

REVISED AGENDA - VICTORIA CITY COUNCIL

Thursday, July 12, 2018, 6:30 P.M. Council Chambers, City Hall, 1 Centennial Square Located on the traditional territory of the Esquimalt and Songhees People

Council is committed to ensuring that all people who speak in this chamber are treated in a fair and respectful manner. No form of discrimination is acceptable or tolerated. This includes discrimination because of race, colour, ancestry, place of origin, religion, marital status, family status, physical or mental disability, sex, sexual orientation, gender identity or expression, or economic status. This Council chamber is a place where all human rights are respected and where we all take responsibility to create a safe, inclusive environment for everyone to participate.

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E.	PUBLIC AND STATUTORY HEARINGS		

Rezoning Application No. 00562, Development Variance Permit Application No. 00198 and Associated Official Community Plan Amendments for 3025 Douglas

E.1

Street

Council is considering an application to amend the Official Community Plan to change the urban place designation of 3025 Douglas Street to Town Centre, rezone the land to the R-85 Zone, Douglas Street Motel Conversion District, and authorize an agreement for rental housing in order to convert an existing building from a motel to a multiple dwelling consisting of approximately 48 market rental units, and retain the existing commercial storage area in the lower level.

E.1.a	Public Hearing	& Consideration	of Approva

152

- Motion to give 3rd reading to:
 - Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 22) No. 18-005
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1134) No. 18-004
- Motion to adopt:
 - Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 22) No. 18-005
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1134) No. 18-004
 - Housing Agreement (3025 Douglas Street) Bylaw (2018) No. 18-006
- Motion to approve Development Variance Permit

E.2 Rezoning Application No. 00614 for 3103 Washington Avenue

165

Council is considering an application to construct four single family dwellings on the existing lot.

Addendum: Correspondence

E.2.a Public Hearing & Consideration of Approval

233

- Motion to give 3rd reading to:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1146) No. 18-031
- Motion to adopt:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1146) No. 18-031

*E.3 Rezoning and Development Permit Application No. 00582 and Heritage Alteration Permit with Variances Application No. 00007 for 224 Superior Street

237

Council is considering an application to convert the existing B&Binto a four

residential units and to subdivide the property to create a new small lo	t to	buila
a single family dwelling.		

Addenda: Amended Update Report and Correspondence

Public Hearing & Consideration of Approval

Motion to give 3rd reading to:

E.3.a

F.

G.

H.

		•	Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019			
	Motion to adopt:					
	 Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019 					
	Motion to approve Development Permit					
			Motion to approve Heritage Alteration Permit with Variancees			
REQ	UESTS TO	O ADDRESS	COUNCIL			
*F.1	Addendum: Donna Friedlander: Horse Carriages in Victoria					
*F.2	Addend	dum: Kate Cl	ark: Horse-Drawn Carriage Tours			
UNFI	NISHED I	BUSINESS				
REPO	ORTS OF	COMMITTE	ES			
H.1 Committee of the Whole			<u>'hole</u>			
	H.1.a Report from the June 26, 2018 Special Joint COTW Meeting with the District of Saanich					
		H.1.a.a	Referendum Question on Amalgamation on the October 20, 2018 General Local Election Ballots	361		
		*H.1.a.b	Addendum: Update Report on Special Committee of the Whole Meeting June 26, 2018 District of Saanich and City of Victoria Councils	362		
	H.1.b	Report fro	Report from the July 5, 2018 COTW Meeting			
		H.1.b.a	Motion - Supporting the Creation of More Childcare Spaces in Victoria West			
		H.1.b.b	1351 Vining Street - Development Permit Application (DDP No. 00174) (Fernwood)			

356

A Development Permit Application to allow for the conversion of an existing studio into a garden suite.

H.1.b.c 1245 Oxford Street - Development Permit Application Amendment (DDP No. 00143B) (Fairfield)

A Development Permit Application to allow the construction of a garden suite in the rear yard.

*H.1.c Report from the July 12, 2018 COTW Meeting

366

Addendum: Report

*H.1.c.a 1276-1278 Gladstone Avenue - Rezoning Application No. 00629 (Fernwood)

A rezoning application to allow two existing nonconforming, single-family dwellings on a single lot.

- *H.1.c.b Naming the Topaz Dog Park the PSD Chase Dog Park
- *H.1.c.c 502 Discovery Street Rezoning Application No. 00646, Heritage Alteration Permit Application No. 00228 and Heritage Designation Application No. 00173 (Burnside)

An application to allow for construction of additional floor area for office use of the upper storey attic in the existing building; requiring the addition of a breezeway, a number of skylights, and minor alterations to two existing entrances; and to designate as heritage the exterior of the building.

*H.1.c.d 1770-1780 Denman Street - Rezoning Application No. 00639 (North Jubilee)

A rezoning application to permit the construction of thirteen single family dwellings surrounding an interior open space.

*H.1.c.e 5. 944 Heywood Avenue - Update Report: Development Permit with Variances Application No. 00003 (Fairfield)

A development permit with variances with an application to demolish the existing single-family house, create two lots, and construct two new small lot houses.

*H.1.c.f 727 Yates Street - Heritage Alteration Permit with Variances Application No. 00008 (Downtown)

A Heritage Alteration Permit with Variances to convert a Heritage designated commercial building to a mixed-use

building.

*H.1.c.g Parks and Open Spaces Master Plan Annual Progress Report

I. NOTICE OF MOTIONS

J. BYLAWS

*J.1 Bylaws for Rezoning Application for 2813-2887 Quadra Street, and 2814-2890 and 2780/82 Fifth Street

369

A report recommending:

- 1st and 2nd readings of:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029
- 1st, 2nd, and 3rd readings of:
 - Housing Agreement (2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street) Bylaw (2018) No. 18-038

The Rezoning Application is ready to proceed to Public Hearing and proposes 34 new residential units to be located within three new buildings on the existing lot and adjacent lot.

Addenda: Report and Housing Agreement Bylaw No. 18-038

J.2 Bylaw for Rezoning Application for 308 Menzies Street

390

A report recommending:

- 1st and 2nd readings of:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1128) No. 18-065

The Rezoning Application is ready to proceed to Public Hearing and proposes to permit retail and office uses in conjunction with a gas station.

J.3 Bylaw for Zoning Bylaw 2018

397

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1st and 2nd readings of: Zoning Bylaw 2018 No. 18-072

The bylaw is ready to proceed to Public Hearing and proposes to divide the City into zones and to regulate and control the use of land and buildings within those zones.

J.4 Bylaw for Administrative Amendment to Zoning Regulation Bylaw

463

A report recommending:

1st and 2nd readings of:Zoning Regulation Bylaw, Amendment Bylaw (No. 1132) No. 18-082

The bylaw is ready to proceed to Public Hearing and proposes to amend Zoning Regulation Bylaw No. 80-159 to exempt from that bylaw those areas of the City that will be regulated by Zoning Bylaw 2018.

J.5 Bylaw for Review of Off-Street Parking Regulations and Delegation of Minor Parking Variances

465

A report recommending:

1st and 2nd readings of:Zoning Regulation Bylaw, Amendment Bylaw (No. 1130) No. 18-017**1st, 2nd, and 3rd readings of:**Land Use Procedures Bylaw, Amendment Bylaw (No. 7) No. 18-018**A report back by staff regarding a review of barrier-free parking needs in Victoria.**

The bylaws are ready to proceed to Public Hearing and proposes new off-street parking regulations and the allowance of delegation of certain minor parking variances relating to small businesses.

J.6 Bylaw for Reserve Fund

580

Adoption of Reserve Fund Bylaw, Amendment Bylaw (No. 1) No. 18-080. The purpose of the bylaw is to establish a new reserve fund for the Park Furnishing Dedication Program.

K. CORRESPONDENCE

*K.1 Addendum_Letter from the Town of Sidney

583

A letter to the Capital Regional District, in which the City was carbon-copied, dated June 28, 2018 advising the Town of Sidney's request to withdraw as a participant in the CRD Arts Service.

L. NEW BUSINESS

M. QUESTION PERIOD

N. ADJOURNMENT



MINUTES - VICTORIA CITY COUNCIL

June 7, 2018, 11:57 A.M. COUNCIL CHAMBERS, CITY HALL, 1 CENTENNIAL SQUARE Located on the traditional territory of the Esquimalt and Songhees People

PRESENT: Mayor Helps in the Chair, Councillor Alto, Councillor Lucas, Councillor

Madoff, Councillor Thornton-Joe

ABSENT: Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor

Young

STAFF PRESENT: J. Jenkyns - Acting City Manager, C. Coates - City Clerk , P. Bruce -

Fire Chief, S. Thompson - Director of Finance, J. Tinney - Director of Sustainable Planning & Community Development, F. Work - Director of Engineering & Public Works, T. Soulliere - Director of Parks, Recreation & Facilities, B. Eisenhauer - Head of Engagement, J. Jensen - Head of Human Resources, C. Mycroft - Manager of Executive Operations, AK Ferguson - Committee Secretary, T. Zworski - City Solicitor, P. Rantucci - Head of Strategic Real Estate

A. CONVENE COUNCIL MEETING

C. CLOSED MEETING

Moved By Councillor Alto
Seconded By Councillor Lucas

MOTION TO CLOSE THE June 7, 2018 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(a) personal information about an identifiable individual who holds or is being considered for a position as an officer, employee or agent of the municipality or another position appointed by the municipality;

Section 90(1)(c) labour relations or other employee relations;

Section 90(1)(k) negotiations and related discussions respecting the proposed provision of a municipal service that are at their preliminary stages and that, in the view of the council, could reasonably be expected to harm the interests of the municipality if they were held in public;

Section 90(2) A part of a council meeting may be closed to the public if the subject matter being considered relates to one or more of the following:

Section 90(2)(b) the consideration of information received and held in confidence relating to negotiations between the municipality and a provincial government or the federal government or both, or between a provincial government or the federal government or both and a third party;

CARRIED UNANIMOUSLY

Moved By Councillor Lucas Seconded By Councillor Madoff

MOTION TO CLOSE THE JUNE 14, 2018 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(g) litigation or potential litigation affecting the municipality;

Section 90(1)(i) the receipt of advice that is subject to solicitor-client privilege, including communications necessary for that purpose.

CARRIED UNANIMOUSLY

A. <u>APPROVAL OF CLOSED AGENDA</u>

Moved By Councillor Alto Seconded By Councillor Lucas

Approve the agenda

CARRIED UNANIMOUSLY

E. NEW BUSINESS

E.1 <u>Municipal Service</u>

Council received a report from the Fire Chief regarding a Municipal Service item.

The discussion and motion were recorded and kept confidential.

E.2 Appointment

Council received a confidential report from the City Clerk regarding an Appointment item.

The discussion and motion were recorded and kept confidential.

E.3 <u>Intergovernmental Relations</u>

Council received a confidential report from the Head of Strategic Real Estate regarding an Intergovernmental Relations item.

The discussion was recorded and kept confidential.

E.4 Employee Relations

Staff were excused from the meeting at 12:43 p.m.

G. <u>ADJOURNMENT</u>

Moved By Councillor Madoff **Seconded By** Councillor Alto

That the Closed Council Meeting be adjourned at 12:45 p.m.

CITY CLERK	MAYOR



MINUTES - VICTORIA CITY COUNCIL

June 21, 2018, 11:12 a.m. COUNCIL CHAMBERS CITY HALL, #1 CENTENNIAL SQUARE, VICTORIA, BC To be held immediately following the Committee of the Whole Meeting

PRESENT: Councillor Coleman, Councillor Loveday, Councillor Lucas, Councillor

Madoff, Councillor Thornton-Joe, Councillor Young

ABSENT: Mayor Helps, Councillor Alto, Councillor Isitt

STAFF PRESENT: J. Jenkyns - City Manager, C. Coates - City Clerk, P. Bruce - Fire

Chief, S. Thompson - Director of Finance, C. Mycroft - Manager of Executive Operations, AK Ferguson - Committee Secretary, T.

Zworski - City Solicitor

A. CONVENE COUNCIL MEETING

B. APPROVAL OF AGENDA

Moved By Councillor Loveday Seconded By Councillor Lucas

That the agenda be approved as presented.

CARRIED UNANIMOUSLY

C. BYLAWS

C.1 Bylaw for Animal Responsibility Amendments

Moved By Councillor Loveday **Seconded By** Councillor Thornton-Joe

That the following bylaw be adopted:

1. Animal Responsibility Bylaw, Amendment Bylaw (No. 1) No. 18-077

D. **NEW BUSINESS**

D.1 Special Committee of the Whole Meeting June 26, 2018 - District of Saanich and City of Victoria Councils

Council received a report dated June 13, 2018 from the City Clerk outlining the proposed timing for the Joint Special Committee of the Whole Meeting between the District of Saanich and the City of Victoria, as well as the proposed rules of order for procedure of the meeting.

Moved By Councillor Lucas
Seconded By Councillor Loveday

- That Council authorize a Special Committee of the Whole Meeting concurrent with the District of Saanich to be held at the Capital Regional District Boardroom, 6th Floor at 625 Fisgard Street, Victoria, BC V8W 1R7, on Tuesday, June 26, 2018 commencing at 7:00 p.m. or a mutually agreed upon date.
- That Council suspend its rules of the Council Procedure Bylaw to allow for a Special Committee of the Whole Meeting inviting the District of Saanich Council to participate.
- 3. That Council adopt the Special Committee of the Whole Agenda and rules of order for the procedure as outlined in "Appendix A" for this meeting.

CARRIED UNANIMOUSLY

E. <u>CLOSED MEETING</u>

Moved By Councillor Lucas Seconded By Councillor Young

MOTION TO CLOSE THE JUNE 21, 2018 COUNCIL MEETING TO THE PUBLIC

That Council convene a closed meeting that excludes the public under Section 90 of the *Community Charter* for the reason that the following agenda items deal with matters specified in Sections 90(1) and/or (2) of the *Community Charter*, namely:

Section 90(1) A part of a council meeting may be closed to the public if the subject matter being considered relates to or is one or more of the following:

Section 90(1)(c) labour relations or other employee relations; and

Section 90(1)(f) law enforcement, if the council considers that disclosure could reasonably be expected to harm the conduct of an investigation under or enforcement of an enactment.

F. APPROVAL OF CLOSED AGENDA

Moved By Councillor Young Seconded By Councillor Lucas

That the agenda be approved.

CARRIED UNANIMOUSLY

G. READING OF CLOSED MINUTES

G. 1 Minutes from the closed meeting held May 10, 2018

Moved By Councillor Lucas
Seconded By Councillor Young

That the minutes from the closed meeting held May 10, 2018 be adopted.

CARRIED UNANIMOUSLY

G. 2 Minutes from the closed meeting held May 24, 2018

Moved By Councillor Lucas
Seconded By Councillor Young

That the minutes from the closed meeting held May 24, 2018 be adopted.

CARRIED UNANIMOUSLY

H. NEW BUSINESS

H.1 **Employee Relations**

Council received a report from the Director of Finance with respect to an Employee Relations item.

The discussion was recorded and kept confidential.

H.2 Law Enforcement

Council received a report from the City Clerk regarding a Law Enforcement item.

The discussion and motion were recorded and kept confidential.

I. ADJOURNMEN

Moved By Councillor Lucas **Seconded By** Councillor Thornton-Joe

That the Closed Council Meeting be adjourned at 11:28 a.m.

CARRIED UNANIMOUSLY				
CITY CLERK	MAYOR			

J. BYLAWS

J.2 Bylaw for Official Community Plan and Rezoning Application No. 00562 for 3025 Douglas Street

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the following bylaws be given first and second readings:

- Official Community Plan Bylaw, 2012, Amendment Bylaw (No. 22) No. 18-005
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1134) No. 18-004

CARRIED UNANIMOUSLY

Moved By Councillor Thornton-Joe Seconded By Councillor Alto

That the following bylaw be given first, second, and third readings:

1. Housing Agreement (3025 Douglas Street) Bylaw (2018) No. 18-006

CARRIED UNANIMOUSLY

Moved By Councillor Lucas Seconded By Councillor Alto

Development Variance Permit Application No. 00198

Following consideration of the Rezoning Application No. 00562, that Council consider this updated motion with respect to Development Variance Permit Application No. 00198:

"That Council authorize the issuance of Development Variance Permit Application No. 00198 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - xiii. reduce the required number of parking spaces for residential uses from 62 to 28
 - xiv. reduce the required number of visitor parking spaces from 3 to 0
 - xv. reduce the required number of parking for commercial and industrial uses from 18 to 0
- 3. The Development Permit lapsing two years from the date of this resolution."



Council Report For the Meeting of June 28, 2018

To:

Council

Date:

June 14, 2018

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No. 00562 and Development Variance Permit

Application No. 00198 for 3025 Douglas Street - Application Ready to Proceed

to Public Hearing

RECOMMENDATION

That Council give first and second reading of the Official Community Plan Bylaw Amendment (Bylaw No. 18-005) and Zoning Regulation Bylaw Amendment (Bylaw No. 18-004), and first, second and third reading to Bylaw No. 18-006 to authorize the Housing Agreement.

Following consideration of the Rezoning Application No. 00562, that Council consider this updated motion with respect to Development Variance Permit Application No. 00198:

"That Council authorize the issuance of Development Variance Permit Application No. 00198 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. reduce the required number of parking spaces for residential uses from 62 to 28
 - ii. reduce the required number of visitor parking spaces from 3 to 0
 - iii. reduce the required number of parking for commercial and industrial uses from 18 to 0
- 3. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning and Development Variance Permit Application for the property located at 3025 Douglas Street. The proposal is to convert an existing building from a motel to a multiple dwelling consisting of approximately 48 market rental units, and retain the existing commercial storage area in the lower level.

In accordance with Council's amended motion of February 8, 2018 included below, the necessary conditions that would authorize the approval of the amendment to the Official Community Plan and Rezoning for the subject property have been fulfilled. The Committee of the Whole reports

dated, January 25, 2018 and October 19, 2017 together with the meeting minutes, are attached. The amended motion from the February 8, 2018, Council meeting was:

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act by removing the property located at 3025 Douglas Street from the General Employment Urban Place Designation and adding it to the Town Centre Urban Place Designation; as well as, the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - i. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity.
 - ii. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; and 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.
 - iii. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - iv. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
 - v. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - vi. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2020 Draft Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 - vii. That Council give second reading to the Official Community Plan Amendment Bylaw.
 - viii. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That Council instruct staff to change the land use designation of the property located at 3025 Douglas Street from General Employment to Town Centre in the Burnside Gorge Neighbourhood Plan.

Community Input on OCP Amendment

On February 8, 2018, Council directed staff to consult with property owners and occupants within 200m of the subject property through a mailed notice and public notice on the City's website. To date, the City has received correspondence from three members of the public (attached).

Additional comments received prior to first and second reading of the Bylaws as well as prior to the Public Hearing would be included in the Council Agenda package at that time.

Public Hearing Conditions

With regard to the pre-conditions that Council set in relation to this Application, staff can report that a Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity has been executed by the applicant. The recommendation provided for Council's consideration contains the appropriate language to advance this Application to a Public Hearing.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager

Date:

List of Attachments

- Attachment A: Committee of the Whole report dated January 25, 2018
- Attachment B: Committee of the Whole reports dated October 23 and October 19, 2017
- Attachment C: Minutes from the Council Meeting February 8, 2018
- Attachment D: Correspondence from the OCP notice mailout.



Committee of the Whole Report For the Meeting of February 8, 2018

To:

Committee of the Whole

Date:

January 25, 2018

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No. 00562 for 3025 Douglas Street and Associated

Official Community Plan Amendment

RECOMMENDATION

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act by removing the property located at 3025 Douglas Street from the General Employment Urban Place Designation and adding it to the Town Centre Urban Place Designation; as well as, the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity.
 - ii. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; and 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.
 - iii. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - iv. That Council, specifically consider whether consultation is required under Section 475(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 amendment.

- v. That Council give first reading to the Official Community Plan Amendment Bylaw.
- vi. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2020 Draft Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- vii. That Council give second reading to the Official Community Plan Amendment Bylaw.
- viii. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- That Council instruct staff to change the land use designation of the property located at 3025 Douglas Street from General Employment to Town Centre in the Burnside Gorge Neighbourhood Plan.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to update Council with information, analysis and recommendations for a Rezoning Application for the property located at 3025 Douglas Street. The proposal is to rezone from the T1 Zone, Limited Transient Accommodation District, to a new zone in order to convert the existing building from a motel to a multiple dwelling consisting of approximately 48 market rental units, and existing commercial storage area in the lower level.

At the Committee of the Whole meeting on November 2, 2017 (minutes and report attached), Council considered this Rezoning Application and directed staff to prepare the necessary Official Community Plan (OCP) and Zoning Regulation Bylaw amendments with the

understanding that the OCP amendment would be in the form of a of a new policy. This new policy would address motel conversions consistent with the policies in the *Burnside Gorge Neighbourhood Plan*, and include a proviso that only existing buildings would qualify, and new development (demolition with new construction) that was not consistent with the General Employment designation, would require an OCP amendment.

In the process of drafting the OCP Amendment Bylaw, staff discovered that adding a general policy to the OCP would be too broad and affect other properties, which would require additional public consultation (beyond 200m of the subject property) and clearly not the intent of this proposal. Furthermore, it is not good legal practice to add a policy to the OCP for one property as it would result in a site specific OCP amendment and transform the purpose of the OCP from a broad land use policy and categorization scheme to a site specific regulatory framework more akin to a Zoning Regulation Bylaw than an OCP. Given this direction, amending the Urban Place Designation from *General Employment* to *Town Centre* would be the most appropriate solution for several reasons in order to support rental housing on the subject property at this time.

ANALYSIS

Amending the Urban Place Designation from *General Employment* to *Town Centre* would be the most appropriate solution for several reasons. Firstly, *Town Centre* supports commercial land uses, heights up to ten-storeys and densities up to 2:1 floor space ratio (FSR) and may be increased up to a total of approximately 3:1 FSR when advancement of plan objectives are considered. This designation also supports low and mid-rise multi-unit residential and mixed-use buildings. For comparison, the *General Employment* designation only supports densities up to 2:1 FSR and heights up to six storeys. Similarly, the *Burnside Gorge Neighbourhood Plan* only supports buildings up to four storeys at this location and this would not change.

In addition, the subject property is one property away from lands designated *Town Centre* and less than 150m from Mayfair Shopping Centre, which is also designated *Town Centre* in the OCP. Expanding the Town Centre designation to the subject property would not be a huge leap nor out of context with the immediate neighbourhood. Ground-oriented commercial is also strongly encouraged in the *Town Centre* designation. The site specific zone has been drafted to fit with the current use, density and height of the existing building so that any future redevelopment of the site would be subject to a rezoning and a Council process.

The second option is to change the land use designation of the subject property to *Urban Residential* as this designation does support mixed-use buildings along arterial roads (i.e. Douglas Street), such as Douglas Street, up to six-storeys and a 2:1 FSR; however, residential uses must be provided; whereas, the *Town Centre* designation does support standalone commercial uses which is more consistent with the *General Employment* designation and strongly encouraged at this location.

The third option would be to amend the *General Employment* designation by adding a policy that supports motel conversions to rental housing, which would affect all lands with this designation. This type of OCP amendment would require greater public consultation and it would be a significant departure from the intent of the *General Employment* designation, which is to preserve existing and future commercial and light industrial uses that generate economic development in the city while minimizing potential conflicts with residential uses that may arise adjacent to industrial uses.

CONCLUSION

Amending the Urban Place Designation from *General Employment* to *Town Centre* would be the most appropriate solution in order to support rental housing on the subject property. The *Town Centre* designation is comparable to *General Employment* in relation to encouraging a strong commercial presence along Douglas Street. The *Town Centre* designation does support more height and density compared to the *General Employment* designation; however, redevelopment of the subject property would be subject to other OCP policies and design guidelines, and would have to fit with the neighbourhood context. Therefore, maximizing heights and densities that are supported in the *Town Centre* designation may not be appropriate on the site alone. Staff recommend for Council's consideration that the OCP designation of the subject property is changed from *General Employment* to *Town Centre* and the Application advance to a Public Hearing.

ALTERNATE MOTIONS

ALTERNATIVE MOTION 1 (Decline)

That Council decline Rezoning Application No. 00562 for the property located at 3025 Douglas Street.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date.

al 31,

List of Attachments:

- Appendix A: Committee of the Whole minutes dated November 2, 2017
- Appendix B: Council minutes dated November 9, 2017
- Appendix C: Committee of the Whole report dated October 19, 2017

3.1 Rezoning Application No. 00562 & Development Variance Permit Application No. 00198 for 3025 Douglas Street

Committee received reports dated October 23, 2017 and October 19, 2017, from the Director of Sustainable Planning and Community Development regarding an application to convert the existing motel to a multiple dwelling consisting of approximately 48 affordable market rental units and retain the existing vehicle storage area in the lower level.

Committee discussed:

- The changes made to the proposal since the original design.
- The intended use of the building and requirements for affordable units.

Motion: It was moved by Councillor Young, seconded by Councillor Thornton-Joe: Rezoning Application No. 00562

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
 - e. That Council give first reading to the Official Community Plan Amendment Bylaw.

- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing

Development Variance Permit Application No. 00198

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28;
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0;
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0. 3.
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

REPORTS OF COMMITTEES

- Committee of the Whole November 2, 2017
 - Rezoning Application No. 00562 & Development Variance Permit Application No. 00198 for 3025 Douglas Street

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman:

Rezoning Application No. 00562

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:

 Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity

- b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
- c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
- d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing

Development Variance Permit Application No. 00198

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28;
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0;
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0. 3.
- 3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously



Committee of the Whole Report For the Meeting of November 2, 2017

To:

Committee of the Whole

Date:

October 19, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject: Development Variance Permit No. 00198 for 3025 Douglas Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved. consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- Plans date stamped August 3, 2017.
- Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9. Section 13(2): reduce the required number of parking spaces from 62 to 28
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0.
- 3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the Local Government Act, Council may issue a Development Variance Permit that varies a Zoning Regulation Bylaw provided the permit does not vary the use or density of land from that specified in the Zoning Regulation Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 3025 Douglas Street. The proposal is to convert the existing building from a motel to 48 residential rental units and commercial storage area in the lower level. The variance is related to reducing the required number of parking spaces from 80 to 28.

The following points were considered in assessing this Application:

- a Parking Analysis was prepared by the Applicant summarizing the current parking situation onsite. The analysis confirms that not all the parking spaces are utilized by the existing residents
- the commercial storage space in the basement is currently being used by nearby car dealerships to store vehicles
- secure and enclosed bicycle parking would be provided onsite to offset the parking shortfall
- the subject property is located on a major bus route and is in close proximity (walking and biking) to a mix of shops and services
- the parking variance is supportable given the total onsite parking demand, the addition of bicycle parking, and the close proximity to transit and shops and services.

BACKGROUND

Description of Proposal

The proposal is to vary the required number of parking spaces from 80 to 28 in order to facilitate the conversion of an existing motel to a multiple-dwelling consisting of 48 affordable market rental units.

Sustainability Features

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

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently zoned for uses such as transient accommodation, but has been operating without all the necessary approvals as long-term housing for the past few years.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, on September 5, 2017, the application was referred for a 30-day comment period to the Burnside Gorge Neighbourhood Association. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances; therefore, in accordance with the City's Land Use Procedures Bylaw, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

The Applicant is proposing to reduce the required number of parking spaces from 80 to 28 in order to facilitate the conversion of the existing motel to a multiple-dwelling consisting of 48 affordable market rental units and existing commercial storage space in the lower level. According to the Parking Analysis prepared by the Applicant, the current residents do not occupy all the existing parking spaces onsite, and therefore, the demand is lower than the existing supply of parking. The existing commercial storage area is currently being used by nearby car dealerships to store vehicles. It is not a typical storage business where there are separate storage units rented out to individuals. The current driveway on Douglas Street providing access to the underground level can be maintained provided that this level in not used for parking.

To offset the parking shortfall, the Applicant is proposing to provide 48 Class 1 (secure and enclosed) bicycle parking spaces in lower level of the building which can be accessed off of Douglas Street. The subject property is also located on a major bus route and in close proximity (walking and biking) to a mix of shops and services.

CONCLUSIONS

The proposal to reduce the required number of parking spaces from 80 to 28 will help facilitate the creation of more rental housing in the community. According to the parking analysis, there is adequate parking onsite to manage the parking demand that would be generated by the residential and warehouse uses. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00198 for the property located at 3025 Douglas Street.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Continue Divi

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

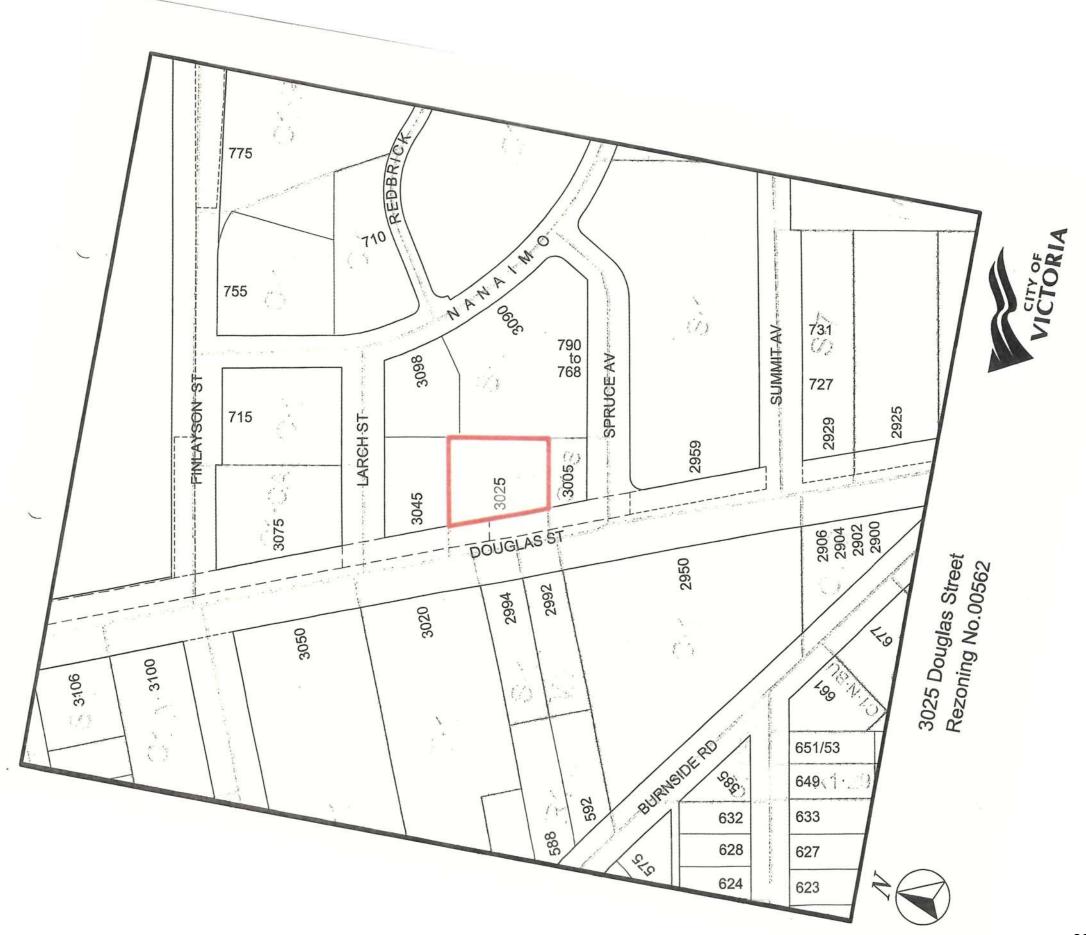
Development Department

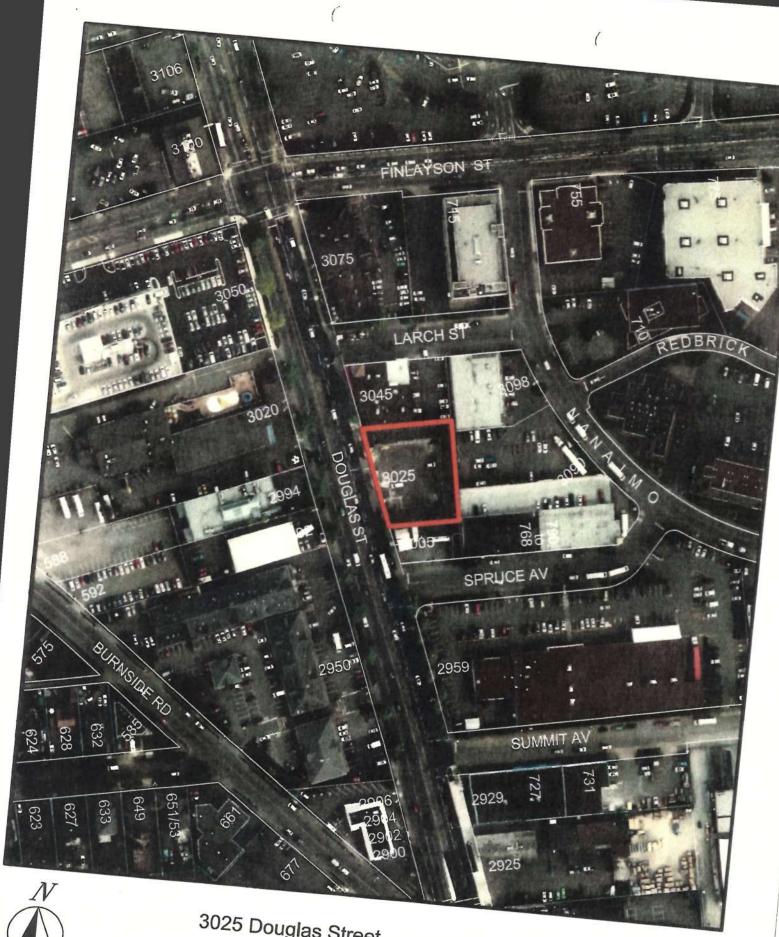
Report accepted and recommended by the City Manager

Date:

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 3, 2017
- Attachment D: Letter from applicant to Mayor and Council dated January 25, 2017
- Attachment E: Letter from applicant to Mayor and Council including the Parking Analysis dated October 23, 2017
- Attachment F: Community Association Land Use Committee Correspondence.

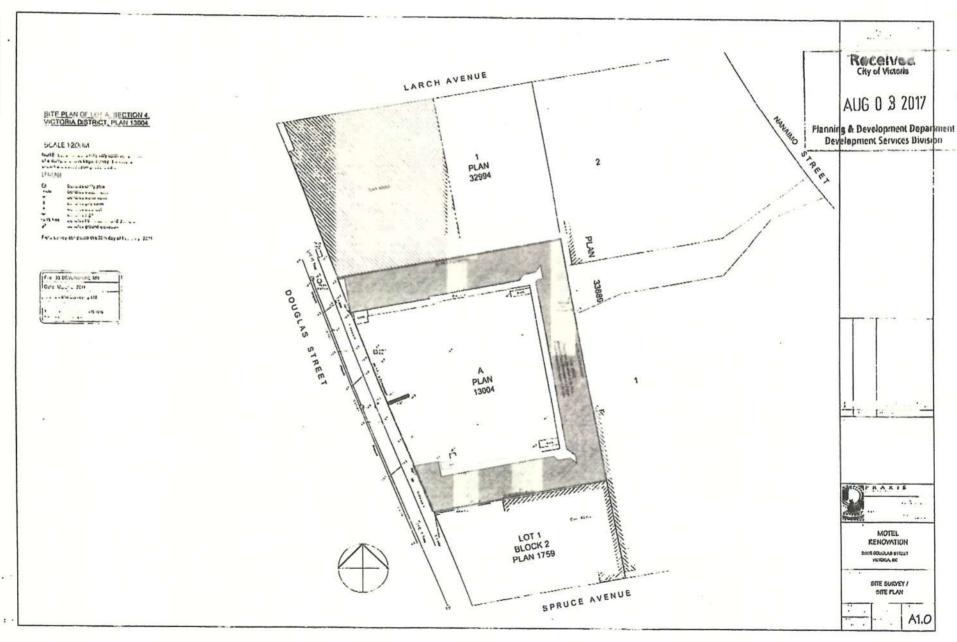


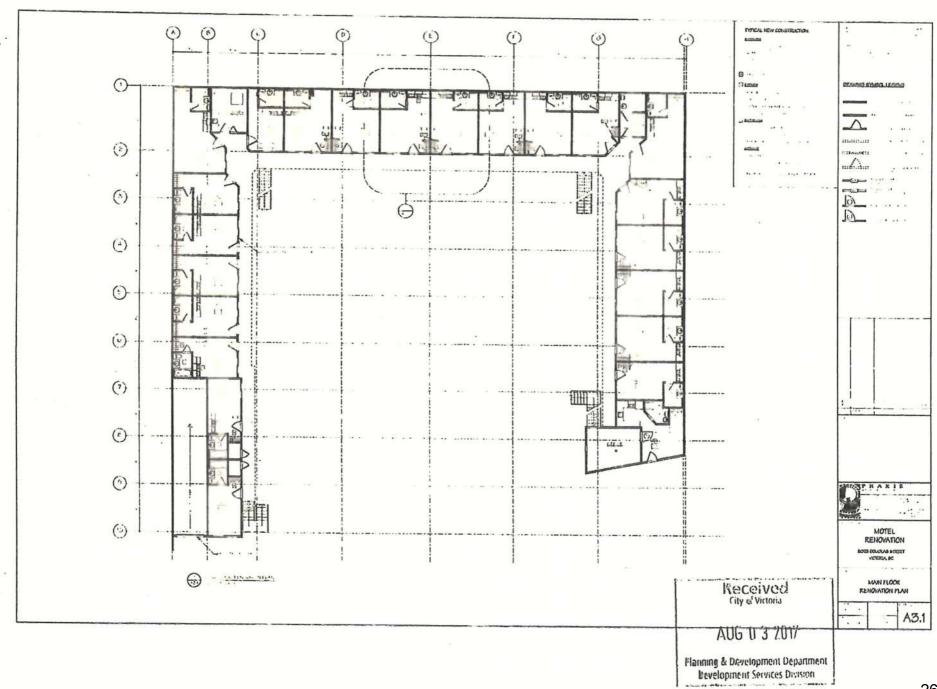


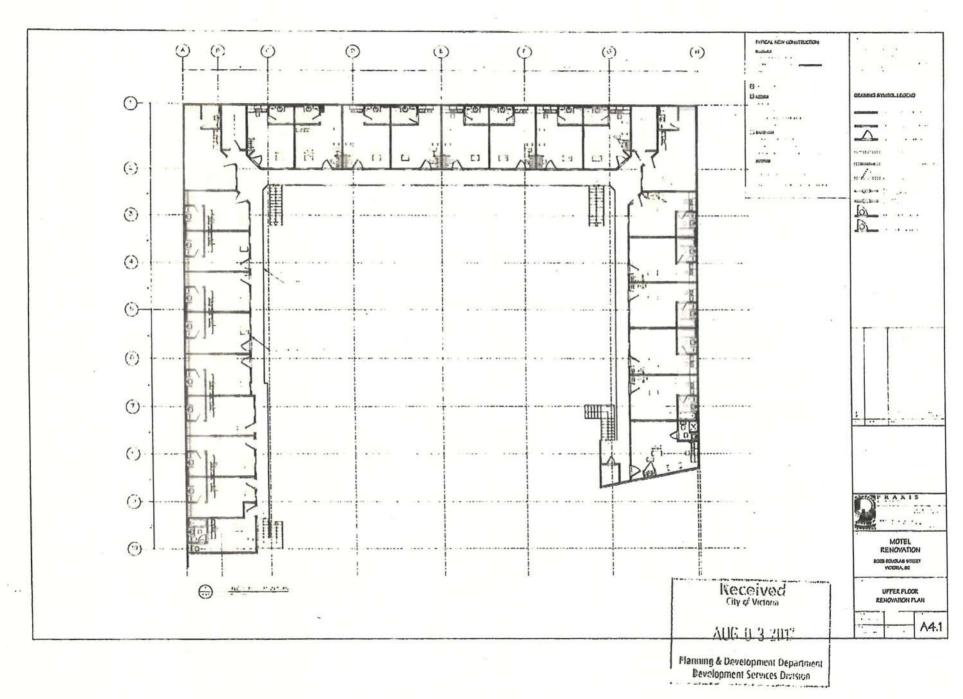


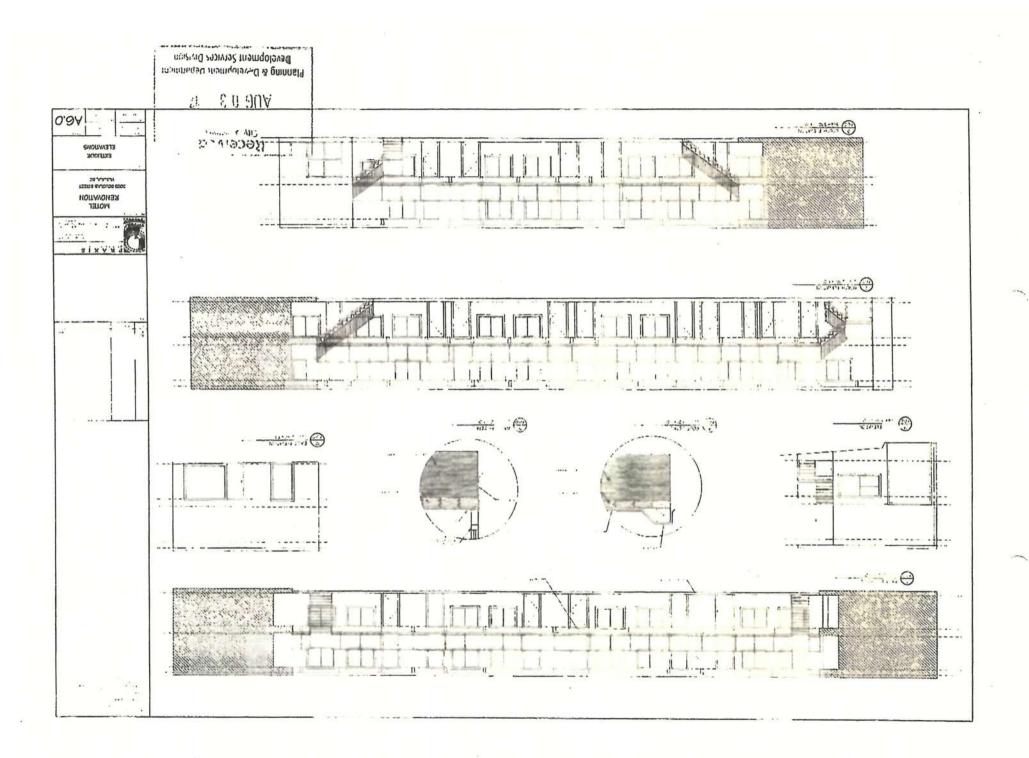
3025 Douglas Street Rezoning No.00562

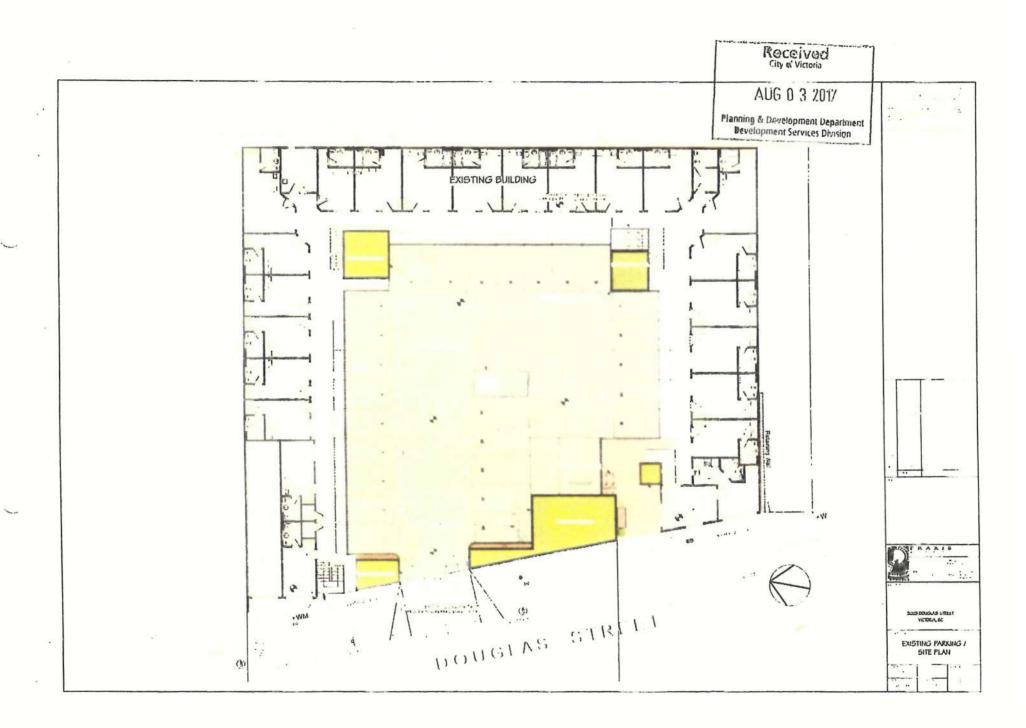
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Robert Rocheleau, Architect AIBC

401-1245 Esquimalt Road, Victoria, BC V9A 3P2 Tel: (250) 475-2702 • Fax: (250) 475-2701 robert.rocheleau@praxisarchitectsinc.com

January 25, 2017

City of Victoria

1 Centennial Square Victoria, BC V8W 1P6

Re. 3025 Douglas Street Rezoning – Existing Motel to Residential

Mayor and Council, DESCRIPTION OF PROPOSAL

The owner of the existing motel at 3025 Douglas wishes to rezone the existing property from T-1 transient to residential.

Currently occupants of the existing motel when staying past the maximum time permitted in the T-1 zoning are subject to eviction. The proposed rezoning is requested so that these residents can legally remain where they now reside. It is understood that there is a shortage in Victoria of available accommodation that serves the budget and needs similar to those now living at 3025 Douglas St.

NEIGHBOURHOOD CONTEXT

The building is existing and newly renovated. The proposed change has been presented to the Burnside - Gorge Community Association and there are no objections to this proposed change. Refer to attached for more detailed information.

Trust this to be of assistance,

PRAXIS ARCHITECTS INC

per:

Robert Rocheleau, Architect AIBC

Director

Received City of Victorie

JAN 30 2017

Planning & Development Department Development Services Division



PRAXIS architects inc.

Robert Rocheleau, Architect AIBC

401-1245 Esquimalt Road, Victoria, BC V9A 3P2 Tel: (250) 475-2702 • Fax: (250) 475-2701 robert.rocheleau@praxisarchitectsinc.com

October 23, 2017

City of Victoria 1 Centennial Square Victoria, BC V8W 1P6

Re. 3025 Douglas Street
Rezoning – Existing Motel to Residential

Received City of Victoria

OCT 2 3 2017

Planning & Development Department Development Services Division

Mayor and Council,

The following is provided in response to the Application Review Summary received, subsequent discussions, a meeting with planning and transportation engineering on July 17 at the City of Victoria, and comments received from Leanne Taylor on August 24, 2017.

Amendment to the OCP

As per correspondence and meeting of July 17 at City of Victoria, Gorge Community Association Land Use Committee has advised that no additional meeting required.

Parking Variance:

Number of Units 48, market rental.

Existing parking 28 stalls.

It is proposed that there be a parking variance accepting the existing 28 stalls as sufficient.

The proposed revised Schedule C that is coming to Council for approval would require the following for Bachelor apartments:

If this building was in nearby Village Centre .6 spaces / unit

28.8 spaces

If this building was in other areas

.75 spaces / unit

36 spaces

Parking ratio for existing Schedule C 1.3 spaces / unit 63 spaces

Per above, the provided 28 stalls is only .8 of a stall above meeting the Town Centre requirement. As this is within a block of the delineation of the Mayfair Town Centre boundary indicated in the proposed revised Schedule C, and 8 spaces short of meeting the requirement of the pending revised Schedule C, I submit that the requested variance is reasonable.

Notwithstanding the above, monitoring parking on site currently indicates that there are a significant number of available stalls of the 28 provided that are not being used.

For the existing storage area at basement level:

Area 1619 m2	storage	93 m2/stall	17.4 spaces
29 m2 office / WC		65 m2 / stall	.45 spaces

(Note that in reality for continuing the existing car storage there area no occupants other than those from the dealership moving cars in and out, which is much less than the 18 required.)

Total parking required per current bylaw requirements 81

Unit Sizes:

Unit	m2		Unit	m2
		plus office		
100	22.6	16.5	200	27.1
101	20.3		201	22.9
102	22.9		202	22.9
103	22.9		203	22.9
104	22.9		204	22.9
105	22		205	22
106	29.7		206	29.7
107	22.8		207	22.8
108	23.7		208	23.7
109	23.7		209	23.7
110	23.7		210	23.7
111	23.7		211	23.7
112	23.7		212	23.7
113	23.8		213	23.8
114	17.9		214	23.2
115	29.9		215	29.9
116	19.7		216	19.7

117	20.3	217	20.3
118	20.3	218	20.3
119	20.3	219	20.3
120	20.3	220	20.3
121	20.5	221	21.4
122	19.3	222	21.4
		223	19.8
		224	19.8

3. Housing Agreement:

Owners will undertake a housing agreement with the City of Victoria

4. Lower Level Storage:

It is proposed that a portion of the lower level storage area be used to provide the required bicycle storage area to accommodate 48 bikes. Refer to the plan drawing of the Storage Area. Access will be provided down the existing ramp from Douglas Street.

Lighting will be provided to ensure the area is well lit, security cameras will be installed and monitored at the manager's office, and an alarm will also be installed, sounding in the bicycle storage area and the manager's office.

It is also proposed that the current use of car storage for nearby dealerships be permitted, as the existing ramp has proven adequate to serve this use. In the meeting with Transportation Engineering of July 17 this was discussed and there did not appear to be any objection to continue using the existing ramp off Douglas for this purpose, as is now done.

5. Private easement over 3090 Nanaimo Street:

The owner of the property at 3090 Nanaimo St. is not willing to enter into an agreement to provide this easement in perpetuity, therefore it is assumed that access will continue from Douglas Street down the existing ramp and also by new exit stairs to grade level.

6. Site Plan - Existing Parking layout:

See attached plan.

7. Landscape Strip:

As discussed in the meeting of July 17, there is no possibility of incorporating a landscape strip between car wheel stops and end of stalls, as the parking is over an existing structure.

- Bicycle Storage: Refer to Item 4 above.
- Removal of redundant driveway crossings on Douglas St. frontage: This was completed as part of the previous DP.

10. Storm Water Treatment:

Existing parking area exceeds 10 spaces. No change proposed from existing parking, which is as per previously approved DP.

11. Sewage Attenuation

This is an existing building whereby no changes are proposed.

Trust this to be of assistance,

PRAXIS ARCHITECTS INC

per:

Ro

Robert Rocheleau, Architect AIBC Director

414



471 Cecelia Road, Victoria, BCV8T 4T4 T. 250-388-5251 [F. 250-388-5269 info@burnsidegorge.ca | www.burnsidegorge.ca

April 30, 2016

Dear Mayor and Council:

CALUC Community Meeting: Rezoning Application for 3025 Douglas Street

On April 11, 2016, the Burnside Gorge Community Association (BGCA) hosted a CALUC community meeting that was advertised to discuss the proposal to rezone 3025 Douglas Street from T-1 (Transient accomodation) to residential. While the property was recently renovated and is already fully occupied by tenants staying lonber than 30 days, the new property owners wish to bring the building's zoning into conformance with its present use. There are 48 units, with an average size of 33-50 square metres; current rent is \$600-\$700.

Robert Rocheleau with Praxis Architects presented on behalf of the property owner. Feedback on this proposal is summarized below.

Parking

 No parking variance would be applied for. There are 28 parking stalls on site which accommodates current use.

Building tenants

- One attendee asked who currently lives in the building. Robert responded that the building is fully occupied, mainly by young people coming into Victoria to work, and that most people stay longer than 30 days.
- One attendee asked about frequency of police visits to the building. Robert responded that he wasn't certain how frequently police visit 3025 Douglas.
- One attendee asked whether current tenants are using leases. Robert responded that current tenants are not using leases, but that the owner intends to offer one-year leases should the rezoning application be successful.

Building use/zoning

- A property manager lives on site.
- One attendee asked whether the City is pressuring the new owners to rezone.
 Robert replied that the owner is voluntarily undertaking the rezoning process in order to come into compliance.
- One attendee asked whether anything in the OCP precludes the owner from developing the site if the rezoning application is successful. Robert responded that according to the OCP, the owner may redevelop the site to a larger/taller development in future without another rezoning, and that it may not necessarily be residential.

Burnside Gorge - a unique and innovative community centre



471 Cecelia Road, Victoria, BC V8T 4T4 T. 250-388-5251 | F. 250-388-5269 info@burnsidegorge.ca | www.bumsidegorge.ca

Vote: As per the process of a BGCA rezoning community meeting, there was a straw vote to provide context to the questions. Of the meeting attendees who chose to vote, 3 were generally in favour and 1 was opposed to the proposal as presented.

Broader Context for Development

In addition to facilitating comments on the specific rezoning application at BGCA community meetings, the Chair also seeks feedback from attendees on their wishes for, and thoughts about, the immediate vicinity of a subject property. This information is provided to Mayor and Council and the Planning department to help provide critical, holistic perspectives on neighbourhood development objectives. Over time, this will help us stitch together a more comprehensive view and put rezoning applications into context of overarching community goals.

Attendees provided the following comments about the area around 3025 Douglas Street:

- I'm not opposed to seeing this property remain the same but I want to see a mix of affordable housing and market housing. You can't put all marginalized people in one area.
- This property is a good example of the pressures facing this area; the neighbourhood plan includes more density but developments are low density.
- I want to see a large format grocery store in this area.

Respectfully,

Carolyn Gisborne

Land Use Committee Chair Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department Robert Rocheleau, Praxis Architects

Burnside Gorge - a unique and innovative community centre	
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From: Carolyn Gisborne language # burnsidegorge.ca $\mathscr C$

Subject: Waiving community meeting: 3025 Douglas

Date: November 27, 2016 at 1:03 PM

To: caluc@victoria.ca

Cc: mayorandcouncil@victona.ca, Robert Rocheleau robert.rocheleau@praxisarchitectsinc.com



Good afternoon,

Robert recently reached out to the burnside gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning.

Seven months have lapsed since the most recent community meeting and as such the CALUC can require another meeting. As the details of the application have not changed since the most recent community meeting in April, our CALUC does not require another meeting on this property.

However, please refer to the comments in the attached letter for a sense of community comments on this site and other motel conversions.

Best regards,

Carolyn Gisborne

From: Carolyn Gisborne <la::duse@burnsidegorge.ca> Subject: CALUC community meeting: 3025 Douglas

Date: April 30, 2016 at 1:40:37 PM PDT

To: caluc@victoria.ca

Cc: Robert Rocheleau <robert.rocheleau@praxisarchitectsinc.com>, Development Services email inquirles <DevelopmentServices@victorla.ca>

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne



3025Douglas.doc.pdf

Laura Wilson

From:

Carolyn Gisborne carolyn Gisborne carolyn Gisborne carolyn Gisborne carolyn Gisborne carolyn

Sent:

Sunday, Nov 27, 2016 1:03 PM

To:

caluc@victoria.ca

Cc: Subject: Victoria Mayor and Council; Robert Rocheleau Waiving community meeting: 3025 Douglas

Attachments:

3025Douglas.doc.pdf

Good afternoon,

Robert recently reached out to the burnside gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning.

Seven months have lapsed since the most recent community meeting and as such the CALUC can require another meeting. As the details of the application have not changed since the most recent community meeting in April, our CALUC does not require another meeting on this property.

However, please refer to the comments in the attached letter for a sense of community comments on this site and other motel conversions.

Best regards, Carolyn Gisborne

From: Carolyn Gisborne < landuse@burnsidegorge.ca> Subject: CALUC community meeting: 3025 Douglas

Date: April 30, 2016 at 1:40:37 PM PDT

To: caluc@victoria.ca

Cc: Robert Rocheleau < robert.rocheleau@praxisarchitectsinc.com >, Development

Services email inquiries < DevelopmentServices@victoria.ca>

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne

Laura Wilson

From:

Carolyn Gisborne carolyn Gisborne carolyn Gisborn

Sent:

Saturday, Apr 30, 2016 1:41 PM

To:

caluc@victoria.ca

Cc:

Robert Rocheleau; Development Services email inquiries

Subject:

CALUC community meeting: 3025 Douglas

Attachments:

3025Douglas.doc.pdf

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne

Leanne Taylor

From: Carolyn Gisborne <landuse@burnsidegorge.ca>

Sent: March 7, 2017 8:54 PM
To: caluc@victoria.ca

Cc: Community Planning email inquiries; Leanne Taylor, Robert Rocheleau

Subject: 3025 Douglas

Good evening,

Robert recently reached out to the Burnside Gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning, and that an OCP amendment will be required for the rezoning.

As the details of the application have not changed since the most recent community meeting in April 2016, our CALUC does not require another meeting on this property.

Best regards, Carolyn Gisborne



Committee of the Whole Report For the Meeting of November 2, 2017

To:

Committee of the Whole

Date: October 23, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No.00562 for 3025 Douglas Street and associated

Official Community Plan Amendment

RECOMMENDATION

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.

- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units, and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 3025 Douglas Street. The proposal is to rezone from the T1 Zone, Limited Transient Accommodation District, to a new zone in order to convert the existing building from a motel to a multiple dwelling consisting of approximately 48 affordable market rental units, and existing commercial storage area in the lower level.

The following points were considered in assessing this application:

- the subject property is designated General Employment in the Official Community Plan which supports commercial uses, including office and retail, light industrial and industrial work/live uses. Residential uses are not supported within this designation
- the subject property is also designated General Employment in the Burnside Gorge Neighbourhood Plan, which supports commercial and light industrial uses, and it does not contemplate residential uses at this location; however, it does support the conversion of existing motel buildings to Single Room Occupancy (SRO) east of Cecilia Ravine through the Conversion Guidelines
- the proposal is not consistent with the Conversion Guidelines Transient to Residential

Accommodation, in terms of land use, open/green space, unit mix and unit size

 notwithstanding the above, a Rezoning and OCP Amendment would be supportable to allow the conversion of the existing motel to residential rental units provided that if the building is demolished in the future, any new development on the site must comply with the General Employment Urban Place Designation.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the subject property from the T1 Zone, Limited Transient Accommodation District, to a new zone in order to convert the existing motel to a multiple-dwelling consisting of approximately 48 affordable market rental units and retain the existing vehicle storage area in the lower level.

The following changes from the current zone are being proposed and would be accommodated in the new zone:

- change the use from a motel to a multiple dwelling
- increase the floor space ratio from 0.60:1 to 0.80:1.

The request to amend the Official Community Plan, 2012 (OCP) is necessary in order to permit residential uses on the subject property.

Affordable Housing Impacts

The applicant proposes the creation of 48 new affordable market rental units which would increase the overall supply of housing in the area. A Housing Agreement is being proposed which would ensure that the dwelling units in the existing building would remain as rental in perpetuity.

Sustainability Features

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

Active Transportation Impacts

The application proposes to provide 48 Class 1 bicycle parking spaces in the underground storage area accessed by a ramp off of Douglas Street to support active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Land Use Context

The area is characterized by a mix of commercial uses.

Existing Site Development and Development Potential

The site is presently zoned to allow transient accommodation. Under the current T-1 Zone, Limited Transient Accommodation District, the property could be developed as a housekeeping apartment building, boarding house or rooming house, as well as a single-family dwelling.

Data Table

The following data table compares the proposal with the R3-A and R3-AM Zones. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify where the proposal is non-conforming.

Zoning Criteria	Proposal	Zone Standard R3-A1 and R3-A2 Zone
Site area (m²) - minimum	1710.54	920
Density (Floor Space Ratio) - maximum	0.80:1	1:1
Total floor area (m²) - maximum	1367.90	1710.50
Height (m) - maximum	8.24	10.70
Storeys - maximum	2	3
Site coverage % - maximum	48.0**	33.3
Open site space % - minimum	7.5**	30.0
Setbacks (m) – minimum:	_	
Front (Douglas Street)	0**	7.5
Rear (East)	0**	10.50
Side (north)	0**	4.1
Side (south)	0**	4.1
Entrance canopies or step projection into front setback (m) – maximum	0**	7.5
Surface parking space setback from the street boundary (m) – maximum	1.0**	
Surface parking screen landscape berm height at street (m) - minimum	1.0	
Parking - minimum	28*	80
Visitor parking (minimum) included in the overall units	0*	3

Relevant History

In 2011, the applicant applied to rezone the subject property to permit a private storage business and 45 rental residential units. At the time, the applicant proposed that the existing storage space existing below the motel building be used as leasable storage space. The

storage space and its associated parking do not have direct access from a public street. Instead, access is by way of a private easement across the adjacent property at 3090 and 3098 Nanaimo Street. While this easement currently exists, the City had no authority over the access. To ensure ongoing access to the leasable storage space, as well as to its associated parking, staff recommended that an easement be registered in favour of the City. The owners of 3090 and 3098 Nanaimo Street were not amenable to this recommendation and as a result the Applicant chose not to proceed with the Rezoning Application. The current Rezoning Application includes private storage of vehicles for nearby dealerships and the property owners of 3090 and 3098 Nanaimo Street are still not willing to enter a reciprocal access easement in favour of the City. Provided that the commercial storage space is solely used for the storage of vehicles and not parking then the existing driveway to the basement level can be maintained.

The building currently operates as a long-term affordable market rental housing, which is in contravention of the existing zone.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Burnside Gorge Neighbourhood Association at a Community Meeting held on April 11, 2016; however, the Applicant applied for Rezoning and an OCP Amendment more than six months following the Community Meeting. Since the details of the application had not changed, the CALUC waived its requirement for another meeting. A letter dated April 30, 2016 and additional correspondence from the CALUC are attached.

ANALYSIS

Official Community Plan

The Official Community Plan (OCP) Urban Place Designation for the subject property is *General Employment*, which supports large floor-plate commercial and light industrial, and mixed-use buildings up to four storeys at densities up to 2:1 FSR. Commercial, office, retail, commercial services and light industrial are envisioned; as well as, industrial work/live, education, community services, research and development, and health services. The proposal is not consistent with the OCP which only contemplates residential uses in an industrial work/live scenario. However, the OCP Amendment to allow residential uses would be supportable provided that if the existing building is demolished in the future, any new development on the site must comply with the *General Employment* Urban Place Designation. The OCP amendment would likely be in the form of a new policy addressing motel conversions consistent with the policies in the *Burnside Gorge Neighbourhood Plan*, and include a proviso that only existing buildings would qualify and that new development (demolition with new construction), that was not consistent with the General Employment designation, would require an OCP amendment.

The Local Government Act (LGA) Section 475 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 475 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 owners and occupiers of land located within 200 metres of the subject site, along with positing 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 3025 Douglas Street from General Employment to a new designation to permit residential uses in the form of long-term affordable market rental (short term rental not permitted) will increase the supply of rental accommodation in the city. Given that the surrounding area is characterized by commercial and service commercial uses, and given that the Burnside Gorge Neighbourhood Association waived the request for another Community Meeting to address the OCP Amendment (see attached correspondence), the consultation proposed at this stage in the process is recommended as adequate and consultation with specific authorities, under Section 475 of the LGA, is not recommended as necessary.

Should Council support an 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 the Urban Place Designation as this matter can be considered under policies in the OCP.

Council is also required to consider OCP Amendments in relation to the City's Financial Plan, 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.

Burnside Gorge Neighbourhood Plan

The Burnside Gorge Neighbourhood Plan designates the subject property as *General Employment*, which supports commercial and light industrial uses, and it does not support solely residential uses at this location; however, the Plan would support residential uses at grade on lots which front onto Douglas Street provided that a significant employment component is included in the part of the lot along Douglas Street, which is designated *General Employment*. The Plan does support the conversion of existing motel buildings to Single Room Occupancy (SRO) east of Cecilia Ravine. The Applicant is proposing to convert the existing motel to residential and retain the vehicle storage in the lower level; however, the units would be fully self-contained (not SROs).

Conversion Guidelines - Transient to Residential Accommodation

From a land use perspective, the Conversion Guidelines – Transient to Residential Accommodation state that residential land uses should be supported in the OCP when considering a conversion. Residential uses are not supported in the OCP at this location. The Guidelines also state that commercial (e.g. retail store, bank) and community services (e.g. community/recreation centre, library, school) for residents should be located within walking distance. Commercial services are in close proximity to the site; however, there are no community services near the subject property.

With respect to site characteristics, there is no private space for the individual dwelling units and no usable green space, although plans do indicate several planters. There would be a large storage area and bicycle enclosure for residents in the lower level of the building; lighting, alarm systems and security cameras installed; and common laundry facilities located on the main floor. The Guidelines encourage a mix of housing units (i.e. not all bachelor units) with a minimum floor area of 33m² per dwelling unit, and encourage all units to be designed as barrier-free, or a minimum of 5% of the total units to be accessible. The design of the modified units should meet minimum standards as set out in the Canadian Standards Association document B651-M90 entitled Barrier Free Design. The proposal only includes bachelor units, only five of

the 48 units, including the manager's unit, meet the minimum unit size requirement, and none of the units are labelled accessible on the plans submitted.

The proposal is not consistent with the conversion guidelines with respect to land use, unit size, open/green space, accessibility, and unit mix; however, the applicant notes that the proposal is to re-use the existing structure as originally constructed. The units are currently occupied by long-term tenants.

CONCLUSIONS

While the OCP is supportive of initiatives to encourage the development of rental housing, it does not provide direction to override established land-use policies. Meanwhile, the Burnside Gorge Neighbourhood Plan supports commercial and light industrial uses, and it does not support solely residential uses at this location unless a significant employment component is included. However, the Plan does consider the conversion of existing motel buildings to Single Room Occupancy (SRO) east of Cecilia Ravine. The City has provided policy guidelines, such as the *Conversion Guidelines - Transient to Rental Accommodation*, in order to provide guidance regarding important criteria when considering such a proposal. Overall, this Application fails to meet the criteria with respect to locational and site characteristics. Yet, the Guidelines reiterate that proposals are acceptable when neighbourhood plan policies are also supportive. Given that the Neighbourhood Plan supports conversion of motel buildings east of Cecilia Ravine, which includes the subject property, staff recommend for Council's consideration that the Application proceed to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application N. 00562 for the property located at 3025 Douglas Street.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Johathan Tinney, Director

Sustainable Planning and Community Development Department

Report accepted and recommended by the City Manager:

Date:

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 3, 2017
- Attachment D: Letter from applicant to Mayor and Council dated January 25, 2017
- Attachment E: Letter from applicant to Mayor and Council including the Parking Analysis dated October 23, 2017
- Attachment F: Community Association Land Use Committee Correspondence.



Committee of the Whole Report For the Meeting of November 2, 2017

To:

Committee of the Whole

Date:

October 19, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Variance Permit No. 00198 for 3025 Douglas Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0.
- 3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 3025 Douglas Street. The proposal is to convert the existing building from a motel to 48 residential rental units and commercial storage area in the lower level. The variance is related to reducing the required number of parking spaces from 80 to 28.

The following points were considered in assessing this Application:

- a Parking Analysis was prepared by the Applicant summarizing the current parking situation onsite. The analysis confirms that not all the parking spaces are utilized by the existing residents
- the commercial storage space in the basement is currently being used by nearby car dealerships to store vehicles
- secure and enclosed bicycle parking would be provided onsite to offset the parking shortfall
- the subject property is located on a major bus route and is in close proximity (walking and biking) to a mix of shops and services
- the parking variance is supportable given the total onsite parking demand, the addition of bicycle parking, and the close proximity to transit and shops and services.

BACKGROUND

Description of Proposal

The proposal is to vary the required number of parking spaces from 80 to 28 in order to facilitate the conversion of an existing motel to a multiple-dwelling consisting of 48 affordable market rental units.

Sustainability Features

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

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently zoned for uses such as transient accommodation, but has been operating without all the necessary approvals as long-term housing for the past few years.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, on September 5, 2017, the application was referred for a 30-day comment period to the Burnside Gorge Neighbourhood Association. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances; therefore, in accordance with the City's Land Use Procedures Bylaw, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

The Applicant is proposing to reduce the required number of parking spaces from 80 to 28 in order to facilitate the conversion of the existing motel to a multiple-dwelling consisting of 48 affordable market rental units and existing commercial storage space in the lower level. According to the Parking Analysis prepared by the Applicant, the current residents do not occupy all the existing parking spaces onsite, and therefore, the demand is lower than the existing supply of parking. The existing commercial storage area is currently being used by nearby car dealerships to store vehicles. It is not a typical storage business where there are separate storage units rented out to individuals. The current driveway on Douglas Street providing access to the underground level can be maintained provided that this level in not used for parking.

To offset the parking shortfall, the Applicant is proposing to provide 48 Class 1 (secure and enclosed) bicycle parking spaces in lower level of the building which can be accessed off of Douglas Street. The subject property is also located on a major bus route and in close proximity (walking and biking) to a mix of shops and services.

CONCLUSIONS

The proposal to reduce the required number of parking spaces from 80 to 28 will help facilitate the creation of more rental housing in the community. According to the parking analysis, there is adequate parking onsite to manage the parking demand that would be generated by the residential and warehouse uses. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00198 for the property located at 3025 Douglas Street.

Respectfully submitted.

Leanne Taylor Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

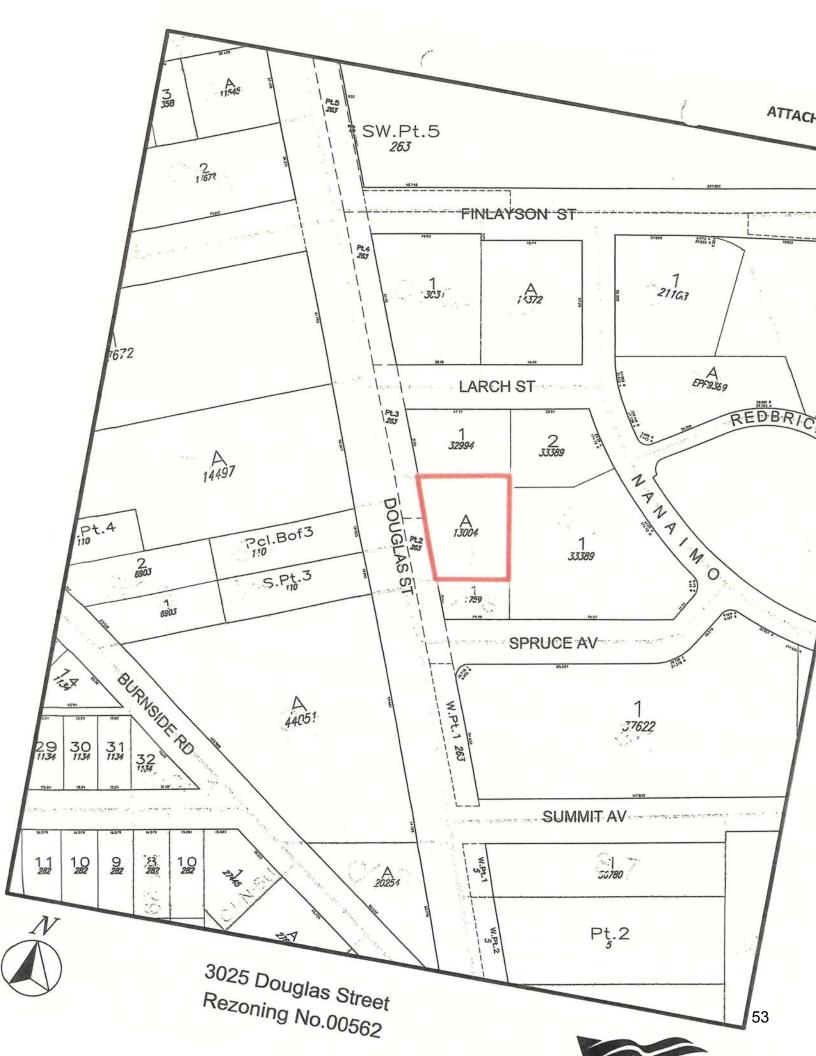
Development Department

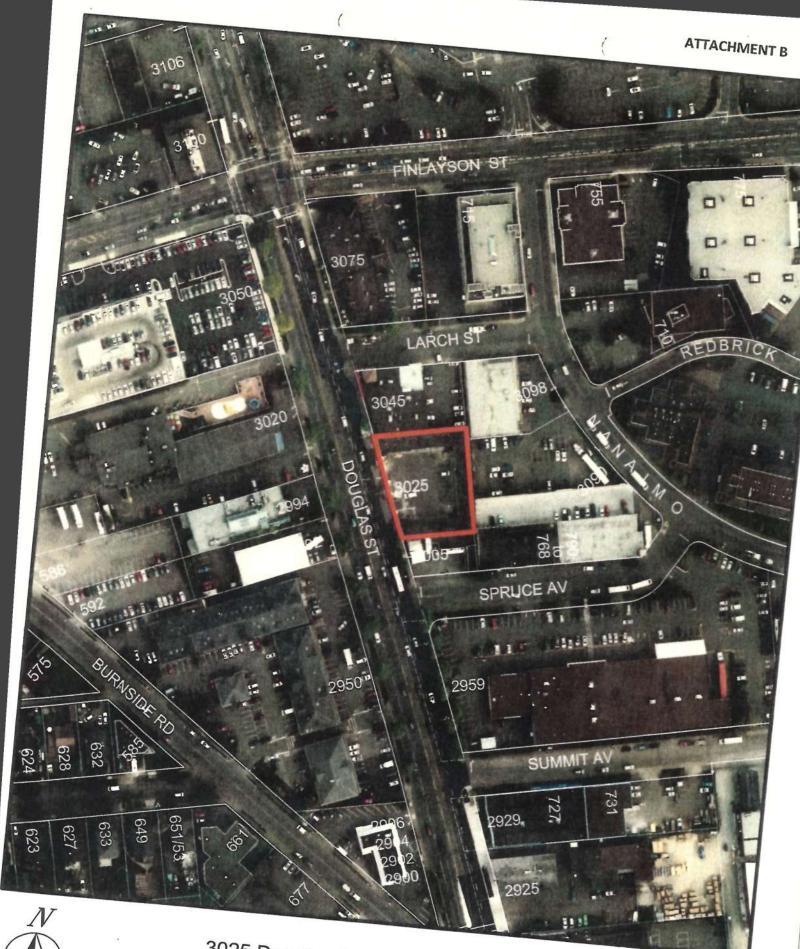
Report accepted and recommended by the City Manager

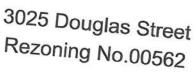
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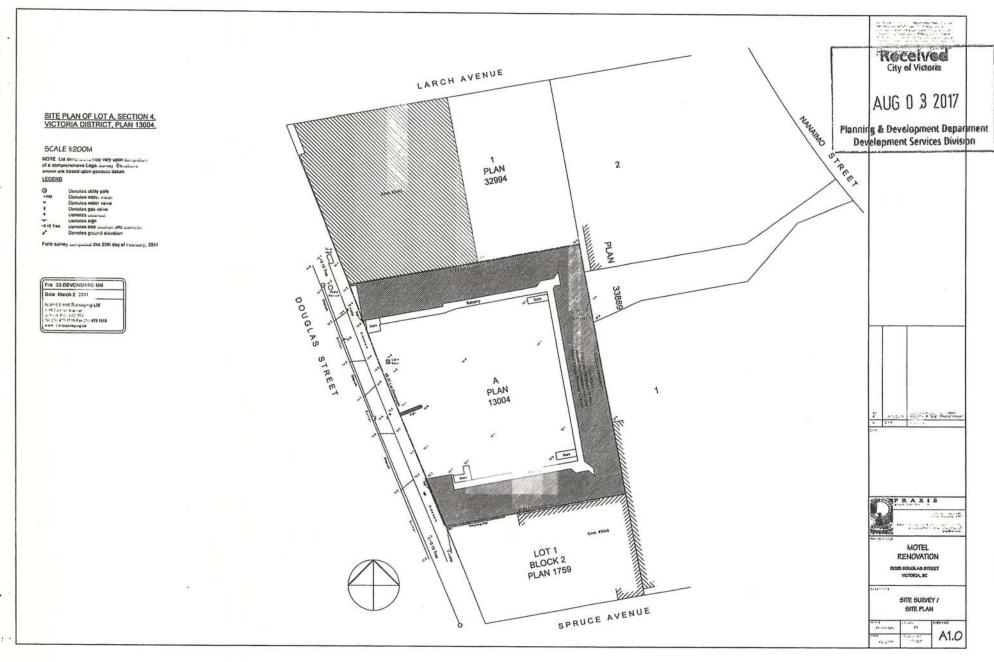
List of Attachments:

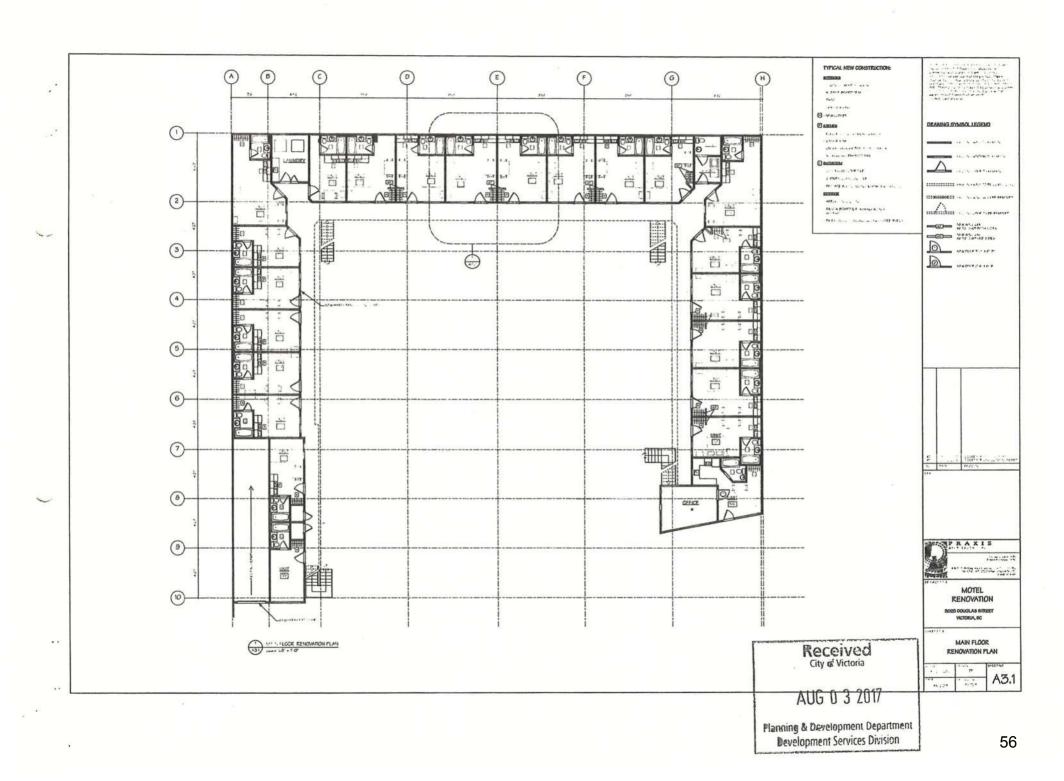
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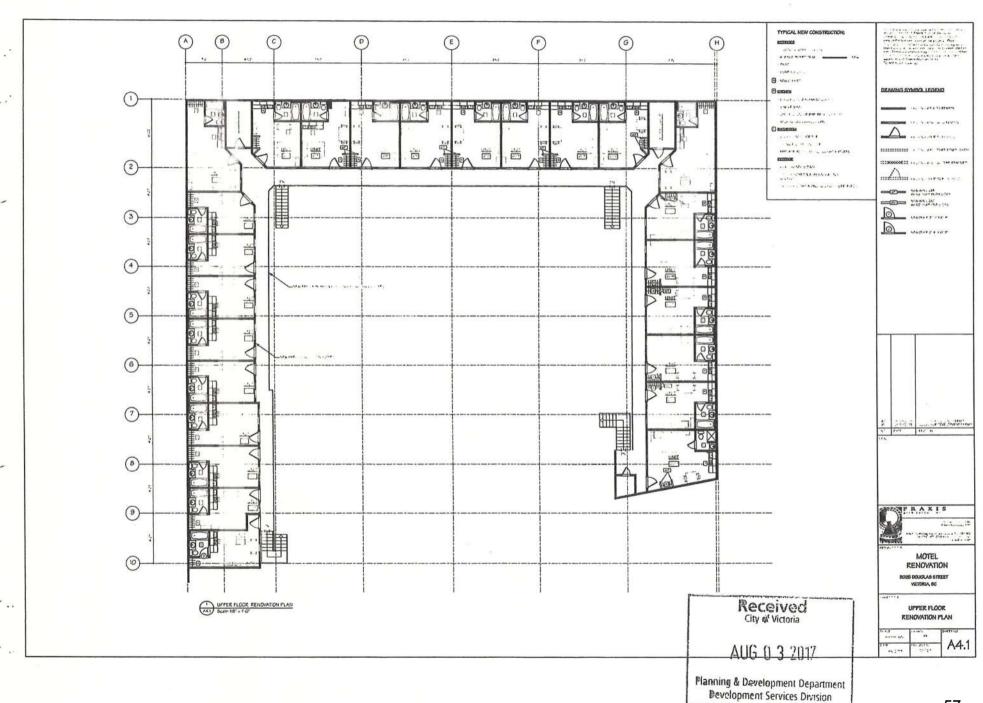


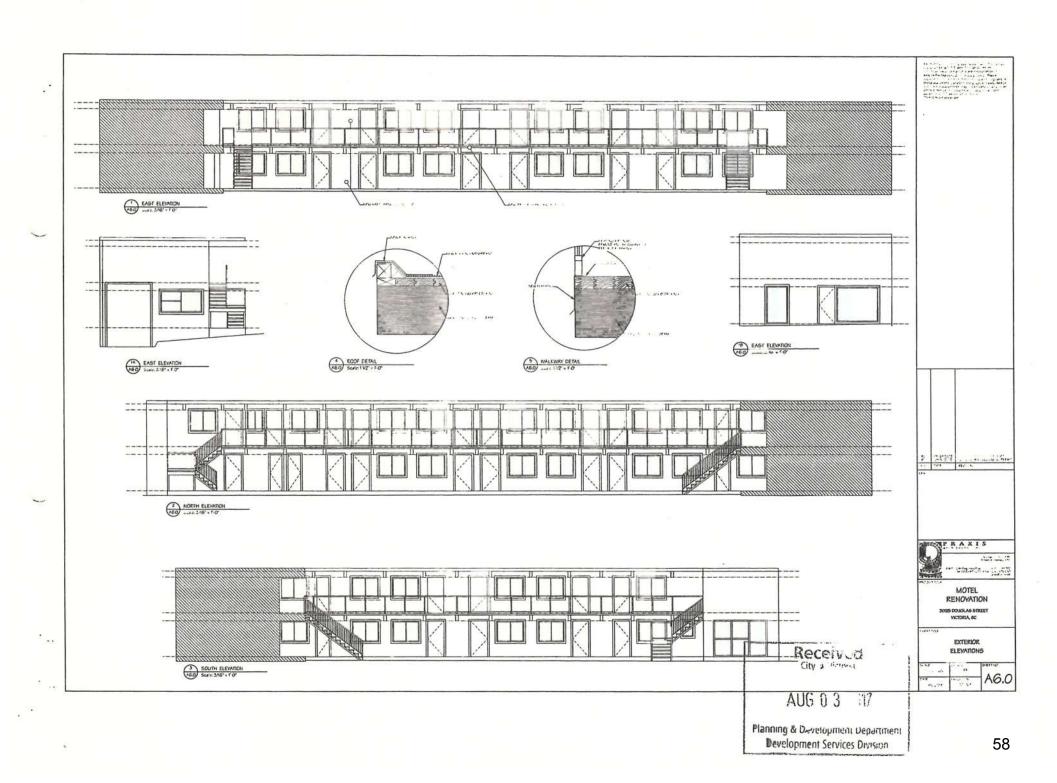


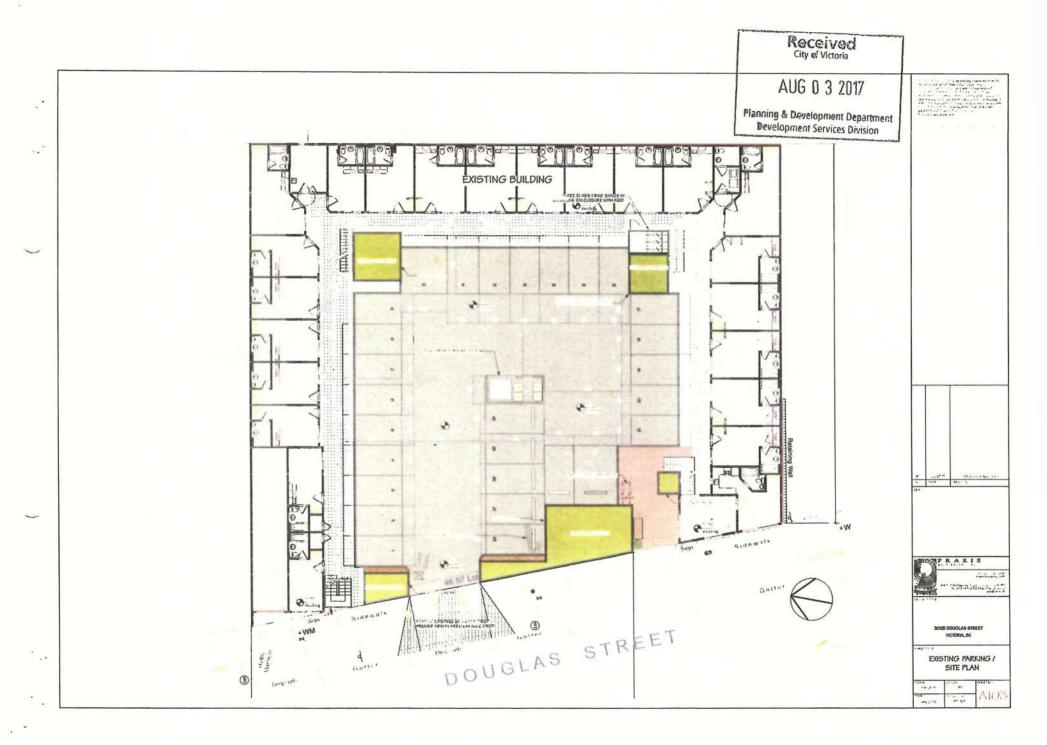




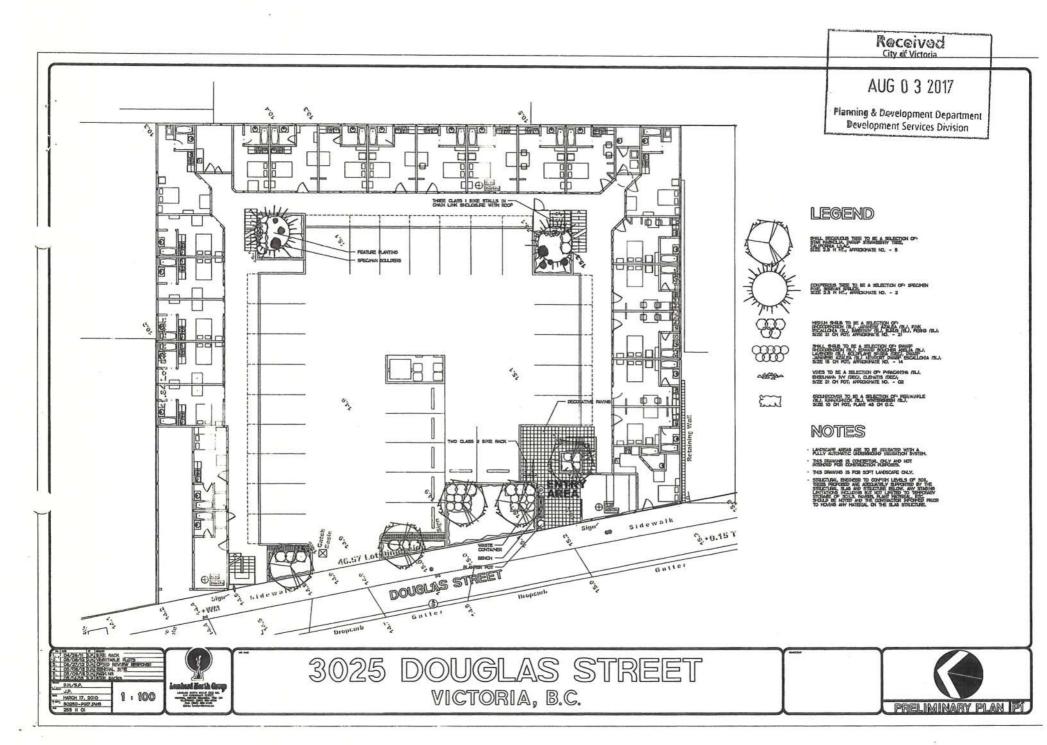








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Robert Rocheleau, Architect AIBC

401-1245 Esquimalt Road, Victoria, BC V9A 3P2
Tel: (250) 475-2702 • Fax: (250) 475-2701
robert.rocheleau@praxisarchitectsinc.com

January 25, 2017

City of Victoria

1 Centennial Square Victoria, BC V8W 1P6

Re. 3025 Douglas Street Rezoning – Existing Motel to Residential

Mayor and Council, DESCRIPTION OF PROPOSAL

The owner of the existing motel at 3025 Douglas wishes to rezone the existing property from T-1 transient to residential.

Currently occupants of the existing motel when staying past the maximum time permitted in the T-1 zoning are subject to eviction. The proposed rezoning is requested so that these residents can legally remain where they now reside. It is understood that there is a shortage in Victoria of available accommodation that serves the budget and needs similar to those now living at 3025 Douglas St.

NEIGHBOURHOOD CONTEXT

The building is existing and newly renovated. The proposed change has been presented to the Burnside - Gorge Community Association and there are no objections to this proposed change. Refer to attached for more detailed information.

Trust this to be of assistance,

PRAXIS ARCHITECTS INC

per:

Robert Rocheleau, Architect AIBC

Director

Received
City of Victoria

JAN 30 2017

Planning & Development Department Bevelopment Services Division



Robert Rocheleau, Architect AIBC

401-1245 Esquimalt Road, Victoria, BC V9A 3P2 Tel: (250) 475-2702 • Fax: (250) 475-2701 robert.rocheleau@praxlsarchitectsinc.com

October 23, 2017

City of Victoria 1 Centennial Square Victoria, BC V8W 1P6

Re. 3025 Douglas Street Rezoning – Existing Motel to Residential

inc.

Received

City of Victoria

OCT 7 3 2017

Planning & Development Department Development Services Division

Mayor and Council,

The following is provided in response to the Application Review Summary received, subsequent discussions, a meeting with planning and transportation engineering on July 17 at the City of Victoria, and comments received from Leanne Taylor on August 24, 2017.

1. Amendment to the OCP

As per correspondence and meeting of July 17 at City of Victoria, Gorge Community Association Land Use Committee has advised that no additional meeting required.

2. Parking Variance:

Number of Units 48, market rental.

Existing parking 28 stalls.

It is proposed that there be a parking variance accepting the existing 28 stalls as sufficient.

The proposed revised Schedule C that is coming to Council for approval would require the following for Bachelor apartments:

If this building was in nearby Village Centre .6 spaces / unit 28.8 spaces If this building was in other areas .75 spaces / unit 36 spaces

Parking ratio for existing Schedule C 1.3 spaces / unit 63 spaces

Per above, the provided 28 stalls is only .8 of a stall above meeting the Town Centre requirement. As this is within a block of the delineation of the Mayfair Town Centre boundary indicated in the proposed revised Schedule C, and 8 spaces short of meeting the requirement of the pending revised Schedule C, I submit that the requested variance is reasonable.

Notwithstanding the above, monitoring parking on site currently indicates that there are a significant number of available stalls of the 28 provided that are not being used.

For the existing storage area at basement level:

Area 1619 m2	storage	93 m2 / stall	17.4 spaces
29 m2 office / WC		65 m2 / stall	.45 spaces

(Note that in reality for continuing the existing car storage there area no occupants other than those from the dealership moving cars in and out, which is much less than the 18 required.)

Total parking required per current bylaw requirements 81

Unit Sizes:

Unit	m2		Unit	m2
**		plus office		
100	22.6	16.5	200	27.1
101	20.3		201	22.9
102	22.9		202	22.9
103	22.9		203	22.9
104	22.9		204	22.9
105	22		205	22
106	29.7		206	29.7
107	22.8		207	22.8
108	23.7		208	23.7
109	23.7		209	23.7
110	23.7		210	23.7
111	23.7		211	23.7
112	23.7		212	23.7
113	23.8		213	23.8
114	17.9		214	23.2
115	29.9		215	29.9
116	19.7		216	19.7

117	20.3	217	20.3
118	20.3	218	20.3
119	20.3	219	20.3
120	20.3	220	20.3
121	20.5	221	21.4
122	19.3	222	21.4
		223	19.8
		224	19.8

3. Housing Agreement:

Owners will undertake a housing agreement with the City of Victoria

4. Lower Level Storage:

It is proposed that a portion of the lower level storage area be used to provide the required bicycle storage area to accommodate 48 bikes. Refer to the plan drawing of the Storage Area. Access will be provided down the existing ramp from Douglas Street.

Lighting will be provided to ensure the area is well lit, security cameras will be installed and monitored at the manager's office, and an alarm will also be installed, sounding in the bicycle storage area and the manager's office.

It is also proposed that the current use of car storage for nearby dealerships be permitted, as the existing ramp has proven adequate to serve this use. In the meeting with Transportation Engineering of July 17 this was discussed and there did not appear to be any objection to continue using the existing ramp off Douglas for this purpose, as is now done.

5. Private easement over 3090 Nanaimo Street:

The owner of the property at 3090 Nanaimo St. is not willing to enter into an agreement to provide this easement in perpetuity, therefore it is assumed that access will continue from Douglas Street down the existing ramp and also by new exit stairs to grade level.

6. Site Plan - Existing Parking layout:

See attached plan.

7. Landscape Strip:

As discussed in the meeting of July 17, there is no possibility of incorporating a landscape strip between car wheel stops and end of stalls, as the parking is over an existing structure.

- 8. Bicycle Storage: Refer to Item 4 above.
- 9. Removal of redundant driveway crossings on Douglas St. frontage: This was completed as part of the previous DP.
- 10. Storm Water Treatment:

Existing parking area exceeds 10 spaces. No change proposed from existing parking, which is as per previously approved DP.

11. Sewage Attenuation

This is an existing building whereby no changes are proposed.

Trust this to be of assistance,

PRAXIS ARCHITECTS INC

per:

Robert Rocheleau, Architect AIBC

Director



471 Cecelia Road, Victoria, BC V8T 4T4 T. 250-388-5251 | F. 250-388-5269 info@burnsidegorge.ca | www.burnsidegorge.ca

April 30, 2016

Dear Mayor and Council:

CALUC Community Meeting: Rezoning Application for 3025 Douglas Street

On April 11, 2016, the Burnside Gorge Community Association (BGCA) hosted a CALUC community meeting that was advertised to discuss the proposal to rezone 3025 Douglas Street from T-1 (Transient accommodation) to residential. While the property was recently renovated and is already fully occupied by tenants staying lonber than 30 days, the new property owners wish to bring the building's zoning into conformance with its present use. There are 48 units, with an average size of 33-50 square metres; current rent is \$600-\$700.

Robert Rocheleau with Praxis Architects presented on behalf of the property owner. Feedback on this proposal is summarized below.

Parking

No parking variance would be applied for. There are 28 parking stalls on site
which accommodates current use.

Building tenants

- One attendee asked who currently lives in the building. Robert responded that the building is fully occupied, mainly by young people coming into Victoria to work, and that most people stay longer than 30 days.
- One attendee asked about frequency of police visits to the building. Robert responded that he wasn't certain how frequently police visit 3025 Douglas.
- One attendee asked whether current tenants are using leases. Robert responded that current tenants are not using leases, but that the owner intends to offer one-year leases should the rezoning application be successful.

Building use/zoning

- A property manager lives on site.
- One attendee asked whether the City is pressuring the new owners to rezone.
 Robert replied that the owner is voluntarily undertaking the rezoning process in order to come into compliance.
- One attendee asked whether anything in the OCP precludes the owner from developing the site if the rezoning application is successful. Robert responded that according to the OCP, the owner may redevelop the site to a larger/taller development in future without another rezoning, and that it may not necessarily be residential.

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Vote: As per the process of a BGCA rezoning community meeting, there was a straw vote to provide context to the questions. Of the meeting attendees who chose to vote, 3 were generally in favour and 1 was opposed to the proposal as presented.

Broader Context for Development

In addition to facilitating comments on the specific rezoning application at BGCA community meetings, the Chair also seeks feedback from attendees on their wishes for, and thoughts about, the immediate vicinity of a subject property. This information is provided to Mayor and Council and the Planning department to help provide critical, holistic perspectives on neighbourhood development objectives. Over time, this will help us stitch together a more comprehensive view and put rezoning applications into context of overarching community goals.

Attendees provided the following comments about the area around 3025 Douglas Street:

- I'm not opposed to seeing this property remain the same but I want to see a mix
 of affordable housing and market housing. You can't put all marginalized people
 in one area.
- This property is a good example of the pressures facing this area; the neighbourhood plan includes more density but developments are low density.
- I want to see a large format grocery store in this area.

Respectfully,

Carolyn Gisborne

Land Use Committee Chair Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department Robert Rocheleau, Praxis Architects

Burnside Gorge - a unique and innovative community centre	
---	--

From: Carolyn Gisborne languse Pournsidegorge.ca &

Subject: Waiving community meeting: 3025 Douglas

Date: November 27, 2016 at 1:03 PM

To: caluc@victoria.ca

Cc: mayorandopuncil & victoria.ca, Robert Rocheleau robert.rocheleau @praxisarchitectsinc.com



Good afternoon,

Robert recently reached out to the burnside gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning.

Seven months have lapsed since the most recent community meeting and as such the CALUC can require another meeting. As the details of the application have not changed since the most recent community meeting in April, our CALUC does not require another meeting on this property.

However, please refer to the comments in the attached letter for a sense of community comments on this site and other motel conversions.

Best regards,

Carolyn Gisborne

From: Carolyn Gisborne <landuse@curnsidegorge.ca> Subject: CALUC community meeting: 3025 Douglas

Date: April 30, 2016 at 1:40:37 PM PDT

To: caluc@victoria.ca

Cc: Robert Rocheleau crocheleau@praxisarchitectsinc.ccm>, Development Services email inquiries

<DevelopmentServices@victoria.ca>

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne



3025Douglas.doc.pdf

Laura Wilson

From:

Carolyn Gisborne landuse@burnsidegorge.ca

Sent:

Sunday, Nov 27, 2016 1:03 PM

To:

caluc@victoria.ca

Cc: Subject: Victoria Mayor and Council; Robert Rocheleau Waiving community meeting: 3025 Douglas

Attachments:

3025Douglas.doc.pdf

Good afternoon,

Robert recently reached out to the burnside gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning.

Seven months have lapsed since the most recent community meeting and as such the CALUC can require another meeting. As the details of the application have not changed since the most recent community meeting in April, our CALUC does not require another meeting on this property.

However, please refer to the comments in the attached letter for a sense of community comments on this site and other motel conversions.

Best regards, Carolyn Gisborne

From: Carolyn Gisborne < landuse@burnsidegorge.ca > Subject: CALUC community meeting: 3025 Douglas

Date: April 30, 2016 at 1:40:37 PM PDT

To: caluc@victoria.ca

Cc: Robert Rocheleau < robert.rocheleau@praxisarchitectsinc.com >, Development

Services email inquiries < DevelopmentServices@victoria.ca>

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne

Laura Wilson

From:

Carolyn Gisborne <landuse@burnsidegorge.ca>

Sent:

Saturday, Apr 30, 2016 1:41 PM

To:

caluc@victoria.ca

Cc:

Robert Rocheleau; Development Services email inquiries

Subject:

CALUC community meeting: 3025 Douglas

Attachments:

3025Douglas.doc.pdf

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne

From:

Carolyn Gisborne <landuse@burnsidegorge.ca>

Sent: To: March 7, 2017 8:54 PM

caluc@victoria.ca

Cc:

Community Planning email inquiries; Leanne Taylor; Robert Rocheleau

Subject:

3025 Douglas

Good evening,

Robert recently reached out to the Burnside Gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning, and that an OCP amendment will be required for the rezoning.

As the details of the application have not changed since the most recent community meeting in April 2016, our CALUC does not require another meeting on this property.

Best regards, Carolyn Gisborne

1. <u>Update on Rezoning Application No. 00562 and Official Community Plan Amendment for 3025 Douglas Street</u>

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe:

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act by removing the property located at 3025 Douglas Street from the General Employment Urban Place Designation and adding it to the Town Centre Urban Place Designation; as well as, the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity.
 - ii. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; and 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.
 - iii. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - iv. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
 - v. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - vi. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2020 Draft Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 - vii. That Council give second reading to the Official Community Plan Amendment Bylaw.
- viii. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That Council instruct staff to change the land use designation of the property located at 3025 Douglas Street from General Employment to Town Centre in the *Burnside Gorge Neighbourhood Plan*.

Carried Unanimously

From:

ED TOTH

Sent:

March 29, 2018 2:32 PM

To:

Leanne Taylor

Cc:

Radoslav Lepur

Subject:

3025 Douglas St

To Leanne Taylor, Senior Planner, City of Victoria

Thank you for seeing us at City Hall. Please forward our comments below to City Council for their consideration. I am the owner of the property at 3045 Douglas St. At times we are feeling that we are under siege from street people. We have received complaints from all of our tenants. Some of the complaints relate to feces, strong smell of urine and garbage strewn about by the garbage bin area in the covered parking. We have also had small campfires in that area on cold nights. Other complaints relate to needles left randomly strewn about. One of our retail tenants (TJ Kiddies Korner) had a boulder smashed through their front door and persons entered the premises.

We have had security patrols for several years. We are now faced with costly renovations to secure the covered parking area. Some tenants have concerns about their safety, especially the personnel (primarily women) who work 24 hrs. a day at Victoria Taxi, a business at the front of the building on Douglas St.

We have had two vacancies in our building for several years and the surrounding area is one of the concerns for prospective tenants. We also have concerns about existing leases when the leases come up for renewal.

One can argue that the people living at 3025 Douglas St. are not the problem for people sleeping and causing problems at 3045 Douglas because they have a place to live. According to one of our tenants, people do congregate near 3045 and 3025 and could be residents and their friends from 3025 and other shelters and residences in the immediate area. There is a disproportionate concentration of facilities for homeless and low income people in that area and the property at 3025 Douglas St. should not be added to the list.

Mrs. Draginja Lepur

President, Cromwell Industries Inc.

Sent from my iPad

From:

John Norris

Sent:

March 21, 2018 10:37 AM

To:

Leanne Taylor

Subject:

amending OCP designation to facilitate rezoning for 3025 Douglas St.

Hello Leanne,

Considering the info you have provided about facilitating a rezoning application for the noted property it seems that this is unfair to the other property owners nearby as a rezoning of this property would add significant value to the subject property.

Were I able to rebuild on my property at 3050 Nanaimo St. a mixed residential and ground level commercial building the value of the property would certainly increase.

I do believe that this area is a natural for the kind of zoning being proposed for 3025 Douglas with transit, grocery, parks and pretty well all other services available within short walking distance.

Are there rezoning applications, changes within the OCP or plans for the former Canadian Tire property or other surrounding properties currently in the works?

My concern is that such changes are fair to all surrounding property owners. It does not seem that rezoning this one property meets that criteria.

sincerely, John Norris

From:

Leanne Taylor

Sent:

December 12, 2017 11:17 AM

To:

'Lindsay Edwards'

Subject:

RE: 3025 Douglas Street Input

Hi Lindsay,

Thank you for your email. I have forwarded it to Legislative Services to be included on the Council Agenda when the Application goes to Council for a Public Hearing.

Kind regards,

Leanne

Leanne Taylor, MCIP, RPP
Senior Planner
Sustainable Planning and Community Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0561

F 250.361.0386









From: Lindsay Edwards

Sent: December 11, 2017 4:54 PM

To: Leanne Taylor < ltaylor@victoria.ca>
Subject: 3025 Douglas Street Input

Hi Leanne,

I think converting 3025 Douglas St from motel to residential is a great idea.

Thanks,

Lindsay Edwards

REPORTS OF COMMITTEES

- 1. Committee of the Whole February 8, 2018
- 4. <u>Update on Rezoning Application No. 00562 and Official Community Plan Amendment for 3025 Douglas Street</u>

Motion:

It was moved by Councillor Coleman, seconded by Councillor Thornton-Joe:

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act by removing the property located at 3025 Douglas Street from the General Employment Urban Place Designation and adding it to the Town Centre Urban Place Designation; as well as, the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 a. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity.
 - ii. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; and 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.
 - iii. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - iv. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
 - v. That Council give first reading to the Official Community Plan Amendment Bylaw.
 - vi. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2020 Draft Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
 - vii. That Council give second reading to the Official Community Plan Amendment Bylaw.
- viii. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That Council instruct staff to change the land use designation of the property located at 3025 Douglas Street from General Employment to Town Centre in the *Burnside Gorge Neighbourhood Plan*.

Carried Unanimously

4. LAND USE MATTERS

4.1 Update on Rezoning Application No. 00562 and Official Community Plan Amendment for 3025 Douglas Street

Committee received a report dated January 25, 2018, from the Director of Sustainable Planning and Community Development regarding an application to convert the existing building from a motel to a multiple dwelling consisting of approximately 48 market rental units, and existing commercial storage area in the lower level.

Committee discussed:

Conferring additional entitlements and additional economic benefits.

Motion:

- It was moved by Councillor Thornton-Joe, seconded by Councillor Lucas:
- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act by removing the property located at 3025 Douglas Street from the General Employment Urban Place Designation and adding it to the Town Centre Urban Place Designation; as well as, the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - a. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity.
 - ii. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; and 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.
 - iii. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - iv. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
- v. That Council give first reading to the Official Community Plan Amendment Bylaw.
- vi. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2020 Draft Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- vii. That Council give second reading to the Official Community Plan Amendment Bylaw.
- viii. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That Council instruct staff to change the land use designation of the property located at 3025 Douglas Street from General Employment to Town Centre in the *Burnside Gorge Neighbourhood Plan*.

CARRIED UNANIMOUSLY 18/COTW



Committee of the Whole Report For the Meeting of February 8, 2018

To:

Committee of the Whole

Date:

January 25, 2018

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No. 00562 for 3025 Douglas Street and Associated

Official Community Plan Amendment

RECOMMENDATION

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act by removing the property located at 3025 Douglas Street from the General Employment Urban Place Designation and adding it to the Town Centre Urban Place Designation; as well as, the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
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 - ii. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; that the appropriate consultation measures would include a mailed notice of the proposed OCP Amendment to the affected persons; and 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.
 - That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - iv. That Council, specifically consider whether consultation is required under Section 475(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 amendment.

- v. That Council give first reading to the Official Community Plan Amendment Bylaw.
- vi. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2018-2020 Draft Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- vii. That Council give second reading to the Official Community Plan Amendment Bylaw.
- viii. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.
- 2. That Council instruct staff to change the land use designation of the property located at 3025 Douglas Street from General Employment to Town Centre in the *Burnside Gorge Neighbourhood Plan*.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures; the density of the use of the land, building and other structures; the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to update Council with information, analysis and recommendations for a Rezoning Application for the property located at 3025 Douglas Street. The proposal is to rezone from the T1 Zone, Limited Transient Accommodation District, to a new zone in order to convert the existing building from a motel to a multiple dwelling consisting of approximately 48 market rental units, and existing commercial storage area in the lower level.

At the Committee of the Whole meeting on November 2, 2017 (minutes and report attached), Council considered this Rezoning Application and directed staff to prepare the necessary Official Community Plan (OCP) and Zoning Regulation Bylaw amendments with the

understanding that the OCP amendment would be in the form of a of a new policy. This new policy would address motel conversions consistent with the policies in the *Burnside Gorge Neighbourhood Plan*, and include a proviso that only existing buildings would qualify, and new development (demolition with new construction) that was not consistent with the General Employment designation, would require an OCP amendment.

In the process of drafting the OCP Amendment Bylaw, staff discovered that adding a general policy to the OCP would be too broad and affect other properties, which would require additional public consultation (beyond 200m of the subject property) and clearly not the intent of this proposal. Furthermore, it is not good legal practice to add a policy to the OCP for one property as it would result in a site specific OCP amendment and transform the purpose of the OCP from a broad land use policy and categorization scheme to a site specific regulatory framework more akin to a Zoning Regulation Bylaw than an OCP. Given this direction, amending the Urban Place Designation from *General Employment* to *Town Centre* would be the most appropriate solution for several reasons in order to support rental housing on the subject property at this time.

ANALYSIS

Amending the Urban Place Designation from *General Employment* to *Town Centre* would be the most appropriate solution for several reasons. Firstly, *Town Centre* supports commercial land uses, heights up to ten-storeys and densities up to 2:1 floor space ratio (FSR) and may be increased up to a total of approximately 3:1 FSR when advancement of plan objectives are considered. This designation also supports low and mid-rise multi-unit residential and mixed-use buildings. For comparison, the *General Employment* designation only supports densities up to 2:1 FSR and heights up to six storeys. Similarly, the *Burnside Gorge Neighbourhood Plan* only supports buildings up to four storeys at this location and this would not change.

In addition, the subject property is one property away from lands designated *Town Centre* and less than 150m from Mayfair Shopping Centre, which is also designated *Town Centre* in the OCP. Expanding the Town Centre designation to the subject property would not be a huge leap nor out of context with the immediate neighbourhood. Ground-oriented commercial is also strongly encouraged in the *Town Centre* designation. The site specific zone has been drafted to fit with the current use, density and height of the existing building so that any future redevelopment of the site would be subject to a rezoning and a Council process.

The second option is to change the land use designation of the subject property to *Urban Residential* as this designation does support mixed-use buildings along arterial roads (i.e. Douglas Street), such as Douglas Street, up to six-storeys and a 2:1 FSR; however, residential uses must be provided; whereas, the *Town Centre* designation does support standalone commercial uses which is more consistent with the *General Employment* designation and strongly encouraged at this location.

The third option would be to amend the *General Employment* designation by adding a policy that supports motel conversions to rental housing, which would affect all lands with this designation. This type of OCP amendment would require greater public consultation and it would be a significant departure from the intent of the *General Employment* designation, which is to preserve existing and future commercial and light industrial uses that generate economic development in the city while minimizing potential conflicts with residential uses that may arise adjacent to industrial uses.

CONCLUSION

Amending the Urban Place Designation from *General Employment* to *Town Centre* would be the most appropriate solution in order to support rental housing on the subject property. The *Town Centre* designation is comparable to *General Employment* in relation to encouraging a strong commercial presence along Douglas Street. The *Town Centre* designation does support more height and density compared to the *General Employment* designation; however, redevelopment of the subject property would be subject to other OCP policies and design guidelines, and would have to fit with the neighbourhood context. Therefore, maximizing heights and densities that are supported in the *Town Centre* designation may not be appropriate on the site alone. Staff recommend for Council's consideration that the OCP designation of the subject property is changed from *General Employment* to *Town Centre* and the Application advance to a Public Hearing.

ALTERNATE MOTIONS

ALTERNATIVE MOTION 1 (Decline)

That Council decline Rezoning Application No. 00562 for the property located at 3025 Douglas Street.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date: al 31, 2

List of Attachments:

- Appendix A: Committee of the Whole minutes dated November 2, 2017
- Appendix B: Council minutes dated November 9, 2017
- Appendix C: Committee of the Whole report dated October 19, 2017

3.1 Rezoning Application No. 00562 & Development Variance Permit Application No. 00198 for 3025 Douglas Street

Committee received reports dated October 23, 2017 and October 19, 2017, from the Director of Sustainable Planning and Community Development regarding an application to convert the existing motel to a multiple dwelling consisting of approximately 48 affordable market rental units and retain the existing vehicle storage area in the lower level.

Committee discussed:

- The changes made to the proposal since the original design.
- The intended use of the building and requirements for affordable units.

Motion:

It was moved by Councillor Young, seconded by Councillor Thornton-Joe: **Rezoning Application No. 00562**

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
 - e. That Council give first reading to the Official Community Plan Amendment Bylaw.

- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing

Development Variance Permit Application No. 00198

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28;
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0;
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0. 3.
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW

REPORTS OF COMMITTEES

- Committee of the Whole November 2, 2017
 - Rezoning Application No. 00562 & Development Variance Permit Application No. 00198 for 3025 Douglas Street

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman:

Rezoning Application No. 00562

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:

 Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity

- b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
- c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
- d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing

Development Variance Permit Application No. 00198

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28;
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 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0. 3.
- 3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously



Committee of the Whole Report

For the Meeting of November 2, 2017

To:

Committee of the Whole

Date:

October 19, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Variance Permit No. 00198 for 3025 Douglas Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- Plans date stamped August 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0.
- The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the Local Government Act, Council may issue a Development Variance Permit that varies a Zoning Regulation Bylaw provided the permit does not vary the use or density of land from that specified in the Zoning Regulation Bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 3025 Douglas Street. The proposal is to convert the existing building from a motel to 48 residential rental units and commercial storage area in the lower level. The variance is related to reducing the required number of parking spaces from 80 to 28.

The following points were considered in assessing this Application:

- a Parking Analysis was prepared by the Applicant summarizing the current parking situation onsite. The analysis confirms that not all the parking spaces are utilized by the existing residents
- the commercial storage space in the basement is currently being used by nearby car dealerships to store vehicles
- secure and enclosed bicycle parking would be provided onsite to offset the parking shortfall
- the subject property is located on a major bus route and is in close proximity (walking and biking) to a mix of shops and services
- the parking variance is supportable given the total onsite parking demand, the addition of bicycle parking, and the close proximity to transit and shops and services.

BACKGROUND

Description of Proposal

The proposal is to vary the required number of parking spaces from 80 to 28 in order to facilitate the conversion of an existing motel to a multiple-dwelling consisting of 48 affordable market rental units.

Sustainability Features

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

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently zoned for uses such as transient accommodation, but has been operating without all the necessary approvals as long-term housing for the past few years.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, on September 5, 2017, the application was referred for a 30-day comment period to the Burnside Gorge Neighbourhood Association. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances; therefore, in accordance with the City's Land Use Procedures Bylaw, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

The Applicant is proposing to reduce the required number of parking spaces from 80 to 28 in order to facilitate the conversion of the existing motel to a multiple-dwelling consisting of 48 affordable market rental units and existing commercial storage space in the lower level. According to the Parking Analysis prepared by the Applicant, the current residents do not occupy all the existing parking spaces onsite, and therefore, the demand is lower than the existing supply of parking. The existing commercial storage area is currently being used by nearby car dealerships to store vehicles. It is not a typical storage business where there are separate storage units rented out to individuals. The current driveway on Douglas Street providing access to the underground level can be maintained provided that this level in not used for parking.

To offset the parking shortfall, the Applicant is proposing to provide 48 Class 1 (secure and enclosed) bicycle parking spaces in lower level of the building which can be accessed off of Douglas Street. The subject property is also located on a major bus route and in close proximity (walking and biking) to a mix of shops and services.

CONCLUSIONS

The proposal to reduce the required number of parking spaces from 80 to 28 will help facilitate the creation of more rental housing in the community. According to the parking analysis, there is adequate parking onsite to manage the parking demand that would be generated by the residential and warehouse uses. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00198 for the property located at 3025 Douglas Street.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

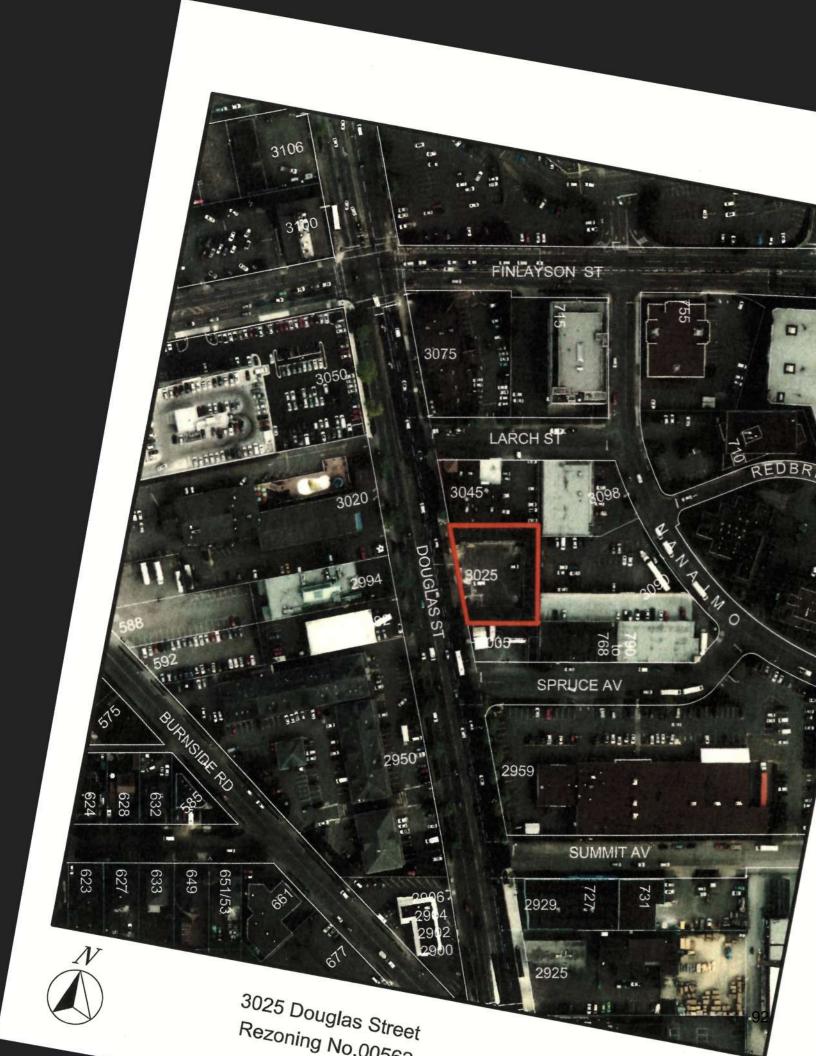
Report accepted and recommended by the City Manager

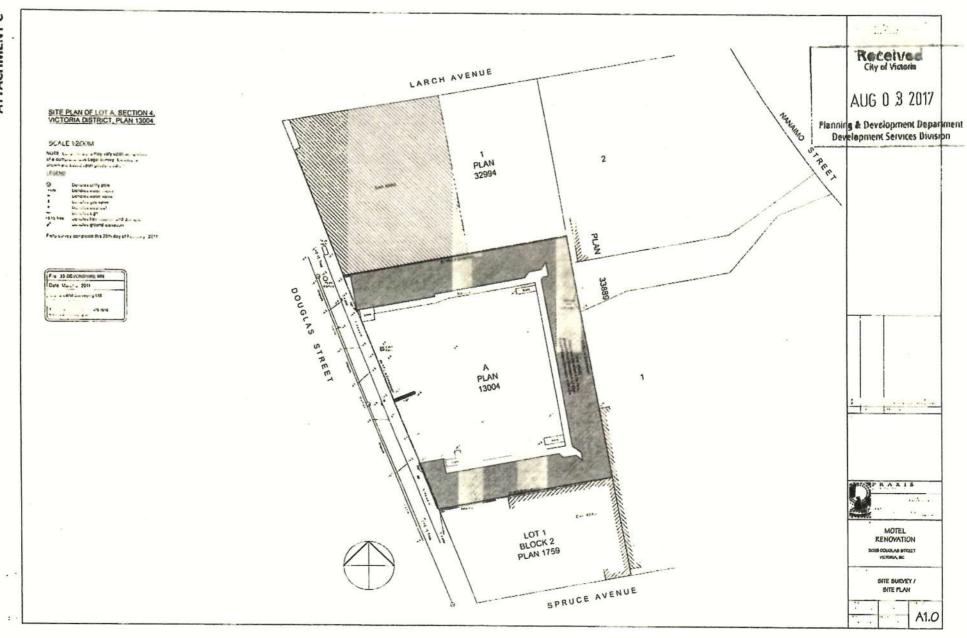
Date

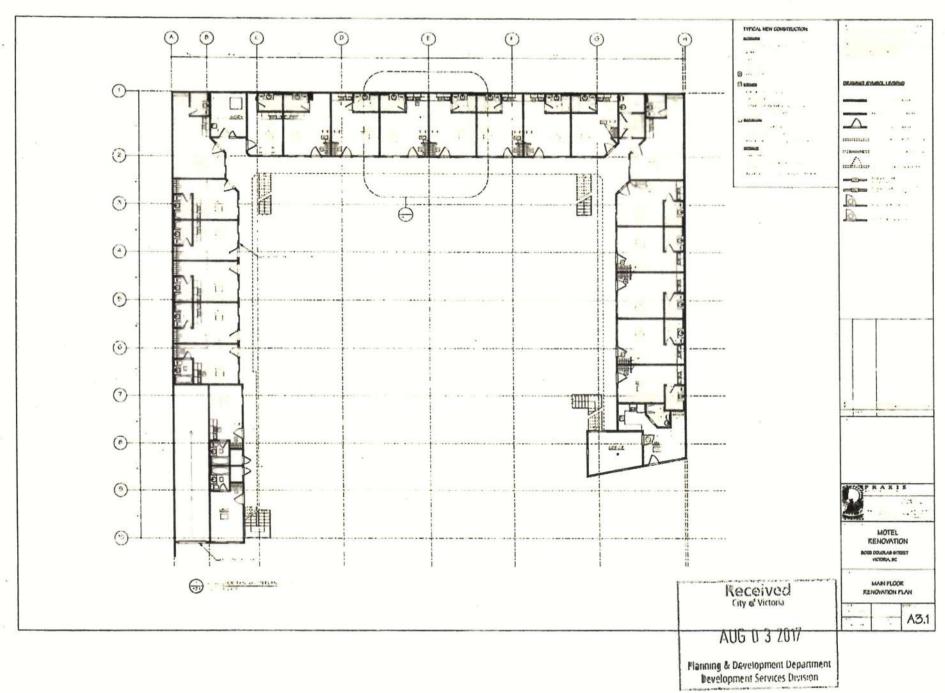
List of Attachments:

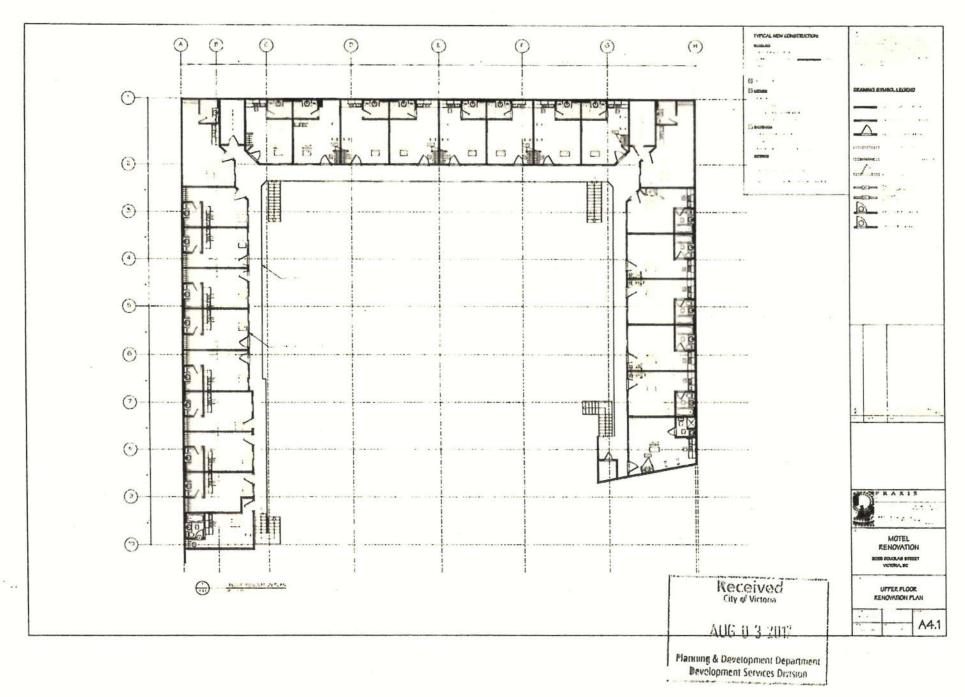
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 3, 2017
- Attachment D: Letter from applicant to Mayor and Council dated January 25, 2017
- Attachment E: Letter from applicant to Mayor and Council including the Parking Analysis dated October 23, 2017
- Attachment F: Community Association Land Use Committee Correspondence.

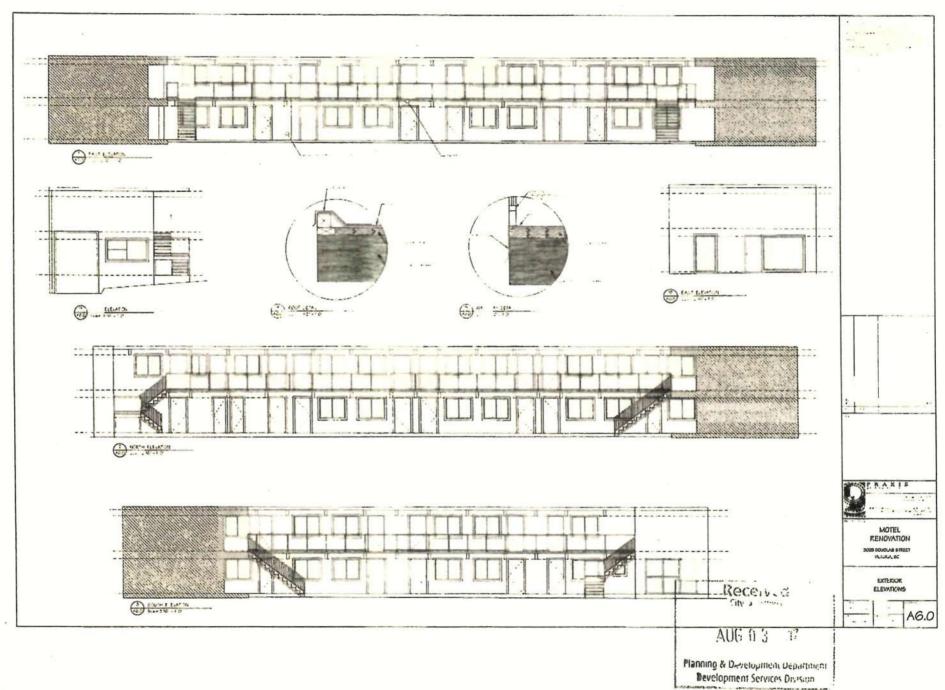


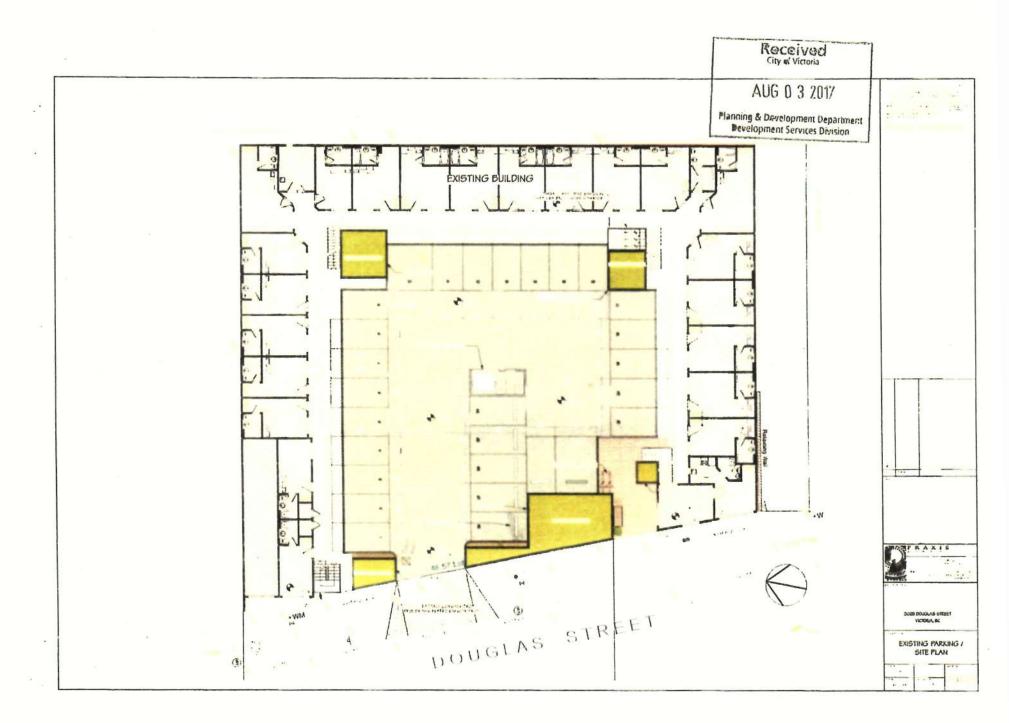




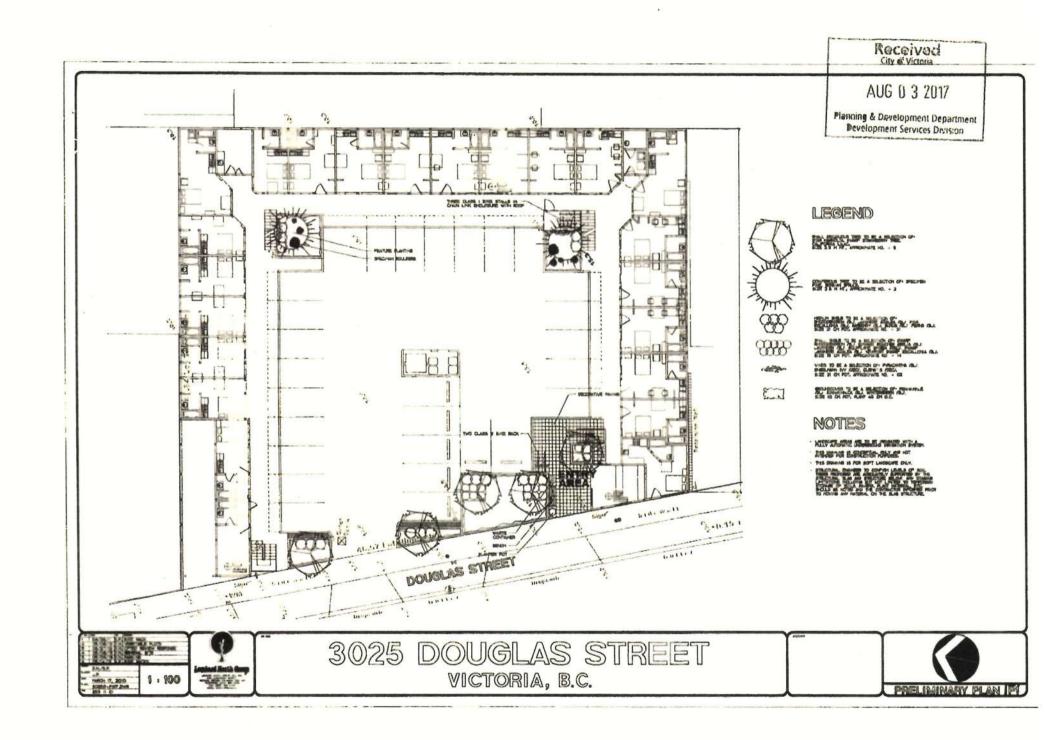








CITY OF VICTOR RECEIVED DEEMED OCT 2 3 2017 AUG 03 2017 5"0RAGE 1619 m2 POSTS POLICIAS STREET VICTORIA, BC LOWER LEVEL BIKE STORAGE A





Robert Rocheleau, Architect AIBC

401-1245 Esquimalt Road, Victoria, BC V9A 3P2 Tel: (250) 475-2702 • Fax: (250) 475-2701 robert.rocheleau@praxisarchitectsinc.com

January 25, 2017

City of Victoria

I Centennial Square Victoria, BC V8W 1P6

Re. 3025 Douglas Street Rezoning – Existing Motel to Residential

Mayor and Council, DESCRIPTION OF PROPOSAL

The owner of the existing motel at 3025 Douglas wishes to rezone the existing property from T-1 transient to residential.

Currently occupants of the existing motel when staying past the maximum time permitted in the T-1 zoning are subject to eviction. The proposed rezoning is requested so that these residents can legally remain where they now reside. It is understood that there is a shortage in Victoria of available accommodation that serves the budget and needs similar to those now living at 3025 Douglas St.

NEIGHBOURHOOD CONTEXT

The building is existing and newly renovated. The proposed change has been presented to the Burnside - Gorge Community Association and there are no objections to this proposed change. Refer to attached for more detailed information.

Trust this to be of assistance,

PRAXIS ARCHITECTS INC

per:

Robert Rocheleau, Architect AIBC

Director

Received City of Victoria

JAN 30 2017

Planning & Development Department Development Services Division



Robert Rocheleau, Architect AIBC

401-1245 Esquimalt Road, Victoria, BC V9A 3P2 Tel: (250) 475-2702 • Fax: (250) 475-2701 robert.rocheleau@praxlsarchitectsinc.com

October 23, 2017

City of Victoria 1 Centennial Square Victoria, BC V8W 1P6

Re. 3025 Douglas Street Rezoning - Existing Motel to Residential Received

OCT 7 3 2017

Planning & Development Department Development Services Division

Mayor and Council,

The following is provided in response to the Application Review Summary received. subsequent discussions, a meeting with planning and transportation engineering on July 17 at the City of Victoria, and comments received from Leanne Taylor on August 24. 2017.

1. Amendment to the OCP

As per correspondence and meeting of July 17 at City of Victoria, Gorge Community Association Land Use Committee has advised that no additional meeting required.

Parking Variance:

Number of Units 48, market rental.

Existing parking 28 stalls.

It is proposed that there be a parking variance accepting the existing 28 stalls as sufficient.

The proposed revised Schedule C that is coming to Council for approval would require the following for Bachelor apartments:

If this building was in nearby Village Centre .6 spaces / unit If this building was in other areas

.75 spaces / unit 36 spaces

Parking ratio for existing Schedule C

1.3 spaces / unit

63 spaces

28.8 spaces

Per above, the provided 28 stalls is only .8 of a stall above meeting the Town Centre requirement. As this is within a block of the delineation of the Mayfair Town Centre boundary indicated in the proposed revised Schedule C, and 8 spaces short of meeting the requirement of the pending revised Schedule C, I submit that the requested variance is reasonable.

Notwithstanding the above, monitoring parking on site currently indicates that there are a significant number of available stalls of the 28 provided that are not being used.

For the existing storage area at basement level:

Area 1619 m2	storage	93 m2 / stall	17.4 spaces
29 m2 office / WC		65 m2 / stall	.45 spaces

(Note that in reality for continuing the existing car storage there area no occupants other than those from the dealership moving cars in and out, which is much less than the 18 required.)

Total parking required per current bylaw requirements	current bylaw requirements 8	ŏ.
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Unit Sizes:

Unit	m2		Unit	m2
		plus office		
100	22.6	16.5	200	27.1
101	20.3		201	22.9
102	22.9		202	22.9
103	22.9		203	22.9
104	22.9		204	22.9
105	22		205	22
106	29.7		206	29.7
107	22.8		207	22.8
108	23.7		208	23.7
109	23.7		209	23.7
110	23.7		210	23.7
111	23.7		211	23.7
112	23.7		212	23.7
113	23.8		213	23.8
114	17.9		214	23.2
115	29.9		215	29.9
116	19.7		216	19.7

117	20.3	217	20.3
118	20.3	218	20.3
119	20.3	219	20.3
120	20.3	220	20.3
121	20.5	221	21.4
122	19.3	222	21.4
	***	223	19.8
		224	19.8

3. Housing Agreement:

Owners will undertake a housing agreement with the City of Victoria

4. Lower Level Storage:

It is proposed that a portion of the lower level storage area be used to provide the required bicycle storage area to accommodate 48 bikes. Refer to the plan drawing of the Storage Area. Access will be provided down the existing ramp from Douglas Street.

Lighting will be provided to ensure the area is well lit, security cameras will be installed and monitored at the manager's office, and an alarm will also be installed, sounding in the bicycle storage area and the manager's office.

It is also proposed that the current use of car storage for nearby dealerships be permitted, as the existing ramp has proven adequate to serve this use. In the meeting with Transportation Engineering of July 17 this was discussed and there did not appear to be any objection to continue using the existing ramp off Douglas for this purpose, as is now done.

Private easement over 3090 Nanaimo Street:

The owner of the property at 3090 Nanaimo St. is not willing to enter into an agreement to provide this easement in perpetuity, therefore it is assumed that access will continue from Douglas Street down the existing ramp and also by new exit stairs to grade level.

6. Site Plan - Existing Parking layout:

See attached plan.

7. Landscape Strip:

As discussed in the meeting of July 17, there is no possibility of incorporating a landscape strip between car wheel stops and end of stalls, as the parking is over an existing structure.

8. Bicycle Storage:

Refer to Item 4 above.

9. Removal of redundant driveway crossings on Douglas St. frontage: This was completed as part of the previous DP.

10. Storm Water Treatment:

Existing parking area exceeds 10 spaces. No change proposed from existing parking, which is as per previously approved DP.

11. Sewage Attenuation

This is an existing building whereby no changes are proposed.

Trust this to be of assistance,

ROENT & ROENT STATE OF STATE O

PRAXIS ARCHITECTS INC

per:

Robert Rocheleau, Architect AIBC Director



471 Cecelia Road, Victoria, BC V8T 4T4 T. 250-388-5251 | F. 250-388-5269 info@burnsidegorge.ca | www.burnsidegorge.ca

April 30, 2016

Dear Mayor and Council:

CALUC Community Meeting: Rezoning Application for 3025 Douglas Street

On April 11, 2016, the Burnside Gorge Community Association (BGCA) hosted a CALUC community meeting that was advertised to discuss the proposal to rezone 3025 Douglas Street from T-1 (Transient accommodation) to residential. While the property was recently renovated and is already fully occupied by tenants staying lonber than 30 days, the new property owners wish to bring the building's zoning into conformance with its present use. There are 48 units, with an average size of 33-50 square metres; current rent is \$600-\$700.

Robert Rocheleau with Praxis Architects presented on behalf of the property owner. Feedback on this proposal is summarized below.

Parking

 No parking variance would be applied for. There are 28 parking stalls on site which accommodates current use.

Building tenants

- One attendee asked who currently lives in the building. Robert responded that
 the building is fully occupied, mainly by young people coming into Victoria to
 work, and that most people stay longer than 30 days.
- One attendee asked about frequency of police visits to the building. Robert responded that he wasn't certain how frequently police visit 3025 Douglas.
- One attendee asked whether current tenants are using leases. Robert responded that current tenants are not using leases, but that the owner intends to offer one-year leases should the rezoning application be successful.

Building use/zoning

- A property manager lives on site.
- One attendee asked whether the City is pressuring the new owners to rezone.
 Robert replied that the owner is voluntarily undertaking the rezoning process in order to come into compliance.
- One attendee asked whether anything in the OCP precludes the owner from developing the site if the rezoning application is successful. Robert responded that according to the OCP, the owner may redevelop the site to a larger/taller development in future without another rezoning, and that it may not necessarily be residential.

Burnside Gorge - a unique and innovative community centre



471 Cecelia Road, Victoria, BC V8T 4T4 T. 250-388-5251 | F. 250-388-5269 info@burnsidegorge.ca | www.burnsidegorge.ca

Vote: As per the process of a BGCA rezoning community meeting, there was a straw vote to provide context to the questions. Of the meeting attendees who chose to vote, 3 were generally in favour and 1 was opposed to the proposal as presented.

Broader Context for Development

In addition to facilitating comments on the specific rezoning application at BGCA community meetings, the Chair also seeks feedback from attendees on their wishes for, and thoughts about, the immediate vicinity of a subject property. This information is provided to Mayor and Council and the Planning department to help provide critical, holistic perspectives on neighbourhood development objectives. Over time, this will help us stitch together a more comprehensive view and put rezoning applications into context of overarching community goals.

Attendees provided the following comments about the area around 3025 Douglas Street:

- I'm not opposed to seeing this property remain the same but I want to see a mix of affordable housing and market housing. You can't put all marginalized people in one area.
- This property is a good example of the pressures facing this area; the neighbourhood plan includes more density but developments are low density.
- I want to see a large format grocery store in this area.

Respectfully,

Carolyn Gisborne

Land Use Committee Chair Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department Robert Rocheleau, Praxis Architects From: Carolyn Gisborne languse & burnsidegorge.ca &

Subject: Waiving community meeting: 3025 Douglas

Date: November 27, 2016 at 1:03 PM

To: caluc@victoria.ca

Cc: mayorandcouncil@victona.ca, Robert Rocheleau robert.rocheleau@praxisarchitectsinc.com



Robert recently reached out to the burnside gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning.

Seven months have lapsed since the most recent community meeting and as such the CALUC can require another meeting. As the details of the application have not changed since the most recent community meeting in April, our CALUC does not require another meeting on this

However, please refer to the comments in the attached letter for a sense of community comments on this site and other motel conversions.

Best regards,

Carolyn Gisborne

From: Carolyn Gisborne <landuse@burnsidegorge.ca> Subject: CALUC community meeting: 3025 Douglas Date: April 30, 2016 at 1:40:37 PM PDT

To: caluc@victoria.ca

Cc: Robert Rocheleau <robert.rocheleau@praxisarchitectsinc.com>, Development Services email inquirles

<DevelopmentServices@victoria.ca>

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne



3025Douglas.doc.pdf

From: Subject:

From: Lindsay Edwards [

Sent: December 11, 2017 4:54 PM
To: Leanne Taylor ltaylor@victoria.ca
Subject: 3025 Douglas Street Input

Hi Leanne,

I think converting 3025 Douglas St from motel to residential is a great idea.

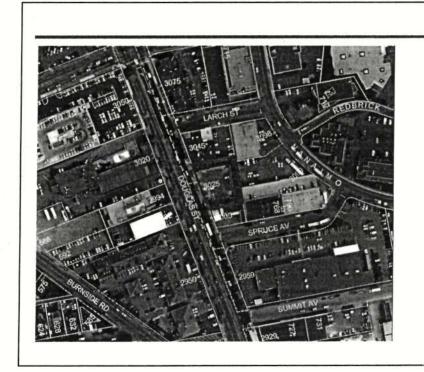
Thanks,

Lindsay Edwards

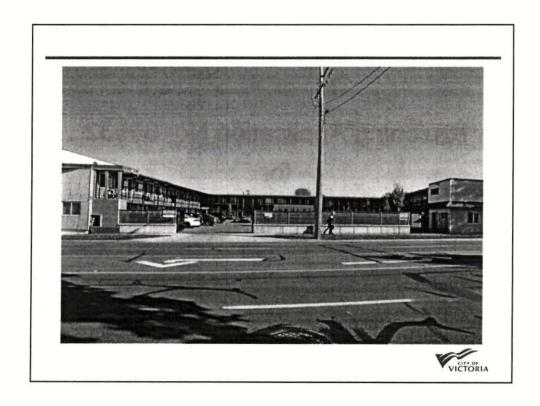
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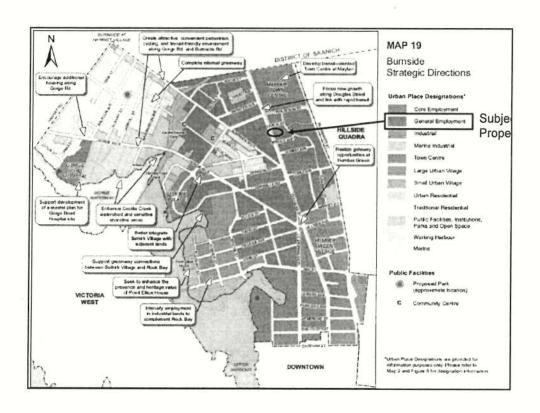
Rezoning Application No. 00532 for 3025 Douglas Street











Comparison of OCP Urban Place Designations

General Employment (existing)

· Maximum 2:1 Floor Space Ratio

- · Maximum height of six storeys
- Uses:
- Commercial, including office and retail
- > Light industrial
- ➤ Industrial live/work
- Education, research and development, health services
- > Residential uses not supported

Town Centre (proposed)

- 2:1 Floor Space Ratio and may be increased up to approximately 3:1 FSR for the advancement of Plan objectives
- · Maximum height of ten storeys
- Uses:
- Low, mid and high-rise multi-unit residential and mixed use
- Commercial, including office, destination retail and visitor accommodation
- ➤ Live/work



REPORTS OF COMMITTEES

1. Committee of the Whole - November 2, 2017

5. Rezoning Application No. 00562 & Development Variance Permit Application No. 00198 for 3025 Douglas Street

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman:

Rezoning Application No. 00562

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:

i. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity

- b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
- c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
- d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- Council consider the Official Community Plan Amendment Bylaw 2012-2016 Financial Plan, conjunction with the City of Victoria the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing

Development Variance Permit Application No. 00198

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

1. Plans date stamped August 3, 2017.

- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28;
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0;
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0. 3.
- 3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

4. LAND USE MATTERS

4.2 Rezoning Application No. 00562 & Development Variance Permit Application No. 00198 for 3025 Douglas Street

Committee received reports dated October 23, 2017 and October 19, 2017, from the Director of Sustainable Planning and Community Development regarding an application to convert the existing motel to a multiple dwelling consisting of approximately 48 affordable market rental units and retain the existing vehicle storage area in the lower level.

Committee discussed:

- The changes made to the proposal since the original design.
- The intended use of the building and requirements for affordable units.

Motion:

It was moved by Councillor Young, seconded by Councillor Thornton-Joe: Rezoning Application No. 00562

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.

- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing

Development Variance Permit Application No. 00198

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28:
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0;
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0. 3.
- 3. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW



Committee of the Whole Report For the Meeting of November 2, 2017

To:

Committee of the Whole

Date: October 23, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No.00562 for 3025 Douglas Street and associated

Official Community Plan Amendment

RECOMMENDATION

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.

- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

In accordance with Section 482 of the *Local Government Act*, a zoning bylaw may establish different density regulations for a zone, one generally applicable for the zone and the others to apply if certain conditions are met.

In accordance with Section 483 of the *Local Government Act*, Council may enter into a Housing Agreement which may include terms agreed to by the owner regarding the occupancy of the housing units, and provided such agreement does not vary the use of the density of the land from that permitted under the zoning bylaw.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 3025 Douglas Street. The proposal is to rezone from the T1 Zone, Limited Transient Accommodation District, to a new zone in order to convert the existing building from a motel to a multiple dwelling consisting of approximately 48 affordable market rental units, and existing commercial storage area in the lower level.

The following points were considered in assessing this application:

- the subject property is designated General Employment in the Official Community Plan which supports commercial uses, including office and retail, light industrial and industrial work/live uses. Residential uses are not supported within this designation
- the subject property is also designated General Employment in the Burnside Gorge Neighbourhood Plan, which supports commercial and light industrial uses, and it does not contemplate residential uses at this location; however, it does support the conversion of existing motel buildings to Single Room Occupancy (SRO) east of Cecilia Ravine through the Conversion Guidelines
- the proposal is not consistent with the Conversion Guidelines Transient to Residential

Accommodation, in terms of land use, open/green space, unit mix and unit size

 notwithstanding the above, a Rezoning and OCP Amendment would be supportable to allow the conversion of the existing motel to residential rental units provided that if the building is demolished in the future, any new development on the site must comply with the General Employment Urban Place Designation.

BACKGROUND

Description of Proposal

This Rezoning Application is to rezone the subject property from the T1 Zone, Limited Transient Accommodation District, to a new zone in order to convert the existing motel to a multiple-dwelling consisting of approximately 48 affordable market rental units and retain the existing vehicle storage area in the lower level.

The following changes from the current zone are being proposed and would be accommodated in the new zone:

- change the use from a motel to a multiple dwelling
- increase the floor space ratio from 0.60:1 to 0.80:1.

The request to amend the Official Community Plan, 2012 (OCP) is necessary in order to permit residential uses on the subject property.

Affordable Housing Impacts

The applicant proposes the creation of 48 new affordable market rental units which would increase the overall supply of housing in the area. A Housing Agreement is being proposed which would ensure that the dwelling units in the existing building would remain as rental in perpetuity.

Sustainability Features

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

Active Transportation Impacts

The application proposes to provide 48 Class 1 bicycle parking spaces in the underground storage area accessed by a ramp off of Douglas Street to support active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Land Use Context

The area is characterized by a mix of commercial uses.

Existing Site Development and Development Potential

The site is presently zoned to allow transient accommodation. Under the current T-1 Zone, Limited Transient Accommodation District, the property could be developed as a housekeeping apartment building, boarding house or rooming house, as well as a single-family dwelling.

Data Table

The following data table compares the proposal with the R3-A and R3-AM Zones. An asterisk is used to identify where the proposal is less stringent than the existing zone. Two asterisks are used to identify where the proposal is non-conforming.

Zoning Criteria	Proposal	Zone Standard R3-A1 and R3-A2 Zone
Site area (m²) - minimum	1710.54	920
Density (Floor Space Ratio) - maximum	0.80:1	1:1
Total floor area (m²) - maximum	1367.90	1710.50
Height (m) - maximum	8.24	10.70
Storeys - maximum	2	3
Site coverage % - maximum	48.0**	33.3
Open site space % - minimum	7.5**	30.0
Setbacks (m) – minimum:		
Front (Douglas Street)	0**	7.5
Rear (East)	0**	10.50
Side (north)	0**	4.1
Side (south)	0**	4.1
Entrance canopies or step projection into front setback (m) – maximum	0**	7.5
Surface parking space setback from the street boundary (m) – maximum	1.0**	
Surface parking screen landscape berm height at street (m) - minimum	1.0	
Parking - minimum	28*	80
Visitor parking (minimum) included in the overall units	0*	3

Relevant History

In 2011, the applicant applied to rezone the subject property to permit a private storage business and 45 rental residential units. At the time, the applicant proposed that the existing storage space existing below the motel building be used as leasable storage space. The

Page 4 of 7

storage space and its associated parking do not have direct access from a public street. Instead, access is by way of a private easement across the adjacent property at 3090 and 3098 Nanaimo Street. While this easement currently exists, the City had no authority over the access. To ensure ongoing access to the leasable storage space, as well as to its associated parking, staff recommended that an easement be registered in favour of the City. The owners of 3090 and 3098 Nanaimo Street were not amenable to this recommendation and as a result the Applicant chose not to proceed with the Rezoning Application. The current Rezoning Application includes private storage of vehicles for nearby dealerships and the property owners of 3090 and 3098 Nanaimo Street are still not willing to enter a reciprocal access easement in favour of the City. Provided that the commercial storage space is solely used for the storage of vehicles and not parking then the existing driveway to the basement level can be maintained.

The building currently operates as a long-term affordable market rental housing, which is in contravention of the existing zone.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Burnside Gorge Neighbourhood Association at a Community Meeting held on April 11, 2016; however, the Applicant applied for Rezoning and an OCP Amendment more than six months following the Community Meeting. Since the details of the application had not changed, the CALUC waived its requirement for another meeting. A letter dated April 30, 2016 and additional correspondence from the CALUC are attached.

ANALYSIS

Official Community Plan

The Official Community Plan (OCP) Urban Place Designation for the subject property is *General Employment*, which supports large floor-plate commercial and light industrial, and mixed-use buildings up to four storeys at densities up to 2:1 FSR. Commercial, office, retail, commercial services and light industrial are envisioned; as well as, industrial work/live, education, community services, research and development, and health services. The proposal is not consistent with the OCP which only contemplates residential uses in an industrial work/live scenario. However, the OCP Amendment to allow residential uses would be supportable provided that if the existing building is demolished in the future, any new development on the site must comply with the *General Employment* Urban Place Designation. The OCP amendment would likely be in the form of a new policy addressing motel conversions consistent with the policies in the *Burnside Gorge Neighbourhood Plan*, and include a proviso that only existing buildings would qualify and that new development (demolition with new construction), that was not consistent with the General Employment designation, would require an OCP amendment.

The Local Government Act (LGA) Section 475 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 475 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 owners and occupiers of land located within 200 metres of the subject site, along with positing 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 3025 Douglas Street from General Employment to a new designation to permit residential uses in the form of long-term affordable market rental (short term rental not permitted) will increase the supply of rental accommodation in the city. Given that the surrounding area is characterized by commercial and service commercial uses, and given that the Burnside Gorge Neighbourhood Association waived the request for another Community Meeting to address the OCP Amendment (see attached correspondence), the consultation proposed at this stage in the process is recommended as adequate and consultation with specific authorities, under Section 475 of the LGA, is not recommended as necessary.

Should Council support an 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 the Urban Place Designation as this matter can be considered under policies in the OCP.

Council is also required to consider OCP Amendments in relation to the City's Financial Plan, 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.

Burnside Gorge Neighbourhood Plan

The Burnside Gorge Neighbourhood Plan designates the subject property as *General Employment*, which supports commercial and light industrial uses, and it does not support solely residential uses at this location; however, the Plan would support residential uses at grade on lots which front onto Douglas Street provided that a significant employment component is included in the part of the lot along Douglas Street, which is designated *General Employment*. The Plan does support the conversion of existing motel buildings to Single Room Occupancy (SRO) east of Cecilia Ravine. The Applicant is proposing to convert the existing motel to residential and retain the vehicle storage in the lower level; however, the units would be fully self-contained (not SROs).

Conversion Guidelines - Transient to Residential Accommodation

From a land use perspective, the Conversion Guidelines – Transient to Residential Accommodation state that residential land uses should be supported in the OCP when considering a conversion. Residential uses are not supported in the OCP at this location. The Guidelines also state that commercial (e.g. retail store, bank) and community services (e.g. community/recreation centre, library, school) for residents should be located within walking distance. Commercial services are in close proximity to the site; however, there are no community services near the subject property.

With respect to site characteristics, there is no private space for the individual dwelling units and no usable green space, although plans do indicate several planters. There would be a large storage area and bicycle enclosure for residents in the lower level of the building; lighting, alarm systems and security cameras installed; and common laundry facilities located on the main floor. The Guidelines encourage a mix of housing units (i.e. not all bachelor units) with a minimum floor area of 33m² per dwelling unit, and encourage all units to be designed as barrier-free, or a minimum of 5% of the total units to be accessible. The design of the modified units should meet minimum standards as set out in the Canadian Standards Association document B651-M90 entitled Barrier Free Design. The proposal only includes bachelor units, only five of

the 48 units, including the manager's unit, meet the minimum unit size requirement, and none of the units are labelled accessible on the plans submitted.

The proposal is not consistent with the conversion guidelines with respect to land use, unit size, open/green space, accessibility, and unit mix; however, the applicant notes that the proposal is to re-use the existing structure as originally constructed. The units are currently occupied by long-term tenants.

CONCLUSIONS

While the OCP is supportive of initiatives to encourage the development of rental housing, it does not provide direction to override established land-use policies. Meanwhile, the Burnside Gorge Neighbourhood Plan supports commercial and light industrial uses, and it does not support solely residential uses at this location unless a significant employment component is included. However, the Plan does consider the conversion of existing motel buildings to Single Room Occupancy (SRO) east of Cecilia Ravine. The City has provided policy guidelines, such as the *Conversion Guidelines - Transient to Rental Accommodation*, in order to provide guidance regarding important criteria when considering such a proposal. Overall, this Application fails to meet the criteria with respect to locational and site characteristics. Yet, the Guidelines reiterate that proposals are acceptable when neighbourhood plan policies are also supportive. Given that the Neighbourhood Plan supports conversion of motel buildings east of Cecilia Ravine, which includes the subject property, staff recommend for Council's consideration that the Application proceed to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application N. 00562 for the property located at 3025 Douglas Street.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Johathan Tinney, Director

Sustainable Planning and Community

Development Department

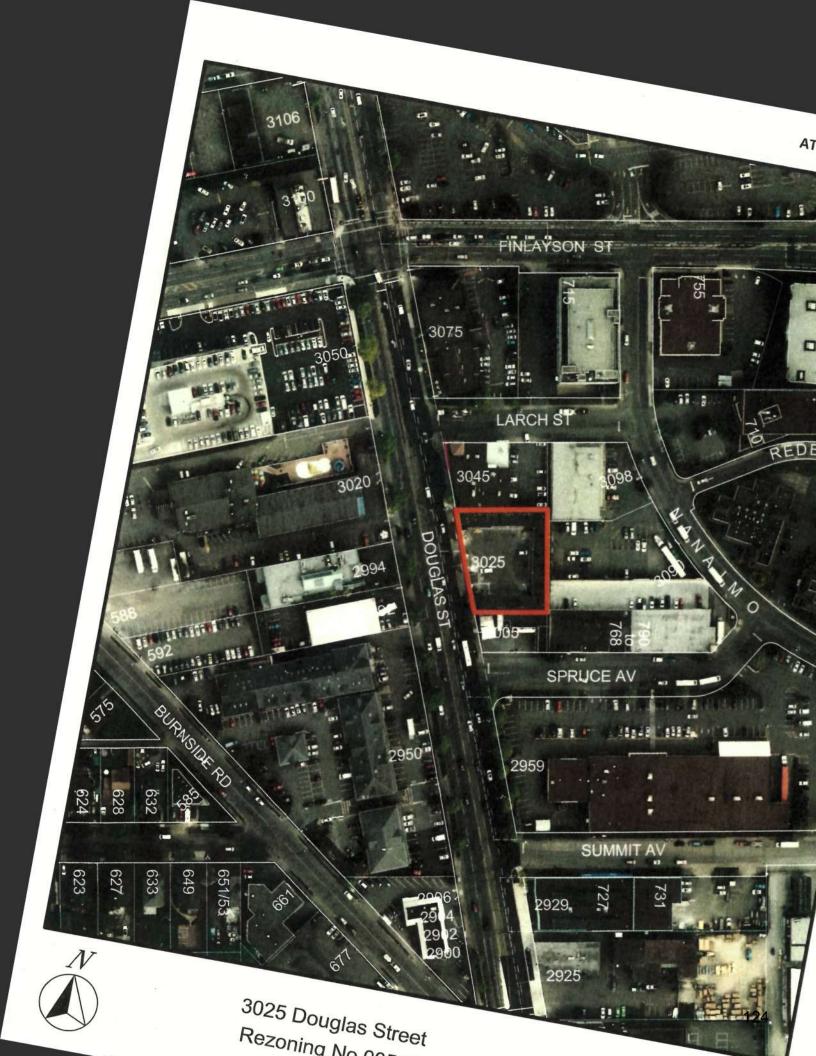
Report accepted and recommended by the City Manager:

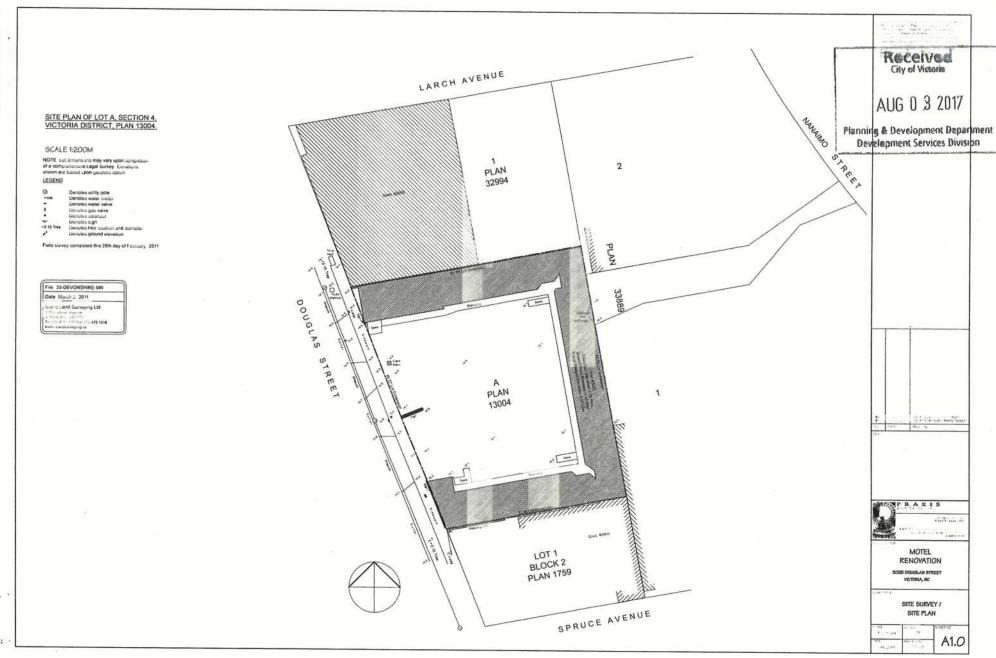
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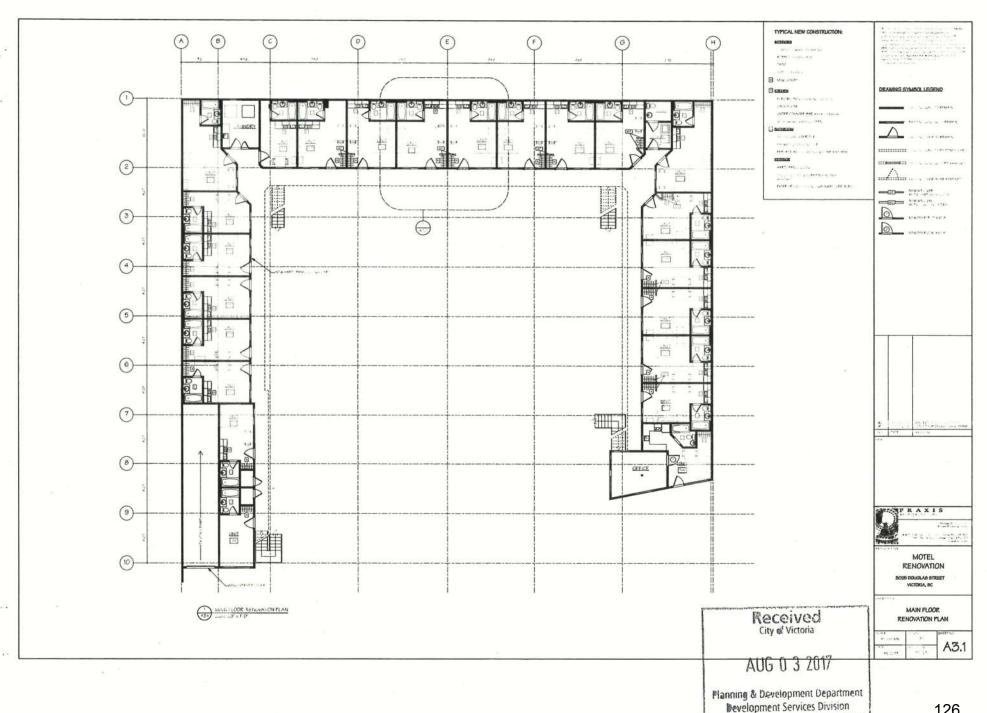
List of Attachments:

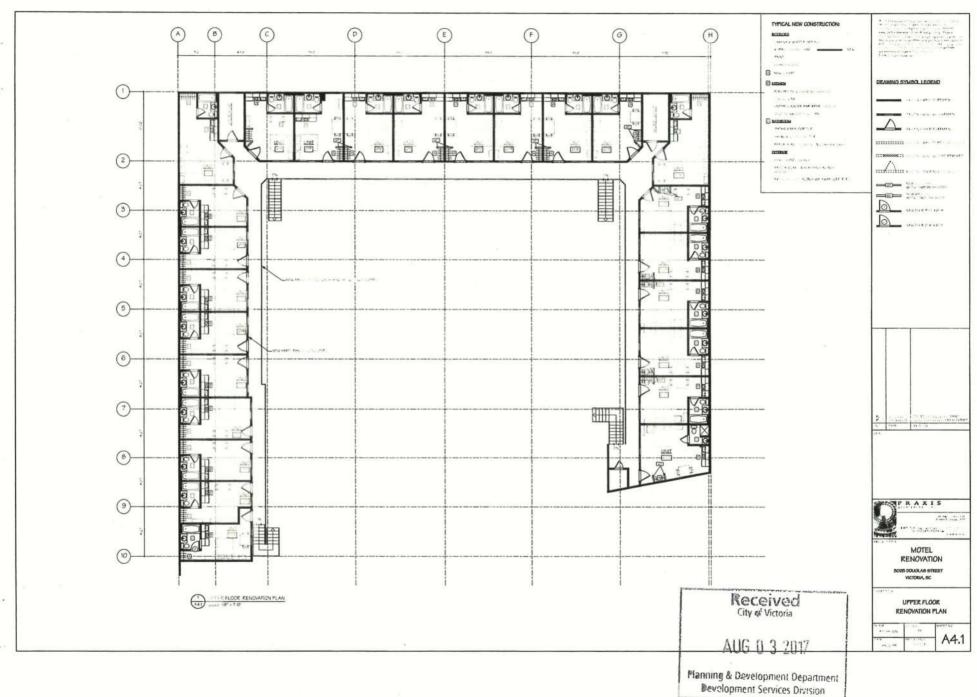
- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 3, 2017
- Attachment D: Letter from applicant to Mayor and Council dated January 25, 2017
- Attachment E: Letter from applicant to Mayor and Council including the Parking Analysis dated October 23, 2017
- Attachment F: Community Association Land Use Committee Correspondence.

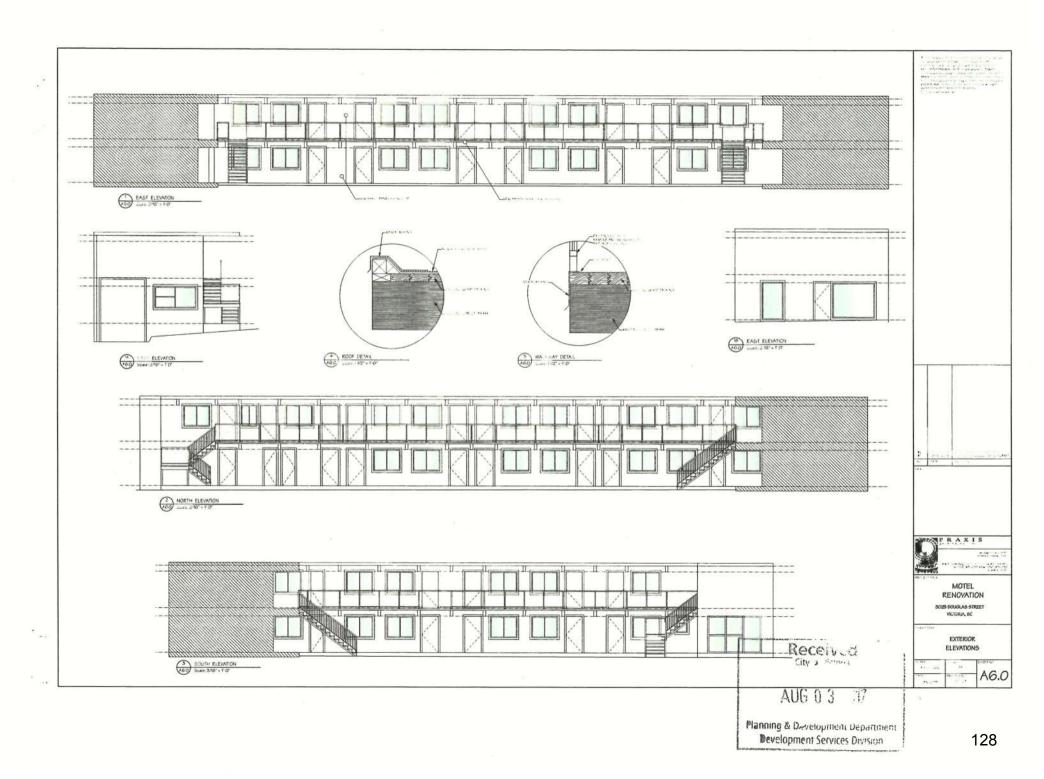


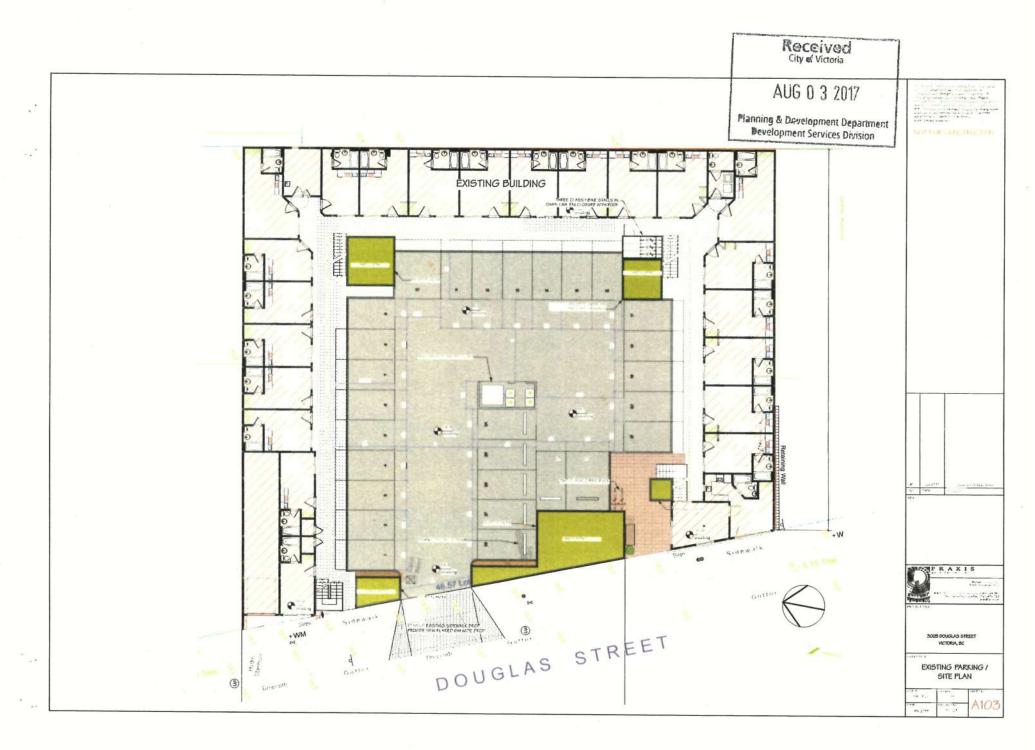




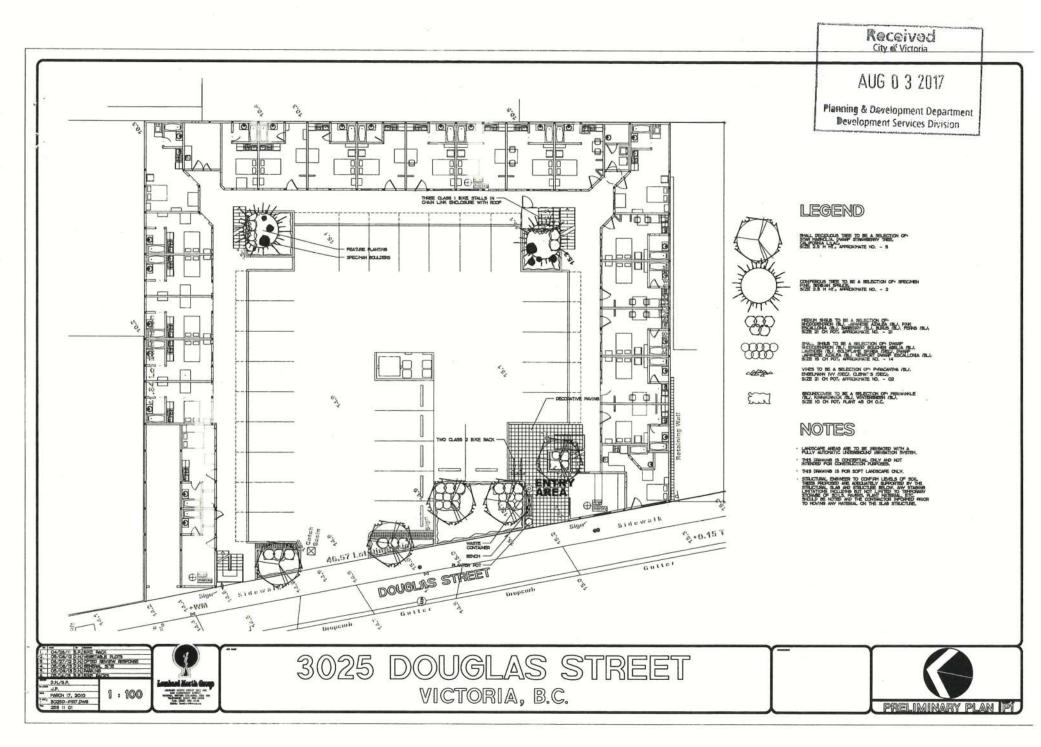








CITY OF VICTOR RECEIVED DEENED OCT 2 3 2017 AUG 03 2017 29 m2 STORAGE 1619 m2 BORS DOUGLAS STREET VICTORIA, BC LOWER LEVEL BIKE STORAGE STORAGE





Robert Rocheleau, Architect AIBC

401-1245 Esquimalt Road, Victoria, BC V9A 3P2 Tel: (250) 475-2702 • Fax: (250) 475-2701 robert.rocheleau@praxisarchitectsinc.com

January 25, 2017

City of Victoria

1 Centennial Square Victoria, BC V8W 1P6

Re. 3025 Douglas Street Rezoning – Existing Motel to Residential

Mayor and Council, DESCRIPTION OF PROPOSAL

The owner of the existing motel at 3025 Douglas wishes to rezone the existing property from T-1 transient to residential.

Currently occupants of the existing motel when staying past the maximum time permitted in the T-1 zoning are subject to eviction. The proposed rezoning is requested so that these residents can legally remain where they now reside. It is understood that there is a shortage in Victoria of available accommodation that serves the budget and needs similar to those now living at 3025 Douglas St.

NEIGHBOURHOOD CONTEXT

The building is existing and newly renovated. The proposed change has been presented to the Burnside - Gorge Community Association and there are no objections to this proposed change. Refer to attached for more detailed information.

Trust this to be of assistance,

PRAXIS ARCHITECTS INC

per:

Robert Rocheleau, Architect AIBC

Director

Received
City of Victoria

JAN 30 2017

Planning & Development Department Development Services Division



Robert Rocheleau, Architect AIBC

401-1245 Esquimalt Road, Victoria, BC V9A 3P2 Tel: (250) 475-2702 • Fax: (250) 475-2701 robert.rocheleau@praxisarchitectsinc.com

October 23, 2017

City of Victoria 1 Centennial Square Victoria, BC V8W 1P6

Re. 3025 Douglas Street Rezoning – Existing Motel to Residential Received

City of Victoria

OCT 2 3 2017

Planning & Development Department Development Services Division

Mayor and Council,

The following is provided in response to the Application Review Summary received, subsequent discussions, a meeting with planning and transportation engineering on July 17 at the City of Victoria, and comments received from Leanne Taylor on August 24, 2017.

Amendment to the OCP

As per correspondence and meeting of July 17 at City of Victoria, Gorge Community Association Land Use Committee has advised that no additional meeting required.

Parking Variance:

Number of Units 48, market rental.

Existing parking 28 stalls.

It is proposed that there be a parking variance accepting the existing 28 stalls as sufficient.

The proposed revised Schedule C that is coming to Council for approval would require the following for Bachelor apartments:

If this building was in nearby Village Centre .6 spaces / unit

28.8 spaces

If this building was in other areas

.75 spaces / unit

36 spaces

Parking ratio for existing Schedule C

1.3 spaces / unit

63 spaces

Per above, the provided 28 stalls is only .8 of a stall above meeting the Town Centre requirement. As this is within a block of the delineation of the Mayfair Town Centre boundary indicated in the proposed revised Schedule C, and 8 spaces short of meeting the requirement of the pending revised Schedule C, I submit that the requested variance is reasonable.

Notwithstanding the above, monitoring parking on site currently indicates that there are a significant number of available stalls of the 28 provided that are not being used.

For the existing storage area at basement level:

Area 1619 m2	storage	93 m2 / stall	17.4 spaces
29 m2 office / WC		65 m2 / stall	.45 spaces

(Note that in reality for continuing the existing car storage there area no occupants other than those from the dealership moving cars in and out, which is much less than the 18 required.)

	Total parking rec	quired per current	bylaw requirements	81
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Unit Sizes:

Unit	m2		Unit	m2
		plus office		
100	22.6	16.5	200	27.1
101	20.3		201	22.9
102	22.9		202	22.9
103	22.9		203	22.9
104	22.9		204	22.9
105	22		205	22
106	29.7		206	29.7
107	22.8		207	22.8
108	23.7		208	23.7
109	23.7		209	23.7
110	23.7		210	23.7
111	23.7		211	23.7
112	23.7		212	23.7
113	23.8		213	23.8
114	17.9		214	23.2
115	29.9		215	29.9
116	19.7		216	19.7

117	20.3	217	20.3
118	20.3	218	20.3
119	20.3	219	20.3
120	20.3	220	20.3
121	20.5	221	21.4
122	19.3	222	21.4
		223	19.8
		224	19.8

3. Housing Agreement:

Owners will undertake a housing agreement with the City of Victoria

4. Lower Level Storage:

It is proposed that a portion of the lower level storage area be used to provide the required bicycle storage area to accommodate 48 bikes. Refer to the plan drawing of the Storage Area. Access will be provided down the existing ramp from Douglas Street.

Lighting will be provided to ensure the area is well lit, security cameras will be installed and monitored at the manager's office, and an alarm will also be installed, sounding in the bicycle storage area and the manager's office.

It is also proposed that the current use of car storage for nearby dealerships be permitted, as the existing ramp has proven adequate to serve this use. In the meeting with Transportation Engineering of July 17 this was discussed and there did not appear to be any objection to continue using the existing ramp off Douglas for this purpose, as is now done.

Private easement over 3090 Nanaimo Street:

The owner of the property at 3090 Nanaimo St. is not willing to enter into an agreement to provide this easement in perpetuity, therefore it is assumed that access will continue from Douglas Street down the existing ramp and also by new exit stairs to grade level.

6. Site Plan - Existing Parking layout:

See attached plan.

7. Landscape Strip:

As discussed in the meeting of July 17, there is no possibility of incorporating a landscape strip between car wheel stops and end of stalls, as the parking is over an existing structure.

- 8. Bicycle Storage: Refer to Item 4 above.
- 9. Removal of redundant driveway crossings on Douglas St. frontage: This was completed as part of the previous DP.

10. Storm Water Treatment:

Existing parking area exceeds 10 spaces. No change proposed from existing parking, which is as per previously approved DP.

11. Sewage Attenuation

This is an existing building whereby no changes are proposed.

Trust this to be of assistance,

BED ARCHITECTURE OF STREET

PRAXIS ARCHITECTS INC

per:

Robert Rocheleau, Architect AIBC Director



471 Cecelia Road, Victoria, BC V8T 4T4 T. 250-388-5251 | F. 250-388-5269 info@burnsidegorge.ca | www.burnsidegorge.ca

April 30, 2016

Dear Mayor and Council:

CALUC Community Meeting: Rezoning Application for 3025 Douglas Street

On April 11, 2016, the Burnside Gorge Community Association (BGCA) hosted a CALUC community meeting that was advertised to discuss the proposal to rezone 3025 Douglas Street from T-1 (Transient accommodation) to residential. While the property was recently renovated and is already fully occupied by tenants staying lonber than 30 days, the new property owners wish to bring the building's zoning into conformance with its present use. There are 48 units, with an average size of 33-50 square metres; current rent is \$600-\$700.

Robert Rocheleau with Praxis Architects presented on behalf of the property owner. Feedback on this proposal is summarized below.

Parking

 No parking variance would be applied for. There are 28 parking stalls on site which accommodates current use.

Building tenants

- One attendee asked who currently lives in the building. Robert responded that the building is fully occupied, mainly by young people coming into Victoria to work, and that most people stay longer than 30 days.
- One attendee asked about frequency of police visits to the building. Robert responded that he wasn't certain how frequently police visit 3025 Douglas.
- One attendee asked whether current tenants are using leases. Robert responded that current tenants are not using leases, but that the owner intends to offer one-year leases should the rezoning application be successful.

Building use/zoning

- A property manager lives on site.
- One attendee asked whether the City is pressuring the new owners to rezone.
 Robert replied that the owner is voluntarily undertaking the rezoning process in order to come into compliance.
- One attendee asked whether anything in the OCP precludes the owner from developing the site if the rezoning application is successful. Robert responded that according to the OCP, the owner may redevelop the site to a larger/taller development in future without another rezoning, and that it may not necessarily be residential.

Burnside Gorge - a unique and	innovative community centre
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471 Cecelia Road, Victoria, BC V8T 4T4 T. 250-388-5251 | F. 250-388-5269 info@burnsidegorge.ca | www.burnsidegorge.ca

Vote: As per the process of a BGCA rezoning community meeting, there was a straw vote to provide context to the questions. Of the meeting attendees who chose to vote, 3 were generally in favour and 1 was opposed to the proposal as presented.

Broader Context for Development

In addition to facilitating comments on the specific rezoning application at BGCA community meetings, the Chair also seeks feedback from attendees on their wishes for, and thoughts about, the immediate vicinity of a subject property. This information is provided to Mayor and Council and the Planning department to help provide critical, holistic perspectives on neighbourhood development objectives. Over time, this will help us stitch together a more comprehensive view and put rezoning applications into context of overarching community goals.

Attendees provided the following comments about the area around 3025 Douglas Street:

- I'm not opposed to seeing this property remain the same but I want to see a mix
 of affordable housing and market housing. You can't put all marginalized people
 in one area.
- This property is a good example of the pressures facing this area; the neighbourhood plan includes more density but developments are low density.
- I want to see a large format grocery store in this area.

Respectfully,

Carolyn Gisborne

Land Use Committee Chair Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department Robert Rocheleau, Praxis Architects

Burnside Gorge - a unique and	innovative community centre
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From: Carolyn Gisborne landuse Abumsidegorge.ca &

Subject: Waiving community meeting: 3025 Douglas

Date: November 27, 2016 at 1:03 PM

To: caluc@victoria.ca

Cc: mayorandcouncil & victoria.ca, Robert Rocheleau robert.rocheleau @praxisarchitectsinc.com



Good afternoon,

Robert recently reached out to the burnside gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning.

Seven months have lapsed since the most recent community meeting and as such the CALUC can require another meeting. As the details of the application have not changed since the most recent community meeting in April, our CALUC does not require another meeting on this property.

However, please refer to the comments in the attached letter for a sense of community comments on this site and other motel conversions.

Best regards,

Carolyn Gisborne

From: Carolyn Gisborne sabject: CALUC community meeting: 3025 Douglas

Date: April 30, 2016 at 1:40:37 PM PDT

To: caluc@victoria.ca

Cc: Robert Rocheleau <robert.rocheleau@praxisarchitectsinc.com>, Development Services email inquiries <DevelopmentServices@victoria.ca>

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne



3025Douglas.doc.pdf

Laura Wilson

From:

Carolyn Gisborne landuse@burnsidegorge.ca

Sent:

Sunday, Nov 27, 2016 1:03 PM

To:

caluc@victoria.ca

Cc: Subject: Victoria Mayor and Council; Robert Rocheleau Waiving community meeting: 3025 Douglas

Attachments:

3025Douglas.doc.pdf

Good afternoon,

Robert recently reached out to the burnside gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning.

Seven months have lapsed since the most recent community meeting and as such the CALUC can require another meeting. As the details of the application have not changed since the most recent community meeting in April, our CALUC does not require another meeting on this property.

However, please refer to the comments in the attached letter for a sense of community comments on this site and other motel conversions.

Best regards, Carolyn Gisborne

From: Carolyn Gisborne < landuse@burnsidegorge.ca > Subject: CALUC community meeting: 3025 Douglas

Date: April 30, 2016 at 1:40:37 PM PDT

To: caluc@victoria.ca

Cc: Robert Rocheleau < robert.rocheleau@praxisarchitectsinc.com >, Development

Services email inquiries < DevelopmentServices@victoria.ca>

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne

Laura Wilson

From:

Carolyn Gisborne <landuse@burnsidegorge.ca>

Sent:

Saturday, Apr 30, 2016 1:41 PM

To:

caluc@victoria.ca

Cc:

Robert Rocheleau; Development Services email inquiries

Subject:

CALUC community meeting: 3025 Douglas

Attachments:

3025Douglas.doc.pdf

Dear Mayor and Council,

Please find attached a letter summarizing the CALUC community meeting feedback for 3025 Douglas.

Respectfully,

Carolyn Gisborne

Leanne Taylor

From:

Carolyn Gisborne <landuse@burnsidegorge.ca>

Sent:

March 7, 2017 8:54 PM

To:

caluc@victoria.ca

Cc:

Community Planning email inquiries; Leanne Taylor; Robert Rocheleau

Subject:

3025 Douglas

Good evening,

Robert recently reached out to the Burnside Gorge CALUC to inform us that the owners of 3025 Douglas intend to move forward with their rezoning application to bring it in line to its existing use as residential, from existing transient zoning, and that an OCP amendment will be required for the rezoning.

As the details of the application have not changed since the most recent community meeting in April 2016, our CALUC does not require another meeting on this property.

Best regards, Carolyn Gisborne

Katie Lauriston

From:

Barbara Chamber

Sent:

Sunday, October 15, 2017 12:01 PM

To:

Victoria Mayor and Council

Cc:

Community Planning email inquiries

Subject:

MeltTown 2650 Ouadra Street REZ No. 00570

Dear Mayor Helps and Council members:

I was deeply dismayed to see that when you were given a clear opportunity to reject the application for yet another Cannabis retailer to operate in the Quadra/Hillside neighbourhood you instead voted to move it to public hearing. This location is within 200m of the south-east corner of the playing fields at SJ Willis School - that alone would have allowed you the reason to reject this application without further comment. In fact, I did not submit my objections to this development as I assumed, as your city staff recommended, that this application would be rejected. Instead, you elected to advance the application to public hearing. Our neighbourhood, as I have written before, is over-served in this area. I don't object to Cannibis retailers. I object to several in the same area. We need to bring in businesses that support community. I am sure the council is aware that Cannabis retailers regularly set up shop in disadvantaged areas and as you know the Quadra/Hillside neighbour has many challenges in this regard. I refer you to this section of an article written by Jordana Vanderselt, MPH on April 11, 2017.

"Areas with dispensaries fear that there will be increased marijuana use. Some residents complain of odour. Community leaders worry that neighborhoods significantly impacted by drugs and the war on drugs are now being asked to shoulder the burden and risk of having dispensaries on their streets. Some see the location of these stores as a way to circumvent resistance to placing dispensaries in wealthier areas.

These fears are well-founded. While a wide range of individuals from many different socio-economic status groups utilize the dispensaries, many of the areas with dispensaries are economically disadvantaged and lack the political and economic power to discourage the placement of these stores in their communities. The dispensaries are also often placed in locations with alcohol outlets nearby. Hence, the fears associated with dispensaries are an added worry to the many challenges disadvantaged communities already face. Data show that the neighborhoods with dispensaries bear the brunt of the industry's presence in their communities: the more marijuana dispensaries a neighborhood has, the greater the number of marijuana-related hospitalizations. Another concern is that children and adolescents will be at heightened risk of using the marijuana sold at these dispensaries, as the drug becomes far more accessible. And youth in disadvantaged neighborhoods are known to be at even higher risk. Regulations to prevent adolescent use have done little to ease concerns. Sometimes, laws that are applied to tobacco and alcohol retail outlets aren't enforced in the same way for marijuana, particularly zoning laws. Indeed, anti-marijuana activists are increasingly concerned about these stores being located near schools.

Residents of economically disadvantaged neighborhoods who were assured that the taxes from the dispensaries would be put back into the community aren't seeing the benefits. In one working class Denver neighborhood, there hasn't been any sign of revitalization, despite the promises of city politicians."

Jordana is a Research Associate at The National Centre on Addiction and Substance Abuse in New York. The complete article can be found here: https://www.centeronaddiction.org/the-buzz-blog/marijuana-dispensaries-and-disadvantaged-neighborhoods I am asking that you sincerely consider the larger ramifications to our neighbourhood everytime an application for yet another Cannabis retailer is put before you. Ask yourself how many you would want just down the street from where you live? The residents of this area are fighting hard to build a community - please use your power to help rather than hinder these efforts.

Sincerely Barbara Chambers.

REPORTS OF COMMITTEES

Committee of the Whole – November 2, 2017

5. Rezoning Application No. 00562 & Development Variance Permit Application No. 00198 for 3025 Douglas Street

Motion:

It was moved by Councillor Thornton-Joe, seconded by Councillor Coleman:

Rezoning Application No. 00562

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:

i. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity

- b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
- c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
- d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- Council consider the Official Community Plan Amendment Bylaw 2012-2016 Financial Plan, conjunction with the City of Victoria the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing

Development Variance Permit Application No. 00198

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

1. Plans date stamped August 3, 2017.

- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28;
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0;
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0. 3.
- 3. The Development Permit lapsing two years from the date of this resolution."

Carried Unanimously

4. LAND USE MATTERS

4.2 Rezoning Application No. 00562 & Development Variance Permit Application No. 00198 for 3025 Douglas Street

Committee received reports dated October 23, 2017 and October 19, 2017, from the Director of Sustainable Planning and Community Development regarding an application to convert the existing motel to a multiple dwelling consisting of approximately 48 affordable market rental units and retain the existing vehicle storage area in the lower level.

Committee discussed:

- The changes made to the proposal since the original design.
- The intended use of the building and requirements for affordable units.

Motion:

It was moved by Councillor Young, seconded by Councillor Thornton-Joe: Rezoning Application No. 00562

- 1. That Council instruct staff to prepare the necessary Official Community Plan Amendment Bylaw in accordance with Section 475 of the Local Government Act, and the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00562 for 3025 Douglas Street; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant, to the satisfaction of City Staff:
 - i. Housing Agreement to ensure that the dwelling units in the existing building would remain as rental in perpetuity
 - b. That Council determine, pursuant to section 475(1) of the Local Government Act, that the affected persons, organizations and authorities are those property owners and occupiers within a 200m radius of the subject properties; 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.
 - c. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties, have been consulted at a Community Association Land Use Committee (CALUC) Community Meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
 - d. That Council, specifically consider whether consultation is required under Section 475(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 amendment.

- e. That Council give first reading to the Official Community Plan Amendment Bylaw.
- f. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2012-2016 Financial Plan, the Capital Regional District Liquid Waste Management Plan, and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- g. That Council give second reading to the Official Community Plan Amendment Bylaw.
- h. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing

Development Variance Permit Application No. 00198

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28:
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0;
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0. 3.
- The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY 17/COTW



Committee of the Whole Report For the Meeting of November 2, 2017

To:

Committee of the Whole

Date:

October 19, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Variance Permit No. 00198 for 3025 Douglas Street

RECOMMENDATION

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00562, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Variance Permit Application No. 00562 for 3025 Douglas Street, in accordance with:

- 1. Plans date stamped August 3, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for:
 - Part 3.9, Section 13(2): reduce the required number of parking spaces from 62 to 28
 - Schedule C, Section 7.2(g): reduce the required number of visitor parking spaces from 3 to 0
 - Schedule C, Section C(5) and Section D(1): reduce the required number of parking 18 to 0.
- 3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 498 of the *Local Government Act*, Council may issue a Development Variance Permit that varies a *Zoning Regulation Bylaw* provided the permit does not vary the use or density of land from that specified in the *Zoning Regulation Bylaw*.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Variance Permit Application for the property located at 3025 Douglas Street. The proposal is to convert the existing building from a motel to 48 residential rental units and commercial storage area in the lower level. The variance is related to reducing the required number of parking spaces from 80 to 28.

The following points were considered in assessing this Application:

- a Parking Analysis was prepared by the Applicant summarizing the current parking situation onsite. The analysis confirms that not all the parking spaces are utilized by the existing residents
- the commercial storage space in the basement is currently being used by nearby car dealerships to store vehicles
- secure and enclosed bicycle parking would be provided onsite to offset the parking shortfall
- the subject property is located on a major bus route and is in close proximity (walking and biking) to a mix of shops and services
- the parking variance is supportable given the total onsite parking demand, the addition of bicycle parking, and the close proximity to transit and shops and services.

BACKGROUND

Description of Proposal

The proposal is to vary the required number of parking spaces from 80 to 28 in order to facilitate the conversion of an existing motel to a multiple-dwelling consisting of 48 affordable market rental units.

Sustainability Features

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

Public Realm Improvements

No public realm improvements are proposed in association with this Development Permit Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Existing Site Development and Development Potential

The site is presently zoned for uses such as transient accommodation, but has been operating without all the necessary approvals as long-term housing for the past few years.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, on September 5, 2017, the application was referred for a 30-day comment period to the Burnside Gorge Neighbourhood Association. At the time of writing this report, a letter from the CALUC had not been received.

This Application proposes variances; therefore, in accordance with the City's Land Use Procedures Bylaw, it requires notice, sign posting and a meeting of Council to consider the variances.

ANALYSIS

The Applicant is proposing to reduce the required number of parking spaces from 80 to 28 in order to facilitate the conversion of the existing motel to a multiple-dwelling consisting of 48 affordable market rental units and existing commercial storage space in the lower level. According to the Parking Analysis prepared by the Applicant, the current residents do not occupy all the existing parking spaces onsite, and therefore, the demand is lower than the existing supply of parking. The existing commercial storage area is currently being used by nearby car dealerships to store vehicles. It is not a typical storage business where there are separate storage units rented out to individuals. The current driveway on Douglas Street providing access to the underground level can be maintained provided that this level in not used for parking.

To offset the parking shortfall, the Applicant is proposing to provide 48 Class 1 (secure and enclosed) bicycle parking spaces in lower level of the building which can be accessed off of Douglas Street. The subject property is also located on a major bus route and in close proximity (walking and biking) to a mix of shops and services.

CONCLUSIONS

The proposal to reduce the required number of parking spaces from 80 to 28 will help facilitate the creation of more rental housing in the community. According to the parking analysis, there is adequate parking onsite to manage the parking demand that would be generated by the residential and warehouse uses. Staff recommend that Council consider supporting this Application.

ALTERNATE MOTION

That Council decline Development Variance Permit Application No. 00198 for the property located at 3025 Douglas Street.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager

Date:

List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped August 3, 2017
- Attachment D: Letter from applicant to Mayor and Council dated January 25, 2017
- Attachment E: Letter from applicant to Mayor and Council including the Parking Analysis dated October 23, 2017
- Attachment F: Community Association Land Use Committee Correspondence.

NO. 18-005

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Official Community Plan to change the urban place designation of 3025 Douglas Street from General Employment to Town Centre as shown on Schedule 1.

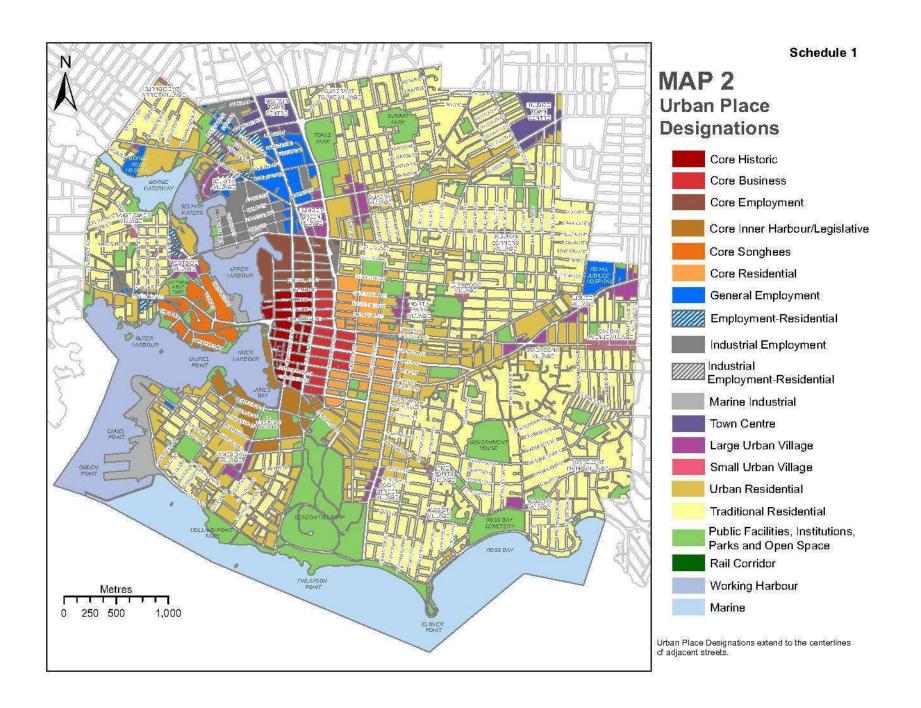
Under its statutory powers, including sections 471 to 474 of the *Local Government Act*, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

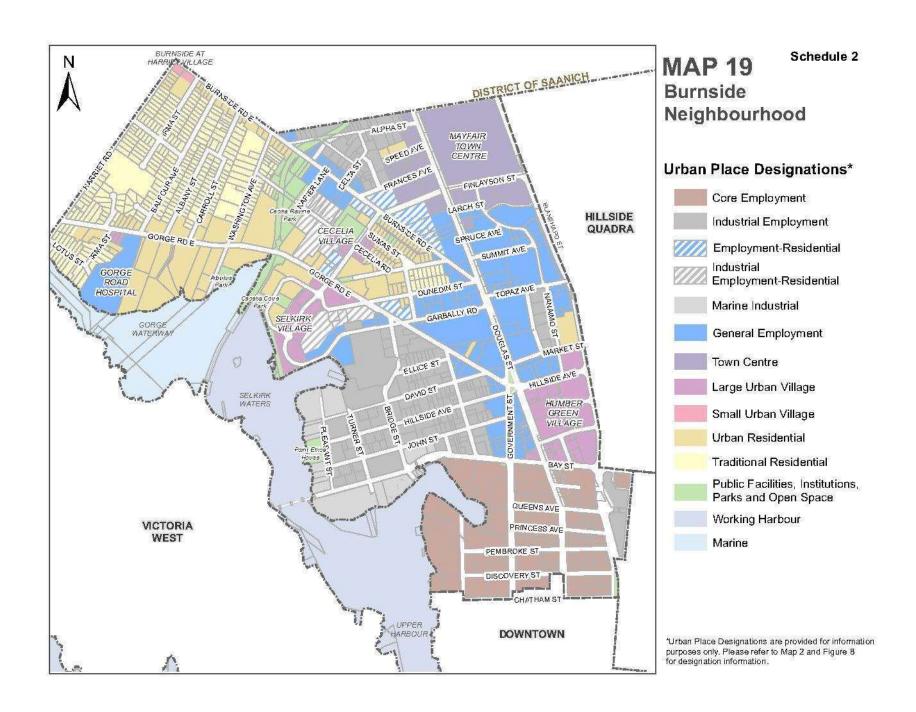
- 1 This Bylaw may be cited as the "OFFICIAL COMMUNITY PLAN BYLAW, 2012, AMENDMENT BYLAW (NO. 22)".
- Bylaw No. 12-013, the Official Community Plan Bylaw, 2012, is amended as follows in Schedule A:
 - (a) in section 6, by repealing Map 2 and replacing it with the Map 2 attached to this Bylaw as Schedule 1; and
 - (b) in section 21, by repealing Map 19 and replacing it with the Map 19 attached to this Bylaw as Schedule 2.

READ A FIRST TIME the	28 th	day of	June	2018
READ A SECOND TIME the	28 th	day of	June	2018
Public hearing held on the		day of		2018.
READ A THIRD TIME the		day of		2018.
ADOPTED on the		day of		2018.

CITY CLERK

MAYOR





NO. 18-004

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R-85 Zone, Douglas Street Motel Conversion District, and to rezone land known as 3025 Douglas Street from the T-1 Zone, Limited Transient Accommodation to the R-85 Zone, Douglas Street Motel Conversion District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO.1134)".
- Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption PART 3 Multiple Dwelling Zones by adding the following words:

"Part 3.115 R-85 Zone, Douglas Street Motel Conversion District"

- The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.114 the provisions contained in Schedule 1 of this Bylaw.
- The land known as 3025 Douglas Street, legally described as Lot A, Section 4, Victoria District, Plan 13004 and shown hatched on the attached map, is removed from the T-1 Zone, Limited Transient Accommodation, and placed in the R-85 Zone, Douglas Street Motel Conversion District.

READ A FIRST TIME the	28 th	day of	June	2018
READ A SECOND TIME the	28 th	day of	June	2018
Public hearing held on the		day of		2018
READ A THIRD TIME the		day of		2018
ADOPTED on the		day of		2018

CITY CLERK

MAYOR

Schedule 1

PART 3.115 – R-85 ZONE, DOUGLAS STREET MOTEL CONVERSION DISTRICT

3.115.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. Offices
- b. In a Building constructed before 1959:
 - (1) Multiple dwelling
 - (2) Commercial storage of vehicles in the basement level

3.115.2 Lot Area

a. Lot area (minimum)

1710m²

3.115.3 Floor Space Ratio

Floor space ratio (maximum)

0.8:1

3.115.4 Height, Storeys

a. Principal building height (maximum)

8.2m

b. Storeys (maximum)

2

3.115.5 Setbacks

a. Front yard setback (minimum)

7.50m

b. Rear yard setback (minimum)

- 4m
- c. Side yard setback from interior lot lines (minimum)
- 4m
- d. <u>Side yard setback</u> on a flanking street for a <u>corner lot</u> (minimum)
- 4m

3.116.6 Site Coverage, Open Site Space

a. Site Coverage (maximum)

30%

b. Open site space (minimum)

30%

Schedule 1

PART 3.115 – R-85 ZONE, DOUGLAS STREET MOTEL CONVERSION DISTRICT

3.116.7 Vehicle and Bicycle Parking

a. Vehicle parking (minimum)

Subject to the regulations in

Schedule "C"

b. Bicycle parking (minimum) Subject to the regulations in

Schedule "C"

Bylaw No. 18-004





3025 Douglas Street Rezoning No.00562



NO. 18-006

HOUSING AGREEMENT (3025 DOUGLAS STREET) BYLAW A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize an agreement for rental housing for the lands known as 3025 Douglas Street, Victoria, BC.

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Title

1 This Bylaw may be cited as the "HOUSING AGREEMENT (3025 DOUGLAS STREET) BYLAW (2018)".

Agreement authorized

- The Mayor and the City's Corporate Administrator are authorized to execute the Housing Agreement
 - (a) substantially in the form attached to this Bylaw as Schedule A;
 - (b) between the City and F.C. Douglas Properties Ltd., Inc. No. BC1063405 or other registered owners from time to time of the lands described in subsection (c); and
 - (c) that applies to the lands known as 3025 Douglas Street, Victoria, BC, legally described as:

Lot A, Section 4, Victoria District, Plan 13004

READ A FIRST TIME the	28 th	day of	June	2018
READ A SECOND TIME the	28 th	day of	June	2018
READ A THIRD TIME the	28 th	day of	June	2018
ADOPTED on the		day of		2018

CITY CLERK

MAYOR

HOUSING AGREEMENT (Pursuant to Section 483 of the Local Government Act)

BETWEEN:

. 6

THE CORPORATION OF THE CITY OF VICTORIA #1 Centennial Square, Victoria, B.C. V8W 1P6 (the "City")

OF THE FIRST PART

AND:

F.C. DOUGLAS PROPERTIES LTD. (Incorporation No.BC1063405), with registered and records office at:
Lim and Company, Barristers and Solicitors
202 - 2232 West 41st Avenue, Vancouver, B.C. V6M 1Z8 (the "Owner")

OF THE SECOND PART

AND:

CANADIAN WESTERN BANK #1, 7548 120th Street, Surrey, B.C. V3W 3N1 (the "Existing Chargeholder")

OF THE THIRD PART

WHEREAS:

- A. Under section 483 of the Local Government Act the City may, by bylaw, enter into a Housing Agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the Local Government Act.
- B. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 3025 Douglas Street, Victoria, B.C. and legally described as:

PID: 004 -465-458; LOT A, SECTION 4, VICTORIA DISTRICT, PLAN13004 (collectively, the "Lands")

- C. The Owner has applied to the City to rezone the Lands to permit 48 housing units within the Development in accordance with this Agreement.
- D. The City and the Owner wish to enter into this Agreement, as a Housing Agreement pursuant to section 483 of the Local Government Act, to secure the agreement of the Owner that all Dwelling Units within the Development on the Lands will be used and held only as rental housing.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the Local Government Act, and in consideration of the premises and covenants contained in this agreement (the "Agreement"), the parties agree each with the other as follows:

1 DEFINITIONS

1.1 In this Agreement:

"Development" means the existing 48 unit building consisting of residential housing and related facilities on the Lands;

"Dwelling Units" means any or all, as the context may require, of the 48 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and

"Dwelling Unit" means any of such residential dwelling units located on the Lands;

"Immediate Family" includes a person's husband, wife, child, mother, father, brother, sister, mother-in-law, father-in-law, grandparent, brother-in-law, sister-in-law, niece and nephew;

"Non-owner" means a person other than the Owner and other than a member of the Owner's Immediate Family, who occupies a Dwelling Unit for residential purposes;

"Owner" includes a person who acquires an interest in the Lands or any part of the Lands and is thereby bound by this Agreement, as referred to in section 7.3; and

"Tenancy Agreement" means a tenancy agreement pursuant to the Residential Tenancy Act that is regulated by that Act.

1.2 In this Agreement:

- reference to any enactment includes any regulations, orders or directives made under the authority of that enactment; and
- (b) reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

2 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS RENTAL UNITS

2.1 The Owner covenants and agrees that the Dwelling Units shall only be used as rental housing in perpetuity, and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit.

3 REPORTING

- 3.1 The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Development, on the 1st day of February in each calendar year, a report in writing confirming that all Dwelling Units are being rented to Non-owners, along with such other information as may be requested by the Director from time to time.
- 3.2 The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.
- 3.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

4 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

4.1 Notice of this Agreement (the "Notice") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the Local Government Act, and this

Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

5 LIABILITY

_ 4 S

- 5.1 The Owner agrees to indemnify and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages, costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement.
- The Owner hereby releases and forever discharges the City and each of its elected and 5.2 appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

6 PRIORITY AGREEMENT

The Existing Chargeholder, as the registered holder of a charge by way of Mortgage and 6.1 Assignment of Rents against the Lands, which said charges are registered in the Land Title Office at Victoria, British Columbia, under numbers CA6053381 and CA6053382, for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to Section 483(5) of the Local Government Act. this Agreement shall be an encumbrance upon the Lands in priority to the said charges in the same manner and to the same effect as if Notice had been filed prior to the said charges.

7 **GENERAL PROVISIONS**

- 7.1 NOTICE. If sent as follows, notice under this Agreement is considered to be received
 - seventy-two (72) hours after the time of its mailing (by registered mail) or faxing, and (a)
 - (b) on the date of delivery if hand-delivered,

to the City:

City of Victoria, #1 Centennial Square, Victoria, BCV8W 1P6 Attention: Director of Sustainable Planning and Community Development Fax: 250-361-0386

To the Owner: Lim and Company, Barristers and Solicitors 202 - 2232 West 41st Avenue, Vancouver, B.C. V6M 1Z9

Fax: 604 263-0880

If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail service or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause.

- notice sent by the impaired service is considered to be received on the date of delivery,
- the sending party must use its best efforts to ensure prompt receipt of a notice by using (c) other uninterrupted services, or by hand-delivering the notice.

- 7.2 TIME. Time is of the essence of this Agreement.
- 7.3 BINDING EFFECT. This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the Local Government Act, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.
- 7.4 WAIVER. The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 7.5 HEADINGS. The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.
- 7.6 LANGUAGE. Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
- 7.7 EQUITABLE REMEDIES. The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement
- 7.8 CUMULATIVE REMEDIES. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 7.9 ENTIRE AGREEMENT. This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 7.10 FURTHER ASSURANCES. Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.
- 7.11 AMENDMENT. This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 7.12 LAW APPLICABLE. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 7.13 NO DEROGATION FROM STATUTORY AUTHORITY. Nothing in this Agreement shall:
 - (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or
 - (b) relieves the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.

- 7.14 JOINT AND SEVERAL. The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.
- 7.15 COUNTERPARTS. This Agreement may be executed in counterparts and delivered by facsimile or emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.
- 7.16 EFFECTIVE DATE. This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

Mayor:	
- N	
City Clerk:	
Date signed:	
tricin recentificaciones — illa	
F.C. DOUGLAS by its authorized	B PROPERTIES LTD.
., 113 autilion260	orginal office.
Print name:	and
Print name:	
Date signed:	Apr. 13,2018
Date signed.	7
	STERN BANK
	d signaturies: Dylan Watson
by he authorized	Oylan Halavii
by is authorized	AWP & Branch Manage
by is authorized	ANP & Branch Manage
by is authorized	CHETAN BHATTI SENIOR MANAGER
	AMP & Branch Manage CHETAN BHATTI

4. Rezoning Application No. 00614 for 3103 Washington Avenue

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00614 for 3103 Washington Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - Section 219 covenant to secure the design and associated landscaping of four proposed single-family dwelling Units, and to ensure the dwelling units are constructed in accordance with the plans approved by Council.

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and

Thornton-Joe

Opposed:

Councillor Young

4. LAND USE MATTERS

4.5 Rezoning Application No. 00614 for 3103 Washington Avenue

Committee received a report dated December 28, 2017, from the Director of Sustainable Planning and Community Development regarding an application to permit the construction of four single-family dwellings.

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas, that Council decline Rezoning Application No. 00614 for the property located at 3103 Washington Street.

Committee discussed:

Support from neighbours for the proposal.

DEFEATED 18/COTW

For:

Councillor Young

Against:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and

Thornton-Joe

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00614 for 3103 Washington Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - Section 219 covenant to secure the design and associated landscaping of four proposed single-family dwelling Units, and to ensure the dwelling units are constructed in accordance with the plans approved by Council.

Committee discussed:

 The type of housing needed in the City and a desire for an affordability component to be included in the proposal.

CARRIED 18/COTW

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and

Thornton-Joe

Against:

Councillor Young



Committee of the Whole Report For the Meeting of January 11, 2018

To:

Committee of the Whole

Date: December 28, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No. 00614 for 3103 Washington Avenue

RECOMMENDATION

That Council decline Rezoning Application No. 00614 for the property located at 3103 Washington Street.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 3103 Washington Avenue. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new zone in order to construct four single-family dwellings on the lot.

The following points were considered in assessing this Application:

- the subject property is designated Traditional Residential in the Official Community Plan which supports ground-oriented buildings up to two-storeys, and envisions a density up to 1:1 floor space ratio (FSR). The proposed single-family dwelling units are two-storeys and ground-oriented housing with a density of less than 1:1 FSR; however, the proposed clustering of four single-family dwellings on one lot is not a type of housing form that is contemplated in the OCP
- the Burnside Gorge Neighbourhood Plan encourages ground-oriented infill development on large lots along Washington Avenue, including a variety of new housing forms, such as row houses or townhouses, and a diversity of housing choices such as familyoriented housing that are appropriate within the Traditional Residential OCP designation. Even though the proposal is for ground-oriented family housing, staff do not support this proposal from a site planning and design-perspective, and encourage the applicant to

- consider a different housing form such as attached townhouses or two-single family dwellings with garden suites
- if the property is consolidated with neighbouring lots then more efficient densities, circulation and site layouts could be realized
- the subject property is exempt from requiring a Development Permit to construct the
 proposed three single-family dwellings according to Appendix A: Development Permit
 Areas and Heritage Conservation Areas in the OCP; however, the applicant is willing to
 register a section 219 covenant on title to secure the design of the proposed singlefamily dwelling units and associated hard and soft landscaping to ensure the dwellings
 are constructed in accordance with plans approved by Council.

BACKGROUND

Description of Proposal

This Rezoning Application is to construct four single-family dwellings on one lot. A new zone would be required to facilitate this development.

The following differences from the current zone are being proposed and would be accommodated in a new zone, if Council decides to move it forward for consideration at a Public Hearing:

- allowing more than one building on a lot
- increasing the combined floor area
- reducing front, rear and side yard setbacks.

Affordable Housing Impacts

The applicant proposes the creation of four new residential units which would increase the overall supply of housing in the area.

Sustainability Features

The applicant has not identified any specific sustainability features associated with this proposal; however, the driveway, parking area and outdoor patios are permeable.

Active Transportation Impacts

The application proposes to provide bicycle storage in each single-family dwelling and eight Class 2 (visitor) bicycle parking spaces, which supports active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Land Use Context

The area is characterized by a mix of single-family dwellings and attached housing.

Existing Site Development and Development Potential

The site is presently occupied by a single-family dwelling.

Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single-family dwelling with a secondary suite or garden suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone and the R-K Zone, Medium Density Attached Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing Zone (R-B Zone)	R-K Zone
Site area (m²) - minimum	899.41	460.00	555.00
Density (Floor Space Ratio) - maximum	0.57	n/a	0.60
1 st and 2 nd storey floor area (m²) – maximum	508.37*	280.00	539.65
Combined floor area (m²) - maximum	633.51*	420.00	n/a
Number of buildings	4.00*	1.00	attached/semi- attached
Number of dwelling units	4.00*	1.00 + garden suite or secondary suite	4.00 (1 dwelling unit per 185m² of lot area)
Lot width (m) - minimum	22.80	15.00	18.00
Height (m) - maximum	7.42	7.60	8.50 to ceiling
Storeys - maximum	2	2	2
Site coverage % - maximum	33.53	40.00	33.30
Open site space % - minimum	49.01	n/a	45.00
Setbacks (m) – minimum:			
Front	2.00*	7.50	6 and 7.50 (average)
Rear	2.75*	10.10	4.00
Side (north)	1.50	1.50	4.00
Side (south)	1.50*	3.00	4.00
Combined side yards	3.00*	4.50	n/a
Parking - minimum	4	4	6

Zoning Criteria	Proposal	Existing Zone (R-B Zone)	R-K Zone
Bicycle parking stalls (minimum)			
Class 1	8	n/a	n/a
Class 2	8	n/a	n/a

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the Burnside Gorge CALUC at a Community Meeting held on *September 18, 2017*. A letter dated September 25, 2017 is attached to this report.

ANALYSIS

Official Community Plan

The subject property is designated *Traditional Residential* in the Official Community Plan, which supports ground-oriented buildings up to two-storeys and envisions a density up to 1:1 floor space ratio (FSR). The proposal is for two-storey, ground-oriented housing with a density of 0.57:1 FSR; however, the proposed clustering of four single-family dwellings on one lot is not a type of housing form that is contemplated in the OCP, and therefore, staff do not recommend support of this proposal.

The subject property is exempt from requiring a Development Permit to construct the proposed four single-family dwellings according to Appendix A: Development Permit Areas and Heritage Conservation Areas in the OCP; however, the applicant is willing to register a section 219 covenant on title to secure the design of the proposed single-family dwelling units and associated hard and soft landscaping, and to ensure they are constructed in accordance with the plans, if approved by Council.

Site Planning, Architecture and Landscape Design

The applicant is proposing the following site planning, architecture and landscape design:

- four single-family dwellings, two fronting Washington Avenue and two in the rear yard, on a single lot
- each building is two storeys
- the single-family dwellings incorporate traditional architectural features, including pitched rooflines, traditional-style windows, and prominent entryways
- exterior finishes include cement board panels, horizontal cement board siding, wood posts and fibreglass shingles
- one driveway provides access to the site with parking located in the middle of the site and screened from the street
- each unit has substantial soft landscaping in the front yard and a private outdoor patio in the rear
- garbage and recycling is located between units 1 and 2 and screened with soft landscaping

 a pedestrian gate would be provided in the rear yard to provide direct access to Cecilia Ravine Park.

Local Area Plans

The Burnside Gorge Neighbourhood Plan contains *Gorge Sub Area Ground-oriented Housing Urban Design Policies* that would apply to this site. The relevant policies that apply to the subject property are the following:

- be a good neighbour to adjacent homes, with massing mitigating impacts on neighbours
- present a friendly face, with units adjacent to the street and other public spaces
- encourage street vitality and social interaction amongst neighbours, with useable semiprivate space or front porches along streets
- · ensure livability and considerations for outdoor space
- · contribute positively to the unique character and identity of the neighbourhood
- desired separation distance between buildings for this lot is approximately 24ft.

The proposal complies with the policies relating to the streetscape appearance, social interaction, family-oriented housing, private outdoor space, landscaped front and rear yards, and separation distance between buildings (exceed 24ft); however, staff have concerns with the proposed site planning, the number of buildings on the lot and the amount of site area dedicated to vehicles. This proposed site layout may be more suitable if the subject property had two frontages.

The proposal is compared to the R-K Zone; based on this comparison the proposal exceeds the minimum open site space requirement, and the site coverage is only 0.23% more than the maximum permitted in the zone (which is 33%). The existing site area and lot width are 899.41m² and 22.30m, respectively; whereas, the minimum site area and lot width requirements in the R-K Zone are 555m² and 18m, respectively. In comparison to the small lot zones, the minimum lot area for a small lot is 260m²; whereas, in this proposal the lot area per dwelling unit is 224.85m².

The Plan does state that "smaller redevelopment projects which replicated the pattern of existing homes along the street (e.g. duplexes, triplexes or fourplexes) are supported on the shallower lots in this neighbourhood or where lot consolidation is not possible." Staff recognize that the subject property could handle some additional density in the form of row-houses or townhouses, and preferably through a land assembly with adjacent properties.

CONCLUSIONS

The proposal to construct four single-family dwellings on a lot is not consistent with the OCP or *Burnside Gorge Neighbourhood Plan* with respect to site planning and number of single-family dwellings on a lot. The subject property is suitable for some additional density in the form of row-houses or townhouses, and preferably through a land assembly with adjacent properties to enable the best realization of permitted development potential. Staff recommend for Council's consideration that the Application is declined.

ALTERNATE MOTION

Option 1

1. That Council direct staff to work with the applicant on a proposal that complies with the policies in the Official Community Plan and Burnside Gorge Local Area Plan.

Option 2

- 2. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00614 for 3103 Washington Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - Section 219 covenant to secure the design and associated landscaping of four proposed single-family dwelling units, and to ensure the dwelling units are constructed in accordance with the plans approved by Council.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

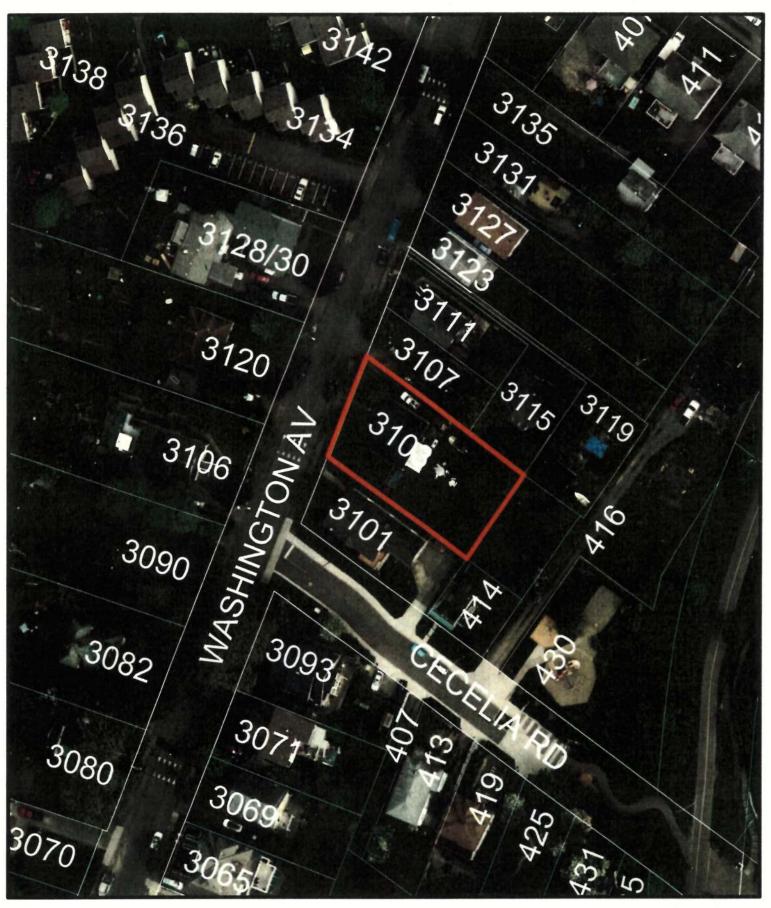
Report accepted and recommended by the City Manager

Date:

List of Attachments:

- Appendix A: Subject Map
- Appendix B: Aerial Map
- Appendix C: Plans date stamped November 17, 2017
- Appendix D: Letter from applicant to Mayor and Council dated September 20, 2017 and November 16, 2017
- Appendix E: Community Association Land Use Committee Comments dated September 25, 2017.

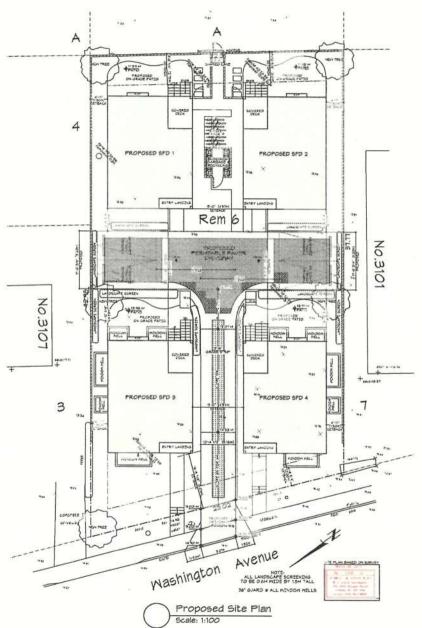


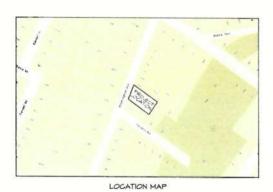


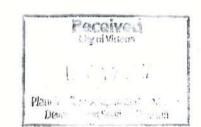




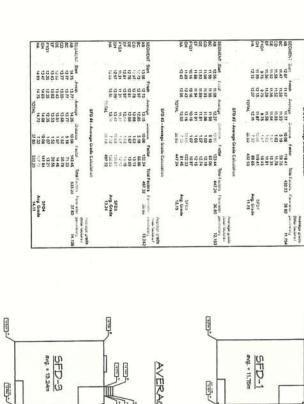


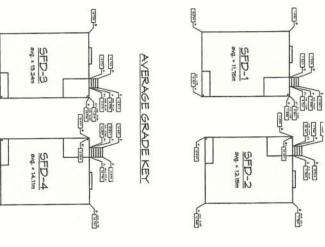










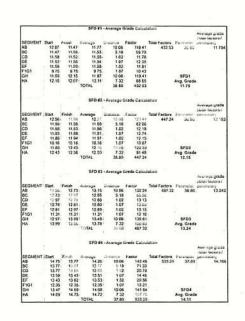


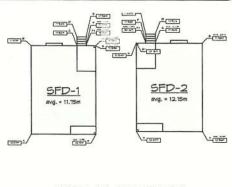
FEGAL DESCRIPTION -	LEGAL DESCRIPTION - LOT 6, SECTION 4, VICTORIA DISTRICT, PLAN 2214, EXCEPT EPP6NIES	CT, PLAN 2214, EXCEPT EPP61125			
PROPOSED ZOHNG .	RITE SPECIFIC				
LOT AREA	PROPOSED - SITE	PROPOSED - SFD 1	ERGEGNED - SED 2	PROPOSED - SFD 3	PROPOSED - SFD 4
HOLL MOUTH	22.90 H (13.167)				
LOT DEPTH (AV6.)	4038 H (132.467)				
SETBACKS				March of the Control	
PRONT DAW	200 H (6.56) 1000.	1 4 4 60 550 M OLO	10.20 4 (33.46) "SWD.	5.03 M(16.507)	200 H (6.567)
REAR (SE)	275 H (402) 10500	275 H (902)	301 H (400)	10.70 H (35.10) 10001	10.20 H (39.46) 10 9/8 2
SIDE ONE	1,50 H (4,927) 10 srp vs	150 H (4-92)	4.57 H (15.00) 10 1/01	4.57 H (15.001)	4.57 M (15.00') 10491
SIDE (SAI)	150 H (4.92) "SYD 1"	457 M (1500) 10403	150 H (4.42)	150 H (4,42) 1055.	1.50 M [4.92]
SIDE (COMBNED)	300 H (954)	60711(19.92)	607 H (1992)	607 H (1992)	6.07 H (19.92)
AVG. GRADE		11.75 H (30.55)	12.15 H (39.66)	15.24 H (45.44")	14.11 M (46.24)
BUILDING LEWIS		7.18 M (28.56)	7.14 × (23.54)	7.25 M (23.74)	7.42 H (24.34')
STOREYS		2 STOREYS . PARTIAL BOAT	2 STOREYS . PARTIAL BONT	2 STOREYS + BSMT	2 STOREYS + BOHT
FLOOR AREA	(COHBNED)				
UPPER FLOOR	271.83 HT (2426.00 FTT)	67.56 HE (TBISO FF2)	67.76 H2 (78150 FT3)	67.96 H2 (751.50 FT2)	67.46 M2 (TBI.50 FT7)
HAN FLOOR	236 53 HF (2546 00 FTF)	54.19 No (696.50 FT2)	5415 HI (656.50 FT)	54.13 Nº (636.50 FT?)	54.13 M2 (636.50 FT2)
BASEHERT	125,14 W7 (1947,00 FT7)	5.16 H2 (55.50 FT)	5.16 HT (55.50 FTT)	57,41 pt (618,00 FT2)	57.41 HP (618.00 FTP)
15T/2ND STOREYS, TOTAL	508.31 M2 (5472.00 FT2)	127.09 HP (1368.00 FTP)	127 09 NA (1368.00 FT)	127.09 HP (1360.00 FTP)	127.09 M3 (1868.00 FT)
ALL PLOORS, TOTAL		132.25 H2 (1423.50 FT3)	192.25 HP (1429.50 FTP)	18451 HI (1966 DO FTI)	18451 M3 (1866,00 FT3)
TOTAL FLOOR AREA	506.91 NJ (5472.00 FTJ)	127,04 M3 (1965,00 FT3)	127.04 HP (1968.00 FTP)	127.04 M3 (1868.00 FT3)	127,09 M3 (1568,00 FT3)
PLOOR AREA RATIO	057	0.14	4.0	0.14	41.0
SITE COVERAGE	88 58 % (80156 H2)	& 37 % (75 25 M2)	8.37 % (75.25 Ms)	8 31 % (75.25 Hz)	5.43 % (75.61 M2)
CALDY SILLS DAVCE	4401 % (440.76 49)				
PARKING	450000				

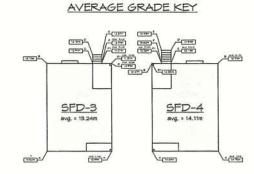




EXISTING ZONING - R1-		ict, Plan 2214, Except Epp61125			
LOT AREA LOT MIDTH LOT DEPTH (AVG.)	PROPOSED - SITE 699.41 H ² (9661.15 FT ²) 22.30 M (73.16 ²) 40.36 M (192.46 ²)	FROPOSED - SEP 1	PROPOSED - SPD 2	PROPOSED - SPD 3	PROPOSED - SFD 4
SETBACKS PRONT (NN) REAR (SE) SIDE (NE) SDE (SN) SIDE (COMBINED)	200 M (6:56) TO STD 4 2.75 M (4:02) TO STD 13 150 M (4:42) TO STD 24 3:00 M (4:42) TO STD 24	10.70 × (35.10) 10.903 2.75 × (402) 1.50 × (442) 4.57 × (15.00) 10.903 6.07 × (14.92)	10.20 M (33.46) 10 WO 4 3.01 M (16.60) 4.51 M (15.00) 10 WO 1 1.50 M (4.92) 6.01 M (14.92)	5.03 M(16.50') 10.70 M(35.10') To IPD 1 4.51 M (15.00') 1.50 M (4.92') To IPD 4 6.01 M (19.42')	2.00 M (656) 10.20 M (65.6) 10.90 1 451 M (15.00) 10.90 3 1.50 M (4.92) 6.01 M (19.92)
AVG. GRADE		11.75 M (38.55')	12.15 M (34.66')	13.24 M (43,44')	14.11 14 (46.24)
BUILDING HEIGHT	4	7.18 14 (23.56)	7.19 M (23.59)	1.25 M (29.74)	7.42 M (24.54')
STOREYS	In the second second	2 STOREYS . PARTIAL BENT	2 STOREYS . PARTIAL BEMT	2 STOREYS + BSMT	2 STOREYS . BSMT
FLOOR AREA	(COMBINED)	1			
WHER FLOOR MAIN FLOOR BASEMENT	271.83 M² (2926.00 FT²) 286.53 M² (2546.00 FT²) 125.14 M² (1347.00 FT²)	67,96 M2 (731,50 FT2) 54,13 M2 (636,50 FT2) 5,16 M2 (55,50 FT2)	67.96 M² (731.50 FT²) 59.13 M² (636.50 FT²) 5.16 M² (55.50 FT²)	67.46 M2 (781.50 FT2) 59.13 M2 (636.50 FT2) 57.41 M2 (616.00 FT2)	67.46 H2 (131.50 PT2) 54.13 M2 (636.50 PT2) 57.41 M2 (616.00 PT2)
197/2ND STOREYS, TOTAL ALL FLOORS, TOTAL	508.31 M² (5412.00 FT²) 633.51 M² (6819.00 FT²)	127,04 H2 (1966,00 FT2) 192,25 H2 (1429,50 FT2)	127.04 M2 (1366.00 FT2) 132.25 M2 (1423.50 FT2)	121.09 H ² (1366.00 FT ²) 184.51 M ² (1466.00 FT ²)	127.04 M2 (1368.00 FT2) 184.51 M2 (1486.00 FT2)
TOTAL FLOOR AREA	508.57 H2 (5472.00 FT2)	127.09 M2 (1968.00 FT2)	127.04 M2 (1866.00 FT2)	127.09 H7 (1368.00 FT3)	127.09 M2 (1565.00 FT2)
FLOOR AREA RATIO	0.51	0.14	0.14	0.14	0.14
SITE COVERAGE	33.53 % (301.56 MP)	8.37 % (75.25 HP)	8.37 % (75.25 M²)	8 97 % (75.25 MI)	8.43 % (75.61 M²)
OPEN SITE SPACE	49.01 % (440.76 M²)			Mark Market 2010	
PARKING	4 SPACES				

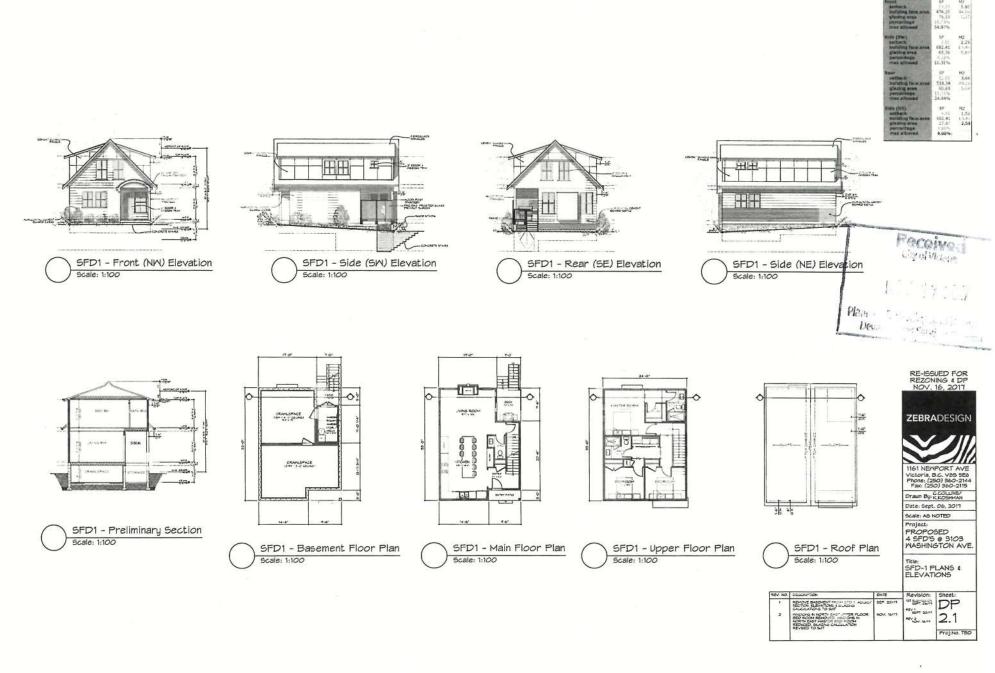


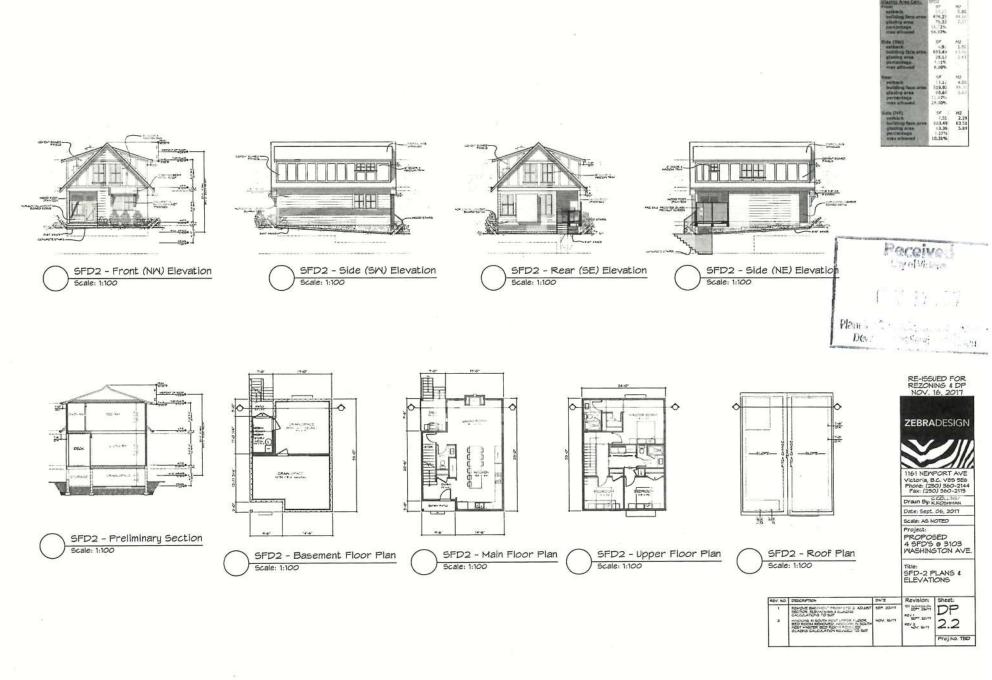


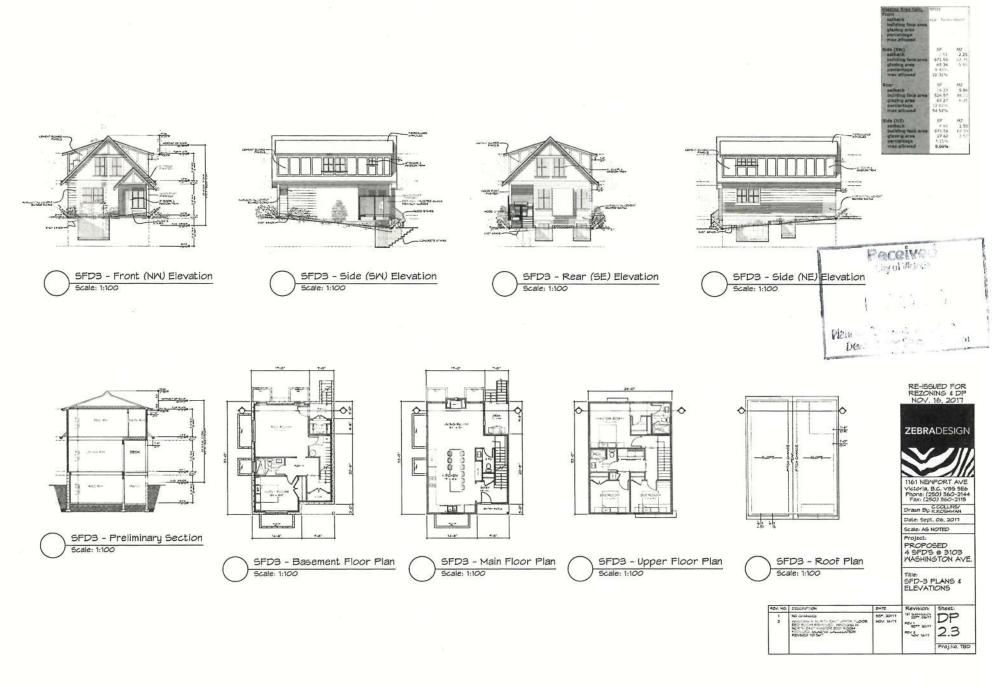


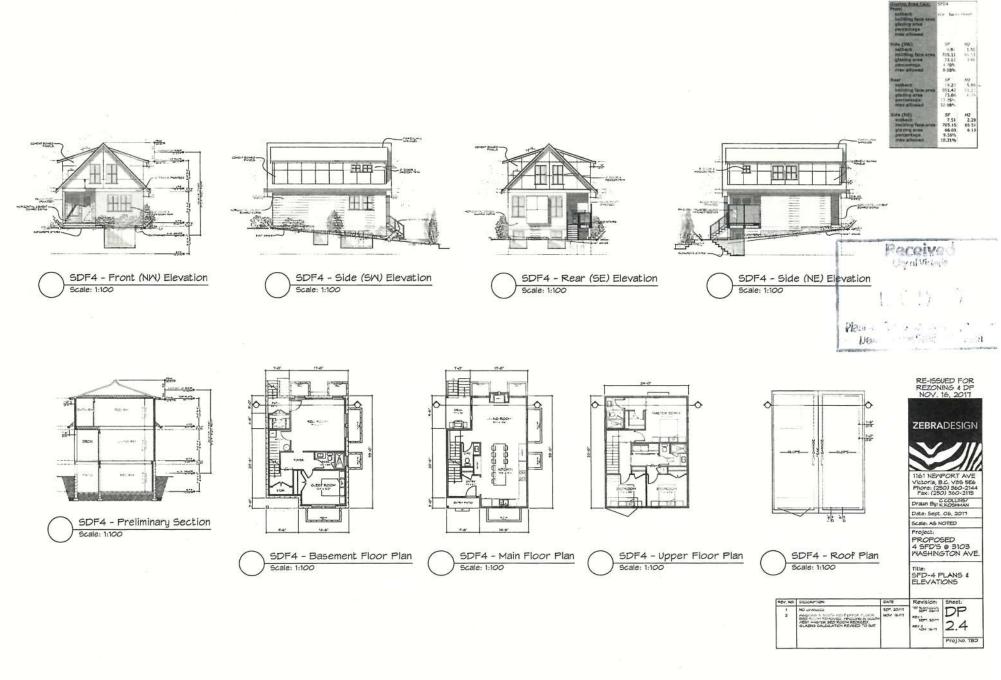




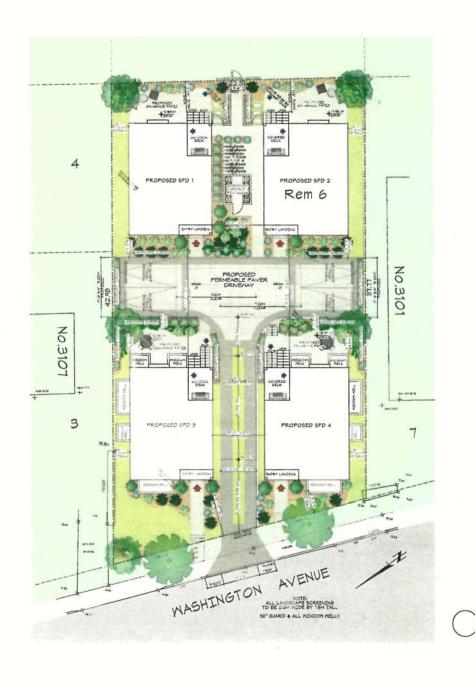




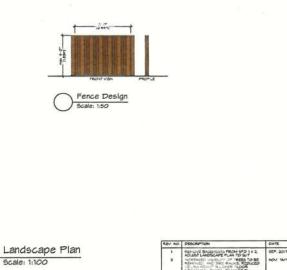


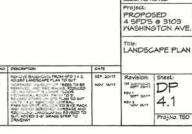












RE-ISSUED FOR REZONING 4 DP NOV. 16, 2017

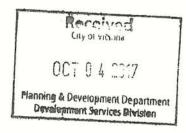
ZEBRADESIGN

1161 NENPORT AVE Victoria, B.G. V65 556 Phone: (250) 360-2115 Prain By: K.KOSHMAN Date: Sept. 06, 2017 Scald: AS NOTED



September 20, 2017

#1 Centennial Square Victoria, B.C. V8W 1P6



Re: 3103 Washington Avenue, Rezoning application and Development Permit

Dear Mayor Helps and City Victoria Council Members,

We are applying for a site specific rezoning at the above mentioned property. The objective of this proposal is affordable small detached family housing (strata titled) as an alternative to townhouses/row houses and apartment or condominium buildings. The concept was inspired due to the size and specific location of the lot, and in light of the current intense need for housing in Greater Victoria. The project is guided by specific objectives as described in the Burnside Gorge Neighbourhood Plan that support a variety of housing forms in this area, especially ground oriented units.

We are pleased to be putting forward a new concept and note that "creativity in design to meet policy intent is encouraged" in the Burnside Gorge Neighbourhood Plan. Exciting developments are coming for this area and we'd like to contribute some innovative design ideas to the initiatives. Providing diverse housing choices and increasing support for people who walk and bicycle were two of the top ten objectives of the 2015-2016 Community Engagement summary.

At the outset, we began by canvassing nearby neighbours and property owners to determine if they were in favour of such a proposal, and found that they were. We also had conversations with the Area Planner and the Engineering Department of City of Victoria, to introduce the concept and find out if the existing services on the street were viable for a development of this nature, and what Development Services might think of the idea in principle. Similarly we individually contacted City of Victoria Members of Council and the Mayor to see if this was a supportable project in their opinions. We encountered encouraging responses from all these parties as well.

With this information in mind we developed a preliminary proposal for four small detached homes, which we presented on September 11th to the Burnside Gorge Community Land Use Committee; the concept was warmly received by the Burnside Gorge CALUC. On September 18th the proposal was brought to the Burnside Gorge Neighbourhood Association and public at their monthly meeting. Plans and site data have been slightly revised in response to feedback from that neighbourhood meeting, eliminating the proposed basements in two of the homes, mostly due to concerns about parking.

We thought that this location would be perfect for a family-friendly housing approach like this due to its proximity to the Galloping Goose Regional Trail and downtown, making it an ideal home for those interested in vehicle free commuting and recreational use of the trail. Section 12.4 of the Neighbourhood Plan says that a range of appropriate housing in traditional residential neighbourhoods in encouraged, "providing options for households who are seeking housing with access to useable outdoor amenity space", and that the intent of the Land Use Policies is to "support intensification through primarily ground-oriented forms of housing" in the Burnside Gorge residential areas. Section 4.1.1. says, "Housing options attractive to a range of households, including families with children, are encouraged where appropriate".

The existing lot backs onto the Cecilia Ravine Playground, and we have included gate access from the property to the park to facilitate safe and direct access for children and bicycles from the property to the park and trail. We have proposed more than the required outdoor bicycle parking and have also allowed for lockable, weatherproof private individual storage rooms for bicycles. There are plans to improve cycling and pedestrian routes from the Galloping Goose Trail/Cecelia Ravine Park westward across Washington Avenue and through to Balfour Road.

As well as having three bedrooms per house on the upper level, each home will have a very comfortable kitchen and living area plus powder room on the main level, and in the case of Single Family Dwellings (SFDs) 3 and 4, a rec room, bathroom and flex or guest room is included on the lower level, which would allow for changing family needs. Each unit has its own covered private deck at the rear of the unit, and an on grade patio area with privacy screening to separate the yards from the parking area. On the site we are proposing five parking stalls, one for each unit plus one visitor parking space.

The plans are each under $127.1m^2$ (1368 square feet) in area on main and upper levels, and they are $184.51m^2$ (1986 SF) including the basement, in the cases of SFDs 3 and 4. Site coverage is currently 33.53% for all four houses combined on the existing property.

The Floor Area Ratio int 0.57 for the project (in comparison in -S2 has a maximum of 0.6 FAR or 190m² exclusing basements, whichever is less).

The houses are small but attractive, designed in a craftsman style; they are differentiated from one another in the elevations in design, materials and colours and fit well into the Neighbourhood context. As well as single family detached houses, the street includes row houses and higher density residential use. CPTED values have been considered in developing the project and sight lines on the site should remain principally clear, with outdoor lighting installed and "neighbourliness" being intrinsically encouraged.

The location is close to amenities such as: major bus routes; local groceries; entertainment; shopping and recreation locations; employment opportunities; schools; medical services; the downtown core. Future plans for the area - including the creation of a small urban village eastward from Cecelia Ravine towards Jutland - would provide additional services and opportunities for residents, and vice versa, with residents contributing social and economic benefit to future commerce and community ventures there.

We would retain all existing boulevard trees and replace any affected trees on site at the ratio indicated by the Parks Department; ground treatment includes a variety of permeable surfaces to aid in water management.

We imagine that a cluster of small houses like this would encourage interaction between the families that live there, and provide an attractive, friendly face next to the public space of the park and the access to the Galloping Goose Trail and Cecelia Ravine. We hope that a development such as this would serve to enhance the streetscape and enrich the social fabric of the area, maintaining the traditional residential character of the vicinity while contributing an appropriately scaled residential development.

Thank you very much for your consideration of this application. Please see enclosed plans for site data and project details.

Sincerely,

Rus Collins

Zebra Design & Interiors Group Inc.



November 16, 2017

#1 Centennial Square Victoria, B.C. V8W 1P6



Site Specific Rezoning and Development Permit: 3103 Washington Avenue detached homes

Dear City of Victoria staff, Mayor Helps and Members of Victoria Council,

Thank you for the application review summary dated October 24, 2017 and for the meeting to discuss the Planning Department's comments on our application.

In the list of conditions to be met prior to Committee of the Whole (COTW), it is stated in the comments from the Development Services Division that staff could support attached townhouses as one form of acceptable housing on this site, and when speaking to Development Services staff on November the 7th, we were told that our proposal is too dense for this location.

We would like to point out that in the Zoning Plan Check sheet that was provided to us, our proposal is being compared to RK townhouse zone.

Since we began designing this project, we have always intended that we want to approach these units as a townhouse type strata and not as a strata subdivision.

Here is how our project compares to the RK Zone requirements:

- RK minimum lot size is 555 M²; we have 899.41 M², 62% greater area than required
- RK allow 1 unit per 185M² which would be almost 5 units on this lot; we propose 4 units
- RK allows a maximum Floor Area Ratio of .6 to 1; we propose .57 to 1
- RK allows a max. site coverage of 33%; we propose 33.53% only 0.53% over the allowable
- RK requires 45% lot area to be landscaped; we propose over that at 47.13%

Other than the setbacks, we believe that the proposal really reflects the main objectives of the townhouse zone and we have worked hard to achieve an optimal layout on the site. With our concept it would be very hard to meet the RK setback requirements due to the homes being

detached. Although our proposal does have one house quite close to the front property line due

to the asymmetry of the lot, we observe that there are numerous different setback situations on other properties nearby, including for example 414 Cecilia Road and we feel that ours would not

be a very unusual situation in the context of this neighbourhood.

Our proposal, rather like the cottage clusters mentioned as a supportable ground-oriented

housing form in Section 12.7 of the Gorge Burnside Neighbourhood Plan, will encourage

neighbourliness, while still providing privacy and not overlooking the neighbours.

A further point from the Development Services Division is about driveways and parking. Please

consider that if one were to design an attached townhouse project on this property, it would still

require a driveway access, similar to the one we are showing. If we were to incorporate carports

or garages as would be the norm with townhouses on this property, the width of the drive aisle

would be required to be at least 23 feet wide due to the turning radius. We only require 17'-0 3/"

wide parking in this configuration, for two vehicles side by side, resulting in much less paving

overall.

We are proposing to add a grass strip down the driveway and in accordance with the suggestion

of Development Services staff, to remove the fifth parking stall. This will further increase our

green space on site - additional plantings will be implemented - and also allow us to address the

requirement for garbage and recycling locations (please refer to the updated site and landscape

plans for details).

Regarding suggestions towards the architectural style of our project, we note that each home has

a different entry roof, each home has different finishing materials, and each home does have a

different but complimentary colour scheme. In addition we have revised the window styles to

reflect a different character for each dwelling.

Each of our homes was designed with secure, enclosed bicycle parking, plus there is an additional

outdoor bicycle rack. We have included new fencing proposed for the sides and rear lot lines.

Currently our plan shows five trees to be removed (three pines and two deciduous), with five new

trees to be planted. In response to Parks Department Comments, we are willing to replace the

City boulevard cherry trees at the time of building permit if required, but would prefer to protect

and retain the existing mature trees if possible. We will contact the Parks Department to discuss.

We're pleased to hear that a gate from the property into the park is supported by staff.

Regarding Underground Utilities comments, we are will be working with a Civil Engineer to

generate the sewage attenuation report, but it is not yet available; we will forward that as soon

as it is prepared.

Zebra Design & Interiors Group Inc. • 1161 Newport Avenue, Victoria BC V8S 5E6 Phone: (250) 360-2144 Fax: (250) 360-2115 Permits and Inspections Division Comments: glazing and unprotected openings calculations have been revised in accordance with changes made to the windows, and the tables containing that

information are located in the upper right hand corners of sheets 2.1, 2.2, 2.3 and 2.4.

Fire Department comments: we are considering implementing sprinklers in SFDs #1 and #2.

From the outset of this project, we began talking to the neighbours, the community association and also each and every member of City Council plus the Mayor herself, encountering <u>very strong</u>

support. We are suggesting here an alternate solution to the housing need in Victoria (specific to

this location), which would provide interesting, affordable, detached housing. This lot provides a

very distinctive situation because there are no rear neighbours due to the park at the rear

property line. This is a unique opportunity to do something different – let's not miss out on this

chance to explore an alternative approach to affordable housing.

Although appropriate in many circumstances, and a solution to many housing challenges,

townhouses are not without their drawbacks. In these times of intense pressure for increased housing and urban concentration, this project could provide that sought-after townhouse density

with a single family feel. It could offer people an opportunity for the pride of ownership that

comes with a detached family home, in a neighbourhood that likes what we are proposing.

In this proposal we provide off street parking space for one car per unit, in a location ideal for

bicycling and walking (the Galloping Goose Trail is almost in the back yard). We are not proposing suites, having removed them after feedback from the community meeting. We note that some

other nearby homes do not even have street or driveway access at all, and there is also a wide

variety of housing types on the street, including a "micro" lot very nearby.

Again we stress that the proposal is well supported and liked by a lot of the neighbours, the

greater community and affordable housing advocates. We encourage you to take a fresh look at our revised proposal, and consider that we have a great opportunity here to do something a bit

unprecedented in a unique location that deserves special consideration.

Thank you for your time in reviewing the submission.

Sincerely,

Rus Collins

Zebra Design & Interiors Group Inc.

Planting Conservation of the Development Servation



September 25, 2017

Mayor & Council #1 Centennial Square Victoria, BC

Dear Mayor and Council:

CALUC Community Meeting Rezoning Re-Application for 3103 Washington Avenue

On September 18, 2017, the Burnside Gorge Land Use Committee (BGLUC) hosted a CALUC community meeting that was advertised to discuss Zebra Group's proposal to rezone 3103 Washington Avenue from R1-B Residential to site-specific residential zoning.

Rus Collins of Zebra Group presented.

The proposal is for a Strata complex of 4 single family houses. The existing house on the lot is to be demolished. The proposed buildings are 2 storeys, plus possible basements. The homes are 127m2 in size not including the basement. The exterior elevations are of a style designed to fit in with the neighbouring houses.

Comments on design of houses was very favourable.

Concerns were over parking and change from Traditional Residential Zoning

The proposal included 5 parking stalls and ample space for bike storage/ parking at all houses. The comments from adjacent neighbours were in regards to the possibility of the basements being turned into suites, thereby resulting in a lack of parking on the lot. The proposal attempts to address concerns over parking by possibly incorporating an electric car available for use by all tenants.

The proposal incorporates improved landscaping with a permeable paver driveway to maintain natural drainage using grasses in lieu of asphalt.

A poll was taken and divided into alternates: Two houses with suitable basements: Favor – 10 All four without basements: Favor – 18 All with basements: Favor – 5 Opposed completely – 7 Abstained: 1

Burnside Gorge Community Association

The poll results were generally based on the concern for over parking spaces.

Respectfully,

Avery Stetski

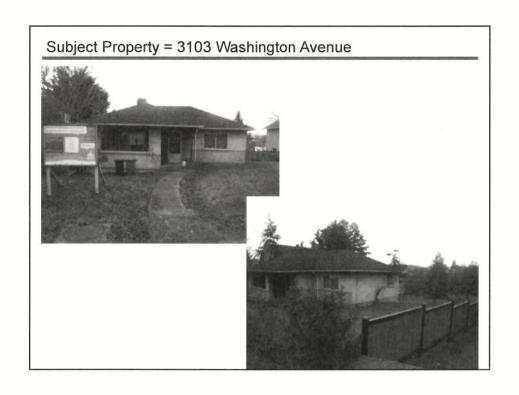
Avery Stetski Land Use Committee Chair Burnside Gorge Community Association

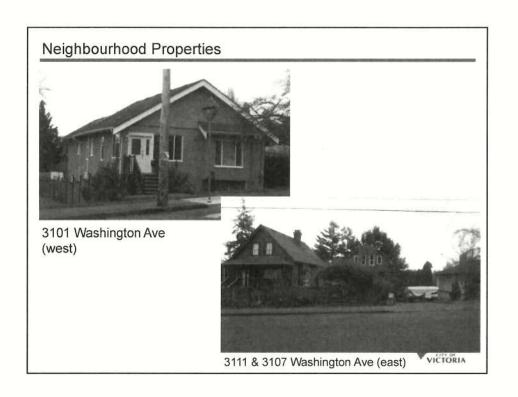
cc: Sustainable Planning and Community Development Department Rus Collins Zebra Group

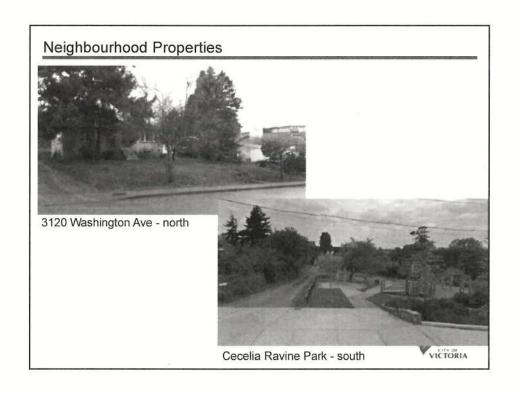
Rezoning Application No. 00614 for 3103 Washington Avenue

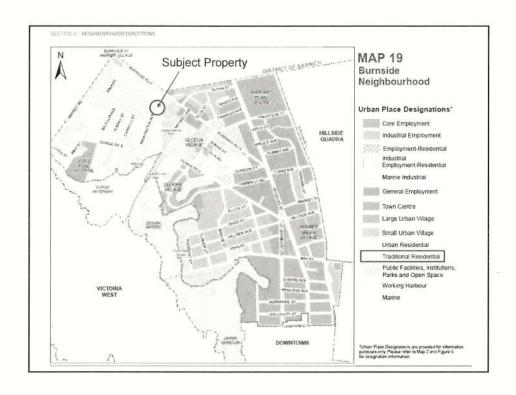


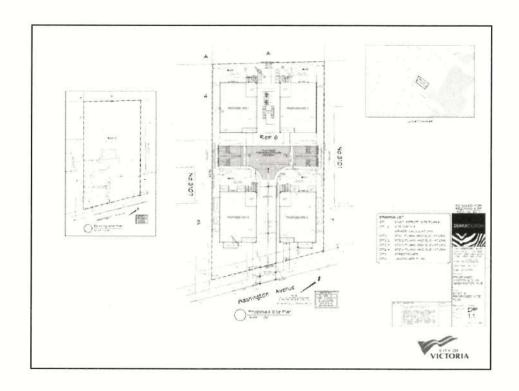


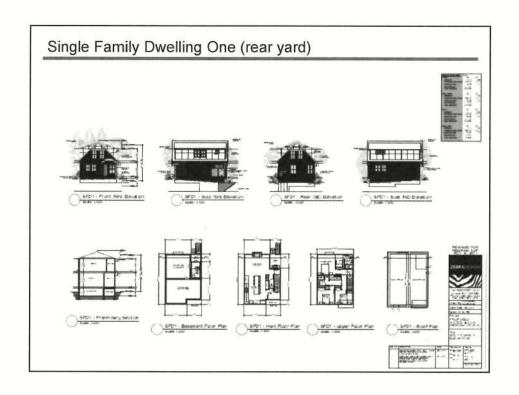


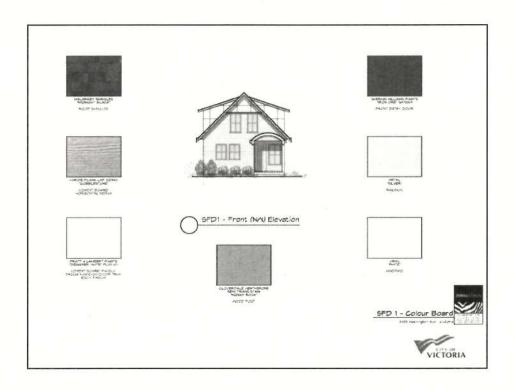


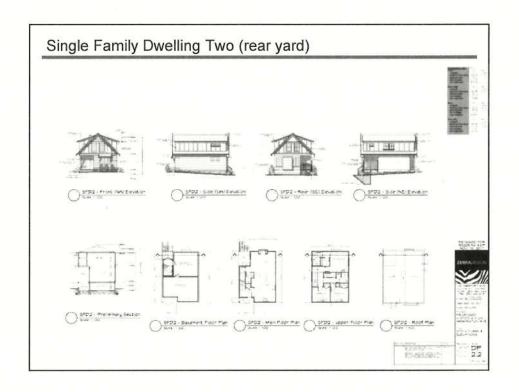


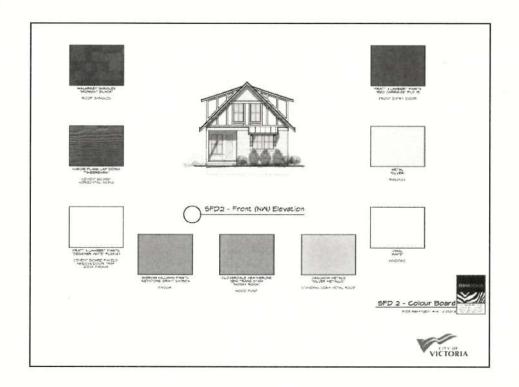


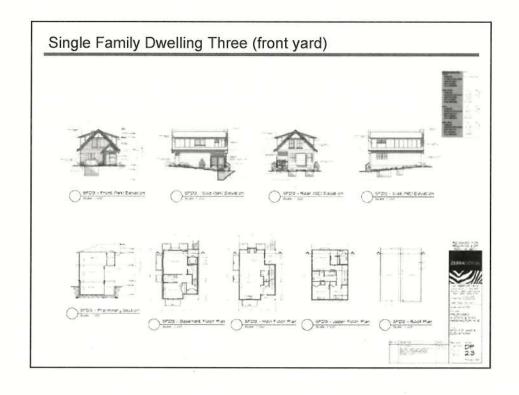


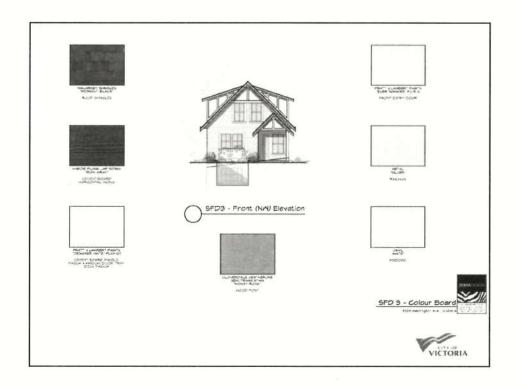


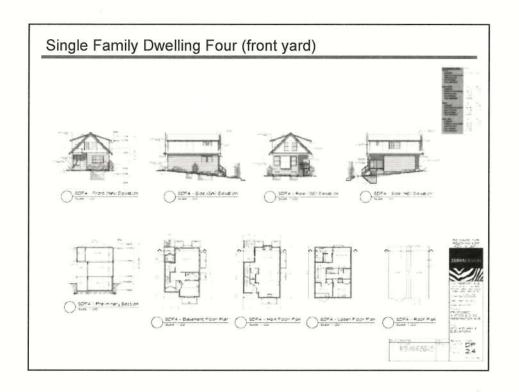


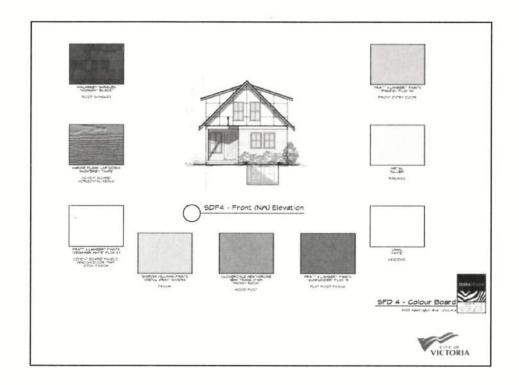


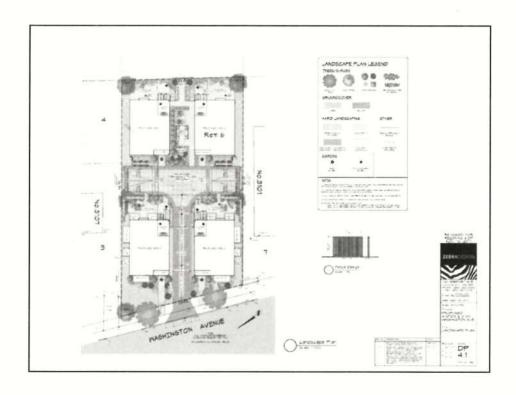














J. BYLAWS

J.3 Bylaw for Rezoning Application No. 00614 for 3103 Washington Avenue

Moved By Councillor Madoff Seconded By Councillor Lucas

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1146) No. 18-031

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Madoff, and Councillor Thornton-Joe OPPOSED (1): Councillor Young

CARRIED (8 to 1)



Council Report For the Meeting of June 28, 2018

To:

Council

Date:

June 14, 2018

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No. 00614 for 3103 Washington Avenue - Application

Ready to Proceed to Public Hearing

RECOMMENDATION

That Council give first and second reading of the Zoning Regulation Bylaw Amendment (Bylaw No. 18-031).

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding the Rezoning Application for the property located at 3103 Washington Avenue. The proposal is to construct four single-family dwellings on the lot.

In accordance with Council's motion of January 11, 2018 included below, the necessary conditions that would authorize the approval of the Rezoning for the subject property have been fulfilled. The Committee of the Whole reports dated, December 28, 2018 together with the meeting minutes, are attached. The motion from the January 11, 2018, Council meeting was:

- 1. Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00614 for 3103 Washington Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - Section 219 covenant to secure the design and associated landscaping of four proposed single-family dwelling Units, and to ensure the dwelling units are constructed in accordance with the plans approved by Council.

Public Hearing Conditions

With regard to the pre-conditions that Council set in relation to this Application, staff can report that a Section 219 covenant to secure the design and associated landscaping of the four proposed single-family dwelling units, and to ensure the dwelling units are constructed in accordance with the plans approved by Council has been registered on title. The recommendation provided for Council's consideration contains the appropriate language to advance this Application to a Public Hearing.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager

Date: June 20, 2018

List of Attachments

- Appendix A: Committee of the Whole report dated December 28, 2017
- Appendix B: Minutes from the Council Meeting dated January 11, 2018
- Appendix C: Minutes from the Committee of the Whole Meeting dated January 11, 2018.



Committee of the Whole Report For the Meeting of January 11, 2018

To:

Committee of the Whole

Date: December 28, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No. 00614 for 3103 Washington Avenue

RECOMMENDATION

That Council decline Rezoning Application No. 00614 for the property located at 3103 Washington Street.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the Local Government Act, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land, and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 3103 Washington Avenue. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a new zone in order to construct four single-family dwellings on the lot.

The following points were considered in assessing this Application:

- the subject property is designated Traditional Residential in the Official Community Plan which supports ground-oriented buildings up to two-storeys, and envisions a density up to 1:1 floor space ratio (FSR). The proposed single-family dwelling units are two-storeys and ground-oriented housing with a density of less than 1:1 FSR; however, the proposed clustering of four single-family dwellings on one lot is not a type of housing form that is contemplated in the OCP
- the Burnside Gorge Neighbourhood Plan encourages ground-oriented infill development on large lots along Washington Avenue, including a variety of new housing forms, such as row houses or townhouses, and a diversity of housing choices such as familyoriented housing that are appropriate within the Traditional Residential OCP designation. Even though the proposal is for ground-oriented family housing, staff do not support this proposal from a site planning and design-perspective, and encourage the applicant to

consider a different housing form such as attached townhouses or two-single family dwellings with garden suites

 if the property is consolidated with neighbouring lots then more efficient densities, circulation and site layouts could be realized

the subject property is exempt from requiring a Development Permit to construct the
proposed three single-family dwellings according to Appendix A: Development Permit
Areas and Heritage Conservation Areas in the OCP; however, the applicant is willing to
register a section 219 covenant on title to secure the design of the proposed singlefamily dwelling units and associated hard and soft landscaping to ensure the dwellings
are constructed in accordance with plans approved by Council.

BACKGROUND

Description of Proposal

This Rezoning Application is to construct four single-family dwellings on one lot. A new zone would be required to facilitate this development.

The following differences from the current zone are being proposed and would be accommodated in a new zone, if Council decides to move it forward for consideration at a Public Hearing:

- allowing more than one building on a lot
- increasing the combined floor area
- reducing front, rear and side yard setbacks.

Affordable Housing Impacts

The applicant proposes the creation of four new residential units which would increase the overall supply of housing in the area.

Sustainability Features

The applicant has not identified any specific sustainability features associated with this proposal; however, the driveway, parking area and outdoor patios are permeable.

Active Transportation Impacts

The application proposes to provide bicycle storage in each single-family dwelling and eight Class 2 (visitor) bicycle parking spaces, which supports active transportation.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Accessibility Impact Statement

The British Columbia Building Code regulates accessibility as it pertains to buildings.

Land Use Context

The area is characterized by a mix of single-family dwellings and attached housing.

Existing Site Development and Development Potential

The site is presently occupied by a single-family dwelling.

Under the current R1-B Zone, Single Family Dwelling District, the property could be developed as a single-family dwelling with a secondary suite or garden suite.

Data Table

The following data table compares the proposal with the existing R1-B Zone and the R-K Zone, Medium Density Attached Dwelling District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing Zone (R-B Zone)	R-K Zone
Site area (m²) - minimum	899.41	460.00	555.00
Density (Floor Space Ratio) - maximum	0.57	n/a	0.60
1 st and 2 nd storey floor area (m²) – maximum	508.37*	280.00	539.65
Combined floor area (m²) - maximum	633.51*	420.00	n/a
Number of buildings	4.00*	1.00	attached/semi- attached
Number of dwelling units	4.00*	1.00 + garden suite or secondary suite	4.00 (1 dwelling unit per 185m² o lot area)
Lot width (m) - minimum	22.80	15.00	18.00
Height (m) - maximum	7.42	7.60	8.50 to ceiling
Storeys - maximum	2	2	2
Site coverage % - maximum	33.53	40.00	33.30
Open site space % - minimum	49.01	n/a	45.00
Setbacks (m) – minimum:			
Front	2.00*	7.50	6 and 7.50 (average)
Rear	2.75*	10.10	4.00
Side (north)	1.50	1.50	4.00
Side (south)	1.50*	3.00	4.00
Combined side yards	3.00*	4.50	n/a
Parking - minimum	4	4	6

Zoning Criteria	Proposal	Existing Zone (R-B Zone)	R-K Zone
Bicycle parking stalls (minimum)	######################################		
Class 1	8	. n/a	n/a
Class 2	8	n/a	n/a

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the Burnside Gorge CALUC at a Community Meeting held on September 18, 2017. A letter dated September 25, 2017 is attached to this report.

ANALYSIS

Official Community Plan

The subject property is designated *Traditional Residential* in the Official Community Plan, which supports ground-oriented buildings up to two-storeys and envisions a density up to 1:1 floor space ratio (FSR). The proposal is for two-storey, ground-oriented housing with a density of 0.57:1 FSR; however, the proposed clustering of four single-family dwellings on one lot is not a type of housing form that is contemplated in the OCP, and therefore, staff do not recommend support of this proposal.

The subject property is exempt from requiring a Development Permit to construct the proposed four single-family dwellings according to Appendix A: Development Permit Areas and Heritage Conservation Areas in the OCP; however, the applicant is willing to register a section 219 covenant on title to secure the design of the proposed single-family dwelling units and associated hard and soft landscaping, and to ensure they are constructed in accordance with the plans, if approved by Council.

Site Planning, Architecture and Landscape Design

The applicant is proposing the following site planning, architecture and landscape design:

- four single-family dwellings, two fronting Washington Avenue and two in the rear yard, on a single lot
- each building is two storeys
- the single-family dwellings incorporate traditional architectural features, including pitched rooflines, traditional-style windows, and prominent entryways
- exterior finishes include cement board panels, horizontal cement board siding, wood posts and fibreglass shingles
- one driveway provides access to the site with parking located in the middle of the site and screened from the street
- each unit has substantial soft landscaping in the front yard and a private outdoor patio in the rear
- garbage and recycling is located between units 1 and 2 and screened with soft landscaping

 a pedestrian gate would be provided in the rear yard to provide direct access to Cecilia Ravine Park.

Local Area Plans

The Burnside Gorge Neighbourhood Plan contains Gorge Sub Area Ground-oriented Housing Urban Design Policies that would apply to this site. The relevant policies that apply to the subject property are the following:

- be a good neighbour to adjacent homes, with massing mitigating impacts on neighbours
- present a friendly face, with units adjacent to the street and other public spaces
- encourage street vitality and social interaction amongst neighbours, with useable semiprivate space or front porches along streets
- ensure livability and considerations for outdoor space
- · contribute positively to the unique character and identity of the neighbourhood
- desired separation distance between buildings for this lot is approximately 24ft.

The proposal complies with the policies relating to the streetscape appearance, social interaction, family-oriented housing, private outdoor space, landscaped front and rear yards, and separation distance between buildings (exceed 24ft); however, staff have concerns with the proposed site planning, the number of buildings on the lot and the amount of site area dedicated to vehicles. This proposed site layout may be more suitable if the subject property had two frontages.

The proposal is compared to the R-K Zone; based on this comparison the proposal exceeds the minimum open site space requirement, and the site coverage is only 0.23% more than the maximum permitted in the zone (which is 33%). The existing site area and lot width are 899.41m² and 22.30m, respectively; whereas, the minimum site area and lot width requirements in the R-K Zone are 555m² and 18m, respectively. In comparison to the small lot zones, the minimum lot area for a small lot is 260m²; whereas, in this proposal the lot area per dwelling unit is 224.85m².

The Plan does state that "smaller redevelopment projects which replicated the pattern of existing homes along the street (e.g. duplexes, triplexes or fourplexes) are supported on the shallower lots in this neighbourhood or where lot consolidation is not possible." Staff recognize that the subject property could handle some additional density in the form of row-houses or townhouses, and preferably through a land assembly with adjacent properties.

CONCLUSIONS

The proposal to construct four single-family dwellings on a lot is not consistent with the OCP or Burnside Gorge Neighbourhood Plan with respect to site planning and number of single-family dwellings on a lot. The subject property is suitable for some additional density in the form of row-houses or townhouses, and preferably through a land assembly with adjacent properties to enable the best realization of permitted development potential. Staff recommend for Council's consideration that the Application is declined.

ALTERNATE MOTION

Option 1

1. That Council direct staff to work with the applicant on a proposal that complies with the policies in the Official Community Plan and Burnside Gorge Local Area Plan.

Option 2

- 2. That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00614 for 3103 Washington Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:
 - a. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - Section 219 covenant to secure the design and associated landscaping of four proposed single-family dwelling units, and to ensure the dwelling units are constructed in accordance with the plans approved by Council.

Respectfully submitted,

Leanne Taylor Senior Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

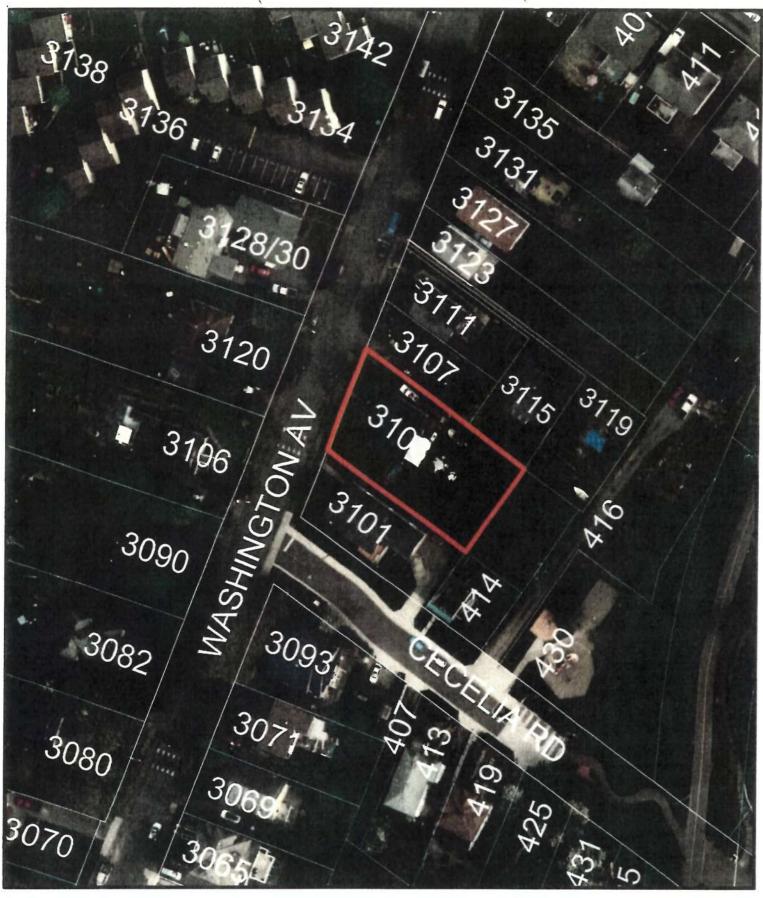
Report accepted and recommended by the City Manager

Date:

List of Attachments:

- Appendix A: Subject Map
- Appendix B: Aerial Map
- Appendix C: Plans date stamped November 17, 2017
- Appendix D: Letter from applicant to Mayor and Council dated September 20, 2017 and November 16, 2017
- Appendix E; Community Association Land Use Committee Comments dated September 25, 2017.

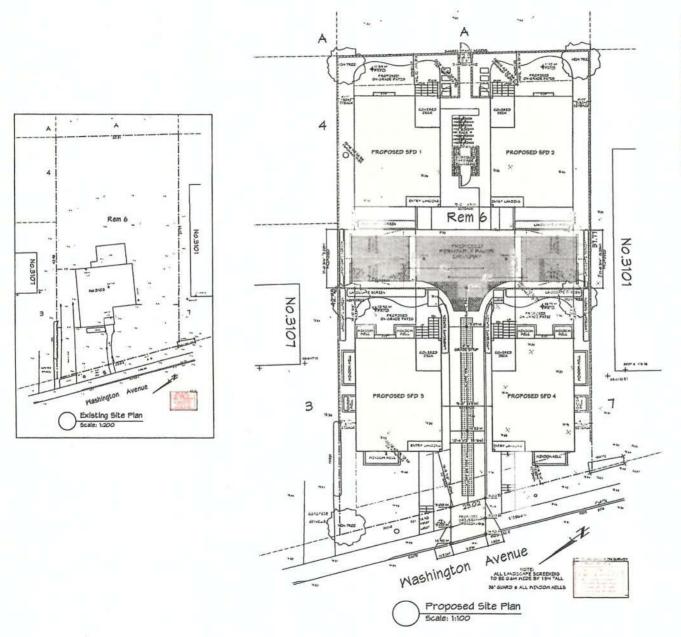


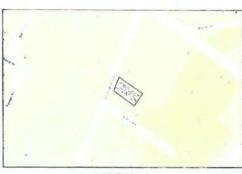




3103 Washington Avenue Rezoning No.00614







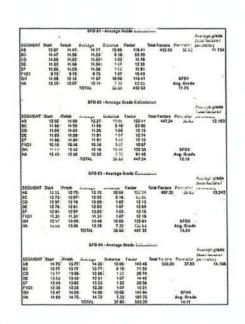
LOCATION MAP

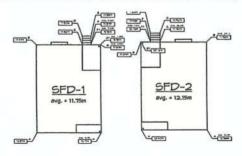




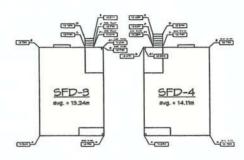
Proj.No. TEI

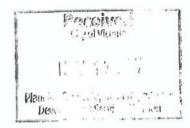
EXSTING ZONNG - RI-		ct, flan 2214, except epp61125			
LOT AREA LOT MEDTH LOT DEPTH (AV6.)	PROPOSED - SITE 593.41 M ² (4551.15 FT?) 22.50 M (73.16°) 40.35 M (132.46°)	PROPOSED - SEP 1	PROPOSED - SFD 2	PROPOSED - SFD 3	PROPOSED - SED 4
SETBACKS FRONT (NA) REAR (SE) SIDE (NE) SIDE (SH) S'DE (COMBNED)	200 M (6.56) "3404 275 M (4.02) "3404 1.50 M (4.92) "3409 VI 1.50 M (4.92) "3409 VI 3.00 M (4.64)	10.70 H (95,10°) 10 MP3 2.75 H (902') 1.50 H (4.72') 4.51 H (15,00') 10 MP3 6.01 H (14.72')	10:20 M(33.46) 16:473 + 3:01 M (406) 4:57 M (15:00) 16:473 1:50 M (4:47) 6:01 M (18:47)	5.03 H(16.50) 10.70 H(35.10) 10.90 1 4.57 H(15.00') 1.50 H(4.92) 15.99 4 6.07 H(19.92)	2.00 M (6.56) 10.20 M (85.46) 10.00; 4.51 M (15.00) 10.00; 1.50 M (4.42) 6.01 M (14.42)
AVG GRADE		11.75 M (38.55')	12.15 M (34.66')	13.24 × (43.44')	14.11 H (46.25)
BULDING HEISHT	1	7.18 M (29.56')	7.19 14 (23.54)	7.25 H (23.74)	7.42 M (24.34')
STOREYS	000000000000000000000000000000000000000	2 STOREYS . PARTIAL BEHT	2 STOREYS . PARTIAL BISHT	2 STOREYS . BSHT	2 STOREYS + BSHT
ELOOR AREA UFFER FLOOR HAN FLOOR BASEMENT	(COMBNED) 211.83 M ² (2426.00 FT ²) 236.53 M ² (2546.00 FT ²) 125.14 M ² (1347.00 FT ²)	67.46 M2 (731.50 FT2) 54.13 M2 (636.50 FT2) 5.16 M2 (55.50 FT2)	67.46 H2 (131.50 FT2) 54.13 M2 (636.50 FT2) 5.16 M2 (55.50 FT2)	67.46 H2 (191.50 FT2) 54.19 H2 (696.50 FT2) 57.41 H2 (618.00 FT2)	67.46 M² (191.50 PT²) 54.19 M² (696.50 PT²) 57.41 M² (618.00 PT²)
IST/2ND STOREYS, TOTAL ALL FLOORS, TOTAL	508.37 M2 (5472.00 FT2) 633.51 M2 (6814.00 FT2)	127.09 M2 (1365.00 FT2) 132.25 M2 (1423.50 FT2)	127,04 H2 (1368,00 FT2) 192,25 H2 (1423,50 FT2)	127.09 H2 (1868.00 FT2) 184.51 H2 (1986.00 FT2)	121.09 H2 (1968.00 FT2) 184.51 H2 (1986.00 FT2)
TOTAL FLOOR AREA	508.31 H2 (5412.00 FT2)	127.09 M3 (1565.00 FT3)	127.09 H2 (1368.00 FT2)	127.09 HP (1966.00 FTP)	127.09 M2 (1968.00 FT2)
FLOOR AREA RATIO	0.51	0.14	0.14	0.14	0.14
SITE COVERAGE OPEN SITE SPACE PARKING	33.53 % (301,56 H²) 49.01 % (440,76 H²) 4 SPACES	8.57 % (75.25 MP)	8.37 % (75.25 M ³)	8.57 % (75.25 M²)	8.43 % (75.81 H²)





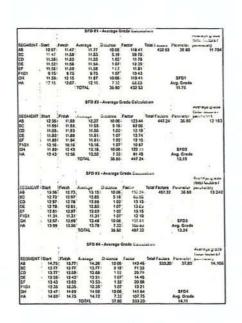
AVERAGE GRADE KEY

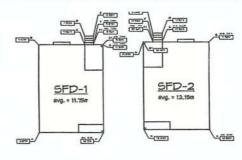




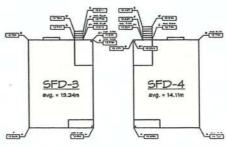


LEGAL DESCRETION - LOT 6, SECTION 4, VICTORIA DISTRICT, PLAN 2314, EXCEPT EPP61135 ERGPLOSED ZONNS - SITE SPECIFIC					
LOT AREA LOT MIDTH LOT DEPTH (AVG.)	PROPOSED - SITE 543.41 H2 (4651.15 FT2) 22.50 H (13.16') 40.35 H (132.46')	PROPOSED - SED 1	PROPOSED - SED 2	PROPOSED - SED S	PROPOSED - SED 4
SETBACKS FRONT (NAU REAR (SE) SIDE (SHE) SIDE (SHU SIDE (GOMBINED)	2.00 H (6.56) 1340. 2.75 H (4.02) 1340. 1.50 H (4.92) 1340. 1.50 H (4.92) 1350.24 3.00 H (4.94)	10.70 H (35.10) 109Ps 2.75 H (4027) 1.50 H (4-92) 4.57 H (15.00) 109Ps 6.07 H (19.92)	10.20 H (33.46) 10.974 5.01 H (4.66) 4.51 H (15.00) 10.991 1.50 H (4.97) 6.01 H (19.97)	5.03 M(1650) 10.70 M (35.10) 10 90 1 4.51 H (15.00) 1.50 M (4.92) 10 90 1 6.01 M (19.92)	200 M (656) 10.20 M (8546) 1040 3 451 M (15.00) 1040 3 150 M (4.92) 601 M (19.02)
AVG. GRADE	1	11.75 M (30.557)	12.15 H (34.86')	19.24 4 (48.44)	14.11 M(46.24)
BUILDING HEIGHT	1	7.18 H (23.56')	7.14 M (23.54)	7.25 H (23.74)	7.42 H (24.34)
STORETS	100	2 STOREYS . PARTIAL BENT	2 STOREYS . PARTIAL BEHT	2 STOREYS + BSHT	2 STOREYS . BSHT
FLOOR AREA UPPER FLOOR HAN FLOOR BASEMENT	(COMBNED) 271.83 H2 (2426.00 FT2) 236.53 H2 (2546.00 FT2) 125.14 H2 (1347.00 FT2)	61.46 H2 (T31.50 FT2) 54.13 H2 (656.50 FT2) 5.16 H2 (55.50 FT2)	67.46 M² (131.50 FT?) 54.13 M² (636.50 FT?) 5.16 M² (55.50 FT?)	67.46 H2 (191.50 FT?) 54.13 H2 (696.50 FT?) 57.41 H2 (616.00 FT?)	61.96 H2 (731.50 FT?) 59.13 H2 (636.50 FT?) 51.41 H2 (618.00 FT?)
IST/2ND STOREYS, TOTAL ALL FLOORS, TOTAL	508.31 H2 (5412.00 FT2) 633.51 H2 (6819.00 FT2)	127.04 H2 (1368.00 FT?) 132.25 H2 (1423.50 FT?)	127.04 H2 (1865.00 FT2) 192.25 H2 (1429.50 FT2)	121.0° H2 (1866.00 FT2) 184.51 H2 (1866.00 FT2)	127.09 H2 (1365.00 FT?) 184.51 M2 (1486.00 FT?)
TOTAL FLOOR AREA	508.57 H2 (5412.00 FT2)	127,04 HP (1565,00 FTP)	127.04 HP (1566.00 FTP)	121.0° M2 (1368.00 FT2)	127.09 HP (1368.00 FTF)
ELOCR AREA RATIO	0.57	0.14	0.14	0.14	0.14
SITE COVERAGE OPEN SITE SPACE PARKING	33.53 % (301.56 M²) 44.01 % (440.16 M²) 4 SPACES	8.37 % (75.25 MP)	8.91 % (15.25 H²)	5 37 % (75.25 M²)	8.43 % (75.81 MP)



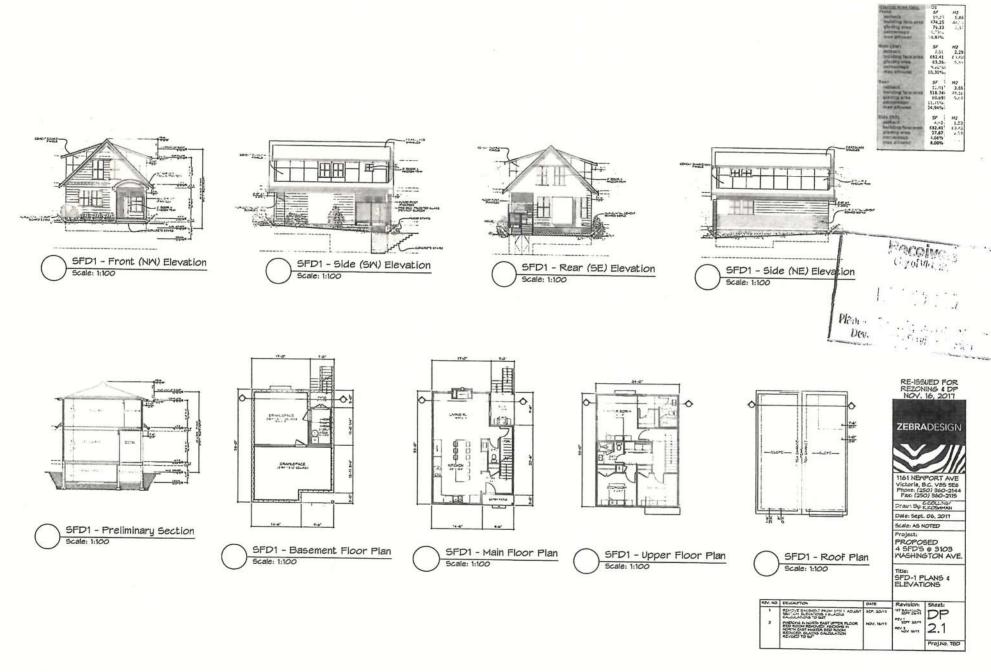


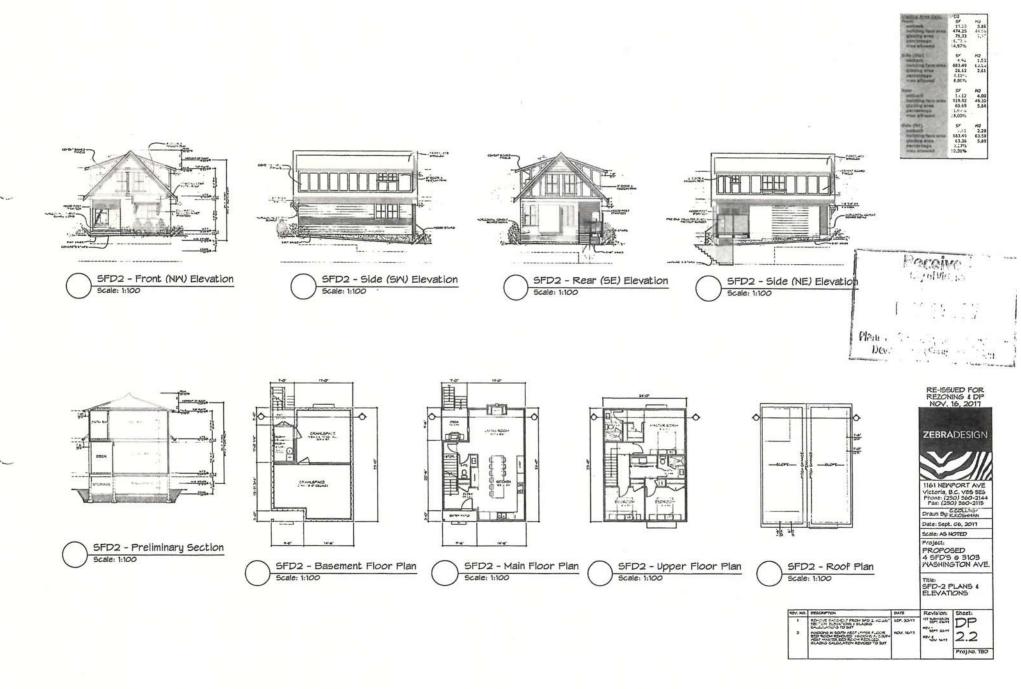


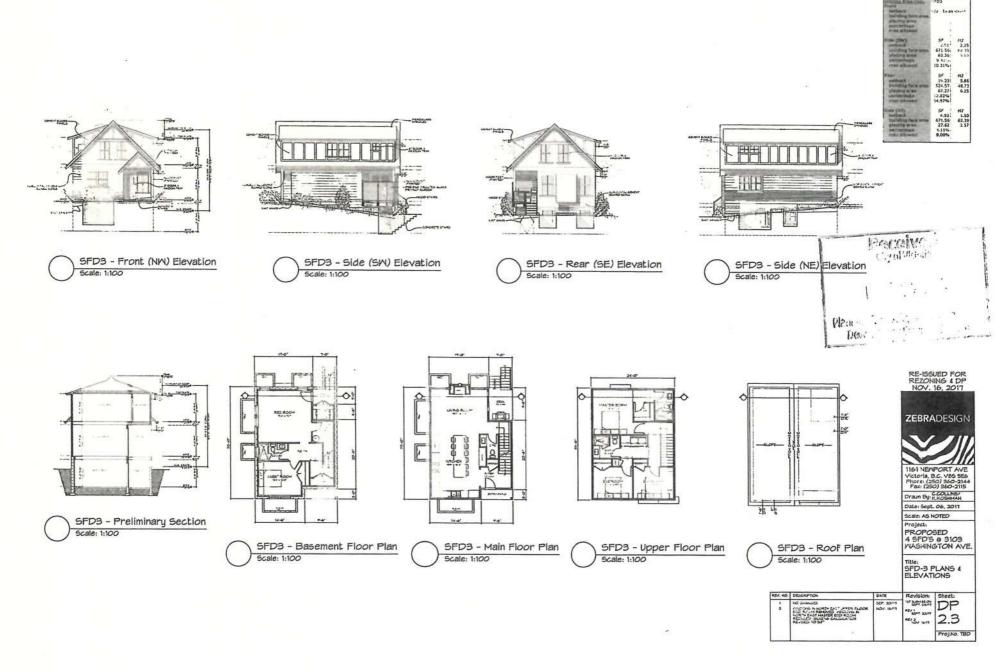


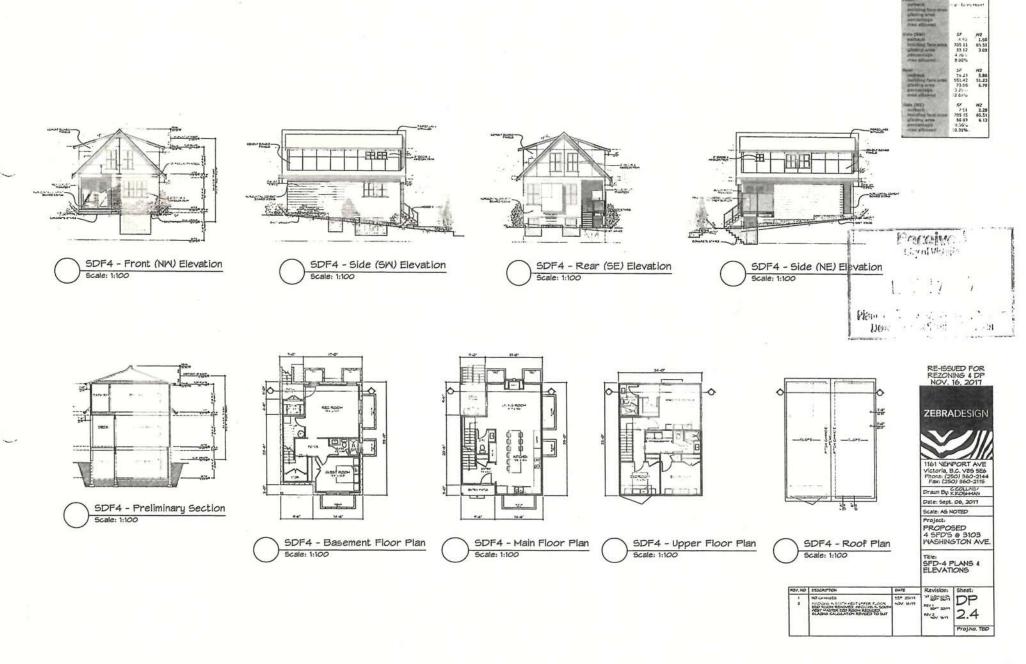


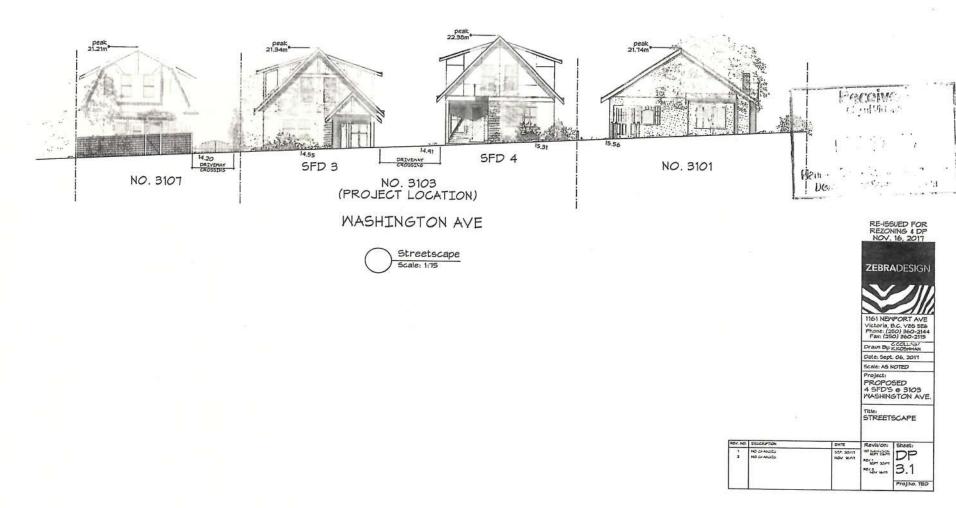




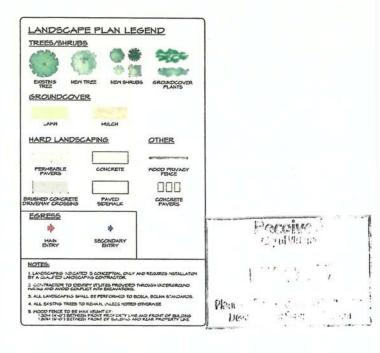


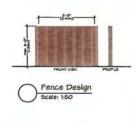












RE-ISSUED FOR REZONING 4 DP NOV. 16, 2017

ZEBRADESIGN

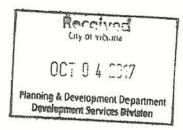
1161 NEWPORT AVE VIctoria, B.C., vido 9164
Piore 1 (2001) 300 2019
Draw By: KCOLLING*
Draw

Landscape Plan Scale: 1:100



September 20, 2017

#1 Centennial Square Victoria, B.C. V8W 1P6



Re: 3103 Washington Avenue, Rezoning application and Development Permit

Dear Mayor Helps and City Victoria Council Members,

We are applying for a site specific rezoning at the above mentioned property. The objective of this proposal is affordable small detached family housing (strata titled) as an alternative to townhouses/row houses and apartment or condominium buildings. The concept was inspired due to the size and specific location of the lot, and in light of the current intense need for housing in Greater Victoria. The project is guided by specific objectives as described in the Burnside Gorge Neighbourhood Plan that support a variety of housing forms in this area, especially ground oriented units.

We are pleased to be putting forward a new concept and note that "creativity in design to meet policy intent is encouraged" in the Burnside Gorge Neighbourhood Plan. Exciting developments are coming for this area and we'd like to contribute some innovative design ideas to the initiatives. Providing diverse housing choices and increasing support for people who walk and bicycle were two of the top ten objectives of the 2015-2016 Community Engagement summary.

At the outset, we began by canvassing nearby neighbours and property owners to determine if they were in favour of such a proposal, and found that they were. We also had conversations with the Area Planner and the Engineering Department of City of Victoria, to introduce the concept and find out if the existing services on the street were viable for a development of this nature, and what Development Services might think of the idea in principle. Similarly we individually contacted City of Victoria Members of Council and the Mayor to see if this was a supportable project in their opinions. We encountered encouraging responses from all these parties as well.

With this information in mind we developed a preliminary proposal for four small detached homes, which we presented on September 11th to the Burnside Gorge Community Land Use Committee; the concept was warmly received by the Burnside Gorge CALUC. On September 18th the proposal was brought to the Burnside Gorge Neighbourhood Association and public at their monthly meeting. Plans and site data have been slightly revised in response to feedback from that neighbourhood meeting, eliminating the proposed basements in two of the homes, mostly due to concerns about parking.

We thought that this location would be perfect for a family-friendly housing approach like this due to its proximity to the Galloping Goose Regional Trail and downtown, making it an ideal home for those interested in vehicle free commuting and recreational use of the trail. Section 12.4 of the Neighbourhood Plan says that a range of appropriate housing in traditional residential neighbourhoods in encouraged, "providing options for households who are seeking housing with access to useable outdoor amenity space", and that the intent of the Land Use Policies is to "support intensification through primarily ground-oriented forms of housing" in the Burnside Gorge residential areas. Section 4.1.1. says, "Housing options attractive to a range of households, including families with children, are encouraged where appropriate".

The existing lot backs onto the Cecilia Ravine Playground, and we have included gate access from the property to the park to facilitate safe and direct access for children and bicycles from the property to the park and trail. We have proposed more than the required outdoor bicycle parking and have also allowed for lockable, weatherproof private individual storage rooms for bicycles. There are plans to improve cycling and pedestrian routes from the Galloping Goose Trail/Cecelia Ravine Park westward across Washington Avenue and through to Balfour Road.

As well as having three bedrooms per house on the upper level, each home will have a very comfortable kitchen and living area plus powder room on the main level, and in the case of Single Family Dwellings (SFDs) 3 and 4, a rec room, bathroom and flex or guest room is included on the lower level, which would allow for changing family needs. Each unit has its own covered private deck at the rear of the unit, and an on grade patio area with privacy screening to separate the yards from the parking area. On the site we are proposing five parking stalls, one for each unit plus one visitor parking space.

The plans are each under 127.1m² (1368 square feet) in area on main and upper levels, and they are 184.51m² (1986 SF) including the basement, in the cases of SFDs 3 and 4. Site coverage is currently 33.53% for all four houses combined on the existing property.

The Floor Area Ratio (0.57 for the project (in comparisor (S2 has a maximum of 0.6 FAR or 190m² exclusing basements, whichever is less).

The houses are small but attractive, designed in a craftsman style; they are differentiated from one another in the elevations in design, materials and colours and fit well into the Neighbourhood context. As well as single family detached houses, the street includes row houses and higher density residential use. CPTED values have been considered in developing the project and sight lines on the site should remain principally clear, with outdoor lighting installed and "neighbourliness" being intrinsically encouraged.

The location is close to amenities such as: major bus routes; local groceries; entertainment; shopping and recreation locations; employment opportunities; schools; medical services; the downtown core. Future plans for the area - including the creation of a small urban village eastward from Cecelia Ravine towards Jutland - would provide additional services and opportunities for residents, and vice versa, with residents contributing social and economic benefit to future commerce and community ventures there.

We would retain all existing boulevard trees and replace any affected trees on site at the ratio indicated by the Parks Department; ground treatment includes a variety of permeable surfaces to aid in water management.

We imagine that a cluster of small houses like this would encourage interaction between the families that live there, and provide an attractive, friendly face next to the public space of the park and the access to the Galloping Goose Trail and Cecelia Ravine. We hope that a development such as this would serve to enhance the streetscape and enrich the social fabric of the area, maintaining the traditional residential character of the vicinity while contributing an appropriately scaled residential development.

Thank you very much for your consideration of this application. Please see enclosed plans for site data and project details.

Sincerely,

Rus Collins

Zebra Design & Interiors Group Inc.



November 16, 2017

#1 Centennial Square Victoria, B.C. V8W 1P6



Site Specific Rezoning and Development Permit: 3103 Washington Avenue detached homes

Dear City of Victoria staff, Mayor Helps and Members of Victoria Council,

Thank you for the application review summary dated October 24, 2017 and for the meeting to discuss the Planning Department's comments on our application.

In the list of conditions to be met prior to Committee of the Whole (COTW), it is stated in the comments from the Development Services Division that staff could support attached townhouses as one form of acceptable housing on this site, and when speaking to Development Services staff on November the 7th, we were told that our proposal is too dense for this location.

We would like to point out that in the Zoning Plan Check sheet that was provided to us, our proposal is being compared to RK townhouse zone.

Since we began designing this project, we have always intended that we want to approach these units as a townhouse type strata and not as a strata subdivision.

Here is how our project compares to the RK Zone requirements:

- RK minimum lot size is 555 M²; we have 899.41 M², 62% greater area than required
- RK allow 1 unit per 185M² which would be almost 5 units on this lot; we propose 4 units
- RK allows a maximum Floor Area Ratio of .6 to 1; we propose .57 to 1
- RK allows a max. site coverage of 33%; we propose 33.53% only 0.53% over the allowable
- RK requires 45% lot area to be landscaped; we propose over that at 47.13%

Other than the setbacks, we believe that the proposal really reflects the main objectives of the townhouse zone and we have worked hard to achieve an optimal layout on the site. With our concept it would be very hard to meet the RK setback requirements due to the homes being

detached. Although our proposal does have one house quite close to the front property line due to the asymmetry of the lot, we observe that there are numerous different setback situations on other properties nearby, including for example 414 Cecilia Road and we feel that ours would not be a very unusual situation in the context of this neighbourhood.

Our proposal, rather like the cottage clusters mentioned as a supportable ground-oriented housing form in Section 12.7 of the Gorge Burnside Neighbourhood Plan, will encourage neighbourliness, while still providing privacy and not overlooking the neighbours.

A further point from the Development Services Division is about driveways and parking. Please consider that if one were to design an attached townhouse project on this property, it would still require a driveway access, similar to the one we are showing. If we were to incorporate carports or garages as would be the norm with townhouses on this property, the width of the drive aisle would be required to be at least 23 feet wide due to the turning radius. We only require 17'-0 ¾" wide parking in this configuration, for two vehicles side by side, resulting in much less paving overall.

We are proposing to add a grass strip down the driveway and in accordance with the suggestion of Development Services staff, to remove the fifth parking stall. This will further increase our green space on site - additional plantings will be implemented - and also allow us to address the requirement for garbage and recycling locations (please refer to the updated site and landscape plans for details).

Regarding suggestions towards the architectural style of our project, we note that each home has a different entry roof, each home has different finishing materials, and each home does have a different but complimentary colour scheme. In addition we have revised the window styles to reflect a different character for each dwelling.

Each of our homes was designed with secure, enclosed bicycle parking, plus there is an additional outdoor bicycle rack. We have included new fencing proposed for the sides and rear lot lines.

Currently our plan shows five trees to be removed (three pines and two deciduous), with five new trees to be planted. In response to Parks Department Comments, we are willing to replace the City boulevard cherry trees at the time of building permit if required, but would prefer to protect and retain the existing mature trees if possible. We will contact the Parks Department to discuss. We're pleased to hear that a gate from the property into the park is supported by staff.

Regarding Underground Utilities comments, we are will be working with a Civil Engineer to generate the sewage attenuation report, but it is not yet available; we will forward that as soon as it is prepared.

Permits and Inspections Division Comments: glazing and unprotected openings calculations have been revised in accordance with changes made to the windows, and the tables containing that information are located in the upper right hand corners of sheets 2.1, 2.2, 2.3 and 2.4.

Fire Department comments: we are considering implementing sprinklers in SFDs #1 and #2.

From the outset of this project, we began talking to the neighbours, the community association and also each and every member of City Council plus the Mayor herself, encountering <u>very</u> strong support. We are suggesting here an alternate solution to the housing need in Victoria (specific to this location), which would provide interesting, affordable, detached housing. This lot provides a very distinctive situation because there are no rear neighbours due to the park at the rear property line. This is a unique opportunity to do something different – let's not miss out on this chance to explore an alternative approach to affordable housing.

Although appropriate in many circumstances, and a solution to many housing challenges, townhouses are not without their drawbacks. In these times of intense pressure for increased housing and urban concentration, this project could provide that sought-after townhouse density with a single family feel. It could offer people an opportunity for the pride of ownership that comes with a detached family home, in a neighbourhood that <u>likes</u> what we are proposing.

In this proposal we provide off street parking space for one car per unit, in a location ideal for bicycling and walking (the Galloping Goose Trail is almost in the back yard). We are not proposing suites, having removed them after feedback from the community meeting. We note that some other nearby homes do not even have street or driveway access at all, and there is also a wide variety of housing types on the street, including a "micro" lot very nearby.

Again we stress that the proposal is well supported and liked by a lot of the neighbours, the greater community and affordable housing advocates. We encourage you to take a fresh look at our revised proposal, and consider that we have a great opportunity here to do something a bit unprecedented in a unique location that deserves special consideration.

Thank you for your time in reviewing the submission.

Sincerely,

Rus Collins

Zebra Design & Interiors Group Inc.

Planting Control of the Control of t



September 25, 2017

Mayor & Council #1 Centennial Square Victoria, BC

Dear Mayor and Council:

CALUC Community Meeting Rezoning Re-Application for 3103 Washington Avenue

On September 18, 2017, the Burnside Gorge Land Use Committee (BGLUC) hosted a CALUC community meeting that was advertised to discuss Zebra Group's proposal to rezone 3103 Washington Avenue from R1-B Residential to site-specific residential zoning.

Rus Collins of Zebra Group presented.

The proposal is for a Strata complex of 4 single family houses. The existing house on the lot is to be demolished. The proposed buildings are 2 storeys, plus possible basements. The homes are 127m2 in size not including the basement. The exterior elevations are of a style designed to fit in with the neighbouring houses.

Comments on design of houses was very favourable.

Concerns were over parking and change from Traditional Residential Zoning

The proposal included 5 parking stalls and ample space for bike storage/ parking at all houses. The comments from adjacent neighbours were in regards to the possibility of the basements being turned into suites, thereby resulting in a lack of parking on the lot. The proposal attempts to address concerns over parking by possibly incorporating an electric car available for use by all tenants.

The proposal incorporates improved landscaping with a permeable paver driveway to maintain natural drainage using grasses in lieu of asphalt.

A poll was taken and divided into alternates: Two houses with suitable basements: Favor – 10 All four without basements: Favor – 18 All with basements: Favor – 5 Opposed completely – 7

Abstained: 1

Burnside Gorge Community Association

The poll results were generally based on the concern for over parking spaces.

Respectfully,

Avery Stetski

Avery Stetski Land Use Committee Chair Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department Rus Collins Zebra Group

4. Rezoning Application No. 00614 for 3103 Washington Avenue

Motion:

It was moved by Councillor Alto, seconded by Councillor Coleman, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00614 for 3103 Washington Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - Section 219 covenant to secure the design and associated landscaping of four proposed single-family dwelling Units, and to ensure the dwelling units are constructed in accordance with the plans approved by Council.

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and

Thornton-Joe

Opposed:

Councillor Young

4. LAND USE MATTERS

4.5 Rezoning Application No. 00614 for 3103 Washington Avenue

Committee received a report dated December 28, 2017, from the Director of Sustainable Planning and Community Development regarding an application to permit the construction of four single-family dwellings.

Motion:

It was moved by Councillor Young, seconded by Councillor Lucas, that Council decline Rezoning Application No. 00614 for the property located at 3103 Washington Street.

Committee discussed:

Support from neighbours for the proposal.

DEFEATED 18/COTW

For:

Councillor Young

Against:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and

Thornton-Joe

Motion:

It was moved by Councillor Isitt, seconded by Councillor Loveday, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00614 for 3103 Washington Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

- a. Preparation of the following documents, executed by the applicant to the satisfaction of City Staff:
 - i. Section 219 covenant to secure the design and associated landscaping of four proposed single-family dwelling Units, and to ensure the dwelling units are constructed in accordance with the plans approved by Council.

Committee discussed:

 The type of housing needed in the City and a desire for an affordability component to be included in the proposal.

CARRIED 18/COTW

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Madoff, and

Thornton-Joe

Against:

Councillor Young

Pamela Martin

From: Steven A. Bjornson July 3, 2018 7:03 PM

To: Public Hearings

Subject: Zoning Regulation Bylaw, Amendment Bylaw (No. 1146) No. 18-031

Hi,

Here is my input on the proposed changes to 3103 Washington Avenue:

I have been a renting resident on Washington street for 6 years.

It is my opinion this rezoning should be granted but with ONE caveat: if the houses are going to be rented, at least one unit should be required to be low income.

While there is an obvious benefit for citizens with the creation of new tax income for the city AND new places for citizens to live, I do not see this rezoning being beneficial to the large number of people who are currently struggling to pay their rent.

Furthermore, if this rezoning is granted, the guarantee of affordable housing as part of the deal should be set as a standard for any new rezoning approval.

We all know access to housing is an issue in this city, maybe small steps like this would help.

Cheers,

Steven A. Bjornson

Pamela Martin

From: Mariah Burton

Sent:July 11, 2018 5:26 PMTo:Public HearingsSubject:3103 Washington ave

I support the idea of 4 single family dwellings, especially if the housing is marginally affordable. We need more housing for families in Victoria. I hope parking is taken into consideration (one spot per family) and I hope there is also some greenspace on the property for the families to enjoy.

-mariah Burton, member of the Washington co-op apartment building.

NO. 18-031

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R1-47 Zone, Washington Cottage Cluster District, and to rezone land known as 3103 Washington Avenue from the R1-B Zone, Single Family Dwelling District to the R1-47 Zone, Washington Cottage Cluster District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1146)".
- Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption PART 1 Detached Dwelling Zones by adding the following words:

"1.142 R1-47, Washington Cottage Cluster District"

- The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 1.141 the provisions contained in Schedule 1 of this Bylaw.
- The land known as 3103 Washington Avenue, legally described as PID 006-423-434, Lot 6, Section 4, Victoria District, Plan 2214 except Plan EPP61125 and shown hatched on the attached map, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the R1-47 Zone, Washington Cottage Cluster District.

READ A FIRST TIME the	28 th	day of	June	2018
READ A SECOND TIME the	28 th	day of	June	2018
Public hearing held on the		day of		2018
READ A THIRD TIME the		day of		2018
ADOPTED on the		day of		2018

CITY CLERK

MAYOR

Schedule 1 PART 1.142 – R1-47 ZONE, WASHINGTON COTTAGE CLUSTER DISTRICT

1.142.1 Definitions

In this Part, "cottage cluster" means four single family dwellings on one lot

1.142.2 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. Uses permitted in the R1-B Zone, Single Family Dwelling District, subject to the regulations set out in Part 2.1 of the Zoning Regulation Bylaw
- b. Cottage Cluster, subject to the regulations contained in this Part

1.142.3 Lot Area	
a. Lot area (minimum)	899m²
b. <u>Lot</u> <u>width</u> (minimum)	22m average <u>lot width</u>
1.142.4 Floor Area	
a. Total floor area, of all buildings combined (maximum)	634m²
1.142.5 Height, Storeys	
a. Building height (maximum)	7.45m
b. <u>Storeys</u> (maximum)	2
c. Roof deck	Not permitted
1.142.6 Setbacks, Projections	
a. Front yard setback (minimum)	2.00m
b. Rear yard setback (minimum)	2.75m
c. Side yard setback from interior lot lines (minimum)	1.50m
d. Separation space between buildings (minimum)	4.50m

Words that are <u>underlined</u> see definitions in Schedule "A" of the Zoning Regulation Bylaw

Schedule 1 PART 1.142 – R1-47 ZONE, WASHINGTON COTTAGE CLUSTER DISTRICT

1.142.7 Site Coverage, Open Site Space, Number of Buildings

a. <u>Site Coverage</u> (maximum) 33.50%

b. Open site space (minimum) 49%

c. Notwithstanding section 19 of the General Regulations, there may be four buildings erected or used on one lot

1.142.8 Vehicle and Bicycle Parking

a. <u>Vehicle parking</u> (minimum) Subject to the regulations in

Schedule "C"

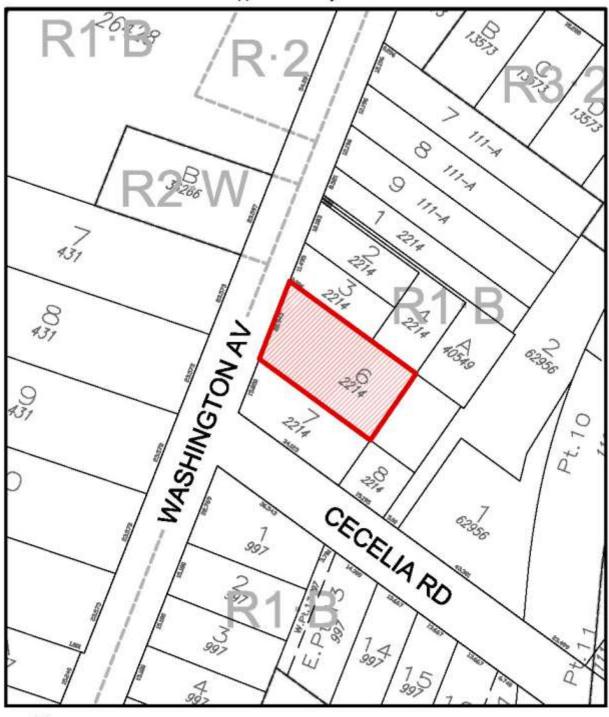
b. Bicycle parking (minimum)

Subject to the regulations in

Schedule "C"

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3103 Washington Avenue Rezoning No.00614



J. BYLAWS

J.1 Bylaw for Rezoning, Development Permit with Variances No. 00582 and Heritage Alteration Permit with Variances Application No. 00007 for 224 Superior Street

Moved By Councillor Lucas Seconded By Councillor Coleman

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Madoff

CARRIED (8 to 1)

Moved By Councillor Lucas Seconded By Councillor Coleman

Development Permit with Variance Application No. 00582

That Council, after giving notice and allowing for an Opportunity for Public Comment and a Public Hearing at a meeting of Council for Rezoning Application No. 00582, consider this updated motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00582 for 224 Superior Street, in accordance with:

- 1. Plans date stamped April 23, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - viii. Reduce the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows.
- That prior to issuance of the Development Permit with Variance, the City receive confirmation of registration of a Statutory Right-of-Way (SRW) of 2.41m on Superior Street, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. The Development Permit lapsing two years from the date of this resolution."

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Madoff

CARRIED (8 to 1)

Moved By Councillor Lucas Seconded By Councillor Coleman

Heritage Alteration Permit with Variances Application No. 00007

That Council, after giving notice and allowing for an Opportunity for Public Comment and a Public Hearing at a meeting of Council for Rezoning Application No. 00582, consider this updated motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage Designated house at 224 Superior Street, in accordance with:

- 1. Plans date stamped April 23, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - ix. Reduce the side yard setback from 3.65m to 1.20m
 - x. Reduce the rear yard setback from 4.0m to 1.36m
 - xi. Allow parking in the front yard
 - xii. Increase the site coverage from 30.0% to 35.09%
- That prior to issuance of the Heritage Alteration Permit with Variances, the City receive confirmation of registration of a Statutory Right-of-Way (SRW) of 2.41m on Superior Street, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

FOR (8): Mayor Helps, Councillor Alto, Councillor Coleman, Councillor Isitt, Councillor Loveday, Councillor Lucas, Councillor Thornton-Joe, and Councillor Young OPPOSED (1): Councillor Madoff

CARRIED (8 to 1)



Council Report For the Meeting of June 28, 2018

To:

Council

Date:

June 14, 2018

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Update Report for Rezoning, Development Permit with Variance No. 00582 and

Heritage Alteration Permit with Variances No. 00007 for 224 Superior Street

RECOMMENDATION

Rezoning Application No. 00582

That Council give first and second reading of Zoning Regulation Bylaw, Amendment Bylaw (No. 1141) No. 18-019 for Rezoning Application No. 00582 for 224 Superior Street.

Development Permit with Variance Application No. 00582

That Council, after giving notice and allowing for an Opportunity for Public Comment and a Public Hearing at a meeting of Council for Rezoning Application No. 00582, consider this updated motion:

"That Council authorize the issuance of Development Permit with Variance Application No. 00582 for 224 Superior Street, in accordance with:

- 1. Plans date stamped April 23, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - i. Reduce the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows.
- That prior to issuance of the Development Permit with Variance, the City receive confirmation of registration of a Statutory Right-of-Way (SRW) of 2.41m on Superior Street, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. The Development Permit lapsing two years from the date of this resolution."

Heritage Alteration Permit with Variances Application No. 00007

That Council, after giving notice and allowing for an Opportunity for Public Comment and a Public Hearing at a meeting of Council for Rezoning Application No. 00582, consider this updated motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances

No. 00007 for the existing Heritage Designated house at 224 Superior Street, in accordance with:

- 1. Plans date stamped April 23, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the side yard setback from 3.65m to 1.20m
 - ii. Reduce the rear yard setback from 4.0m to 1.36m
 - iii. Allow parking in the front yard
 - Increase the site coverage from 30.0% to 35.09%.
- That prior to issuance of the Heritage Alteration Permit with Variances, the City receive confirmation of registration of a Statutory Right-of-Way (SRW) of 2.41m on Superior Street, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to update Council on the Rezoning, Development Permit with Variance and Heritage Alteration Permit with Variances applications for 224 Superior Street. The conditions set by Council on December 14, 2017 have been met. The Statutory Right-of-Way has been executed by the applicant, the Bylaws have been drafted, and the applicant has met with staff to explore alternate parking layouts and have corrected minor plan inconsistencies.

BACKGROUND

The proposal is to subdivide the property at 224 Superior Street, retain the existing Heritage Designated house and rezone the new lot to the R1-S2 Zone, Restricted Small Lot (Two Storey) District. The existing house would be rezoned to a site-specific zone to allow four self-contained units. This application also requires a Development Permit with Variance for the small lot house and a Heritage Alteration Permit with Variances for the existing house.

Parking

At Committee of the Whole on December 14, 2018, Council motioned that Staff explore the parking layout further to help reduce the impact of the front yard parking on the streetscape. Staff looked at alternative parking configurations with the applicant; however, the layout proposed at Committee of the Whole most closely met the *Zoning Regulations Bylaw*, *Highway Access Bylaw* and other bylaws, and retained the existing publicly owned boulevard trees.

Parking is proposed to be in front of the Heritage Designated house in an 'L' shape configuration. This would allow the driveway crossing to be as far from the existing boulevard tree as possible, while also providing space for vehicles to back up. While two vehicles would park directly in front of the house, the location does not obstruct views of the upper levels of the house which have more heritage significance than the lower level. Additionally, there is an existing mature hedge which would help reduce the visibility of the vehicles from the street.

Parking on the east side-yard or rear-yard would be challenging, and was not seen as an ideal option. Locating parking on the east side with parallel parking would impact the mature plum trees on site, and would require more paving and hard surface.

Note: the landscaping on site is not designated heritage, and the trees are not bylaw protected.

Plan Revision

Minor revisions to the plans were required for consistency between the drawings and the detail on the materials proposed. The plans have been revised and are included in the attachments. The motion for Council's consideration has been updated to reflect this.

Statutory Right-of-Way

A Statutory Right-of-Way of 2.41m on Superior Street has been executed; however, at the time of writing this report the agreement has not been registered with the Land Titles Office by the applicant. The motion for Council's consideration has been updated to reflect this.

CONCLUSIONS

As per Council's motion on December 14, 2017, the applicant has explored alternative parking layouts, revised the plans to fix minor inconsistencies, and executed a Statutory Right-of-Way. As the applicant has carried out the recommendations set forth by Council, Staff recommend that the application advance to a Public Hearing for further consideration.

Respectfully submitted,

Chelsea Medd

Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

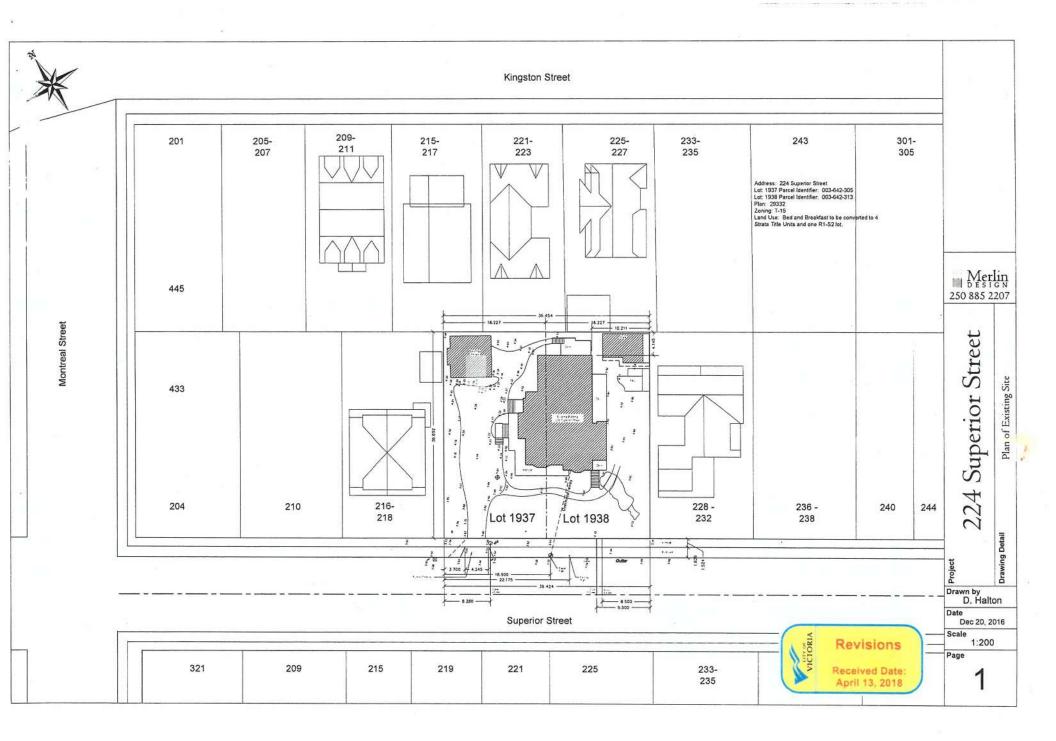
Report accepted and recommended by the City Manager

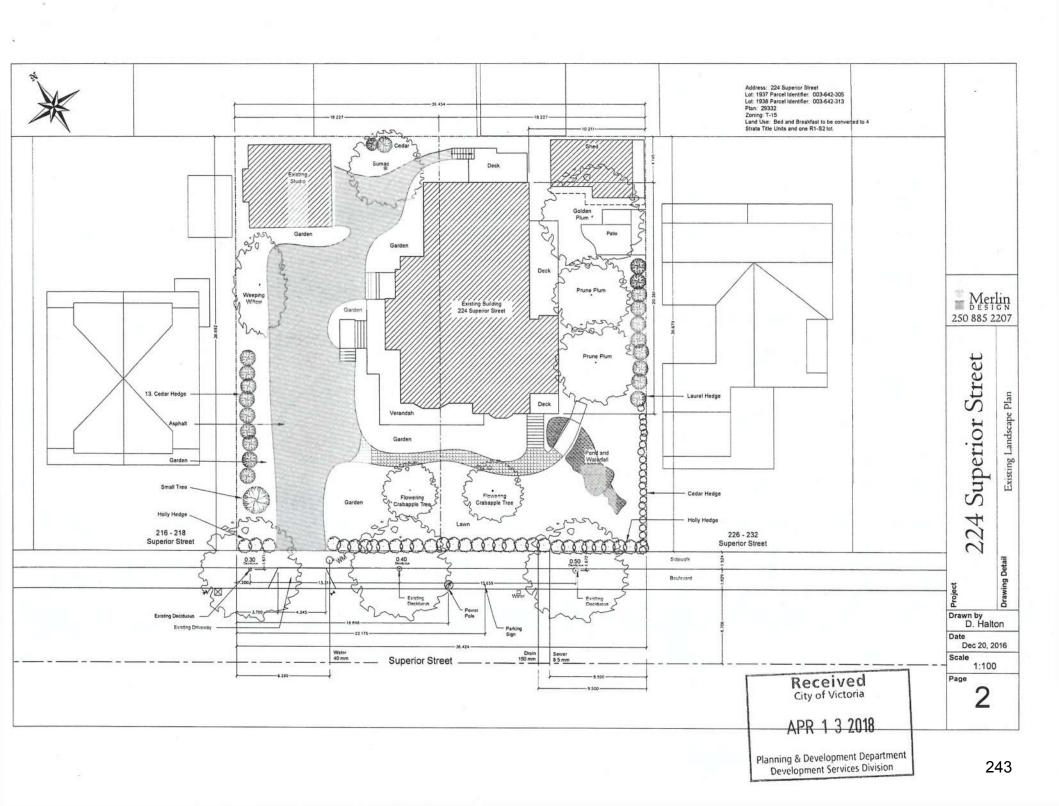
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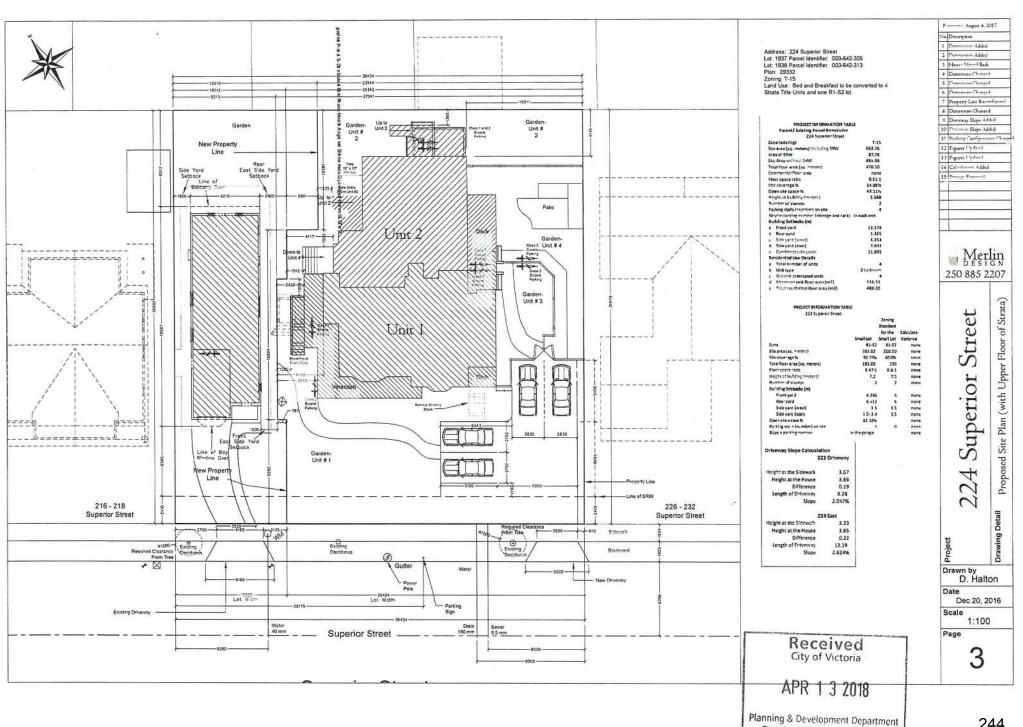
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List of Attachments:

- Attachment A: Revised Plans date stamped April 13, 2018
- Attachment B: Council Motion from December 14, 2017.

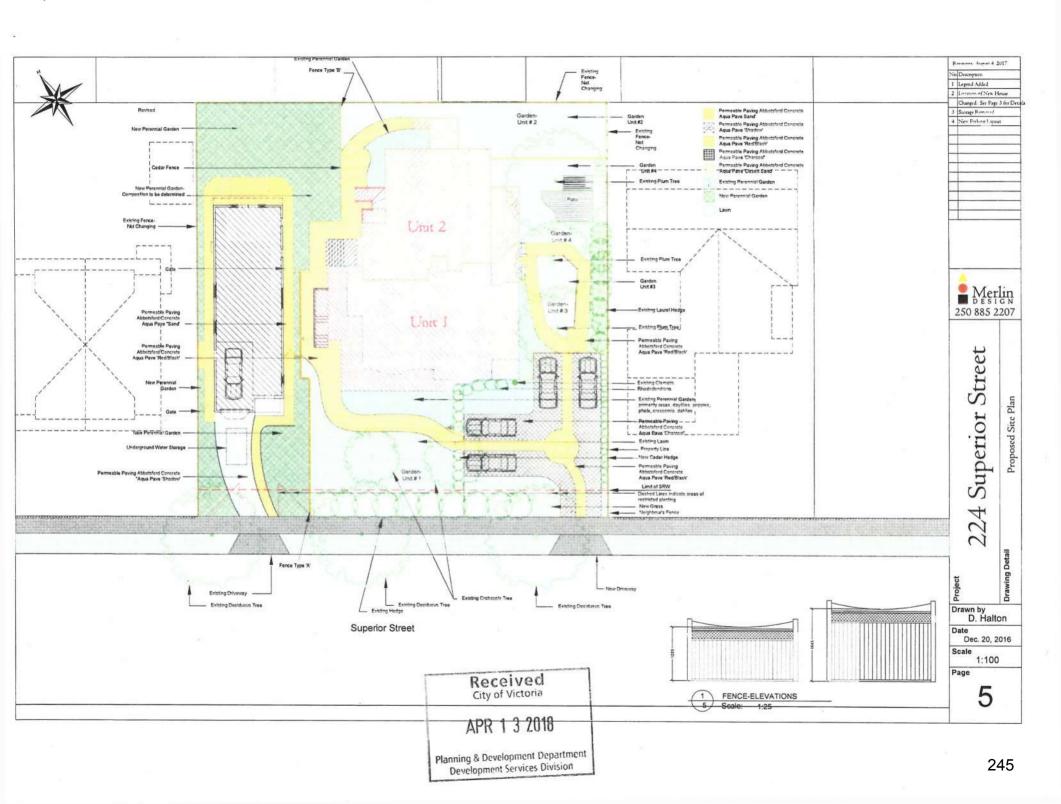




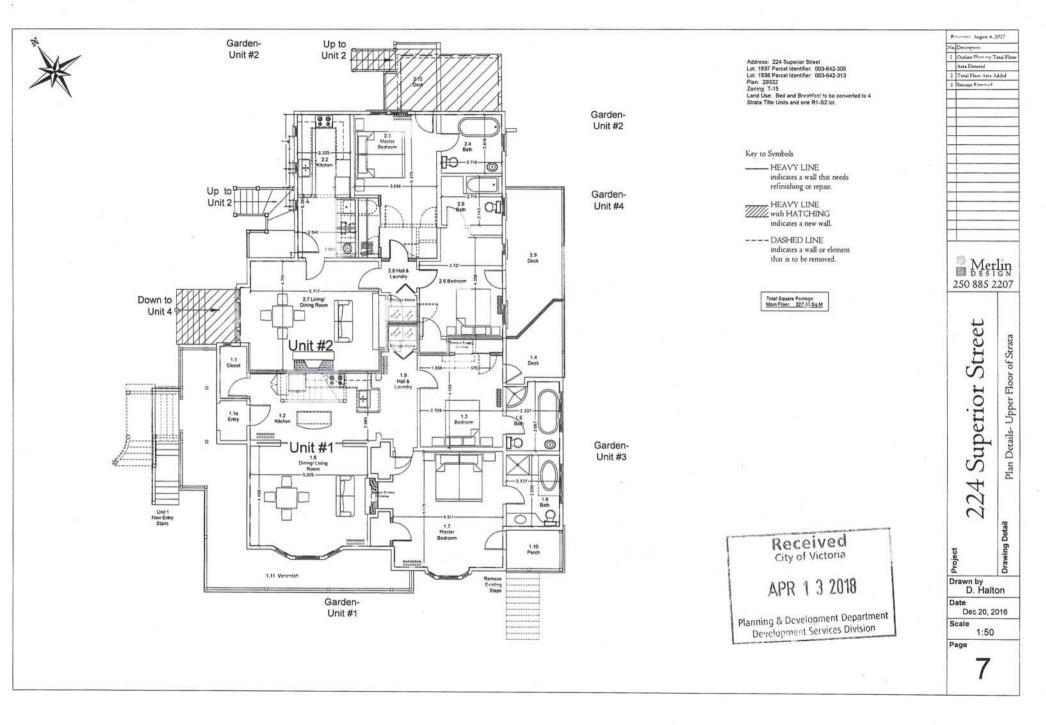


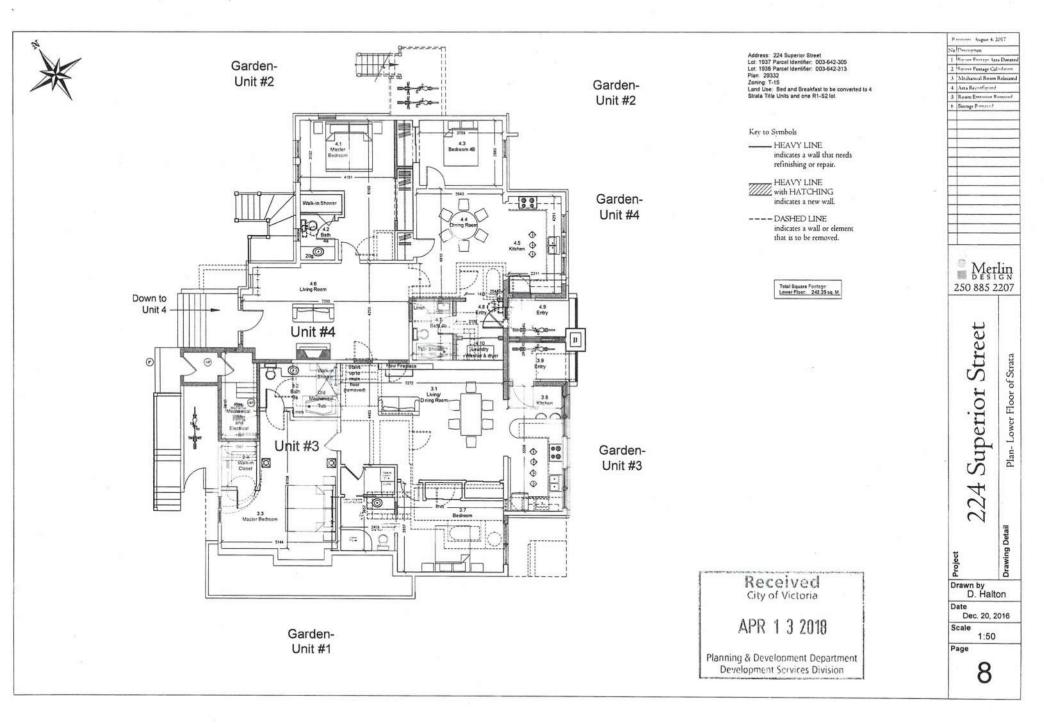
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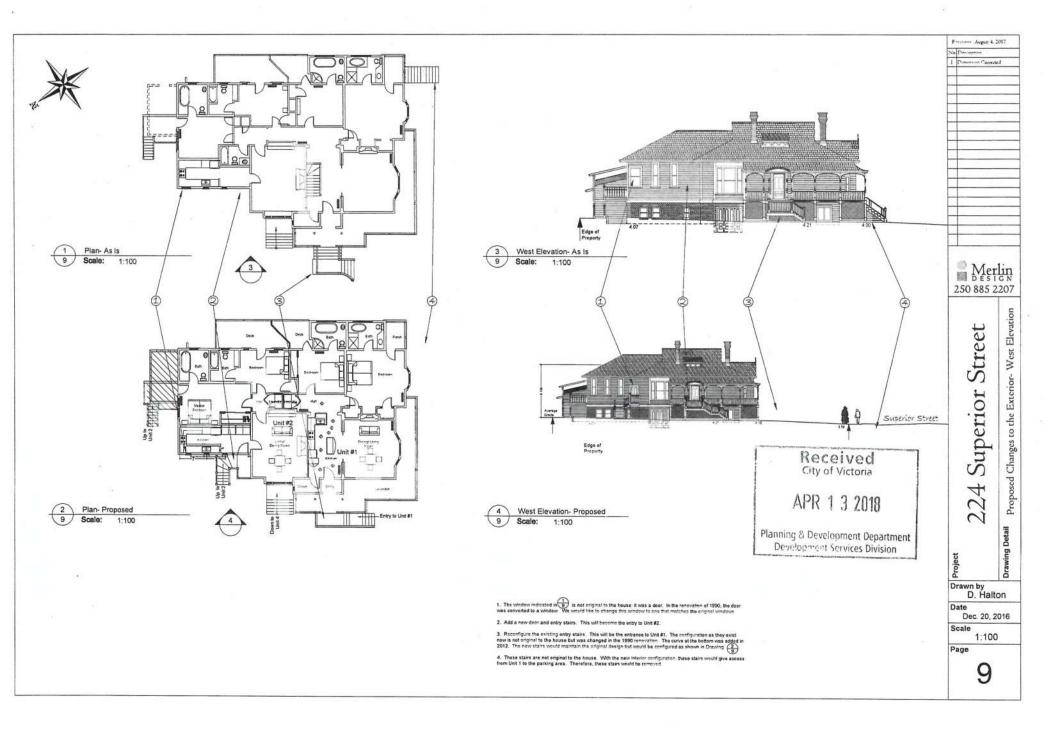
Development Services Division

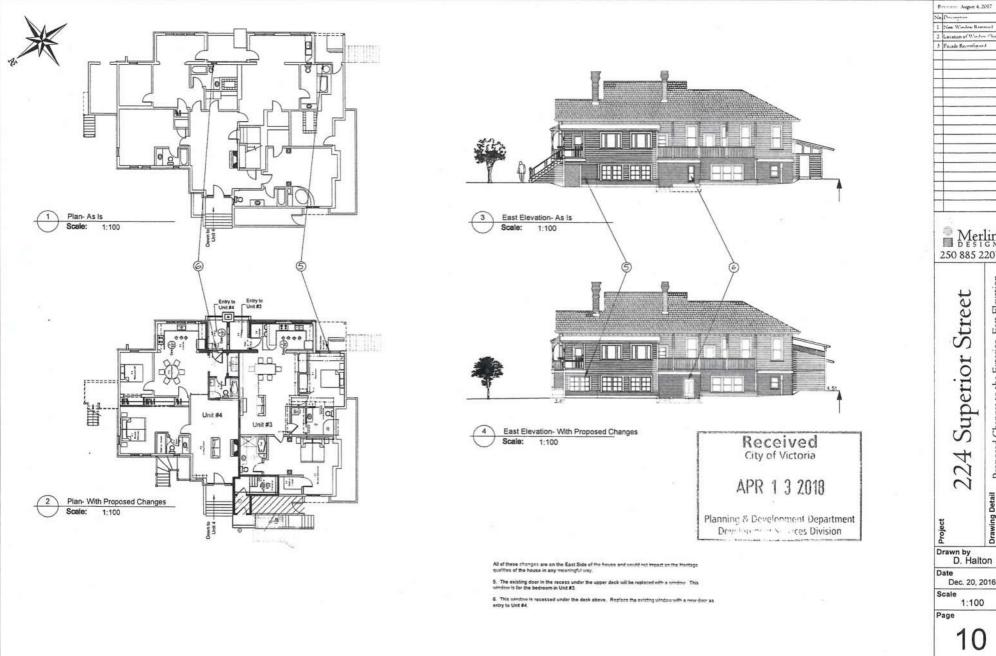




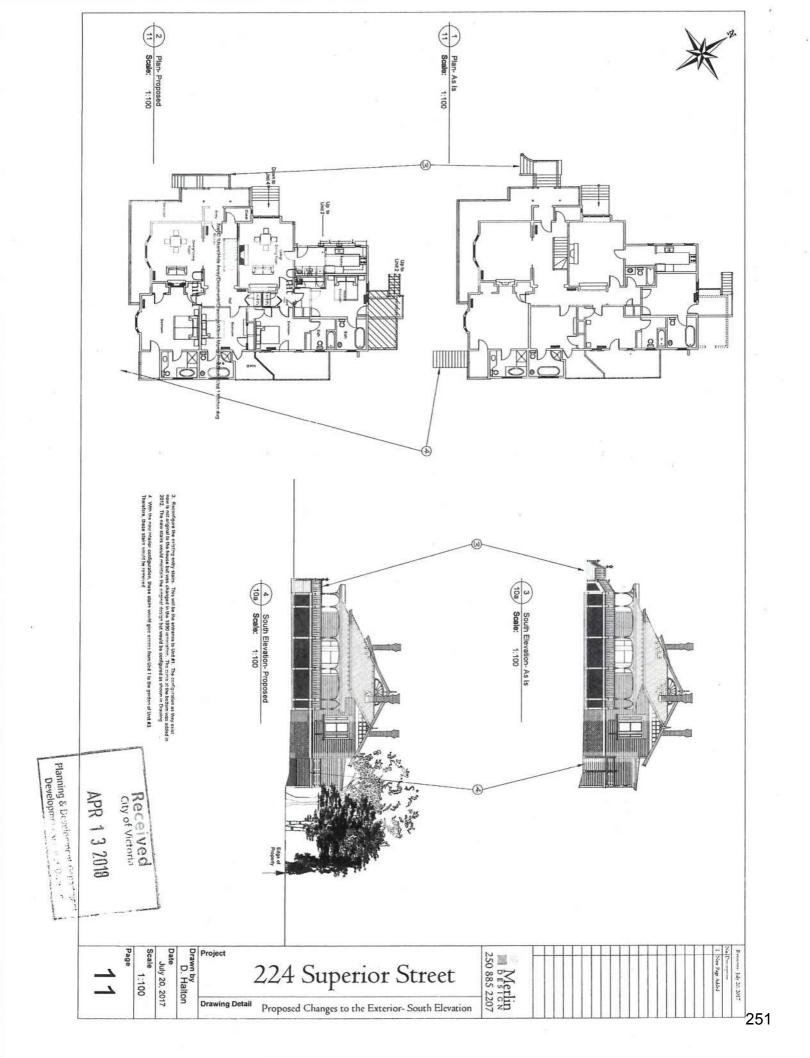


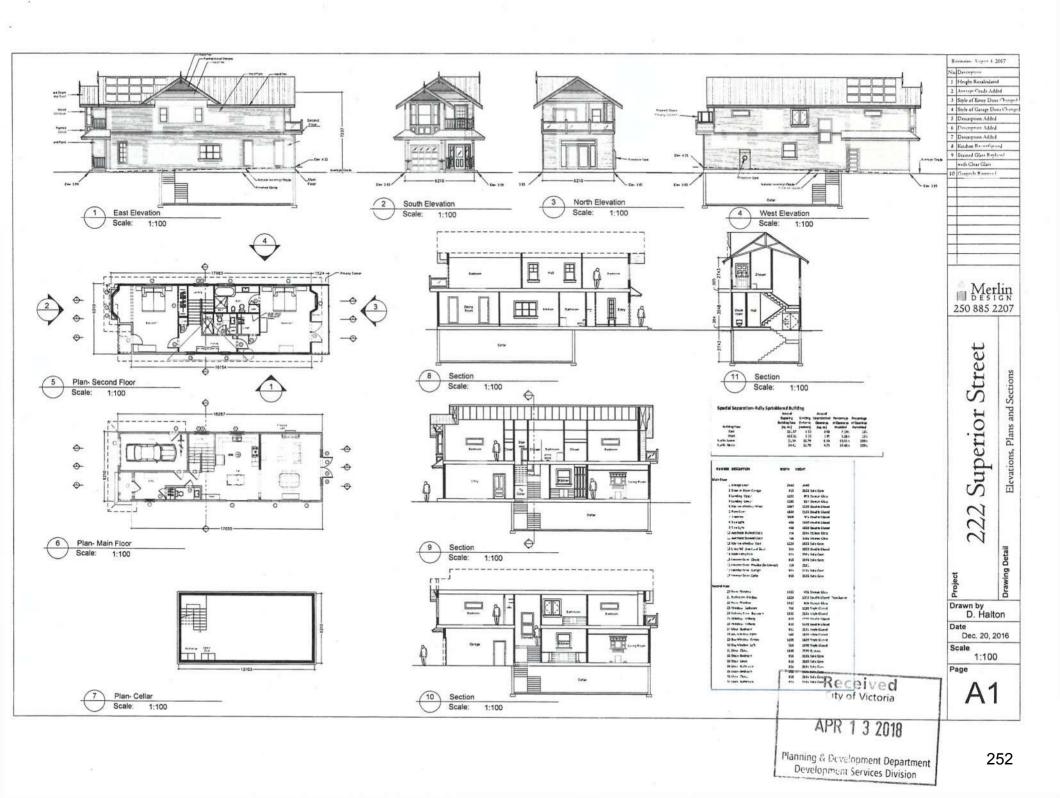






2 Location of Worden Change 3 Facade Reconfigured Merlin 250 885 2207 Superior Street Drawn by D. Halton Dec. 20, 2016 1:100 10





224 Superior Street

Rezoning, Development Permit with Variance and Heritage Alteration Permit with Variances

Council Motion - December 14, 2017:

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

- 1. Plans date stamped November 9, 2017
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - reduce the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows
- The Development Permit lapsing two years from the date of this resolution."

Heritage Alteration Permit Application with Variances No. 00007

That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice, and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

- 1. Plans, date stamped November 9, 2017
- Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. Reduce side yard setback from 3.65m to 1.20m
 - ii. Reduce rear yard setback from 4.0m to 1.36m

- iii. Relaxation to allow parking in the front yard
- iv. Increase the site coverage from 30.0% to 35.09%
- 3. Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

NOTICE OF PUBLIC HEARING

APPLICATION FOR REZONING OF PROPERTY KNOWN AS 224 SUPERIOR STREET

ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1141) - No. 18-019:

The purposes of this Bylaw are to rezone the property with the civic address of 224 Superior Street so that:

- the western portion of the property is rezoned to the R1-S2 Zone, Restricted Small Lot (Two Storey) District, in order to permit the land being used for a small lot house; and
- the eastern portion of the property is rezoned to the R2-56 Zone. Superior Street Conversion District, in order to permit the land being used for a four-unit multiple dwelling.

New Zones:

R1-S2 Zone, Restricted Small Lot (Two Storey) District; and

R2-56 Zone, Superior Street Conversion District

Legal descriptions: Lot 1937, Victoria City; and

Lot 1938, Victoria City

Existing Zone:

T-15 Zone, Superior Street Transient Accommodation District

The Bylaw will also repeal the bylaw (90-81) that created the T-15 Zone, Superior Street Transient Accommodation District.

DEVELOPMENT PERMIT WITH VARIANCE APPLICATION

The Council of the City of Victoria will also consider issuing a Development Permit with a variance for a portion of the land known as 224 Superior Street (in Development Permit Area 15A: Intensive Residential - Small Lot) for the purposes of reducing the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows, and approving the exterior design and finishes for the proposed small lot house, as well as, landscaping.

HERITAGE ALTERATION PERMIT WITH VARIANCES APPLICATION

The Council of the City of Victoria will also consider issuing a Heritage Alteration Permit with variances for the land known as 224 Superior Street, for the purposes of approving the exterior alterations to the existing heritage designated building. Variances on the R2-56 Zone, Superior Street Conversion District, are required as follows:

- Reduce west side yard setback from 3.65m to 1.20m
- Reduce rear yard setback from 4.0m to 1.36m
- Allow parking in the front yard
- Increase the site coverage from 30.0% to 35.09%.

Members of the public interested in this matter will be given an opportunity to be heard by City Council at a Public Hearing to be held in the Council Chamber, City Hall, #1 Centennial Square. Victoria, B.C., V8W 1P6, on Thursday, ______, 2018, at 6:30 p.m.

Correspondence can be submitted for inclusion in the meeting agenda via mail to the address noted above, or by email at: publichearings@victoria.ca. Correspondence should be received by 11:00 a.m. the day before the Council meeting.

Copies of the proposed Bylaw and other relevant documents and information may be inspected at City Hall, #1 Centennial Square, Victoria, B.C. from the date of this Notice to and including the date of the Public Hearing, from 8:00 a.m. to 4:30 p.m., from Monday to Friday both inclusive, excluding public holidays.

Please note that all correspondence submitted to the City of Victoria in response to this Notice will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.



NO. 18-019

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by:

- Creating the R2-56 Zone, Superior Street Conversion District;
- Rezone a portion of the land known as 224 Superior Street from the T-15 Zone, Superior Street Accommodation District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District;
- Rezone a portion of the land known as 224 Superior Street from the T-15 Zone, Superior Street Accommodation District, to the R2-56 Zone, Superior Street Conversion District;
- Repeal Bylaw 90-81 creating the T-15 Zone, Superior Street Transient Accommodation District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

Title

 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1141)".

Rezoning

- Bylaw No. 80-109, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption <u>PART 2 – Attached Dwelling Zones</u> by adding the following words:
 - "2.147

R2-56 Superior Street Conversion District"

- 3. The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 2.146 the provisions contained in Schedule 1 of this Bylaw.
- 4. The land known as 224 Superior Street, legally described as Lot 1937, Victoria City, and Lot 1938, Victoria City and shown hatched on the attached map, is removed from the T-15 Zone, Superior Street Accommodation District, and:
 - (a) that portion of the lot marked "R2-56" on the attached map is placed in the R2-56, Superior Street Conversion District; and
 - (b) that portion of the lot marked "R1-S2" on the attached map is placed in the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

Repeal

- 5. Bylaw No. 90-81, the Zoning Regulation Bylaw, Amendment Bylaw (No. 293) is repealed.
- 6. Bylaw No. 80-109, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption <u>PART 5 – Transient Accommodation Zones</u> by deleting the following words:

2

READ A FIRST TIME the	day of	2018	
READ A SECOND TIME the	day of	2018	
Public hearing held on the	day of	2018	
READ A THIRD TIME the	day of	2018	
ADOPTED on the	day of	2018	

CITY CLERK

MAYOR

Schedule 1 PART 2.147 – R2-56 ZONE, SUPERIOR STREET CONVERSION DISTRICT

2.147.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. Uses permitted in the R-2 Zone, Two Family Dwelling District, subject to the regulations set out in Part 2.1 of the Zoning Regulation Bylaw
- b. <u>Multiple dwelling</u> created through a <u>house conversion</u> of a <u>building</u> constructed prior to 1900, with no more than four <u>self-contained dwelling units</u>
- c. Home occupation subject to the regulations in Schedule "D"

2 147	.2 Lot Area			
	Lot area (minimum)	945m²		
2.147	3 Floor Space Ratio			
a.	Floor space ratio (maximum)	0.5:1		
2.147	4 Height, Storeys			
a.	Principal <u>building</u> <u>height</u> (maximum)	7.6m		
b.	Storeys (maximum)	2		
2.147.	5 Setbacks, Projections			
a.	Front yard setback (minimum) Except for the following maximum projections into the setback:	11m e		
	Steps less than 1.7m in <u>height</u>	2.5m		
	 porch 	2.5m		
b.	Rear yard setback (minimum)	4.0m		
C.	Side yard setback - west (minimum)	3.65m		

2.147.6 Site Coverage, Open Site Space

d. Side yard setback - east (minimum)

a. Site Coverage (maximum)

30%

3.00m

Schedule 1 PART 2.147 – R2-56 ZONE, SUPERIOR STREET CONVERSION DISTRICT

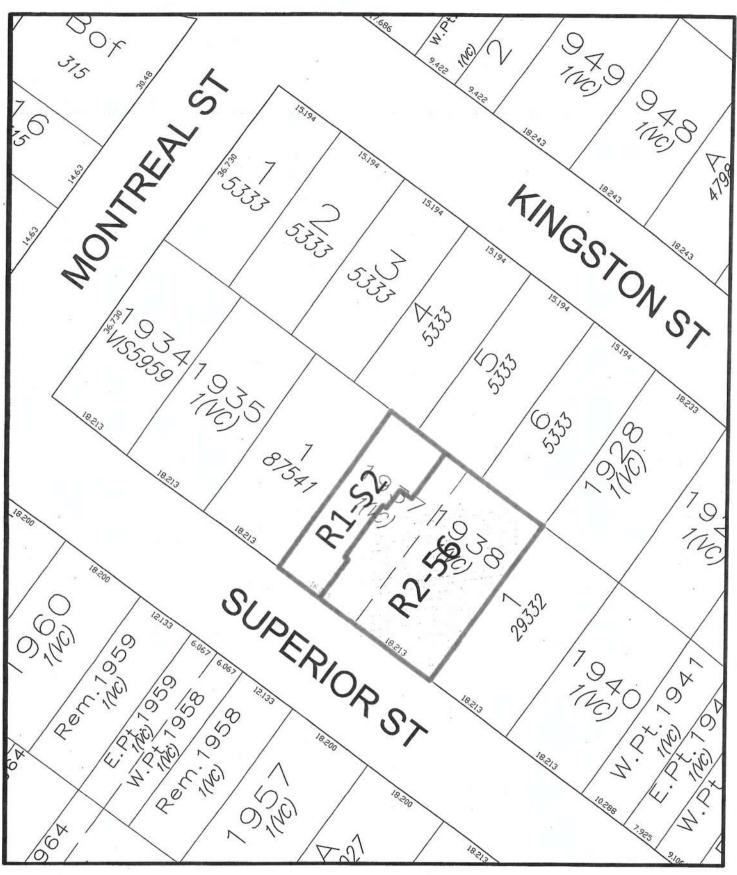
2.147.7 Vehicle and Bicycle Parking

a. Vehicle and bicycle parking (minimum)

Subject to the regulations in Schedule "C" except as otherwise specified by regulations in this Part

b. Multiple dwelling (vehicle parking - minimum)

1 per unit





224 Superior Street Rezoning No.00582



REPORTS OF COMMITTEES

2. Committee of the Whole - December 14, 2017

13. Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Motion

It was moved by Councillor Loveday, seconded by Councillor Lucas:

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

- 1. Plans date stamped November 9, 2017
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - reduce the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows
- 3. The Development Permit lapsing two years from the date of this resolution."

Heritage Alteration Permit Application with Variances No. 00007

That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice, and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

Plans, date stamped November 9, 2017

- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. Reduce side yard setback from 3.65m to 1,20m
 - b. Reduce rear yard setback from 4.0m to 1.36m
 - c. Relaxation to allow parking in the front yard
 - d. Increase the site coverage from 30.0% to 35.09%
- 3. Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

Carried

For: Opposed: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-Joe, and Young Councillor Madoff

5. LAND USE MATTERS

5.7 Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Committee received reports dated November 30, 2017, from the Director of Sustainable Planning and Community Development regarding an application to subdivide the subject lot to create one small lot, while maintaining the existing heritage designated house and converting it into four strata units.

Motion:

It was moved by Councillor Lucas, seconded by Councillor Coleman:

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

- 1. Plans date stamped November 9, 2017
- 2. Development meeting all Zoning Regulation Bylaw requirements
- The Development Permit lapsing two years from the date of this resolution."
 Heritage Alteration Permit Application with Variances No. 00007
 That subject to the correction of minor plan inconsistencies and the applicant.

That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice, and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

- 1. Plans, date stamped November 9, 2017
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Reduce side yard setback from 3.65m to 1.20m
 - b. Reduce rear yard setback from 4.0m to 1.36m
 - c. Relaxation to allow parking in the front yard
 - d. Increase the site coverage from 30.0% to 35.09%
- Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

Motion:

It was moved by Mayor Helps, seconded by Councillor Madoff, that the

meeting be extended to 4:00 p.m.

CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

 The architecture, siting of the R1S2 house, and the heritage significance of the building.

CARRIED 17/COTW

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-

Joe, and Young

Against:

Councillor Madoff



Committee of the Whole Report For the Meeting of December 14, 2017

To:

Committee of the Whole

Date:

November 30, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Rezoning Application No. 00582 for 224 Superior Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

LEGISLATIVE AUTHORITY

In accordance with Section 479 of the *Local Government Act*, Council may regulate within a zone the use of land, buildings and other structures, the density of the use of the land, building and other structures, the siting, size and dimensions of buildings and other structures; as well as, the uses that are permitted on the land and the location of uses on the land and within buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Rezoning Application for the property located at 224 Superior Street. The proposal is to subdivide the subject property, amend the current T-15 Zone, Superior Street Accommodation District for the heritage designated house to reflect the change in use from an eight room bed and breakfast to four self-contained strata units, and to rezone the subdivided portion of the property to the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential Urban Place Designation and objectives for sensitive infill development in the Official Community Plan, 2012 and multiunit buildings on secondary arterial streets
- the proposal is consistent with the policies and design guidelines specified in the Small Lot House Rezoning Policy, 2002
- current use of the property is a bed and breakfast; the proposal is to convert the house to four residential strata units creating a form of ground-oriented residential housing.

BACKGROUND

Description of Proposal

This Rezoning Application proposes to subdivide the subject lot to create one small lot, while maintaining the existing heritage designated house and converting it into four strata units. Variances for the existing house would be required to facilitate this development and will be discussed in the concurrent Heritage Alteration Permit with Variances Application. There is also a Development Permit Application associated with the small lot house and it will discuss alignment with the Design Guidelines for Small Lot Houses.

Affordable Housing Impacts

The proposal would add one new single-family dwelling and would convert an existing bed and breakfast into four strata units, therefore increasing the overall supply of residential units in the area.

Sustainability Features

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

Active Transportation Impacts

The applicant is proposing to provide one Class 1 bicycle parking space on the small lot; and five Class 1 (long term) and three Class 2 (short term) bicycle parking spaces on the heritage house lot.

Public Realm Improvements

No public realm improvements are proposed in association with this Rezoning Application.

Land Use Context

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

Existing Site Development and Development Potential

The site is presently a single-family dwelling that is operated as an eight bedroom bed & breakfast. The house is heritage designated.

Under the current T-15 Zone, Superior Street Accommodation District, the property could be developed as a single-family dwelling with secondary suite or garden suite, duplex, or transient accommodation.

Data Table

The following data table compares the proposed changes to the existing house with the existing T-15 Zone, Superior Street Accommodation District; the R1-B Zone, Single Family Dwelling District; and the House Conversion Regulations. It also compares the proposed small lot house with the standard R1-S2 Zone, Restricted Small Lot (Two Storey) District. An asterisk is used to identify where the proposal is less stringent than the existing zone, and two asterisks are used to identify legal non-conformities.

Zoning Criteria	Proposal (existing house)	Zone Standard (T-15)	Zone Standard (R1-B)	Proposal (small lot house)	Proposed Zone Standard (R1-S2)
Site area (m²) - minimum	953.76*	1330.00	460.00	383.02	260.00
Lot width (m) - minimum	27.22*	35.00	15.00	12.91	10.00
Density (Floor Space Ratio) - maximum	0.49	n/a	n/a	0.53	0.6
1 st & 2 nd storey floor area (m²) - maximum	470.10**	n/a	420.00	n/a	n/a
Combined floor area (m²) - maximum	470.10**	n/a	420.00	182.69	190.00
Height (m) - maximum	7.60**	7.50	7.60	7.24	7.50
Storeys - maximum	2	2	2	2	2
Site coverage % - maximum	35.09*	30.00	40.00	30.25	40.00
Setbacks (m) – minimum:	2				
Front (SW)	11.19	7.50	7.50	8.71	6.00
Rear (NE)	1.36* (stairs)	4.00	4.00	10.18	6.00
Side (NW)	1.2* (stairs)	3.65	2.72	1.50	1.50
Side (SE)	7.65	3.00	3.00	1.50 (non- habitable) 2.40 (habitable)	1.50 (non- habitable) 2.40 (habitable)
Combined side yards	8.83	4.50	4.50	n/a	n/a
Parking – minimum	4	9 (transient accommodation)	3 (house conversion)	1	1
Parking – location	Front yard*	Rear or side yard	Rear or side yard	Internal	Rear or side yard
Bicycle parking stalls (minimum)	5 (Class 1) 3 (Class 2)	n/a	n/a	1 (Class 1) 0 (Class 2)	n/a
Schedule G - Hous	se Conversion	Regulations			
	Proposal (existing house)	Schedule G			
Required floor area (m²) - minimum	470.10	345.00			
Minimum unit area (m²) - minimum	116.12	33.00			

Relevant History

The background related to the existing heritage house will be discussed in the accompanying Heritage Alteration with Variances report.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the James Bay CALUC at a Community Meeting held on March 8, 2017. Letters dated March 13, 2017 and November 10, 2017 are attached to this report.

In accordance with the City's *Small Lot House Rezoning Policy*, the applicant has polled the immediate neighbours and reports that 90% support the application. Under this policy, "satisfactory support" is considered to be support in writing for the project by 75% of the neighbours. The required Small Lot House Rezoning Petitions, Summary and illustrative map provided by the applicant are attached to this report.

ANALYSIS

Official Community Plan

The Official Community Plan (OCP) Urban Place Designation for the subject properties is Traditional Residential. In accordance with the OCP, small lots are subject to DPA 15A: Intensive Residential – Small Lot. Additionally, the OCP encourages that new buildings and features be developed with a sense of place through sensitive responses to the existing heritage buildings, and retention and enhancement of heritage designated properties. The proposal is consistent with the objectives of the OCP to support sensitive infill in Traditional Residential neighbourhoods.

Neighbourhood Plan

The James Bay Neighbourhood Plan encourages conservation and rehabilitation of heritage buildings which contribute to the neighbourhood character, and promotes the continued economic life of heritage structures through land use controls such as density. The change of use would meet this goal by extending the life and renovating the existing heritage designated house.

In addition, the *Neighbourhood Plan* supports infill development, such as small lot single-family houses on large properties, provided there is visual harmony of form and scale between the new buildings and the adjacent units. The proposed small lot provides a sensitive transition between the adjacent duplex and the existing home.

Small Lot House Rezoning Policy

The Small Lot House Rezoning Policy encourages sensitive infill development with an emphasis on ground-oriented housing that fits with the existing character of a neighbourhood. The proposed small lot exceeds the minimum lot size and lot width requirements of the Policy. Additionally, the Policy does not support demolition of the existing house to facilitate development of small lots. The proposal would reconfigure the heritage designated house to self contained units, and would only slightly alter the existing building's side façade to facilitate the development of a small lot house.

Tree Preservation Bylaw and Urban Forest Master Plan

Three large publicly owned trees will be impacted. The proposed driveways will be located as far away as possible from the boulevard trees. The Project Arborist will work with applicant and the City of Victoria Parks to retain the trees. An Arborist Report has been provided detailing mitigation and tree protection measures.

There are no bylaw protected trees on the property. A weeping willow on the north side of the property will be removed and three plum trees on the east side of the existing house are proposed for retention.

Regulatory Considerations

Changes to the current T-15 Zone, Superior Street Accommodation District, would be required to facilitate this proposal, including a reduction in the minimum site area, decrease in minimum lot width, and removing "transient accommodation" as a permitted use. Variances related to parking in the front yard, increasing site coverage, and reducing the side and rear yard setbacks are discussed in the Heritage Alteration with Variance Application. These variances are considered supportable. There are no variances required for the small lot.

Minimum Site Area & Minimum Lot Width

With this subdivision to create a small lot, the current T-15 Zone, Superior Street Accommodation District, would need to be amended. There would be a reduction in the required minimum site area and minimum lot width. This is supportable given the heritage house is being retained and a small lot house is being created.

Transient Accommodation

The current use is a bed and breakfast, which is considered transient accommodation. The proposed use is a four-unit strata conversion. To better reflect this proposed use, the amended zone would remove "transient accommodation" as a permitted use.

Statutory Right-of-Way

Superior Street has been identified as a Shared Greenway and a proposed bikeway in the Official Community Plan. The applicant is willing to grant the City a Statutory Right-of-Way (SRW) of 2.41m on Superior Street for future upgrades to the sidewalk and boulevard.

CONCLUSIONS

This proposal to rezone the subject property to create a small lot, and allow for a four-unit strata conversion is generally consistent with the *Official Community Plan* and *Small Lot Rezoning Policy*. As such, staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Application No. 00582 for the property located at 224 Superior Street.

Respectfully submitted,

Chelsea Medd

Planner

Development Services Division

Jonathan Tinney Director Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped November 9, 2017
- Attachment D: Letter and Package from applicant to Mayor and Council dated November 9, 2017
- Attachment E: James Bay Community Association Land Use Committee Comments dated March 13, 2017 and November 10, 2017
- Attachment F: Small Lot House Rezoning Petition
- Attachment G: Parking Variance Petition
- Attachment H: Arborist Report dated August 18, 2017
- Attachment I: Correspondence (letters received from residents).

REPORTS OF COMMITTEES

Committee of the Whole – December 14, 2017

13. Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas:

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

- 1. Plans date stamped November 9, 2017
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
 - reduce the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows
- 3. The Development Permit lapsing two years from the date of this resolution."

Heritage Alteration Permit Application with Variances No. 00007

That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice, and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

- 1. Plans, date stamped November 9, 2017
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - a. Reduce side yard setback from 3.65m to 1,20m
 - b. Reduce rear yard setback from 4.0m to 1.36m
 - c. Relaxation to allow parking in the front yard
 - d. Increase the site coverage from 30.0% to 35.09%
- 3. Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

Carried

For: Opposed: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-Joe, and Young Councillor Madoff

5. LAND USE MATTERS

5.7 Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Committee received reports dated November 30, 2017, from the Director of Sustainable Planning and Community Development regarding an application to subdivide the subject lot to create one small lot, while maintaining the existing heritage designated house and converting it into four strata units.

Motion:

It was moved by Councillor Lucas, seconded by Councillor Coleman: Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion: "That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

- 1. Plans date stamped November 9, 2017
- 2. Development meeting all Zoning Regulation Bylaw requirements
- 3. The Development Permit lapsing two years from the date of this resolution."

 Heritage Alteration Permit Application with Variances No. 00007

 That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and

streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice, and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

- 1. Plans, date stamped November 9, 2017
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - a. Reduce side yard setback from 3.65m to 1.20m
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 - c. Relaxation to allow parking in the front yard
 - d. Increase the site coverage from 30.0% to 35.09%
- Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

Motion:

It was moved by Mayor Helps, seconded by Councillor Madoff, that the meeting be extended to 4:00 p.m.

CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

 The architecture, siting of the R1S2 house, and the heritage significance of the building.

CARRIED 17/COTW

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-

Joe, and Young

Against:

Councillor Madoff



Committee of the Whole Report

For the Meeting of December 14, 2017

To:

Committee of the Whole

Date:

November 30, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Development Permit Application No. 00582 for 224 Superior Street

RECOMMENDATION

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

- 1. Plans date stamped November 9, 2017
- 2. Development meeting all Zoning Regulation Bylaw requirements
- 3. The Development Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Section 489 of the *Local Government Act*, Council may issue a Development Permit in accordance with the applicable guidelines specified in the *Community Plan*. A Development Permit may vary or supplement the *Zoning Regulation Bylaw* but may not vary the use or density of the land from that specified in the Bylaw.

Pursuant to Section 491 of the *Local Government Act*, where the purpose of the designation is the establishment of objectives for the form and character of intensive residential development, a Development Permit may include requirements respecting the character of the development including landscaping, and the siting, form, exterior design and finish of buildings and other structures.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information, analysis and recommendations for a Development Permit Application for a proposed small lot house for the property located at 224 Superior Street. The proposal is to subdivide and create one small lot, while retaining the existing house on another lot. The existing house is heritage designated; variances to facilitate this development will be discussed in the concurrent Heritage Alteration Permit with Variances application.

The following points were considered in assessing this application:

- the proposal is consistent with the Traditional Residential Urban Place Designation and objectives in the Official Community Plan 2012 (OCP), including supporting sensitive infill development, renewal of existing housing stock, and maintaining a diversity of housing types
- the proposal is consistent with the policies and design guidelines specified in the Small Lot House Rezoning Policy, 2002, and the applicant would be retaining the existing heritage designated house
- there are no variances associated with the proposed small lot house.

BACKGROUND

Description of Proposal

The proposal is to subdivide the subject property and create one small lot while retaining the existing house on another lot. Changes to the existing house are further detailed in the concurrent Heritage Alteration Permit with Variances application.

The details for the proposed small lot house include:

- two-storey building
- design elements that are sensitive to the neighbourhood character and the adjacent heritage designated house
- roof pitch and gables are similar to neighbouring properties
- inclusion of traditional design elements such as gables, wood, and stained glass
- front porch and veranda emphasize the entrance
- landscaping includes perennial garden and permeable paving.

ANALYSIS

Official Community Plan and Design Guidelines

The Official Community Plan (OCP) identifies this property within Development Permit Area 15A: Intensive Residential - Small Lot. The proposed design of the new small lot house is generally consistent with the Small Lot House Design Guidelines.

The proposed small lot house has been sited in a sensitive manner in relation to the adjacent heritage house and duplex. Rather than meeting the minimum front yard setback of 6 metres, it is sited 8.71 metres from the property line, which is approximately mid-point between the duplex to the west and the existing heritage house to the east.

There is a varying lot line between the proposed small lot house and the heritage house to increase the lot area of the small lot and to meet the setback for habitable windows. New and existing fences border the small lot on all sides except the front.

Windows on the side elevations of the small lot house that are considered habitable windows have been designed with stained glass or are piano windows, which helps to mitigate potential privacy concerns. The kitchen window of the proposed house faces the adjacent duplex's living/dining room window. This has been identified by Staff as a potential privacy concern; however, the applicant believes this window will not affect the neighbour as the existing fence is six feet in height and would partially block the direct view.

The materials proposed are reminiscent of the neighbourhood character while using modern materials including Hardie Plank lap siding, Hardie Shingles, and natural wood features. The colour palette was chosen to complement the Heritage-Designated house.

The front entrance has been accentuated with a detailed door design, sidelight windows, and covered porch area. Additionally, there is a small deck above the front entry that also helps to animate this part of the building.

The applicant has proposed a mix of hard and soft landscaping in the front and rear yard. Mature landscaping on the boulevard is being retained, and the driveway has been designed to reduce the impact on the boulevard trees along the street frontage of the proposed small lot. Various permeable paving materials will be used for the walkways and driveway.

A shadow study was completed with focus on the duplex at 218 Superior Street. The shadow study found the new house would have shading impacts on the neighbour; the applicant has tried to reduce these impacts by not including a dormer on the west side of the building and by using a pitched roof.

CONCLUSIONS

The proposal to construct a new small lot house is consistent with Development Permit Area 15A: Intensive Residential – Small Lot. The small lot house is a form of infill development that is sensitive to the character of the neighbourhood including the existing heritage house. Staff recommend that Council consider supporting this application.

ALTERNATE MOTION

That Council decline Development Permit Application No. 00582 for the property located at 224 Superior Street.

Respectfully submitted,

Chelsea Medd

Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager

Date.

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2017

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped November 9, 2017
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REPORTS OF COMMITTEES

2. Committee of the Whole - December 14, 2017

13. Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas:

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

- 1. Plans date stamped November 9, 2017
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:
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- 3. The Development Permit lapsing two years from the date of this resolution."

Heritage Alteration Permit Application with Variances No. 00007

That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice, and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

- 1. Plans, date stamped November 9, 2017
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
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Carried

For: Opposed: Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-Joe, and Young Councillor Madoff

LAND USE MATTERS

5.7 Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Committee received reports dated November 30, 2017, from the Director of Sustainable Planning and Community Development regarding an application to subdivide the subject lot to create one small lot, while maintaining the existing heritage designated house and converting it into four strata units.

Motion:

It was moved by Councillor Lucas, seconded by Councillor Coleman:

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

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2. Development meeting all Zoning Regulation Bylaw requirements

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- 3. Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

Motion:

It was moved by Mayor Helps, seconded by Councillor Madoff, that the

meeting be extended to 4:00 p.m.

CARRIED UNANIMOUSLY 17/COTW

Committee discussed:

 The architecture, siting of the R1S2 house, and the heritage significance of the building.

CARRIED 17/COTW

For:

Mayor Helps, Councillors Alto, Coleman, Isitt, Loveday, Lucas, Thornton-

Joe, and Young

Against:

Councillor Madoff



Committee of the Whole Report For the Meeting of December 14, 2017

To:

Committee of the Whole

Date:

November 30, 2017

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Heritage Alteration Permit Application with Variances No. 00007 for

224 Superior Street

RECOMMENDATION

That subject to the correction of minor plan inconsistencies and the applicant exploring alternate parking layouts with staff to reduce the impact on the streetscape to the satisfaction of the Director of Sustainable Planning and Community Development, that Council, after giving notice and allowing an Opportunity for Public Comment at a meeting of Council, and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage-Designated house at 224 Superior Street, in accordance with:

- 1. Plans, date stamped November 9, 2017
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - Reduce side yard setback from 3.65m to 1.20m
 - b. Reduce rear yard setback from 4.0m to 1.36m
 - c. Relaxation to allow parking in the front yard
 - d. Increase the site coverage from 30.0% to 35.09%
- 3. Final plans as amended in accordance with this motion to be generally in accordance with the plans identified above to the satisfaction of the Director, Sustainable Planning and Community Development
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

LEGISLATIVE AUTHORITY

In accordance with Sections 617 and 618 of the *Local Government Act*, Council may issue a Heritage Alteration Permit which may be subject to terms consistent with the purpose of the heritage protection of the property, including: (i) conditions respecting the sequencing and timing of construction, (ii) conditions respecting the character of the alteration or action to be authorized, including landscaping and the siting, form, exterior design and finish of buildings and structures and (iii) security. Council may refuse to issue a Heritage Alteration Permit for an action that, in the opinion of Council, would not be consistent with the purpose of the heritage protection of the property.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with information, analysis and recommendations for a Heritage Alteration Permit Application with Variances for the property located at 224 Superior Street. The proposal is to undertake minor exterior alterations to the existing Heritage-Designated eight room bed and breakfast to facilitate its conversion to four self-contained strata units. The Application is concurrent with a rezoning application to subdivide the property for the creation of a small lot on the west portion of the property. Variances for the existing house would be required to facilitate the rezoning.

Variances associated with the proposal are:

- reducing the side yard setback from 3.65m to 1.20m
- reducing the rear yard setback from 4.0m to 1.36m
- increasing site coverage from 30% to 35.9%
- relaxing parking location to allow parking in the front yard.

The exterior alterations to facilitate the conversion to four strata units include the removal and replacement of non-original materials, and the installation of new stairs that do not impact the original fabric or character-defining elements of the Heritage-Designated house.

The following points were considered in assessing this Application:

- The proposal is consistent with relevant goals and objectives of the Official Community Plan and Development Permit Area 16: Form and Character for conserving heritage property and adapting existing building stock for diverse housing types.
- The proposal is consistent with the *James Bay Neighbourhood Plan* as it conserves the Heritage-Designated structure and encourages new economic use.
- The proposal is consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada* as the conversion is retained within the existing footprint and does not dramatically alter the exterior form.
- The proposal is consistent with Schedule G House Conversion Regulations for the removal of the southeast corner stair that is not original to the house.
- The proposal is not consistent with *Schedule C Off-Street Parking* as the parking is located in front of the front wall of the building.

The Application is generally consistent with City policy. The rear yard setback variance relates to an existing stair, and the side yard setback variance relates to the concurrent rezoning application to subdivide for the creation of a small lot on the west portion of the existing parcel. The proposed parking location is not consistent with City parking regulations; therefore, staff recommend for Council's consideration that the applicant work with staff to reconfigure the parking to reduce the overall impact that the current parking layout and over-supply of stalls has on the streetscape and public view of the Heritage-Designated house.

BACKGROUND

Description of Proposal

This Heritage Alteration Permit Application is concurrent with a rezoning application to subdivide the property to create a small lot on the west portion of the site, leaving the existing Heritage-Designated house for a conversion from an eight room bed and breakfast to four individual strata units.

Page 2 of 5

Variances associated with the concurrent rezoning application and the conversion to four strata units involve a reduction in the side yard setback from 3.65m to 1.20m, a reduction in the rear yard setback from 4.0m to 1.36m, an increase in site coverage from 30% to 35.9%, and a relaxation to allow parking in the front yard. The exterior alterations to facilitate the conversion to four strata units include the following:

- · removal of non-original stairs
- · addition of new stairs
- replacement of a non-original window with a window in keeping with existing original windows
- replacement of a non-original door with a window
- replacement of a non-original window with a door.

The proposed exterior alterations were reviewed by staff and determined to be consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*, and would have normally been approved through the "Delegated" Heritage Alteration Permit process.

Community Consultation

Consistent with the Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications, the applicant has consulted the James Bay CALUC at a Community Meeting held on March 8, 2017. Letters dated March 13, 2017 and November 10, 2017 are attached to this report.

ANALYSIS

The following sections provide a summary of the Application's consistency with the relevant City policies.

Official Community Plan

The proposal is consistent with the relevant City policies within the Official Community Plan (OCP) because it is in accordance with the goal of protecting and celebrating Victoria's cultural and natural heritage resources, the objective of conserving heritage property as a resource with value for present and future generations, and the strategic neighbourhood directions that include maintaining a diversity of housing types and the adaptation and renewal of existing building stock.

Development Permit Area

The Official Community Plan (OCP) identifies this property within DPA 16: General Form and Character whose objectives are to integrate multi-unit residential buildings that complement the established heritage character of neighbourhoods with sensitive interventions. The conversion of the bed and breakfast to a multi-unit strata building achieves this.

Local Area Plans

The proposed conversion from an eight room bed and breakfast to four self-contained strata units is consistent with the goals, objectives, and policies of the *James Bay Neighbourhood Plan*, as it conserves the Heritage-Designated building and promotes continued economic life of heritage structures through creative parking provision solutions.

Page 3 of 5

Standards and Guidelines for the Conservation of Historic Places in Canada

The Standards and Guidelines for the Conservation of Historic Places in Canada recommends accommodating new functions and services in non-character defining interior spaces as an alternative to constructing a new addition, and selecting a new use that suits the existing building form. The proposal is consistent with these recommendations as the conversion is contained within the existing footprint of the Heritage-Designated house, and the new use does not dramatically alter the exterior form.

Schedule C - Off-Street Parking

The proposal is a conversion to multiple dwelling for a strata building, which requires a 0.8 parking space per dwelling unit for any building containing more than three dwelling units. This equates to a parking requirement of a minimum of 3.2 parking spaces which is rounded down to a requirement for three stalls, which are to be located behind the front wall of the building. The proposed parking location varies from this regulation, locating the parking in the front of the house. Staff are concerned that the location and over-supply of parking is detrimental to the streetscape as well as how the Heritage-Designated building will be viewed when the parking area is full. Therefore, the recommendation has been drafted to afford the opportunity to refine the layout and/or reduce the number of stalls to minimize its potential impact.

Heritage Advisory Panel

The Application was not reviewed by the Heritage Advisory Panel as the alterations do not include additional floor area and are consistent with the *Standards and Guidelines for the Conservation of Historic Places in Canada*, thus the alterations would normally be approved through the "Delegated" Heritage Alteration Permit application process.

CONCLUSIONS

The Application is generally consistent with City policy and the *Standards and Guidelines for the Conservation of Historic Places in Canada*. The rear yard setback variance relates to an existing stair, and the side yard setback variance relates to the concurrent rezoning application to subdivide for the creation of a small lot on the west portion of the existing parcel. It is recommended for Council's consideration that the Application be approved, with the condition that the applicant work with staff to reconfigure the parking.

ALTERNATE MOTION

That Council decline Heritage Alteration Permit Application with Variances No. 00007 for the property located at 224 Superior Street.

Respectfully submitted,

Merinda Conley

Senior Heritage Planner

Development Services Division

Jonathan Tinney Director

Sustainable Planning and Community

Development pepartment

Report accepted and recommended by the City Manager

Dec 7, 2017

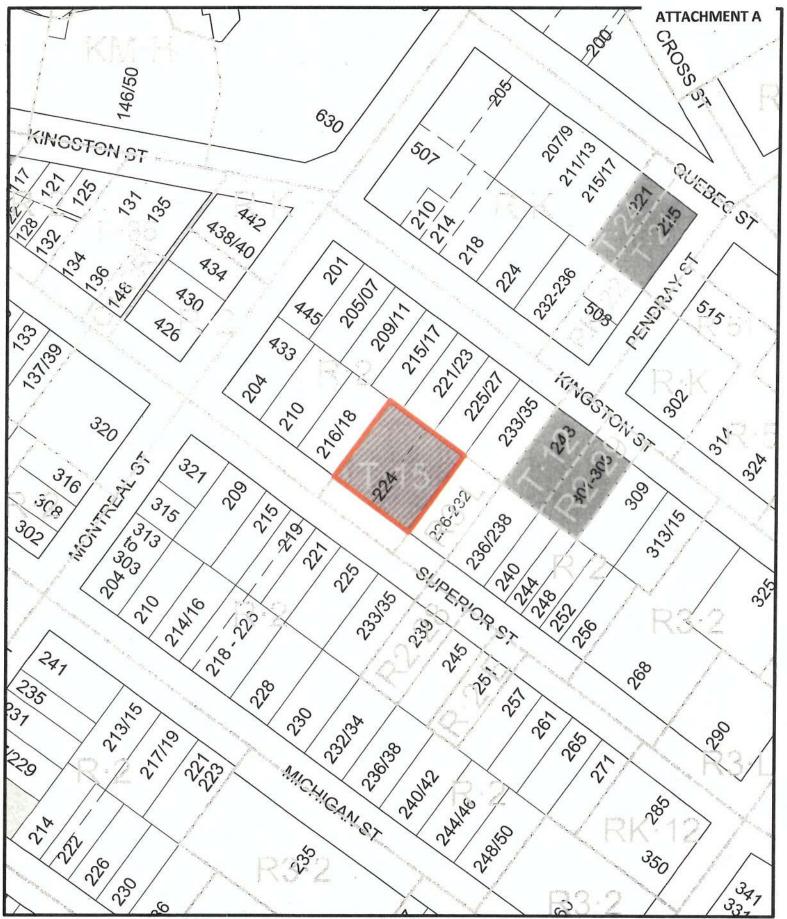
List of Attachments

Attachment A: Subject Map

Attachment B: Aerial Map

Attachment C: Plans, dated November 9, 2017

- Attachment D: Letter and Package from applicant to Mayor and Council date stamped November 9, 2017
- Attachment E: James Bay Community Association Land Use Committee Comments dated March 13, 2017 and November 10, 2017
- Attachment F: Correspondence (letters from residents).



224 Superior Street

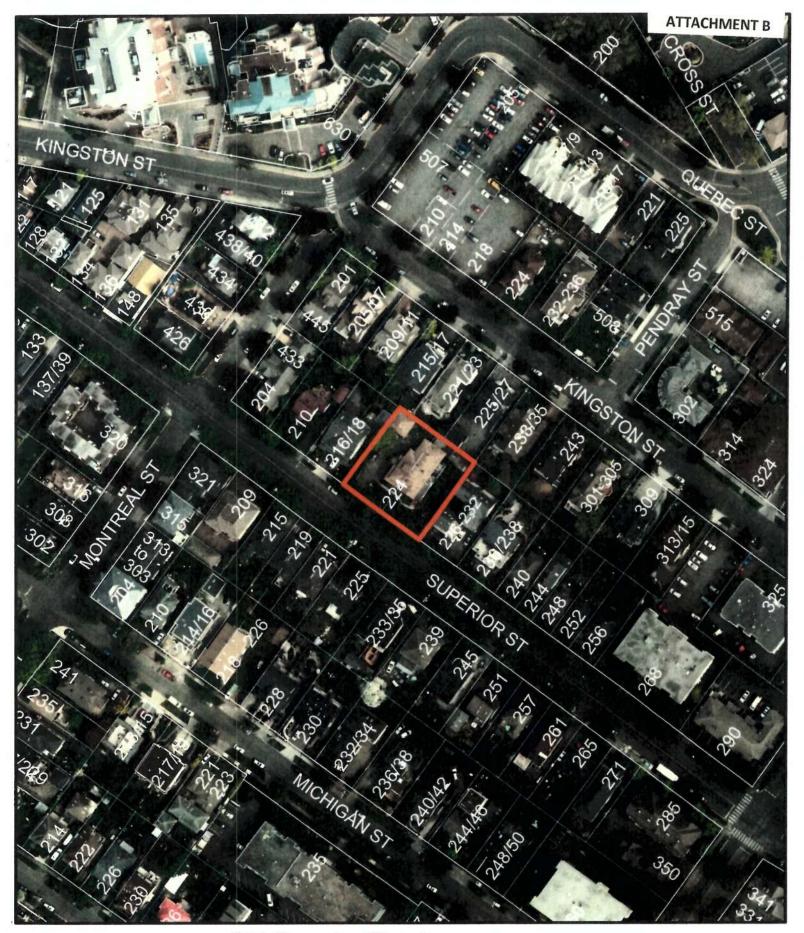
Heritage Alteration Permit with Variance #00007











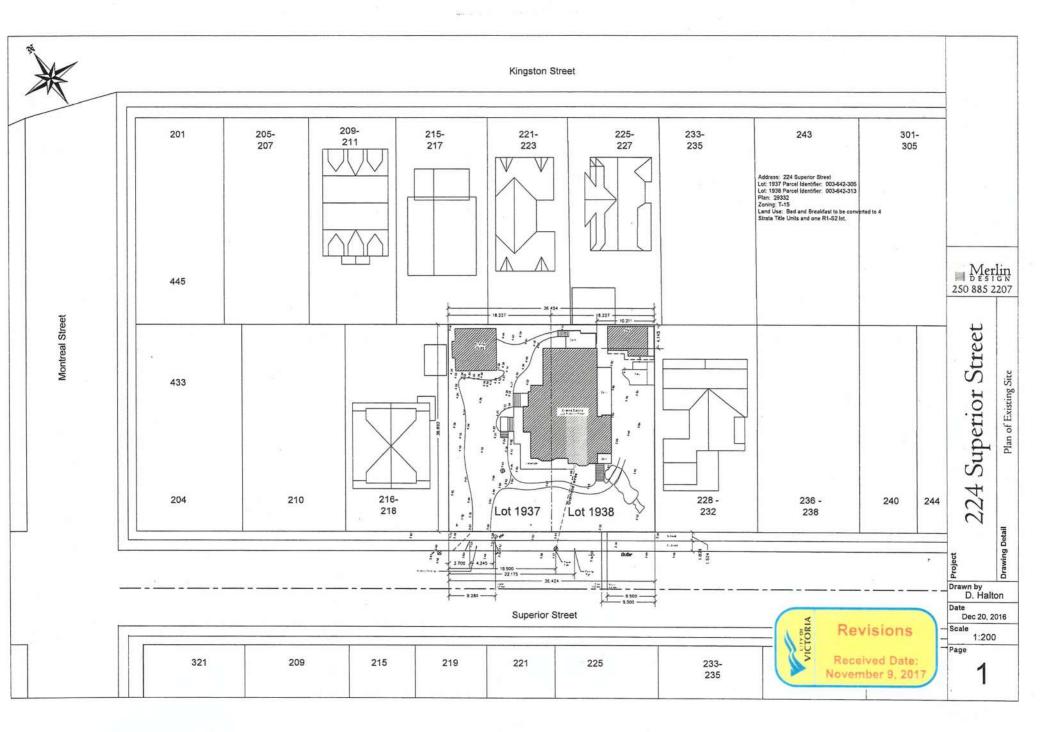
224 Superior Street







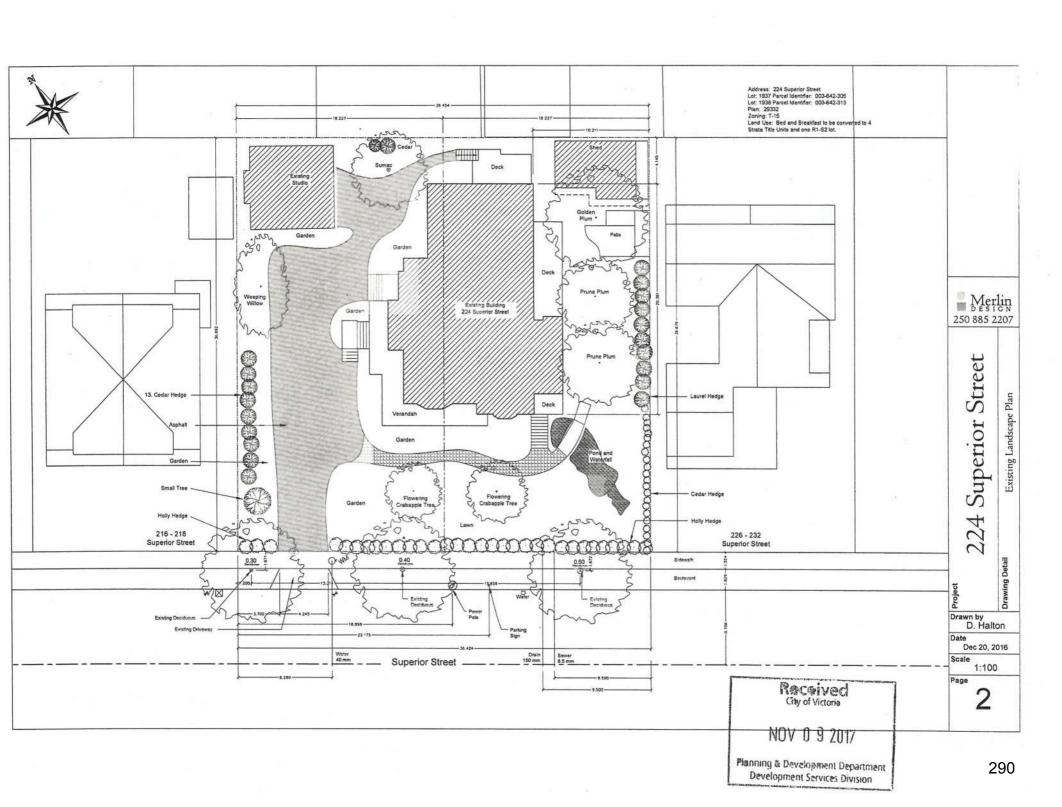
ATTACHMENT C

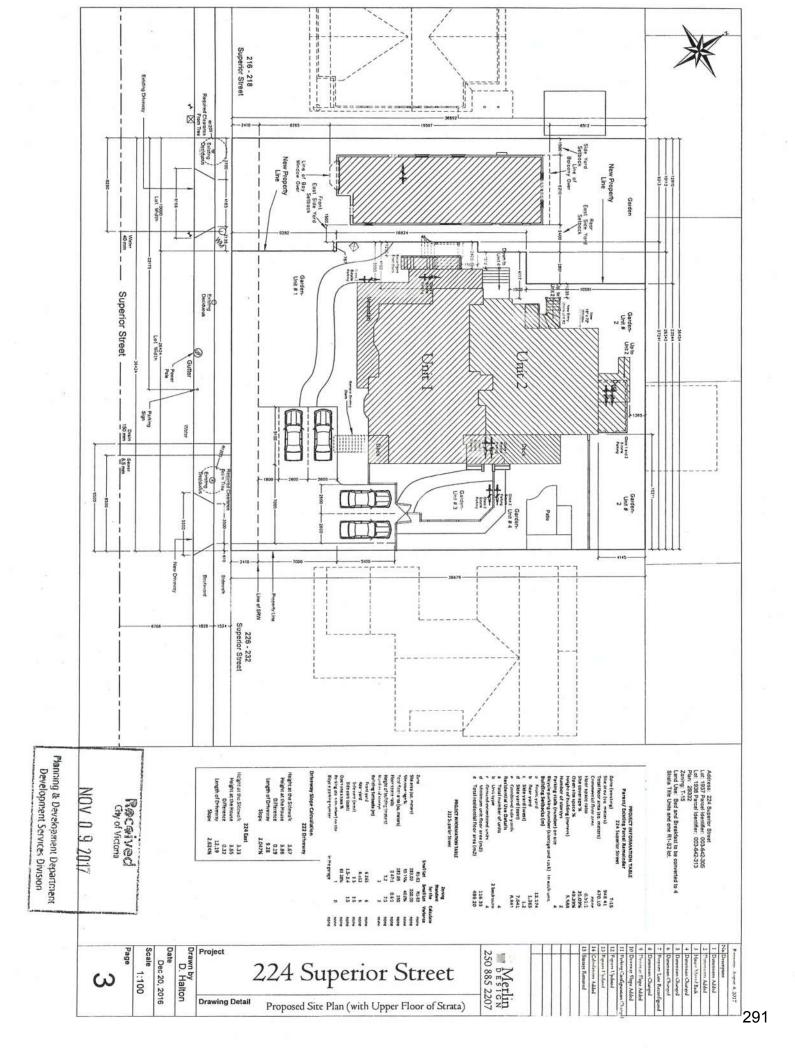


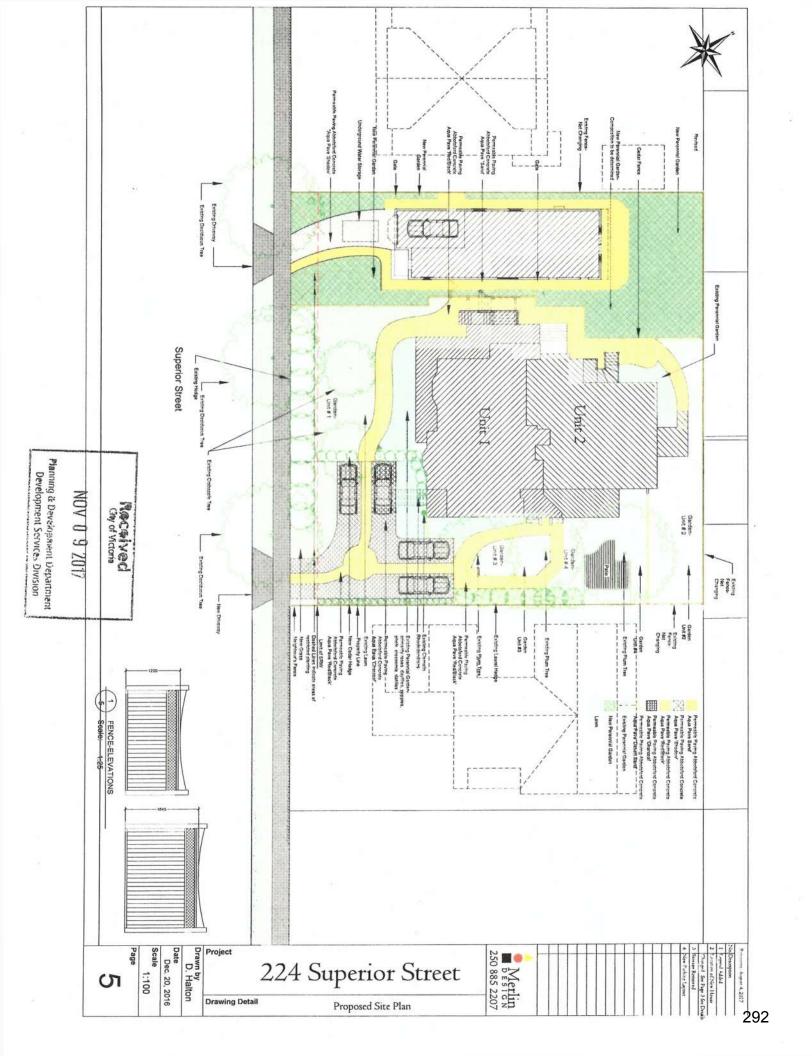


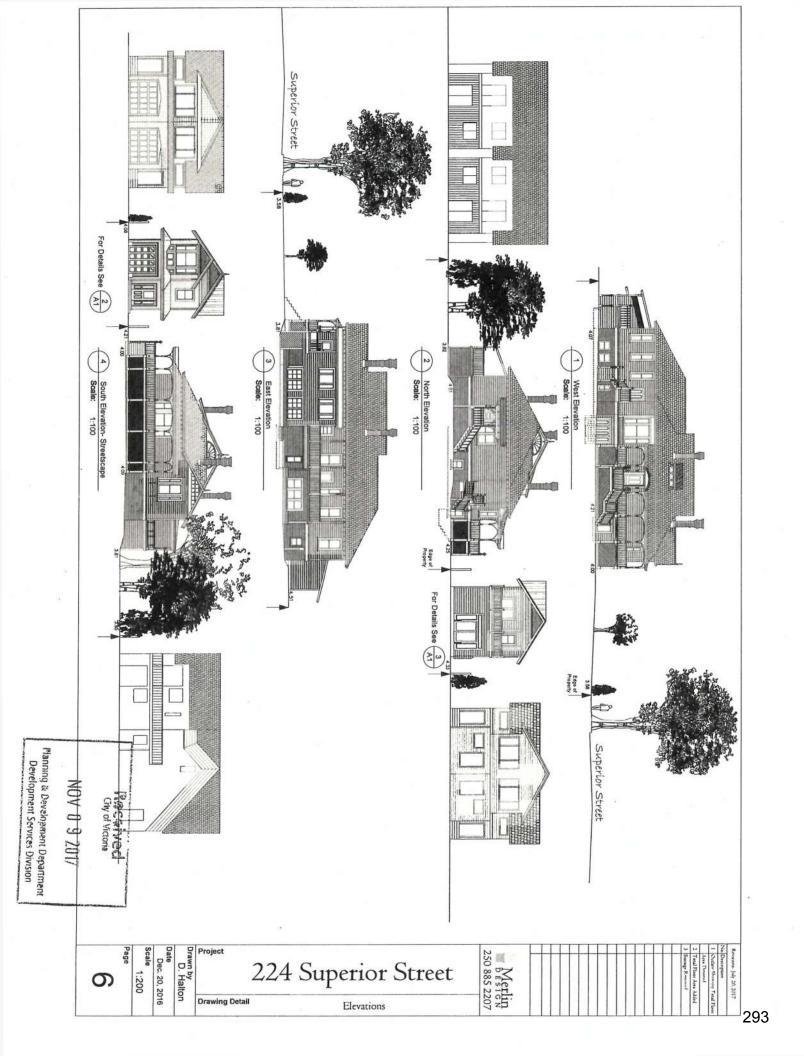
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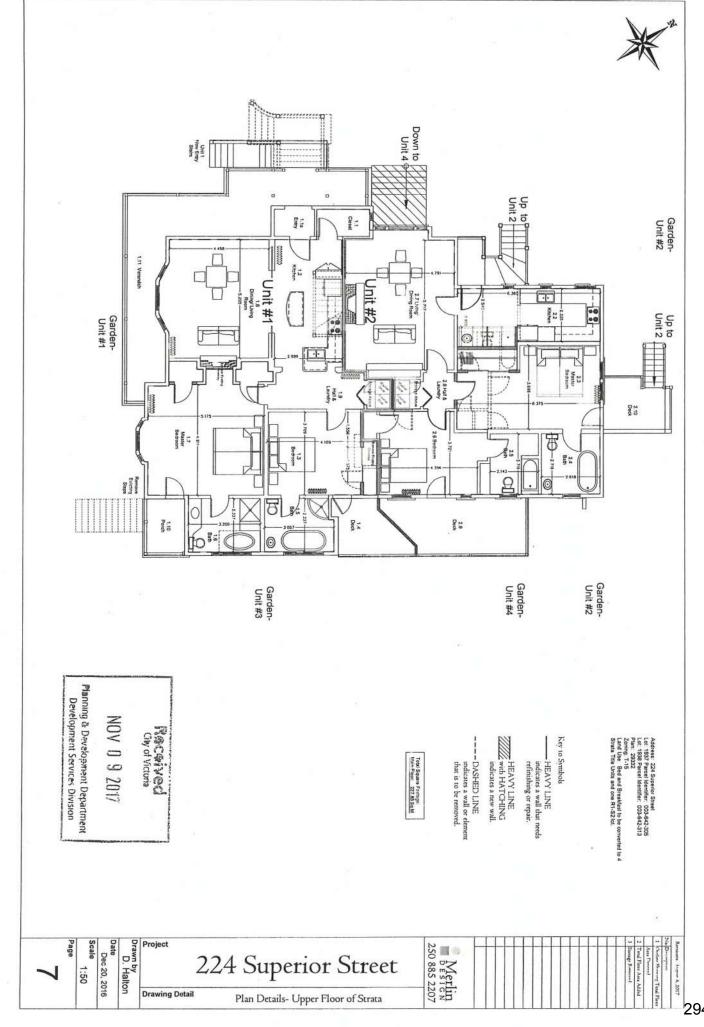
Planning & Development Department Development Services Division

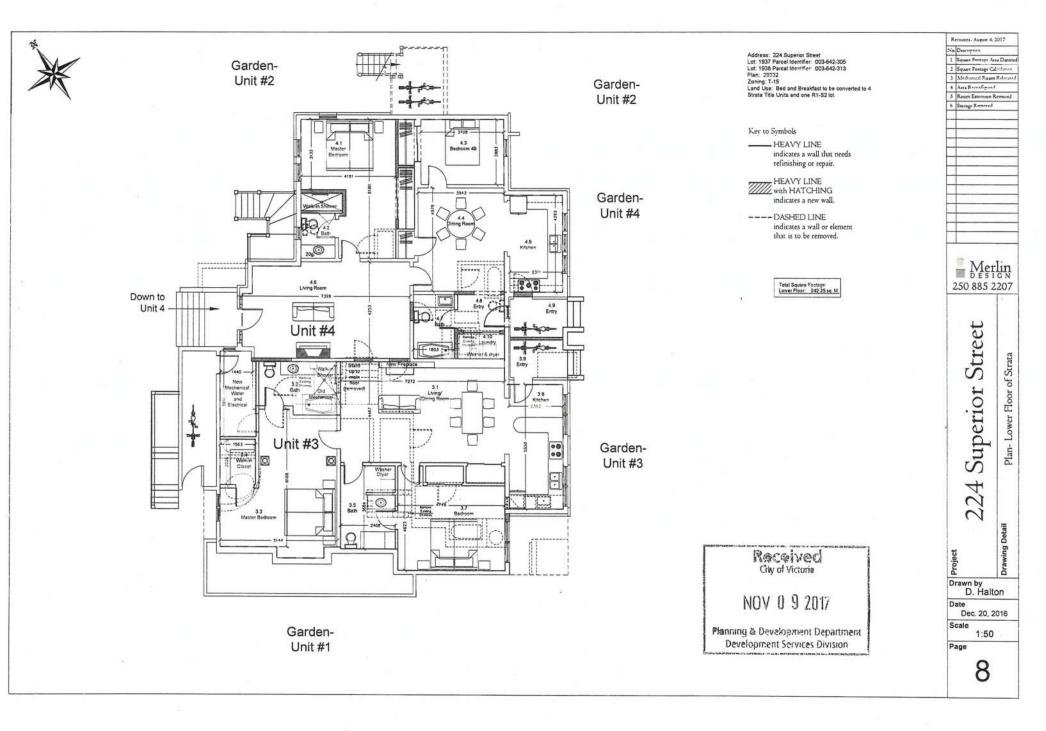


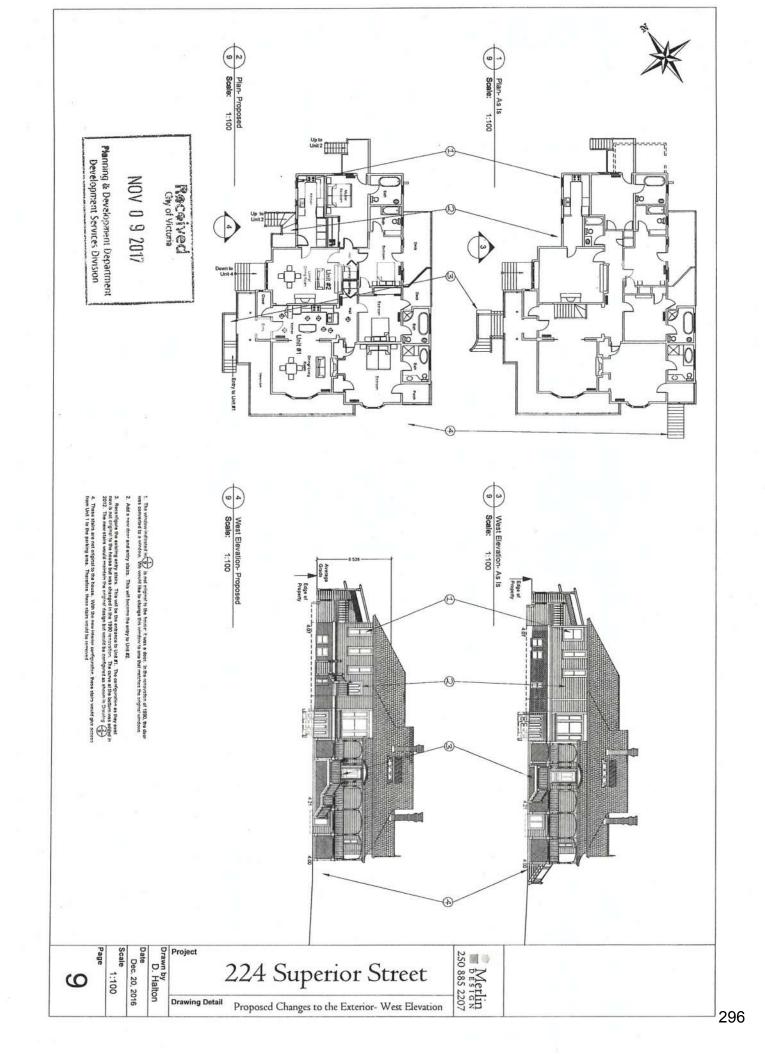


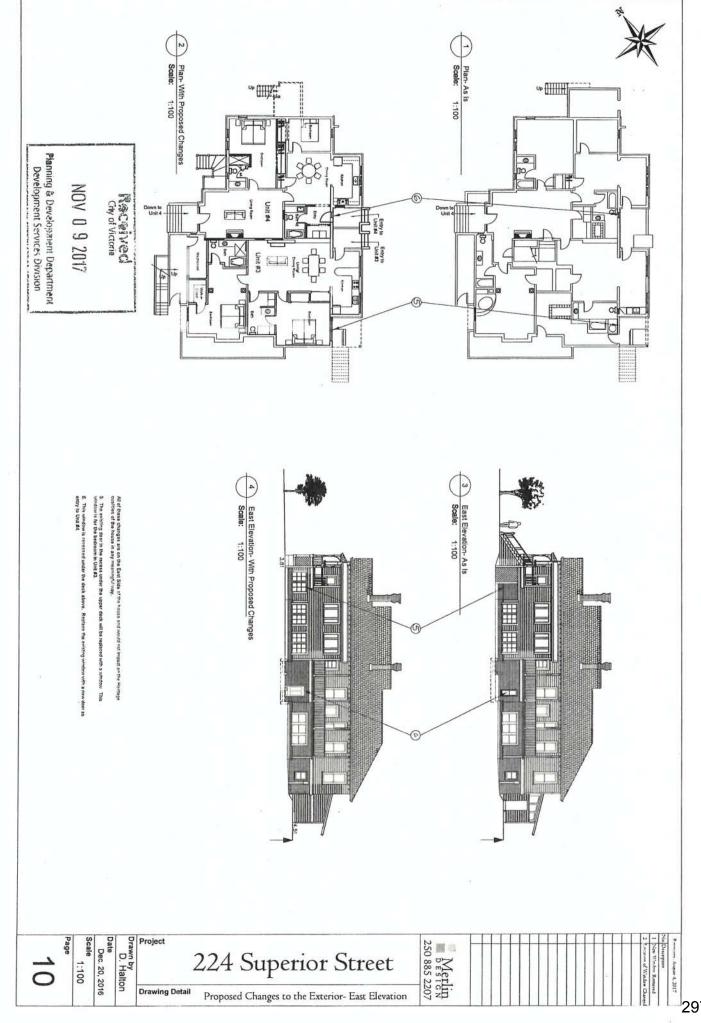


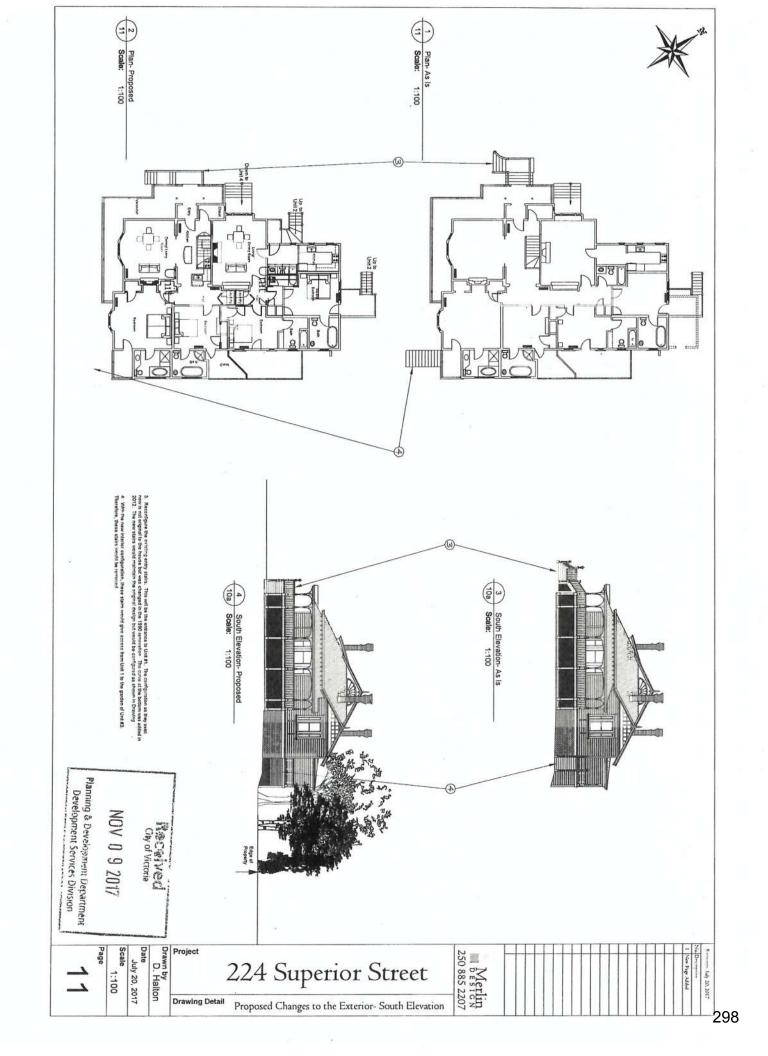












October 31, 2017

Honorable Mayor Lisa Helps and Victoria City Council 1 Centennial Square Victoria, BC V8W 1P6

Dear Mayor Helps and Council Members:

Re: Heritage Alteration Permit (with variances) for 224 Superior Street

The attached detailed proposal comprises our plans for the redevelopment of our home and business at 224 Superior Street. We are proposing to convert the existing heritage house into 4 strata units.

We have been working with City of Victoria staff for the past several months in order to prepare this document. During that time we have had several consultations with CALUC and, since the property is a designated heritage property, we have been in contact with the Heritage Planner as well.

The vast majority of our neighbours (92.3%) support our plan and feel the change will enhance our area of James Bay. The project meets the objectives of the City of Victoria Official Community Plan and the James Bay Neighbourhood Plan.

We are requesting site specific zoning for the 4 strata units in the heritage property.

Respectfully submitted,

Don Halton and Fernando García 224 Superior Street Victoria, BC, V8V 1T3 (250) 885-2207 ferndon22@gmail.com Received
City of Victors

NOV 0 9 2017

Planning & Development Department
Development Services Division



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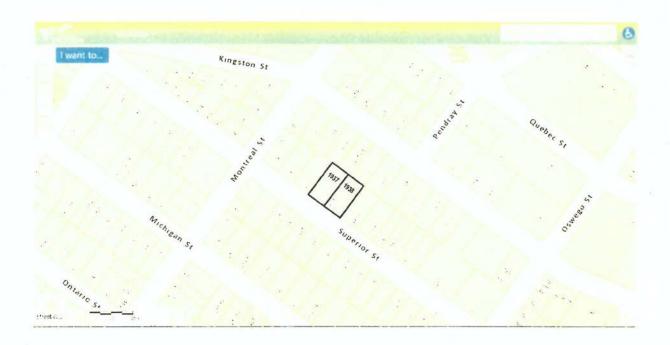




The Project in Summary



1. Description of the Proposal



- Currently:
 - > T15 zone allowing R-2, Two Family Dwelling and Transient Accommodation
 - Registered heritage house operating as a bed and breakfast
- Proposal:
 - Convert the bed and breakfast into 4 strata homes with private gardens
 - Each strata unit will be 2 bedroom and 2 bath

2. Variances

- 3 variances only are being requested
 - Location of the parking for the strata conversion. City bylaws require that parking be behind the front face of the house. We could do this but it would require cutting down 3 trees, and adding twice as much paving as is required by our proposed parking which is in the front of the lot. Please see details on Page 20.
 - Side yard setback on west side. The required setback for the side yard is 2.7 meters. We are requesting a variance to reduce this to 1.2 meters. This measurement of 1.2 meters is from the property line to the edge of the stairs leading up to the house. The measurement from the property



- line to the verandah is 2.4 meters and from the property line to the house itself is 4.1 meters well above the required setback. Please see the illustrations below on Pages 11 and 25.
- Rear yard setback of the strata conversion. The set back to the existing stairs is 1.36 meters.

3. Government Policies

- The proposal aligns perfectly with City of Victoria Official Community Plan, specifically Section 21.16 which states the City's desire to
 - support sensitive infill
 - > enable adaptation and renewal of the existing building stock
 - maintain a variety of housing types and tenures for a range of age groups and incomes
 - maintain an interesting diversity of land uses, housing types and character areas
- Proposal aligns with the <u>James Bay Neighbourhood Plan</u>
- Proposal received enthusiastic support from the executive of the James Bay Community Association Land Use Committee
- The project meets the 'Goals and Objectives' as outlined by the City in the 'Small Lot House Rezoning Policy', specifically:
 - > Support growth through small, adaptive and gradual change
 - Revitalize neighbourhoods by allowing new infill construction
 - Make (optimal) use of neighbourhood infrastructure (schools, water and sewer)
 - Increase the quantity of detached dwelling lots while providing other options
 - Meet changing needs, wants and values of existing and future residents throughout the life cycle (e.g., the need for ground-oriented housing for families with children, the desire for smaller houses and yards for seniors, couples, empty nesters or singles



4. Project Benefits and Amenities

A. ECONOMIC BENEFITS

- 4 new ground level homes in James Bay
- 4 off-street parking spaces
- \$1.5 million investment in building and local construction industry
- Increase in property taxes to the City
- Uniqueness of the strata units is attractive to an important demographic in Victoria's economic development

B. ENVIRONMENTAL BENEFITS

4 new housing units within walking or cycling distance to the City Centre

C. SOCIAL BENEFITS

- · High quality housing inventory added to community
- Convert transient accommodation units into permanent housing units

5. Need and Demand

- OCP estimates that an additional 2,700 ground-oriented units will be required in the City by 2041
- There is consistent demand for housing in the City
- Victoria Real Estate Board describes the Victoria market as 'very active'
- 2017 house sales lower than 2016 but still at historically record levels

6. Heritage

- Only 6 changes will be made to the exterior of the heritage house.
- None of the proposed changes affect any of the significant architectural elements of the heritage house in any way
- All changes have been discussed with Merinda Conley, Heritage Planner
- All changes have been approved in principle by her
- The alterations to the heritage property are detailed on Page 18 below



7. Neighbourhood Survey

 92.3% of neighbours support the redevelopment and are in favour of the parking variance; see Page 19

8. Project Design

- Heritage House:
 - Remains unchanged in any significant way
 - Please see details on page 18

9. Revisions Made After Planning Department Input

- Added SRW
- Reconfigured the parking in the front of the lot as a result of the SRW
- · Added Class 1 and Class 2 bike parking

10. In Summary

- Project meets the goals of the Victoria Official Community Plan
- Project meets the goals of the <u>James Bay Neighbourhood Plan</u>
- Project supported by <u>CALUC executive</u>
- Project supported by 92.3% of neighbours





11. View from Across the Street



Figure 1: View from Across the Street





The Project in Detail





12. Description of the Proposal

The house at 224 Superior Street is currently a bed and breakfast and has been operating as such for about 30 years. We have owned the property for 11 ½ years. The property consists of 2 lots, numbers 1937 and 1938 of Plan 29332. Each of the two lots is 18.2 x 36.7 meters (60' x 120') and each, as a single entity, would be considered a large lot in reference to the R2 zoning. The house sits right on the dividing line of the 2 lots.

Our proposal is to convert the bed and breakfast into 4 strata townhouse units with site-specific zoning.

Each of the 4 new townhouses will be a 2 bedroom and 2 bath unit varying in size from 116 to 121 square meters (1290 to 1680 sq. ft.).

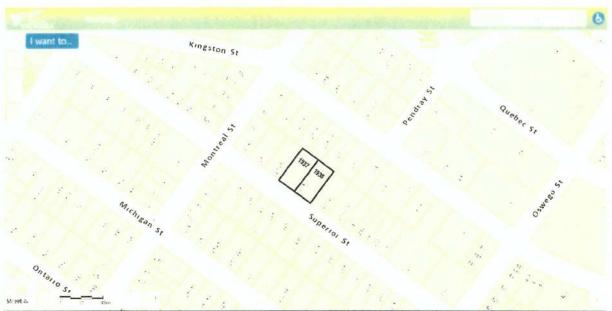


Figure 2: Site Location- 224 Superior Street



13. Variances

We are requesting 2 variances only, one for 224 Superior street relating to the location of the parking, and one for west side yard setback

Location of the parking for the strata conversion. City bylaws require that parking be behind the front face of the house. We could do this but it would require cutting down 3 large trees, removing a lot of hedge and adding twice as much paving as is required by our proposed parking which is to have the parking in the front of the lot. Please see details on Page 22 and 23.

The parking variance we are requesting is supported by over 92% of the neighbours. Please see the Neighbourhood Survey Results on page 19.

• <u>Side yard setback on west side.</u> The required setback for the side yard is 2.7 meters. We are requesting a variance to reduce this to 1.2 meters. This measurement (1.2 meters) is from the property line to the edge of the stairs leading up to the house. The measurement from the property line to the verandah is 2.4 meters and from the property line to the house itself is 4.1 meters well above the required setback. Please see the illustrations on Pages 11 and 25.

14. Government Policies

We have reviewed the <u>City of Victoria Official Community Plan</u> and the <u>James Bay Neighbourhood Plan</u> and believe that this proposal aligns perfectly with the goals outlined in those plans, specifically the City's desire to

- maintain a variety of housing types and tenures for a range of age groups and incomes
- maintain an interesting diversity of land uses, housing types and character areas
- enable adaptation and renewal of the existing building stock and
- support sensitive infill.

In this area of James Bay, there are a number of apartments, townhouses, duplexes and single family homes. Immediately beside the subject property, to the west, is a new duplex (the bungalow was replaced in 2010), then a single family home (zoned duplex) and then another duplex. To the east, adjacent to the property is a 4 unit townhouse complex, followed by a duplex and then 4 single family homes on small lots.

A large heritage home is difficult and expensive to maintain. In the time that we have owned the building, we have done a considerable amount of work repairing and upgrading the exterior. While we consider the building to be in excellent shape at this time, on-going maintenance is



required. With the multi-family conversion of the current residence, the at times significant cost of upkeep of the heritage house becomes shared among four strata owners.

With this project, we are supporting the City in all of these goals and objectives.

15. Project Benefits and Amenities

In direct line with the aims of the Official Community Plan, the principal benefit of the development will be the addition of new dwelling units in James Bay. Pressure for residential housing in the City continues to grow. Each of the strata townhouse units will be 2 bedrooms with a private garden. While we cannot determine in advance who may purchase the units, they would be perfect for families, something for which the James Bay Community Association Executive expressed their enthusiasm and support.

In terms of income to the City, the 4 new strata townhouses will generate a significant increase in property taxes over those currently generated by the existing bed and breakfast.

16. Need and Demand

The City's 'Victoria Housing Strategy 2016- 2025' report estimates that an additional 2,700 ground-oriented units will be required in the City by 2041. This project will add 5 new housing units in James Bay. We aren't suggesting that our 5 units make a significant contribution to achieving this goal, but every bit helps.

With each unit being reasonably sized and with a private garden, we hope to attract middle class buyers, small families, professionals or retired people. With access to Beacon Hill Park, Fisherman's Wharf and downtown, and being within easy walking distance of shopping and local schools, we think there will be a great appeal for these units. In addition, the unique heritage qualities of the building, both exterior and interior, make them very attractive and unique in today's marketplace.



17. Heritage

The house at 224 Superior Street is a registered heritage property. Over the past 11 years, we have done a considerable amount of work restoring many of the heritage features that were in desperate need of repair. In this proposal, we are requesting permission to make some changes to the exterior of the building but none that affect the unique heritage features in any way. The interior of the building will remain largely unchanged: we have only to fire rate the party walls.

The house has a fire suppression system installed.

There are 6 changes that we would like to make to the exterior of the heritage building. These are fully detailed in the drawings:

- The window on the west side of the house at the north end, (please see Drawing Page 9) is not original to the house. It was a door. In the renovation of 1996, the door was converted to a window. We would like to change this window to one that matches the style of the original windows.
- 2. Also on the west side of the house at the north end, we would like to add a new door and entry stairs. This will become the entry to Unit #2. (Please see Drawing Page 9.)
- 3. The existing entry stairs are not original to the house. The configuration as they exist now is not original to the house but was changed in the 1996 renovation. The curve at the bottom was added in 2012. We would like to reconfigure the stairs to streamline them to allow an adequate setback along the new property line. The new stairs would maintain the original design but be configured as shown on Page 9 of the drawings.
- **4.** The stairs on the south side of the house are also not original. Historical photos show them in several different configurations. With the new interior configuration of the strata units, these stairs would give access from a bedroom in Unit 1 to the proposed new parking area. For this reason, we would like to remove these stairs completely.
- 5. On the east side of the house, there is a recess under the existing deck with a door. We would like to convert the door to a window matching the existing windows on the east side. This window is for a bedroom in Unit #3.
- **6.** In an alcove under the deck farther along the east side, is a small window. We would like to replace the existing window with a new door as entry to Unit #4.



18. Neighbourhood Surveys

D. DEVELOPMENT AND PARKING VARIANCE PETITION

We consulted with the neighbours about the redevelopment and also we asked for their opinions on the parking variance that we are requesting. The overwhelming majority were in favour of the redevelopment and supported the parking variance.

The signed petitions have been submitted to the Planning Department. <u>Please note that as of October 1, 2017, the neighbours at 218 Superior have indicated verbally that they are no longer opposed to the project</u>. We have not as yet received updated petitions from them however.

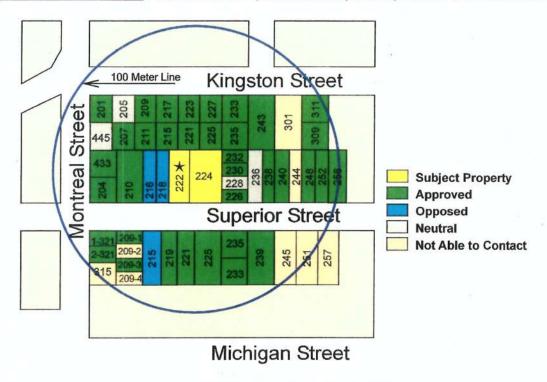


Figure 3: Illustration Showing Results of the Survey

RESULTS OF THE SURVEY

Total Number of Respondents-	39	
Total in Favour	36	92.3%
Total Opposed	3	7.7% (please see note above)

As you can see, there is <u>significant support</u> from the home owners in the neighbourhood for the redevelopment and for the parking variance that we are requesting.



19. Parking

We have included one parking space for each of the townhouse units. The City's bylaws require that parking be behind the front face of the house. If we comply with this requirement, it would require that all of the vegetation, trees, hedges and gardens etc. on the east side be removed and that the entire east side of the heritage house be paved to create the parking area.

After extensive consideration, and consultation with the neighbours, we are requesting that this requirement be waived and that parking be allowed in the front of the lot. 92.3% of the neighbours are in favour of our proposed parking. Please see details of the Parking Variance Survey on Page 19.

The surface of the parking area will be permeable paving. The variance we are requesting requires <u>1334 square feet less paving</u> than the required parking which represents a 54% reduction. Or, to put it another way, by allowing the parking in the front of the lot, there will be an additional 1334 square feet of gardens, lawns, trees and shrubs in our 'Garden City'.

In addition, by allowing parking in front of the building, we are able to configure the remainder of the property in such a way as to provide a private garden for each of the 4 townhouses. These private gardens provide very desirable green space for each home and will allow space for bicycle parking as well.

Pleases see the images on the following 3 page.



E. ILLUSTRATIONS SHOWING THE PROPOSED PARKING



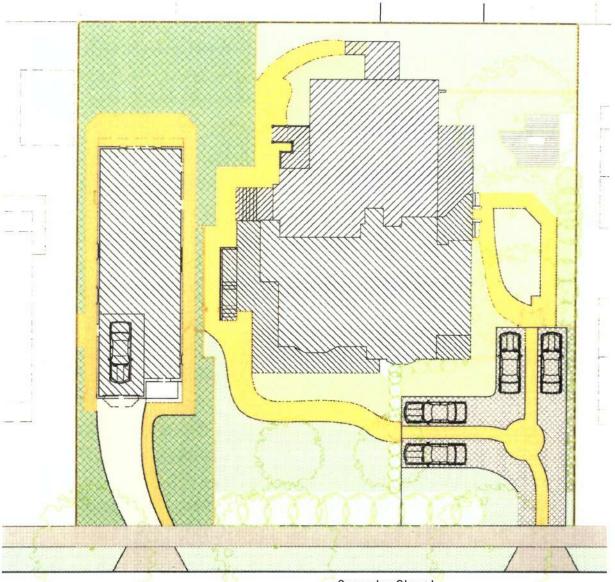
Figure 4: View from Street Level



Figure 5: Higher View of the Parking. Boulevard trees not shown



F. PLAN OF THE PROPOSED PARKING



Superior Street

Figure 6: Layout showing the Proposed Parking



G. PLAN OF THE PARKING AS PER BYLAWS

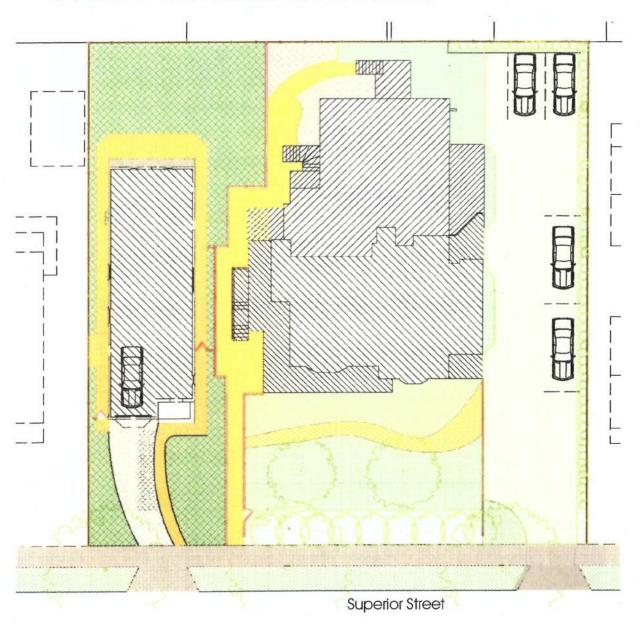


Figure 7: Layout showing the Parking as per Bylaws





H. VIEW WITH THE PARKING



Figure 8: Illustration: Street View with the Proposed Parking One boulevard tree not shown for clarity





I. PRIVACY

i. Window Location Study: Lower Floor

A study showing the relationship of the windows on the lower floor

- between 218 and 222 and
- between 222 and 224.

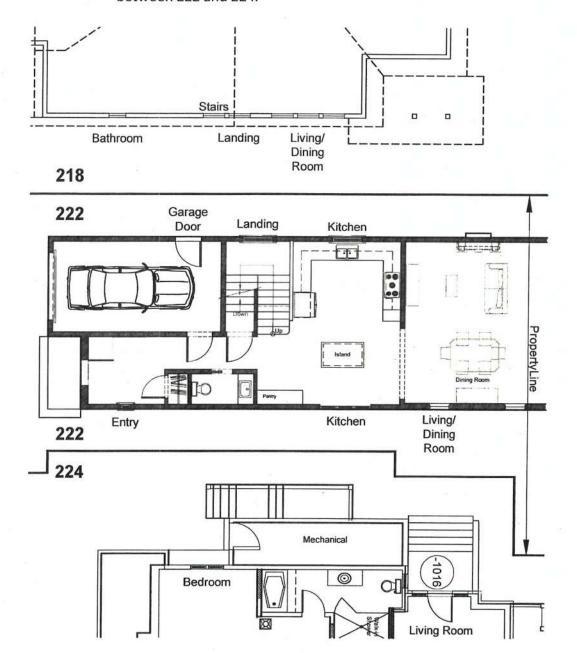


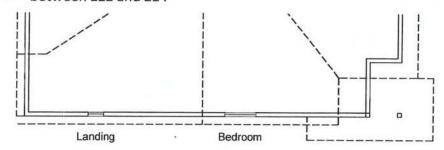
Figure 9: Window Study- Lower Floor



Window Location Study: Upper Floor

A study showing the relationship of the windows on the upper floor

- between 218 and 222 and
- between 222 and 224



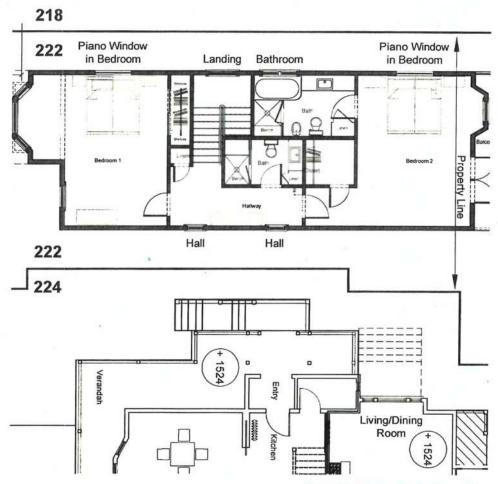


Figure 10: Window Study- Upper Floor



J. LANDSCAPING

The new house will be built in what is now the parking area of the current bed and breakfast. There is landscaping along the west side of the parking area consisting of a cedar hedge, small bushes, a flower gardens and one large tree. This will have to be removed. The large tree that will have to be removed is a weeping willow.

Any new landscaping will be designed to beautify the properties and enhance the ambiance of the house and the local environment. We will use hedging as appropriate for screening and privacy; the driveway, walkways and patios will comply with the City's new storm water guidelines.

Many of the bushes that will have to be moved to create parking for the strata units will be moved into the private gardens of the strata units or into either the front or rear of the new residence.

Some of the large rocks from the existing pond will be moved to the front and rear yards of the new residence.



20. Revisions Made After Planning Department Input

 Moved the house 1.8 meters to the rear of the property to open up the view to the heritage house

The new house was originally in line with the house to the west. At the request of the heritage planner, the new house was moved back in the lot a distance halfway between the house at 216/218 and the heritage house at 224.

- Added SRW
- Reconfigured the parking in the front of the lot to allow for the requirements of the SRW
- Added Class 1 and Class 2 bike parking



21. Curriculum Vitae

A. DON HALTON, DESIGNER

Theatre Designer, 25 years, many productions
Creative Director, Futures Theatre, Expo 86, Vancouver
Designer, British Columbia Pavilion, Expo 88, Brisbane, Australia
Creative Director, Expo 92, Seville, Spain
Creative Director, Expo 93, Taejon, Korea
Art Director, Film and Television, worked with Morgan Freeman, Kevin Spacey, Justin
Timberlake, Eric Stoltz, Felicity Huffman, Richard Gere
Art Director, the very first Lotto 6/49 commercial, and hundreds of other commercials

22. Table of Illustrations

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James Bay Neighbourhood Association

jbna@vcn.bc.ca Victoria, B.C., Canada www.jbna.org

March 13th, 2017

Mayor and Council, City of Victoria

Re: 224 Superior - Albion Manor

Dear Mayor and Councilors,

A proposal for a lot division, Albion Manor conversion from a B&B to a stratified complex, and the construction of a small lot single family dwelling was heard at the March 8th, 2017 JBNA Community Meeting.

There are 3 distinct types of considerations with regards to this proposal:

- The lot division and construction of a small lot single family dwelling:
 Pro: additional housing on a large lot. Con: shadowing of neighbour to the west.
- The creation of 4 strata housing units, either with
 - a. 4 green space garden areas and parking on the front of the property, or
 - b. side/rear parking without 4 garden lots.
- 3) The creation of 2 or 3 driveways for the single family dwelling and 4 strata properties.

Following is the excerpt from the minute for the meeting. Two residents also submitted their statements in writing.

Residents were split in opinion of the proposal, with nearby residents concerned about the proposed parking/driveways and others showing preference for the more family oriented homes with greenspace.

For your consideration,

Marg Gardiner President, JBNA

No index entries found.

Cc: JBNA Board, Jim Handy, Planning

Mark Imhoff, Mark Imhoff Group, Don Halton, Owner

Attach: Excerpt from March 8th, 2017, JBNA General Meeting

Appendix: Resident submissions

For the new SFD to be built – a small jog in the lot line is provided to increase yard space for the small lot. The front yard setback aligns with the house next door to the west. No variances to R1-S2 are being sought. The plan is in conformance with the concepts outlined in the City's James Bay Neighbourhood Plan. There are at least 5 small-lot developments on Superior Street already. Shadowing effects on West neighbour were considered; all shadowing effects should be cleared by about 10 am all year, with 1 hour 22 minutes of shading in winter and 3 hours 30 minutes shading in summer.

Landscaping – separate gardens for all four suites and for the new SFD. One willow tree in the rear and one tree on the boulevard would need to be removed. The option to provide parking in the side/rear yard without variances was also presented. A variance to allow parking in the front yard is being sought to maximize greenspace.

Q/A with near-by residents who are within the 100 meter notification area.

- C: Neighbour directly west of the SFD proposed. We are most affected. Primary concern is subdivision of property with 2-storey SF 5 feet from property line. Our primary source of sunlight is through windows on the East side. We reviewed the shading graph and became very concerned about the effect on sunlight. The 10-foot main floor and 9-foot second floor are major causes of our shading concerns. City guidelines indicate neighbours need to be considered with regards to shading.
- Q: Neighbour, East of subject property. Thus far, we've been shown the proposed parking with variances. I am concerned that people will support what is shown, and that the design won't be built. I support the variance request to put parking in the front yard.
- Q: Representing my mother 3 houses East. Our concern is parking for a total of 5 units, which implies 10 cars. Street parking here is very tight.
- Q: Neighbour across the street. I am glad they are maintaining the building. My concern is the number of parking spaces in the front yard. I would like to see parking down the side of the house, and be behind the front of the property line. It takes away parking from the street with 2 additional driveways.
- C: Neighbour across the street. We would support this application without the parking variances. The non-variance drawing looks exaggerated. Our preference is the confirming model, with different landscape options.
- C: Neighbour across the street. I think the project is great. I am concerned about how narrow the new home is; that it will detract from the heritage home.
- C: Neighbour townhouse next door. I am concerned about parking; would prefer parking at the side. Could the tall hedge be removed?
- C: Neighbour to the West again very unhappy with how little we were consulted during this process. We're losing our sunlight.

Q/A with residents beyond the 100 meter notification area.

Q: San Jose. I am sympathetic to privacy and shading issues. Would the new house be able to be moved back to reduce shading for the neighbour?

Appendix submitted with JBNA letter to CoV:

From:

RAY WILLIS

Subject: Digital Presentation from March 8 meeting

Date:

March 9, 2017 2:39:20 PM PST

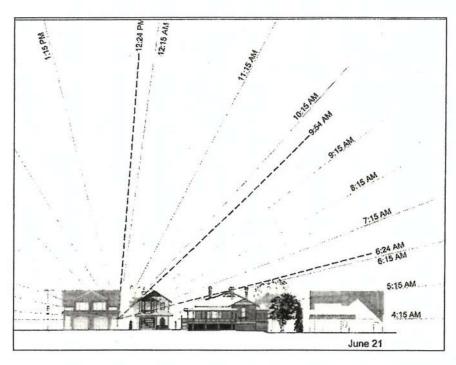
To:

Marg Gardiner, JBNA <marg.jbna@shaw.ca>

Hello Marg

Let us begin by thanking you again for giving us the opportunity to raise our concerns about the proposed small lot and house development at 224 Superior. Attached as requested are digital copies of the information that was submitted last evening. In addition we would like to clarify some statements made by Mark Immhoff to the audience. The shading graph slide he presented appears to be different from the graph he presented to us on March 2 in which significantly more hours of shading are indicated. Also he told the group that he had left us a message to call him back in regards to discussing changes to the plan. Unless he has an incorrect number for us and left a message at some other residence we received no such message. We will be addressing both of these issues with Mark and once again ask him if Don is willing to make any changes (in particular ceiling heights) to address our shading and privacy concerns. It was gratifying to hear complete strangers offer their support to us both during and after the meeting. An example of the wonderful neighbourhood in which we live and the good work of yourself and the JBNA in bringing community members together to engage in meaningful dialogue. If you can offer any other advice in regards to the process we would appreciate hearing from you.

Take Care Ray and Brenda Willis





James Bay Neighbourhood Association

jbna@vcn.bc.ca Victoria, B.C., Canada www.jbna.org

November 10th, 2017

Miko Betanzo, Senior Planner City of Victoria

Dear Miko,

Re: Albion, 224 Superior, REZ 00528.

Tim VanAlstine, Linda Carlson, and I, representing the JBNA Development Review Committee, meet today with Don Halton, owner of 224 Superior.

Mr Halton had asked for a meeting as he had been advised by City Planning to enquire as to whether JBNA DRC thought that the revised proposal should come again to the community for comment.

Upon review of the schematics (see attached schematic) we do not think that the changes would change impacts of the development on the community. For this reason, the changes do not warrant a second community meeting.

For your consideration,

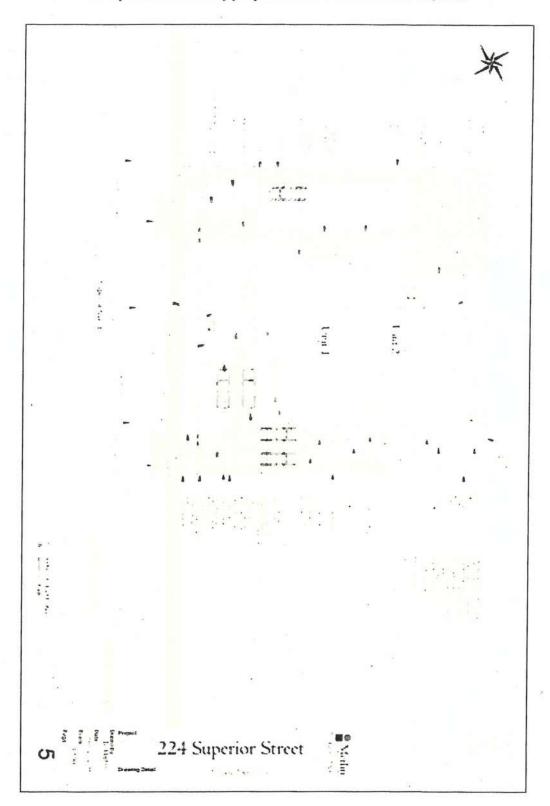
Yours truly,

Marg Gardiner
JBNA CALUC Co-Chair

Cc: JE

JBNA Board Don Halton Chelsea Medd, Co

Attachment: Footprint schematic of proposal reviewed November 10, 2017.



March 21 2017
Ray and Brenda Willis
218 Superior Street
Victoria V8V 1T3
Phone
Cell

Dear

Mayor Helps

Victoria City Councillors

City of Victoria Planning Department

We are Ray and Brenda Willis owners since March 2010 of a duplex unit at 218 Superior Street. We are writing to you about concerns we have regarding the negative impact the proposed redevelopment of the heritage property at 224 Superior Street (Albion Manor B&B) will have; a) on the immediate neighbourhood, b) on the state of James Bay's most beautiful heritage property, and C) on our home.

a) Impact on the immediate neighbourhood: Three Driveways on Superior Street

The proposed redevelopment with the inclusion of a small lot calls for two additional driveways off of Superior Street. This action would eliminate all current residential parking in front of 224 pushing parking in front of other properties on the street. Also the additional driveways require the removal of a mature tree from the boulevard in front of the property. Three driveways in such a small area will create increased congestion entering and exiting Superior Street one of the main arterial streets in the area.

b) Impact on the Heritage Property

The heritage property at 224 Superior is the last fully in tact heritage property in James Bay, and, as such, it is an iconic heritage property. It is a beautiful heritage home surrounded by lovely gardens. The property is a favourite photography stop for cruise ship passengers and other visitors to Victoria. It embodies the grand era of Victoria. The proposed redevelopment plan calls for subdividing the property to create a small lot with a two story house. Creation of the small lot significantly reduces the overall size of the property leaving a heritage house (minus the grand entrance stairway) crowded by a two story skinny house. In addition the plan eliminates the majority of the front gardens in order to create unit parking. The end result turns what now is heritage grandeur into just another big old house with a paved yard.

c) Impact on Our Home

The proposed small lot will have a two story house built 5 feet from our property line. The design of the house calls for 10 foot main floor, 9 foot second floor ceilings and a second floor balcony across the entire rear of the house. The house as planned will have a significant impact on our access to direct sunlight, as well as, the privacy of our back yard. Due to the direction and configuration of our duplex 80 per cent of our direct sunlight comes through east facing windows. The shading factor on our windows and yard will be significant. The City of Victoria Small Lot Policy highlights proposals should use "good neighbour design relative to privacy and sunlight." In addition, it states that applicants "should consider the shadowing, privacy, and sunlight impact of any new building." As of March 21 2017 our multiple requests for discussions and considerations regarding modifications (such as lower interior ceilings) to the design of the house have been ignored by the owner of 224 Mr. Halton and his developer Mr. Imhoff.

Final Points

We understand Mr. Halton's financial rationale for redeveloping the heritage house into 4 condos. We know there is a housing shortage in Victoria, although at the suggested price of 700,000.00+ for the condos and 900,000.00+ for the skinny house this plan will not assist the need for affordable housing in the city. Therefore given the concerns highlighted the question we put forward to city council is this – does the end justify the means? A plausible and win win alternative for redeveloping the heritage property at 224 could be achieved by eliminating the small lot. Without subdividing the property, the heritage house can still be developed into 4 (and it has been suggested by Mr. Imhoff into 5) condos giving the city additional housing in the area. As important, without the small lot the need for two additional driveways is eliminated, the street parking is not affected, the boulevard tree remains, the gardens remain intact, and the outside of the house is not affected as the grand staircase could remain. Owner and guest parking can be easily accommodated on the west side

of the property where the small lot is being proposed. Of course, there is always a downside, by eliminating the creation of the small lot the current owner of 224 does not get to profit from the creation of a small lot and house and will invariably argue he has no place to live. The owner could still remain in his heritage house by residing in one of the condos to be developed in his current residence.

Thank you for your consideration of our input.

Ray and Brenda Willis

Lacey Maxwell

From: Wayne & Celeste Dykshorn
Sent: March 23, 2018 12:57 PM
To: Victoria Mayor and Council

Subject: 224 Superior Street, Victoria, BC: Redevelopment and Rezoning request

Dear Mayor Lisa Helps and Council,

I am writing regarding the application by Don Halton and Fernando Garcia for redevelopment and rezoning at 224 Superior Street in Victoria. I am Celeste Wood Dykshorn, great great granddaughter of Henry B. Young who built the home for his family in 1892. In 1920, the family sold the home and moved to California. Throughout my childhood, the family referenced this property "the Victoria Homestead" and we actually have pictures with them.

My family (Wood) is a very historical family in America, going back to the mid-1600s. Henry B. Young's daughter, Stella Henrietta Young Wood was a member of the Daughters of the American Revolution (DAR). Because of my historical interest, I too applied to the DAR in 2014. During completion of the application, we discovered that the house at 224 Superior Street in Victoria to be in fact our family's home.

In 2014, I contacted Don and Fernando to inquire about the house, the history if any etc. Don expressed that, sadly, when the family moved, most of the memories left with them. The one exception is the original photograph of the home which Don and Fernando have hanging in the dining room. I kindly offered more and there was silence of joy. From there we had formed a lasting bond with Don and Fernando. I had the amazing opportunity to stay in the bed and breakfast, in the actual bedroom of my great great grandparents! What a dream. After our first visit, experiencing the need of more historical information and heartfelt gratitude, I created a Pictorial book of the family for them to share with their guests. What a success.

Our last visit, Christmas, 2017, I was able to meet my long lost cousin from California who also stayed at the house. She too, very much a history buff, was enamored by what Don and Fernando have done with the house, the care they have taken in restoring it and we shared many memories. It was then we found out about the exciting project that Don and Fernando are planning for the property.

We realize that in the today's business, a big single family home like ours can no longer be sustainable in the heart of the city. Don and Fernando graciously took us through each of the project pieces and how it would affect the home, preserving the uniqueness and love this old home represents. As members of the Young family, we are very pleased with this project. Their caring nature and attention to detail has made a success of our story and their business. We have no doubt the project will be a success. We are in total support and sincerely hope that you too will support it.

With Prayerful consideration,

Celeste Wood Dykshorn

Pamela Martin

From: Norman MacMurchy Sent: July 3, 2018 12:47 PM Public Hearings

Subject: Zoning Amendment Bylaw (No. 1141) No. 18-019

As resident (and owner) of 204 Superior Street, I have reviewed the proposed rezoning of the property with the civic address of 224 Superior Street. After viewing the proposed development plan, I fully support the proposal. I see the development to be in keeping with the nature of the neighbourhood. The addition of more permanent housing (as a opposed to the use of the property as a B&B) is, in my view an additional positive feature.

Norman MacMurchy

Sent from my iPad

Pamela Martin

From: HELEN MURENBEELD

Sent: July 5, 2018 1:39 PM **To:** Public Hearings

Subject: Regarding the Amendment Bylaw (No.1141) No. 18-019 Civic Address 224 Superior

Street

City Council,

As a neighbor to 224 Superior, we are opposed to the side yard (west) setback from 2.40m to 1.50m. Also, we are opposed to the Heritage Alteration Permit with Variances Application which proposes a further reduced west side yard from 3.65m to 1.20 m. The proposed setback leaves no room for landscaping along the west side yard fence, and gets too close to the neighboring property. It subtracts from the neighboring property's daylight.

Hopefully, the 2- year old roof that the tax payers of Victoria paid for, will remain in tact. I note this because, the old chimneys of the heritage building have already been removed! I am not sure if the removal of the chimneys were permitted.

Will the tax payers from Victoria be reimbursed if, the roof is scrapped?

Helen Murenbeeld 216 Superior St.

Karen Sidhu

From: Public Hearings

Subject: FW: proposed changes to 224 Superior Street

From: LENORE HARLTON Sent: July 7, 2018 10:39 AM

To: Public Hearings < PublicHearings@victoria.ca > **Subject:** proposed changes to 224 Superior Street

I would like my phone number and email address kept confidential please.

I object to the proposed changes to 224 Superior Street on a number of grounds.

- 1) Heritage designation: As an owner of 215 Superior street for the past 30 years, I am very well aware of the attraction the home holds for all those walking by this block of Superior. Pedestrians of all sorts are constantly crossing the street and stopping in front of the home to take pictures. It is an important tourist attraction and I object to any proposal that includes change to the exterior of the building. This lot is a remarkable addition to the neighbourhood and has been for some years. Presumably it was designated heritage when it was purchased by the present Owners so why would they be allowed to change this attraction just to maximize profit.
- 2) Parking: Despite the arguments presented by the Owners, it seems just common sense that making additional driveway areas and taking away the existing parking will be detrimental to the current parking situation. Never mind the detriment to the looks of the property. As it is, the persons who stay at the bed and breakfast often make no attempt to stay parked in the lot and are constantly encroaching on the already limited street parking. As it is we cannot at times get parking ourselves because of church attendees and patrons of the restaurant at the end of Superior street.
- 3) Setbacks and site coverage: Surely the Owners can profit adequately without completely destroying the property with a small additional house and altered setbacks.
- 2 questions please: 1) I understand a stop work order has been placed on the property. I would like to know specifically what steps are now being taken to enforce the current bylaws. Heritage and otherwise. I am upset that the Owners advertised the property last May and seem to consider themselves outside the bylaws.
- 2) I am also concerned that the young people clearing out the bricks from the home were apparently not protecting themselves from any possible asbestos contamination. Is it true the City simply depends on the Owner/developer to state there is no asbestos in a property, even one of this age?? It seems to me arguable the City might bear some responsibility there in future if that is true.

All of which is respectfully submitted. Thank you for your time.

Lenore B. Harlton 215 Superior Street Victoria BC V8V 1T4 Proposed Changes to 224 Superior Street

To City of Victoria,

I am opposed to the changes put forward in your request for input document. I do not believe the changes are in the best interest of our neighbourhood.

It appears a design proposal has been brought forward that requires many of our zoning bylaws to be changed in order to implement. This is on a heritage property, one of the oldest and most prominent heritage properties in James Bay.

Some of my concerns are;

Parking; the existing driveway and parking area is suitable for multiple parking stalls while still maintaining the heritage integrity. The proposed plan would require 3 driveways and parking in the front of the buildings which is not conducive to maintaining the heritage integrity. As well the 3 driveways would remove many road side parking spots.

The present lot size provides proper site coverage which maintains the heritage integrity. Building a house on a small rezoned lot will reduce the heritage integrity not to mention harmful to the use and enjoyment of the property adjoining on the west border.

Setbacks are created in bylaws to protect the properties surrounding a building site and future owners within the site. The proposal is suggesting to reduce setbacks in three areas, and once again, on a heritage site.

Thank you for your consideration,

Regards

Hewitt (Hew) Bowman 215 Superior St.

Dear Mayor Helps and Victoria City Councillors

RE: Citizen Input Regarding Proposed Changes to 224 Superior Street

Our names are Ray and Brenda Willis owners since 2010 of a duplex unit at 218 Superior Street. We are writing to you to provide input as requested on the proposed changes to 224 Superior as outlined in the correspondence we received from the City of Victoria dated June 29 2018.

Zoning Regulation Bylaw, Amendent Bylaw (No 1141) No 18-019

We would like to make clear that we **do not support** Amendments to the Zoning Regulation Bylaw No 18-019 calling for the western portion of the property to be rezoned to R1-S2 Restricted Small Lot. We have two major concerns with the subdivision of this property. As outlined in our earlier correspondence of March 21 2017 to The Mayor and City Councillors we continue to advance the issue that the creation of a restricted small lot with a two story home will negatively impact the status of the current **designated Heritage Home**, and also, our adjacent property at 218 Superior.

The heritage property at 224 Superior is a one of a kind fully in tact heritage designated property in James Bay, and, as such, it is an iconic heritage property. It is a beautiful heritage home surrounded by lovely gardens. The property is a favourite photography stop for cruise ship passengers and other visitors to Victoria. It embodies the grand era of Victoria and history of the James Bay community. Creation of the small lot significantly reduces the overall size of the property leaving a heritage house (minus the grand entrance stairway) crowded by a two story skinny house. In addition, the plan eliminates the majority of the front gardens in order to create unit parking. We were particularly surprised to see that the development proposal was not reviewed by the Heritage Panel as indicated on the City of Victoria planning schedule. We assumed that a development of this magnitude on a designated heritage home would have been a priority for review by this city panel.

The creation of the proposed Restricted Small Lot will also have a **negative impact** on the privacy and access to light in our home. The design of the house calls for 10 foot main floor and 9 foot second floor ceilings and a second floor balcony across the entire rear of the house. The house as planned will have a significant impact on our access to direct sunlight, as well as, the privacy of our back yard. The shading factor on our windows and yard will be significant particularly during the winter months. The City of Victoria Small Lot Policy highlights proposals should use "good neighbour design relative to privacy and sunlight." In addition, it states that applicants "should consider the shadowing, privacy, and sunlight impact of any new building."

2. Development Permit with Variance Application

In regards to the above request for variance we do not support "issuing of a development permit with a variance for a portion of the land known as 224 Superior Street for the purposes of reducing the side yard (west) setback from 2.40m to 1.5m to allow for two habitable rooms with windows." According to City of Victoria planning R1-S2 Zone Restricted Small Lot guidelines setbacks of the main structure must be in compliance with the following for side yard 2.4m for any portion of a dwelling used for habitable space. As our home is directly adjacent to this side of the proposed development, the addition of windows in this habitable space that are less than the regulatory 2.40m will impact negatively on the privacy of the windows in our bedrooms and upper hallway. The current design and plans for the proposed small house at 1.5m indicate sufficient light from windows in other parts of the habitable space to negate the need for additional windows

Thank you for allowing us the opportunity to provide input to your discussions on the proposal.

We are providing our email address and ask that they remain confidential. Ray and Brenda Willis

Email:

Pamela Martin

From: Cookie Dubney

July 11, 2018 2:07 PM Sent: To: **Public Hearings**

Subject: 224 Superior Street - Council Meeting June 12, 2018

I support this proposal for 224 Superior St

C. Dubney

302-630 Montreal Street

Please do not disclose my phone or email address - Thank You.

Cookie Dubney Victoria B.C.. Please use



Council Report For the Meeting of July 12, 2018

To:

Council

Date:

July 6, 2018

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Update Report for Heritage Alteration Permit with Variances No. 00007 and

Development Permit with Variance No. 00582 for 224 Superior Street

UPDATED RECOMMENDATION

Development Permit with Variance Application No. 00582

That Council, after giving notice and allowing for an Opportunity for Public Comment and a Public Hearing at a meeting of Council for Rezoning Application No. 00582, consider the following updated motion.

"That Council authorize the issuance of Development Permit with Variance Application No. 00582 for 224 Superior Street, subject to the reconstruction of the chimneys on the heritage-designated building in accordance with Heritage Alteration Permit with Variances No. 00007, in accordance:

- Plans date stamped April 13, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance:
 - Reduce the side yard (west) setback from 2.40m to 1.50m to allow for two habitable rooms with windows.
- The Development Permit lapsing two years from the date of this resolution."

Heritage Alteration Permit with Variances Application No. 00007

That Council, after giving notice and allowing for an Opportunity for Public Comment and a Public Hearing at a meeting of Council for Rezoning Application No. 00582, consider this updated motion:

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00007 for the existing Heritage Designated house at 224 Superior Street, in accordance with:

1. Plans date stamped April 13, 2018.

- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:
 - i. Reduce the side yard setback from 3.65m to 1.20m
 - ii. Reduce the rear yard setback from 4.0m to 1.36m
 - iii. Allow parking in the front yard
 - iv. Increase the site coverage from 30.0% to 35.09%.
- 3. All original chimneys be reconstructed to match existing photographs and drawings prior to all other work commencing, and to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. Heritage Alteration Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to update Council on work without permit that occurred at 224 Superior Street, and to provide an amended recommended motion for Council's consideration.

Staff were notified of work without permit at 224 Superior Street on May 31, 2018 and a stop work order was issued on June 1, 2018. The work undertaken involved dismantling chimneys on the heritage-designated house for future seismic stabilization. However, this work was performed without a Heritage Alteration Permit.

Regarding the work without permit, the contractor explained that a meeting occurred onsite with the owner, the contractor, and an engineer. The engineer stated that all of the chimneys required seismic stabilization during the interior alterations for the four self-contained units. Without knowledge of the required permit process, a worker dismantled three chimneys to allow for internal metal reinforcement and reconstruction. The building owner confirmed that the bricks removed were saved for reuse during reconstruction.

The owner has agreed to reconstruct the chimneys in accordance with the Heritage Alteration Permit with Variances plans dated April 13, 2018, which reflect their original construction. Staff recommend that remedial work take place whereby the chimneys are seismically secured and reconstructed to match existing photographs and drawings prior to all other work commencing.

The motion provided for Council's consideration has also been updated to reflect that a Statutory Right-of-Way of 2.41m has been registered on the property's title and that the plan date stamps have been updated.

CONCLUSION

A stop work order remains active at 224 Superior Street. Required permits are necessary before work can proceed. Proposed alterations must be in accordance with the Heritage Alteration Permit with Variances, if approved; therefore, staff recommend an additional condition, noted as item 3 in the above updated Heritage Alteration Permit with Variances motion, that all original chimneys be reconstructed prior to the commencement of any further work occurring on site. All other recommended conditions for the Development Permit with Variance and the Heritage Alteration Permit with Variances have been met to the satisfaction of City staff.

Respectfully submitted,

Chelsea Medd

Planner

Development Services Division

Jonathan Tinney, Director

Sustainable Planning and Community

Development Department

Merinda Conley

Senior Planner - Heritage **Development Services Division**

Report accepted and recommended by the City Manager:

hisame Thompson July 11, 2018

List of Attachments:

- Attachment A: Letter from Farhill Engineering Ltd., dated July 10, 2018
- Attachment B: Site Photographs
- Attachment C: Chimney Details

FARHILL ENGINEERING LTD.

105 - 937 Dunford Ave - Victoria BC - V9B 2S4 - 250-818-8937 - info@farhill.ca



Tuesday, July 10, 2018

Craig JackmanBluewater Developments
Victoria BC

Re: 224 Superior - Existing Chimneys

Dear Mr Jackman,

Farhill Engineering attended the residence located at 224 Superior St. It is our understanding that the existing brick fireplaces have been removed from the structure leaving the existing chimneys without support.

Accordingly it is our recommendation that the existing chimneys be removed and restructured. I would not consider the existing unreinforced chimneys to have any seismic resistance. Per your proposal I recommend that new structure be designed to accommodate the existing brick facade as a veneer that matches the original design. This will allow us to provide adequate support for both gravity and seismic forces.

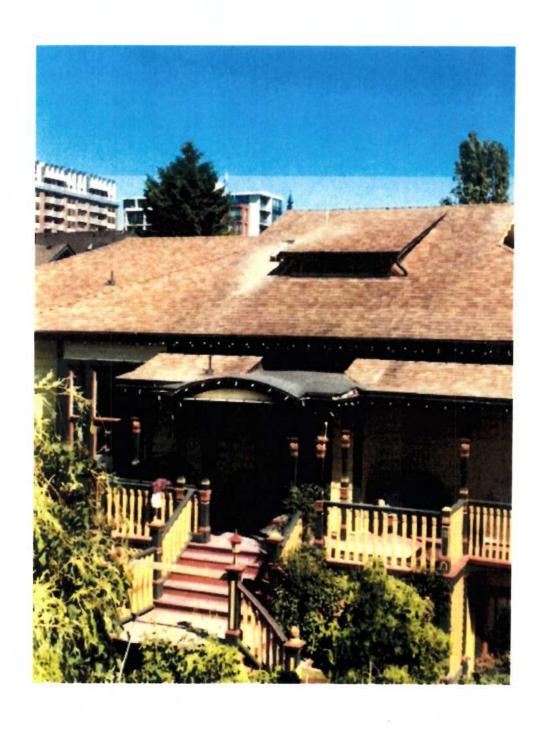
Please call me if you have any further questions or concerns.

E. MALKOW # 35748

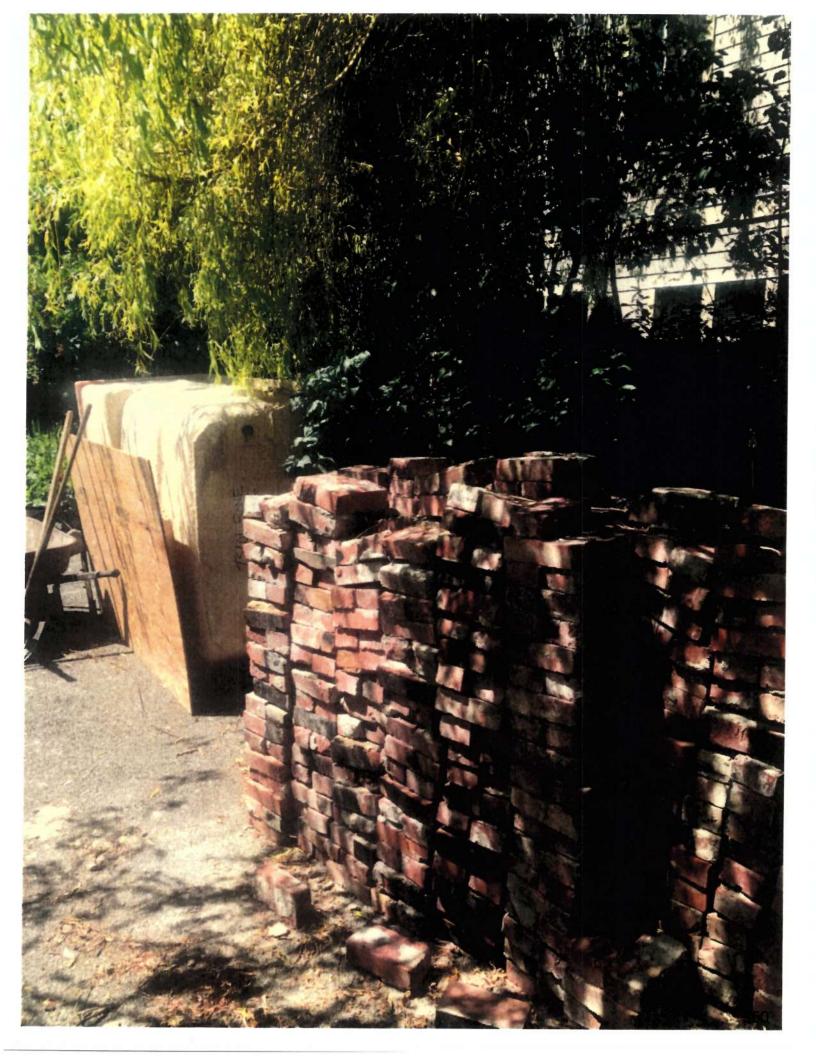
Jun 10/18

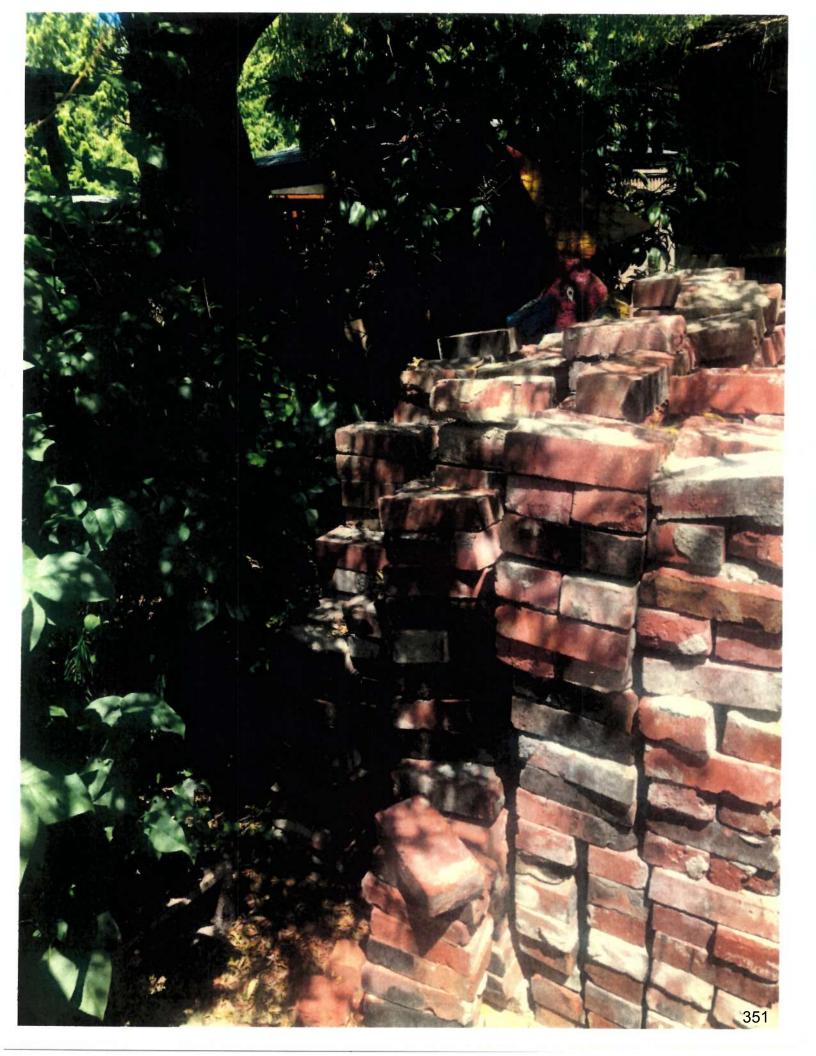
Signed and Sealed,

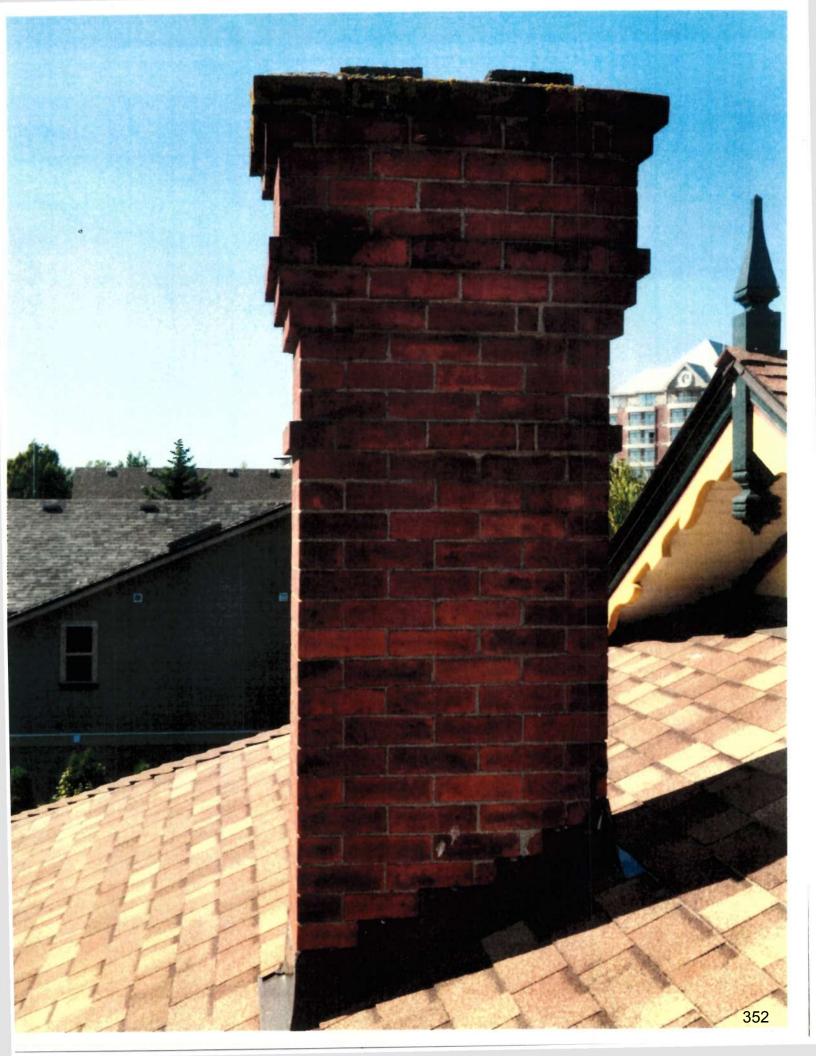
Stephen E Malkow,

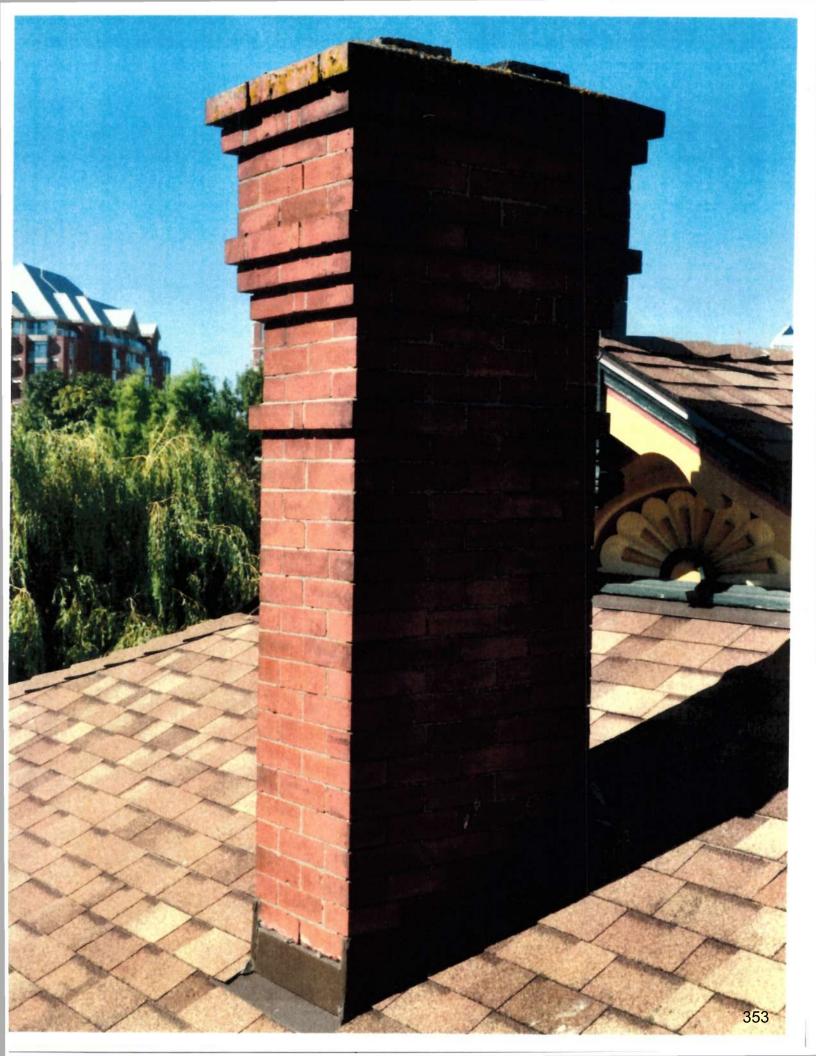


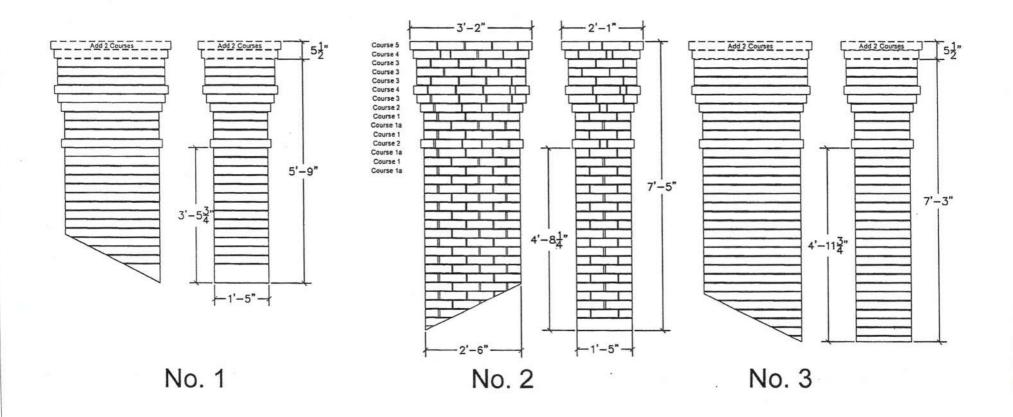












Chimney Details 224 Superior Street

Pamela Martin

From: ann nelson

Sent:July 11, 2018 4:48 PMTo:Public HearingsCc:ann nelson

Subject: Proposed changes to 224 Superior Street

To whom it may concern,

I am of the opinion that the proposed changes to the noted address should be allowed to proceed, ONLY if the Heritage designation of the building on the outside is restored. It is my understanding that some changes have already been made that should not have been undertaken.

I would also add, there are concerns from the neighbour to the west of this property that the proposed design will completely eliminate all access to sunlight for them, which seems completely unfair to allow, and in my opinion, a terrible precedent for the city to set, allowing one neighbour to improve property at the absolute expense of another. I also would like to bring to your notice that the present owners refuse to cut a large hedge on the east side of the property, neighbouring us. This hedge is approximately 40 feet high and deprives us of sunlight on the west side of our home. This has been an ongoing issue for at least ten years, so we are fully aware of what a detriment something similar would be, to the neighbour on the west.

I send this in confidence and would like my email address to remain confidential.

Many thanks, Blaise Nelson 226 Superior Street Victoria, BC V8V 1T3

Sent from my iPad

NO. 18-019

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by:

- Creating the R2-56 Zone, Superior Street Conversion District;
- Rezone a portion of the land known as 224 Superior Street from the T-15 Zone, Superior Street Accommodation District, to the R1-S2 Zone, Restricted Small Lot (Two Storey) District;
- Rezone a portion of the land known as 224 Superior Street from the T-15 Zone, Superior Street Accommodation District, to the R2-56 Zone, Superior Street Conversion District;
- Repeal Bylaw 90-81 creating the T-15 Zone, Superior Street Transient Accommodation District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

Title

1. This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1141)".

Rezoning

- 2. Bylaw No. 80-109, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption PART 2 Attached Dwelling Zones by adding the following words:
 - "2.147 R2-56 Superior Street Conversion District"
- 3. The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 2.146 the provisions contained in Schedule 1 of this Bylaw.
- 4. The land known as 224 Superior Street, legally described as Lot 1937, Victoria City, and Lot 1938, Victoria City and shown hatched on the attached map, is removed from the T-15 Zone, Superior Street Accommodation District, and:
 - (a) that portion of the lot marked "R2-56" on the attached map is placed in the R2-56, Superior Street Conversion District; and
 - (b) that portion of the lot marked "R1-S2" on the attached map is placed in the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

Repeal

- 5. Bylaw No. 90-81, the Zoning Regulation Bylaw, Amendment Bylaw (No. 293) is repealed.
- 6. Bylaw No. 80-109, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption PART 5 Transient Accommodation Zones by deleting the following words:
 - "5.15 T-15 Superior Street Transient Accommodation"

READ A FIRST TIME the	28 th	day of	June	2018
READ A SECOND TIME the	28 th	day of	June	2018
Public hearing held on the		day of		2018
READ A THIRD TIME the		day of		2018
ADOPTED on the		day of		2018

CITY CLERK MAYOR

Schedule 1

PART 2.147 - R2-56 ZONE, SUPERIOR STREET CONVERSION DISTRICT

2.147.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. Uses permitted in the R-2 Zone, Two Family Dwelling District, subject to the regulations set out in Part 2.1 of the Zoning Regulation Bylaw
- b. <u>Multiple dwelling</u> created through a <u>house conversion</u> of a <u>building</u> constructed prior to 1900, with no more than four <u>self-contained dwelling units</u>
- c. Home occupation subject to the regulations in Schedule "D"

_				_	
2	147	2 I	Ωt	Ares	ì

a. Lot area (minimum)

945m²

2.147.3 Floor Space Ratio

a. Floor space ratio (maximum)

0.5:1

2.147.4 Height, Storeys

a. Principal building height (maximum)

7.6m

b. Storeys (maximum)

2

2.147.5 Setbacks, Projections

a. Front yard setback (minimum)

11m

Except for the following maximum projections into the setback:

Steps less than 1.7m in <u>height</u>

2.5m

porch

2.5m

b. Rear yard setback (minimum)

4.0m

3.65m

c. <u>Side yard setback - west</u> (minimum)d. <u>Side yard setback - east</u> (minimum)

3.00m

2.147.6 Site Coverage, Open Site Space

a. Site Coverage (maximum)

30%

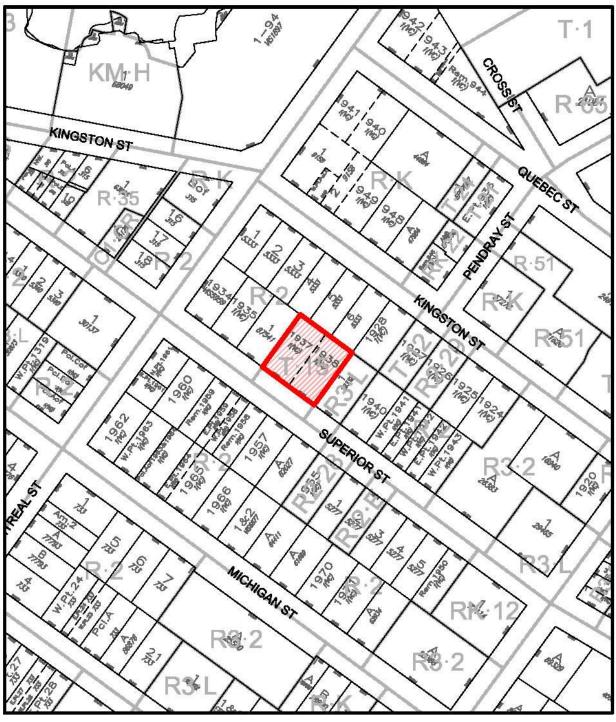
Schedule 1 PART 2.147 – R2-56 ZONE, SUPERIOR STREET CONVERSION DISTRICT

2.147.7 Vehicle and Bicycle Parking

a. <u>Vehicle and bicycle parking</u> (minimum) Subject to the regulations in

Schedule "C" except as otherwise specified by regulations in this Part

b. Multiple dwelling (vehicle parking - minimum) 1 per unit





224 Superior Street Rezoning No.00582



SPECIAL JOINT COMMITTEE OF THE WHOLE REPORT WITH THE DISTRICT OF SAANICH FROM THE MEETING HELD JUNE 26, 2018

For the Council Meeting of July 12, 2018, the Committee recommends the following:

- 1. Referendum Question on Amalgamation on the October 20, 2018 General Local Election Ballots
 - 1. That Saanich and Victoria both place the following question on the October 20, 2018 municipal election ballot:
 - "Are you in favour of spending an amount to be determined for establishing a Citizen's Assembly to explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria?"
 - 2. Co-develop and disseminate educational information in advance of the October 20, 2018 general election as an inclusive election expense.
 - 3. Direct the Mayors to write to the Ministry of Municipal Affairs and Housing informing the Hon. Selena Robinson of the intention to pose a ballot question, sharing the wording of the question.



Council Report

For the meeting of July 12, 2018

To: Council Date: July 10, 2018

From: Chris Coates, City Clerk

Subject: Update Report on Special Committee of the Whole Meeting June 26, 2018 District

of Saanich and City of Victoria Councils

RECOMMENDATION

That this report be received for information.

EXECUTIVE SUMMARY

On June 26, 2018, Victoria and Saanich Councils held a joint Committee of the Whole meeting in the Boardroom of the Capital Regional District, to consider a referendum question on establishing a Citizens Assembly to explore the costs and benefits of the amalgamation of Saanich and Victoria. Each Council passed the following motion at the joint meeting:

- 1. That Saanich and Victoria both place the following question on the October 20, 2018 municipal election ballot:
- "Are you in favour of spending an amount to be determined for establishing a Citizen's Assembly to explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria?"
- 2. Co-develop and disseminate educational information in advance of the October 20, 2018 general election as an inclusive election expense.
- 3. Direct the Mayors to write to the Ministry of Municipal Affairs and Housing informing the Hon. Selena Robinson of the intention to pose a ballot question, sharing the wording of the question.

Saanich Council considered this Committee of the Whole recommendation at their meeting of July 9, 2018 and passed the motions with the change to the proposed non-binding referendum question of:

"Are you in favour of spending up to \$250,000 for establishing a Citizen's Assembly to explore the costs, benefits and disadvantages of the amalgamation between the District of Saanich and the City of Victoria."

The figure of \$250,000 is one-third of a very preliminary estimate of costs. The work has not been scoped in any detail. Analysis of similar projects has occurred and it may be considered that a total

cost of \$750,000 could be on the high side. Typically a project of this nature would have three main components:

- The Technical Analysis
- Management of the Citizens Assembly
- Communications and Engagement

The Provincial Government, under the Local Government Grants Regulation may fund up to \$60,000.00 to a local government in a fiscal year for a study of this nature. This potential project could span two fiscal years whereby each municipality could receive \$60,000 in each of the two years to get to one-third funding from the Province. It is important to note that no applications for funding have been made at this point. Any funding application to the Province would need to include a more thorough project and cost definition.

Respectfully submitted,

Chris Coates City Clerk

Report accepted and recommended by the City Manager:

Date: July 10, 2018

"Appendix A"

June 26, 2018, Joint Committee of the Whole Meeting District of Saanich/City of Victoria Councils

The meeting shall be Co-Chaired by Mayor Atwell and Mayor Helps.

Agenda

- 1) Introduction of the Item
- 2) Public Input Speakers must state their name, address and municipality. Speakers will be provided up to three minutes to address Councils. The public input portion of the agenda will be allotted up to three hours.
- 3) Councils Discussion At a Committee of the Whole meeting, a member of Council may speak twice on an item, but are limited to a maximum of five (5) minutes each time.
- 4) Each Council shall undertake a separate vote on the motion being considered. Approval from each Council requires a majority vote of Council members present.
- 5) Adjournment

COMMITTEE OF THE WHOLE REPORT FROM THE MEETING HELD JULY 5, 2018

For the Council Meeting of July 12, 2018, the Committee recommends the following:

- 1. <u>Motion Supporting the Creation of More Childcare Spaces in Victoria West</u>
 Council direct staff to assist the Victoria West Community Association with the exploration of upgrades and the associated City approval processes needed to increase the number of childcare spaces at the Victoria West Community Centre.
- 2. <u>1351 Vining Street Development Permit Application (DDP No. 00174) (Fernwood)</u>
 A Development Permit Application to allow for the conversion of an existing studio into a garden suite.

That Council authorize the issuance of a Development Permit Application for 1351 Vining Street (DDP No. 00174), subject to the applicant adding obscured glass to the bathroom window, removing the living area window or maintaining the living room window, but adding obscured glass on the east elevation and the French doors on the west elevation (non-opening windows replace these), to the satisfaction of the Director of Sustainable Planning and Community Development, in accordance with:

- 1. Plans date stamped March 19, 2018, as amended.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. The Development Permit lapsing two years from the date of this resolution.

3. <u>1245 Oxford Street - Development Permit Application Amendment</u> (DDP No. 00143B) (Fairfield)

A Development Permit Application to allow the construction of a garden suite in the rear yard.

That Council authorize the issuance of a Development Permit Application for 1245 Oxford Street (DDP No.00143B), in accordance with:

- 1. Plans date stamped June 13, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements.
- 3. The Development Permit lapsing two years from the date of this resolution.

COMMITTEE OF THE WHOLE REPORT FROM THE MEETING HELD July 12, 2018

For the Council Meeting of July 12, 2018, the Committee recommends the following:

1. <u>1276-1278 Gladstone Avenue - Rezoning Application No. 00629 (Fernwood)</u>
A rezoning application to allow two existing non-conforming, single-family dwellings on a single lot.

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00629 for 1276/1278 Gladstone Avenue, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way of 1.85m on Gladstone Avenue, to the satisfaction of the Director of Engineering and Public Works.

2. Naming the Topaz Dog Park the PSD Chase Dog Park

Be it resolved that the new dog park at Topaz Park be named the PSD Chase Dog Park and that funds be used to attach a plaque with information regarding PSD Chase.

3. 502 Discovery Street - Rezoning Application No. 00646, Heritage Alteration Permit Application No. 00228 and Heritage Designation Application No. 00173 (Burnside)

An application to allow for construction of additional floor area for office use of the upper storey attic in the existing building; requiring the addition of a breezeway, a number of skylights, and minor alterations to two existing entrances; and to designate as heritage the exterior of the building.

Rezoning Application No. 00646

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00646 for 502 Discovery Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Heritage Alteration Permit Application No. 00228

That Council, after giving notice and after the Public Hearing for Rezoning Application No.00646, if it is approved, consider the following motion:

"That Council authorize the issuance of the Heritage Alteration Permit Application No. 00228 for 502 Discovery Street, in accordance with:

- 1. Plans date stamped May 25, 2018.
- 2. Development meeting all Zoning Regulation Bylaw requirements
- 3. Heritage Alteration Permit lapsing two years from the date of this resolution."

Heritage Designation Application No. 000173

That Council consider the following motion:

- 1. That Council instruct staff to prepare the necessary Heritage Designation Bylaw that would approve the designation of the Heritage-Registered property located at 502 Discovery Street, pursuant to Section 611 of the Local Government Act, as a Municipal Heritage Site, and that first and second reading of the Heritage Designation Bylaw be considered by Council and a Public Hearing date be set once the following condition is met:
 - a. Subject to the approval of the Heritage Designation Bylaw for 502 Discovery Street, that Council authorize staff to discharge Heritage Conservation Restrictive Covenant CTK6914 dated March 10, 1983.

4. <u>1770-1780 Denman Street - Rezoning Application No. 00639 (North Jubilee)</u> A rezoning application to permit the construction of thirteen single family dwellings surrounding an interior open space.

That the applicant work with staff to revise the proposal so that it is consistent with the objectives and policies found in the *Official Community Plan* and *Jubilee Neighbourhood Plan*.

5. <u>944 Heywood Avenue - Update Report: Development Permit with Variances Application No. 00003 (Fairfield)</u>

A development permit with variances with an application to demolish the existing single-family house, create two lots, and construct two new small lot houses.

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

"That Council authorize the issuance of Development Permit with Variances Application No. 00003 for 944 Heywood Avenue, in accordance with:

1. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variances:

Proposed Lot A

- i. Reduce the front yard setback from 6.00m to 3.20m
- ii. Reduce the rear yard setback from 6.00m to 1.61m
- iii. Permit parking to be located between the building and the front lot line.

Proposed Lot B

- i. Reduce the front yard setback from 6.00m to 3.25m
- ii. Reduce the rear yard setback from 6.00m to 4.63m.
- iii. Reduce the side yard (east) setback from 2.4m to 1.5m.
- 2. Revisions to the plans date stamped November 2, 2017 to address errors and inconsistencies to the satisfaction of the Director of the Sustainable Community Planning and Development Department.
- 3. The Development Permit lapsing two years from the date of this resolution."

6. <u>727 Yates Street - Heritage Alteration Permit with Variances Application No.</u> 00008 (Downtown)

A Heritage Alteration Permit with Variances to convert a Heritage designated commercial building to a mixed-use building.

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

"That Council authorize the issuance of Heritage Alteration Permit Application with Variances No. 00008 for 727 Yates Street in accordance with:

- 1. Plans, date stamped May 24, 2018.
- 2. Development meeting all *Zoning Regulation Bylaw* requirements, except for the following variance(s):
 - a. reduce east side yard setback from 4.5m to 0.851m
 - b. reduce vehicle parking from 8 stalls to 0 stalls
 - c. reduce visitor vehicle parking from 1 stall to 0 stalls.
- 3. Council authorizing City of Victoria staff to execute an Encroachment Agreement in a form satisfactory to the City Clerk, for building encroachment(s) adjacent to 727 Yates Street.

- 4. Final plans to be generally in accordance with the plans identified above to the satisfaction of the Assistant Director, Development Services Division, Sustainable Planning and Community Development.
- 5. Heritage Alteration Permit lapsing two years from the date of this resolution."

7. Parks and Open Spaces Master Plan Annual Progress Report

- 1. That Council receive this report for information.
- 2. Direct staff to work with the Urban Food Table on identifying and tracking additional targets related to urban agriculture and food systems.



Council Report For the Meeting of July 26, 2018

To:

Council

Date:

July 12, 2018

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Update Report for Rezoning Application No. 00549 and Development Permit

Application No. 000490 for 2813-2887 Quadra Street and 2814-2890 and

2780/82 Fifth Street

RECOMMENDATION

That the following bylaws be given first and second readings:

- 1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1144) No. 18-028
- 2. Zoning Regulation Bylaw, Amendment Bylaw (No. 1145) No. 18-029

Further, that the following bylaw be given first, second, and third readings:

Housing Agreement (2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street)
 Bylaw (2018) No. 18-038

EXECUTIVE SUMMARY

The purpose of this report is to inform Council that, in accordance with Council's motion of December 14, 2017 (attached), the applicant has fulfilled the conditions set by Council in relation to Rezoning Application No. 00549:

- Securing a car share agreement that includes the purchase of two cars and a car share membership for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
- Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works.
- Registration of a Statutory Right-of-Way for 2.72m along the entire frontage of Quadra Street.
- A restrictive covenant be registered on title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).
- An executed Housing Agreement to ensure the units in the new building are rental in perpetuity.

Respectfully submitted,

Michael Angrove

Planner

Development Services

JH

Jonathan Tinney Director

Sustainable Planning and Community

Development Department

Report accepted and recommended by the City Manager:

Date

July 11, 2018

List of Attachments:

- Attachment A: Council Minutes dated December 14, 2017
- Attachment B: Bylaw No. 18-028
- Attachment C: Bylaw No. 18-029
- Attachment D: Bylaw No. 18-038

- affected persons, organizations and authorities to ask questions of staff and provide written or verbal comments to Council for their consideration.
- 3. That Council, having provided the opportunity for consultation pursuant to Section 475(1) of the Local Government Act with persons, organizations and authorities it considers will be affected, specifically, the property owners and occupiers within a 200m radius of the subject properties have been consulted at a Community Association Land Use Committee (CALUC) Community meeting, consider whether the opportunity for consultation should be early and ongoing, and determine that no further consultation is required.
- 4. That Council, specifically consider whether consultation is required under Section 475(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 amendment.
- 5. That Council give first reading to the Official Community Plan Amendment Bylaw.
- 6. That Council consider the Official Community Plan Amendment Bylaw in conjunction with the City of Victoria 2017-2021 Financial Plan, the Capital Regional District Liquid Waste Management Plan and the Capital Regional District Solid Waste Management Plan pursuant to Section 477(3)(a) of the Local Government Act, and deem those Plans to be consistent with the proposed Official Community Plan Amendment Bylaw.
- 7. That Council give second reading to the Official Community Plan Amendment Bylaw.
- 8. That Council refer the Official Community Plan Amendment Bylaw for consideration at a Public Hearing.

Development Permit with Variances Application No. 000496

That Council, after giving notice and allowing an opportunity for public comment at a meeting of Council and after the Public Hearing for Rezoning Application No. 00558, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000496 for 1303 Fairfield Road, in accordance with:

- Plans date stamped October 10, 2017.
- 2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variances:
 - i. increase the height from 12.00m to 15.60m
 - ii. increase the site coverage from 40% to 62.60%
 - iii. reduce the front setback (Moss Street) from 6.00m to 0.86m
 - iv. reduce the rear setback from 7.80m to 4.13m (to the building) and to 2.63m (to the balconies)
 - v. reduce the south side setback from 3.90m to 3.81m (to the building) and 0.00m (to the pergola)
 - vi. reduce the flanking street setback (Fairfield Road) from 6.00m to 0.62m
 - vii. reduce the vehicle parking requirement from 44 stalls to 16 stalls.
- Refinement of trellis materials, colour and design to the satisfaction of the Director of Sustainable Planning and Community Development.
- 4. The Development Permit lapsing two years from the date of this resolution.
- Further consideration of the finishes on the tower element of the proposal.

Carried

For: Opposed: Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, and Thornton-Joe Councillor Isitt

Councillor Young returned to the meeting at 9:07 p.m.

11. Rezoning Application No. 00549 & Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street

Motion

It was moved by Councillor Coleman, seconded by Councillor Lucas:

Rezoning Application No. 00549

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendments that would authorize the proposed development outlined in Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street, that first and second reading of the Zoning Regulation Bylaw Amendments be considered by Council and a Public Hearing date be set once the following conditions are met:

That Rezoning Application No. 00549 for 2813-2887 Quadra Street and 2814-2890 and 2780/82 Fifth Street proceed for consideration at a Public Hearing and that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to completion of the following for the new project prior to a Public Hearing:

- Securing a car share agreement that includes the purchase of two cars and a car share membership
 for all units (existing and new) to the satisfaction of the Director of Engineering and Public Works.
- Restrictive covenant ensuring two car share stalls are allocated on the site for access by residents of both buildings, or an alternative arrangement as approved by the Director of Engineering and Public Works
- Registration of a Statutory Right-of-Way agreement for 2.72m along the entire frontage of Quadra Street.
- 4. A restrictive covenant be registered on the title which will prohibit the issuance of any building permits for the new project until the small parking lots are constructed for the existing units (Quadra Villa).

Council Meeting Minutes December 14, 2017 An executed Housing Agreement to ensure the units in the new building are rental in perpetuity.
 And further for Quadra Villa (existing rental units), that staff prepare the necessary Zoning Regulation Bylaw amendments, subject to the following:

A site-specific zone be drafted to allow the following changes:

- 1. Limiting development to the current existing situation for a maximum of 64 units.
- 2. Changes to density (FSR), parcel coverage and open site space as a result of the reduced lot size.
- Reducing the vehicle parking requirement to 37 parking stalls for the existing development; however, 21 stalls may be provided on the new project lot, subject to the registration of an easement and a Section 219 covenant

4. Additional floor area allowance for two laundry rooms and a caretaker's office.

- Setbacks that recognize the existing siting from Quadra Street and Fifth Street that were previously approved by the Board of Variance for the reconstruction of the stairs and decks.
- Reducing the setback requirement from Topaz Avenue for the relocation of the laundry rooms and caretaker's office.
- 7. Reducing the setback requirement from the newly created interior lot line (south).

Development Permit Application No. 000490

That Council, after the Public Hearing for Rezoning Application No. 00549, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000490 for 2813 - 2887 Quadra Street and 2814 - 2890 and 2780/82 Fifth Street in accordance with:

1. Plans date stamped August 8, 2017.

2. Development meeting all Zoning Regulation Bylaw requirements.

- Prior to the issuance of any Building Permit the siting of Block A be re-evaluated with the intent of providing a greater separation space between the ground floor units and the Statutory Right of Way to the satisfaction of the Director of Sustainable Planning and Community Development.
- Prior to the issuance of any Building Permit, the entrance of the units be further defined to be more
 prominent to the satisfaction of the Director of Sustainable Planning and Community Development.
- Final plans to be in accordance with the plans identified above, to the satisfaction of the Director of Sustainable Planning and Community Development.
- 6. The Development Permit lapsing two years from the date of this resolution.

Carried Unanimously

12. Update Report - Rezoning Application No. 00591 for 1122 Collinson Street

Motion

It was moved by Councillor Coleman, seconded by Councillor Alto, that Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00591 for 1122 Collinson Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council, and a Public Hearing date be set subject to the preparation and execution of a Housing Agreement Bylaw to secure the six dwelling units as rental for 10 years to the satisfaction of the Director of Sustainable Planning and Community Development.

Carried

For:

Mayor Helps, Councillors Alto, Coleman, Loveday, Lucas, Madoff, Thornton-Joe, and Young

Opposed:

Councillor Isitt

13. Rezoning Application No. 00582, Development Permit Application No. 00582 & Heritage Alteration Permit Application with Variances No. 00007 for 224 Superior Street

Motion:

It was moved by Councillor Loveday, seconded by Councillor Lucas:

Rezoning Application No. 00582

That Council instruct staff to prepare the necessary Zoning Regulation bylaw amendments that would authorize the proposed development outlined in Rezoning Application No. 00582 for 224 Superior Street, that first and second reading of the Zoning Regulation bylaw amendments be considered by Council and a Public Hearing date be set, subject to receipt of an executed Statutory Right-of-Way (SRW) of 2.41m on Superior Street.

Development Permit Application No. 00582

That Council after giving notice and allowing for an Opportunity for Public Comment at a meeting of Council and after a Public Hearing for Rezoning Application No. 00582, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 00582 for 224 Superior Street, in accordance with:

1. Plans date stamped November 9, 2017

2. Development meeting all Zoning Regulation Bylaw requirements, except for the following variance:

NO. 18-028

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R3-G-QV Zone, Garden Apartment (Quadra Villa) District, and to rezone land known as 2813 - 2887 Quadra Street and 2814 - 2890 Fifth Street from the R3-G Zone, Garden Apartment District to the R3-G-QV Zone, Garden Apartment (Quadra Villa) District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1144)".
- Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption PART 3 MULTIPLE DWELLING ZONES by adding the following words:

"3.118 R3-G-QV Garden Apartment (Quadra Villa) District"

- The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.117 the provisions contained in Schedule 1 of this Bylaw.
- The portion of the land known as 2813 2887 Quadra Street and 2814 2890 Fifth Street, legally described as PID 003-551-784, Lot 1, Section 5, Victoria District, Plan 20678, and shown hatched on the attached map, is removed from the R3-G Zone, Garden Apartment District and placed in the R3-G-QV Zone, Garden Apartment (Quadra Villa) District.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
Public hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR

Schedule 1 PART 3.118 – R3-G-V ZONE, GARDEN APARTMENT (QUADRA VILLA) DISTRICT

3.118.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this zone:

- a. Multiple dwelling
- b. Multiple dwelling accessory use
- c. <u>Accessory building</u>, subject to the regulations in Schedule "F", except as otherwise specified by the regulations in this Part

3.118.2 Lot Area

a. Lot area (minimum)

7700m²

3.118.3 Floor Area, Floor Space Ratio

a. Total floor area (maximum)

5700m²

b. Floor <u>area</u> for a <u>self-contained dwelling unit</u> within a multiple dwelling (minimum)

75m²

c. <u>Total floor area</u> of all <u>accessory buildings</u> combined (maximum)

40m²

d. Floor space ratio (maximum)

0.75 to 1

3.118.4 Number of Buildings, Dwelling Units

a. Number of <u>self-contained dwelling units</u> on a <u>lot</u> (maximum)

64

b. Number of <u>multiple dwellings</u> on a <u>lot</u> (maximum)

2

c. Number of accessory buildings (maximum)

4

3.118.5 Height, Storeys

a. Principal building height (maximum)

8.5m

b. Storeys (maximum)

2

c. Roof deck

Not permitted

Schedule 1 PART 3.118 – R3-G-V ZONE, GARDEN APARTMENT (QUADRA VILLA) DISTRICT

3.118	.6 Setbacks	
a.	Front yard setback Quadra Street (minimum)	3.02m
b.	Rear yard setback Fifth Street (minimum)	3.02m
C.	Side yard setback from interior lot lines (minimum)	1.25m
d.	Flanking street setback Topaz Avenue (minimum)	4.28m
3.118	.7 Site Coverage, Open Site Space	
	.7 Site Coverage, Open Site Space Site coverage (maximum)	40%
		40% 40%

3.118.8 Vehicle and Bicycle Parking

a.	Vehicle parking	Subject to the regulations in Schedule "C", except as otherwise specified by the regulations in this Section
b.	Bicycle parking	Subject to the regulations in Schedule "C"

The following regulations apply only to <u>buildings</u> constructed prior to 2017:

- c. Vehicle parking spaces on a <u>lot</u> (minimum) 37
- d. Notwithstanding subsection (c), a maximum of 21 parking spaces may be provided on an adjacent <u>lot</u> from the <u>lot</u> to which <u>buildings</u> the parking spaces appertain to, provided that:
 - i. the adjacent <u>lot</u> on which the 21 parking spaces are located is in the R-87 Zone, Fifth Street Multiple Dwelling District;
 - ii. an easement is registered against title to the <u>lot</u> on which the 21 parking spaces are located and title to the appurtenant <u>lot</u>, providing for such parking requirements and access; and
 - iii. a covenant is registered on title in favour of the City restricting the use of the easement area on the servient tenement to parking purposes for as long as the provisions of this subsection have application to the dominant tenement.
- e. Visitor parking stalls

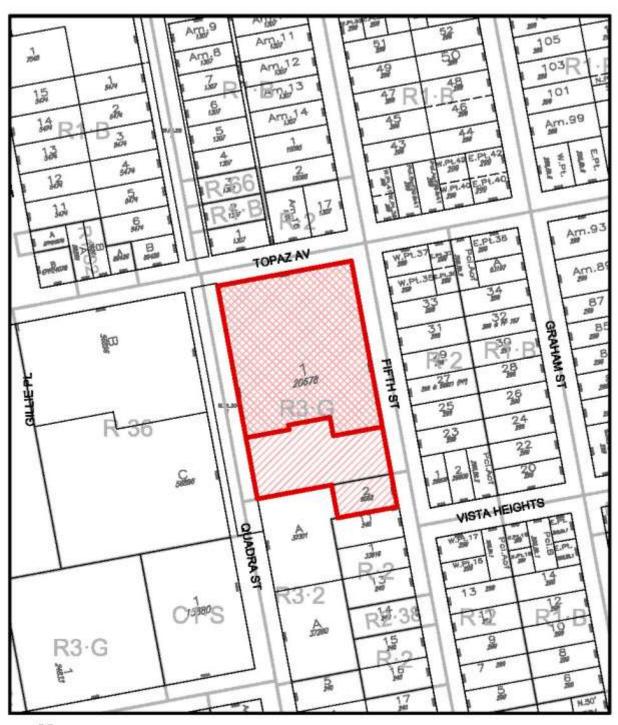
Not required

Schedule 1 PART 3.118 – R3-G-V ZONE, GARDEN APARTMENT (QUADRA VILLA) DISTRICT

f. Parking stall distance from Topaz Avenue 0.6m (minimum)

g. Bicycle parking, Class 1 Not required

h. Bicycle parking, Class 2 (minimum) 16 spaces





2813 - 2887 Quadra Street, 2814 - 2890 Fifth Street & 2780/82 Fifth Street Rezoning No.00549



NO. 18-029

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R-87 Zone, Fifth Street Multiple Dwelling District, and to rezone land known as the parking lot for 2813-2887 Quadra Street and 2814-2890 Fifth Street from the R3-G Zone, Garden Apartment District to the R-87 Zone, Fifth Street Multiple Dwelling District and to rezone land known as 2780/82 Fifth Street from the R-2 Zone, Two Family Dwelling District to the R-87 Zone, Fifth Street Multiple Dwelling District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1145)".
- Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption <u>PART 3 MULTIPLE DWELLING ZONES</u> by adding the following words:

"3.119 R-87 Fifth Street Multiple Dwelling District"

- The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 3.118 the provisions contained in Schedule 1 of this Bylaw.
- The portion of land known as the parking lot for 2813-2887 Quadra Street and 2814-2890 Fifth Street, legally described as PID 003-551-784, Lot 1, Section 5, Victoria District, Plan 20678 as shown hatched on the attached map, is removed from the R3-G Zone, Garden Apartment District, and placed in the R-87 Zone, Fifth Street Multiple Dwelling District.
- The land known as 2780/82 Fifth Street and legally described as PID 005-515-840, Lot 2, Section 5, Victoria District, Plan 9052 as shown hatched on the attached map, is removed from the R-2 Zone, Two Family Dwelling District, and placed in the R-87 Zone, Fifth Street Multiple Dwelling District.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
Public hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK MAYOR

378

Schedule 1 PART 3.119 – R-87 ZONE, FIFTH STREET MULTIPLE DWELLING DISTRICT

3.119.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this zone:

- Multiple dwelling
- b. Multiple dwelling accessory use
- c. <u>Accessory building.</u> subject to the regulations in Schedule "F", except as otherwise specified by the regulations in this Part
- d. Two family dwellings, subject to the regulations set out in Part 2.1

3.119.2 Lot Area

a. Lot area (minimum)

3500m²

3.119.3 Floor Area, Floor Space Ratio

a. Total floor area (maximum)

1982m²

b. Floor space ratio (maximum)

0.6 to 1

c. <u>Total floor area</u> of all <u>accessory buildings</u> combined (maximum)

45m²

3

1

3.119.4 Number of Buildings

- a. Number of multiple dwellings on a lot (maximum)
- b. Number of accessory buildings (maximum)

3.119.5 Height, Storeys

a. Principal <u>building height</u> (maximum) 11.15m

b. Storeys (maximum) 3

c. Roof deck Not permitted

Schedule 1 PART 3.119 – R-87 ZONE, FIFTH STREET MULTIPLE DWELLING DISTRICT

3.119.6 Setbacks, Projections

a. Front yard setback Quadra Street (minimum) 3.5m, except balconies may

project to within 1.85m of a

street boundary

b. Rear yard setback Fifth Street (minimum) 2.5m

c. <u>Side yard setback</u> from interior <u>lot line</u> south (minimum) 2.85m

d. Side yard setback from interior lot line north (minimum) 1.0m

3.119.7 Site Coverage, Open Site Space

a. <u>Site coverage</u> (maximum) 31%

b. Open site space (minimum) 18%

c. <u>Accessory buildings</u> may not be located in the <u>front yard</u> (Quadra Street) or in the <u>rear yard</u> (Fifth Street)

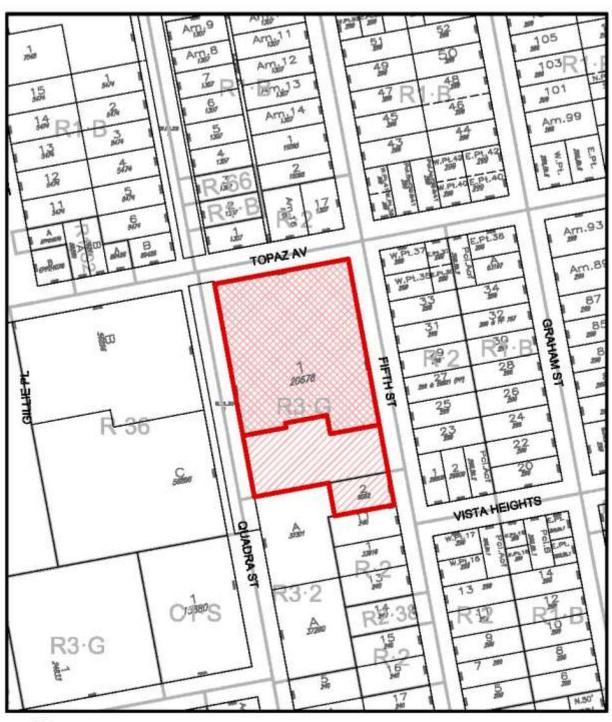
3.119.8 Vehicle and Bicycle Parking

a. Vehicle parking Subject to the regulations in

Schedule "C"

b. Bicycle parking Subject to the regulations in

Schedule "C"





2813 - 2887 Quadra Street, 2814 - 2890 Fifth Street & 2780/82 Fifth Street Rezoning No.00549



HOUSING AGREEMENT (2813-2887 Quadra Street, 2814-2890 Fifth Street and 2780/82 Fifth Street) BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to authorize an agreement for rental housing for the lands known as 2813-2887 Quadra Street, 2814-2890 Fifth Street, and 2780/82 Fifth Street, Victoria, BC.

Under its statutory powers, including section 483 of the *Local Government Act*, the Council of The Corporation of the City of Victoria in an open meeting enacts the following provisions:

Title

1 This Bylaw may be cited as the "HOUSING AGREEMENT (2813-2887 Quadra Street, 2814-2890 Fifth Street, and 2780/82 Fifth Street) BYLAW (2018)".

Agreement authorized

- 2 The Mayor and the City Clerk are authorized to execute the Housing Agreement:
 - (a) substantially in the form attached to this Bylaw as Schedule A;
 - (b) between the City and Quadra Village Holdings Ltd. Inc. No. BC1005906, or other registered owners from time to time, of the lands described in subsection (c); and
 - (c) that applies to the lands known as 2813-2887 Quadra Street, 2814-2890 Fifth Street and 2780/82 Fifth Street Victoria, BC, legally described as:
 - i. PID 003-551-784Lot 1 Section 5, Victoria District, Plan 20678
 - ii. PID 005-515-840 Lot 2, Section 5, Victoria District, Plan 9052

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR

HOUSING AGREEMENT

(Pursuant to Section 483 of the Local Government Act)

BETWEEN:

THE CORPORATION OF THE CITY OF VICTORIA

#1 Centennial Square Victoria, B.C. V8W 1P6

(the "City")

OF THE FIRST PART

AND:

QUADRA VILLAGE HOLDINGS LTD.

(Inc. No.BC1005906)

330 - 1639 West 2nd Avenue Vancouver, BC V6J 1H3

(the "Owner")

OF THE SECOND PART

AND:

CANADIAN WESTERN BANK

2200 - 666 Burrard Street Vancouver, BC V6C 2X8

(the "Existing Chargeholder")

OF THE THIRD PART

WHEREAS:

- A. Under section 483 of the Local Government Act the City may, by bylaw, enter into a Housing Agreement with an owner regarding the occupancy of the housing units identified in the agreement, including but not limited to terms and conditions referred to in section 483(2) of the Local Government Act.
- B. The Owner is the registered owner in fee simple of lands in the City of Victoria, British Columbia, with a civic address of 2813-2887 Quadra Street, Victoria, BC and 2814-2890 and 2780/82 Fifth Street, Victoria, BC and legally described as:

PID: 003-551-784

Lot 1 Section 5 Victoria District Plan 20678; and

PID: 005-515-840

Lot 2, Section 5, Victoria District, Plan 9052

(collectively, the "Lands");

- C. The Owner has applied to the City to rezone the Lands to permit 34 housing units within the Development accordance with this Agreement.
- D. The City and the Owner wish to enter into this Agreement, as a Housing Agreement pursuant to section 483 of the Local Government Act, to secure the agreement of the Owner to provide moderate income rental housing, and that all Dwelling Units within the Development on the Lands will be used and held only as rental housing.

NOW THIS AGREEMENT WITNESSES that pursuant to section 483 of the *Local Government Act*, and in consideration of \$10.00 and the premises and covenants contained in this agreement (the "**Agreement**"), the parties agree each with the other as follows:

1.0 DEFINITIONS

1.1 In this Agreement:

"Development" means the new 34 unit building consisting of residential housing and related facilities on the Lands:

"Dwelling Units" means any or all, as the context may require, of the 34 self-contained residential dwelling units within the Development and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise;

"Dwelling Unit" means any of such residential dwelling units located on the Lands;

"Immediate Family" includes a person's husband, wife, child, mother, father, brother, sister, mother-in-law, father-in-law, grandparent, brother-in-law, sister-in-law, niece and nephew;

"Non-owner" means a person other than the Owner and other than a member of the Owner's Immediate Family, who occupies a Dwelling Unit for residential purposes;

"Owner" includes a person who acquires an interest in the Lands or any part of the Lands and is thereby bound by this Agreement, as referred to in section 8.3; and

"Tenancy Agreement" means a tenancy agreement pursuant to the Residential Tenancy Act that is regulated by that Act.

"Strata Corporation" means, for the portions of the Lands or any building on the Lands that is subdivided under the Strata Property Act, a strata corporation as defined in that Act, including the Owner while in control of the strata corporation and subsequently the individual strata lot owners collectively acting as the strata corporation.

1.2 In this Agreement:

- reference to any enactment includes any regulations, orders or directives made under the authority of that enactment; and
- reference to any enactment is a reference to that enactment as consolidated, revised, amended, re-enacted or replaced, unless otherwise expressly provided.

2.0 DWELLING UNITS TO BE USED AND OCCUPIED ONLY AS RENTAL UNITS

2.1 The Owner covenants and agrees that the Dwelling Units shall only be used as rental housing in perpetuity, and for that purpose shall only be occupied by a Non-owner under the terms of a Tenancy Agreement between the Owner and the Non-owner who occupies the Dwelling Unit.

3.0 NO RESTRICTIONS ON RENTALS

- 3.1 The Owner covenants and agrees that the Owner shall not take any steps, or enter into any agreements, or impose any rules or regulations whatsoever, the effect of which would be to prevent or restrict the Owner of a Dwelling Unit from renting that Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.
- 3.2 Without limiting the generality of section 2.1, the Owner covenants and agrees that it will not make application to deposit a strata plan for or in respect of the Lands or a building on the Lands unless the strata bylaws in no way restrict rental of any Dwelling Unit to a Non-owner under the terms of a Tenancy Agreement.

4.0 REPORTING

- 4.1 The Owner covenants and agrees to provide to the City's Director of Sustainable Planning and Development, on the 1st day of February in each calendar year, a report in writing confirming the following:
 - (a) all Dwelling Units are being rented to Non-owners;
 - (b) any changes or proposed changes to the Strata Corporation's bylaws that may affect the terms of this Agreement.

along with such other information as may be requested by the Director from time to time.

- 4.2 The Owner hereby authorizes the City to make such inquiries as it considers necessary in order to confirm that the Owner is complying with this Agreement.
- 4.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications of this Agreement and that such consent may be withheld for any reason.

5.0 NOTICE TO BE REGISTERED IN LAND TITLE OFFICE

5.1 Notice of this Agreement (the "Notice") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483 of the Local Government Act, and this Agreement is binding on the parties to this Agreement as well as all persons who acquire an interest in the Lands after registration of the Notice.

6.0 LIABILITY

6.1 The Owner agrees to indemnify and saves harmless the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from all claims, demands, actions, damages.

costs and liabilities, which all or any of them shall or may be liable for or suffer or incur or be put to by reason of or arising out of failure of the Owner to comply with the terms and conditions of this Agreement.

6.2 The Owner hereby releases and forever discharges the City and each of its elected and appointed officials, employees and agents and their respective administrators, successors and permitted assigns, of and from any and all claims, demands, actions, damages, economic loss, costs and liabilities which the Owner now has or hereafter may have with respect to or by reason of or arising out of the fact that the Lands are encumbered by and affected by this Agreement.

7.0 PRIORITY AGREEMENT

7.1 The Existing Chargeholder, as the registered holder of a charge by way of mortgage and assignment of rents against the Lands, which said charges are registered in the Land Title Office at Victoria, British Columbia, under numbers CA3866650, extended by CA6024008 and modified by CA6024009, CA6024008, extension of CA3866650, modified by CA6024009, CA3866651 and CA6024010, respectively for and in consideration of the sum of One Dollar (\$1.00) paid by the City (the receipt whereof is hereby acknowledged), agrees with the City that upon filing of a Notice with the Land Title Office that the Lands are subject to this Agreement, pursuant to Section 483(5) of the Local Government Act, this Agreement shall be an encumbrance upon the Lands in priority to the said charges in the same manner and to the same effect as if Notice had been filed prior to the said charges.

8.0 GENERAL PROVISIONS

- 8.1 NOTICE. If sent as follows, notice under this Agreement is considered to be received
 - seventy-two (72) hours after the time of its mailing (by registered mail) or faxing,
 - (b) on the date of delivery if hand-delivered,

to the City:

City of Victoria #1 Centennial Square Victoria, BCV8W 1P6

Attention: Director of Sustainable Planning and Community Development Fax: 250-361-0386

to the Owner:

Quadra Village Holdings Ltd. 330 – 1639 West 2nd Avenue Vancouver, BC V6J 1H3

Attention: Andrew Rennison Fax: 604-736-1865 If a party identifies alternate contact information in writing to another party, notice is to be given to that alternate address.

If normal mail service or facsimile service is interrupted by strike, work slowdown, force majeure, or other cause,

- notice sent by the impaired service is considered to be received on the date of delivery, and
- (c) the sending party must use its best efforts to ensure prompt receipt of a notice by using other uninterrupted services, or by hand-delivering the notice.
- 8.2 TIME. Time is of the essence of this Agreement.
- 8.3 BINDING EFFECT. This Agreement will enure to the benefit of and be binding upon the parties hereto and their respective heirs, administrators, executors, successors, and permitted assignees. In accordance with section 483(6) of the Local Government Act, this Agreement and all obligations hereunder is binding on all who acquire an interest in the Lands, and the Owner only during the Owner's ownership of any interest in the Lands, and with respect only to that portion of the Lands of which the Owner has an interest.
- 8.4 WAIVER. The waiver by a party of any failure on the part of the other party to perform in accordance with any of the terms or conditions of this Agreement is not to be construed as a waiver of any future or continuing failure, whether similar or dissimilar.
- 8.5 HEADINGS. The headings in this Agreement are inserted for convenience and reference only and in no way define, limit or enlarge the scope or meaning of this Agreement or any provision of it.
- 8.6 LANGUAGE. Wherever the singular, masculine and neuter are used throughout this Agreement, the same is to be construed as meaning the plural or the feminine or the body corporate or politic as the context so requires.
- 8.7 EQUITABLE REMEDIES. The Owner acknowledges and agrees that damages would be an inadequate remedy for the City for breach of this Agreement and that the public interest strongly favours specific performance, injunctive relief (mandatory or otherwise), or other equitable relief, as the only adequate remedy for a default under this Agreement
- 8.8 CUMULATIVE REMEDIES. No remedy under this Agreement is to be deemed exclusive but will, where possible, be cumulative with all other remedies at law or in equity.
- 8.9 ENTIRE AGREEMENT. This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.
- 8.10 FURTHER ASSURANCES. Each of the parties will do, execute, and deliver, or cause to be done, executed, and delivered all such further acts, documents and things as may be reasonably required from time to time to give effect to this Agreement.

- 8.11 AMENDMENT. This Agreement may be amended from time to time, by consent of the Owner and a bylaw duly passed by the Council of the City and thereafter if it is signed by the City and the Owner.
- 8.12 LAW APPLICABLE. This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.
- 8.13 NO DEROGATION FROM STATUTORY AUTHORITY. Nothing in this Agreement shall:
 - (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or issued thereunder, or pursuant to statute, by the City shall estop, limit or impair the City from relying upon and enforcing this Agreement; or
 - (b) relieves the Owner from complying with any enactment, including the City's bylaws, or any obligation of the Owner under any other agreement with the City.
- 8.14 JOINT AND SEVERAL. The Owner, if more than one, are jointly and severally obligated to perform and observe each and every of the covenants, warranties and agreements herein contained by the Owner to be observed and performed.
- 8.15 COUNTERPARTS. This Agreement may be executed in counterparts and delivered by facsimile or emailed PDF file, each of which will have the same effect as if all parties had signed the same document. Each counterpart shall be deemed to be an original. All counterparts shall be construed together and shall constitute one and the same Agreement.
- 8.16 EFFECTIVE DATE. This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties hereto have set their hands and seals as of the day and year last below written.

THE CORPORATION OF THE CI- VICTORIA by its authorized signatories	
MAYOR Lisa Helps	_ }
CITY CLERK Chris Coates	—
Date signed:	, 2018.)

[owner(s)]	
by its authorized signatory(ies)	
Men	
Print Name: Andrew Rennison	
Print Name:)
Date signed: April 4	, 2018.
[existing chargeholder(s)]	
CANADIAN WESTERN BANK by its authorized signatory(ies):	
und hund	
Print Name: AVP COMMERCIA	BANKING
Print Name: LYNDA GRA	The second second
Date signed: April	4. 2018.



Council Report For the Meeting of July 12, 2018

To:

Council

Date:

July 5, 2018

From:

C. Coates, City Clerk

Subject:

Zoning Regulation Bylaw, Amendment Bylaw (No. 1128) No. 18-065

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1128) No. 18-065

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-065.

The issue came before Council on October 12, 2017 where the following resolution was approved:

Rezoning Application No. 0055 for 308 Menzies Street

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 000555 for 308 Menzies Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

Respectfully submitted,

Chris Coates

City Clerk

Report accepted and recommended by the City Manager:

List of Attachments:

Bylaw No. 18-065

NO. 18-065

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C-SM Zone, Menzies Special Service Station District, and to rezone land known as 308 Menzies Street from the C-SS Zone, Special Service Station District, to the C-SM Zone, Menzies Special Service Station District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1128)".
- Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption <u>PART 4.87</u> by adding the following words:

"C-SM Zone, Menzies Special Service Station District"

- The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.87 the provisions contained in Schedule 1 of this Bylaw.
- The land known as 308 Menzies Street, legally described as Lot A of Lots 1886 and 1887, Victoria City, Plan 20850, PID 000-102-539, and shown hatched on the attached map, is removed from the C-SS Zone, Special Service Station District, and placed in the C-SM Zone, Menzies Special Service Station District.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
Public Hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR

Schedule 1 PART 4.87 – C-SM ZONE, MENZIES SPECIAL SERVICE STATION DISTRICT

4.87.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. all of the uses permitted under Part 4.12 for the C-SS Zone, Special Service Station District;
- b. retail;
- c. office.

4.87.2 Regulations

a. The regulations applicable in the C-SS Zone, Special Service Station District apply in this Zone.



NO. 18-065

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C-SM Zone, Menzies Special Service Station District, and to rezone land known as 308 Menzies Street from the C-SS Zone, Special Service Station District, to the C-SM Zone, Menzies Special Service Station District.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1128)".
- Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption PART 4.87 by adding the following words:

"C-SM Zone, Menzies Special Service Station District"

- The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.87 the provisions contained in Schedule 1 of this Bylaw.
- The land known as 308 Menzies Street, legally described as Lot A of Lots 1886 and 1887, Victoria City, Plan 20850, PID 000-102-539, and shown hatched on the attached map, is removed from the C-SS Zone, Special Service Station District, and placed in the C-SM Zone, Menzies Special Service Station District.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
Public Hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR

Schedule 1

PART 4.87 - C-SM ZONE, MENZIES SPECIAL SERVICE STATION DISTRICT

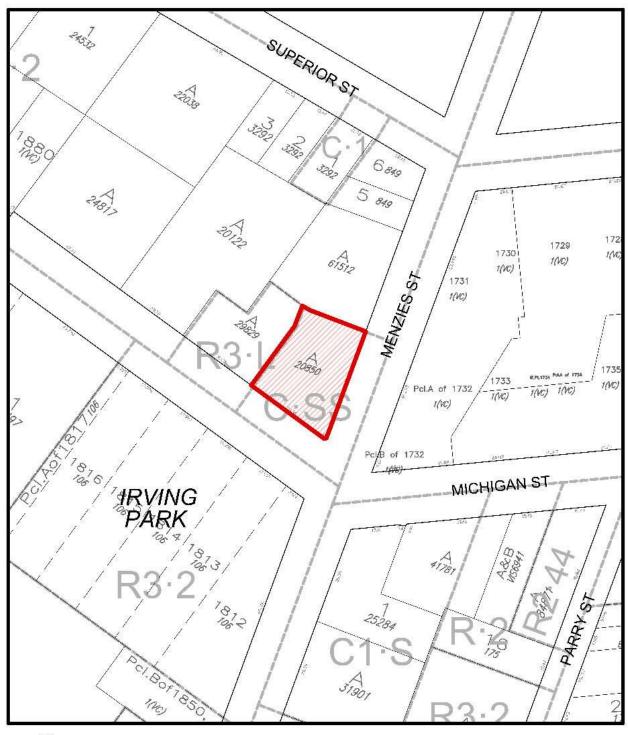
4.87.1 Permitted Uses in this Zone

The following uses are the only uses permitted in this Zone:

- a. all of the uses permitted under Part 4.12 for the C-SS Zone, Special Service Station District;
- b. retail;
- c. office.

4.87.2 Regulations

a. The regulations applicable in the C-SS Zone, Special Service Station District apply in this Zone.





308 Menzies Street Rezoning No.00555





Council Report For the Meeting of July 12, 2018

To:

Council

Date:

July 5, 2018

From:

C. Coates, City Clerk

Subject:

Zoning Bylaw 2018 No. 18-072

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Bylaw 2018 No. 18-072

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 18-072.

The issue came before Council on June 28, 2018 where the following resolution was approved:

Revised Zoning Bylaw 2018

- 1. That Council give first and second reading of Zoning Bylaw 2018 (Bylaw No. 18-072) and schedule a public hearing.
- 2. That Council direct staff to re-examine the issue of minimum unit sizes in the downtown including the impact on liveability.

Respectfully submitted,

Chris Coates City Clerk

Report accepted and recommended by the City Manager's

Date:

List of Attachments:

Bylaw No. 18-072



Zoning Bylaw 2018



Publishing Information

Title: Zoning Bylaw 2018

Prepared By: City of Victoria

Sustainable Planning and Community Development Department

Status: Draft Zoning Bylaw 2018 – June 2018

Contact Details: City of Victoria

Sustainable Planning and Community Development Department

1 Centennial Square Victoria, BC V8W 1P6 E: planning@victoria.ca

W: victoria.ca

BYLAW NO. 18-072 ZONING BYLAW 2018 A BYLAW OF THE CITY OF VICTORIA

The purpose of this bylaw is to divide the City into zones and to regulate and control the use of land and buildings within those zones.

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Pursuant to its statutory powers, including sections 479, 482, and 525 of the Local Government Act, the Council of the Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

1.1 Interpretation

- 1. This bylaw may be cited as the "Zoning Bylaw 2018"
- 2. This bylaw applies to the area indicated with a dashed line in Map 1.

Map 1: Area subject to Zoning Bylaw 2018



- 3. The Zoning Regulation Bylaw No. 80-159 is inapplicable to the area indicated within the dashed line in Map 1.
- 4. The area to which this bylaw applies is divided into the zones indicated on the **Zoning Map**, being the zoning information layer in **VicMap**.

Part 1 - Administration

- 4.1 In all civil and criminal judicial proceedings a printout of the **Zoning Map**, purporting to be certified as such, shall be prima facie evidence of the location of each zone and of the lands included therein as at and since the date of the certificate, without proof of the signature or approval of the **Director**.
- 4.2 Whenever any land is removed from one zone into another by a rezoning bylaw the Director shall, forthwith after the adoption of the such bylaw, cause the Zoning Map to be updated to reflect the changes.
- 5. The regulations, requirements and definitions in Parts 1 through 6 of this bylaw apply to land in the area to which this bylaw applies in accordance with the zoning designations indicated on the **Zoning Map**, and if Parts 3 through 6 specify regulations and requirements for a particular location within a zone that is identified by civic address, legal description or both, then the specific regulations and requirements take precedence over the general regulations and requirements for the zone.
 - 5.1 Without limiting the scope of section 5, where a property is specifically identified in column A of the "Site Specific Regulations" table in the zone regulations applicable to that property, the specific regulations and requirements set out in column B of that table apply, subject to the conditions or requirements to provide amenities set out in column C, if any.
 - 5.2 Where a property is divided into two or more development areas (DA) as shown in a plan included in the applicable "Site Specific Regulations" table, section 5.1 applies to each development area as if that development area was a separate property.
 - In the event of a conflict, the regulations or requirements applicable pursuant to section 5.1 apply despite any other provisions of this bylaw.
 - 5.4 Where a property to which section 5.1 applies is subdivided, section 5.1 applies to all properties that had formerly formed part of that property as if they were individually listed in the table.
 - 5.5 Where a property to which section 5.1 applies is consolidated or otherwise merged with another property, section 5.1 applies only to that part of the new property to which section 5.1 applied before consolidation or merger.
 - 5.6 Where a property is identified in this bylaw by reference to a civic address and a legal description, the legal description shall be deemed to be the correct description in the event of any conflict or inconsistency.
- 6. For certainty, if the **Zoning Map** indicates that a **Lot** lies within two or more zones, each portion of the **Lot** may be used and built upon only in accordance with the regulations and requirements applicable to that portion under Part 3 or 4.
- 7. Unless otherwise indicated on the **Zoning Map**:
 - 7.1 **Streets** and lanes are deemed to have the same zoning designation as the abutting land, and any zone boundary that coincides with a **Street** or lane is deemed to be located at the centerline of the **Street** or lane;
 - 7.2 Any zone boundary that coincides with a railway right of way is deemed to be located at the centreline of the right of way;
 - 7.3 The surface of all water is within the same zone as the nearest land to it within the **City** boundaries unless zoned otherwise; and

Part 1 - Administration

- 7.4 Whenever any land, fronting on a **Street**, railway, or water, is removed from one zone and placed into another that portion of the **Street**, railway, or water to which this section applies shall also be so removed and rezoned.
- 8. For the purposes of this bylaw, an airspace parcel is deemed to be part of the same **Lot** as the parcel at ground level.
- 9. In the event of any inconsistency between the text of this bylaw and an illustration or diagram that relates to the text, the text takes precedence over the illustration or diagram.
- 10. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
- 11. No person shall place, erect, construct or alter a **Building** or structure, or allow or permit another person to do so, except in accordance with this bylaw.
- 12. Not more than one **Building** other than an **Accessory Building** shall be erected or used on one **Lot**, unless the regulations applicable in a particular zone expressly permit otherwise, and no **Building** shall be erected partly on one **Lot** and partly on another.
- 13. No person shall use land or a **Building** or structure, or allow or permit another person to do so, except in accordance with the requirements of this bylaw in respect of the provision of motor vehicle and bicycle parking spaces, the provision of **Loading Spaces** and the provision of screening or landscaping.
- 14. An officer or employee of the **City** appointed to administer this bylaw may enter on land including any place that is occupied as a private dwelling, to inspect and determine whether the regulations and requirements in this bylaw are being met, and in the case of a private dwelling may enter only in accordance with s. 16(5) of the Community Charter.
- 15. A person who contravenes this bylaw is liable to a maximum fine of \$10,000 and, in the case of a continuing offence, each day on which the contravention continues constitutes a separate offence that is subject to that maximum fine.
- 16. This bylaw may be enforced by means of a municipal ticket information, in which case the offence descriptions and ticket fines set out in the Ticket Bylaw apply.
- 17. The figure indicated in a column of section 2, Part 4 of this bylaw adjacent to the heading "Density of Development Maximum" is the maximum Floor Space Ratio of any Building that may be constructed or erected in the relevant zone.
- 18. The figure indicated in a column of section 3, Part 4 of this bylaw adjacent to the heading "**Height** Maximum" is the maximum **Height** of any **Building** that may be constructed or erected in the relevant Height Area of the relevant zone shown on Schedule A to Part 6, for the Central Business District 2 zone, or in the relevant zone, for all other zones.
- 19. The **Building** elements identified in a column of section 3, Part 4 of this bylaw adjacent to the heading "Projections into **Height** Maximum" may project beyond the maximum **Height** to the extent indicated in the table.
- 20. The **Building** elements identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into **Setbacks** Maximum" may project into the minimum required setback areas to the extent indicated in the table.
- 21. The ratio indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading "Front Setback Plane Minimum" is the angle of inclination of the Front Setback Plane for any portion of a Building that may be constructed or erected in the relevant zone, provided that building features identified in a column of section 4, Part 4 of this bylaw adjacent to the heading "Projections into Setbacks Maximum" may project beyond the Front Setback Plane to the extent indicated in the table.

- 22. The figure indicated in a column of section 4, Part 4 of this bylaw adjacent to the heading "Side and Rear Lot Line Setbacks Minimum" is the minimum horizontal distance between any portion of a Building and the Side or Rear Lot Lines of the Lot on which the Building is located, provided that building features indicated in the relevant table with the heading "Projections into Setbacks Maximum" in section 4, Part 4 may project into the minimum setback to the extent indicated in the table.
- 23. In this section,

"Permit" means a development permit, heritage alteration permit, development variance permit or temporary use permit

- 23.1 A Permit, board of variance order, and any other agreement authorized by the Local Government Act that varies or supplements the Zoning Regulation Bylaw No. 80-159, issued within two years prior to the adoption of this bylaw, continues to apply as if varying or supplementing this bylaw, with the necessary changes and so far as applicable.
- A development permit issued within two years prior to the adoption of this bylaw continues to apply, with the necessary changes and so far as applicable, as if the development authorized by it had been authorized under this bylaw and, without limiting the generality of the foregoing, a building permit or a business licence that is consistent with such development permit may be issued as if it complied with this bylaw, provided that it is applied for within two years of the date of the adoption of this bylaw.
- 23.3 If prior to the adoption of this bylaw, Council has authorized the issuance of a Permit, but the Permit had not been issued prior to the adoption of this bylaw, the Permit may be issued, with all the necessary changes and as applicable, as if it had been authorized under this bylaw, provided that:
 - a. all terms and conditions of the Council authorization are met;
 - b. it is issued within two years of the date of the Council authorization; and
 - c. it does not conflict with the density or use provisions of this bylaw.
- 23.4 If prior to the adoption of this bylaw, Council has moved an application for a Permit forward for an opportunity for public comment at a future Council meeting and such meeting is not held prior to the adoption of this bylaw, the Council motion is deemed to be amended to reflect the requirements of this bylaw and the Director is authorized to bring forward an amended motion for Council's consideration at the opportunity for public comment, provided that:
 - a. the opportunity for public comment takes place no later than one year after the date of the adoption of this bylaw;
 - there are no significant alterations or differences in the development from that considered by Council at the time of the motion to advance it to the opportunity for public comment, with the exception of an increase in the number of vehicle or bicycle parking spaces being provided;
 - c. it does not conflict with the density or use provisions of this bylaw; and
 - d. the intent of the Council motion remains unchanged.
- 23.5 For certainty, nothing in this section 23 is intended to modify or extend the validity of any Permit beyond the time that it would lapse or expire but for this section.
- 24. If any provision or part of this bylaw is declared by any court or tribunal of competent jurisdiction to be illegal or inoperative, in whole or in part, or inoperative in particular circumstances, it shall be severed from the bylaw and the balance of the bylaw, or its application in any circumstances, shall not be affected and shall continue to be in full force and effect.

2.1 Administrative Definitions

1. In this bylaw,

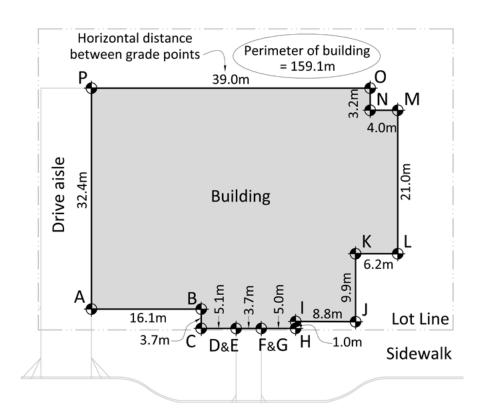
Accessory Landscape Structure means gates, fences, walls, trellises, gazebos, pergolas or a similar ornamental feature which is open to the elements and includes sheds that are less than 9.3m².

Affordable means housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household's annual income.

Average Grade means the elevation calculated by averaging the elevation of Natural Grade or Finished Grade, whichever is lower at any points where a Building comes into contact with the surface of the Lot, excluding any artificial mounds of earth or rocks placed at or near the wall of a Building, any portion of an exterior wall that is in a window well, calculated in the method indicated in the following example:

Grade Points:

Grade point A:	15.7	Grade point F:	14.5	Grade point K: 15.8
Grade point B:	16.0	Grade point G:	15.8	Grade point L: 15.7
Grade point C:	16.1	Grade point H:	16.0	Grade point M: 16.0
Grade point D:	16.0	Grade point I:	16.1	Grade point N: 15.9
Grade point E:	14.5	Grade point J:	15.9	Grade point O: 15.9
				Grade point P: 16.0

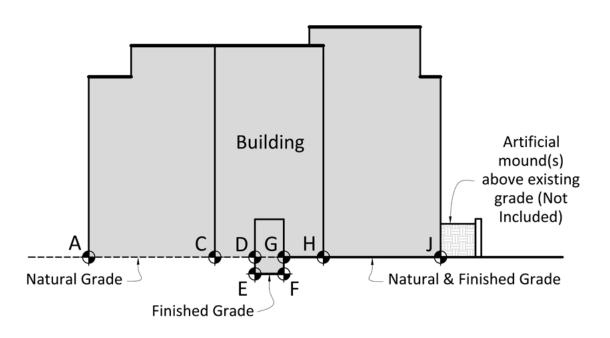


Calculation Example:

Grade Points	Average of Points	Distance Between Grade points	Totals
Points A & B: Points B & C: Points C & D: Points E & F: Points G & H: Points H & I: Points I & J: Points J & K: Points K & L:	$((15.7 + 16.0) \div 2)$ $((16.0 + 16.1) \div 2)$ $((16.1 + 16.0) \div 2)$ $((14.5 + 14.5) \div 2)$ $((15.8 + 16.0) \div 2)$ $((16.0 + 16.1) \div 2)$ $((16.1 + 15.9) \div 2)$ $((15.9 + 15.8) \div 2)$ $((15.8 + 15.7) \div 2)$	x 16.1m x 3.7m x 5.1m x 3.7m x 5.0m x 1.0m x 8.8m x 9.9m x 6.2m	= 255.19 = 59.39 = 81.86 = 53.65 = 79.50 = 16.05 = 140.80 = 156.92 = 97.65
Points L & M: Points M & N: Points N & O: Points O & P: Points P & A:	$((15.7 + 16.0) \div 2)$ $((16.0 + 15.9) \div 2)$ $((15.9 + 15.9) \div 2)$ $((15.7 + 16.0) \div 2)$ $((16.0 + 15.7) \div 2)$	x 21.0m x 4.0m x 3.2m x 39.0m x 32.4m	= 332.85 = 63.80 = 50.88 = 618.15 = 513.54 = 2520.23

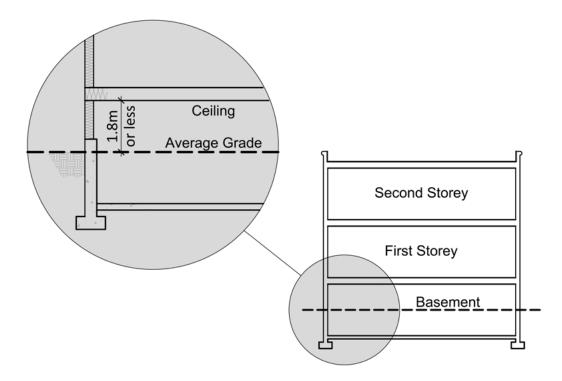
Grade Calculation:

2520.23 ÷ 159.10m (perimeter of building) = 15.84



Balcony means a projecting portion of a **Building** above the **First Storey**, the perimeter of which is, on at least one side, wholly unenclosed except by a guard of the minimum height required by the BC Building Code.

Basement means a **Storey** of a **Building** any portion of which is below **Average Grade** and that has a ceiling that is not more than 1.8m above **Average Grade**.



Bicycle Parking, Long-Term is intended for long-term users of a **Building**, such as employees or residents, and will consist of a secure space dedicated for bicycle parking within a structure or **Building** on the same **Lot**.

Bicycle Parking, Short-Term is intended for short-term use by visitors and customers and will consist of bicycle racks located in a publicly accessible location at or near a **Building** entrance.

Bonus Density of Development means the **Density of Development** that applies in accordance with section 482 of the Local Government Act if applicable conditions entitling an owner to a higher density are satisfied.

Boundary in reference to a **Lot**, extends throughout its length both upwards and downwards ad infinitum from the surface of the **Lot**.

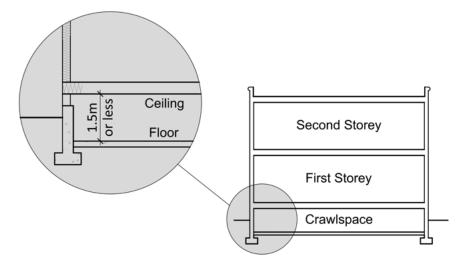
Building means anything constructed or placed on a **Lot** and used or intended for supporting or sheltering any use, excluding landscaping, docks, wharfs and piers.

Cistern means a rainwater storage tank that is at least 1200 litres in capacity and that forms part of a **Stormwater Retention and Water Quality Facility**.

City means the Corporation of the City of Victoria.

Corner Lot means a Lot at the intersection or junction of two or more Streets.

Crawlspace means an area beneath the lowest habitable **Storey** of a **Building**, with clearance of 1.5m or less.



Density of Development is the maximum **Floor Space Ratio** of any **Building** of the type that is constructed or erected in the zone for which that maximum **Floor Space Ratio** is indicated.

Director means the person employed by the City of Victoria to perform the duties and functions of the position of the Director of Sustainable Planning and Community Development, as that position title is amended from time to time, and includes persons acting under his or her authority.

Driveway means that portion of a **Lot** that provides access to parking, **Loading Space** or the **Drive Aisle** within the **Lot** and is considered to be the extension of the **Lot's Driveway** crossing. For certainty, a ramp provided to access parking stalls is considered a **Driveway**.

Drive Aisle means a vehicle passageway or maneuvering space by which vehicles enter and depart parking stalls.

Dwelling Unit means a self-contained unit comprised of one or more rooms designed as a residence for a single household with a sleeping area, a principal kitchen for food cooking and a separate bathroom facility.

Finished Grade means the finished elevation of the ground surface of land following construction or land altering activities.

First Storey means the **Storey** immediately above the basement of a **Building**, and in the case of a **Building** without a **Basement**, means the lowest **Storey**.

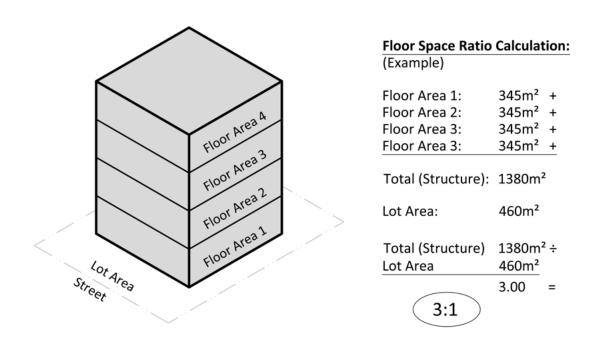
Flanking Street Lot Line means a Lot Line, not being a Front or Rear Lot Line that is common to a Lot and a Street.

Floor Area is measured to the interior surface of the exterior walls of **Buildings** and includes the area of any mezzanine, exterior hallway, exterior staircase, loft or partial **Storey**, and excludes the following:

- a. the area of any **Balcony**, veranda, exposed deck, patio or roof;
- b. the area of any **Crawlspace** or **Basement**;
- c. the area of **Rooftop Structures**; and
- d. the area that is used to provide bicycle parking required by this bylaw.
- e. the area of any exterior hallway or exterior staircase for **Buildings** existing prior to the date of adoption of this bylaw.

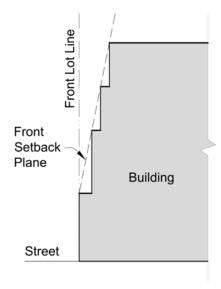
Part 2 - Definitions

Floor Space Ratio means the ratio of the total Floor Area of all Storeys of all Buildings and structures on a Lot to the area of the Lot on which the Buildings are located. The Floor Space Ratio of a Lot with a water boundary is determined according to the location of the natural boundary at the time the maximum Floor Space Ratio regulation is being applied, and not according to any survey previously filed in the Land Title Office.



Front Lot Line means the **Lot Line** abutting a public **Street**, and in the case of a **Corner Lot**, the **Lot Line** having the shortest length abutting one **Street** shall be considered the **Front Lot Line**.

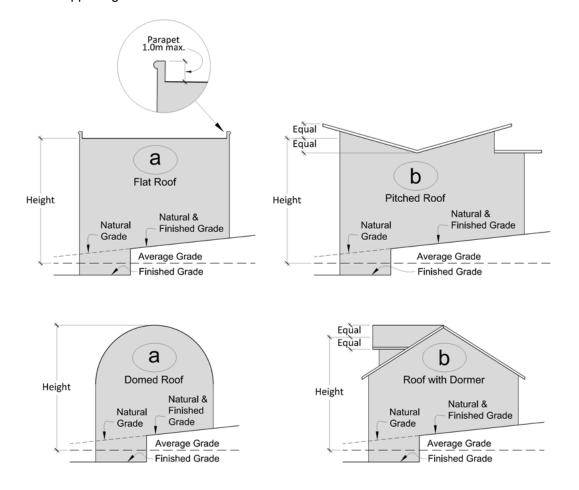
Front Setback Plane means a plane having an angle of inclination expressed as a ratio (rise over run), based at a specified point above the **Front Lot Line**, as illustrated in the following sketch.



Front Yard means a yard located between the principal **Building** and the **Front Lot Line**, extending the full width of the **Lot**.

Height means the distance measured in a vertical straight line between the highest point of a **Building** and the **Average Grade** directly below the highest point; and is determined as follows:

- a. for **Buildings** with a flat or domed roof, the highest point is the highest part of the roof;
- b. for **Buildings** with a pitched roof, the highest point is the midpoint between the highest ridge and the highest eave of the roof; and
- c. for **Buildings** with a gambrel roof, the highest point is the midpoint between the ridge and the hip line of the roof.
- d. the highest point excludes any mast, rainwater **Cistern**, **Rooftop Structure**, rooftop greenhouse, **Stormwater Retention or Water Quality Facilities** together with their supporting structures.



Landscape Screen means a visual barrier formed by shrubs, trees, fences or masonry walls, or any combination of these or like materials.

Loading Space means a parking space associated with a commercial or industrial use that is used temporarily for the loading or unloading of products or materials.

Lot means an area of land, designated and registered at the Victoria Land Title Office as not more than one parcel of land, and if a parcel of land is divided by a highway or another **Lot**, each division thereof constituting a single area of land shall be deemed to be a separate **Lot**, and includes a strata lot in a bare land strata plan but does not include any other strata lot or an air space parcel.

Lot Area means the area of land within the boundaries of a Lot.

Part 2 - Definitions

Lot Coverage means the horizontal area of all **Buildings** and outdoor covered areas on a **Lot**, expressed as a percentage of the **Lot Area**.

Lot Depth means the average distance between the Front Lot Line and the Rear Lot Line of a Lot.

Lot Line means the **Boundary** line of a **Lot**, commonly referred to as the property line, as indicated in a plan registered at the Victoria Land Title Office.

Lot Width means the lesser of the horizontal dimensions of the smallest rectangle within which a **Lot** can be contained.

Natural Grade means the elevation of the ground surface of land prior to any land alteration, including, but not limited to, disturbance, excavation, filling, or construction. Where land alteration has occurred, the **Natural Grade** shall be determined by a building inspector on the basis of historical records or by interpolation from adjacent **Natural Grades**.

Parapet means a vertical projection of a wall at the outer edge of a roof.

Parking Area means all parking spaces, Driveways and Drive Aisles on a Lot.

Permeable means hard surfacing specifically designed to allow water to flow through the surface, but does not include unconsolidated materials such as crushed rock, gravel, grass, earth or other loose materials.

Principal Residence means the usual **Dwelling Unit** where an individual makes their home.

Rear Lot Line means a Lot Line opposite to the Front Lot Line that spans the width of the Lot, provided that in the case of triangular shaped lots with no Rear Lot Line, the point of intersection between two Side Lot Lines or a Side Lot Line and a Flanking Street Lot Line shall be deemed the Rear Lot Line.

Rooftop Structure includes antennas, elevator penthouses, elevator landings, stair access and landings, mechanical equipment, chimneys, ventilation systems, solar heating panels, green roof systems and similar structures that project above a roof, are non-habitable and which may be enclosed or unenclosed.

Setback means the required separation distance between a Lot Line and a Building.

Side Lot Line means a Lot Line, not being a Rear Lot Line that separates two Lots.

Storey means the space between two floors of a **Building** or between any floor and the roof next above, but does not include a **Basement**, **Crawlspace** or a **Rooftop Structure**.

Stormwater Retention and Water Quality Facility has the same meaning as under the Sanitary Sewer and Stormwater Utilities Bylaw, as amended or replaced from time to time.

Street includes a lane, road, sidewalk and other public highway.

Unobstructed Access means the ability of the intended user of the parking space to access and egress to the **Street** at the time that the parking space is required.

VicMap means the electronic geographic information system database maintained by the City of Victoria and made available to the public through the City's internet website.

Zoning Map means the zoning information layer in VicMap as amended from time to time.

2.2 Use Definitions

1. In this bylaw,

Accessory Building means a Building that is subordinate to the principal use on a Lot.

Assembly means facilities used for a place of worship, convention facilities, cinemas, commercial recreation facilities and education and training facilities and does not include commercial casinos.

Assisted Living Facility means premises in which housing, meal services, housekeeping services, laundry services, social and recreational opportunities, a 24 hour emergency response system, and one or two prescribed services as defined in the Community Care and Assisted Living Act are provided by or through the operator to 3 or more adults who are not related by blood or marriage to the operator of the premises.

Automotive Repair means facilities used for mechanical or body repairs or inspections of motor vehicles, but does not include the sale of automotive fuel.

Brew Pub (beer, spirits, wine) means facilities used for the consumption of beer, spirits, wine or other alcoholic beverages which are produced and manufactured on the premises and which may be provided in combination with **Food and Beverage Service** or **Retail Trade**.

Cannabis means cannabis as defined in the Controlled Drugs and Substances Act and includes any products containing cannabis.

Care Facility means a day care facility or residential care facility, in each case licensed under the Community Care and Assisted Living Act.

Civic Facility means premises in which government services are provided to the public including but not limited to a legislature, municipal hall, law court, hospital, fire hall, library, ambulance or police station.

Cultural Facility means facilities used for artistic performances and the display of art and cultural artifacts, including but not limited to art galleries, theatres other than cinemas, and museums.

Drinking Establishment means facilities that are licensed through the Liquor Control and Licensing Act for the sale and consumption of liquor within the facilities and where entertainment may be provided in the form of recorded music, live performances or a dance floor including but not limited to nightclubs, bars and pubs.

Equipment Rental means facilities used for the rental of home, **Office**, medical, garden or sports equipment, or motor vehicles.

Financial Service means facilities providing financial services including but not limited to chartered banks, credit unions, trust companies, insurance brokers or mortgage brokers.

Food and Beverage Service includes the operation of catering establishments, portable food vendors, cafes and restaurants.

Foodstand means a container or structure which holds, shelves or otherwise displays products of **Small-scale Commercial Urban Agriculture** for retail purposes outdoors.

Heavy Industrial means fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials.

Part 2 - Definitions

Home Occupation means the use of a **Residential Dwelling Unit** for the practice of a profession, trade, art or craft, by one or more residents of the premises.

Hotel means facilities offering transient lodging accommodation to the general public and may provide accessory uses such as restaurant, meeting rooms and recreational facilities, and includes motels and hostels.

Light Industrial means facilities used for fabricating, assembling, processing, cleaning, servicing, testing or storing goods and materials that does not potentially cause neighbourhood impact beyond the premises through noise, odour, vibration or otherwise.

Office means facilities used for the provision of administrative, clerical, management, professional or technical services.

Parkade means parking that is regularly available to the general public whether located above or below grade.

Personal Service means services provided to a person including but not limited to barbering, hairstyling, optometry, spa, medical and dental care, and services provided to the apparel of a customer including laundry and dry cleaning services, tailoring, and shoe, jewellery and watch repair.

Residential means a self-contained **Dwelling Unit** of any type, including **Assisted Living**, **Residential** care facilities, **Studio** uses containing dwelling uses and a **Dwelling Unit** associated with an artist's or artisan's **Studio**.

Residential Lock-off Unit means a self-contained **Dwelling Unit** within a multi-residential building with a lesser **Floor Area** than that of the principal **Dwelling Unit** from which it may be locked off, which must have both independent external access and shared internal access.

Retail Liquor Sale means facilities used for the retail sale of packaged liquor.

Retail Trade means the retail sale, repair, servicing, or refurbishment of consumer goods other than automobiles or automotive fuels, but does not include **Retail Liquor Sale** or **Storefront Cannabis Retailer**.

Service Station means facilities that are used for the retail sale and dispensing of automotive fuels and may also include the retail sale of vehicle accessories, foods, drinks and other convenience goods.

Short-term Rental means the renting of a **Dwelling Unit**, or any portion of it, for a period of less than 30 days and includes vacation rentals.

Small-scale Commercial Urban Agriculture means:

- Cultivating and harvesting plants or fungi;
- b. Beekeeping and harvesting honey;
- Keeping poultry to collect eggs; or
- d. Sorting, cleaning, packaging, selling or storing for retail purposes the items listed in a. through c. above that had been harvested on the premises.

Part 2 - Definitions

Storefront Cannabis Retailer means premises where **Cannabis** is sold or otherwise provided to a person who attends at the premises.

Studio means a purpose-designed work space for an artist or artisan engaged in an art or craft that is compatible with **Residential** uses, which may include an associated **Dwelling Unit** and in which works produced in the **Studio** may be sold.

Utility means infrastructure that is used to provide water, sewer, drainage, district heat, gas, electrical, or telecommunications service whether located on, above or below ground and includes pump stations and service vaults and kiosks but does not include sewage treatment plants.

3.1 General Regulations

- 1. Unless a contrary intention appears in another Part of this bylaw, the following regulations apply to all land to which this bylaw applies.
- 2. Each use that is listed in Part 4 of this bylaw with the heading "Permitted Uses" is permitted in the relevant zone, and all other uses are prohibited in that zone unless a use is permitted under the site specific regulations in which case that use is permitted on the applicable property but is not permitted anywhere else in that zone.
- 3. The uses permitted in Part 4 of this bylaw include uses that are normally incidental to and associated with the use.
- 4. Drive through businesses of any kind, including drive through restaurants and **Financial Service** institutions are prohibited in all zones.
- 5. Storage of rental equipment in an **Equipment Rental** use must be enclosed in a **Building**.
- 6. The top surface of a **Cistern** must not exceed 15m² in area.
- 7. A **Dwelling Unit** or premises in a **Building** may be used as a display unit or sales centre for **Residential Dwelling Units** located in the **Building**.
- 8. A **Studio** use may include an associated **Residential Dwelling Unit** only if at least one artist or artisan engaged in their art or craft on the premises resides in the **Dwelling Unit**.
- 9. **Home Occupations** must comply with the following:
 - a. A City business license is required;
 - b. The sale of goods on the premises is not permitted, except as accessory to the primary business; and
 - c. The provision of escort and dating services within a multi-residential **Building** is not permitted; and
 - d. The operation of any cannabis-related business is not permitted
 - e. The operation of **Short-term Rental** is not permitted, except as provided in sub section 9(i)
 - d. A Home Occupation may not create noise, electronic interference, dust, odour, smoke or any other nuisance detectable beyond the premises in which it is being conducted, including in any common areas or other Dwelling Units in a multi-residential Building.
 - g. No more than three Home Occupations shall be carried on in any one Dwelling Unit, provided that only one of the Home Occupations has customers that attend the Dwelling Unit.
 - h. Except as expressly permitted in this bylaw, or in the Sign By-law, no sign or other advertising device or advertising matter may be exhibited or displayed on any **Lot** on which a **Home Occupation** is being carried on.

Part 3 - Use of Land, Buildings and Structures

- Subject to the following requirements, a Short-term Rental is permitted as a Home
 Occupation in a Principal Residence.
 - subject to subparagraph (ii), no more than two bedrooms may be used for Short-term Rental and the Short-term Rental cannot occupy an entire self-contained Dwelling Unit;
 - (ii) the entire **Principal Residence** may be used for a **Short-term Rental** only occasionally while the operator is temporarily away; and
 - (iii) no liquor may be provided to **Short-term Rental** guest.
- 10. **Rooftop Structures** must comply with the following:
 - A Rooftop Structure must not occupy more than 20% of the roof area of the Building;
 and
 - b. A Rooftop Structure must be set back a minimum of 3m from the outer edge of the roof.
- 11. **Small-scale Commercial Urban Agriculture** and sales are permitted in all zones, provided that the use is not noxious or offensive to neighbours or the general public by reason of emitting odor, noise or artificial lighting, and subject to compliance with Part 6, Schedule B of this bylaw.
- 12. Rooftop greenhouses must comply with the following:
 - a. A rooftop greenhouse must not exceed 3.65m in height;
 - A rooftop greenhouse must be set back a minimum of 3m from the outer edge of the roof;
 and
 - c. A rooftop greenhouse must not exceed the lesser of 28m² or 50% of the building roof area.

4.1 Central Business District-1 Zone (CBD-1)

1. Permitted Uses			
 a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility 	I. Hotel m. Office n. Personal Service o. Residential		
e. Civic Facility f. Cultural Facility g. Drinking Establishment h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation	p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade s. Small-scale Commercial Urban Agriculture t. Studio u. Utility		

1.1 Location and Siting of Uses

- No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway.
- The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental.
- The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located C. above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service.
 - Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages.
- Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building.
- Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier.

2. Density of Development		
a. Density of Development - Maximum:	3.0:1	

3.	3. Height		
a.	Height - Maximum:	43.0m	
b.	Projections into Height - Maximum:		
	i. Parapets:	1.0m	
	ii. Rooftop Structures:	5.0m	

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4.	4. Setbacks and Projections			
a.	. Front Setback Plane - Minimum			
	i.	Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height :	5:1 (Angle of Inclination)	
	ii.	All other Buildings , for any portion above 15.0m in Height :	5:1 (Angle of Inclination)	
b.	Sid	e and Rear Lot Line Setbacks - Minimum		
	i.	Exterior walls 20.0m up to 30.0m in Height :	3.0m	
	ii.	Exterior walls over 30.0m and up to 43.0m in Height:	6.0m	
	iii.	Exterior walls abutting Douglas Street 30.0m or more in Height :	9.0m	
C.	c. Projections into Setbacks - Maximum			
	i.	Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:	0.6m	
	ii.	Exterior wall treatments, insulation and rainscreen systems:	0.13m	

5. Motor Vehicle and Bicycle Parking

- a. All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw.
- b. Notwithstanding the requirements in Part 5 of this bylaw, all motor vehicle parking must be located within a Building.

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. Site Specific Regulations

	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	940 Blanshard Street	a. Maximum Density of Development : 3.08:1	
	735 Broughton Street		
	LOTS 1 & 2 OF LOTS 79-85, 89-92, VICTORIA, VIS4516		
2.	980 Blanshard Street	a. Maximum Density of Development : 3.6:1	
	LOT 1 PLAN 39153 VICTORIA OF LOTS 86/87/88		

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
3.	1107 Blanshard Street LOT 281, VICTORIA CITY	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
4.	1115 Blanshard Street PARCEL A (DD 189158I) OF LOTS 302 & 303, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
5.	1125 Blanshard Street LOT A PLAN VIP73975 VICTORIA OF LOTS 302 & 303	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
6.	1461 Blanshard Street LOT A PLAN VIP73786 VICTORIA OF LOTS 432 & 433 SEC 339 LGA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
7.	1520 Blanshard Street LOT B OF LOT 1257, VICTORIA, VIP60943	 a. Maximum Density of Development: 0.8:1 b. At least 60% of the area of the Lot must be open space. c. No Building or structure, other than a public plaza or Driveway providing access to underground parking, may be located within 18.0m of the western Boundary of the site. d. The Height of a structure that is within 18m of the western Boundary of the site must not exceed the Height of Pandora Avenue or Cormorant Street, whichever is nearer the structure. 	
8.	734 Broughton Street LOT 63, VICTORIA	a. Maximum Density of Development: 3.3:1	 i. At least 15 bicycle parking spaces are provided on the site; and; ii. The Broughton Street frontage of any Building on the site is glazed and used for Retail Trade or restaurant uses only.
9.	740 Burdett Avenue LOT A PLAN 26090 SECTION 88 VICTORIA & OF LOT 100	a. Maximum Density of Development : 3.6:1	·

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
10.	905 Douglas Street LOT A (DD 18381W) OF LOTS 75, 76, 77 AND 94, VICTORIA, PLAN 1061	a. Motor vehicle parking spaces may be provided on a separate Lot within 125m of the use for which they are provided, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner of 905 Douglas Street.	
11.	777 Fort Street STRATA PLAN VIS700	a. Maximum Density of Development: 3.52:1 b. Maximum Floor Area:1,095m² c. Maximum Building Height: 15.0m	
12.	778 Fort Street THE W 1/2 OF LOT 28, VICTORIA, EXCEPT THE S 8 FT	a. Storefront Cannabis Retailer is a permitted use	 i. The use does not occupy more than 100m²; ii. The use is restricted to the ground floor; iii.Only one Storefront Cannabis Retailer at a time is operational on the Lot.
13.	810 Fort Street LOT 282, VICTORIA, EXCEPT THE S 8 FEET OF SAID LOT TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
14.	814 Fort Street LOT 286 VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
15.	822 Fort Street THE W 30 FT OF LOT 287, VICTORIA, EXCEPT THE S 8 FT THEREOF TAKEN FOR ROAD PURPOSES	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
16.	824 Fort Street EASTERLY 1/2 OF LOT 287, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF TAKEN FOR ROAD PURPOSES	Maximum Density of Development for Office and Retail Trade: 2.0:1	
17.	826 Fort Street LOT 288, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	 a. Maximum Density of Development: 2.5:1 b. Maximum Building Height: 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m² or less, or a width of 18.5m or less. 	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
18.	838 Fort Street LOT 289, VICTORIA, EXCEPT THE SOUTHERLY8 FEET THEREOF	 a. Maximum Density of Development: 2.8:1 b. Maximum Building Height: 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m² or less, or a width of 18.5m or less. 	
19.	840 Fort Street LOT 290, VICTORIA, EXCEPT THE SOUTHERLY 8 FEET THEREOF	 a. Maximum Density of Development: 3.7:1 b. Maximum Building Height: 21.5m c. Maximum Lot Area: 630m² d. Maximum Lot Coverage: 84% 	
20.	848 Fort Street LOT 1 PLAN 27779 VICTORIA LOT 1 OF 291/2	a. Maximum Building Height : 15.0m	
21.	880 Fort Street LOT 293 VICTORIA	 a. Maximum Density of Development: 2.5:1 b. Maximum Building Height: 15.5m c. Off-street motor vehicle parking is not required for a Lot that has an area of 650m² or less, or a width of 18.5m or less. 	
22.	722 Johnson Street	a. Parkade is a permitted use	
	LOT 142 VICTORIA	b. Bonus Density of Development: 4.0:1	i. A Parkade is provided within any Building .
23.	727 Johnson Street LOT 33 VICTORIA	 a. Hotel is not a permitted use. b. Off-street motor vehicle and Bicycle Parking, Short-term parking spaces are not required. 	
		c. Bonus Density of Development: 4.35:1	i. Rehabilitation of the existing Building on the lands in accordance with the heritage conservation plan in Schedule B of the restrictive covenant registered against the title to the lands pursuant to section 219 of the land Title Act; and ii. Provision of a housing agreement pursuant to section 483 of the Local Government Act to require that all Residential dwellings are to be used and occupied as rental units in perpetuity.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
24.	818 Johnson Street THE N 60 FT OF LOT 378, VICTORIA	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
25.	844 Johnson Street	a. Maximum Density of Development : 2.5:1	i. Lot Coverage does not exceed 50%
	LOT 1 PLAN 32453 VICTORIA OF LOTS 394/395 & 400/401	b. Maximum Building Height: 37.0m c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.55 spaces per Dwelling Unit	
		d. Bonus Density of Development: 3.0:1	i. Lot Coverage does not exceed 30%
26.	851 Johnson Street	a. Residential is not a permitted use	
	LOT 379 VICTORIA	b. Storefront Cannabis Retailer is a permitted use	i. The use does not occupy more than 25m²;
			ii. The use is restricted to the ground floor.
		c. Maximum Density of Development : 1.5:1 d. Maximum Building Height : 15.0m e. Maximum Lot Coverage : 60%	
27.	881 Johnson Street THE N 60 FT OF LOT 378, VICTORIA	 a. Residential is not a permitted use b. Maximum Density of Development: 1.5:1 c. Maximum Building Height: 15.0m d. Maximum Lot Coverage: 60% 	
28.	823 Pandora Avenue LOT A PLAN VIP63518 VICTORIA OF LOTS 402	a. Parkade is a permitted use on the west half of the Lot , provided that no motor vehicle parking spaces are located within 6m of a Street .	
	407 408 AND 409 SEC 339 LGA	b. Maximum Density of Development for Office and Retail Trade on the west half of the Lot : 2.0:1	
		c. Maximum Density of Development on the east half of the Lot : 2.0:1	
		d. Maximum Density of Development for Office on the east half of the Lot : 1.0:1	
		e. Maximum Building Height on the east half of the Lot : 15.5m	
		f. Bonus Density of Development on the west half of the Lot : 3.5:1	 i. At least 200 motor vehicle parking spaces are provided within a Building.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
29.	1126 Quadra Street	a. Residential is not a permitted use	
	LOT 294 VICTORIA PARCEL A	b. Maximum Density of Development : 1.5:1	
	PARCELA	c. Maximum Building Height : 15.0m	
		d. Maximum Lot Coverage: 60%	
30.	1314 Quadra Street	a. Residential is not a permitted use	
	LOT 378 VICTORIA S PT	b. Maximum Density of Development : 1.5:1	
		c. Maximum Building Height: 15.0m	
		d. Maximum Lot Coverage: 60%	
31.	1400 Quadra Street	a. Residential is not a permitted use	
	LOT 2 OF LOT 397, VICTORIA, PLAN 4255	b. Maximum Density of Development : 1.5:1	
	VICTORIA, PLAN 4255	c. Maximum Building Height: 15.0m	
		d. Maximum Lot Coverage: 60%	
32.	1412 Quadra Street	a. Residential is not a permitted use	
	LOT 2, OF LOTS 397 & 398, VICTORIA, PLAN	b. Maximum Density of Development : 1.5:1	
	41744	c. Maximum Building Height: 15.0m	
		d. Maximum Lot Coverage: 60%	
33.	1420 Quadra Street	a. Maximum Density of Development : 2.0:1	
	LOT 1, OF LOTS 398 & 399, VICTORIA, PLAN 41744	b. Maximum Density of Development for Office : 1.0:1	
	41744	c. Maximum Building Height: 15.5m	
34.	812 View Street	a. Maximum Density of Development for Retail Trade and Office : 2.0:1	
	LOT 1, OF LOTS 304, 305, 326, & 327, VICTORIA, PLAN 27731		
35.	815 View Street	a. Maximum Density of Development for Office and Retail Trade : 2.0:1	
	LOT 301, VICTORIA		
36.	865 View Street	a. Maximum Building Height : 37.0m	
	STRATA PLAN VIS3578	b. Maximum Density of Development : 3.2:1	
		c. Not more than 140m² of Floor Area on the 12 th Storey of any Building may be used for Office uses other than medical or dental Offices .	
		d. Off-street motor vehicle parking spaces are not required in respect of any Floor Area on the 12 th Storey of any Building .	

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	,	1	
	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
37.	706 Yates Street LOT A, VICTORIA, PLAN 46366	a. Bonus Density of Development: 3.8:1	 i. A Building provides at least 1850m² of Floor Area on the first floor for Retail Trade or restaurant use or for pedestrian circulation uses.
38.	769 Yates Street LOT 105 VICTORIA PLAN 1	a. Maximum Density of Development:3.9:1b. Maximum Building Height: 15.0m	
39.	858 Yates Street LOT 376 VICTORIA	a. Residential is not a permitted use b. Maximum Density of Development: 1.5:1 c. Maximum Building Height: 15m d. Maximum Lot Coverage: 60%	
40.	866 Yates Street LOT 377 VICTORIA	 a. Residential is not a permitted use b. Maximum Density of Development: 1.5:1 c. Maximum Building Height: 15m d. Maximum Lot Coverage: 60% 	

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4.2 Central Business District-2 Zone (CBD-2)

1.	1. Permitted Uses					
a. b. c. d. e. f. g. h. i. i.	Assembly Assisted Living Facility Brew Pub (beer, spirits, wine) Care Facility Civic Facility Cultural Facility Drinking Establishment Equipment Rental Financial Service Food and Beverage Service	n. o. p. q. r.	Hotel Office Personal Service Residential Residential Lock-off Unit Retail Liquor Sale Retail Trade Small-scale Commercial Urban Agriculture Studio Utility			
k.	Home Occupation	u.	ouncy			

1.1 Location and Siting of Uses

- No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway.
- The display of rental sports equipment and rental motorized vehicles, other than automobiles is permitted outside of a Building for the use of Equipment Rental.
- The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located C. above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service.
 - Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages.
- Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building.
- Areas used for the storage of garbage or recyclable materials must be enclosed within a Building or screened by a fence or masonry wall that provides a complete visual barrier.

2. Density of Development			
a.	Density of Development - Maximum:	4.0:1	
b. Density of Development - Maximum for			
	Residential Uses:	3.0:1	

3.	3. Height				
a.	Height - Maximum:	HA-1	HA-2	HA-3	HA-4
	· ·	72.0m	60.0m	50.0m	45.0m
b.	Not withstanding sub section (a), maximum Height for Buildings or any portion located within 40m from the Lot Line abutting the east side of Douglas Street:		45.	0m	
c. Projections into Height - Maximum:					
	i. Parapets: 1.0m				
	ii. Rooftop Structures:	uctures: 5.0m			

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4. Setbacks and Projections				
a.	Fro	nt Setback Plane - Minimum		
	i.	Buildings abutting Blanshard, Douglas or Yates street, for any building portion above 20.0m in Height :	5:1 (Angle of Inclination)	
	ii.	All other Buildings , for any portion above 15.0m in Height :	5:1 (Angle of Inclination)	
b.	Sid	e and Rear Lot Line Setbacks - Minimum		
	i.	Exterior walls 20.0m tup to 30.0m in Height :	3.0m	
	ii.	Exterior walls over 30.0m and up to 45.0m in Height :	6.0m	
	iii.	Exterior walls over 45.0m in Height :	10.0m	
	iv.	Exterior walls abutting Douglas Street 30.0m or more in Height :	9.0m	
C.	Pro	jections into Setbacks - Maximum		
	i.	Balconies , cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:	0.6m	
	ii.	Exterior wall treatments, insulation and rainscreen systems:	0.13m	

5. Motor Vehicle and Bicycle Parking

- All motor vehicle and bicycle parking shall be provided in accordance with Part 5 of this bylaw.
- Notwithstanding the requirements in Part 5 of this bylaw, all motor vehicle parking must be located within a Building.

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. 9	Site Specific Regulation	IS	
	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
1.	1321 Blanshard Street LOT A OF LOTS 368-	a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 43.0m	
	370, 385-387 VICTORIA, VIP83640	c. Bonus Density of Development for all uses: 5.0:1	 i. At least 80% of the Floor Area is used for Office uses; ii. The south and west frontages of any Building on the site are glazed and used for Retail Trade or restaurant uses only; iii. Public art having a value of at least \$100,000 is provided on the site; and iv. At least 160 motor vehicle parking spaces are provided underground on the site and at least 125 of the spaces are made available for general public use after ordinary office hours.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
2.	1515 Douglas Street 750 Pandora Ave. LOT 1 OF LOT 1247, 1248 AND 1257 VICTORIA EPP27886 Development Area – A (DA-A) Development Area – B (DA-B)	Note: In this subsection, the "Development Areas" are the CORMOR	ANT ST 44.95 DA-B 786.80m²) 95
	Development Area - A	a. Maximum Building Height: 29.0m	
		 b. Maximum Density of Development: 2.91:1 c. Maximum Floor Area for Residential uses: in Development Area DA-A must not exceed 7,468m². d. Up to 258m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from floor area calculations. e. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces. f. Maximum Lot Coverage: 78% 	ne e e e ot ne
		g. Bonus Density of Development: 3.7	i. At least 140 motor vehicle parking spaces are provided underground on the site in addition to those otherwise required by Section 7 of this Part; ii. At least 34 Bicycle Parking Long-term spaces and 34 storage lockers for use by cyclists are provided on the site.

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Column A	Column B	Column C
Civic and Legal Address	Regulations	Conditions
Development Area - B	h. Maximum Building Height: 56.5mi. Maximum Density of Development 2.86:1	
	j. Up to 400m² of Floor Area used for mechanical equipment on the uppermost Storey of a Building may be excluded from Floor Area calculations.	
	k. Motor vehicle parking spaces may be provided on a separate Lot within Development Area DA-A or DA-B, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the motor vehicle parking spaces.	
	I. Maximum Lot Coverage: 61%	
	m.Bonus Density of Development: 5.88:1	i. A public walkway with an average width of 3.7m and a minimum width at all points of 3m is constructed on the site to connect Pandora Avenue and Cormorant Street, and secured by a statutory right of way and covenant in favour of the City.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
3.	1701 Douglas Street/770 Fisgard Street LOT 1 OF LOTS 692 TO 696 INCLUSIVE, AND OF LOTS 707 TO 711 INCLUSIVE, VICTORIA,EPP3862 (Development Area 1)	a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 43.0m c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces. d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1 cm for each 5cm of building Height that exceeds 10m. e. Bonus Density of Development for all uses: 3.26:1	 i. At least 50% of the Floor Area of each development area is Residential; ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
4.	780 Fisgard Street LOT 2 OF LOTS 696 TO 698 INCLUSIVE, AND OF LOTS 705 TO 707 INCLUSIVE, VICTORIA EPP3862 EXCEPT PART IN AIR SPACE EPP38768 (Development Area 2)	a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 43.0m c. Motor vehicle parking spaces may be provided on a separate Lot within Development Area 1, 2 or 3, including an air space parcel, if the parking site is charged by a covenant in favour of the City restricting the use of the Parking Area and an easement in favour of the owner who requires the parking spaces d. The only Building setback that is required is a setback from each of Herald, Blanshard, Fisgard and Douglas Streets of 1cm for each 5cm of Building Height that exceeds 10m. e. Bonus Density of Development: 4.88:1	 i. At least 50% of the Floor Area of each development area is Residential; ii. A public walkway at least 3.7m wide is constructed on the site to connect Herald Street to Fisgard Street at a point approximately equidistant from Douglas and Blanshard Streets, and secured by a statutory right of way in favour of the City; and iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all dwelling units on the site be available for occupancy under a residential tenancy agreement.

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Column A	Column B	Column C
Civic and Legal Add	ress Regulations	Conditions
5. 1700 Blanshard Street LOT A, OF LOTS 69 700 INCLUSIVE, AN OF LOTS 703 TO 70 INCLUSIVE, VICTO PLAN 13333, EXCE PART IN PLAN EPP (Development Area 3	a. Maximum Density of Developm 3.0:1 b. Motor vehicle parking spaces may be provided on a separate Lot we Development Area 1, 2 or 3, if the parking site is charged by a cover in favour of the City restricting the of the parking area and an easer in favour of the owner who require	nent: ay vithin ne enant ne use ment res the s nd 5cm of 0m.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
6.	1406 Blanshard Street LOT 2 OF LOTS 147 & 148, VICTORIA, VIS6683	 a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 43.0m c. There are no minimum front, side or rear yard setbacks required 	
		d. Bonus Density of Development for all uses: 6.06:1	 i. At least 3700m² of Residential Floor Area is provided; ii. Retail Trade and restaurant uses only are operated at grade level; iii. Landscaped open space accessible to the public is provided between the Building on the site and the adjacent Streets; and iv. All motor vehicle parking spaces other than those for visitor use are provided underground.
7.	1810 Blanshard Street LOT A, OF LOTS 717-720, VICTORIA, VIP52793	 a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 43.0m c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit, and for Office uses is 1 space per 170m² of Floor Area. 	
		d. Bonus Density of Development for all uses: 5.0:1	 i. The site has an area of at least 2,000m²; ii. No fewer than 80 underground motor vehicle parking spaces are provided on the Lot; and iii. At least 10% of the area of the Lot adjacent to the intersection of Blanshard and Herald Streets is an open plaza to a Height of at least 5.5m above grade.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
8.	720 Broughton Street LOT A PLAN VIP59410 VICTORIA OF LOTS 57 58 59 AND 60	 a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 43.0m c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit and for Office uses is 1 space per 95m² of Floor Area, and no other motor vehicle parking or Loading Spaces are required. 	
		d. Bonus Density of Development for all uses: 4.6:1	 i. The site has an area of at least 2,500m²; ii. All motor vehicle parking spaces are provided underground; iii. At least 425m² of open space is provided on the site; and iv. At least 50% of the site frontage on Douglas and Broughton Streets is in use for Retail Trade, restaurant or Financial Services uses having direct pedestrian access from one of those streets.
9.	732 Cormorant Avenue STRATA PLAN VIS5950	 a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 43.0m c. Residential uses are permitted on the First Storey. d. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.6 spaces per Dwelling Unit. 	
		e. Bonus Density of Development for all uses: 4.75:1	i. At least 50% of the Floor Area on the site is Residential .

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
10.	809 Douglas Street LOT 1 OF LOTS 95-98	a. Maximum Density of Development:3.0:1b. Maximum Building Height: 43.0m	
	AND 104, VICTORIA VIS6797	c. Bonus Density of Development for all uses: 5.5:1	 i. At least 10,000m² of Residential Floor Area is provided; ii. Retail Trade and restaurant uses only are operated at grade level; iii. Landscaped open space accessible to the public is provided at grade level; iv. All motor vehicle parking spaces other than those for visitor use are provided underground; and v. Public art having a value of at least \$150,000 is provided on the site.
11.	1405 Douglas Street LOT 1 OF LOTS 139 & 140, VICTORIA, PLAN 21972	 a. Maximum Density of Development for all uses: 4:1 b. Maximum Building Height: 43.0m c. Individual Retail Trade and restaurant premises must have a Floor Area of at least 70m². d. Grade level Douglas Street site frontage and Johnson Street site frontage that is within 6m of Douglas Street may be used only for Retail Trade and restaurant uses. e. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit. 	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
12.	741 Fisgard Street LOT 684 & LOT 683, VICTORIA, EXCEPT PART SHOWN COLOURED RED ON PLAN 316 BL, THE E	 a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 58.0m c. At least 140 motor vehicle parking spaces must be provided underground. d. At least 42 bicycle parking spaces must be provided. 	
	1/2 OF LOT 685 AND THE W 1/2 OF LOT 685, VICTORIA	e. Bonus Density of Development for all uses: 7.6:1	i. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City ; ii. A statutory right of way is granted to the City for the 2m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses; iii. A public walkway at least 3.7m wide is constructed on the site at mid-block to connect Fisgard Street to the southerly Boundary of the site, and secured by a statutory right of way in favour of the City ; iv. A statutory right of way is granted to the City for the 2 m wide portion of the site adjacent to Blanshard Street for sidewalk, bicycle lane and boulevard improvement uses; v. Public art having a value of at least \$350,000 is provided on the site; and vi. The owner contributes at least \$100,000 to the City 's Housing Reserve Trust Fund.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
13.	834 Johnson Street STRATA PLAN EPS522	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 41.0m	
		c. Bonus Density of Development for all uses: 5.76:1	 i. The Floor Area of Office uses may not exceed 60% of the area of the site; ii. The Floor Area of non-Residential uses, excluding areas used for underground motor vehicle parking spaces, may not exceed 50% of the Floor Area on the site; iii. Non-Residential uses other than Home Occupations are not permitted above the second Storey; iv. The minimum number of offstreet motor vehicle parking spaces for Residential uses is 0.65 spaces per Dwelling Unit, and no motor vehicle parking spaces are required for non-Residential uses; and v. At least 15% of the area of the site must be open space.
14.	1250 Quadra Street LOT A PLAN 19445	a. Maximum Density of Development : 3.0:1 b. Maximum Building Height : 37.0m	
	VICTORIA OF LOTS 311/314	c. Bonus Density of Development for all uses: 4.0:1	i. The owner enters into a housing agreement with the City that requires at least 33 Dwelling
	849 Yates		Units on the site to be rental units.
	LOT 315 VICTORIA		ii. At least 35% of the area of the site is open space; and iii. All motor vehicle parking spaces are provided underground.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
15.	15. 835 View Street STRATA PLAN VIS3578	 a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 37.0m c. At least 39% of the area of the site must be open space. d. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.55 spaces per Dwelling Unit. 	
		e. Bonus Density of Development for all uses: 4.4:1	i. For any Building with at least 8000m² of Floor Area used for Residential uses, and the proportion of Residential use of the site is unrestricted.
16.	728 Yates Street STRATA PLAN EPS2516	a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 48.0m	
		c. Bonus Density of Development for all uses: 6.4:1	 i. The façade of the Building at 738-740 Yates Street is conserved, including restoration of the brick Parapet and upper façade brick; ii. Grade level Yates Street site frontage and the site frontage on the walkway is used only for Retail Trade and restaurant uses; and iii. A landscaped area of at least 50m² is provided for public use between any Building on the site and Yates Street.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
17.	743 Yates Street STRATA PLAN VIS4308	a. Maximum Density of Development:3.0:1b. Maximum Building Height: 46.5m	
		c. Bonus Density of Development for all uses: 5.4:1	 i. At least 150m² of Floor Area is in use for child care services; ii. At least 50m² of open space is provided along each Lot Line that abuts a Street; iii. At least 43 motor vehicle parking spaces are provided in addition to those otherwise required by Section 7 of this Part; and iv. At least 50% of the site frontage on View and Yates Streets is in use for Retail Trade, Office or Financial Services uses having direct pedestrian access from one of those streets.
		d. Bonus Density of Development for all uses: 5.6:1	i. The conditions described above in sub sections (i.) thru (iv.) are met and an area equal to at least 20% of the site area is in use for an enclosed public arcade or mall.

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
18.	819 Yates Street LOT A, DISTRICT LOTS 306, 307, 324 & 325, VICTORIA, PLAN 33016	 a. Maximum Density of Development: 3.0:1 b. Maximum Building Height: 55.0m c. Residential uses may be located on the First Storey. d. Buildings with frontage on Yates Street must be sited at least 1.4m from the Street to the 10m Height level and 3.5m from the Street above that level. e. Buildings with frontage on View Street must be sited at least 1.5m from the Street to the 10m Height level and 5.3m from the Street above that level. f. Buildings must be sited at least 3.0m from the easterly Boundary of the site. 	
		g. Bonus Density of Development for all uses: 5.83:1	 i. A public walkway at least 3.0m wide is constructed on the site to connect Yates Street to View Street along the easterly Boundary of the site, and secured by a statutory right of way in favour of the City. ii. At least 80% of the Floor Area is Residential iii. The owner enters into a housing agreement with the City that requires at least 10% of Dwelling Units on the site to be adaptable units and that all Dwelling Units on the site be available for occupancy under a residential tenancy agreement for at least 10 years following issuance of an occupancy permit for any Dwelling Unit; iv. Public art having a value of at least \$100,000 is provided on the site; and v. The owner contributes at least \$100,000 to the City's Housing Reserve Trust Fund.
19.	836 Yates LOT A OF LOTS 373 & 382, VICTORIA, PLAN 60321	 a. Maximum Density of Development for all uses: 4.0:1 b. Maximum Building Height: 43.0m c. The minimum number of off-street motor vehicle parking spaces for Residential uses is 0.25 spaces per Dwelling Unit. 	

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4.3 Mixed Use Residential District-1 Zone (MRD-1)

1. Permitted Uses			
a. Assembly	i. Per s	sonal Service	
b. Assisted Living Facility	j. Res	dential	
c. Care Facility	k. Res	dential Lock-off Unit	
d. Civic Facility	l. Reta	il Trade	
e. Financial Service	m. Sm a	II-scale Commercial Urban Agriculture	
f. Food and Beverage Service	n. Stu d	lio	
g. Home Occupation	o. Utili	ty	
h. Office			

1.1 Location and Siting of Uses

- a. Non-Residential uses, other than Home Occupation, are not permitted above the second Storey.
- A maximum 50% of the **Floor Area** may be used for non-**Residential** uses.

2. Density of Development		
a. Density of Development - Maximum for Office :	0.6:1	

3. Height - Maximum			
a. Height - Maximum:	30.0m		
b. Projections into Height :			
i. Parapets:	1.0m		
ii. Rooftop Structures:	5.0m		

4. Setbacks and Projections

a. Front Lot Line Setback - Minimum

i. Buildings with Residential use on First Storey: 3.5m ii. Buildings with non-Residential use on First Storey: 0.5m

b. Projections into **Setbacks** - Maximum:

i. Balconies, cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:

ii. Exterior wall treatments, insulation and rainscreen

systems: 0.13m

5. Motor Vehicle and Bicycle Parking

- Notwithstanding the requirements contained in Part 5 of this bylaw, no motor vehicle parking is required.
- Notwithstanding the requirements contained in Part 5 of this bylaw, all motor vehicle parking must be located within a **Building**.

0.6m

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4.4 Old Town District-1 Zone (OTD-1)

1. Permitted Uses			
1. Permitted Uses a. Assembly b. Assisted Living Facility c. Brew Pub (beer, spirits, wine) d. Care Facility e. Civic Facility f. Cultural Facility g. Drinking Establishment	I. Hotel m. Office n. Personal Service o. Residential p. Residential Lock-off Unit q. Retail Liquor Sale r. Retail Trade		
h. Equipment Rental i. Financial Service j. Food and Beverage Service k. Home Occupation	s. Small-scale Commercial Urban Agriculture t. Studio u. Utility		

1.1 Location and Siting of Uses

- No First Storey Office use is permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway.
- The display of rental sports equipment and rental motorized vehicles, other than automobiles are permitted outside of a **Building** for the use of **Equipment Rental**.
- The production and manufacturing area for a Brew Pub (beer, spirits, wine) must not be located C. above the First Storey and is not permitted within 6m of the wall of any Building that abuts a Street or pedestrian walkway, except where the Brew Pub (beer, spirits, wine) is provided in conjunction with Retail Trade or Food and Beverage Service.
 - Not more than 35% of the First Storey Floor Area of a Brew Pub (beer, spirits, wine) may be used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages.
- Residential uses and Hotel guest rooms are not permitted on the First Storey of a Building, except where located directly adjacent to, and where direct access is provided to a lane, alleyway, through-block walkway or interior courtyard.

2. Density of Development		
 a. Density of Development - Maximum: b. Density of Development - Maximum for Office within any Building constructed after 1914. 	3.0:1 1.0:1	

3.	3. Height - Maximum		
a.	Height - Maximum:	15.0m	
b.	Projections into Height:		
	i. Parapets:	1.0m	
	ii. Rooftop Structures:	5.0m	

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4. Setbacks and Projections

a. Projections into **Setbacks** - Maximum:

i. **Balconies**, cornices, guardrails, fin walls, slab edges, eaves, window overhangs and sunscreens:

ii. Exterior wall treatments, insulation and rainscreen

systems:

5. Motor Vehicle and Bicycle Parking

Motor vehicle parking is only required for any **Lot** that has an overall area of 1100m² or greater, and subject to paragraph (b), shall be provided in accordance with Part 5 of this bylaw.

0.6m

0.13m

Notwithstanding the requirements in Part 5 of this bylaw, all motor vehicle parking must be located within a Building.

6. Lot Coverage and Open Space

(Intentionally left blank)

7. Lot Dimension and Area

(Intentionally left blank)

8. 9	8. Site Specific Regulations			
	Column A	Column B	Column C	
	Civic and Legal Address	Regulations	Conditions	
1.	10 Bastion Square Parcel E (DD 169756-I) of Lots 197, 198, 200 & 204	a. Off-street motor vehicle parking is not required		
2.	28 to 30 Bastion Square Lot 1 Plan VIP17052	a. Off-street motor vehicle parking is not required		
3.	1215 Broad Street Lot 1 Plan VIP64889	a. Maximum Building Height : 43.0m		
4.	1415 to 1419 Broad Street Lot 666 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1		
5.	525 Broughton Street Strata Plan VIS730	a. Maximum Density of Development for all uses: 3.0:1		
6.	608 Broughton Street	a. Maximum Building Height: 34.0m		
	Lot 1 Plan EPS1336	b. Bonus Density of Development: 5.1:1	 i. Retail Trade or restaurant provided as the principal ground level uses; and ii. A minimum of 45 motor vehicle parking spaces are provided, of which at least 35 are located underground and two are permitted to be stacked one behind the other. 	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
7.	617 Broughton Street Lot A Plan VIP14044	a. Parkade is a permitted use.b. Maximum Density of Development: 3.9:1	
8.	1 Centennial Square Lot 2 Plan VIP76432	a. Maximum Density of Development for all uses: 3.0:1	
9.	629 Chatham Street Lot 633 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
10.	635 Chatham Street Lot 632 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
11.	611 to 623 Chatham Street Lot 634 & 635 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
12.	619 - 625 Courtney Street Lot 4 Plan VIS4624	 a. Maximum Building Height: 20.3m b. Maximum Floor Area for Brew Pub (beer, spirits, wine): 250m² 	
		c. Bonus Density of Development: 4.6:1	i. A minimum of 630m² of the First Storey area of a Building and at least 50% of the Building's interior First Storey area adjacent to Street frontage are devoted to Retail Trade or restaurant use.
13.	631 - 639 Courtney Street 634/38 Humbolt Street 808 Douglad Street Lot 1 Plan 26451	a. The minimum number of off-street motor vehicle parking spaces for Residential Uses is 0.25 spaces per Dwelling Unit .	
14.	818 Douglas Street Lot 2 Plan VIP26451	a. Maximum Density of Development for all uses: 3.0:1	
15.	850 Douglas Street Lot 1 Plan VIP16810	a. Maximum Building Height : 43.0m	
16.	1150 Douglas Street Lot A Plan VIP48135	a. Maximum Density of Development for all uses: 3.0:1	
17.	1200 Douglas Street Lot B Plan VIP48444	a. Maximum Building Height : 43.0m	
18.	1214 Douglas Street Lot A Plan VIP48444	a. Maximum Building Height : 43.0m	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
19.	1222 Douglas Street S. Pt. Lot 426 & E. Pt. Lot 427 and Pcl. A of Lots 427/428 City Plan	a. Maximum Building Height : 43.0m	
20.	1280 Douglas Street Lot 426 Plan CITY	a. Maximum Building Height : 43.0m	
21.	1402 Douglas Street The Easterly 60 Feet of Lot 671 Plan CITY	a. Storefront Cannabis Retailer is a permitted use	 i. The use does not occupy more than 200m²; ii. Only one Storefront Cannabis Retailer at a time is operational on the Lot.
22.	1672 Douglas Street Lot A Plan VIP11299	a. Maximum Density of Development for all uses: 3.0:1	
23.	1708 Douglas Street Lot 609 & 610 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
24.	1720 Douglas Street LOT 611 & 612, VICTORIA, CITY	a. Maximum Density of Development for all uses: 3.0:1	
25.	1802 Douglas Street	a. Maximum Building Height: 26.0m	
	Lot 1 Plan VIP36720	b. Bonus Density of Development: 5.0:1	 i. At least 270m² of First Storey space is provided for Retail Trade or restaurant use; ii. At least 17m of linear Building Floor Area along Herald Street is used for Retail Trade or restaurant use; iii. At least 10% of the Lot Area adjacent to the Street intersection is maintained as a Street level open plaza to a distance of not less than 5.5m above Street level; and iv. A minimum of 60 underground on-site motor vehicle parking spaces are provided.
26.	1850 Douglas Street Lot A Plan VIP25475	a. Maximum Density of Development for all uses: 3.0:1	
27.	505 Fisgard Street Lot A Plan VIP42419	a. Maximum Floor Area used for the production and manufacturing of beer, spirits, wine and other alcoholic beverages is the lesser of 190.4m ² or 46% of the site area.	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
28.	517-519 Fisgard Street Lot 4 Plan EPS1833 524-528 Pandora Ave. Lot 2 Plan EPS1833 530 Pandora Ave. Lot 1 Plan EPS1833	a. Maximum Density of Development: 5.5:1 b. Parkade is a permitted use. c. Off-street motor vehicle parking is not required	
29.	618 Fisgard Street Lot 604 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
30.	625 Fisgard Street Lot 1 Plan VIP76432	a. Maximum Density of Development for all uses: 3.0:1	
31.	638 Fisgard Street Lot 1 Plan VIP55957	 a. Residential uses may be located on the First Storey except within 3m from any Street. b. Maximum Building Height: 22.0m c. Bonus Density of Development: 4.0:1 	i. A minimum Density of Development of 2.0:1 is provided for Residential uses.
32.	520 Fort Street Lot A Plan VIP23498	a. Maximum Density of Development for all uses: 3.0:1	
33.	623 Fort Street	a. Bicycle Parking, Short-Term stalls are not required.	
	Lot A Plan VIP87839	b. Bonus Density of Development: 3.38:1 for all uses	 At least 75% of the total Floor Area of the Building is provided exclusively for Office uses.
34.	685-695 Fort Street 1060-1080 Douglas Street Lot 1 Plan VIP16563	a. Maximum Building Height : 43.0m	
35.	801 Government Street Lot A Plan VIP27815	a. Off-street motor vehicle parking is not required	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
36.	888 Government Street Lot A Plan EPP69462	 a. Maximum Floor Area for Brew Pub (beer, spirits, wine): 175m² b. Maximum Building Height: 17.7m c. Maximum Floor Area for Retail Liquor Sale: 50m² where provided as an accessory use to Brew Pub (beer, spirits, wine). d. Off-street motor vehicle parking is not required 	
		e. Bonus Density of Development: 4.0:1	 Rehabilitation of the façade of the existing Customs House on the westerly portion of the site in accordance with Heritage Revitalization Agreement Bylaw no. 15-057.
37.	900 Government Street Lot Plan VIP918 BL	a. Maximum Density of Development for all uses: 3.0:1	
38.	910 Government Street 955 Wharf Street 525 Broughton Street Strata Plan VIS612 Strata Plan VIS730	 a. Maximum Density of Development for all uses: 3.0:1 b. A minimum of 220 motor vehicle parking spaces shall be provided c. A minimum of 15% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Retail Trade. d. A maximum of 85% of the total ground Floor Area abutting Wharf Street and Government Street shall be used for Office. 	
39.	1001 Government Street	a. Maximum Building Height : 16.0m	
	Lot 7 & 8 Plan VIP2671	b. Maximum Density of Development : 4.1:1	i. Where Retail Trade , Offices and financial institutions have direct access to and are located along at least 50% of the Street frontage along Government Street.
40.	1230 Government Street Lot 1 Plan VIP7696	a. Maximum Density of Development for all uses: 3.0:1	
41.	1312 Government Street	a. Maximum Building Height : 18.6m	
	Lot 1 Plan EPS1881 1314 Government Street Lot 2 Plan EPS1881 Portion on Roadway Lot Plan EPP37406	b. Bonus Density of Development: 3.85:1	i. A conservation covenant of the existing Building is provided ii. A Housing Agreement is established to require that all Residential dwellings in this Zone are provided as rental units.
42.	1411 Government Street Lot 1 Plan VIS4995	a. Maximum Density of Development : 3.32:1	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
43.	1450 Government Street	a. Maximum Density of Development: 2.2:1	
	Lot 1 Plan VIS6012	b. Maximum Building Height : 15.2m c. Maximum Lot Coverage : 70%	
	595 Pandora Ave.		
	Lot 1 Plan VIP77724		
	599 Pandora Ave.		
4.4	Lot 2 Plan VIS6012	a Mayimum Danaity of Dayalanmant for	
44.	1701 Government Street Lot A Plan VIP2779	a. Maximum Density of Development for all uses: 3.0:1	
45.	1725 Government Street	a. Maximum Density of Development for	
73.	1723 GOVERNINGIIL SUEEL	all uses: 3.0:1	
	Lot 1 Plan EPS569		
46.	1885 Government Street	a. Automotive Repair is the only permitted use	
	Lot A Plan VIP45681	•	
47.	461 Herald Street	a. Residential uses are prohibited	
	Lot A Plan VIP33307	b. Maximum Density of Development for Office and all other uses: 1.5:1	
		c. Bonus Density of Development: 2.0:1	 At least 500m² of First Storey area is used for Retail Trade or restaurant.
48.	517 Herald Street	a. Off-street motor vehicle parking is not	
	Lot 1, Victoria, Plan 14527	required	
49.	530 - 532 Herald Street	Off-street motor vehicle parking is not required	
	Lot A Plan VIP68503	200	
50.	536 Herald Street Lot A Plan VIP72416	Off-street motor vehicle parking is not required	
51.	601 Herald Street	a. Maximum Density of Development for	
51.		all uses: 3.0:1	
	Lot 3 Plan EPS569		
52.	610 Herald Street	a. Maximum Density of Development for all uses: 3.0:1	
	LOT 620, 621, AND 622, VICTORIA		
53.	613 Herald Street	a. Maximum Density of Development for all uses: 3.0:1	
	Lot 617 Plan CITY		
54.	618 Herald Street	a. Maximum Density of Development for all uses: 3.0:1	
	Lot 623 Plan CITY		

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
55.	624 Herald Street Lot 624 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
56.	648 - 652 Herald Street Lot 3 Plan VIS5362	a. Maximum Density of Development for all uses: 3.0:1	
57.	655 Herald Street Lot A Plan VIP42094	a. Maximum Density of Development for all uses: 3.0:1	
58.	658 Herald Street Lot 626 Plan City	a. Maximum Density of Development for all uses: 3.0:1	
59.	681 Herald Street Lot 613 Plan CITY	a. Maximum Density of Development for all uses: 3.0:1	
60.	521 Johnson Street Lot A Plan VIP34849	a. Off-street motor vehicle parking is not required	
61.	634 Johnson Street Lot A Plan VIP34894	 a. Only the following uses are permitted: Hotel, Retail Trade and restaurant b. Maximum Density of Development: 5.23:1 c. Maximum Building Height: 23.0m 	
62.	506 Pandora Ave. Lot 1 Plan EPP35103	 a. The maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine) is the lesser of 190.4m² or 44% of the Lot Area. b. The maximum Floor Area for a Drinking Establishment is 146.2m² 	
63.	595 Pandora Ave. Lot 1 Plan VIP77724	a. Off-street motor vehicle parking is not required	
64.	599 Pandora Ave. Lot 2 Plan VIS6012	a. Off-street motor vehicle parking is not required	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
65.	603 Pandora Ave. Lot 1 Plan VIP7110	a. Maximum Floor Area: 6793m² b. Maximum Building Height: 23.1m c. Maximum Lot Coverage: 89%	
		d. Bonus Density of Development: 4.57:1	 i. Rehabilitation of the existing Plaza Hotel Building in accordance with Heritage Revitalization Agreement (603-607 Pandora Avenue) Bylaw No. 13-040; ii. Construction of a public plaza at the corner of Government Street and Pandora Avenue valued at least \$180,000; and iii. Payment to the City of Victoria of \$27,500 to contribute to the long term maintenance of the public water feature to be constructed as part of the public plaza.
66.	625 Pandora Street	a. Maximum Density of Development for all uses: 3.0:1	
67.	Lot 1 Plan VIP32978 1441 Store Street	a. Maximum Density of Development :	
07.	Lot 1 Plan VIS1580	4.0:1	
68.	1610 Store Street Lots 1 to 127 Plan EPS3614 456 Pandora Avenue Lots 1 to 127 Plan EPS3614	 a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated. b. Off-street motor vehicle parking is not required 	
69.	1622 - 1624 Store Street Lot A Victoria EPP70042	a. Off-street motor vehicle parking is not required	
70.	1624 Store Street Lot 1 Plan VIP5617	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	
71.	1630 Store Street Parcel A (DD 83205I) of Lot 126 City Plan	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
72.	1705 Store Street Lot 1 of Lot 451, 452, 467 & 468 Victoria City Plan VIP76332	 a. Automotive Repair is the only permitted use on the south half of the Lot. b. Maximum Building Height: 11.0m c. Not more than one Building is permitted on the Lot. d. Minimum setback to any Street on the south half of the Lot: 4.5m e. Off-street motor vehicle parking is not required on the north half of the Lot. 	
73.	1720 Store Street Lot A Plan VIP18303	 a. Residential uses are prohibited b. Maximum Density of Development for Office and all other uses: 1.5:1 c. Off-street motor vehicle parking is not required d. Bonus Density of Development: 2.0:1 	i. At least 500m ² of First Storey area is used for Retail Trade or restaurant.
74.	407-409 Swift Street Lot 100 Plan VIS4930	 a. Docks, public washrooms and showers are permitted uses. b. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine): 200m² c. Off-street motor vehicle parking is not required 	
75.	440 Swift Street Lot A Plan VIP85421	 a. Docks, public washrooms and showers are permitted uses. b. Maximum Density of Development: 1.5:1 c. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine): 200m² d. Off-street motor vehicle parking is not required 	
76.	450 Swift Street Lot 1 Plan VIP36884	 a. Docks, public washrooms and showers are permitted uses. b. Maximum Density of Development: 1.5:1 c. Maximum Floor Area used for production or manufacturing within a Brew Pub (beer, spirits, wine): 200m² 	
77.	467 Swift Street Lot A Plan VIP49848	a. The grade of a Building means the elevation calculated to be the arithmetical average of the elevations of the highest and lowest points on the Street boundaries of the Lot on which the Building is situated.	
78.	650 View Street Lot C Plan VIP48444	a. Maximum Building Height : 43.0m	

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	Column A	Column B	Column C
	Civic and Legal Address	Regulations	Conditions
79.	1019 Wharf Street Lot 1 Plan VIP21300	a. Off-street motor vehicle parking is not required	
80.	503 Yates Street Lot 1 Plan VIP7167	a. Off-street motor vehicle parking is not required	
81.	524 Yates Street Lot 1 Plan VIS6630	a. Off-street motor vehicle parking is not required	
82.	546 Yates Street LOT 1 OF LOTS 175, 176, 186, 187, VICTORIA, PLAN 30210	a. Storefront Cannabis Retailer is a permitted use	 i. The use does not occupy more than 800m²; ii. The use is restricted to the ground floor; and iii. Only one Storefront Cannabis Retailer at a time is operational on the property.
83.	575 Yates Street Lot 2 Plan VIP18712	a. Off-street motor vehicle parking is not required	
84.	615 Yates Street Lot 1 Plan VIP38582	a. Off-street motor vehicle parking is not required	

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5.1 Off-Street Parking Regulations

1. Required Vehicle and Bicycle Parking Spaces

a. The owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

Column A	Column B	Column C	
Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces	
Residential			
Condominium (Dwelling Unit in a	0.65 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit	
Building regulated by the Strata Property	0.80 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²		
Act)	1.20 spaces per Dwelling Unit that is more than 70m ²		
Apartment (Dwelling Unit	0.50 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit	
secured as rental in perpetuity through a	0.60 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²		
legal agreement)	1 space per Dwelling Unit that is more than 70m ²		
Affordable (Affordable Dwelling	0.20 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit	
Units secured in perpetuity through a	0.50 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²		
legal agreement)	0.75 spaces per Dwelling Unit that is more than 70m ²		
All other multiple dwellings	0.65 spaces per Dwelling Unit that is less than 45m ²	0.10 spaces per Dwelling Unit	
	0.80 spaces per Dwelling Unit that is equal to 45m ² and up to 70m ²		
	1.20 spaces per Dwelling Unit that is more than 70m ²		
Assisted Living Facility	0.35 spaces per Dwelling Unit or residential unit	0.10 spaces per Dwelling Unit or residential unit	
Commercial			
Hotel	0.25 spaces per room	-	

b. The owner or occupier of any land or of any **Building** or other structure for each use present on the land or in the **Building** or other structure, must provide off-street bicycle parking spaces in accordance with Table 2 of this Part and calculated in accordance with Table 2 of this Part.

Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Table 2: Minimum Number of Required Bicycle Parking Spaces

Column A	Column B	Column C
	Minimum Number of Bicycle Parking,	Minimum Number of Bicycle Parking,
Use or Class of Use	Long-Term Spaces	Short-Term Spaces
Residential	1 appearant Development Light the state	The greater of Canadas and building
Condominium (Dwelling Unit in a	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Building regulated by the Strata Property Act)	1.25 spaces per Dwelling Unit that is 45m² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Apartment (Dwelling Unit secured as	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
rental in perpetuity through a legal agreement)	1.25 spaces per Dwelling Unit that is 45m² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Affordable Dwelling	1 space per Dwelling Unit that is less than 45m ²	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Units secured in perpetuity through a legal agreement)	1.25 spaces per Dwelling Unit that is 45m² or greater	The greater of 6 spaces per building or 0.10 spaces per Dwelling Unit
Assisted Living Facility	1 space per 20 Dwelling Units or residential unit	1 space per 50 Dwelling Units or residential units
Commercial		
Brew Pub (beer, spirits, wine)	1 space per 200m² of Floor Area , or part thereof	1 space per 200m² of Floor Area , or part thereof
Drinking Establishment	1 space per 400m² of Floor Area , or part thereof	1 space per 100m² of Floor Area , or part thereof
Equipment Rental	1 space per 200m² of Floor Area , or part thereof	1 space per 200m² of Floor Area , or part thereof
Financial Service	1 space per 200m² of Floor Area , or part thereof	1 space per 200m² of Floor Area , or part thereof
Food and Beverage Service	1 space per 400m² of Floor Area plus outside seating and serving area, or part thereof	1 space per 100m² of Floor Area plus outside seating and serving area, or part thereof
Hotel	1 space per 25 rooms	1 space per 40 rooms
Office	1 space per 150m² of Floor Area , or part thereof	1 space per 400m² of Floor Area , or part thereof
Personal Service	1 space per 200m² of Floor Area , or part thereof	1 space per 200m² of Floor Area , or part thereof
Retail Liquor Sale	1 space per 200m² of Floor Area , or part thereof	1 space per 200m² of Floor Area , or part thereof
Retail Trade	1 space per 200m² of Floor Area , or part thereof	1 space per 200m² of Floor Area , or part thereof
Storefront Cannabis Retailer	1 space per 200m² of Floor Area , or part thereof	1 space per 200m² of Floor Area , or part thereof
Institutional		
Assembly	-	1 space per 200m² of Floor Area , or part thereof
Civic Facility	1 space per 400m² of Floor Area , or part thereof	1 space per 400m² of Floor Area , or part thereof
Cultural Facility	1 space per 450m² of Floor Area , or part thereof	1 space per 130m² of Floor Area , or part thereof
Care Facility	1 space per 700m² of Floor Area , or part thereof	1 space per 200m² of Floor Area , or part thereof

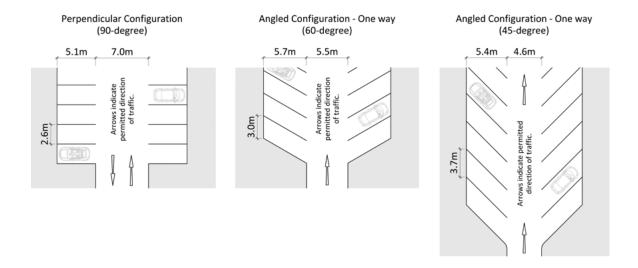
2. Vehicle Parking Appearance

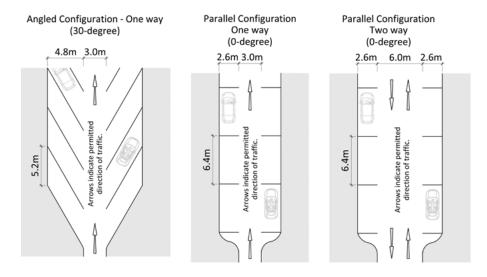
- a. Each vehicle parking space must be clearly delineated on the parking surface.
- Each visitor vehicle parking space required under this bylaw must be clearly identified for the sole use of visitors.

3. Vehicle Parking Location and Dimensions

- a. All vehicle parking spaces required under this bylaw must be provided on the same **Lot** as the **Building** or use which they serve.
- b. A vehicle parking space must have **Unobstructed Access**.
- c. All vehicle parking spaces and **Drive Aisles** must have dimensions not less than those identified in Figure 1 of this Part.

Figure 1: Minimum Parking Space and **Drive Aisle** Dimensions (all measurements in metres)

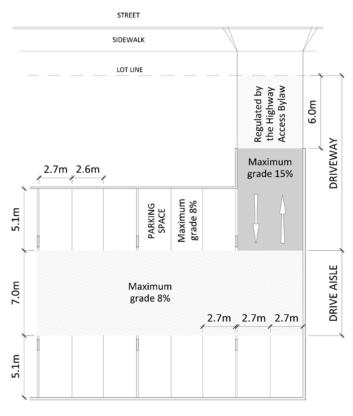




Part 5 - Requirements for Motor Vehicle and Bicycle Parking

- d. One way access and egress through the **Parking Area** is required where:
 - i. More than one vehicle parking space is provided in the **Parking Area**, and
 - ii. The vehicle parking spaces are not configured parallel or perpendicular to the **Drive Aisle**.
- e. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
- f. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
- g. Where a vehicle parking space or **Drive Aisle** is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.
- h. Where a **Drive Aisle** or parking space is located within 6.0m of a **Street Boundary** it must comply with applicable grade requirements prescribed in this Part and the Highway Access Bylaw.
 - i. The maximum grade for a **Drive Aisle** or parking stall is 8%.
 - ii. The maximum grade for a **Driveway** is 15%.

Example: Maximum Grades for Parking Areas



4. Bicycle Parking Specifications

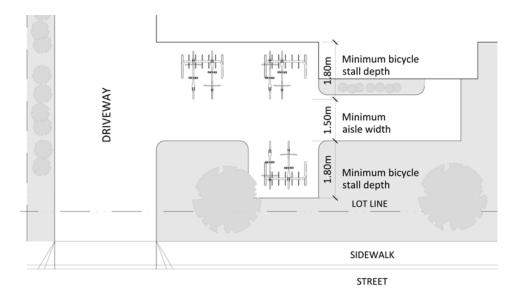
- a. All bicycle parking spaces required under this bylaw must be provided on the same **Lot** as the Building or use which they serve.
- b. Each **Bicycle Parking**, **Short-Term** space required under this bylaw must be:
 - designed and installed to the minimum dimensions shown in Table 3 of this Part;
 and
 - ii. provided as a bicycle rack that is permanently anchored to the ground or a wall.
- c. Each Bicycle Parking, Short-Term space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a Building entrance that is accessible by visitors.
- d. Notwithstanding section (c), where a minimum of 6 Bicycle Parking, Short-Term spaces are located within 15.0m of each Building entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a Building entrance.
- e. Each **Bicycle Parking**, **Short-Term** space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a **Building** entrance that is accessible by the pubic.
- f. Notwithstanding section (e), where a minimum of 6 **Bicycle Parking, Short-Term** spaces are located within 15.0m of each **Building** entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a **Building** entrance.
- g. Each **Bicycle Parking**, **Short-Term** space required under this bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary Building entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

	Ground Anchored Rack		Wall Mounted Rack	
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a Building)	>45 degrees	<45 degrees	>45 degrees	<45 degrees
Minimum stall depth	1.8	1.45	1.2	1.2
Minimum aisle width	1.5	1.5	1.5	1.5
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45	0.65	0.45	0.65
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9	1.3	0.9	1.3
Minimum distance between bicycle racks and entrance door to bicycle storage facility	0.6	0.6	0.6	0.6

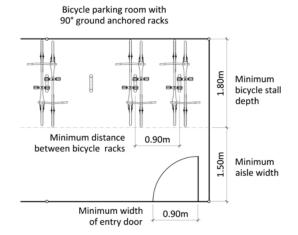
Part 5 - Requirements for Motor Vehicle and Bicycle Parking

Example: Bicycle Parking, Short-Term Configuration

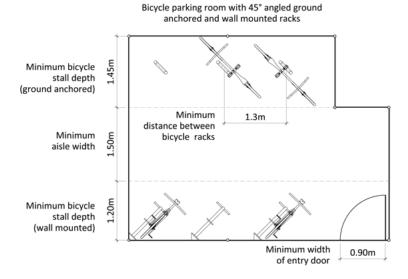


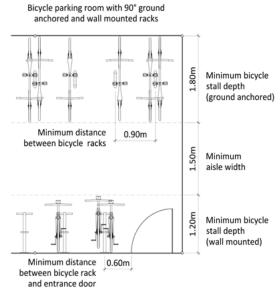
- h. Each Bicycle Parking, Long-Term space required under this bylaw must:
 - be designed and installed to the minimum dimensions shown in Table 3 of this Part;
 - ii. be provided as a bicycle rack that is permanently anchored to the ground or a wall:
 - iii. have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - iv. be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the **Building**;
 - v be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - vi. be located within one floor of **Finished Grade** and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
- At least half of the **Bicycle Parking, Long-Term** spaces required under this bylaw must be ground anchored.

Example: Bicycle Parking Long-Term Configurations



Part 5 - Requirements for Motor Vehicle and Bicycle Parking

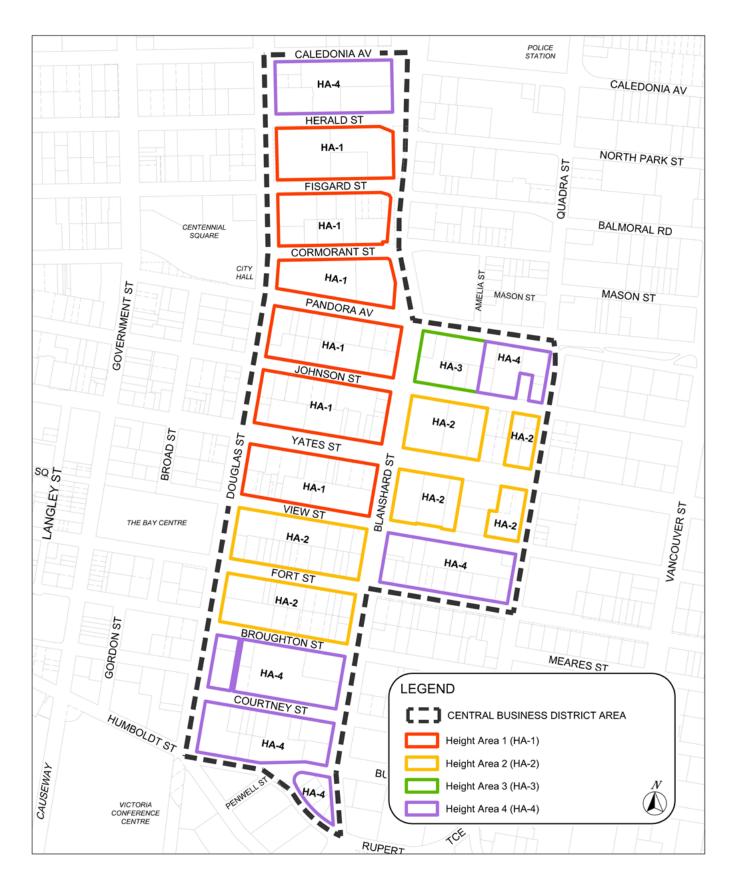




5. Bicycle Parking Exemptions

- a. Notwithstanding section 5.1.1(b):
 - Bicycle Parking, Short Term spaces are not required to be provided where the siting and design of a **Building** existing on the date of adoption of this bylaw physically prohibits such spaces from being provided on a **Lot**;
 - ii. No additional Bicycle Parking, Short Term or Bicycle Parking, Long Term spaces are required to be provided where only alterations or changes of use to a Building are proposed and the Building existed on the date of adoption of this bylaw; and
 - iii. If additions are proposed to a **Building** existing on the date of adoption of this bylaw, additional **Bicycle Parking**, **Short Term** and **Bicycle Parking**, **Long Term** spaces must be provided for the additional bicycle parking required with respect to the **Building** addition only.

Schedule A - CBD-2 Zone Height Areas Map



Schedule B - Small Scale Commercial Urban Agriculture

1. Products

- a. Subject to subsection (b), only the following items may be cultivated, harvested, kept, sorted, cleaned and packaged as part of **Small-scale Commercial Urban Agriculture**:
 - i. Fruits
 - ii. Vegetables
 - iii. Edible flowers
 - iv. Edible fibre
 - v. Edible seeds
 - vi. Nuts
 - vii. Seedlings and cuttings of edible plants
 - viii. Culinary herbs
 - ix. Eggs
 - x. Honey
 - xi. Mushrooms
- b. Plants regulated under the Controlled Drug and Substances Act (Canada) may not be produced as part of **Small-scale Commercial Urban Agriculture**

2. Sale on Lot

Sale of products of Small-scale Commercial Urban Agriculture is permitted on a Lot on which Small-scale Commercial Urban Agriculture occurs, regardless of whether Retail Trade is permitted, provided it occurs:

- a. within a **Foodstand** located in the **Front Yard**; or
- b. as a component of any of the following permitted uses of the Lot:
 - i. Retail Trade
 - ii. Food and Beverage Service
 - iii. any other use which permits the sale of the items in section 1(a)

3. Foodstand

A **Foodstand** must not:

- a. Exceed an area of 1.85m² and a **Height** of 3.35m
- b. Be located within 0.60m of a **Lot Line**
- c. Be fully enclosed
- d. Remain on the **Front Yard** without items for sale in excess of eight consecutive days
- e. Hold, shelve or otherwise display an item unless it:
 - i. is listed in section 1(a) of this Schedule;
 - ii. was harvested on the **Lot** on which the **Foodstand** is located; and
 - iii. is displayed and sold in raw, unprocessed form.
- f. No more than one **Foodstand** may be used or erected on one **Lot**.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
PUBLIC HEARING HELD on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018
CITY CLERK	MAYOR	



Council Report For the Meeting of July 12, 2018

To:

Council

Date:

June 27, 2018

From:

Jonathan Tinney, Director, Sustainable Planning and Community Development

Subject:

Administrative Amendment to Zoning Regulation Bylaw (No. 80-159)

RECOMMENDATION

That Council give first and second reading of Bylaw No. 18-082 to amend the Introduction and General Regulations section of Zoning Regulation Bylaw No. 80-159, prior to a public hearing.

EXECUTIVE SUMMARY

The purpose of this report is to provide Council with Bylaw No.18-082, which outlines an administrative amendment to the Introduction and General Regulations section of the current Zoning Regulation Bylaw (No. 80-159). The proposed amendment identifies that the Zoning Regulation Bylaw does not apply within the parts of the City (downtown area) that are subject to the new Zoning Bylaw 2018 (No. 18-072). This amendment has been prepared in consultation with the City's Legal Services to provide improved clarity and interpretation of the current Zoning Regulation Bylaw and support the introduction of the new Zoning Bylaw 2018.

CONCLUSIONS

The proposed amendment provides improved clarity and interpretation of the current Zoning Regulation Bylaw and supports the introduction of the new Zoning Bylaw 2018.

Respectfully submitted,

Robert Batallas, Senior Planner Community Planning Division

Jonathan Tinney, Director

Sustainable Planning and Community Development

Report accepted and recommended by the City Manager;

List of Attachments:

Attachment A: Bylaw No. 18-082

NO. 18-082

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Zoning Regulation Bylaw No. 80-159 to exempt from that bylaw those areas of the City of Victoria that will be regulated by the Zoning Bylaw 2018, No. 18-082.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1132)".
- Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Introduction and General Regulations by repealing section 3 and replacing it with the following:
 - "3 (1) Pursuant to section 479 of the Local Government Act, the City is divided into zones.
 - (2) This bylaw does not apply to parts of the City that are subject to the Zoning Bylaw 2018 except as expressly provided for in that bylaw."
- 3 This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
Public hearing held on the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR



Council ReportFor the Meeting of July 12, 2018

To:

Council

Date:

June 28, 2018

From:

Jonathan Tinney, Director of Sustainable Planning and Community Development

Subject:

Review of Off-Street Parking Regulations (Schedule C of Zoning Regulation Bylaw

80-159) and Delegation of Minor Parking Variances

RECOMMENDATION

- 1. That Council give first and second reading and direct staff to set the Public Hearing for the attached Zoning Regulation Bylaw Amendment Bylaw No. 18-017 to amend Schedule A and replace Schedule C of the Zoning Regulation Bylaw.
- 2. That Council give first, second and third reading to Land Use Procedures Bylaw Amendment Bylaw No. 18-018 and that Council consider enacting the Land Use Procedures Bylaw Amendment Bylaw No. 18-018 if Zoning Regulation Amendment Bylaw No. 18-017 is approved.
- 3. That Council direct staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with a review of barrier-free parking needs in the City of Victoria. This review shall provide recommendations for potential regulations and guidelines that could be adopted by the City.

EXECUTIVE SUMMARY

The purpose of this report is to provide an update on the Council conditions set out in the following motion moved by Council on October 12, 2017:

"That Council direct staff to:

- 1. Undertake focused public consultation on the draft Off-Street Parking Regulations.
- Report back to Council with the proposed Off-Street Parking Regulations that considers the public feedback received and a related Bylaw prior to advancing to a Public Hearing.
- 3. Prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines and report back to Council prior to preparing the related Official Community Plan amendment.
- 4. Report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.

- 5. Prepare amendments to the Land Use Procedures Bylaw to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an Official Community Plan amendment.
- 6. Send to the Neighbourhood Associations welcoming comments.
- 7. Send to the Accessibility Working Group and Disability Resources Centre."

This report provides an update on the items listed in the above motion and recommends that Council consider directing staff to schedule a Public Hearing for the *Zoning Regulation Bylaw* amendment proposing new off-street parking regulations, and give first and second reading to a *Land Use Procedures Bylaw* amendment that would allow the delegation of certain minor parking variances relating to small businesses.

Public Consultation

In response to Council's direction to staff to carry out focused public consultation on the draft offstreet parking regulations, staff have undertaken the following engagement with the public and key stakeholders:

<u>Website</u>: The project webpage was updated with links to the draft regulations and outlines opportunities to provide feedback.

<u>Technical Advisory Group</u>: The draft regulations were shared with the following organizations which comprise the project Technical Advisory Group and feedback was invited:

- Buildings Owners and Managers Association of British Columbia
- Victoria Residential Builders Association
- Greater Victoria Housing Society
- Urban Development Institute
- Greater Victoria Chamber of Commerce
- Downtown Victoria Business Association
- Vancouver Island Strata Owners Association.

<u>Urban Development Institute (UDI)</u>, October 24, 2017: Staff met with members of the UDI to share information and receive feedback on the draft regulations and proposed delegation of minor parking variances. In addition, staff presented the emerging regulations to the UDI at a breakfast event (for members under the age of 40) on March 28, 2018.

Accessibility Working Group, December 4, 2017: Staff gave a presentation to the Accessibility Group and sought feedback relating to barrier-free parking. Written comments were received from the Accessibility Working Group on December 21, 2017, and are included in Attachment B.

<u>Disability Resource Centre:</u> Staff sent relevant project information to the Executive Director of the Disability Resource Centre and invited feedback. Representatives of the Disability Resource Centre attended the aforementioned Accessibility Working Group meeting and provided verbal comments.

<u>Public Open House, November 20, 2017:</u> Invitations to the Open House, along with relevant project information, was sent to all Neighbourhood Associations, Technical Advisory Group Members and other key stakeholders. Details of the event, which sought feedback in relation to

the proposed delegation of minor parking variances for small businesses, in addition to the draft offstreet parking regulations, were also posted on the City website. The feedback received is included in Attachment B.

<u>CALUC Meeting</u>, April 17, 2018: Staff invited all CALUC members to a presentation and Q&A session relating to the emerging regulations. The minutes of the meeting are included in Attachment B.

The feedback received from the aforementioned consultation was largely positive in nature and, as a result of the comments received, staff made a number of revisions and refinements to the regulations which include:

- increasing the threshold for reduced parking rates for residential dwelling units from 40m² to 45m² to ensure that undersized residential units are not incentivized by reduced parking rates and to better reflect the size of bachelor suites
- adding the requirement for an additional parking stall where two secondary suites or a secondary suite and a garden suite are located on the same lot as a single-family dwelling or duplex
- revising commercial bicycle parking requirements to address the demand for long-term versus short-term bicycle parking in different commercial uses (i.e. offices have a proportionally higher demand for long-term bicycle parking, whereas for restaurants or drinking establishments there is a proportionally higher demand for short-term bicycle parking)
- reducing the number of short-term bicycle stalls that must be located within a minimum distance of 15m from building entrance to allow more flexibility in locating stalls on the property where larger numbers of stalls are required
- revising short-term bicycle parking requirements for multiple-dwellings to better address demand.

In addition to the above, staff have also proposed further work in relation to potential regulations and guidelines relating to barrier-free parking (see below).

Barrier Free Parking

Barrier free parking is currently regulated through the *BC Building Code* (where it is referred to as "parking for persons with disabilities"). However, in the case of such parking, the City's *Zoning Regulation Bylaw* can set out more stringent requirements than the Code requirements. On October 5, staff reported the following to Committee of the Whole:

"Staff considered including regulations relating to barrier free parking in the Zoning Regulation Bylaw. Correspondence with members of the City's Accessibility Working Group suggested that the current requirement, outlined in the BC Building Code, is not providing enough barrier free parking stalls. It was suggested that the City consider increasing the supply to help those with mobility constraints. Staff also heard some opposition to this approach from the development industry. The concerns primarily related to the fact that, as this is regulated through the BC Building Code, the inclusion of potentially contradictory regulations in the Zoning Regulation Bylaw could result in considerable confusion for applicants. Issues with the allocation of such barrier free stalls in strata developments were also raised."

Staff carried out further consultation with the development industry to determine whether the issues raised could be satisfactorily resolved and to what degree additional barrier-free parking stalls could be provided. The feedback received was largely a reiteration of previous concerns; however, the

point was also made that, in the residential context, any additional stalls would come at a significant cost per stall and, as these stalls cannot be sold, the cost would be passed on to the buyer and, therefore, would impact affordability. Staff heard a strong preference that barrier-free parking should continue to be regulated through the BC Building Code and the City would be creating a complex regulatory scheme by adding more stringent requirements in the Zoning Regulation Bylaw.

Staff also engaged with the Accessibility Working Group and the Disability Resource Centre on this issue, as directed by Council. In addition to the summary notes taken by staff at the December 21, 2017 meeting, written comments were also received from the Accessibility Working Group (both documents are included in Attachment B).

Key themes included:

- in terms of stall supply, the BC Building Code requirements for barrier-free parking are too low, especially in Victoria
- stall dimensions, as specified under the Code, are insufficient and do not provide enough space to accommodate vehicles with wheelchair ramps
- other design considerations should be addressed either through regulations or guidelines, and could address issues such as grades for barrier-free parking, location of curb cuts and space for mobility scooters.

Based on the feedback received and staff research to date, it is evident that the development industry has concerns relating to the inclusion of barrier-free parking requirements in the *Zoning Regulation Bylaw* that are more stringent than those set out in the *BC Building Code*. The provision of such stalls does carry a financial cost which is passed on to the purchaser and affects housing affordability. On the other hand, there appears to be sufficient evidence that the Code does not provide for enough barrier-free parking stalls in the City of Victoria. For example, based on information provided by the Disability Resource Centre, there are currently approximately 16,500 disability parking permits in circulation in metro Victoria (includes the City of Victoria, the District of Oak Bay, the District of Saanich, and the Township of Esquimalt); when comparing this figure to an approximate population of 235,000, approximately 7% of the total population has a disability parking permit. In comparison, for most types of development, the *BC Building Code* does not typically require any barrier-free parking stalls for parking areas of up to 50 stalls. Where more than 50 stalls are provided, barrier-free parking stalls are provide at a ratio of 1 stall for every 100 parking stalls. The requirements in the Code do not attain the 7% which appears to be the need based on the percentage of the population which have a disability parking permit.

In light of the above, staff recommend that Council consider proceeding with one of the following options:

Option 1 (recommended):

Direct staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with a review of barrier-free parking needs assessment in the City of Victoria. This assessment shall provide recommendations for potential regulations and guidelines that could be adopted by the City.

Option 2:

Continue to refer to the BC Building Code for barrier-free parking requirements in the City of Victoria.

Staff are recommending that Council consider proceeding with Option 1, given the evidence that

the *BC Building Code* requirements do not address the demand for barrier-free parking in the City of Victoria. It is anticipated that such work would be carried out by a specialist, professional consultant, or organization. It would involve working closely with the development industry and persons with accessibility needs, and any final recommendations would include recommendations for potential regulations and guidelines to ensure that barrier-free parking is provided in a manner that meets the needs of our citizens but does not adversely impact key Council objectives, such as housing affordability. Should Council proceed with this option, staff anticipate reporting back with a scope of work, anticipated timelines and associated costs, in Q4 2018, concurrently with a project brief for Design Guidelines for Bicycle Parking (see below).

Design Guidelines for Bicycle Parking

As it is not currently included in the work plan for 2018, Council directed staff to report back to Council with a scope of work, anticipated timelines and estimated costs associated with the preparation of Design Guidelines relating to Bicycle Parking.

Staff will report back to Council with this information, including a project brief, in Q4 2018.

Design Guidelines for Electric Vehicles

Council directed staff to prepare Design Guidelines related to charging and parking for Electric Vehicles, carry out the necessary stakeholder consultation to inform the guidelines, and report back to Council prior to preparing the related OCP amendment. It is anticipated that this work will commence this year under the general scope of work anticipated within the City's Climate Action Program.

Minor Parking Variances for Commercial Uses

Council directed staff to prepare amendments to the *Land Use Procedures Bylaw* to delegate Development Permit with Variance Applications for minor parking variances associated with small commercial operations, prepare Design Guidelines to inform the review of such variances, carry out the necessary engagement and report back to Council with an amending Bylaw prior to commencing work on an OCP amendment.

In response to the above, staff have prepared an amendment to the *Land Use Procedures Bylaw* that would, if adopted, allow proposals that meet the following conditions to be delegated to the Director of Sustainable Planning and Community Development:

- the variance is being triggered by a change of use that is permitted in the applicable *Zoning* Regulation Bylaw
- the change of use relates to a commercial, institutional or industrial use
- the proposed variance is for a motor vehicle parking stall variance not exceeding 5 stalls
- the proposed variance is for a short-term and/or long-term bicycle parking stall variance not exceeding 6 stalls.

This approach was presented at the November 20, 2017 Public Open House and feedback was generally supportive (see Attachment B).

This delegation would be limited to Development Permit with Variance and Heritage Alteration Permit with Variance applications only as it has been determined we cannot legally delegate a Development Variance Permit application. However, as a change of use normally includes some

associated form of exterior alteration, it is anticipated that in the majority of cases, variances which meet the aforementioned conditions will be delegated to staff.

With respect to the creation of associated Design Guidelines, after further review, staff recommend that a preferred approach would be to simply incorporate advisory/guidance notes in the Delegated Development Permit application form. The reason for this is that there is a risk associated with the inclusion of guidelines for one type of variance within the OCP when other variances have no guidelines. There may be an argument to be made that, in relation to other variance applications that may be declined, that as a particular type of variance has no applicable guidelines while parking variances do have guidelines, there is no basis to decline a different type of variance application (for example, a setback variance).

Transition Provisions and Process for In-Stream Applications

The proposed *Zoning Regulation Bylaw* amendment provides a process for transitioning and processing a variety of development applications that may overlap with the current Schedule C and the introduction of the new Schedule C. For example, if a Development Permit was previously approved under the current *Zoning Regulation Bylaw*, then the transition regulations identify specific conditions for allowing the related Building Permit to be processed using the regulations that existed when the Development Permit was approved, rather than the regulations of the new Schedule C. This approach provides improved certainty for land owners and reduces the need for potential variances to account for differences between the current and proposed Schedule C. Similarly the new transition provisions also allow a previously approved variance (issued within two years prior to adoption of the proposed Schedule C) to continue to apply.

It is also possible that a number of development applications that have, or are about to be, presented to Committee of the Whole and have been assessed under the current Schedule C, will be subject to the new Schedule C by the time they are considered by Council following an opportunity for public comment.

To ensure that applications are not unduly delayed as a result of the new regulations, staff recommend that, for development applications affected by the new off-street parking regulations (Schedule C of the *Zoning Regulation Bylaw*), where those applications have been presented to Committee of the Whole and Council have made a motion to move the application forward to a Council meeting for an opportunity for public comment or a Public Hearing, that Council direct staff to present an updated motion at the meeting where Council receive the public comment. Appropriate wording is provided in the *Zoning Regulation Bylaw* amendment should Council decide to direct staff to process in-stream applications in this manner.

Conclusion

Staff recommend for Council's consideration that the *Zoning Regulation Bylaw* amendment proposing new off-street parking regulations is ready to proceed to a Public Hearing. Furthermore, the *Land Use Procedures Bylaw* amendment proposing the delegation of minor parking variances for small businesses can be given first and second reading and have third and final reading following adoption of the proposed *Zoning Regulation Bylaw* amendment.

Staff also recommend that Council consider directing staff to commence work associated with a review of barrier-free parking needs in the City.

Finally, staff have outlined a process for transitioning and processing a variety of development applications that may overlap with the current Schedule C and the introduction of the proposed new Schedule C.

Respectfully submitted,

Jim Handy

Senior Planner – Development Agreements

Development Services

Jonathan Tinney, Director

Sustainable Planzing and Community

Development Department

Report accepted and recommended by the City Manager:

Date

List of Attachments:

- Attachment A Draft Off-Street Parking Regulations (Schedule C)
- Attachment B Consultation Feedback

Schedule 1

Zoning Bylaw No. 80-159 Schedule C: Off-Street Parking Regulations

1. Parking Requirements

1.1 Application of Requirements

- 1. The minimum number of parking spaces required for each use must be calculated to the nearest whole number.
- 2. Where a <u>building</u> contains more than one use, the total number of parking spaces required shall be the sum of the number of parking spaces required for each use, or type of use, calculated separately.

Example: Calculating Vehicle Parking Requirements

Type of <u>Building</u> or Use	Units / Floor Area	Parking Required	Visitor Parking Required	Total Parking Required
Multi-Residential, Condominium	8 units between 45-70m² in the Core Area	8 x 0.8 = 6.4	$14 \times 0.1 = 1.4$ $(1.4 \rightarrow 1)$	14 + 1 = 15
	6 units greater than 70m² in the Core Area	6 x 1.2 = 7.2		
		6.4 + 7.2 = 13.6 (13.6 → 14)		
Restaurant	155m²	3.88 (3.88 → 4)	N/A	4
Office, Health Care	678m²	13.6 (13.6 → 14)	N/A	14

Total Vehicular Parking Spaces Required

33

- 3. If a use is not specifically listed in Table 1 or Table 2 of this Schedule, the number of parking spaces required shall be calculated on the basis of a use or class of use that is most similar to the actual use, based on parking demand characteristics.
- 4. Unless otherwise stated, all references to "floor area" in this Schedule shall be calculated as gross floor area.
- 5. For the purpose of calculating parking requirements under this Bylaw, in addition to all internal floor areas, all outside seating and serving areas located on a <u>lot</u> and associated with a <u>Restaurant</u> or a <u>Drinking Establishment</u> use shall be counted as floor area.

6. For the purposes of calculating parking requirements, the City is divided into "Core Area", "Village / Centre", and "Other Area", as shown in Figure 1 of this Schedule and more specifically detailed in Appendix 1.

Figure 1: Off-Street Parking Sub-Areas Geographic Areas for Schedule C Core Area Village/Centre Other Areas See Zoning Bylaw 2018

1.2 Required Vehicle and Bicycle Parking Spaces

1. The owner or occupier of any land or any <u>building</u> or other structure, for each use present on the land or in the building or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces
Residential		
Single Family Dwelling	1.0 space per dwelling unit	n/a
Two Family Dwelling	1.0 space per dwelling unit	n/a
Semi-attached Dwelling	1.0 space per dwelling unit	n/a
Attached Dwelling	1.0 space per <u>dwelling unit</u>	0.1 spaces per <u>dwelling</u> <u>unit</u>
Secondary Suite or Garden Suite	n/a unless two <u>Secondary Suites</u> , two <u>Garden Suites</u> , or a <u>Secondary Suite</u> and a <u>Garden Suite</u> , are located on the same <u>lot</u> in which case 1.0 space shall be provided in addition to the number of spaces required for the <u>Single Family Dwelling</u> , <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u>	n/a
Assisted Living Facility (dwelling unit or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes Nursing Homes)	0.35 spaces per <u>dwelling unit</u> or residential unit	0.1 spaces per <u>dwelling</u> <u>unit</u> or residential unit

Use or Class of Use	Minimum	Minimum Number of Visitor Parking spaces		
Multiple Dwelling	Core Area	Village / Centre	Other Area	
Condominium (dwelling unit in a building regulated by the Strata Property Act)	0.65 spaces per dwelling unit that is less than 45m² 0.80 spaces per dwelling unit that is 45m² or more, but equal to or	0.70 spaces per dwelling unit that is less than 45m² 0.85 spaces per dwelling unit that is 45m² or more, but equal to or	0.85 spaces per dwelling unit that is less than 45m² 1.00 space per dwelling unit that is 45m² or more, but equal to or less	0.1 spaces per <u>dwelling</u> <u>unit</u>
	less than 70m² 1.20 spaces per dwelling unit that is more than 70m²	less than 70m² 1.30 spaces per dwelling unit that is more than 70m²	than 70m² 1.45 spaces per dwelling unit that is more than 70m²	
Apartment (dwelling unit secured as rental in perpetuity through a legal agreement)	0.50 spaces per dwelling unit that is less than 45m² 0.60 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.00 space per dwelling unit that is more than 70m²	0.60 spaces per dwelling unit that is less than 45m² 0.70 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.10 spaces per dwelling unit that is more than 70m²	0.75 spaces per dwelling unit that is less than 45m² 0.90 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.30 spaces per dwelling unit that is more than 70m²	0.1 spaces per <u>dwelling</u> <u>unit</u>
Affordable (affordable dwelling units secured in perpetuity through a legal agreement)	 0.20 per <u>dwelling unit</u> that is less than 45m² 0.50 spaces per <u>dwelling unit</u> that is 45m² or more, but equal to or less than 70m² 0.75 spaces per <u>dwelling unit</u> that is more than 70m² 			0.1 spaces per <u>dwelling</u> <u>unit</u>

Use or Class of Use	Minimum Number of Parking Spaces					
	Core Area	Village / Centre		Other Are	a	
All other <u>multiple</u> <u>dwellings</u>	0.65 spaces per dwelling unit that is less than 45m² 0.80 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.20 spaces per dwelling	per unit that 0.85 per uni 45m ² but e less t	o spaces dwelling hat is less an 45m² spaces dwelling t that is or more, qual to or han 70m² spaces dwelling	0.85 space per dwellir unit that is lowelling unit that is 45m² more, but equal to or lowelling than 70m	ng ess 2 per nit 2 or t ess 2	0.1 spaces per <u>dwelling</u> <u>unit</u>
	unit that is more than 70m²	<u>uni</u> mo	<u>t</u> that is ore than 70m²	unit that is more thar 70m²	ร	
Commercial		Core Area Village		e / Centre		Other Area
Office	1 space per 70 floor area)m²		e per 55m² or area		1 space per 0m² floor area
Medical Office (includes dental offices, surgeries and similar uses)	1 space per 50 floor area)m²	,	e per 40m² or area		1 space per 5m² floor area
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 50 floor area)m ²		e per 40m² or area		1 space per 5m² floor area
Financial Service	1 space per 50 floor area)m²	· _	e per 40m² r area	Į.	1 space per 5m² floor area
Restaurant	1 space per 40 floor area)m²	•	per 25m² r area		1 space per m² floor area
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor Control and Licensing Act</i> for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	n/a		•	per 70m² r area		1 space per m² floor area

Use or Cl	ass of Use	Minimun	n Number of Parking Sp	Daces
Commercia	I	Core Area	Village / Centre	Other Area
Retail		1 space per 80m ² floor area	1 space per 50m² floor area	1 space per 37.5m² floor area
Grocery Store	800m ² or less	1 space per 80m² floor area	1 space per 50m ² floor area	1 space per 37.5m² floor area
	> 800m²	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 20m² floor area
Transient Ac	commodation	0.25 spaces per room	0.50 spaces	per room
Institutional		Core Area	Village / Centre	Other Area
Hospital		1 s	pace per 80m² floor area	
Elementary / School	Middle	1 sp	ace per 150m² floor area	
Secondary S	chool	1 sp	pace per 75m² floor area	
University / 0	College	1 sr	pace per 80m² floor area	
(as defined un Columbia legis regulated as s legislation)				
Arts and Cul	ture	1 space per 8	30m² floor area	1 space per
(includes mus galleries, thea similar uses, b include cinema	tres and other out does not			40m² floor area
Place of Wor	ship	n/a	1 space per 80m² floor area	1 space per 40m² floor area
Assembly		1 space per 30m ²	1 space per 20m²	floor area
(includes conv facilities, ciner facilities and o uses)	mas, training ther similar	floor area		
Health and F		1 space per 30m ²	1 space per 20m²	floor area
(commercial re facilities, gymr other similar u	nasiums and	floor area		
Care Facility (day use facility includes preso care, residenti facilities and s	hool, day al care	1 space per 100m² floor area	1 space per 80m² floor area	

Use or Class of Use	Minimum Number of Parking Spaces				
	Core Area	Village / Centre	Other Area		
Transitional Housing and Emergency Shelters	1	space per 80m² floor are	a		
(a staffed facility, open year round, that provides temporary accommodation for persons who are homeless or at risk of homelessness, and may include food and support services)					
Industrial					
Industrial	1	space per 140m² floor are	ea		
Warehouse	1	space per 100m² floor are	ea		

2. The owner or occupier of any land or any <u>building</u> or other structure, for each use present on the land or in the building or other structure, must provide off-street bicycle parking spaces in accordance with Table 2.

Table 2: Minimum Number of Required Bicycle Parking Spaces

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces		Minimum Number of Short Term Bicycle Parking Spaces
Residential			
Single Family Dwelling,	n	/a	n/a
Two Family Dwelling,	. •		
Semi-attached Dwelling,			
Secondary Suite,			
Garden Suite			
Attached Dwelling	where the <u>dw</u>	g unit, except elling unit has private garage	The greater of 6 spaces per building or 0.1 spaces per dwelling unit
Multiple Dwelling	1 space per dwelling unit that is less than 45m ²	1.25 spaces per <u>dwelling</u> <u>unit</u> that is 45m ² or more	The greater of 6 spaces per building or 0.1 spaces per dwelling unit

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Residential		
Assisted Living Facility (dwelling unit or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes Nursing Homes)	1 space per 20 <u>dwelling units</u> or residential units	1 space per 50 <u>dwelling units</u> or residential units
Commercial		
Office Medical Office (includes dental office, surgeries	1 space per 150m² floor area, or part thereof 1 space per 200m² floor area, or part thereof	1 space per 400m² floor area, or part thereof 1 space per 300m² floor area, or part thereof
and similar uses)		arou, or part aror ou.
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 200m² floor area, or part thereof	1 space per 200m² floor area, or part thereof
Financial Service	1 space per 200m² floor area, or part thereof	1 space per 200m² floor area, or part thereof
Restaurant	1 space per 400m² floor area, or part thereof	1 space per 100m² floor area, or part thereof
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor</i> Control and Licensing Act for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	1 space per 400m² floor area, or part thereof	1 space per 100m² floor area, or part thereof
Retail	1 space per 200m² floor	1 space per 200m² floor
Grocery Store	area, or part thereof 1 space per 200m² floor area, or part thereof	area, or part thereof 1 space per 200m² floor area, or part thereof
Transient Accommodation	1 space per 25 rooms, or part thereof	1 space per 40 rooms, or part thereof

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Institutional		
<u>Hospital</u>	1 space per 500m² floor area, or part thereof	6 spaces per public <u>building</u> entrance
Elementary / Middle School	1 space per 1,600m² floor area, or part thereof	1 space per 160m² floor area, or part thereof
Secondary School	1 space per 1,600m² floor area, or part thereof	1 space per 125m² floor area, or part thereof
University / College (as defined under British Columbia legislation, and regulated as such under said legislation)	1 space per 1,600m², or part thereof	1 space per 100m², or part thereof
Arts and Culture (includes museums, art galleries, theatres and other similar uses, but does not include cinemas)	1 space per 450m² floor area, or part thereof	1 space per 130m² floor area, or part thereof
Place of Worship	n/a	1 space per 200m² floor area, or part thereof
Assembly (includes convention facilities, cinemas, training facilities and other similar uses)	n/a	1 space per 200m² floor area, or part thereof
Health and Fitness (commercial recreational facilities, gymnasiums and other similar uses)	1 space per 400m² floor area, or part thereof	1 space per 100m² floor area, or part thereof
Care Facility (day use facilities, and includes preschool, day care, residential care facilities and similar uses)	1 space per 700m² floor area, or part thereof	1 space per 200m² floor area, or part thereof
Industrial		
Industrial	1 space per 1,200m² floor area, or part thereof	6 spaces
Warehouse .	1 space per 1,200m² floor .area, or part thereof	6 spaces

2. Vehicle Parking Specifications

2.1 Vehicle Parking Appearance

- 1. A vehicle <u>parking area</u> or vehicle parking space must be surfaced with asphalt, concrete, pavers, or <u>permeable</u> material that provides a durable surface.
- 2. Each vehicle parking space must be clearly delineated on the parking surface.
- Vehicle <u>parking areas</u> consisting of five (5) or more parking spaces must be illuminated with shield lighting that is directed toward the ground and designed so that the light does not directly fall on an adjacent <u>lot</u> or <u>street</u>.
- 4. Each visitor vehicle parking space required under this Bylaw must be clearly identified for the sole use of visitors.

2.2 Vehicle Parking Location and Dimensions

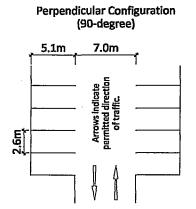
- 1. All vehicle parking spaces required under this Bylaw must be provided on the same <u>lot</u> as the building or use which they serve.
- 2. Notwithstanding section 2.2.1, parking spaces may be provided on a different <u>lot</u> from the <u>lot</u> on which the <u>building</u> or use is to which they appertain, where:
 - (a) the <u>lot</u> on which the parking spaces are is not more than 125m from the <u>building</u> or use to which they appertain; and
 - (b) if the <u>lot</u> on which the parking spaces are forms part of a separate parcel of land for Land Title Office purposes, there is registered against its title an easement providing for such parking requirements, and appurtenant to the <u>lot</u> on which the <u>building</u> is, and there is furthermore registered a covenant in favour of the City restricting the use of the easement area on the servient tenement to parking purposes for as long as the provisions of this Schedule have application to the dominant tenement; and
 - (c) the conditions outlined in subsections (a) and (b) existed on the date of the adoption of the Bylaw incorporating this Schedule.
- 3. A vehicle parking space must not be closer than 1.0m to a street.
- 4. A vehicle parking space must have <u>unobstructed access</u>.
- All vehicle parking spaces and <u>drive aisles</u> must have dimensions not less than those identified in Figure 2 of this Schedule.

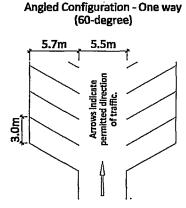
- 6. Notwithstanding section 2.2.5, where:
 - (a) the vehicle parking space is associated with either a <u>Single Family Dwelling</u>, <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u> use, and
 - (b) the vehicle parking space is accessed directly from a street,

the width of the adjacent <u>street</u> may be included towards the total width of the <u>drive aisle</u> provided.

- 7. One way vehicle access and egress through the parking area is required where:
 - (a) more than one vehicle parking space is provided in the parking area, and
 - (b) the vehicle parking spaces are not configured parallel or perpendicular to the <u>drive aisle</u>.
- 8. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
- 9. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
- 10. Where a vehicle parking space or <u>drive aisle</u> is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.

Figure 2: Minimum Parking Space and <u>Drive Aisle</u> Dimensions (all measurements in metres)





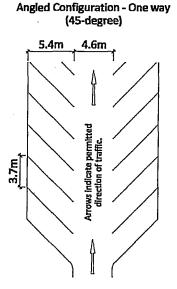
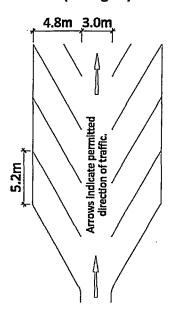
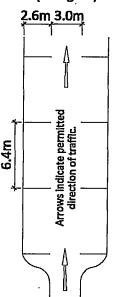


Figure 2 Cont.

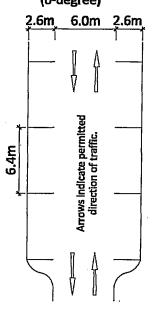
Angled Configuration - One way (30-degree)



Parallel Configuration
One way
(0-degree)



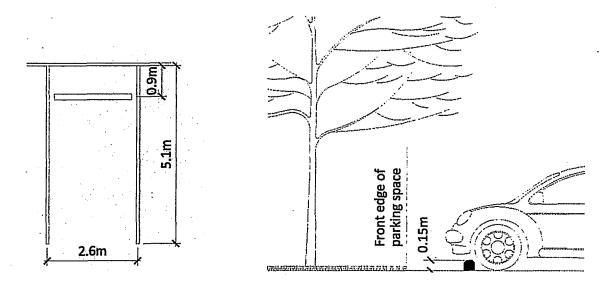
Parallel Configuration Two way (0-degree)



- 11. Vehicle parking is not permitted in the <u>front yard</u> of a <u>lot</u> except as follows:
 - (a) Parking may be provided in the <u>front yard</u> of a <u>lot</u> where:
 - (i) the principal use of the <u>lot</u> is industrial or warehouse,
 - (ii) such parking is required to serve that use, and
 - (iii) the number of parking spaces in the <u>front yard</u> does not exceed the total amount of parking spaces required by this Bylaw;
 - (b) Parking may be provided in the <u>front yard</u> of a property where:
 - (i) the principal use of the <u>lot</u> is commercial or institutional,
 - (ii) such parking is required to serve that use, and
 - (iii) the <u>building</u> on the <u>lot</u> existed on the date of adoption of the Bylaw incorporating this Schedule;
 - (c) A maximum of one parking space that meets the minimum dimensions described in this Schedule may be provided in the <u>front yard</u> of a property where the principal use of the <u>lot</u> is <u>Single Family Dwelling</u>; or
 - (d) A maximum of two parking spaces that meet the minimum dimensions described in this Schedule may be provided in the <u>front yard</u> of a property where the principal use of the <u>lot</u> is <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u>.

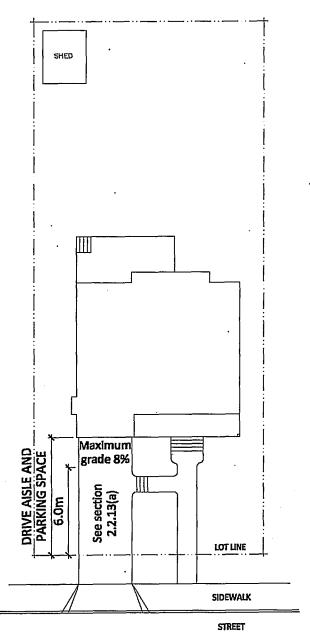
- 12. (a) An unenclosed surface vehicle parking space that abuts a pedestrian walkway or landscaped area without a barrier curb between the parking space and the pedestrian walkway or landscaped area must have a wheel stop centered horizontally within the parking space and placed 0.9m from the end of the parking space adjacent to the pedestrian walkway or landscaped area, in accordance with Figure 3 of this Schedule.
 - (b) The requirements of subsection (a) do not apply to a parking space that satisfies at least one of the following conditions:
 - (i) The parking space is configured parallel to the curb or <u>drive aisle;</u>
 - (ii) The parking space shares a common front boundary with another parking space;or
 - (iii) The parking space is associated with either a <u>Single Family Dwelling</u>, <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u> use.
 - (c) Where a wheel stop is provided pursuant to subsection (a), the portion of the parking space between the wheel stop and the front edge of the parking space, as marked in Figure 3, is exempt from the requirements of section 2.1.1 and may be surfaced with permeable material or landscaping, provided that no landscaping exceeds 0.15m in height.

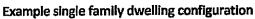
Figure 3: Required Wheel Stop Placement

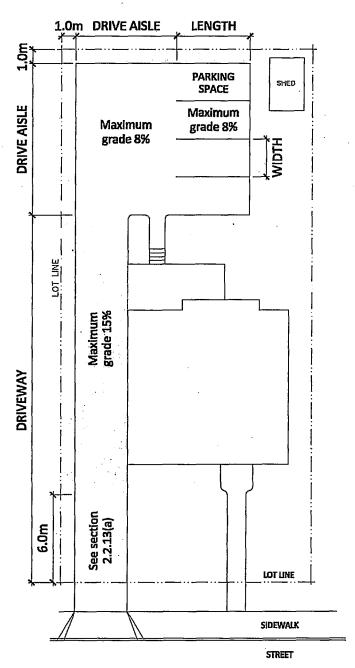


- 13. (a) Where a <u>drive aisle</u> or parking space is located within 6.0m of a <u>street boundary</u> it must comply with applicable <u>grade</u> requirements prescribed in this Schedule and the *Highway Access Bylaw*.
 - (b) The maximum grade for a drive aisle or parking stall is 8%.
 - (c) The maximum grade for a driveway is 15%.

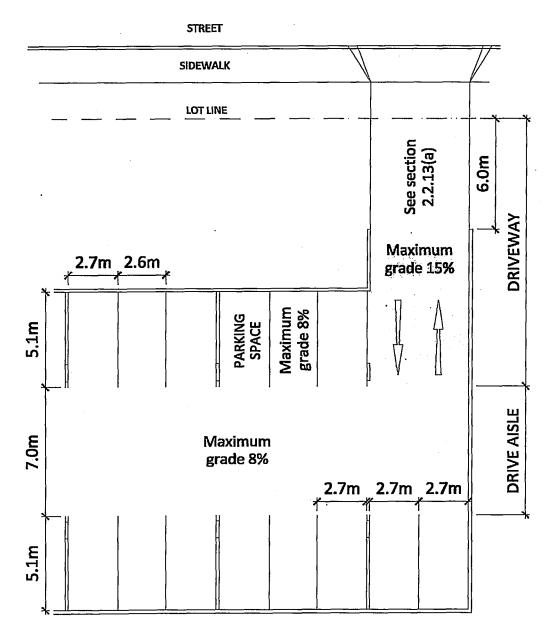
Examples: Maximum Grades for Parking Areas







Example multiple dwelling configuration

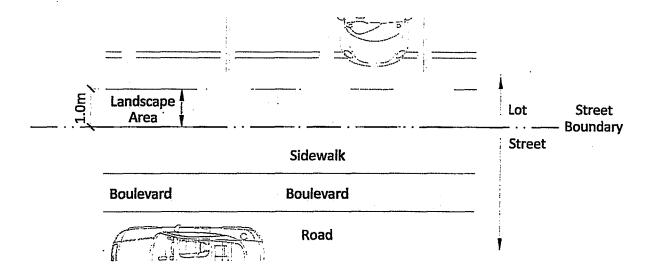


Example parkade configuration

2.3 Vehicular Parking Landscaping and Screening

1. If a surface vehicle <u>parking area</u> or vehicle parking space is located adjacent to a <u>street</u>, it must include a soft landscaped area, with a minimum width of 1.0m between the <u>parking</u> area or parking space and the street boundary.

Example: Minimum Landscape Area Adjacent to a Street Boundary



- 2. A surface vehicle parking area or surface vehicle parking space must include:
 - (a) continuous soft landscape areas with a minimum width of 1.0m, and
 - (b) a continuous <u>landscape screen</u>

between the <u>parking area</u> or parking space and any adjacent <u>lot</u> used primarily for residential purposes, excluding the area where landscaping is prohibited pursuant to the *Highway Access Bylaw:*

- 3. The requirements of sections 2.3.1 and 2.3.2 do not apply where the principal use of the <u>lot</u> is <u>Single Family Dwelling</u>, <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u>.
- 4. Where thirty (30) or more vehicle parking spaces are provided on a <u>lot</u> as <u>surface parking</u>, a minimum of 10% of the <u>parking area</u> must be soft landscaped (soft landscaping could include grass, shrubs or trees).

3. Bicycle Parking

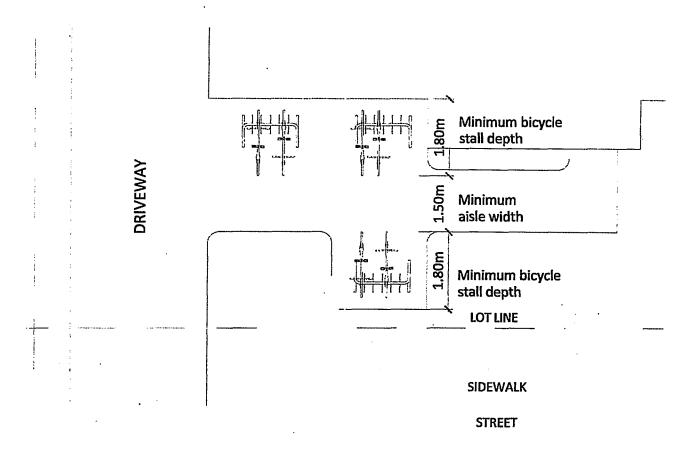
3.1 Bicycle Parking Specifications

- All bicycle parking spaces required under this Bylaw must be provided on the same <u>lot</u> as the <u>building</u> or use which they serve.
- 2. (a) Each bicycle parking, short term space required under this Bylaw must be:
 - (i) designed and installed to the minimum dimensions shown in Table 3 of this Schedule; and
 - (ii) provided as a bicycle rack that is permanently anchored to the ground or a wall.
 - (b) Each <u>bicycle parking</u>, <u>short term</u> space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a <u>building</u> entrance that is accessible by visitors.
 - (c) Notwithstanding subsection (b), where a minimum of 6 <u>bicycle parking</u>, short term spaces are located within 15.0m of each <u>building</u> entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a <u>building</u> entrance.
 - (d) Each <u>bicycle parking</u>, <u>short term</u> space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a <u>building</u> entrance that is accessible by the public.
 - (e) Notwithstanding subsection (d), where a minimum of 6 <u>bicycle parking</u>, short term spaces are located within 15.0m of each <u>building</u> entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a <u>building</u> entrance.
 - (f) Each <u>bicycle parking, short term</u> space required under this Bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary building entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

	Ground Anchored Rack		Wall Mounted Rack		
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a building)	>45 degrees	≤45 degrees	>45 degrees	45 degrees	
Minimum stall depth	1.8	1.45	1.2	1.2	
Minimum aisle width	1.5	1.5	1.5	1.5	
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9	1.3	0.9	1.3	
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45	0.65	0.45	0.65	
Minimum distance between bicycle racks and entrance door to bicycle storage facility	0.6	0.6	0.6	0.6	

Example: Short-Term Bicycle Parking Configuration

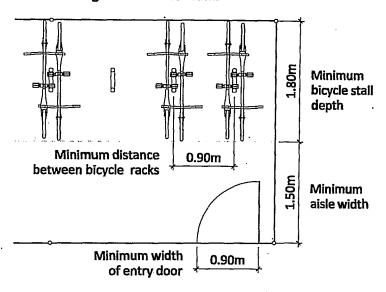


- 3. (a) Each bicycle parking, long term space required under this Bylaw must:
 - (i) be designed and installed to the minimum dimensions shown in Table 3 of this Schedule;
 - (ii) be provided as a bicycle rack that is permanently anchored to the ground or a wall;
 - (iii) have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - (iv) be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the <u>building</u>;
 - (v) be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - (vi) be located within one floor of <u>finished grade</u> and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
 - (b) At least half of the <u>bicycle parking</u>, <u>long term</u> spaces required under this Bylaw must be ground anchored.

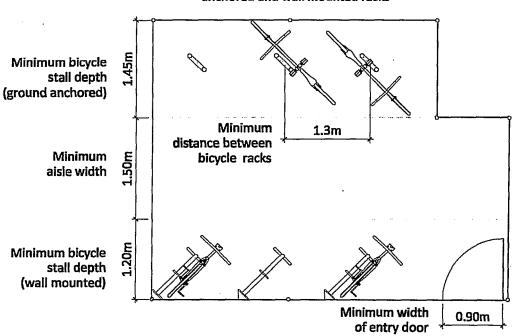
491

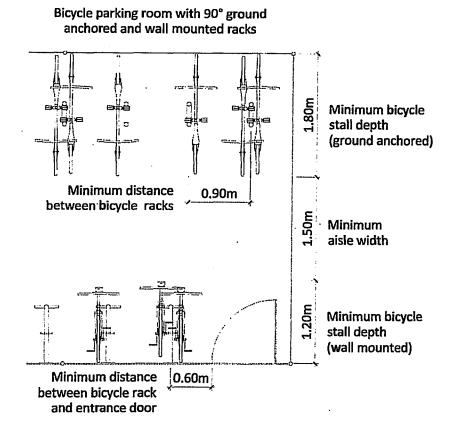
Examples: Long-term Bicycle Parking Configurations

Bicycle parking room with 90° ground anchored racks



Bicycle parking room with 45° angled ground anchored and wall mounted racks

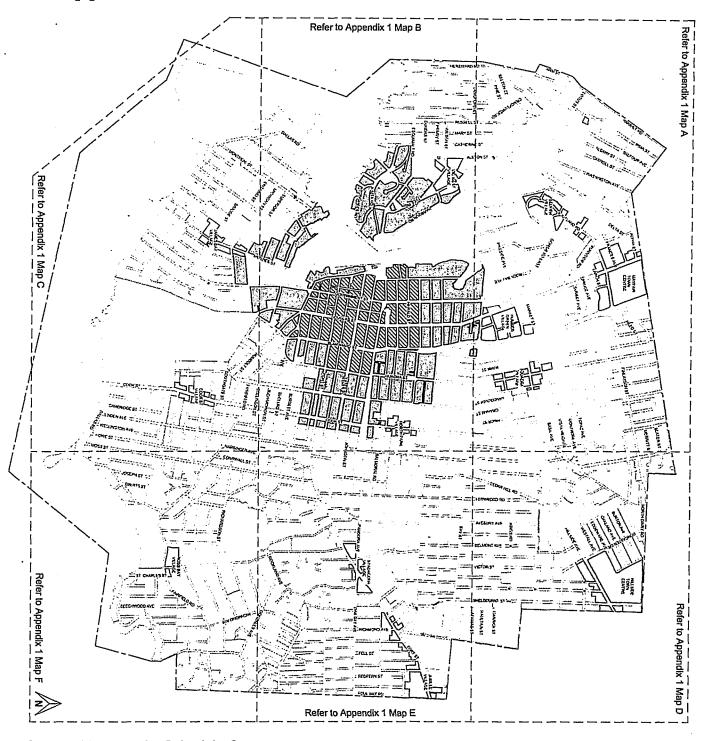




3.2 Bicycle Parking Exemptions

- 1. Notwithstanding section 1.2.2:
 - (a) <u>bicycle parking, short term</u> spaces are not required to be provided where the siting and design of a <u>building</u> existing on the date of adoption of the Bylaw incorporating this Schedule physically prohibits such spaces from being provided on a lot in accordance with this Bylaw;
 - (b) no additional <u>bicycle parking</u>, <u>short term</u> or <u>bicycle parking</u>, <u>long term spaces</u> are required to be provided where only alterations or changes of use to a <u>building</u> are proposed and the <u>building</u> existed on the date of adoption of the Bylaw incorporating this Schedule; and
 - (c) if additions are proposed to a <u>building</u> existing on the date of adoption of the Bylaw incorporating this Schedule, additional <u>bicycle parking</u>, <u>short term</u> and <u>bicycle parking</u>, <u>long term</u> spaces must be provided for the additional bicycle parking required with respect to the <u>building</u> addition only.

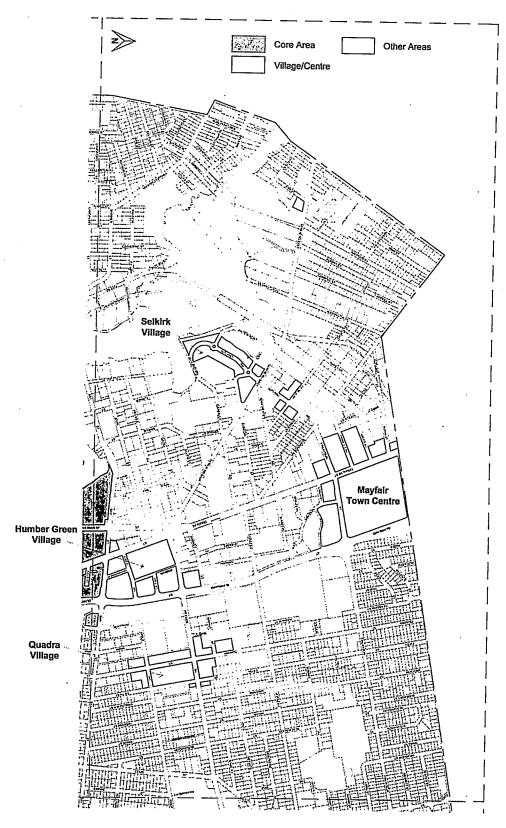
Appendix 1



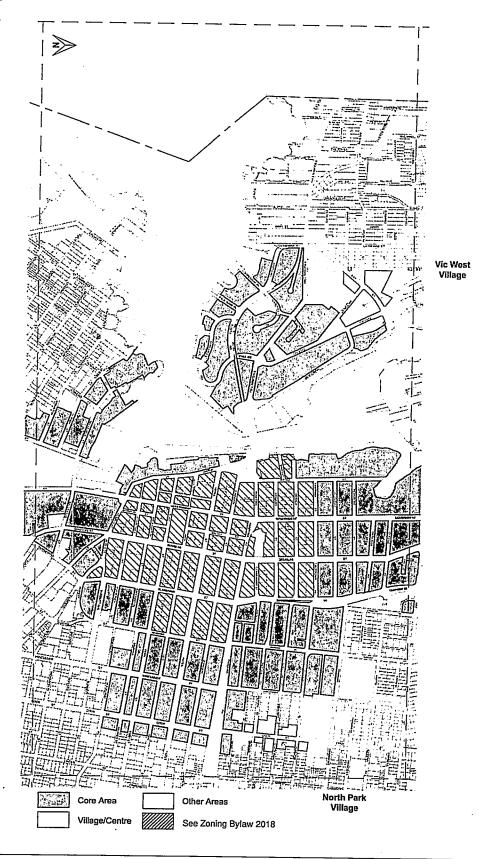
Geographic Areas for Schedule C

Later.	Core Area	Other Areas
	Village/Centre	See Zoning Bylaw 2018

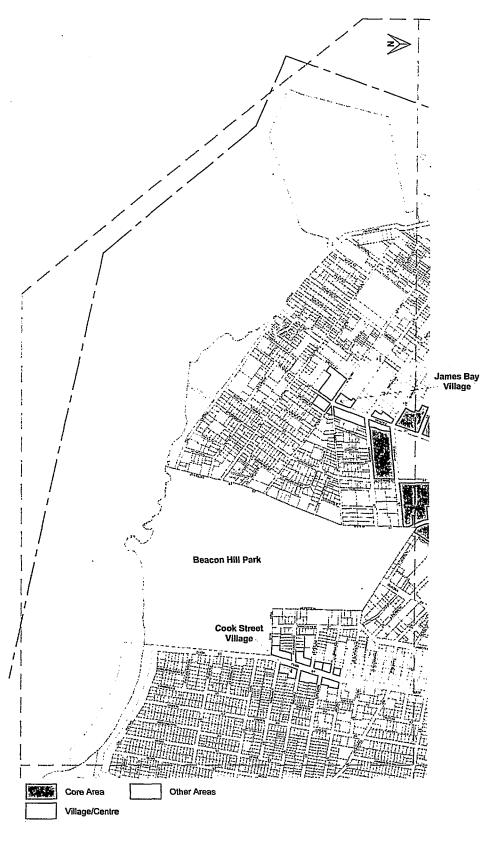
Map A



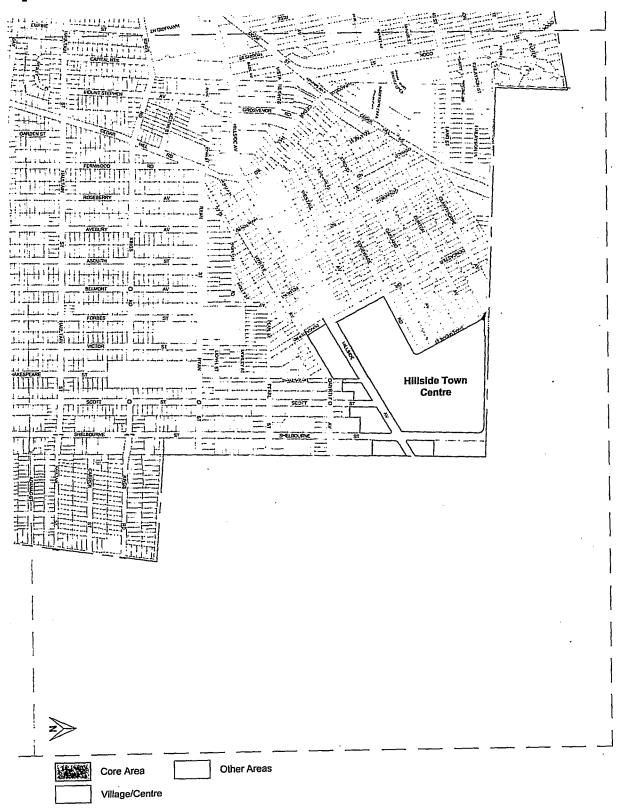
Map B



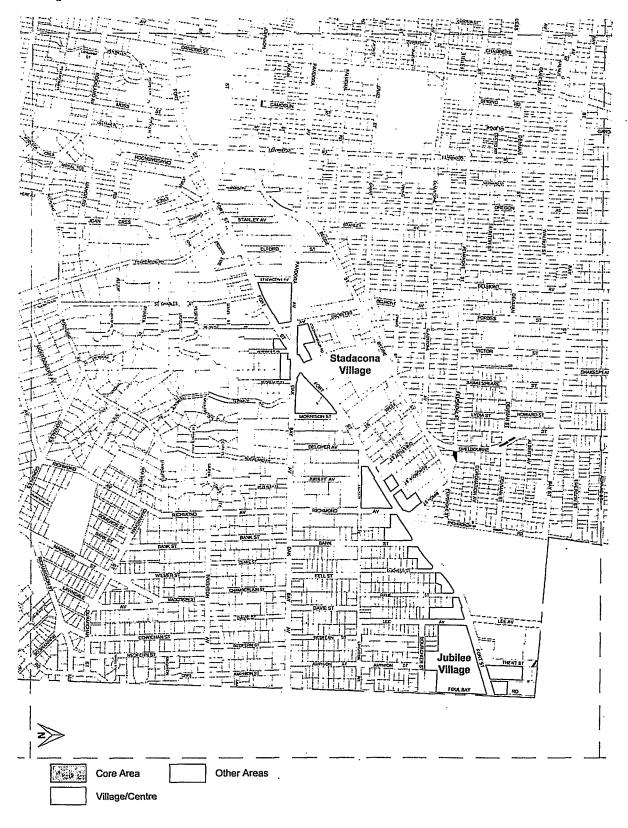
Map C



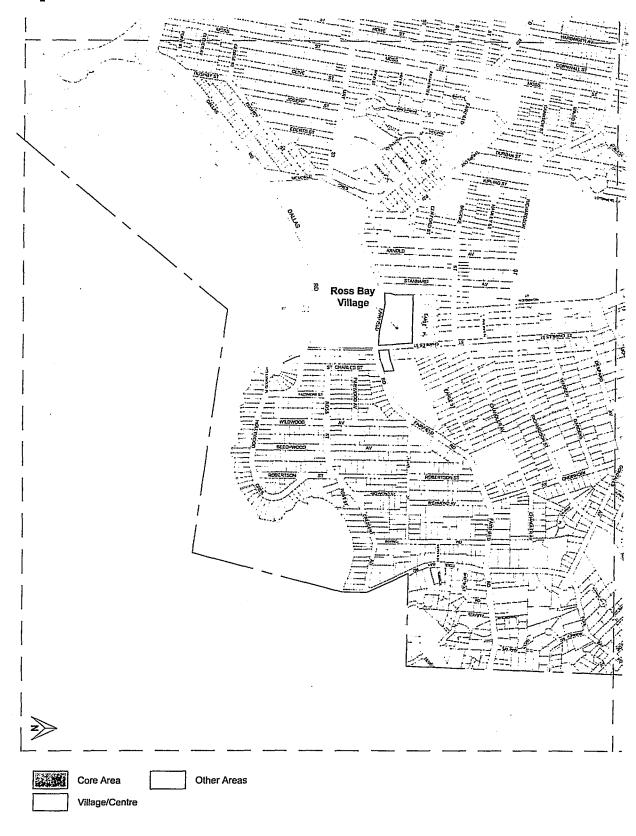
Map D



Map E



Map F



500

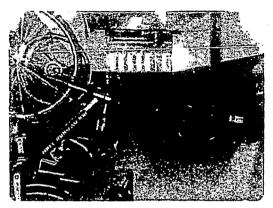
Attachment B - Consultation Feedback

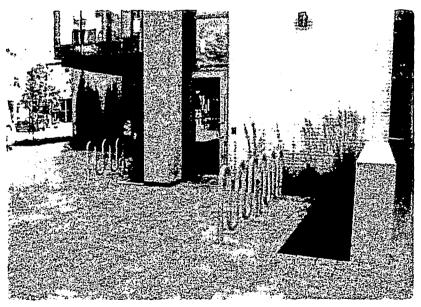
- Open House Boards, November 20, 2017
- Summary of Open House Feedback
- Staff summary notes from Accessibility Working Group meeting, December 4, 2017
- Letter from Accessibility Working Group, December 21, 2017
- Minutes from meeting with CALUC members, April 17, 2018
- Correspondence

Welcome

Why are you here today?

- ➡ Find out more about the draft off-street parking regulations
- * Provide feedback on the proposal to delegate minor parking variances for small businesses to staff







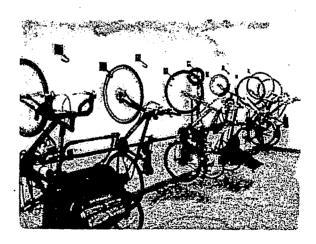
Off-Street Parking Regulations

Why are the off-street parking regulations being updated?

- ² Have not had a comprehensive review since 1981.
- To provide regulations and design standards for vehicle and bicycle parking that reflect actual parking demand, current practices and trends.
- To reduce the number of parking variances thereby improving the Development Permit Application review process.
- To better support affordable housing and healthier communities.
- To support Active Transportaion (i.e. bicycles, public transit etc.).
- To create a more user friendly format for the off-street parking regulations.
- ^a To better support existing and future businesses.

The updated "Schedule C" bylaw will require a public hearing and Council approval before taking effect.





Off-Street Parking Regulations

What is off-street parking?

- Off-street parking regulations specify the type, quantity, and design of off-street parking facilities required on private property.
- Regulations primarily relate to parking for passenger vehicles and bicycles.
- Victoria's off-street parking regulations form part of the City's Zoning Regulations Bylaw and are commonly referred to as "Schedule C".

What isn't off-street parking?

 On-street parking management, public parking lots or parkades.



Process and Timeline

What is the process for reviewing the off-street parking regulations?

SPHING/SUMMER 2018 PHASE 1

Initiate Project

- Establish project website
- * Establish Technical Advisory Group

Research and Analysis

- Compare parking rates to other cities
- · Explore best practice
- Collect and analyze vehicle ownership data for multi-residential uses (ICBC data)
- Observe and analyze data for commercial and visitor parking demand
- Analyze parking demand by land use

Stakeholder Outreach

- "Focus Group" meetings
- · Technical Advisory Group meetings
- Discussions with Stakeholder groups

PHASE 2

Identify Changes to "Schedule C"

- Vehicle parking supply rates
- · Bicycle parking regulations
- Innovations and incentives
- Document organization and "read-ability"

Public and Stakeholder Outreach

- · Advisory Group meeting
- Stakeholder discussions
- Project website
- Open House (December 7, 2016)

Review Feedback

 Confirm proposed changes to off-street parking regulations

WINTER 2017/2018

PHASE 3

Update Off-Street Parking Regulations

- Prepare draft Bylaw based on identified changes (Phase 2)
- Present draft Bylaw to Committee of the Whole

Public Comment

- Draft "Schedule C" Bylaw available on City website
- Opportunity for public feedback
- Open House (today)

Finalize and Adopt New Regulations

- Revised Bylaw presented to Council (First and second reading, December 2017 TBC)
- Requires Public Hearing prior to adoption (January 2017 TBC)

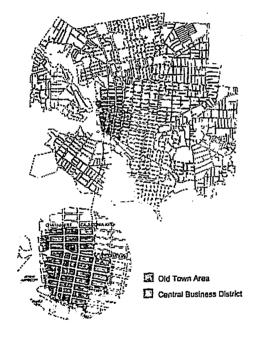
We Are Here



Parking Regulations by Geographic Area

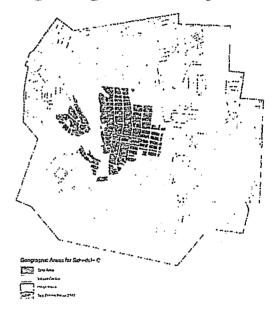
The Off-Street Parking Regulations will replace "Schedule C" of Zoning Regulation Bylaw No. 80-159 and will be included in the emerging Zoning Bylaw 2017 (Downtown).

Zoning Bylaw 2017 (Downtown)



- provides new zones and regulations for the Central Business
 District and Old Town Area
- no minimum off-street parking requirement within Old Town Area (supports retention and re-use of heritage buildings)
- minimum off-street parking requirement only for residential and hotel uses within the Central Business District

Zoning Regulation Bylaw No. 80.159



- applies to all other parts of the City that are not covered by Zoning Bylaw 2017
- * lower parking supply requirements in the Core Area compared to the Large Urban Villages/Town Centres
- lower parking supply requirements in the Large Urban Villages/Town Centres compared to the other areas



Delegating Winor Parking Variances for Small Businesses

Background

The City heard from small business owners that the requirement to provide off-street parking can be a barrier to opening a business in Victoria. This is mostly due to the timeline and lack of certainty with the required permitting process for handling parking variances.

Proposal

Application would be delegated to staff if:

- the propsal is for a change of use only (i.e. retail store to restaurant) and would not apply to new buildings or building additions
- the proposed parking variance does not exceed five vehicle parking stalls
- the proposal relates to a commercial, industrial or institutional use not exceeding 300m²

Design Guidelines would establish appropriate criteria for considering these applications. If staff declined an application, the applicant would be able to appeal to Council.

Do you agree? YES WHY? WHY?



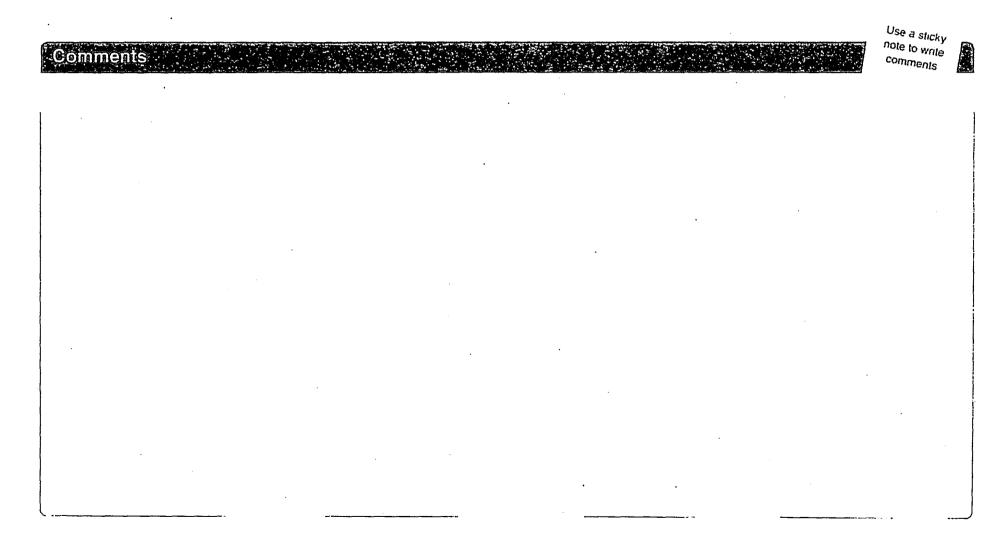
Next Steps

Winter 2017/2018

Present to Council	Public Hearing
Present final draft off-street parking regulations to Council for first and second reading (anticipated	Opportunity to comment on the proposed off-street parking regulations (anticipated January, 2018)
	Present final draft off-street parking regulations to Council for first and second

General Comments

Please use the sticky notes to provide any general comments related to the off-street parking regulations.





PUBLIC OPEN HOUSE, NOVEMBER 20, 2017

Comments received in response to draft Off-Street Parking Regulations

- Limit the number of vehicles parked in the front yard to one. Other parking to the rear or side yards.
- Plan for parking areas for construction workers.
- If shared parking is removed in some places due to bike paths should City consider purchasing a lot to handle those removed spaces.
- Encourage parking to the rear and side of dwellings and front yard for people and green space.
- Misusing tax payer dollars is not respected by planning staff and/or Council.
- Stop paving back yards for parking. Front yard parking or if screened nicely. Need yards for family use.
- Street parking is at a premium in residential neighbourhoods. With increasing density, having
 parking in the driveway in front of the house makes a lot of sense. Many existing houses don't
 have adequate space to the side to allow parking beside or behind the house.
- Good work! Keep it up. Find more ways to make housing more affordable.
- Better urban design for R1 Zones. Promote an active streetscape by reserving the space between curb and house/building for people and green space.
- Since each driveway displaces an on-street space there is no gain in parking supply from a single off-street space. Eliminate off-street requirements for single-family houses and better manage on-street parking.
- The Fernwood village has a huge parking issue, and this will get worse with the proposed Vic High School situation. How will your proposal help or hinder parking in the community.
- New standards are reasonable. They must be used and enforced by staff and Council.
- The Urban Village (DPA 6A) on Oak Bay should be an Urban Village in the new parking Bylaw.
- Adopt best practices in Class 1 and Class 2 bicycle parking require such in all lots greater than duplex / 2 units.
- What are you doing with the Rock Bay area parking issues?
- If off-street parking improves density it will be a benefit to our City.
- Good work. Now can we end variances.
- Maintain the R1-B front-door pedestrian streetscape by only permitting single-wide curb-cuts.
 Double garages to the rear and side.

Comments received in response to proposed Delegation of Minor Parking Variances for Small Businesses

In favour of Delegating Minor Parking Variances for Small Businesses – 10

Not in favour of Delegating Minor Parking Variances for Small Businesses - 3

Comment:

• If staff declines an application there are good/valid reasons for this — why should a developer/etc. be able to go to Council.

Accessibility Working Group Meeting – Schedule C (Barrier Free Parking) Feedback Staff Notes December 4, 2017

- Unanimous agreement from AWG that BC Building Code rates for disabled parking are too low especially for Victoria in consideration that 12-14% of the population has some form of disability. Victoria has a higher proportion of seniors.
- Best practice research recommends that approximately 5% of stalls (1/20) should be for disabled parking
- A possible approach for determining the right number would be to look at the total number of disabled parking permits issued in Victoria in comparison to the number of registered vehicles or licensed drivers
- Identified that most new developments typically only provide the minimum amount of disabled parking that is required through the Building Code
- Several concerns raised with respect to the minimum stall width (3.7m) as this does not provide sufficient room to accommodate vehicles with wheel chair ramps. Ideally there should be a requirement for an additional buffer space on both sides of the stall
- The space at the end of a parking row often contains a landscaped area, suggestion that these areas should be kept paved and flat to allow for wheel chair ramps to extend out
- Disabled parking stalls should also be required to be on a flat surface, otherwise concerns with wheelchairs not staying in place.
- Consider design guidelines that address curb cuts and unobstructed access between disabled parking stalls and curb cuts
- Suggest exploring other universal barrier free design guidelines for reference
- Parking amenities such as EV charging should be designed for access and use by people with disabilities
- Consider design guidelines for mobility scooters as well
- Although the minimum requirements for motor vehicle parking may differ between condos, apartments and affordable housing, there should be a consistent requirement for disabled parking in all forms of development, especially multi family.
- Need to ensure that disabled parking stalls are provided both for tenants and visitors
- Consider if some disabled parking stalls can be designated for people in wheelchairs only

Accessibility Working Group (AWG) Consultation Report

Re: City of Victoria Off Street Parking Regulations

Consultation: December 4, 2017 Report: December 21, 2017

Introduction:

Victoria is well known as having not only a high population of seniors but it also has a higher than average rate (twice as many) of students with disabilities. The mild weather is favourable to many of those with particular medical conditions. More persons with disabilities (PWD) are now living in the community and have their own private accessible transportation, often made possible by recent government funded employment programs. As Victoria residents live to an increasing age, they are more likely to experience a temporary or permanent disability which may require the use of a mobility device or adapted vehicle in order to maintain their independence. Contrary to the City's findings, PWD need for parking may be the same regardless of whether they own or rent their accommodation.

There are various reasons PWD may need parking, which may differ from the general population:

- 1. For PWD who own their own vehicles that they drive themselves. These may be users of wheelchairs who drive modified vehicles, or people with endurance and mobility challenges like seniors who still drive. The latter may approach a vehicle with a walker and not need as much extra space as people transferring from wheelchairs or using a vehicle ramp, but the former require accessible resident's parking stalls.
- 2. For people whose disability or economic situation means that they cannot drive or own a vehicle and who therefore rely disproportionately on in-house personal services and deliveries. This creates a need for *visitor* parking that need not be accessible, but is a very important consideration when determining the amount of visitor parking for rental, affordable and assisted living residential types. Peak usage may be during the day but it may also entail visits to put residents to bed in the evening.
- 3. For PWD who require drivers to take them to medical appointments and various errands for everyday living. This creates a demand for accessible parking in both *visitor* and *resident* areas. Where drivers pick up people with disabilities, they may need to use wheelchair ramps and thus require extra space than is provided with a regular accessible parking stall. Further, drivers may need to park and accompany a PWD from their suite, meaning they need to park properly, and not just use a pick-up zone. If the service is required frequently, the need might best be accommodated by an accessible resident's parking spot associated with the suite, to ensure that if visitor accessible parking is occupied the PWD can still get out of their vehicle.

The BC Building Code regulates parking on private property. The AWG has been asked if the City should consider accessible parking requirements above and beyond the Building Code in the Zoning Regulation Bylaw and if so, for its recommendations. We would like to point out that the AWG could have been of more service to the City had the project consulted earlier, at a time when our concerns could have been incorporated into the research plan.

Recommendations:

Find below a description of what the current Code requirements are, our comments and recommendations.

1. Number of Accessible Parking Stalls Required

Building Code: Accessible parking stalls are only required where more than 50 parking stalls are dictated. For 50 - 100 stalls, the Code requires 1 accessible stall, and for every 100 stalls (or part of 100) over that, one additional accessible stall is required. This equates to between 0 - 2% accessible stalls.

Comments: Victoria's parking requirements should be based on Victoria's particular population mix, and thus, departures from minimum Provincial standards are warranted. Approximately 15,000 disabled parking permits are in use in Victoria at any given time. Disabled Parking Permits are assigned to individuals, based on documented medical need, and are assigned to the individual, not the vehicle. They can be used by anyone driving the PWD holding the permit, in any vehicle. Given a population (same geographic area) of 209,000, this equates to about 7% of the population requiring accessible parking. If compared to number of licensed personal vehicles instead of total population, this percentage would be even higher than 7%.

AWG Recommendations:

- (a) That the City require a minimum of 7% of parking stalls be accessible.
 - The AWG also advises that the City Investigate Barrier-Free BC recommendations given that a B.C. persons with Disabilities Act will be legislated and Victoria's goal should be to meet or exceed what is legislated. Universal Design standards and those used by SPARC should also be investigated.
- (b) Every residential development, including single family homes and low density developments, should have at least one accessible parking stall, consistent with Universal Design Standards. There should be no minimum threshold of total parking stalls, even for low density developments before an accessible stall is required. Even for single family dwellings, parking needs to meet Universal design standards, or PWD who require accessible parking are relegated to large multi-unit developments and would not have housing choice.

Explanation: Even though research has shown that a smaller proportion of residents living in rental accommodation own vehicles compared to those living in condominiums, and that this number is even lower in affordable rental buildings, for persons with disabilities, the need for an accessible parking stall may be independent of vehicle ownership. PWDs often require accessible parking to be picked up and dropped off to carry out daily activities

Persons on fixed and low incomes, which is the case for many persons with disabilities, are more likely to live in affordable rental units.

c) Maintain a consistent number of accessible parking stalls regardless of whether the development is a condo, or rental (including affordable) accommodation. The number of accessible parking stalls in an affordable rental building should be the same (possibly even more) than a condominium complex with the same number of units, and they should be located in both visitor and resident parking areas.

2. Width of Accessible Parking Stalls

Building Code: Accessible parking stalls are to be 3.7 metres wide

Comments: 3.7 metres may be wide enough for a person using a walker, but it is often not wide enough for a person using a wheelchair and rarely wide enough for those with a van with a side ramp. A vehicle door generally must be fully open to facilitate transfer from a wheelchair to a car seat. But where a side ramp is required, to accommodate a person in a wheelchair, there must not only be room for a side ramp, but also for the person using a wheelchair to approach the ramp and turn.

AWG Recommendations:

- a) That the City requires a buffer zone on either side of some (not all) accessible parking stalls (marked with diagonal yellow lines) to accommodate vans with side ramps, to provide room to load and unload a wheelchair.
- b) That the City requirements include two accessible parking stall designations: one for vans (whose specification include a buffer zone) and one that is 3.7 metres wide for those who do not require the extra width of the buffer zone. Where more than one accessible parking spot is required, both types should be furnished.

3. Possible Design Guidelines:

Project Staff mentioned that some requirements might be more suited for inclusion in Design Guidelines than a Bylaw.

AWG Recommendations for design guidelines:

- a) Replace curb and garden area beside end parking stall with level buffer zone.
- b) Install curb cut at head of buffer zone rather than at head of accessible parking stall.
- c) Require all parking amenities (such as charging stations) to be accessible.
- d) Accessible Parking guidelines should differ depending on the type of housing, according to known demand by PWD. For instance, scooter parking at senior's residences, and a high proportion of accessible visitor parking stalls at assisted living facilities.
- e) Accessible parking stalls should be required in each category of parking: visitor and resident.
- f) Require accessible parking stalls to be level.
- g) Bicycle parking should take into consideration the need for space to accommodate specialty bikes and/or trikes that may be used by PWD. Non-standard spaces need to be labeled as accessible only, and subject to similar rules as vehicle parking so that they aren't used for regular bicycles. (This may need to be written into the bylaw rather than guidelines).
- h) Bike racks should be highly visible (contrast with surroundings), especially at night, to avoid injury to people with visual impairments. (E.g if black, a florescent painted strip should be applied).

The AWG would like to express its appreciation of the City's proactive approach with regards to potential bylaw changes to the Zoning Regulations as they pertain to the provision of accessible parking. The AWG would also like to extend an invitation to the City to come back to the AWG for a future consultation once more specific regulations are drafted.

Submitted by: Linda Bartram, AWG chair

Minutes

CALUC meeting to Discuss Schedule C

April 17, 2018 Songhees Boardroom

Neighbourhoods Represented

James Bay, Fernwood, Fairfield/Gonzales, Hillside-Quadra, Downtown/Harris Green

City Staff: Jim Handy, Robert Batallas, Jonathan Tinney, Brad Dellebuur

- Jim Handy provided a general overview of the review and update to the off-street parking regulation as contained in Schedule C of the Zoning Regulation Bylaw
- Presentation highlighted case studies to demonstrate that the new parking regulations can result in increased parking requirements contrary to any perception that they are reducing parking across the city
- Updated Schedule C will be advanced to Council along with Zoning Bylaw 2017 for Councils consideration, otherwise there is a risk that if Zoning Bylaw 2017 is not approved that there would be no off-street parking regulations for the downtown area
- · Copies of presentation slides are included with these minutes
- Robert and Jim encouraged all CALUC members to contact either one of them if they have any further questions

CALUC Comments

- Appreciate the new Schedule C and the work that has gone into developing the new regulations
- CALUCs in attendance are in support of the new regulations and would hope that the development industry are also in support
- General concern that Council should also commit to sticking with the new regulations instead of approving parking variances that undermine the new regulations
- Appreciate the potential of increasing the threshold for reduced parking for residential dwelling units less than 45m² from the current threshold of 40m².
- Some CALUC members provided examples of where recent projects had received parking variances that were less than the new Schedule C rates or where the rationale for reduced parking did not relate to transportation demand management (TDM)
- General concern that any approved TDM measures should be long-term and not just temporary in nature
- General question of qualifications that are required for parking demand consultants and how many local consultants can perform this work?
- It appears that parking impact studies never identify that a project will not work, rather the outcomes tend to be tailored to support the project
- What can we do to address Council before they make a decision on a parking variance?
 - o City staff identified that staff will identify any related concerns to Council
 - The City is also going through a training process with the development community to identify that the City expects to see the new parking standards reflected development proposals

- City staff regularly question why an applicant is seeking a parking variance and to highlight the new parking regulations. However applicants always have the ability to apply for a variance and the final decision is made by Council
- Several CALUC members supported the idea of the CALUCs requesting Council the
 opportunity to meet to discuss any outstanding concerns with respect to the approval of
 variances, impacts from on-street parking, potential impacts from 'gentle density' and to
 express general support for implementing the updated Schedule C requirements
 - O City staff identified that the City may undertake a review of on-street parking at a later time and that on-street parking should not be used as rationale for accommodating required on-site parking as there is no guarantee that on-street parking will always be available.
- General question as to why cash-in-lieu was rejected as part of Schedule C? City should consider this approach as a means to fund new parkades.
 - O City staff explained cash in lieu was examined through focus groups with local municipalities that have implemented this approach, however, based on the complexity of the approach it was recommended that cash in lieu should be reexplored at a later time. Details to cash in lieu are included in <u>Working Paper #4</u>. Which is available on the <u>project website</u>.
- Some CALUC members that live in neighbourhoods close to the downtown or key
 destinations such as Jubilee Hospital and Fernwood Village noted that there are issues
 with employees parking on streets which can impact the availability of parking spaces for
 customers or visitors to these areas/facilities
- City staff encouraged CALUC members to look at the full set of proposed off-street parking regulations (available on the project website) and to contact either Jim Handy or Robert Batallas if they have any further questions.
- In response to a suggestion for front yard parking, staff confirmed that the revised offstreet parking regulations allow parking within the front yard of a single detached dwelling as a means of better supporting the development of garden suites and secondary suites which may generate additional parking.

Jim Handy

From:

Jim Handy

Sent:

November 23, 2017 10:56 AM

To:

Jim Handy

Subject:

FW: Off Street Parking Review

From: J Drew [mailto:janetdrew@telus.net]
Sent: Wednesday, October 25, 2017 9:29 PM

To: Engagement <<u>engage@victoria.ca</u>>
Cc: J Drew <<u>ianetdrew@telus.net</u>>
Subject: Off Street Parking Review

Hello,

Once again I am not likely to agree with you on the number of parking spaces needed in residential and commercial buildings. Some of you people seem to think that this modern society needs less parking spaces than we did in the past, and this is simply not true.

Every adult in my family (6 in total) walks, cycles, occasionally takes a bus AND owns an automobile. It is not realistic to believe that today's society will walk, cycle and take the bus ONLY any more than people did in the past. There will always be people who cycle,

take buses and walk, but that doesn't mean that these people are willing to give up their automobiles. The RJH reduced parking when they built the new hospital, and sometimes staff can't find a spot to park!

I would suggest you look among yourselves (employees at city hall) and discuss how many people who walk, take the bus or ride their bikes to work also own an automobile. It is not practical to ride a bike for all occasions and so, I don't believe that the number of

parking spaces should be reduced. On the contrary, families are more likely to have more than one automobile now than they did in the past as we lead much busier lives. It is getting harder and harder to find parking spaces in the downtown area when there is an

event going on meaning some of us (especially the disabled) are being excluded from tax payer events such as concerts at the legislative buildings, symphony splash and fireworks displays.

I am against reducing the parking requirements for residential and commercial buildings, in fact many should be increased.

Janet Drew 1740 Haultain St. Victoria BC 250-595-1026

From:

UDIVictoria < UDIVictoria@udi.org>

Sent:

Thursday, November 02, 2017 7:51 AM

To: Cc: Jim Handy Robert Batallas

Subject:

RE: Off-Street Parking Regulations

Hello Jim and Robert -

Please see below comments in red from both Dave Chard and Robert Jawl.

Cheers

Kathy Hogan — Executive Director
Urban Development Institute — Capital Region
#101 — 727 Fisgard Street, Victoria BC V8W 1R8
250-383-1072 (Office)
250-888-1671 (Mobile)
www.udicapitalregion.ca

From: Jim Handy [mailto:JHandy@victoria.ca]

Sent: November 1, 2017 12:18 PM
To: UDIVictoria <UDIVictoria@udi.org>
Cc: Robert Batallas <RBatallas@victoria.ca>
Subject: Off-Street Parking Regulations

Hi Kathy

I just wanted to follow up to say thank you again for organizing last weeks meeting. We received some very useful feedback, particularly around the bicycle parking issues, and we plan to work on those items and share any subsequent amendments to the emerging regulations with the UDI.

We also wanted to clarify that, for Downtown, the proposed regulations do not propose minimum motor vehicle parking requirements for Old Town and, for the Central Business District, minimum motor vehicle parking requirements would apply to multi-residential and hotel uses only. However, bicycle parking requirements would apply to all uses in the downtown (although the draft regulations describe a couple of scenarios where they don't apply, for example, where there is an existing building on the lot and bicycle parking could not physically be accommodated on-site consistent with the regulations).

We would also welcome comments from your members on the following specific topics:

Barrier free parking — City Council have directed staff to carry out further engagement on this issue. We are
trying to determine whether the BC Building Code adequately regulates parking for people with disabilities or
whether the Zoning Bylaw should be amended to include additional regulations relating to stall supply rates and
specifications.

Stay with be building code, do not confuse the issue with different regulations and add to more regulatory approvals

 Delegating Minor Parking Variances for Small Businesses – again, this is something that Council have directed staff to pursue as the current process/timeline for approval of such a variance can be a barrier to small business. The creation of Design Guidelines, an Official Community Plan amendment and an amendment to the City's Land Use Procedures Bylaw would be required to facilitate this.

Yes, delegating to staff on these minor parking regulations is an excellent idea.

Should any of your members have any questions relating to the above, they can contact myself or Robert Batallas (
rbatallas@victoria.ca 250 361 0286) directly. We would also be happy to meet with any of your members individually should they request it.

Regards

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386









From:

R Forrest Smith

Sent:

Wednesday, November 08, 2017 2:13 PM

To:

Jim Handy

Cc:

Chris Coleman (Councillor); Pam Madoff (Councillor)

Subject:

Re: Visitor Parking -- Strata Act Provisions Article 258

Hello Jim

I saw recently that the City is working on a new by-law that specifies the number of Visitor Parking Spaces required and does now base Visitor Parking to be provide based on the number of units just as they do in the BC Strata Act and uses the same factor 10%—BUT they call for moving to the nearest whole number and use the example, if the result is 1.4 spaces provide ONE spot.

This is not a good practice for two reasons. First when it comes to regulations and acts they specify the MINIMUM, you can always provide more, BUT not less! So for 1.4 according to the Strata Act and your old by-laws you provide TWO spaces and indeed two if the answer is even as low as 1.1.

It is never a good practice as a city to have a by-law that is in conflict with the higher jurisdictions specification. If 1.4 is the minimum, ONE will not comply, only two complies. Your by-law then conflicts and is null and void and just confuses people when it conflicts with a provincial enactment.

Next what do you do when it is 1.5?

Lastly, I can see why one might want to provide less individual private residential parking spots and round those down even. However, Visitor parking spots are for entirely different purposes and those purposes are not going down like the need for residents to have cars is in the near future (10 to 20 years).

For your consideration.

I hope I misread the proposed by-law.

Regards,

Forrest

PS yes I know the strata act only kicks in under restricted circumstances but that possibility still exists so my point about "not a good practice" still holds.

On May 26, 2016, at 08:57, Jim Handy < Jl landy@victoria.ca > wrote:

Hi Forrest

Yes, I will share your recommendations with the Consultant team. Please feel free to drop me a line at any time if you have any further questions or would like an update on our progress with this project.

Thanks

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386

<image001.gif> <image002.png><image003.gif> <image004.gif> <image005.gif>

From: Forrest [mailto]

Sent: Thursday, May 26, 2016 8:49 AM To: Jim Handy JHandy@victoria.ca>

Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Thanks Jim for the prompt update. Question: did you pass along my point that visitor parking in a strata should be based on number of units because this is more logical and consistent with the BC Strata act? If not could you do this please?

Thanks in advance to you attention to my question and request above.

Forrest

On May 26, 2016, at 8:43 AM, Jim Handy < Jl Handy@victoria.ca > wrote:

Dear Mr Smith

The review of Schedule C of the Zoning Regulation Bylaw is underway. Brief background details on the project can be found on our website:

http://www.victoria.ca/EN/main/departments/planning-development/off-street-parking-review.html

The City have secured the services of Boulevard Transportation to assist with this and they are currently collecting data and carrying out the necessary research to assist with determining appropriate parking rates (including visitor parking rates).

Regards

Jim Handy. MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250,361,0523 F 250,361,0386

<image001.gif> <image002.png><image003.gif> <image004.gif> <image005.gif>

From: Forrest [mailto

Sent: Wednesday, May 25, 2016 5:29 PM To: Jim Handy < JHandy@victoria.ca>

Subject: Re: Visitor Parking - Strata Act Provisions Article 258

Greetings

As it has been a year since we last communicated, thought I would check in again. I know that neighbourhood plan requirements are a priority so I am curious as to what is happening with a review of the general Zoning Regulations and visitor parking in particular. Can you advise please?

Forrest

On Jun 22, 2015, at 15:44, Jim Handy < <u>JHandy@victoria.ca</u>> wrote:

Dear Mr Smith

Thank you for your email.

We are hoping to commence work on the review of Schedule C of the Zoning Regulation Bylaw later this year. We appreciate that this is later than originally envisaged. As part of this work we will be reviewing the requirements for visitor parking, however, at this stage, as the review as not commenced, we are unable to provide any additional information.

Regards

Jim Handy, MCIP RPP
Senior Planner - Development Agreements
Sustainable Planning and Community Development Department
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0523 F 250.361.0386

<image001.gif> <image002.png><image003.gif> <image004.gif> <image005.gif>

From: Forrest [mailto

Sent: Friday, Jun 12, 2015 4:02 PM

To: Jim Handy

Cc: Thom Pebernat; Alison Meyer

Subject: Re: Visitor Parking -- Strata Act Provisions Article 258

Greetings

It will soon be almost a year since I last heard (see e-mail from August 2014) was wondering what is happening, where are we in the process, when might the change take effect?

I noted that the recent list of ideas from the Mayor's task force on affordable housing had a proposals to reduce required parking. This would make it even more important to decouple the requirement for visitor parking from residential parking numbers. Trades and service people still visit affordable housing as do friends and relatives. The number of visitors and their mode of transportation and need for parking does not very with the number of cars or parking spots owned by the occupants being visited.

Does staff concur that the rational for visitor parking should be one for every ten strata lots/units as it is in the Strata Act and NOT 10% of the number of residential parking spots? Is the change moving forward?

Thanks in advance for considering my questions.

Regards.

Forrest

Forrest

On Aug 11, 2014, at 14:39, Alison Meyer ameyer@victoria.ca wrote:

Thanks again for the input. By way of copy I have forwarded your suggestion to Jim Handy who will be leading the review of our Parking Regulation Bylaw.

Thanks, Alison Meyer

From: Forrest [mailto

Sent: Monday, Aug 11, 2014 2:23 PM

To: Alison Meyer **Cc:** Thom Pebernat

Subject: Re: Visitor Parking -- Strata Act Provisions

Article 258

Importance: High

Greetings

Thanks for the update. Just to reiterate by suggestion—visitor parking should be based on number of dwelling units for two reasons. Number of dwelling units is more indicative of the demand/need for visitor parking and this Strata Act uses this criteria (one for every ten dwelling units).

Glad to hear that you have reinstated verification of the provision of visitor parking and if you set the criteria the same as the Strata Act then there will be less confusion.

Thanks again.

Forrest

On Aug 11, 2014, at 13:40, Alison Meyer ameyer@victoria.ca wrote:

Dear Mr. Smith,

Thank you for the follow up email. In response to your inquiry regarding visitor parking requirements in strata titled developments we can offer the following information:

- Staff will be undertaking a comprehensive review of Schedule C of the Zoning Regulation Bylaw this year. Changes to the visitor parking requirements will be considered as part of this review. Your feedback has been provided to the appropriate staff person who will be in charge of conducting the review of the bylaw.
- A municipality may not withhold the issuance of an Occupancy Permit for a development for reasons related to the presentation of a strata plan. The Building Inspector may only withhold Occupancy for safety issues. However, prior to the issuance of an Occupancy Permit, the process of having staff attend the site to ensure

the required number of parking stalls is provided and visitor parking stalls are labelled has been reinstated.

I believe the staff person that assisted you before was Thom Pebernat, Zoning Administrator. His phone number is 250-361-0284, please feel free to give him a call if you have any further questions. Thom's email address is also provided above.

Sincerely,

Alison Meyer

From: Forrest [mailto

Sent: Friday, August 08, 2014 05:34 AM

To: Pam Madoff (Councillor)

Subject: Re: Visitor Parking -- Strata Act Provisions

Article 258

Hello Pam

Trust you summer is going well ours sure is. With respect to Visitor Parking for a Strata, I did receive a phone call message back in April 2014 when I was in Europe from a staff person saying he appreciated my input and would e-mail me the update. I never received an e-mail and regrettably deleted the message so I do not have a name and phone number to follow up with.

Can you ask the staff person to phone me again please.

Thanks in advance.

Forrest

On Oct 30, 2013, at 16:53, Pam Madoff (Councillor) \text{pmadoff@victoria.ca} \text{ wrote:}

Thanks, Forrest.

This is very helpful and very interesting. I will follow up with staff and keep you posted.

Pamela

From: Forrest [mailto

Sent: Wednesday, October 30, 2013 02:51 PM

To: Pam Madoff (Councillor)

Subject: Visitor Parking -- Strata Act Provisions Article

258

Pam

To follow up on our conversation, below is the applicable article from the Strata Act. Now this element will only kick in if the Developer is allocating an "extra parking" stall but note that in the Strata Act the number of visitor parking required is function of the number of strata lots not the number of parking stalls. Makes sense, the demand or need for visitor parking is based on the number of households, not the number of automobiles they own.

I recommend that the City By-Law be amended to match this section of the Strata Act and dictate "one visitor stall per ten strata lots" vice "one per ten parking stalls"

I also point out that if the developer plans to sell "extra parking" then they must first provide one parking stall per strata lot. My sense is every strata sold to date has provided one stall per strata lot and all the time and effort spent at the development permit stage negotiating anything less than this is ineffective. I know of no strata where each and every lot has less than one parking stall.

Lastly and perhaps more important, there is not now a means, process or procedure in place to ensure that the number of visitor stalls required under you by-laws are provided. This can easily be rectified if your process is amended to include a requirement of the builder/developer to provide documentary proof in the form of a strata plan or strata plan amendment certified to be accurate at the time of filing that the required number of stalls have been provided as a pre-condition for an "Occupancy Permit".

Note, the strata 1 live in was provided with only 2 Visitor Parking Stalls, we negotiated three more for a total of five. Based on the approved number of parking stalls the city negotiated for our 41 strata lots we were only entitled to 4 visitor parking stalls. The Strata Act came into play as there was an extra parking stall assigned so we got in the end a total of

five allocated but we (I) had to first research the issue and then fight tooth and nail to get that change. A friend lives in strata where they were also short changed so our problem is not unique. An ounce of prevention is worth a pound of cure—amend the by-law and instituted a procedural/process change to ensure Visitor Parking is appropriately provided with ease.

For your consideration.

Note, I would be glad to discuss and explain further at your connivence.

Parking designated by owner developer as limited common property

- any time before the first annual general meeting of the strata corporation, amend the strata plan to designate parking stalls as limited common property for the exclusive use of owners of strata lots in the strata plan.
- (2) In designating parking stalls under subsection (1), the owner developer acts as the council and must
 - (a) act honestly and in good faith with a view to the best interests of the strata corporation, and
 - (b) exercise the care, diligence and skill of a reasonably prudent person in comparable circumstances.
- (3) An owner developer may, at any time before the first annual general meeting of the strata corporation, amend the strata plan to designate a maximum of 2 extra parking stalls

as limited common property for the exclusive use of the owners of each strata lot in the strata plan.

- (4) In this section, "extra parking stalls" means any parking stalls, on land shown on the strata plan as set aside for parking, that are in addition to the total number of parking stalls calculated by adding
 - (a) one stall per strata lot, or any greater number of stalls required by an applicable municipal bylaw, Nisga'a Government law, treaty first nation law or other enactment, plus
 - (b) one stall per 10
 strata lots for visitor
 parking or any greater
 number of visitor
 parking stalls required
 by an applicable
 municipal bylaw,
 Nisga'a Government
 law, treaty first nation
 law or other
 enactment.
- (5) In designating extra parking stalls under subsection (3), the owner developer is not required to act with a view to the best interests of the strata corporation, but must act honestly and in good faith and exercise the care, diligence and skill of a reasonably prudent person in comparable circumstances.

- (6) A designation of parking stalls under subsection (1) or (3) does not require approval by a resolution at an annual or special general meeting.
- (7) An application to amend the strata plan under this section must be made to the registrar accompanied by a reference or explanatory plan, whichever the registrar requires, that
 - (a) shows the amendment, and
 - (b) is in a form required under the *Land Title Act* for a reference or explanatory plan.

Regards.

Forrest

From:

Rebecca Penz

Sent:

Tuesday, November 21, 2017 12:22 PM

To: Cc: Jim Handy Robert Batallas

Subject:

FW: Feedback re:proposed parking changes

Follow Up Flag:

Follow up

Flag Status:

Flagged

From: Engagement

Sent: Tuesday, November 21, 2017 9:03 AM To: Michelle Harris < MHarris@victoria.ca >

Subject: FW: Feedback re:proposed parking changes

From: Lisa Mortimore [mailto

Sent: Monday, November 20, 2017 6:17 PM

To: Engagement < engage@victoria.ca >

Subject: Feedback re:proposed parking changes

I am writing to express my strong concerns and objections about reducing the number of required parking spots for rentals, development, housing etc. I live in James Bay and we have CHRONIC parking issues on our street (in part to the unregulated air bnbs). Often we cannot find parking on our street which is already zoned residential only and often we have to call the parking enforcement. Reducing the requirements for residential parking will only serve to create more problems, congestion and neighbour disputes and will place a further burden for street parking.

I am in support of more secure bike stalls for commercial properties.

thank you and I hope you maintain the current parking regulations.

Lisa Mortimore, PhD www.lisamortimore.com

"Out beyond deas of wrongdoing and rightdoing, there is a field, I'll meet you there". ~ Rumi

From:

Rebecca Penz

Sent:

Tuesday, November 21, 2017 12:21 PM

To: Cc: Jim Handy Robert Batallas

Subject:

FW: Off-Street Parking Review

Follow Up Flag:

Follow up

Flag Status:

Flagged

From: Engagement

Sent: Tuesday, November 21, 2017 9:04 AM To: Michelle Harris < MHarris@victoria.ca > Subject: FW: Off-Street Parking Review

From: Alanah Nasadyk [mailto:

Sent: Monday, November 20, 2017 7:20 PM
To: Engagement < engage@victoria.ca >
Subject: Off-Street Parking Review

I would like to see some requirements for electric car charging parking in Off-street parking to encourage and all for sustainable transport.

Cheers,

Alanah Nasadyk

From:

Jim Handy

Sent:

Thursday, November 23, 2017 10:53 AM

To:

Jim Handy

Subject:

FW: Feedback on new parking regulations

From: Ben Cram [mailto

Sent: Tuesday, November 21, 2017 6:56 AM

To: Engagement < engage@victoria.ca >
Subject: Feedback on new parking regulations

Hello:

I am writing to voice my support of the new schedule for off street parking. I feel the new regulations are better suited to today's needs.

As a small business owner being directly impacted by the current timing schedule for variance applications I feel that the change to allow city staff to sign off on minor parking variances is a very good policy that would help small businesses relocate in less time and be able to schedule their move with more certainty. I feel that it is a change that will positively impact small business and the local economy in Victoria.

Thank you,

Ben Cram

Ben Cram OWNER

FERNWOOD

Curre charach

5/1115 North Park Street Victoria, BC, Canada, V8T 1C7

EMAIL: ben@fernwoodcoffee.com

PHONE: 250 590 3320 MOBILE: 250 889 7800 FAX: 250 590 3326

WEB: www.fernwoodcoffee.com TWITTER: fernwoodcoffee

FACEBOOK: fernwood.coffee.company

From:

Engagement

Sent:

Wednesday, November 22, 2017 8:48 AM

To:

Jim Handy; Robert Batallas

Subject:

FW: Off-street parking review

Follow Up Flag:

Follow up

Flag Status:

Flagged

From: Joanne Thibault (mailto

Sent: Tuesday, November 21, 2017 7:59 PM To: Engagement <engage@victoria.ca>

Subject: RE: Off-street parking review

Hi There;

Thanks for this very informative reply. I was just at a By-law seminar hosted by the Vancouver Island Strata. Owners Association where strata owners were advised that preparing for EVs was important. You folks may want to contact VISOA as they have done some great work on this topic. https://www.visoa.bc.ca/

Here are the remarks made by the presenter, Shawn M. Smith 1321 Johnston Road White Rock, BC V4B 3Z4 604-536-5002 www.clevelanddoan.com

Electric Vehicles The use of electric vehicles by residents within a strata corporation poses a new and interesting issue which most strata corporations have not yet faced. However, it is an issue that arises almost exclusively in apartment style strata corporations. 13 Electric vehicles can be charged by simply plugging them into a regular 120V outlet. This means that any owner, tenant or occupant with an electric vehicle can charge it by simply plugging it into an existing outlet in the parking garage.

Absent any restriction in the bylaws or rule, they arguably have every right to do so. However, the electricity supplied to that socket would be electricity for which the strata corporation pays. Since it is a common expense, the cost of charging that vehicle is borne by all owners proportionate to the relative unit entitlement - see s. 99 of the SPA. To many owners, that arrangement is considered to be unfair. The disproportionate consumption of common expenses is something which is not easily dealt with. Common expenses cannot be apportioned between owners on a formula other than relative unit entitlement unless there has been approval of that formula by way of a unanimous vote under s.100 of the SPA. In other words, the cost of electricity cannot simply be apportioned on a higher basis to those owners who (or whose tenants or occupants) have an electric vehicle.

However, that does not mean that the strata corporation cannot recover at least some of the costs of the electricity being consumed by those types of vehicles. S.110 of the SPA provides for user fees in relation to use of the common property. While the electricity being consumed is not common property, the outlet is. As such, the strata corporation can pass a bylaw prohibiting the use of electrical outlets to charge vehicles unless the owner tenant or occupant pays a fee in relation to the same. (Although S.110 refers to the fee being set out in the bylaw, if the bylaw makes reference to a rule, which in turn specifies a sum that should suffice. Setting out the fee in the Rules gives a greater degree of flexibility with respect to the amount).

There are some limitations on the amount to be charged. In both The Owners, Strata Plan LMS383 v. DeVuyst, 2011 BCSC 1252 and Cody Watson v. The Owners, Strata Plan BCS1721, BCCRT10, it was confirmed that such fees needed to be reasonable. Whether the fee was reasonable depended on prevailing market conditions and the actual costs the strata corporation incurred in allowing the particular use in question. In other words, fees for use of the common property are not to be "profit centers".

Some owners with electric vehicles may wish to install a charging station which allows for the faster charging of the vehicle. For the most part, these stations must be hardwired. Not only are there the same issues with respect to the consumption of electricity, but now the owner is making a change to the common property. In order to control the installation of charging stations a strata corporation needs to ensure that its bylaws cover such scenario. Standard Bylaw 6 would not necessarily do that given that it refers only to "alteration". (As will be discussed below, not every change is an "alteration"). Either the charging station bylaw or the general alteration bylaw should address that issue. (Even if installed in a garage of an individual strata lot there should still be approval required).

The strata corporation will also want the bylaw to require that an "assumption of liability agreement" is signed by the owner. That will ensure that any costs related to the repair and maintenance of the charging station are paid by that owner and any subsequent owners. Strata corporations considering installing a bank of charging stations and designating an area of the common property for the charging of electric vehicles should keep in mind the provisions of s.71 of the SPA which requires a significant change in the use or appearance of the common 14 property to be approved by a % vote. Depending on what is done, such a vote may be required. If a fee is to be charged (either directly or through a third party) the bylaws should provide for that.

Cheers, Joanne

Joanne Thibault Treasurer, Strata VIS364 1021 Collinson St, Unit 403 Victoria, BC V8V 3B9

From: Engagement [mailto:engage@victoria.ca]
Sent: Tuesday, November 21, 2017 4:58 PM
To:
Subject: RE: Off-street parking review

Hi Joanne,

Thanks for your email regarding EVs and the City's regulation of them moving forward. The City recognizes the need to support installation of EV charging infrastructure in existing buildings and more generally to support EV ownership for those that do not have ready access to charging at home. We have a number of approaches in mind towards addressing this need. Our first step will be to create an EV strategy in 2018. This strategy will inform the City on the most effective means to support adoption of EVs in the community. We expect to support the installation of EV (and other charging infrastructure) in existing buildings. This support be through topping up provincial programs or by other means. We are also interested in provisioning fast charging stations in suitable locations. The latter has the opportunity to preclude a reliance on the provision of EV charging at home. This design guidance will then be added to each development permit area within the Official Community Plan to provide leverage so that new developments consider and implement EV infrastructure in their proposals.

Hope this helps

From: Joanne Thibault

Sent: Monday, November 20, 2017 1:49 PM To: Engagement < engage@victoria.ca>

Subject: Off-street parking review

Hello There;

Many thanks for the work on this. Just one question;

Regarding electric vehicle charging stations, what, if any, involvement will the City of Victoria have in regulating or encouraging EV stations in existing multiple dwellings (rental and condominium)?

This isn't in the scope of off-street parking review per se but I thought you might have news on this.

Many thanks, Joanne

Joanne Thibault 1021 Collinson St, Unit 403 Victoria, BC V8V 3B9

From:

Engagement

Sent:

Wednesday, November 22, 2017 8:49 AM

To:

Jim Handy; Robert Batallas

Subject:

FW: Proposed off street parking regulations

Follow Up Flag: Flag Status:

Follow up Flagged

From: Stacy Jensen [mailto

Sent: Tuesday, November 21, 2017 9:53 PM To: Engagement <engage@victoria.ca>

Subject: Proposed off street parking regulations

I'm a long term resident of Ladysmith Street in James Bay and am writing to implore you to not relax the off street parking regulations. If off street regulations are relaxed, it will push even more cars onto the on street parking, which is increasingly hard to find, even though Ladysmith Street is resident only. One of the main drivers of the parking crunch is the short term vacation rentals- the owners of the vacation rentals- of which there are a number on my block, give up their off street parking for their guests and park on the street, often doubling the number of vehicles vying for parking. If you examine the amount of tickets given out by bylaw in resident only areas, I think that you will see that there needs to be more off street parking, not less.

Regards

Stacy Jensen

From:

Wayne Hopkins

Sent:

Tuesday, November 21, 2017 9:25 AM

To:

Jim Handy

Subject:

Parking Review Suggested Change

Follow Up Flag:

Follow up

Flag Status:

Flagged

Hi Jim,

Thanks for taking the time yesterday to discuss the designation of the Oak Bay Avenue urban village area as an urban area in the new off-street parking bylaw.

As discussed, the Oak Bay Avenue urban area is shown in the OCP (Map 48) as a small urban village. This area is relatively large, and abuts and continues the urban village known as Oak Bay Village, located in the municipality of Oak Bay. If this continuous urban village is viewed as it truly functions, without municipal boundaries, this urban village is large, and operates as a large urban centre.

The portion of Oak Bay Avenue in the City of Victoria continues to see redevelopment occurring, including the recent mixed use project approved by the City of Victoria at 1965 Oak Bay Avenue, and the opening of the new Red Barn Market. Oak Bay Avenue provides excellent public transportation options, is heavily used by cyclists (commuting and recreational), and is known for it's walkable options for shops, services and recreation. Oak Bay Avenue functions as a large urban village.

When looking at the draft off-street parking bylaw and the other areas to be designated as urban village in regards to parking requirements, the Oak Bay Avenue area noted in the City's OCP is comparable to or larger than Stadacona Village, Jubilee Village, Ross Bay, Quadra Village, North Park Village. Oak Bay Avenue should be included as a Village / Centre in the new parking bylaw.

Thank you for considering the inclusion of Oak Bay Avenue, please do not hesitate to contact me with any questions, or to discuss further.

Regards,

Wayne Hopkins Merdyn Group of Companies

Cell Direct: Fax:

From:

Rebecca Penz

Sent:

Wednesday, November 22, 2017 1:52 PM

To:

Jim Handy; Robert Batallas

Subject:

FW: Off Street Parking Review

Follow Up Flag: Flag Status:

Follow up Flagged

From: Engagement

Sent: Wednesday, November 22, 2017 1:49 PM

To: Rebecca Penz <rpenz@victoria.ca>
Subject: FW: Off Street Parking Review

From: Dave Davies [mailto

Sent: Wednesday, November 22, 2017 12:29 PM

To: Engagement < engage@victoria.ca > Subject: Off Street Parking Review

Hello.:)

Unfortunately I missed the public hearing on the off-street parking changes being discussed. The numbers I've come up with in my research on the issue don't match the city's assertions that basically - renters own less cars.

Can you please send me the data being used to make this assertion so I can fully understand what's being considered. I assume when Mr. Tinney said, "...we know that somebody living in a studio apartment is going to own fewer cars than somebody in a three-bedroom apartment." that there is data collected to support this statement. I'd love to see what the car-ownership-to-rental-status numbers you have are as I can't find anything that matches what is being claimed and worse - everything I have on the renter-to-car-owner stats shows quite the contrary.

Thanks!



Dave Davies

CEO

Beanstalk Internet Marketing

t: 877-370-9750

w: www.beanstalkim.com



From:

Engagement

Sent:

Wednesday, November 22, 2017 9:08 AM

To:

Jim Handy; Robert Batallas

Subject:

FW: Proposed new parking regulations.

Follow Up Flag: Flag Status: Follow up Flagged

-----Original Message-----

From: Monica Kingsbury [mailto

Sent: Wednesday, November 22, 2017 7:51 AM

To: Engagement <engage@victoria.ca>
Subject: Proposed new parking regulations.

Hello,

I'm glad for the opportunity to speak to this issue. I am completely opposed to lowering the requirement for parking in Victoria.

The lack of parking in Victoria is a major problem has recently altered my decisions to frequent restaurants, movie theatres or shop at small business.

I am a Victoria resident since 1974 and of course have seen tremendous growth and change. This is understandable. We also must support the infrastructure needed to live with this growth.

More downtown condos, more parking needed.

I normally love to go into town and have dinner out and spend time in our lovely city. In the past few yeas, the lack of parking has been such a problem. Often the city lots are full and therefore I spend time driving around and around looking for parking. I find myself giving up and returning home these days. That decision has cost many restaurants or shops the revenue from my business, which they would have if I could only park my car and shop.

I love our city and therefore strongly urge you to take the need for parking into consideration to support this continued growth in our community. Please, lets not become like Seattle or Vancouver!

thank you,

... Monica Kingsbury 60 Menzies Street. Victoria BC V8V 2G2

From:

Jim Handy

Sent:

Tuesday, November 28, 2017 10:51 AM

To:

Jim Handy

Subject:

FW: Community Planning

Follow Up Flag:

Follow up

Flag Status:

Flagged

----Original Message----

From: webforms@victoria.ca [mailto:webforms@victoria.ca]

Sent: Tuesday, November 28, 2017 7:20 AM

To: Community Planning email inquiries < Community Planning@victoria.ca>

Subject: Community Planning

From: Alix Freiberger

Email:

Reference: http://www.victoria.ca/EN/main/residents/community-planning/current-initiatives.html

Daytime Phone:

Hello there,

I was not able to attend your meeting on November 20 in which you reviewed the parking regulations. I live in the Oaklands area in a single family dwelling. I would like to develop my basement including my drive-in garage to create additional living space for my adult daughters. I am not planning on developing a full suite.

In this very expensive rental market, my daughters will have a hard time finding affordable housing that will allow them to get ahead despite good jobs. I would like to be able to help them out. Under current regulations I would not be allowed to do this because I have no way to create parking in my back yard. However, I have a parking space in my driveway.

I strongly urge you to remove barriers for home owners who would like to create additional living space within their existing foot print. The city and the city's renters need it.

Thank you very much for listening and reading.

Alix

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IP Address

Noraye Fjeldstad

From:

Jim Handy

Sent:

Thursday, May 03, 2018 2:12 PM

To:

Jim Handy

Subject:

FW: New Policy Tools For Carsharing TDM Measures

From: Sylvain Celaire [mailto:

Sent: January 30, 2018 6:56 AM

To: Steve Hutchison <<u>shutchison@victoria.ca</u>>; Jim Handy <<u>JHandy@victoria.ca</u>>; Brad Dellebuur <<u>bdellebuur@victoria.ca</u>>; Steve Young <<u>SYoung@victoria.ca</u>>; Sarah Webb <<u>swebb@victoria.ca</u>>

Cc: Selena McLachlan <

Subject: New Policy Tools For Carsharing TDM Measures

Hello all,

Further to recent conversations with some of you, I would like to confirm Modo's desire to support the City of Victoria in the development of evidence-based policies to maximize the public benefits from carsharing services.

Victoria's Climate Leadership Plan and revised Schedule C of Zoning Regulation Bylaw make a strong case for the creation of new and flexible policy tools that would allow staff to achieve the City's goals in terms of multi-modal mobility, land-use, GHG emission reduction and low carbon transportation. We believe that appropriate Design Guidelines and Bylaw regulations relative to bicycle parking, electric vehicle parking standards and carsharing would provide the City of Victoria with additional opportunities to ensure real estate developers are building a desirable urban environment. One where more individuals and businesses can thrive with minimal need to use a vehicle. And where, for those occasions when a vehicle is required, the vehicle used is a shared and low emission one.

Formalized carshare TDM measures informed by the City's experience, peer-reviewed research, local data and collaborations with academics and carshare providers could go a long way to further enhance the City's success with carsharing. Appetite for carsharing in Victoria is at an all time high. Modo's membership and vehicle fleet in Greater Victoria have grown 250% within the last 24 months, despite challenges finding suitable parking locations in high demand areas. Though we do intend to add another 20 shared vehicles in 2018, the total remains relatively small in relation to privately owned vehicles. To address the region's growing challenges with personal vehicle ownership, use and parking, more shared vehicles are needed to complement walking, cycling and public transit.

At several municipalities with formal carshare TDM measures in place, we have observed that in addition to seeking to maximize positive impacts in terms of vehicle ownership reduction, GHG emissions, land use and mode shift, they have also:

- simplified and normalized the use of carsharing as a TDM;
- reduced pressure on staff by limiting the negotiating power of developers;
- streamlined processes;
- quaranteed equity across developments; and
- improved integration of carsharing in development projects.

We recommend that City of Victoria staff ask Council support the development of evidence-based carsharing TDM Guidelines or Bylaw regulations for real estate developments that take the above features into account. It would be our pleasure to assist by contributing expertise, data or any other inputs you deem helpful.

My best,

Sylvain Celaire

Business Development Manager

NO. 18-017

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by adding and amending definitions in Schedule A – Definitions and replacing Schedule C – Off-Street Parking with new off-street parking regulations.

The Council of The Corporation of the City of Victoria enacts the following provisions:

- 1 This Bylaw may be cited as the "ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1130)".
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended as follows:
 - (a) Schedule A definitions is amended:
 - (i) by adding the following definition immediately after the definition of "Accessory Garden Structure":
 - ""Affordable" means housing that falls within the financial means of a household in either market or non-market dwellings. Total costs for rent or mortgage plus taxes (including a 10% down payment), insurance and utilities must equal 30% or less of a household's annual income.";
 - (ii) by adding the following definition immediately after the definition of "Basement":
 - ""Bicycle Parking, Long-Term" is intended for long-term users of a <u>building</u>, such as employees or residents, and will consist of a secure space dedicated for bicycle parking within a structure or <u>building</u> on the same <u>lot</u> and has the same meaning as "Class 1" bicycle parking.";
 - (iii) by adding the following definition immediately after the definition of "<u>Bicycle Parking, Long-Term</u>":
 - ""Bicycle Parking, Short-Term" is intended for short-term use by visitors and customers and will consist of bicycle racks located in a publicly accessible space at or near a building entrance and has the same meaning as "Class 2" bicycle parking.";
 - (iv) by adding the following definition immediately after the definition of "**Dock**":
 - ""<u>Drive Aisle</u>" means a vehicle passageway or maneuvering space by which vehicles enter and depart parking stalls.";
 - (v) by adding the following definition immediately after the definition of "<u>Drive</u> Aisle":
 - ""<u>Driveway</u>" means that portion of the <u>lot</u> that provides access to parking stalls, loading spaces or the <u>drive aisle</u> within the <u>lot</u> and is considered to be the extension of the <u>lot's</u> driveway crossing. For certainty, a ramp provided to access parking stalls is considered a driveway.";

- (vi) by adding the following definition immediately after the definition of "Parcel":
 - ""Parking Area" means all parking spaces, driveways and drive aisles on a lot.";
- (vii) by adding the following definition immediately after the definition of "Parking Screen Wall":
 - ""Permeable" means hard surfacing specifically designed to allow the movement of water to flow through the surface, but does not include unconsolidated materials such as crushed rock, gravel, grass, earth or other loose materials.";
- (viii) by adding the following definition immediately after the definition of "<u>Stormwater Retention and Water Quality Facility</u>":
 - ""Street" includes a lane, road, sidewalk, and other public highway.";
- (ix) by adding the following definition immediately after the definition of "Underground Parking Space":
 - ""<u>Unobstructed Access</u>" means the ability of the intended user of the parking space to access and egress to the <u>street</u> at the time that the parking space is required.";
- (x) by repealing the definition of "<u>Area</u>" when used in reference to a floor of a <u>storey</u> of a <u>building</u> and substituting the following:
 - ""Area" when used in reference to a floor of a <u>storey</u> of a <u>building</u> means the entire area which in plan is enclosed by the interior face of the exterior walls of the <u>storey</u> at floor level plus the area enclosed by any cantilevered element that is within that <u>storey</u> and that is above floor level, but does not include of the following areas:
 - a) the area used or intended to be used for required parking or movement of motor vehicles, as set out in this bylaw, which is calculated starting from the lowest level of the building;
 - b) the area used or intended to be used for required <u>Bicycle Parking, Long-Term</u>, as set out in this bylaw, which is calculated starting from the lowest level of the building;
 - c) the area or areas of balconies, exposed decks, patios or roofs; and
 - d) the area of elevator shafts."
- 3 The Zoning Regulation Bylaw is further amended by repealing the entire Schedule C Off-Street Parking and replacing it with Schedule 1 of this Bylaw.

Transition Provisions

- 4 In this section.
 - "New Schedule C" means the Schedule C Off-Street Parking requirements in effect on the day after the date of adoption of this Bylaw

"**Permit**" means a Development Permit, Heritage Alteration Permit, Development Variance Permit or Temporary Use Permit

"Previous Schedule C" means the Schedule C – Off-Street Parking requirements in effect on the day before the date of adoption of this Bylaw

- (a) Any Permit or other agreement authorized by the Local Government Act that varies or supplements the Previous Schedule C, issued within two years prior to the adoption of this bylaw, continues to apply as if varying or supplementing the New Schedule C, with the necessary changes and so far as applicable.
- (b) A development permit issued within two years prior to the adoption of this bylaw continues to apply, with the necessary changes and so far as applicable, as if the development authorized by it had been authorized under the New Schedule C and, without limiting the generality of the foregoing, a building permit or a business licence that is consistent with such development permit may be issued as if it complied with the New Schedule C, provided that it is applied for within two years of the date of the adoption of this bylaw.
- (c) If prior to the adoption of this bylaw, Council has authorized the issuance of a Permit, but the Permit had not been issued prior to the adoption of this bylaw, the Permit may be issued, with all the necessary changes and as applicable, as if it had been authorized under the New Schedule C, provided that:
 - (i) all terms and conditions of the Council authorization are met; and
 - (ii) it is issued within two years of the date of the Council authorization.
- (d) If prior to the adoption of this bylaw, Council has moved an application for a Permit forward for an opportunity for public comment at a future Council meeting and such meeting is not held prior to the adoption of this bylaw, the Council motion is deemed to be amended to reflect the requirements of the New Schedule C and the Director is authorized to bring forward an amended motion for Council's consideration at the opportunity for public comment, provided that:
 - (i) the opportunity for public comment takes place no later than one year after the date of the adoption of this bylaw;
 - (ii) there are no significant alterations or differences in the development from that considered by Council at the time of the motion to advance it to the opportunity for public comment, with the exception of an increase in the number of vehicle or bicycle parking spaces being provided; and
 - (iii) the intent of the Council motion remains unchanged.
- (e) For certainty, nothing in this section 4 is intended to modify or extend the validity of any Permit beyond the time that it would lapse or expire but for this section.

Effective Date

5 This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2018.
READ A SECOND TIME the	day of	2018.
Public hearing held on the	day of	2018.
READ A THIRD TIME the	day of	2018.
ADOPTED on the	day of	2018.

CITY CLERK

MAYOR

Zoning Bylaw No. 80-159 Schedule C: Off-Street Parking Regulations

1. Parking Requirements

1.1 Application of Requirements

- 1. The minimum number of parking spaces required for each use must be calculated to the nearest whole number.
- 2. Where a <u>building</u> contains more than one use, the total number of parking spaces required shall be the sum of the number of parking spaces required for each use, or type of use, calculated separately.

Example: Calculating Vehicle Parking Requirements

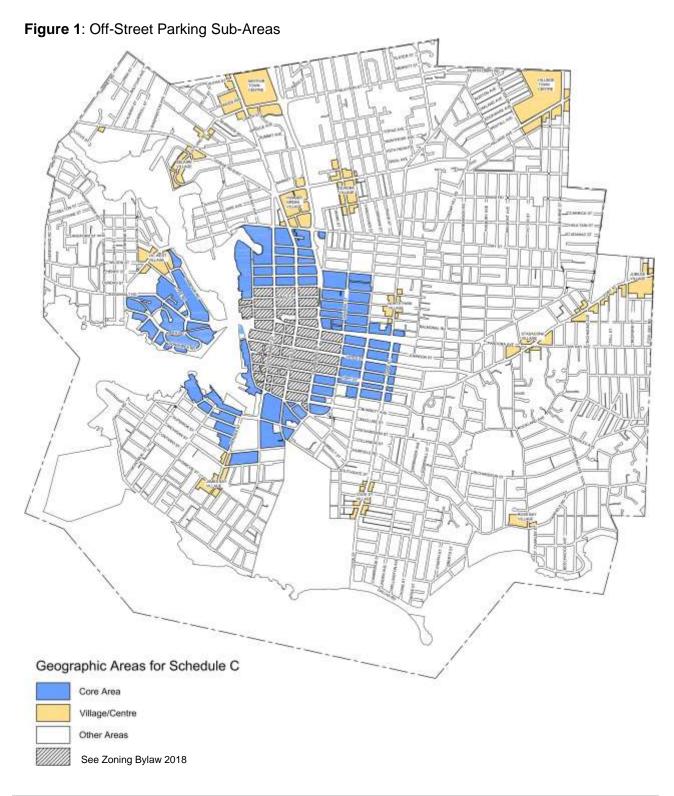
Type of <u>Building</u> or Use	Units / Floor Area	Parking Required	Visitor Parking Required	Total Parking Required
Multi-Residential, Condominium	8 units between 45-70m² in the Core Area	8 x 0.8 = 6.4	$ \begin{array}{c} 14 \times 0.1 = 1.4 \\ (1.4 \to 1) \end{array} $	14 + 1 = 15
	6 units greater than 70m² in the Core Area	6 x 1.2 = 7.2		
		$6.4 + 7.2 = 13.6$ $(13.6 \rightarrow 14)$		
Restaurant	155m²	3.88 (3.88 → 4)	N/A	4
Office, Health Care	678m ²	13.6 (13.6 → 14)	N/A	14

Total Vehicular Parking Spaces Required

33

- 3. If a use is not specifically listed in Table 1 or Table 2 of this Schedule, the number of parking spaces required shall be calculated on the basis of a use or class of use that is most similar to the actual use, based on parking demand characteristics.
- 4. Unless otherwise stated, all references to "floor area" in this Schedule shall be calculated as gross floor area.
- 5. For the purpose of calculating parking requirements under this Bylaw, in addition to all internal floor areas, all outside seating and serving areas located on a <u>lot</u> and associated with a <u>Restaurant</u> or a Drinking Establishment use shall be counted as floor area.

6. For the purposes of calculating parking requirements, the City is divided into "Core Area", "Village / Centre", and "Other Area", as shown in Figure 1 of this Schedule and more specifically detailed in Appendix 1.



Schedule C, Zoning Regulation Bylaw (no. 80-159)

1.2 Required Vehicle and Bicycle Parking Spaces

1. The owner or occupier of any land or any <u>building</u> or other structure, for each use present on the land or in the building or other structure, must provide off-street vehicle parking spaces in accordance with Table 1.

Table 1: Minimum Number of Required Vehicle Parking Spaces

Use or Class of Use	Minimum Parking Spaces	Minimum Visitor Parking Spaces
Residential		
Single Family Dwelling	1.0 space per <u>dwelling unit</u>	n/a
Two Family Dwelling	1.0 space per <u>dwelling unit</u>	n/a
Semi-attached Dwelling	1.0 space per dwelling unit	n/a
Attached Dwelling	1.0 space per dwelling unit	0.1 spaces per <u>dwelling</u> <u>unit</u>
Secondary Suite or Garden Suite	n/a unless two <u>Secondary Suites</u> , two <u>Garden Suites</u> , or a <u>Secondary Suite</u> and a <u>Garden Suite</u> , are located on the same <u>lot</u> in which case 1.0 space shall be provided in addition to the number of spaces required for the <u>Single Family Dwelling</u> , <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u>	n/a
Assisted Living Facility (dwelling unit or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes Nursing Homes)	0.35 spaces per <u>dwelling unit</u> or residential unit	0.1 spaces per dwelling unit or residential unit

Use or Class of Use	M inimum	Minimum Number of Visitor Parking spaces		
Multiple Dwelling	Core Area	Village / Centre	Other Area	
Condominium (dwelling unit in a building regulated by the Strata Property Act)	0.65 spaces per dwelling unit that is less than 45m² 0.80 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.20 spaces	0.70 spaces per dwelling unit that is less than 45m² 0.85 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.30 spaces	0.85 spaces per dwelling unit that is less than 45m² 1.00 space per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.45 spaces	0.1 spaces per <u>dwelling</u> <u>unit</u>
	per <u>dwelling</u> <u>unit</u> that is more than 70m²	per <u>dwelling</u> <u>unit</u> that is more than 70m²	per <u>dwelling</u> <u>unit</u> that is more than 70m²	
Apartment (dwelling unit secured as rental in perpetuity through a legal agreement)	0.50 spaces per dwelling unit that is less than 45m² 0.60 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.00 space per dwelling unit that is more than 70m²	0.60 spaces per dwelling unit that is less than 45m² 0.70 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.10 spaces per dwelling unit that is more than 70m²	0.75 spaces per dwelling unit that is less than 45m² 0.90 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.30 spaces per dwelling unit that is more than 70m²	0.1 spaces per <u>dwelling</u> <u>unit</u>
Affordable (affordable dwelling units secured in perpetuity through a legal agreement)	0.20 per <u>dwelling unit</u> that is less than 45m ² 0.50 spaces per <u>dwelling unit</u> that is 45m ² or more, but equal to or less than 70m ² 0.75 spaces per <u>dwelling unit</u> that is more than 70m ²			0.1 spaces per <u>dwelling</u> <u>unit</u>

Use or Class of Use	Minimum Number of Parking Spaces					
	Core Area		llage / entre	Other Are	а	
All other multiple dwellings	0.65 spaces per dwelling unit that is less than 45m² 0.80 spaces per dwelling unit that is 45m² or more, but equal to or less than 70m² 1.20 spaces per dwelling unit that is more than 70m²	per gunit that 0.85 per gunit 45m² but ed less that 1.30 per gunit mo	spaces dwelling nat is less n 45m² spaces dwelling t that is or more, qual to or han 70m² spaces dwelling t that is re than 70m²	0.85 space per dwellin unit that is let than 45m² 1.00 space per dwelling unit that is 45m² more, but equal to or let than 70m² 1.45 space per dwellin unit that is more than 70m²	gess ess oer hit or ess g	0.1 spaces per <u>dwelling</u> <u>unit</u>
Commercial	Core Area			e / Centre		Other Area
Office	1 space per 70 floor area	Om²	1 space	e per 55m² or area		1 space per Om² floor area
Medical Office (includes dental offices, surgeries and similar uses)	1 space per 50 floor area	Om²	•	e per 40m² or area		1 space per .5m² floor area
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 50 floor area	Om²	_	e per 40m² or area		1 space per .5m² floor area
Financial Service	1 space per 50 floor area	Om²	•	e per 40m² or area		1 space per .5m² floor area
Restaurant	1 space per 40 floor area	Om²	•	e per 25m² or area		1 space per Om ² floor area
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor Control and Licensing Act</i> for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	n/a		•	e per 70m² or area	60	1 space per Om ² floor area

Use or CI	ass of Use	Minimur	n Number of Parking Sp	aces
Commercia		Core Area	Village / Centre	Other Area
Retail		1 space per 80m ² floor area	1 space per 50m ² floor area	1 space per 37.5m² floor area
Grocery Store	800m ² or less	1 space per 80m ² 1 space per 50m ² floor area floor area		1 space per 37.5m² floor area
	> 800m ²	1 space per 50m ² floor area	1 space per 40m ² floor area	1 space per 20m² floor area
Transient Ac	commodation	0.25 spaces per room	0.50 spaces _l	per room
Institutional		Core Area	Village / Centre	Other Area
<u>Hospital</u>		1 s	pace per 80m² floor area	
Elementary / School	Middle	1 sp	pace per 150m² floor area	
Secondary S	school	1 s	pace per 75m² floor area	
University / (as defined un	nder British	1 s	pace per 80m ² floor area	
Columbia legis regulated as s legislation)	slation, and such under said			
Arts and Cul	ture	1 space per 80m² floor area 1 spa		
(includes mus galleries, thea similar uses, t include cinem	tres and other out does not	40m ²		40m ² floor area
Place of Wor	ship	n/a	1 space per 80m² floor area	1 space per 40m² floor area
Assembly		1 space per 30m ²	1 space per 20m²	² floor area
(includes conv facilities, ciner facilities and c uses)	mas, training	floor area		
Health and F			1 space per 20m²	² floor area
(commercial refacilities, gymiother similar u	nasiums and	floor area		
Care Facility		1 space per 100m ² 1 space per 80m ² floor a		floor area
(day use facili includes preso care, resident facilities and s	chool, day ial care	floor area		

Use or Class of Use	Minimum Number of Parking Spaces				
	Core Area	Village / Centre	Other Area		
Transitional Housing and Emergency Shelters (a staffed facility, open year round, that provides temporary accommodation for persons who are homeless or at risk of homelessness, and may include food and support services)	1 :	space per 80m² floor ar	ea		
Industrial					
Industrial	1 s	pace per 140m² floor a	rea		
Warehouse	1 s	pace per 100m² floor a	rea		

2. The owner or occupier of any land or any <u>building</u> or other structure, for each use present on the land or in the building or other structure, must provide off-street bicycle parking spaces in accordance with Table 2.

Table 2: Minimum Number of Required Bicycle Parking Spaces

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces		Term Bicycle Parking		Minimum Number of Short Term Bicycle Parking Spaces
Residential					
Single Family Dwelling,	n.	/a	n/a		
Two Family Dwelling,					
Semi-attached Dwelling,					
Secondary Suite,					
Garden Suite					
Attached Dwelling	1 per <u>dwelling unit</u> , except where the <u>dwelling unit</u> has access to a private garage		The greater of 6 spaces per building or 0.1 spaces per dwelling unit		
Multiple Dwelling	1 space per dwelling unit that is less than 45m ²	1.25 spaces per <u>dwelling</u> <u>unit</u> that is 45m ² or more	The greater of 6 spaces per building or 0.1 spaces per dwelling unit		

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Residential		
Assisted Living Facility (dwelling unit or residential unit within housing for elderly or people with disabilities that provides nursing care, housekeeping and prepared meals as needed and includes Nursing Homes)	1 space per 20 <u>dwelling units</u> or residential units	1 space per 50 <u>dwelling units</u> or residential units
Commercial		
Office Medical Office (includes dental office, surgeries and similar uses)	1 space per 150m² floor area, or part thereof 1 space per 200m² floor area, or part thereof	1 space per 400m² floor area, or part thereof 1 space per 300m² floor area, or part thereof
Personal Services (includes hairdressers, dry cleaners, repair of personal goods, travel agents and other similar uses)	1 space per 200m² floor area, or part thereof	1 space per 200m² floor area, or part thereof
Financial Service	1 space per 200m² floor area, or part thereof	1 space per 200m² floor area, or part thereof
Restaurant	1 space per 400m ² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Drinking Establishment (a <u>building</u> or area including a nightclub, bar or pub that is licensed through the <i>Liquor Control and Licensing Act</i> for the sale and consumption of Liquor on the premises and where entertainment may be provided in the form of recorded music, live performances or a dance floor)	1 space per 400m² floor area, or part thereof	1 space per 100m ² floor area, or part thereof
Retail	1 space per 200m² floor	1 space per 200m² floor
Grocery Store	area, or part thereof 1 space per 200m² floor area, or part thereof	area, or part thereof 1 space per 200m² floor area, or part thereof
Transient Accommodation	1 space per 25 rooms, or part thereof	1 space per 40 rooms, or part thereof

Use or Class of Use	Minimum Number of Long Term Bicycle Parking Spaces	Minimum Number of Short Term Bicycle Parking Spaces
Institutional		
<u>Hospital</u>	1 space per 500m² floor area, or part thereof	6 spaces per public <u>building</u> entrance
Elementary / Middle School	1 space per 1,600m² floor area, or part thereof	1 space per 160m² floor area, or part thereof
Secondary School	1 space per 1,600m² floor area, or part thereof	1 space per 125m² floor area, or part thereof
University / College (as defined under British Columbia legislation, and regulated as such under said legislation)	1 space per 1,600m², or part thereof	1 space per 100m², or part thereof
Arts and Culture	1 space per 450m² floor	1 space per 130m² floor
(includes museums, art galleries, theatres and other similar uses, but does not include cinemas)	area, or part thereof	area, or part thereof
Place of Worship	n/a	1 space per 200m² floor area, or part thereof
Assembly	n/a	1 space per 200m² floor
(includes convention facilities, cinemas, training facilities and other similar uses)		area, or part thereof
Health and Fitness	1 space per 400m² floor	1 space per 100m² floor
(commercial recreational facilities, gymnasiums and other similar uses)	area, or part thereof	area, or part thereof
Care Facility	1 space per 700m² floor	1 space per 200m² floor
(day use facilities, and includes preschool, day care, residential care facilities and similar uses)	area, or part thereof	area, or part thereof
Industrial		
Industrial	1 space per 1,200m² floor area, or part thereof	6 spaces
Warehouse	1 space per 1,200m² floor area, or part thereof	6 spaces

2. Vehicle Parking Specifications

2.1 Vehicle Parking Appearance

- 1. A vehicle <u>parking area</u> or vehicle parking space must be surfaced with asphalt, concrete, pavers, or <u>permeable</u> material that provides a durable surface.
- 2. Each vehicle parking space must be clearly delineated on the parking surface.
- 3. Vehicle <u>parking areas</u> consisting of five (5) or more parking spaces must be illuminated with shield lighting that is directed toward the ground and designed so that the light does not directly fall on an adjacent lot or street.
- 4. Each visitor vehicle parking space required under this Bylaw must be clearly identified for the sole use of visitors.

2.2 Vehicle Parking Location and Dimensions

- 1. All vehicle parking spaces required under this Bylaw must be provided on the same <u>lot</u> as the <u>building</u> or use which they serve.
- 2. Notwithstanding section 2.2.1, parking spaces may be provided on a different <u>lot</u> from the <u>lot</u> on which the building or use is to which they appertain, where:
 - (a) the <u>lot</u> on which the parking spaces are is not more than 125m from the <u>building</u> or use to which they appertain; and
 - (b) if the <u>lot</u> on which the parking spaces are forms part of a separate parcel of land for Land Title Office purposes, there is registered against its title an easement providing for such parking requirements, and appurtenant to the <u>lot</u> on which the <u>building</u> is, and there is furthermore registered a covenant in favour of the City restricting the use of the easement area on the servient tenement to parking purposes for as long as the provisions of this Schedule have application to the dominant tenement; and
 - (c) the conditions outlined in subsections (a) and (b) existed on the date of the adoption of the Bylaw incorporating this Schedule.
- 3. A vehicle parking space must not be closer than 1.0m to a street.
- 4. A vehicle parking space must have unobstructed access.
- 5. All vehicle parking spaces and <u>drive aisles</u> must have dimensions not less than those identified in Figure 2 of this Schedule.

- 6. Notwithstanding section 2.2.5, where:
 - (a) the vehicle parking space is associated with either a <u>Single Family Dwelling</u>, <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u> use, and
 - (b) the vehicle parking space is accessed directly from a street,

the width of the adjacent <u>street</u> may be included towards the total width of the <u>drive aisle</u> provided.

- 7. One way vehicle access and egress through the <u>parking area</u> is required where:
 - (a) more than one vehicle parking space is provided in the parking area, and
 - (b) the vehicle parking spaces are not configured parallel or perpendicular to the <u>drive aisle</u>.
- 8. A vehicle parking space that abuts a structure on one side, such as a wall or column, must have a minimum width of 2.7m.
- 9. A vehicle parking space that abuts a structure on both sides, such as a wall or column, must have a minimum width of 3.0m.
- 10. Where a vehicle parking space or <u>drive aisle</u> is located underground or covered by a roof, a minimum unobstructed height clearance of 2.1m must be provided between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling.

Figure 2: Minimum Parking Space and <u>Drive Aisle</u> Dimensions (all measurements in metres)

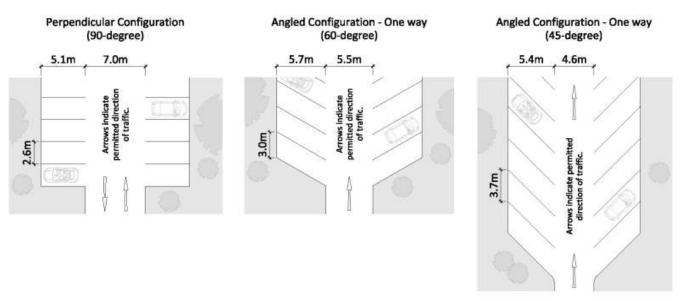
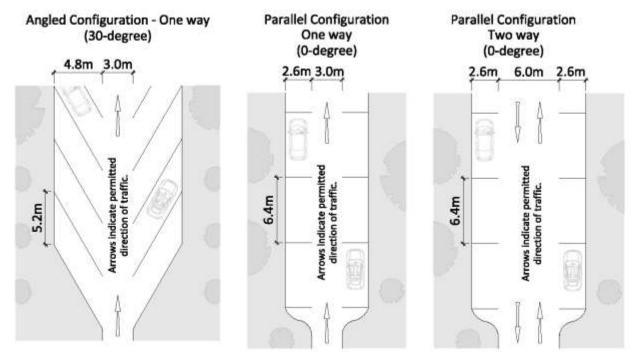


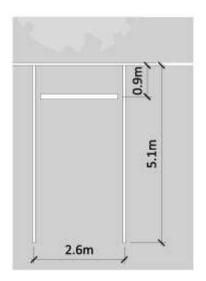
Figure 2 Cont.

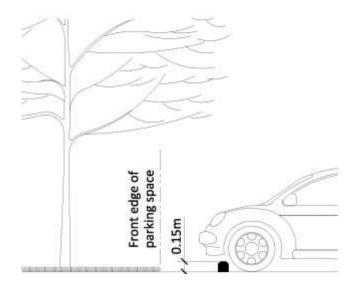


- 11. Vehicle parking is not permitted in the <u>front yard</u> of a <u>lot</u> except as follows:
 - (a) Parking may be provided in the <u>front yard</u> of a <u>lot</u> where:
 - (i) the principal use of the lot is industrial or warehouse.
 - (ii) such parking is required to serve that use, and
 - (iii) the number of parking spaces in the <u>front yard</u> does not exceed the total amount of parking spaces required by this Bylaw;
 - (b) Parking may be provided in the <u>front yard</u> of a property where:
 - (i) the principal use of the lot is commercial or institutional,
 - (ii) such parking is required to serve that use, and
 - (iii) the <u>building</u> on the <u>lot</u> existed on the date of adoption of the Bylaw incorporating this Schedule:
 - (c) A maximum of one parking space that meets the minimum dimensions described in this Schedule may be provided in the <u>front yard</u> of a property where the principal use of the <u>lot</u> is <u>Single Family Dwelling</u>; or
 - (d) A maximum of two parking spaces that meet the minimum dimensions described in this Schedule may be provided in the <u>front yard</u> of a property where the principal use of the lot is Two Family Dwelling or Semi-attached Dwelling.

- 12. (a) An unenclosed surface vehicle parking space that abuts a pedestrian walkway or landscaped area without a barrier curb between the parking space and the pedestrian walkway or landscaped area must have a wheel stop centered horizontally within the parking space and placed 0.9m from the end of the parking space adjacent to the pedestrian walkway or landscaped area, in accordance with Figure 3 of this Schedule.
 - (b) The requirements of subsection (a) do not apply to a parking space that satisfies at least one of the following conditions:
 - (i) The parking space is configured parallel to the curb or drive aisle;
 - (ii) The parking space shares a common front boundary with another parking space; or
 - (iii) The parking space is associated with either a <u>Single Family Dwelling</u>, <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u> use.
 - (c) Where a wheel stop is provided pursuant to subsection (a), the portion of the parking space between the wheel stop and the front edge of the parking space, as marked in Figure 3, is exempt from the requirements of section 2.1.1 and may be surfaced with permeable material or landscaping, provided that no landscaping exceeds 0.15m in height.

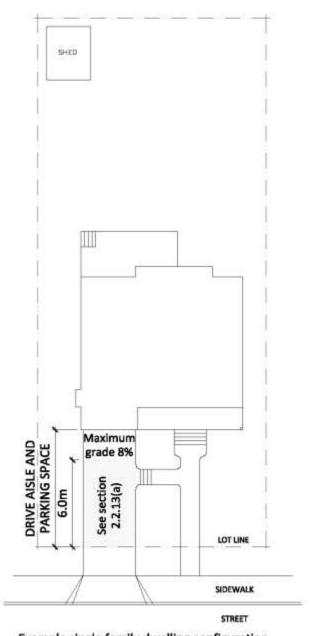
Figure 3: Required Wheel Stop Placement

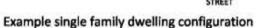


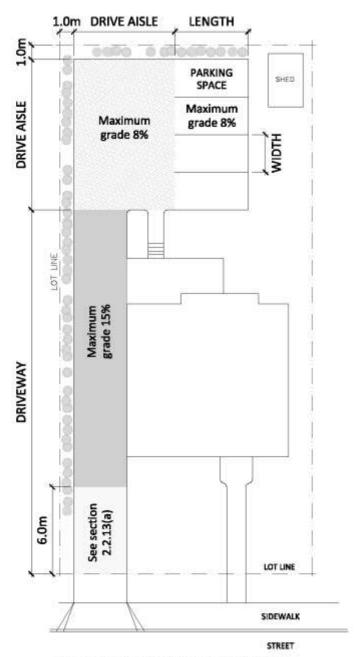


- 13. (a) Where a <u>drive aisle</u> or parking space is located within 6.0m of a <u>street boundary</u> it must comply with applicable <u>grade</u> requirements prescribed in this Schedule and the *Highway Access Bylaw*.
 - (b) The maximum grade for a drive aisle or parking stall is 8%.
 - (c) The maximum grade for a driveway is 15%.

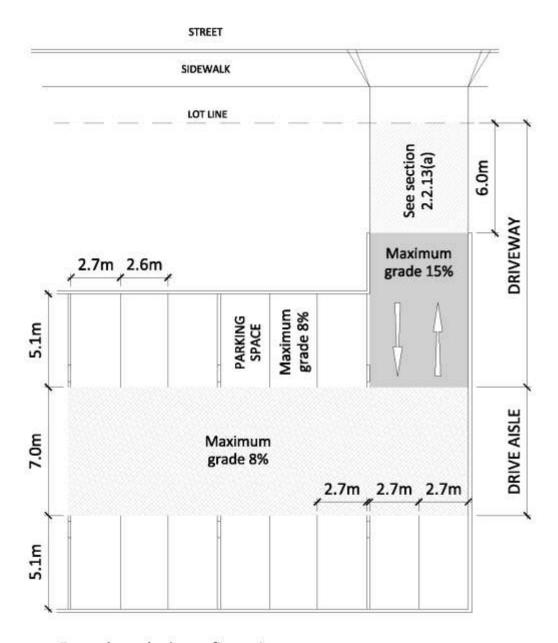
Examples: Maximum Grades for Parking Areas







Example multiple dwelling configuration

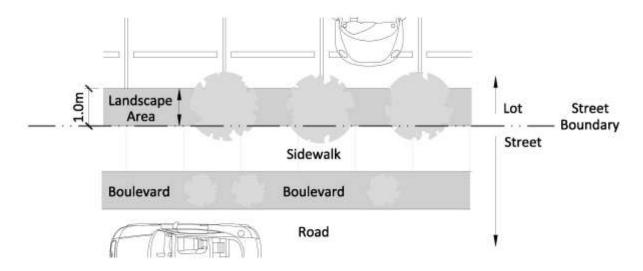


Example parkade configuration

2.3 Vehicular Parking Landscaping and Screening

1. If a surface vehicle <u>parking area</u> or vehicle parking space is located adjacent to a <u>street</u>, it must include a soft landscaped area, with a minimum width of 1.0m between the <u>parking area</u> or parking space and the <u>street boundary</u>.

Example: Minimum Landscape Area Adjacent to a Street Boundary



- 2. A surface vehicle <u>parking area</u> or surface vehicle parking space must include:
 - (a) continuous soft landscape areas with a minimum width of 1.0m, and
 - (b) a continuous landscape screen

between the <u>parking area</u> or parking space and any adjacent <u>lot</u> used primarily for residential purposes, excluding the area where landscaping is prohibited pursuant to the *Highway Access Bylaw*.

- 3. The requirements of sections 2.3.1 and 2.3.2 do not apply where the principal use of the <u>lot</u> is <u>Single Family Dwelling</u>, <u>Two Family Dwelling</u> or <u>Semi-attached Dwelling</u>.
- 4. Where thirty (30) or more vehicle parking spaces are provided on a <u>lot</u> as <u>surface parking</u>, a minimum of 10% of the <u>parking area</u> must be soft landscaped (soft landscaping could include grass, shrubs or trees).

3. Bicycle Parking

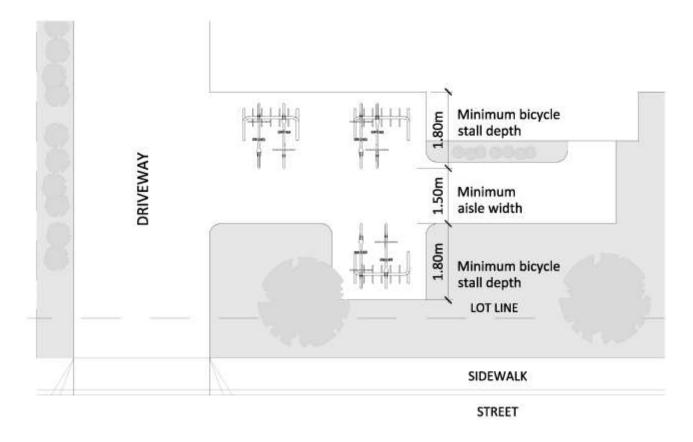
3.1 Bicycle Parking Specifications

- All bicycle parking spaces required under this Bylaw must be provided on the same <u>lot</u> as the building or use which they serve.
- 2. (a) Each bicycle parking, short term space required under this Bylaw must be:
 - (i) designed and installed to the minimum dimensions shown in Table 3 of this Schedule; and
 - (ii) provided as a bicycle rack that is permanently anchored to the ground or a wall.
 - (b) Each <u>bicycle parking</u>, <u>short term</u> space required under this Bylaw in association with a residential use must be located within a maximum distance of 15.0m from a <u>building</u> entrance that is accessible by visitors.
 - (c) Notwithstanding subsection (b), where a minimum of 6 <u>bicycle parking</u>, <u>short term</u> spaces are located within 15.0m of each <u>building</u> entrance that is accessible by visitors, any additional required spaces may be provided in a location that is further than 15.0m from a building entrance.
 - (d) Each <u>bicycle parking, short term</u> space required under this Bylaw in association with a commercial or institutional use must be located a maximum distance of 15.0m from a <u>building</u> entrance that is accessible by the public.
 - (e) Notwithstanding subsection (d), where a minimum of 6 <u>bicycle parking</u>, <u>short term</u> spaces are located within 15.0m of each <u>building</u> entrance that is accessible by the public, any additional required spaces may be provided in a location that is further than 15.0m from a building entrance.
 - (f) Each <u>bicycle parking, short term</u> space required under this Bylaw in association with an industrial use must be located within a maximum distance of 15.0m from the primary <u>building</u> entrance.

Table 3: Minimum Dimensions for Bicycle Parking (all minimum dimensions measured in metres)

	Ground Anchored Rack		Wall Mounted Rack	
Angle of Rack (in an aerial perspective, measured from the plane of the nearest wall of a building)	>45 degrees	<u><</u> 45 degrees	>45 degrees	<u><</u> 45 degrees
Minimum stall depth	1.8	1.45	1.2	1.2
Minimum aisle width	1.5	1.5	1.5	1.5
Minimum distance between bicycle racks (for racks that accommodate two or more bicycles)	0.9	1.3	0.9	1.3
Minimum distance between bicycle racks (for racks that accommodate no more than one bicycle)	0.45	0.65	0.45	0.65
Minimum distance between bicycle racks and entrance door to bicycle storage facility	0.6	0.6	0.6	0.6

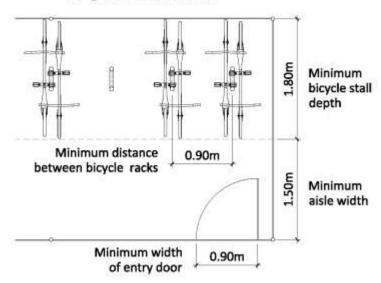
Example: Short-Term Bicycle Parking Configuration



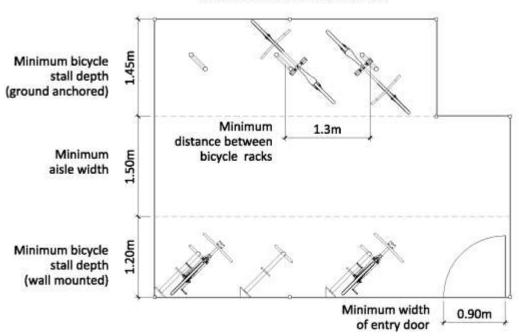
- 3. (a) Each <u>bicycle parking, long term</u> space required under this Bylaw must:
 - (i) be designed and installed to the minimum dimensions shown in Table 3 of this Schedule;
 - (ii) be provided as a bicycle rack that is permanently anchored to the ground or a wall;
 - (iii) have a minimum unobstructed height clearance of 2.1m between the floor and any mechanical equipment, or, if there is no mechanical equipment, between the floor and the ceiling;
 - (iv) be provided in a secure, weather-protected, dedicated bicycle parking facility accessible to residents, employees or other identified users of the <u>building</u>;
 - (v) be located in a bicycle parking facility accessible through an entry door with a minimum width of 0.9m; and
 - (vi) be located within one floor of <u>finished grade</u> and, if accessed by a stairwell only, the stairwell must include a ramp for bicycles.
 - (b) At least half of the <u>bicycle parking</u>, <u>long term</u> spaces required under this Bylaw must be ground anchored.

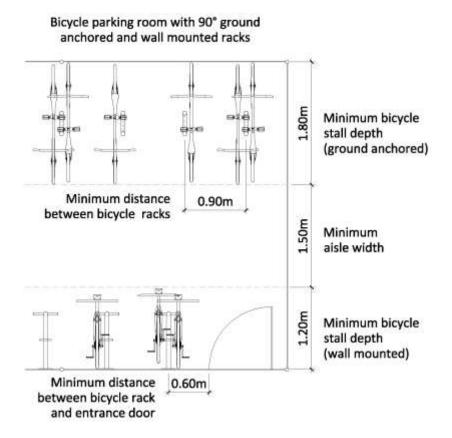
Examples: Long-term Bicycle Parking Configurations

Bicycle parking room with 90° ground anchored racks



Bicycle parking room with 45° angled ground anchored and wall mounted racks

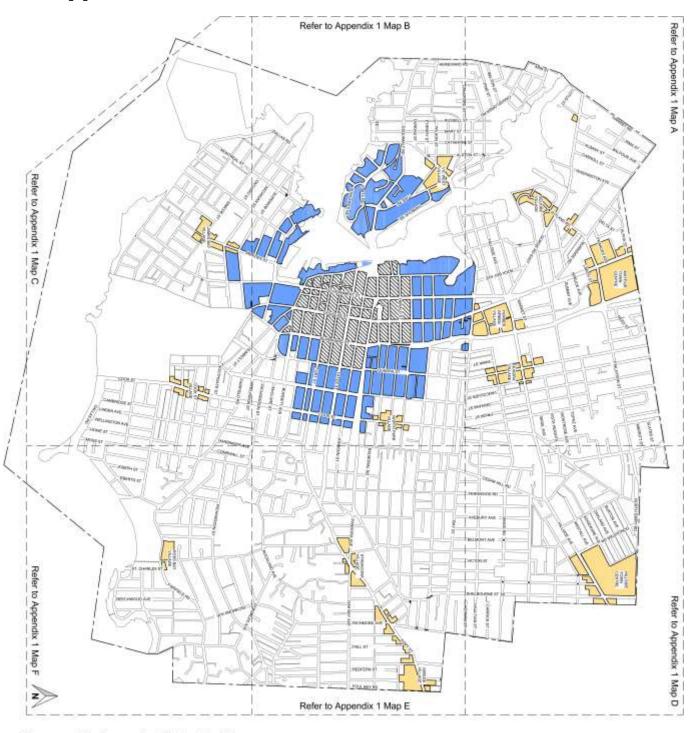


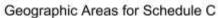


3.2 Bicycle Parking Exemptions

- 1. Notwithstanding section 1.2.2:
 - (a) <u>bicycle parking</u>, <u>short term</u> spaces are not required to be provided where the siting and design of a <u>building</u> existing on the date of adoption of the Bylaw incorporating this Schedule physically prohibits such spaces from being provided on a lot in accordance with this Bylaw;
 - (b) no additional <u>bicycle parking</u>, <u>short term</u> or <u>bicycle parking</u>, <u>long term spaces</u> are required to be provided where only alterations or changes of use to a <u>building</u> are proposed and the building existed on the date of adoption of the Bylaw incorporating this Schedule; and
 - (c) if additions are proposed to a <u>building</u> existing on the date of adoption of the Bylaw incorporating this Schedule, additional <u>bicycle parking</u>, <u>short term</u> and <u>bicycle parking</u>, <u>long term</u> spaces must be provided for the additional bicycle parking required with respect to the <u>building</u> addition only.

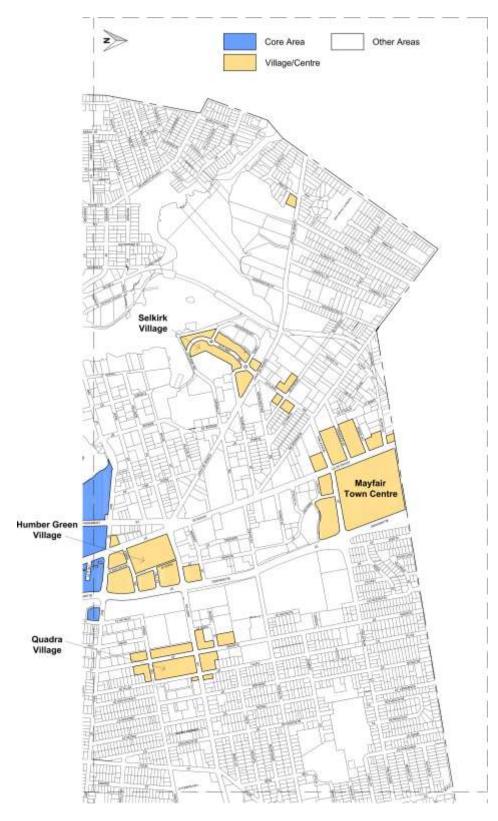
Appendix 1



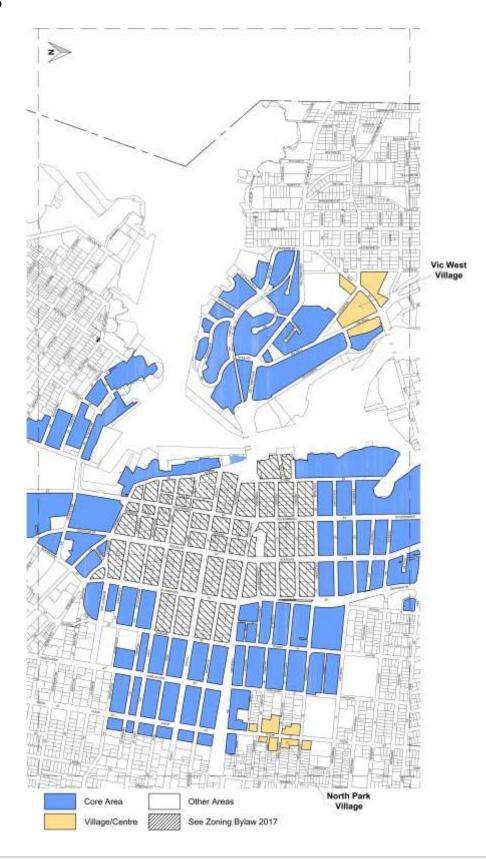




Map A



Map B



Map C



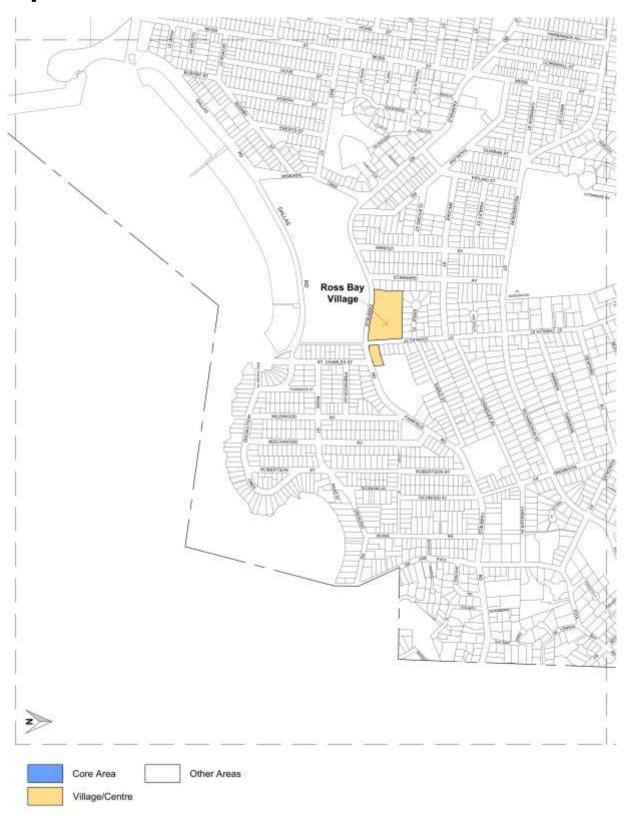
Map D



Map E



Map F



NOTICE OF PUBLIC HEARING

ZONING REGULATION BYLAW, AMENDMENT BYLAW (NO. 1130) - No. 18-017:

To amend the Zoning Regulation Bylaw:

- (a) to replace Schedule C Off-Street Parking provisions with new off-street parking regulations; and
- (b) to add and amend definitions associated with off-street parking regulations in Schedule A Definitions.

This amendment bylaw will affect properties throughout the City as it will replace the current offstreet parking regulations with new off-street parking regulations. To check how a particular property will be affected, please contact the Zoning Department at 250-361-0316 or zoning@victoria.ca.

Members of the public interested in any of these matters will be given an opportunity to be heard by City Council at a Public Hearing to be held in the Council Chamber, City Hall, 1 Centennial Square, Victoria, BC, on Thursday, xxxxxxx at 6:30 p.m.

Correspondence can be submitted for inclusion in the meeting agenda via mail to the address noted above, or by email at: publichearings@victoria.ca. Correspondence should be received by 11:00 a.m. the day before the Council meeting.

Please note that all correspondence submitted to the City of Victoria in response to this Notice will form part of the public record and will be published in a meeting agenda when this matter is before the Council or a Committee of Council. The City considers the author's address relevant to Council's consideration of this matter and will disclose this personal information. The author's phone number and email address is not relevant and should not be included in the correspondence if the author does not wish this personal information disclosed.

Copies of the proposed Bylaws and other relevant documents and information may be inspected at City Hall, 1 Centennial Square, Victoria, BC from the date of this Notice to and including the date of the Public Hearing, from 8:00 a.m. to 4:30 p.m., from Monday to Friday both inclusive, excluding public holidays.

NO. 18-018

LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 7)

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to amend the Land Use Procedures Bylaw to delegate additional development approvals to the Director of Sustainable Development and Community Planning in the following Development Permit Areas:

DPA 1 (HC): Core Historic DPA 2 (HC): Core Business

DPA 3 (HC): Core Mixed-Use Residential

DPA 4: Town Centres

DPA 5: Large Urban Villages DPA 6A: Small Urban Villages

DPA 6B (HC): Small Urban Villages Heritage

DPA 7A: Corridors

DPA 7B (HC): Corridors Heritage DPA 9 (HC): Inner Harbour

DPA 10A: Rock Bay

DPA 10B (HC): Rock Bay Heritage DPA 11: James Bay and Outer Harbour DPA 12 (HC): Legislative Precinct

DPA 13: Core Songhees

DPA 14: Cathedral Hill Precinct

DPA 16: General Form and Character

Under its statutory powers, including Part 14 of the *Local Government Act* and section 154 of the *Community Charter*, the Council of the Corporation of the City of Victoria in a public meeting assembled enacts the following provisions:

Title

1. This Bylaw may be cited as the "LAND USE PROCEDURES BYLAW, AMENDMENT BYLAW (NO. 7)".

Amendments

- 2. Bylaw No. 16-028, Land Use Procedures Bylaw, 2016, is amended as follows:
- (i) In Schedule D, Delegated Approvals, the following row is added after the last row in the table in that Schedule, under Columns A, B and C respectively:

A DP or HAP with a parking		DPA 1 (HC): Core Historic	The Director is
variance, where:		DPA 2 (HC): Core Business	satisfied that the
i) the [DP or HAP is	DPA 3 (HC): Core Mixed-Use	proposal
dele	gated	Residential	associated with the
else	where in this	DPA 4: Town Centres	proposed parking
table	e; and	DPA 5: Large Urban Villages	variance does not
ii) the d	change of use	DPA 6A: Small Urban Villages	adversely impact
relat	es to a	DPA 6B (HC): Small Urban	the neighbourhood
com	mercial,	Villages Heritage	by unduly

	institutional or	DPA 7A: Corridors	contributing to on-
	industrial use;	DPA 7B (HC): Corridors Heritage	street parking
	and	DPA 9 (HC): Inner Harbour	issues.
iii)	the variance	DPA 10A: Rock Bay	
	does not exceed	DPA 10B (HC): Rock Bay	
	5 motor vehicle	Heritage	
	parking stalls;	DPA 11: James Bay and Outer	
	and	Harbour	
iv)	the total variance	DPA 12 (HC): Legislative Precinct	
	of long-term	DPA 13: Core Songhees	
	and/or short-term	DPA 14: Cathedral Hill Precinct	
	bicycle parking	DPA 16: General Form and	
	stalls does not	Character	
	exceed 6 stalls.		

(ii) In Schedule A, Application Fees, section 2(8) is amended by adding the following sentence after "The base application fee for a permit which the Director is authorized to issue is \$200.":

"Where a parking variance is proposed an additional fee of \$250 will apply."

Effective Date

3. This Bylaw comes into force on adoption.

READ A FIRST TIME the	day of	2018
READ A SECOND TIME the	day of	2018
READ A THIRD TIME the	day of	2018
ADOPTED on the	day of	2018

CITY CLERK

MAYOR

NO. 18-080

RESERVE FUND BYLAW

A BYLAW OF THE CITY OF VICTORIA

The purpose of this Bylaw is to establish the Park Furnishing Dedication Reserve Fund to assist in funding the maintenance costs of the capital assets acquired through the Park Furnishing Dedication Program

Under its statutory powers, including sections 188 and 189 of the *Community Charter*, the Council of The Corporation of the City of Victoria, in an open meeting assembled, enacts the following provisions:

Title

1 This Bylaw may be cited as the "Reserve Fund Amendment (No. 1) Bylaw."

Amendments

- 2 Bylaw No. 15-050, the Reserve Fund Bylaw is amended by:
 - (a) repealing Schedule A and replacing it with the Schedule A attached to this Bylaw as Schedule A

READ A FIRST TIME the	28 th	day of	June	2018.
READ A SECOND TIME the	28 th	day of	June	2018.
READ A THIRD TIME the	28 th	day of	June	2018.
ADOPTED on the		day of		2018.

CITY CLERK MAYOR

SCHEDULE A

	Column 1 – Reserve Fund Name	Column 2 – Reserve Fund Purpose
1.	Art in Public Places Reserve Fund	For funding the planning, design, fabrication, acquisition, installation and maintenance of art in public places
2.	Climate Action Reserve Fund	For funding climate action and mitigation projects that promote greenhouse gas reduction, energy conservation, and carbon neutrality
3.	Downtown Core Area Public Realm Improvement Reserve Fund	For monies received from the Density Bonus System, for funding amenities and other improvements that tangibly and visibly improve the physical condition, appearance and function of the public realm and provide a public benefit to the overall Downtown Core Area
4.	Downtown Heritage Buildings Seismic Upgrade Reserve Fund	For monies received from the Density Bonus System, for funding a portion of the cost of seismic upgrading as part of the re-use, retrofit and conservation of eligible heritage buildings within the Downtown Neighbourhood
5.	Employee Benefit Obligation Reserve Fund	For funding employee retirement benefit liabilities, and other employee benefit or pension related liabilities
6.	Equipment and Infrastructure Reserve Fund	For funding building and infrastructure capital projects, new equipment purchases and capital equipment replacement
7.	Financial Stability Reserve Fund	For funding operating and environmental emergencies, for funding debt reduction and liability claims, for stabilizing the temporary impact of cyclical revenue downturns and cost increases and for funding innovations within City Departments that create efficiencies and enhance the effectiveness of programs
8.	Local Amenities Reserve Fund	For paying the cost of public amenities
9.	Parks and Greenways Acquisition Reserve Fund	For acquisition of land for parks and greenways, and acquisition and construction of improvements on that land

	Column 1 – Reserve Fund Name	Column 2 – Reserve Fund Purpose
10.	Tax Sale Lands Reserve Fund	For monies received from the sale of City land and buildings, for funding the purchase and development of land and improvements
11.	Victoria Housing Reserve Fund	For funding housing projects, including those that fall under the Secondary Suite Incentive Program
12.	Park Furnishing Dedication Reserve Fund	For funding maintenance costs of the capital assets acquired through the Park Furnishing Dedication Program



TOWN OF SIDNEY

2440 Sidney Avenue, Sidney, British Columbia V8L 1Y7
Phone: 250-656-1184 Fax: 250-655-4508
Email: admin@sidney.ca Website: www.sidney.ca

June 28, 2018

VIA EMAIL: CRDBoard@crd.bc.ca

Board Chair Steve Price Capital Regional District PO Box 1000 Victoria, BC V8W 2S6

Dear Chair Price:

Subject:

CRD Bylaw No. 4255 - Arts & Culture Support Service Establishment Bylaw No. 1,

2001, Amendment Bylaw No. 5, 2018

This letter is to confirm the Town of Sidney's position to request to withdraw as a participant in the CRD Arts Service, pursuant to CRD Bylaw No. 2884 – Arts & Cultural Support Services Establishment Bylaw No. 1, 2001.

Sidney Council has been a long-time supporter and participant in the CRD Arts Service, having contributed since 2009. In addition to participating in the CRD Arts Service, Sidney Council has been making significant annual funding contributions to its local arts and cultural community, which provides sub-regional benefits well beyond Sidney's boundaries.

While Council strongly supports the local arts and recognizes the benefits it brings to the economy and to the lives of its citizens, the Town is not prepared to be locked into a higher level of funding within the CRD Arts Service, and therefore wishes to withdraw from the program.

We respectfully encourage members of the Board to consider supporting Sidney's decision to withdraw as a participant and consent to the adoption of amendment Bylaw No. 4255.

Yours truly,

Randy Humble

Chief Administrative Officer

c. Township of Esquimalt
District of Highlands
District of Metchosin
District of Oak Bay
District of Saanich
City of Victoria
Town of View Royal
District of Sooke

Southern Gulf Island Electoral Area Director