaries, rainwater that has infiltrated through porous soils above is intercepted and begins to travel along the impervious lens of rock or till. Tree roots, being opportunistic, will gravitate to these strata in order to harvest the more abundant moisture and nutrients to be found there.

Given the uncertainty of the results of our exploration, I have recommended that a minimum 10m radial area be left undisturbed around the tree. This offset is also indicated on the attached Tree Plan. While more aggressive than the offset recommended by Methany and Clark, the 10m offset recommendation takes account of the fact that only one quadrant of the tree's critical root area is affected by the parkade.

The architect has modified the building plan in an effort to provide as much area for the tree as possible. Given current parking constraints, however, the best that can be achieved is 7 – 8m of undisturbed soil. An additional metre of clearance is required between the outside edge of the parkade wall and the face of the excavation in order to construct forms for the wall footing. This gap has been minimized in order to preserve as much area as possible for the tree roots. Such a small gap will require an excavated face that is vertical, rather than sloped back toward the tree. Vertical cuts of this depth must be retained with special procedures and materials such as soil nails and shotcrete.

These relationships between the tree's estimated root system, recommended offsets, key soil elevations and the proposed location of the parkade wall and its associated excavation are illustrated in Figure-8 below.



GYE + ASSOCIATES

Consultants in Urban Forestry and Arboriculture

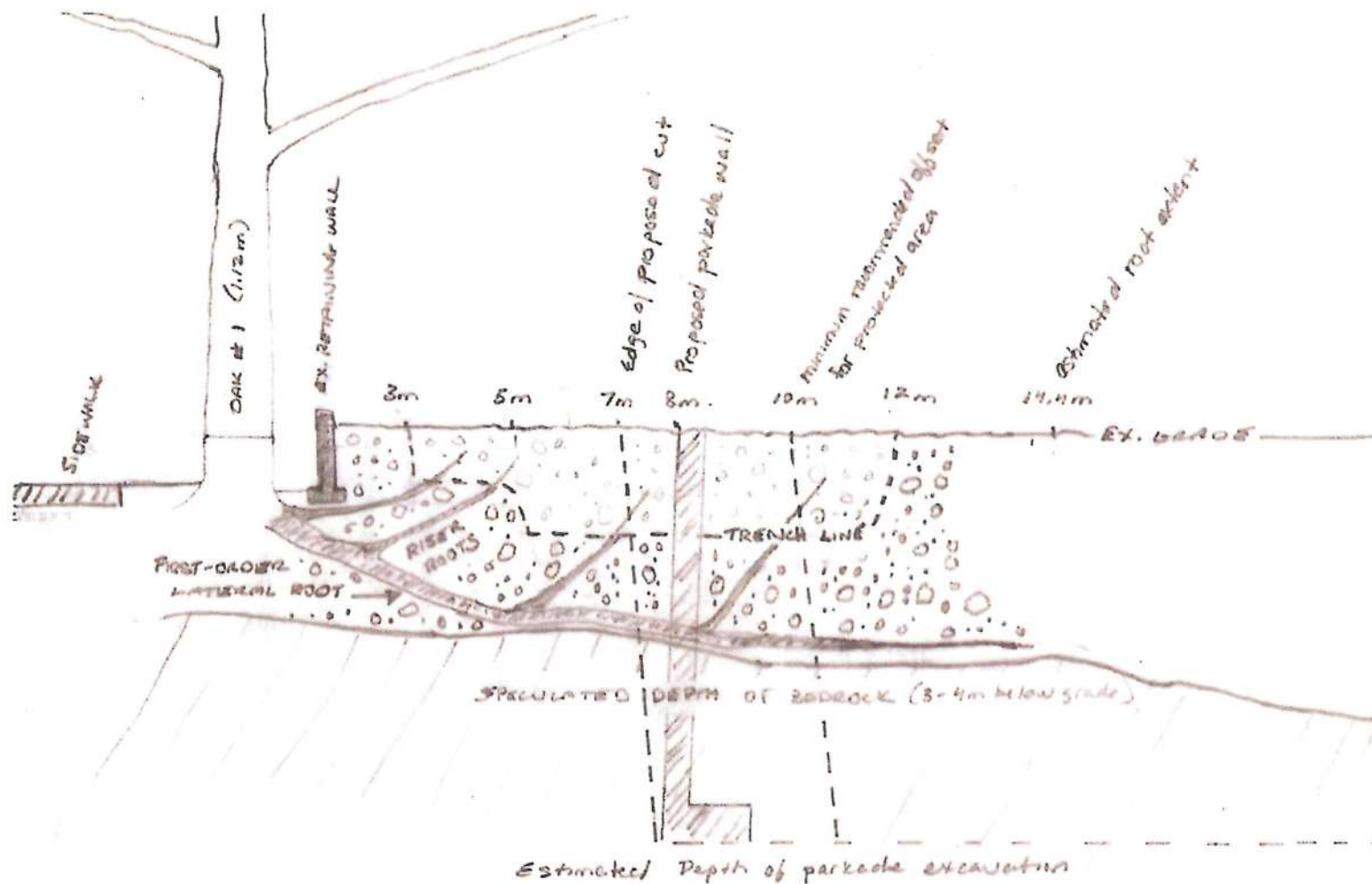


Figure-9. X-section (west to east) through Tree # 1 (1.12 English Oak)



It should also be noted that the broader excavation for the parkade will interrupt the seasonal rainwater interflows that the tree has grown to depend upon. Permanent supplemental irrigation during the wetted shoulder seasons when the tree is in leaf, and to a lesser extent, during the summer months, will be a necessary measure to sustain the health of the tree.

While nothing is completely certain, it is my best judgement that this change in hydrology and the reduction in the recommended protection area will not kill the tree in the short-medium term; however it is likely to have a deleterious effect upon its health, vigour and longevity in the longer term, even with the application of supplemental measures (such as mulching and irrigation) to optimize the residual growing environment. This being said, large mature boulevard trees are often unavoidably subjected to worse impacts as part of public works, despite the application of best practices. As a community, while we do what we can to minimize such impacts, we accept this as a necessary consequence of having large trees in the built environment where they must compete for space with other infrastructure and services. The best practical scenario in this particular case would be if the parking requirements could be relaxed in order to afford this significant tree the minimum recommended offset of 10m of undisturbed soil.

Park Oaks

Of the nine oaks within Stadacona Park that are located adjacent to the east boundary of the site, three are problematic and cannot be accommodated in the site plan. Oak #s 10, 11 and 12 are located hard up against the property line and, as indicated above, both their root systems and their entire canopies extend well into the subject property. Portions of the root systems of other oaks within this group also encroach into the site, but not to such a large extent. This is illustrated on the attached tree plan. After reviewing the protected root zone and canopies of the oaks in this copse, the architect has modified the parkade footprint to accommodate all but Oak #s 10, 11 and 12. We request permission from the City to remove these oaks, which will be compensated for to the City calculated at a 2:1 ratio.





Figure-10. Park Oak #s 10, 11 & 12
(Note aerial encroachment of 7.5m into site)

Summary Recommendations:

1. Negotiate a parking variance that will allow a reduction in the parkade footprint to accommodate the recommended minimum 10m setback of undisturbed soils.
2. Erect tree protection fencing as indicated on the attached Tree Plan drawing and tree fencing detail. Large-format all-weather signs must be affixed on all aspects of the tree fencing identifying the area within as a 'PROTECTED TREE HABITAT—KEEP OUT'.
3. The project arborist must be present during the excavation of soils adjacent to the tree protection area.
4. Excavated cuts along the tree protection boundary must be covered to prevent soil dessication and erosion.
5. 100mm of complete tree chip mulch, free of cedar or disease, will be distributed throughout the fenced tree protection area.
6. Any oak roots greater than 30mm in diameter damaged during excavation will be pruned cleanly back to undamaged tissue.
7. All blasting activity within a 30m radius of protected trees must submit a blasting plan for approval by the project arborist. The project arborist will monitor all blasting within this perimeter.
8. Sensors are required to be positioned at the edge of the tree protection areas to record peak particle velocity, which must not exceed 25mm per second. A record of the measurements will be forwarded to the project arborist on a daily basis.



9. To support the large boulevard English Oak, incorporate supplemental irrigation, maintenance and monitoring procedures into the Landscape Plan and Strata agreement.



Figure-11. Stadacona Park's future oak cohort

Certification:

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

Respectfully submitted,

Jeremy Gye - President
Gye and Associates, Urban Forestry Consultants Ltd.

Consulting Arborist (Diploma, American Society of Consulting Arborists, 1997)
ISA Certified Arborist (Certification No. PN-0144A)
ISA Municipal Specialist (Certification No. PN-0144AM)
Certified Tree Risk Assessor (TRACE No. 0016)
Certified Master Woodland Manager (Small Woodlands Program of BC)

TREE #1 - BOULEVARD ENGLISH OAK

TREE # 2 - DECOR CEDAR

TREE #3 - BOULEVARD GARRY OAK

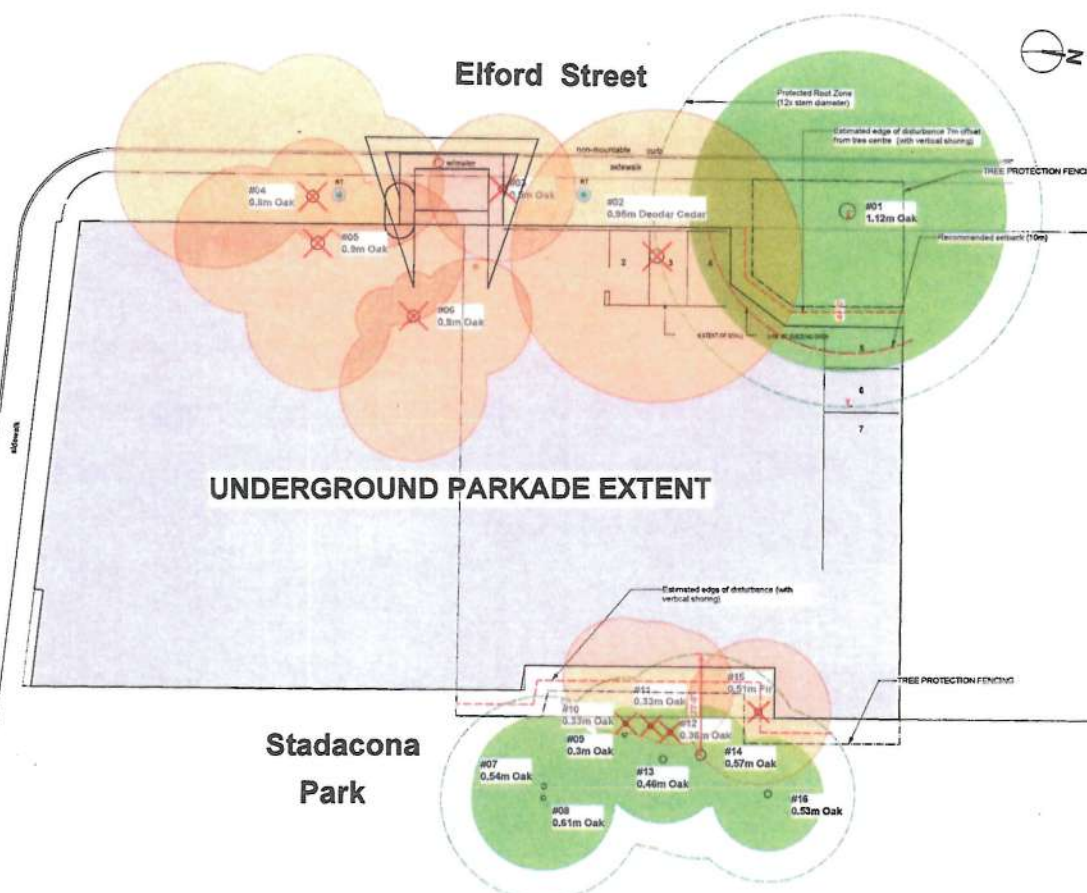
• 2 GARRY OAKS (North facing)

TREE 05 4 & 8 - CLOSE UP OF STEMS
ILLUSTRATING CO-DEPENDENCE

TREE # 5 - FUNGAL CONKS (Hymenochaetales) AT BASE OF OAK

TREE 957-16: PARK OAKS
(West facing)

TREE #3 10-12: 3 PARK OAKS
RECOMMENDED FOR REMOVAL
(South facing along east pth)



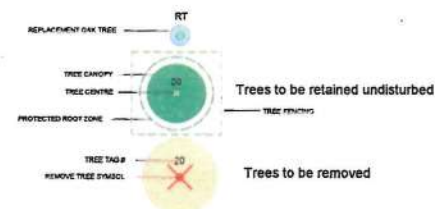
Tag #	Common Name	Stem dia. (in.)	Estimated Root Zone Extent (ft.) to stem dia.)	Health	Structural Condition	Recommendation	Notes/Comments
1	English Oak	112	13	Good	Good	RETAIN	
2	Decider Cedar	85	11	Good	FAIR	REMOVE	Inside building footprint
3	Garry Oak	80	6	Poor	FAIR	REMOVE	Poor condition, impacted by subsidence
4	Sycamore	80	10	FAIR	Poor	REMOVE	Poor structural condition, heavy impacts from underground pipeline excavation, 20 degree lean/tilt, lean to west. Co-dependent with Tag 5.
5	Garry Oak	90	11	Poor	Poor	REMOVE	
6	Garry Oak	85	10	FAIR	FAIR	REMOVE	Inside building footprint. Large Insects Damage (split at base of tree (see photo))
7	Garry Oak	54	6	Good	FAIR	RETAIN	
8	Garry Oak	61	7	Good	FAIR	RETAIN	Inside building footprint
9	Garry Oak	30	4	Good	FAIR	RETAIN	
10	Garry Oak	32	4	FAIR	FAIR	RETAIN	Poor structural condition, heavy impacts from underground pipeline excavation.
11	Garry Oak	33	4	FAIR	FAIR	REMOVE	Poor structural condition, heavy impacts from underground pipeline excavation.
12	Garry Oak	26	4	FAIR	FAIR	REMOVE	Poor structural condition, heavy impacts from underground pipeline excavation.
13	Garry Oak	46	6	Good	FAIR	RETAIN	
14	Garry Oak	87	7	Good	FAIR	RETAIN	
15	European Beech	81	6	FAIR	FAIR	REMOVE	Inside building footprint

SUMMARY TREE STATISTICS

Protected Trees on site	2
Affected Public Trees (Park & Boulevard)	13
Trees to be removed (2 private 6 public)	8
Trees to be preserved (6 private 7 public)	7



LEGEND



**TREE PRESERVATION
MEASURED**

1. **Cutting Tree Removal and Stumps** to be carried out under supervision of the Arborist. **Pruned Branches** to be removed by the Arborist. **Pruned Branches** and **Limbs** to be measured at the nearest edge of the tree canopy and not exceed 25mm per section.
2. **Stumps** using Tree Protection Areas (TPAs) should be checked out or left in place, not excavated.
3. **Construction hoarding** will double as Tree Protection Fencing and will be required to meet the requirements of the TPA #1 (hoarding only).
4. Any excavation adjacent to TPAs, including underground services, must be supervised by the Arborist.
5. No dumping of fill, concrete or paint barrels within TPAs.
6. Limited storage of materials within TPA must be authorized by Arborist.
7. **Excavated soils** within TPA must be securely covered with geotextile cloth to prevent dispersion of soils and roots.
8. Temporary impaction and reduction of TPA should be avoided at the discretion of the Arborist.
9. Compensation will be provided for 6 replacement (clay) clay trees (2.5m soil) in exchange for the removal of trees.
10. Compensation will be provided for 7 replacement (cedar) trees (2.5m soil) in exchange for the removal of trees.

alan d. m. architect inc.

23-118 (continued)

 Open Access

PROJECT
1531 Edvard St
Victoria, BC

SHEET TITLE
Tree Plan

928 R. S. MEYER ET AL.

REV NO	DESCRIPTION	DATE
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[illegible]

1995

PROJECT NO.	14-02
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DATE Aug 9, 201

TRAINING	1.10
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SHEET NO. _____

T-1



Fernwood Community Association

1923 Fernwood Road,
Victoria, B.C., V8T 2Y6
(250) 384-7441
Email: landuse@fernwoodvic.ca
Web: www.fernwoodvic.ca



June 12, 2014

Planning Department
City of Victoria
#1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 1521-1531 Elford

The Land Use Committee held two Official Community meetings for this proposal one on the May 7, 2014 and another on June 4, 2014 due to a mail-out radius error. 13 people were in attendance at the May 7 meeting and 15 people in attendance at the June 4 meeting.

At the May 7 meeting the proponents architect articulated the history of the project through City of Victoria planning and the acquisition of the second property and presented the current 4 Storey building. This building incorporated comments from citizens who attended previous unofficial community meetings including 'doors on the street' in a townhouse style for a portion of the building on Elford Street. On the positive side some citizens were pleased with the stepped back and stepped down roof lines so the building would not present any large faces. Some owners in the area appreciated that only a minor parking variance was requested and that there was only one driveway requested for the project so the street parking on Elford would not be reduced. The owner of the heritage house was concerned that the height of the building and modern architecture of the building would take away from the character of his house. It was pointed out that under R1-B a new multi-unit building could be built 1.5 metres from his property line at a height of 7.5 metres and this building would be 5 metres from the property line and 9 metres high at the closest face. A resident commented that maybe the heritage house would stand out more as it would be the only heritage house on the street making it unique. A comment was made that some neighbours would prefer a more heritage pitch style roof. Traffic concerns were raised about the traffic entering Pandora Street from Elford with the City's new bike lanes and traffic backing up to the intersection of Begbie and Pandora. A question was raised about parking for construction in this neighbourhood.

At the June 4 meeting comments were again made with regard to preferring pitch roofs as opposed to flat roofs. The proponent's architect indicated that the flat roof kept the overall building height much lower. Again another resident indicated they liked the doors on the street. Some residents queried the impact of the building on Stadacona Park. The architect indicated they had softened the building's appearance with multiple exterior treatments in organic colours for the portion of the building that is not screened by existing park trees. A question was raised whether the developer could provide any amenities for the park such as planting new trees. The issue of parking generated significant discussion the owner of the heritage house questioned granting any variances for parking. Owners at the Lord Elford were sympathetic that every unit had a parking stall and 6 guest parking spots were being provided. A resident from Belmont was pleased with the development and felt that it was an appropriate location and density for the neighbourhood and also appreciated the parking provided considering that most of the converted heritage homes in the area provided only one parking stall for three to four units each. Another resident from Stanley was also pleased with the consultative effort and final product of the development.

The general tone of the meeting was accepting to the development with the replacement of the dilapidated house and the compliance with the local area plan.

Sincerely,

Stephanie Hill
Acting Chair - Land Use Committee
Fernwood Community Association