



REVISED AGENDA - SPECIAL VICTORIA CITY COUNCIL

Thursday, August 1, 2019, 6:30 P.M.

Council Chambers, City Hall, 1 Centennial Square

The City of Victoria is located on the homelands of the Songhees and Esquimalt 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.

Pages

A. APPROVAL OF AGENDA

B. READING OF MINUTES

C. REQUESTS TO ADDRESS COUNCIL

D. PROCLAMATIONS

E. PUBLIC AND STATUTORY HEARINGS

E.1 2424 Richmond Road: Rezoning Application No. 00649

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Council is considering an application to keep an existing single-family dwelling and construct a new single-family dwelling on the same lot, to be strata titled in the future.

E.1.a Public Hearing & Consideration of Approval:

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- Motion to give 3rd reading to:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1187) No. 19-054
- Motion to adopt:
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1187) No. 19-054
 - Housing Agreement (2424 Richmond Road) Bylaw (2019) No. 19-055

E.2 2330 Government Street: Rezoning Application No. 00682

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Council is considering an application to allow a brewpub.

E.2.a Public Hearing & Consideration of Approval: 140

- **Motion to give 3rd reading to:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1198) No. 19-078
- **Motion to adopt:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1198) No. 19-078

***E.3 1900-1912 Richmond Road: Rezoning Application No. 00651 and Development Permit Application No. 000531** 143

Council is considering an application to replace the existing building with a five storey assisted living building, with ground-floor commercial use.

Addendum: Correspondence

E.3.a Public Hearing & Consideration of Approval: 332

- **Motion to give 3rd reading to:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1191) No. 19-060
- **Motion to adopt:**
 - Zoning Regulation Bylaw, Amendment Bylaw (No. 1191) No. 19-060
 - Housing Agreement (1900, 1908, & 1912 Richmond Road) Bylaw (2019) No. 19-083
- **Motion to approve development permit**

F. REQUESTS TO ADDRESS COUNCIL

G. UNFINISHED BUSINESS

H. REPORTS OF COMMITTEES

I. NOTICE OF MOTIONS

J. BYLAWS

K. CORRESPONDENCE

L. NEW BUSINESS

M. ADJOURNMENT

C. BYLAWS

C.1 2424 Richmond Road Rezoning Application No. 00649

Moved By Councillor Alto

Seconded By Councillor Collins

That the following bylaw be given **first and second readings**:

1. Zoning Regulation Bylaw Amendment (No. 1187) No. 19-054

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Potts

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

2. Housing Agreement (2424 Richmond Road) Bylaw No. 19-055

CARRIED UNANIMOUSLY



Council Report

For the Meeting of July 18, 2019

To: Council **Date:** July 11, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: **Update Report for Rezoning Application No. 00649 for 2424 Richmond Road**

RECOMMENDATION

Rezoning Application No. 00649

That Council give first and second reading of Zoning Regulation Bylaw Amendment (No. 1187) No. 19-054 for Rezoning Application No. 00649 for 2424 Richmond Road and first, second and third reading of Housing Agreement (2424 Richmond Road) Bylaw No. 19-055.

EXECUTIVE SUMMARY

The purpose of this report is to present Council with an update regarding Rezoning Application No. 00649 for 2424 Richmond Road. The proposal is to construct a new two-storey single family dwelling and retain the existing house on the same lot.

In accordance with Council's motion of January 17, 2019, included below, the necessary conditions that would authorize the approval of the Rezoning Application have been fulfilled. The motion from the January 17, 2019 Council meeting is as follows:

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00649 for 2424 Richmond Road; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and that 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:

- 1. registration of a section 219 covenant to secure the design of the proposed single-family dwelling unit, and to ensure that the existing single-family dwelling is upgraded in accordance with the plans approved by Council and to specify the sequencing of construction and landscaping, including retention of a landscape security deposit*
- 2. receipt of an executed Statutory Right-of-Way (SRW) of 4.82m along Richmond Road, to the satisfaction of the Director of Engineering and Public Works.*
- 3. registration of a housing agreement in a form satisfactory to the City Solicitor that prohibits the establishment of strata bylaws that prohibit the rental of the units.*

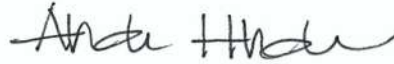
CONCLUSIONS

With regard to the pre-conditions that Council set in relation to this application, staff can report that the covenant to secure the design for the new single family dwelling and the renovations to the existing house has been registered on title, the covenant to secure a Statutory Right-of-Way (SRW) of 4.82m along Richmond Road has been registered on title, and a Housing Agreement that prohibits the establishment of strata bylaws that prohibit the rental of the units has been executed by the applicant to the satisfaction of City staff. The recommendation provided for Council's consideration contains appropriate language to advance these applications to a Public Hearing.

Respectfully submitted,



Chelsea Medd
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: July 12, 2019

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R2-57 Zone, Two Single Family Dwelling District (Richmond), and to rezone land known as 2424 Richmond Road from the R1-B Zone, Single Family Dwelling District to the R2-57 Zone, Two Single Family Dwelling (Richmond) 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. 1187)”.
- 2 Bylaw No. 80-159, 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:

“2.150 R2-57 Zone, Two Single Family Dwelling District (Richmond)”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 2.149 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 2424 Richmond Road, legally described as PID: 009-129-197, Lot 49, Section 25, Victoria District, Plan 339, Except the Westerly 10 feet thereof and shown hatched on the attached map, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the R2-57 Zone, Two Single Family Dwelling (Richmond) District.

READ A FIRST TIME the	day of	2019
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READ A SECOND TIME the	day of	2019
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Public hearing held on the	day of	2019
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READ A THIRD TIME the	day of	2019
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ADOPTED on the	day of	2019
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CITY CLERK

MAYOR

PART 2.150 – R2-57 ZONE, TWO SINGLE FAMILY DWELLING (RICHMOND) DISTRICT

2.150.1 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 1.2 of the Zoning Regulation Bylaw
- b. Notwithstanding Section 19 of the General Regulations, two single family dwellings are permitted on one lot subject to the regulations in this Part, with the following accessory use:

Roomers and/or Boarders up to a maximum of 4

2.150.2 Lot Area

- | | |
|-------------------------------|------------------------------|
| a. <u>Lot area</u> (minimum) | 580m ² |
| b. <u>Lot width</u> (minimum) | 15m average <u>lot width</u> |

2.150.3 Floor Area

- | | |
|---|-------------------|
| a. Floor <u>area</u> , for the first and second <u>storeys</u> combined (maximum) | 205m ² |
| b. Floor <u>area</u> , of all floor levels combined (maximum) | 275m ² |

2.150.4 Height, Storeys

- | | |
|---|---------------|
| a. Principal <u>building height</u> (maximum) | 6.5m |
| b. <u>Storeys</u> (maximum) | 2 |
| c. <u>Roof deck</u> | Not permitted |

PART 2.150 – R2-57 ZONE, TWO SINGLE FAMILY DWELLING (RICHMOND) DISTRICT

2.150.5 Setbacks, Projections

- | | |
|--|-------|
| a. <u>Front yard setback</u> (minimum) | 7.5m |
| Except for the following maximum projections into the setback: | |
| • Steps less than 1.7m in <u>height</u> | 2.5m |
| • <u>porch</u> | 1.6m |
| b. <u>Rear yard setback</u> (minimum) | 1.5m |
| c. <u>Side yard setback</u> (north) (minimum) | 2.5m |
| d. <u>Side yard setback</u> (south) (minimum) | 3.6m |
| e. Combined <u>side yards</u> (minimum) | 4.5m |
| f. Eave projections into <u>setback</u> (maximum) | 0.75m |
| g. Separation space between <u>buildings</u> (minimum) | 3.0m |

2.150.6 Site Coverage

- | | |
|-----------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 35% |
|-----------------------------------|-----|

2.150.7 Outdoor Features

- a. The setbacks in section 2.150.5 apply to outdoor features as though they are buildings
- b. Outdoor features must not exceed a height of 3.5m from natural grade or finished grade, whichever is lower

2.150.8 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" |



NO. 19-055

HOUSING AGREEMENT (2424 RICHMOND ROAD) 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 2424 Richmond Road, 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 (2424 RICHMOND ROAD) BYLAW (2019)".

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 Li Xin Wang or other registered owners from time to time of the lands described in subsection (c); and
 - (c) that applies to the lands known as 2424 Richmond Road, Victoria, BC, legally described as:
PID: 009-129-197

Lot 49, Section 25, Victoria District, Plan 339, except the westerly 10 feet thereof

READ A FIRST TIME the	day of	2019
READ A SECOND TIME the	day of	2019
READ A THIRD TIME the	day of	2019
ADOPTED on the	day of	2019

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, British Columbia V8W 1P6
(the "City")
OF THE FIRST PART

AND:

LI XIN WANG
2424 Richmond Road, Victoria, British Columbia V8R 4S3
(the "Owner")
OF THE SECOND 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 2424 Richmond Road¹ Victoria, British Columbia, and legally described as

Parcel Identifier 009-129-197, Lot 49, Section 25, Victoria District,
Plan 339, except the westerly 10 feet thereof

(the "Lands");
- C. The Owner has applied for a rezoning of the Lands to permit two single family dwellings on the Lands;
- D. The Owner also intends to subdivide the Lands to create two strata lots, in accordance with the *Strata Property Act*;
- E. The Dwelling Units are intended to be stratified and therefore will be subject to the *Strata Property Act* (British Columbia) and the bylaws of the Strata Corporation, but the intent of this Housing Agreement is to ensure the perpetual availability of rental units (in addition to owner-occupied units);
- F. 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 establish the terms and conditions regarding the occupancy of the residential units identified in this Housing Agreement.

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 parties agree each with the other as follows:

{00031825:2}

1.0 Definitions

1.1 In this Agreement:

- (a) **"Development"** means the existing single family dwelling and the proposed additional two storey single family dwelling to be situated on two strata lots after the proposed subdivision of the Lands, and includes two (2) Dwelling Units.
- (b) **"Dwelling Unit"** means a self-contained residential dwelling unit within the buildings that are and will be located on the Lands, and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and "Dwelling Units" means collectively all of such residential dwelling units located on the Lands.
- (c) **"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.
- (d) **"Non-owner"** means a person who occupies a Dwelling Unit for residential purposes, other than the Owner of that Dwelling Unit, and other than a member of the Owner's Immediate family.
- (e) **"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.
- (f) **"Tenancy Agreement"** means a tenancy agreement pursuant to the *Residential Tenancy Act* that is regulated by that Act.
- (g) **"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:

- (a) 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.

2.0 No Restrictions on Rentals

- 2.1 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.
- 2.2 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.

{00031825:2}

- 2.3 For certainty, if the Lands or the Development on the Lands are subdivided under the *Strata Property Act*, the Dwelling Units within the Development may be occupied by the Owners of the strata lots.

3.0 Reporting

- 3.1 The Owner covenants and agrees to provide to the City, upon written request from the City's Director of Sustainability Planning and Community Development, a report in writing confirming:
- (a) the number, type and location by suite or strata lot number, of Dwelling Units that are being rented to Non-owners; and
 - (b) any changes or proposed changes to the Strata Corporation's bylaws that may affect the terms of this Agreement.
- 3.2 The Owner covenants and agrees:
- (a) to exercise its voting rights in the Strata Corporation against the passage of any bylaws that would restrict the availability for rental of any Dwelling Unit under the terms of a Tenancy Agreement unless this Agreement is amended; and
 - (b) to notify the City of any proposed amendments to its strata bylaws.
- 3.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications to this Agreement and that such consent may be withheld for any reason.

4.0 Notice to be Registered in Land Title Office

- 4.1 Notice of this Agreement ("**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483(5) 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.

5.0 Liability

- 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.
- 5.2 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.

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6.0 General Provisions

Notice

6.1 If sent as follows, notice under this Agreement is considered to be received

(a) seventy-two (72) hours after the time of its mailing (by registered mail) or faxing, and

(b) on the date of delivery if hand-delivered,

to the City:

City of Victoria

#1 Centennial Square, Victoria, British Columbia V8W 1P6

Attention: Director of Sustainability Planning and Community Development

Facsimile: 250-361-0386

to the Owner:

Li Xin Wang

2424 Richmond Road, Victoria, British Columbia V8R 4S3

or upon registration of a strata plan for the Lands, to the Strata Corporation, and to the Owner of any Dwelling Unit that is subject to the restrictions under section 2.1.

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 slow-down, force majeure, or other cause,

(a) notice sent by the impaired service is considered to be received on the date of delivery, and

(b) 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.

Time

7.2 Time is to be the essence of this Agreement.

Binding Effect

7.3 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.

{00031825:2}

Waiver

- 7.4 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.

Headings

- 7.5 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.

Language

- 7.6 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.

Equitable Remedies

- 7.7 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.

Cumulative Remedies

- 7.8 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.

Entire Agreement

- 7.9 This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

Further Assurances

- 7.10 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.

Amendment

- 7.11 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.

Law Applicable

- 7.12 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

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No Derogation from Statutory Authority

7.13 Nothing in this Agreement shall:

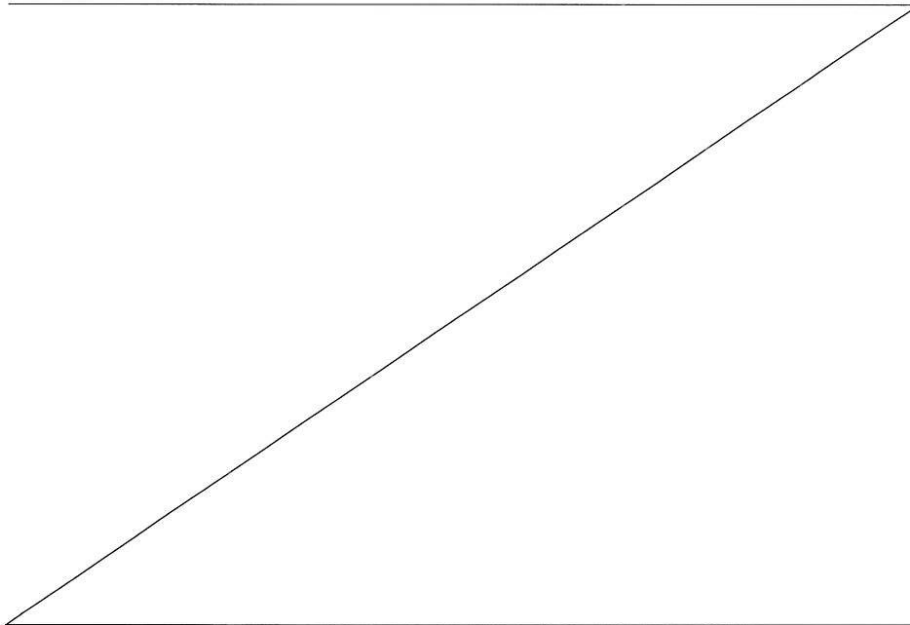
- (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or 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) relieve 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.

Joint and Several

7.14 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.

Counterpart

7.15 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.



{00031825;2}

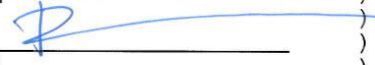
Effective Date

7.16 This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties have hereunto set their hands as of the dates inscribed at a place within British Columbia:

Date signed: MAY 24 2019

SIGNED, SEALED and DELIVERED
in the presence of:



Name

Address RAJIV K. GANDHI
Barrister & Solicitor

Occupation Third Floor, Burnes House
26 Bastion Square
Victoria, BC V8W 1H9



LI XIN WANG

Date signed: _____

**THE CORPORATION OF
THE CITY OF VICTORIA,**
by its authorized signatories:

Mayor

City Clerk

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.b Report from the January 17, 2019 COTW Meeting

I.1.b.c Rezoning Application No.00649 for 2424 Richmond Street (North Jubilee)

Moved By Councillor Alto
Seconded By Councillor Young

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application No. 00649 for 2424 Richmond Road; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and that 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:

1. registration of a section 219 covenant to secure the design of the proposed single-family dwelling unit, and to ensure that the existing single-family dwelling is upgraded in accordance with the plans approved by Council and to specify the sequencing of construction and landscaping, including retention of a landscape security deposit
2. receipt of an executed Statutory Right-of-Way (SRW) of 4.82m along Richmond Road, to the satisfaction of the Director of Engineering and Public Works.
3. registration of a housing agreement in a form satisfactory to the City Solicitor that prohibits the establishment of strata bylaws that prohibit the rental of the units.

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Loveday, Councillor Potts, and Councillor Young

OPPOSED (2): Councillor Isitt, and Councillor Thornton-Joe

CARRIED (7 to 2)

E. LAND USE MATTERS

E.1 Rezoning Application No.00649 for 2424 Richmond Street (North Jubilee)

Committee received a report dated January 3, 2019 from the Acting Director of Sustainable Planning and Community Development providing information on a proposal to rezone to add a new two-storey single-family dwelling to an existing house.

Moved By Councillor Alto

Seconded By Councillor Dubow

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application No. 00649 for 2424 Richmond Road; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and that 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. registration of a section 219 covenant to secure the design of the proposed single-family dwelling unit, and to ensure that the existing single-family dwelling is upgraded in accordance with the plans approved by Council and to specify the sequencing of construction and landscaping, including retention of a landscape security deposit
- b. receipt of an executed Statutory Right-of-Way (SRW) of 4.82m along Richmond Road, to the satisfaction of the Director of Engineering and Public Works

Amendment:

Moved By Councillor Collins

Seconded By Councillor Loveday

To add:

- c. registration of a housing agreement in a form satisfactory to the City Solicitor that prohibits the establishment of strata bylaws that prohibit the rental of the units.

CARRIED UNANIMOUSLY

On the main motion:

FOR (7): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Loveday, Councillor Potts and Councillor Young

OPPOSED (2): Councillor Isitt and Councillor Thornton-Joe

CARRIED (7 to 2)



Committee of the Whole Report

For the Meeting of January 17, 2019

To: Committee of the Whole **Date:** January 3, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00649 for 2424 Richmond Road

RECOMMENDATION

That Council decline Rezoning Application No. 00649 for the property located at 2424 Richmond Road.

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 2424 Richmond Road. The proposal is to rezone from the R1-B Zone, Single Family Dwelling District, to a site-specific zone to retain the existing house and add a new two-storey, single-family dwelling on the lot.

The following points were considered in assessing this application:

- the subject property is designated Traditional Residential in the *Official Community Plan, 2012* (OCP) which supports ground-oriented buildings up to two-storeys, and envisions a density up to 1:1 floor space ratio (FSR). While the proposal is not contrary to this designation, the site does not easily lend itself to a second single-family dwelling being added to the property, and the OCP also encourages the logical assembly of lots to facilitate better site planning and better utilization of land within the City
- the Jubilee Neighbourhood Plan (1996) identifies the property within an area where the goal is to "maintain current zoning" and consider duplexes and small lot single-family dwellings that meet established City criteria. In this instance, although the applicant maintains that the application is not a small lot rezoning application as they are not subdividing the lot into two fee simple properties, if reviewed against the small lot regulations and policies, it would not meet the criteria
- the Jubilee Plan also emphasizes that any new infill development should meet established policies and regulations, and provide a design that is sensitive to the scale of development in the immediate context. The proposed new dwelling does not

comfortably fit on Emerson Street in terms of siting and massing, and the proposal does not meet established policies and design guidelines

- retention and reuse of the existing house supports green building initiatives as demolition waste is reduced. The existing house is proposed to have new natural gas heating installed and receive exterior changes (new roof, gutters, paint, and thermal windows).

BACKGROUND

Description of Proposal

This Rezoning Application is to retain the existing single-family dwelling on the lot and construct a new single-family dwelling in the rear yard, with separate strata ownership for each dwelling. Changes to the exterior west side elevation of the existing house (reconfiguration of the stairs and porch) are required to provide a surface parking stall between the two units, the existing house will also be repainted and a new roof will be installed.

Affordable Housing Impacts

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

Sustainability Features

As indicated in the applicant's letter dated December 10, 2018, the following sustainability features are associated with this application:

- retaining existing home
- drought tolerant, native plants
- Energy Star windows, appliances, and ventilation fans
- gas radiant heat system
- MDF casing and baseboard trim
- low VOC interior paints
- low flow faucets and shower valves and low flush toilets.

Active Transportation Impacts

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 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 single-family dwellings on Emerson Street, which is typical for the immediate neighbourhood. Along Richmond Road, there is a mix of single-family and multiple-dwellings, along with health care uses (Royal Jubilee Hospital and other medical facilities). Richmond Road forms the boundary between the District of Saanich and the City of Victoria.

Existing Site Development and Development Potential

At present, a single-family dwelling is on the site; this single-family dwelling was constructed in the 1940s. The house entrance fronts Emerson Street and a number of small accessory buildings are located along the rear and side property lines.

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 current R1-B Zone. An asterisk is used to identify where the proposal is less stringent than the existing Zone.

The challenge with a comparison to current zoning is the interpretation of lot lines, i.e., Richmond Road is considered the front lot line as it is defined as the lot line on the widest right-of-way (street). The challenge is, that functionally the front yards are on Emerson Street (considered side yard setback – south), and the rear yards are considered side yards (north).

Zoning Criteria	Proposal			Current Zone R1-B
Site area (m ²) – minimum	586.00 (293.00m ² per dwelling unit)			460.00 (for one dwelling unit)
Lot width (m) – minimum	15.99 (Richmond frontage)			15.00
Number of single family dwellings – maximum	2*			1
Floor space ratio – maximum	0.34			n/a
Site coverage % – maximum	27.00			40.00
Open site space % – minimum	62.63			n/a
Zoning Criteria	West Bldg. (proposed)	East Bldg. (existing)	Both Bldgs.	Current Zone (R1-B)
First and second storey floor area (m) – maximum	127.00	74.98	201.98	280.00
Combined floor area (m) – maximum	127.00	146.35	273.35	300.00
Storeys – maximum	2	1 (plus basement)		2

Height (m) – maximum	6.46	4.50		7.6
Basement	none	yes		permitted
Setbacks (m) – minimum	<i>Note that setbacks are applied to entire lot with Richmond Road considered the front lot line</i>			
Front	23.95 ⁱ	8.18		7.50
Rear	1.52*	15.20 ⁱ		9.16
Side (north)	5.53	2.54		1.60
Side (south)	3.66	5.96		3.00
Combined side yards	9.19	8.50		4.50
Separation space	3.15	3.15	3.15	n/a
Parking – minimum	2			1

i. Note: the table indicates the rear yard setback for the existing house as being 15.20m and the front yard setback for the proposed house as being 23.95m, which suggests an expansive rear yard for the existing house and front yard for the new house; however, in reality, these yards don't exist because of the presence of buildings.

Small Lot Comparison

Although the subdivision of land is not being proposed, if this application proposed a subdivision, the siting (setbacks) of the proposed dwelling would not conform to standards within the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

For analysis purposes, a comparison to the small lot zone has been provided below. An imaginary lot line was drawn between the houses; and site areas, frontages and setbacks adjusted. In this scenario, Richmond Road would be the frontage for the existing house, and Emerson Street would be the frontage for the proposed house. Further, a road dedication on Richmond Road that would be required at subdivision for public realm improvements, and as such, it would impact lot size and setbacks. An asterisk is used to identify where the proposal is less stringent than the R1-S2 Zone, Restricted Small Lot (Two Storey) District.

Zoning Criteria	West Lot (approx.) Proposed House	East Lot (approx.) Existing House	Comparison Zone R1-S2
Site area (m ²) – minimum	242.70* (approx.)	337.40 (approx.)	260.00
Lot width (m) – minimum	15.20 (Emerson)	16.11 (Richmond)	10.00

Number of single family dwellings – maximum	1	1	1
Floor space ratio – maximum	0.52	0.22	0.60
Site coverage % – maximum	29.22	25.88	40.00
Total floor area (m ²) – maximum	127.00	74.98	190.00
Storeys – maximum	2	1 (plus basement)	2
Height (m) – maximum	6.46	4.60	7.50
Basement	none	yes	permitted
Setbacks (m) – minimum			
Front	3.66* (Emerson)	7.32 ⁱⁱ (Richmond)	6.00
Rear	5.53*	0.2*	6.00
Side	1.52* (habitable - west)	2.54 (north)	2.40 (habitable) 1.50 (non-habitable)
Side	2.95 (east)	5.96 (south)	2.40 (habitable) 1.50 (non-habitable)
Parking – minimum	1	1	1

ii. Note, the front setback is to the property line as if there was a road dedication of 0.86m.

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variances Applications*, the applicant has consulted the North Jubilee CALUC at a Community Meeting held on May 29, 2018. A letter dated July 14, 2018 is attached to this report.

The applicant polled neighbours on Emerson Street and the immediate neighbours. The petitions and illustrative map provided by the applicant are attached to this report. It is noted that a petition of this nature is required for small lot proposals; however, the applicant is preferring to not subdivide and this is technically not a small lot Rezoning Application. If the petition were completed as per the small lot policy, 100% of immediate neighbours to the north, south and west, are reported to be in support of the application. The neighbouring property (Jubilee Hospital) across Richmond Road was not petitioned.

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 a density up to 1:1 floor space ratio (FSR). The proposal is for two-storey, ground-oriented housing with a density of 0.34:1 FSR.

While retaining the existing single-family dwelling supports green building policies, it does limit a more logical and integrated redevelopment of the site due to the siting of the building. In any event, infill potential, while keeping the existing house, is limited due to the parcel size, access limitations, and the Statutory Right-of-Way requirements. A single-family dwelling with a secondary suite or garden suite, or potentially a duplex, would be the preferred redevelopment option, if the lot is not combined with others, as it would preserve private outdoor space in the rear yard.

Richmond Road is considered a secondary arterial road, which would support ground-oriented residential buildings such as multi-unit dwellings, including attached residential, and apartments on arterial and secondary arterial streets. The OCP also encourages logical assembly of development sites that enable the best realization of permitted development potential.

As this proposal is technically not a small lot development, it is exempt from Development Permit Area 15A, Intensive Residential – Small Lot, and therefore, the design guidelines applicable to small lots do not apply; however, the applicant is willing to register a Section 219 covenant on title to secure the design of the proposed single-family dwelling and landscaping, and changes to the existing dwelling to ensure they are constructed in accordance with the plans, if approved by Council.

Design

Although design, form and character are not a consideration for the Rezoning, and this proposal is not subject to a Development Permit Area, staff have evaluated the proposal based on the *Small Lot House Design Guidelines*. The main areas of concern include:

Streetscape

The *Small Lot House Design Guidelines* encourage dwellings that fit in and reinforce the existing patterns and massing of the streetscape. The proposed building would be larger in mass and height when compared to the immediate context along Emerson Street, and would be disruptive to the streetscape. Additionally, the siting of the building is closer to the street (smaller front yard setback) than the established building setback pattern in order to preserve the rear yard for a private outdoor space. The combination of these elements mean the proposed dwelling is more visually prominent along Emerson Street than the neighbouring houses.



Landscape Design

The Design Guidelines encourage parking, when located in the front yard, to have a softened appearance. The proposal would have a shared driveway with two separate parking stalls: one between the houses, and one oriented parallel in front of the existing house. The shared driveway helps to reduce the disruption to the pedestrian environment, but the separated parking and parking locations would create an extensive paved area visible along Emerson Street. The applicant is proposing permeable pavers for hard surfaces, which would create a more attractive landscape and would help with rain water management. New shrubs would also surround the parking area to help screen and soften the visual impact. Although the parking layout is not ideal, the proposal does provide design solutions to help soften the appearance.

A solid board fence along the frontages of both houses is also proposed. This could be softened by including shrubs or vines along the outside of the fence, or by varying the fence height or design. Private outdoor space is provided in the rear yard of the proposed house; and although a front patio is provided for the existing house, the house will not have a functional rear yard as the outdoor space associated with this building is somewhat compromised.

Local Area Plans

The Jubilee Neighbourhood Plan places the subject property within an area of greatest stability characterized by single-family homes with the intention of maintaining the existing zoning. Duplexes and small lot single-family dwellings are considered if they meet established criteria (policies and regulations). In this instance, the proposal would not meet the small lot design guidelines and regulations (variances would be required).

The Plan recognizes that many streets within the area establish the character of the neighbourhood as single-family. The plan states that new housing should fit in with the established form and character of the street into which it is being placed, and that Emerson Street is characteristic of smaller post-war homes on small lots. Further, an appropriate fit may be achieved through sensitive, small-scale in-fill development. While the proposal would be infill, it is not sensitive to the scale of development in the immediate context.

The Plan also encourages developments to respect the balance between adequate parking and green space. The proposal has located the parking in front of and between the two houses, which would reduce the amount of greenspace in the frontage areas. The functional greenspace for the proposed house would be primarily in the rear yard, and for the existing house greenspace would be provided in the front yard along a busier road (Richmond Road), meaning it may not be the most usable outdoor space.

Tree Preservation Bylaw and Urban Forest Master Plan

There are two existing bylaw protected Dogwood trees on the existing single-family lot facing Richmond Avenue. In addition, there are two bylaw protected trees (Dogwood and Deodar Cedar) on the neighbouring property near the property line at 2432 Richmond. All these protected trees are to be retained and protected during construction. An arborist report may be required at building permit stage to identify construction impacts and protection measures for the trees on the subject site and neighbouring property.

The City will require three new trees be planted in the boulevard on Emerson Street, with the species determined by City Staff at the building permit stage. The applicant will be responsible for the cost of these trees, along with any other improvements within the City Right-of-Way.

Regulatory Considerations

The proposal has been compared to the current zone, R1-B Zone, Single Family Dwelling District; the main difference is the buildings' setbacks and number of buildings, and would therefore require a site-specific zone. It is worth noting the combined floor areas and site coverage of the two houses is below the maximum floor area and coverage in the current zone. Essentially, under the current zone, one single-family dwelling with a floor area greater than what is being proposed could be developed.

Setback Variance

Due to the lot configuration and street widths, Richmond Road is considered the front lot line, while functionally the two proposed houses front onto Emerson Street. There would be a variance from the existing zone for the rear yard setback, which is reduced from 9.16m to 1.52m. Although considered the rear yard setback, functionally, it is the side yard for the proposed house.

If considered functionally, the proposed setback is less than the established side yard setback for small lots (minimum 2.4m for habitable windows), or for single-family dwellings (3.0m), creating an imposing structure relatively close to the property line. Notwithstanding, the habitable window is a transom window in the dining room and would likely not pose significant privacy issues.

When compared to the existing standard zones for single-family dwellings or small lot development, the main area of divergence is the front yard setback requirement. If Emerson Street is considered the front lot line for the proposed dwelling (Richmond is technically the front), the general established minimum setback is 6.0m for small lots, and the proposal is for 3.66m; staff notes that this disrupts the established pattern of the immediate street context. The applicant feels this placement would maximize the private outdoor space at the rear. The general established minimum standard for a rear yard setback in small lot zones is 6.0m, and the proposal is for 5.53m.

These compromises in the setbacks may be considered an indication that the proposed dwelling does not comfortably fit in this location, and the location of the existing house does not allow flexibility in siting.

Small Lot Regulations

Proposals of this type are generally submitted as small lot proposals, which would entail a fee-simple subdivision (two separate lots, each with its own title with one dwelling on each lot). While there is sufficient land area to achieve the small lot minimum parcel size (260 m² per lot), the siting of the existing house does not make the creation of an additional lot feasible. As shown in the comparative data table above, if the proposal was to create two small lots, the proposed house would not meet the lot area, the minimum front yard setback, the side yard setback (west), and the rear yard setback; additionally, the existing house would not meet the rear yard setback (close to 0m setback). The variances that would be required are an indication that due to retaining the existing house, there are challenges to creating an additional lot and meeting the regulations and policy.

The proposal is to create a building strata by retaining the existing house and building an additional house on the lot. In essence, the units will form part of a strata plan similar to a condominium development. As a building strata is technically not a subdivision of land, the City does not have the authority to require any road dedications. If this application proposed the subdivision of land, a 0.86m dedication would be required along Richmond Road, which would

marginally reduce the overall parcel size. This dedication would be in conjunction with any Statutory Right-of-Way requirements (see Section below).

Transportation Requirements

The OCP identifies this section of Richmond Road as a secondary arterial street, and indicates that further improvements are required to the cycling network along this section. The Standard Right-of-Way for an arterial street is 30m. To achieve future transportation needs on this portion of Richmond Road, a Statutory Right-of-Way (SRW) of 4.82m is requested. In essence, although the land remains part of the subject property, the City will have the right to use this SRW for public purposes such as enhanced sidewalks, boulevards to support large canopy trees, and facilities to encourage cycling. As such, no new permanent structures will be permitted in this area, nor is any required parking or turnaround area permitted within 1.0m of this area. Staff recommend that if Council chooses to advance the application for further consideration at a Public Hearing, that Council make this SRW a condition of rezoning to achieve these transportation objectives. The applicant is willing to grant the SRW and the appropriate wording has been included in the alternate motion.

CONCLUSIONS

The proposal to construct a second dwelling on the subject property poses several challenges. By retaining the existing house, the proposed dwelling is sited in the rear yard, which is not sufficient to accommodate an additional dwelling of the proposed size and the parking required for an additional dwelling. The building mass of the proposed dwelling does not fit with the established streetscape and has a smaller setback in front of the house, which disrupts the established pattern on the street. Further, there are alternatives to increasing the density on this lot which would not require a rezoning, such as a garden suite or secondary suite. Alternatively, the assembly of this property with others on Richmond Road may help realize better redevelopment opportunities. The proposal to construct an additional house and retain the existing house is not ideal; therefore, staff recommend Council decline the application.

Alternate motions have been provided should Council wish to consider the application with revisions, or move the application forward to a Public Hearing. The first alternate motion is to have the applicant work with staff to revise the proposal to have a larger setback on Emerson Street, reduce the massing of the proposed dwelling, and revise the landscaping. The second alternate motion is to proceed with preparing the applicable bylaws and legal agreements to advance the application to a Public Hearing without further revisions.

ALTERNATE MOTIONS

Option 1

That the applicant work with Staff to make changes to the proposed design to ensure a better fit with the context of the surrounding properties, and return back to Committee of the Whole with a revised proposal, including:

- a. increase the front yard setback to be more in line with the established streetscape setback along Emerson Street
- b. redesign the proposed dwelling to reduce the mass of the building for a better fit with the streetscape
- c. provide more details of the landscape plan that include paving materials, to reconsider fence design details for the perimeter fence, consider landscaping along the fence line, reducing the height of the wood screen for the outdoor area for the existing house, and ensure all fences meet Fence Bylaw requirements.

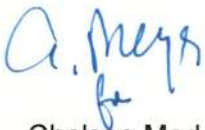
Option 2

That Council instruct staff to prepare the necessary *Zoning Regulation Bylaw* Amendment that would authorize the proposed development outlined in Rezoning Application No. 00649 for 2424 Richmond Road; that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council; and that 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. registration of a section 219 covenant to secure the design of the proposed single-family dwelling unit, and to ensure that the existing single-family dwelling is upgraded in accordance with the plans approved by Council and to specify the sequencing of construction and landscaping, including retention of a landscape security deposit
- b. receipt of an executed Statutory Right-of-Way (SRW) of 4.82m along Richmond Road, to the satisfaction of the Director of Engineering and Public Works.

Respectfully submitted,



Chelsea Medd
Planner
Development Services Division

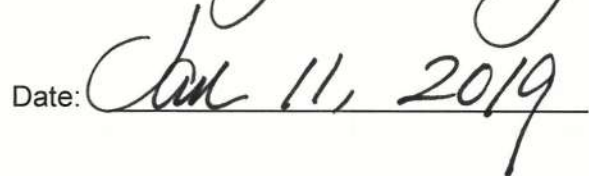


Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

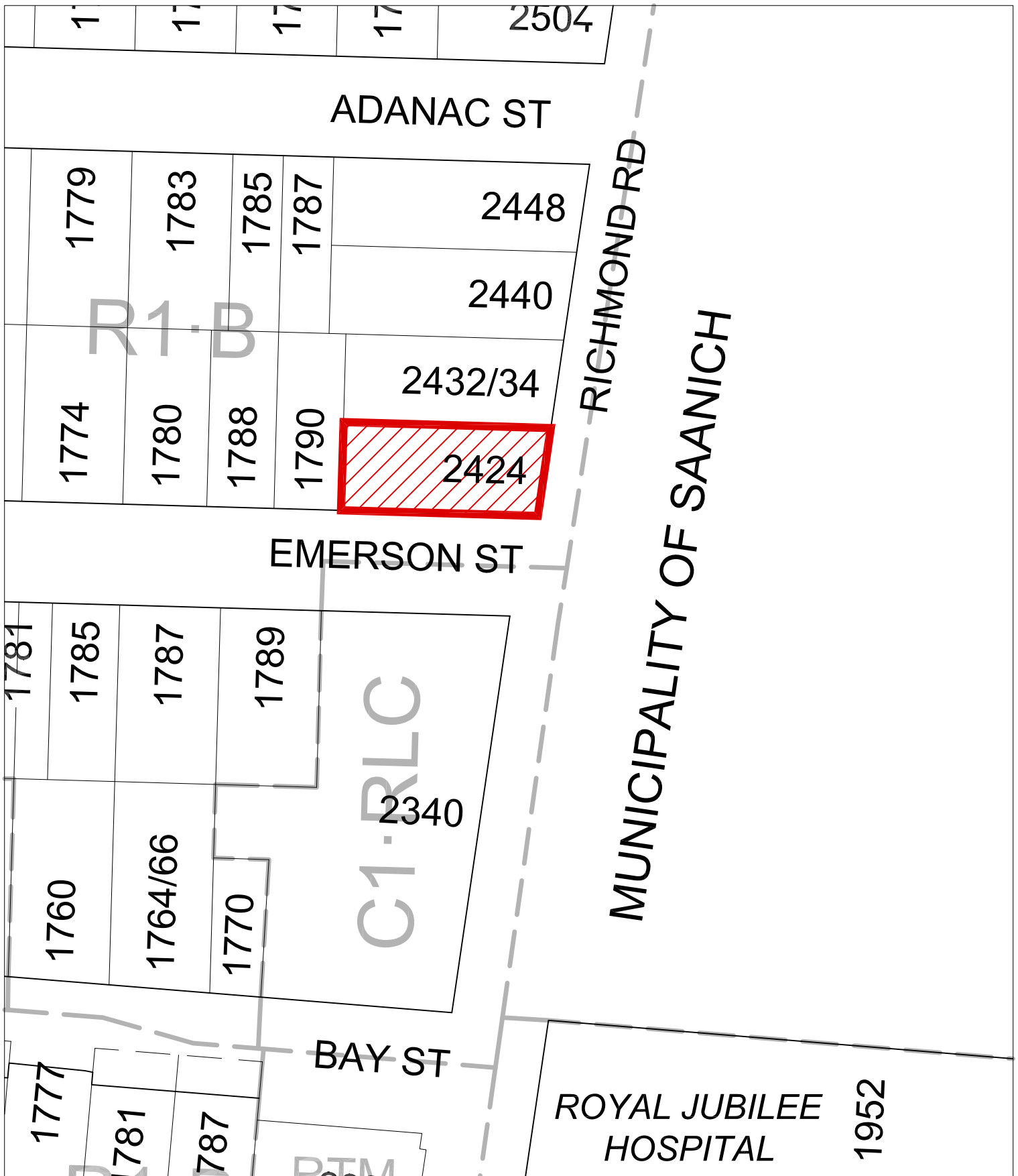


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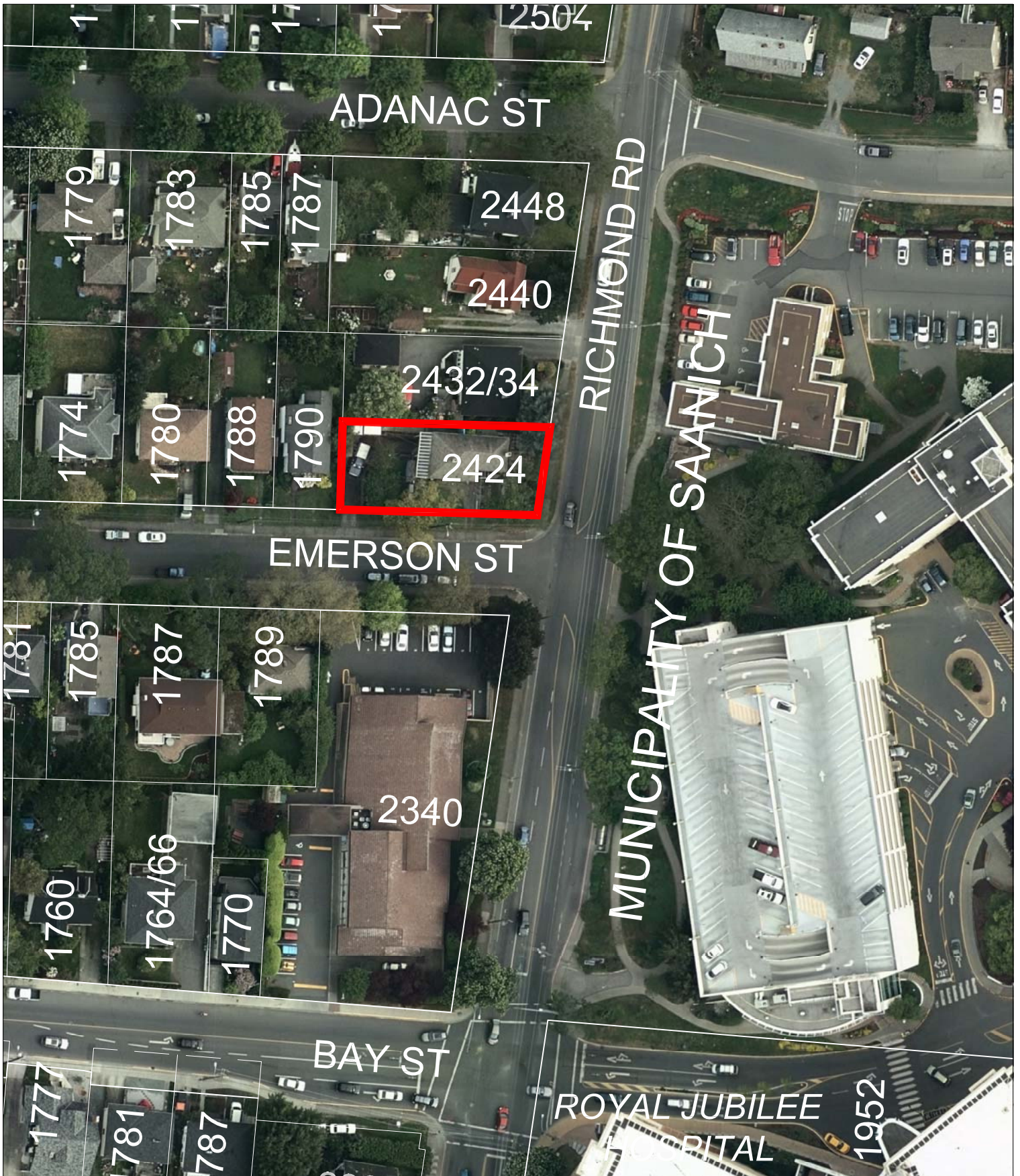
List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped November 2, 2018
- Attachment D: Letter from applicant to Mayor and Council dated December 10, 2018
- Attachment E: Community Association Land Use Committee Comments dated July 14, 2018
- Attachment F: Applicants Neighbourhood Petition Map and Petitions



2424 Richmond Road
Rezoning No.00649

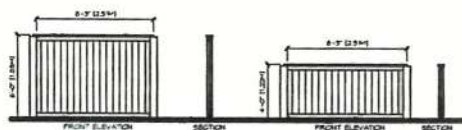
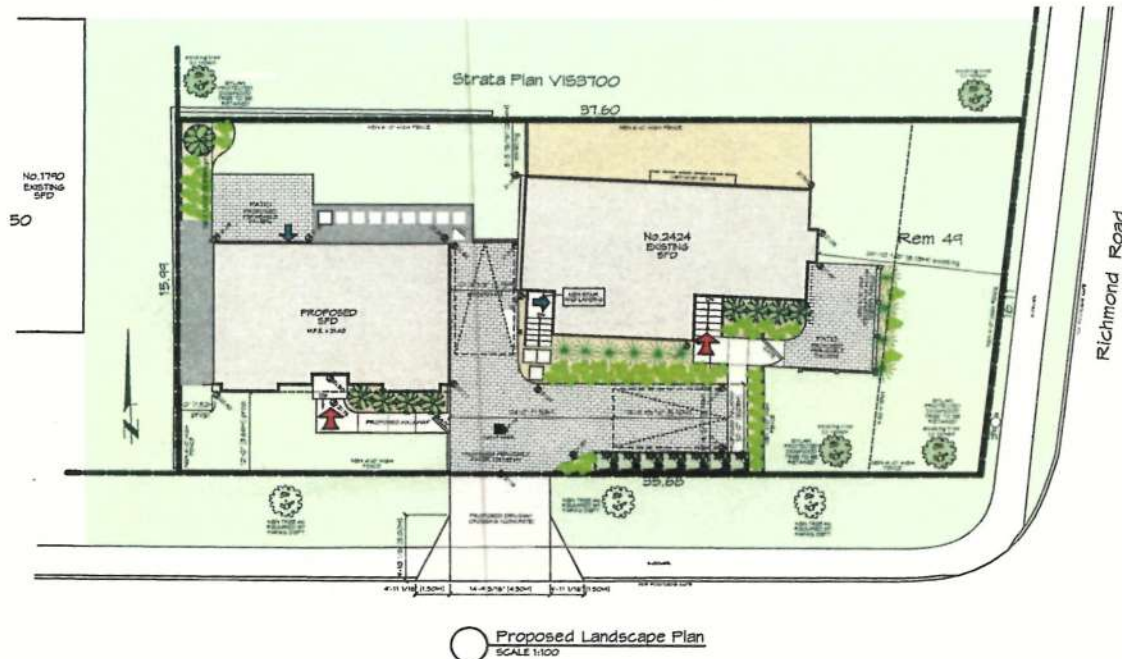




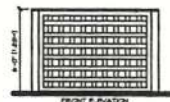
2424 Richmond Road
Rezoning No.00649

Air Photo

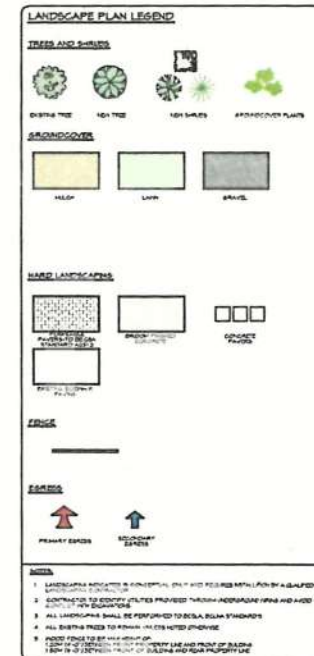




Proposed Fence Design
SCALE 1/4" = 1'-0"



Proposed Wood Screen Design
SCALE 1/4" = 1'-0"



RE-ISSUED FOR
REZONING
SEPTEMBER 4, 2016

ZEBRADESIGN

1161 NEWPORT AVE
Victoria, B.C. V8S 5S5
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: L. HORVAT

Date: Nov. 20, 2017

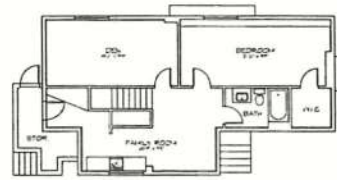
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Project:
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SUBDIVISION & 2424
RICHMOND ROAD

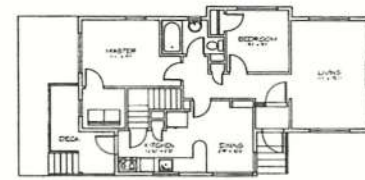
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EXISTING SITE PLAN
& SITE DATA

Revision: Sheet:
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REV. 2: 2017-11-20
REV. 3: 2017-11-20
REV. 4: 2017-11-20

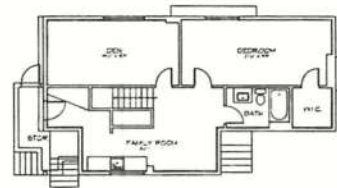
CITY OF VICTORIA
RECEIVED DEEMED
DEC 19 2018 NOV 02 2018



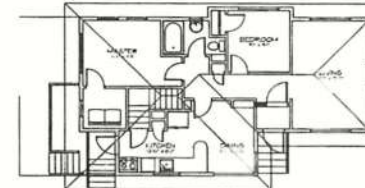
Existing Lower Floor Plan - Existing House
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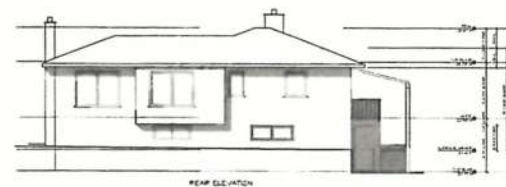
Existing Main Floor Plan - Existing House
SCALE 1:100



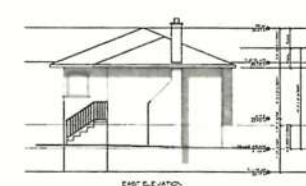
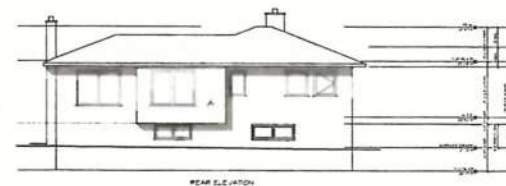
Proposed Lower Floor Plan - Existing House
SCALE 1:100



Proposed Main Floor Plan - Existing House
SCALE 1:100



Existing Elevations - Existing House
SCALE 1:100



Proposed Elevations - Existing House
SCALE 1:100

MAXIMUM GLAZING CALCULATION - SIDE ELEVATION (WEST)
DISTANCE TO PROPERTY LINE 1.51 M (5.15')
EXPOSED BUILDING FACE AREA 14.30 M² (201.54 SF)
GLAZING AREA 0.38 M² (6.00 SF)
PERCENTAGE 2.40% (ALLOWED 14.20%)

MAXIMUM GLAZING CALCULATION - REAR ELEVATION - PLANE A
DISTANCE TO PROPERTY LINE 2.33 M (7.64')
EXPOSED BUILDING FACE AREA 4.10 M² (104.64 SF)
GLAZING AREA 2.12 M² (22.86 SF)
PERCENTAGE 21.88% (ALLOWED 16.40%)
** EXISTING NON CONFORMING CONDITION **

MAXIMUM GLAZING CALCULATION - REAR ELEVATION - PLANE B
DISTANCE TO PROPERTY LINE 2.54 M (8.33')
EXPOSED BUILDING FACE AREA 31.30 M² (401.31 SF)
GLAZING AREA 5.07 M² (54.62 SF)
PERCENTAGE 13.61% (ALLOWED 14.20%)

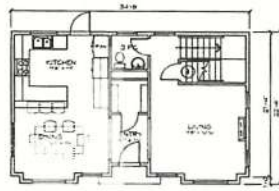
RE-ISSUED FOR
REZONING
SEPTEMBER 4, 2018



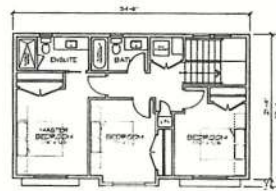
1161 NEWPORT AVE
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Drawn By: L. MORVAT
Date: Nov. 20, 2017
Scale: AS NOTED
Project:
PROPOSED STRATA
SUBDIVISION # 2424
RICHMOND ROAD

Title:
EXISTING & PROPOSED
PLANS, EXISTING &
PROPOSED
ELEVATIONS
Revision:
REV 1/17
REV 2/17
REV 3/17
Sheet:
DP-3
Proj. No.:

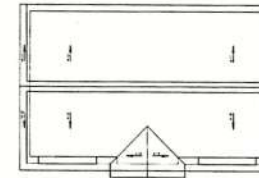
Received
City of Victoria
NOV 02 2018
Planning & Development Department
Development Services Division



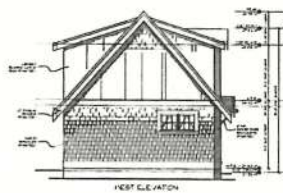
Proposed Main Floor Plan - Proposed House
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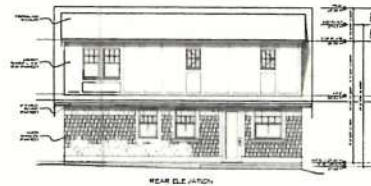
Proposed Upper Floor Plan - Proposed House
SCALE 1:100



Proposed Roof Plan - Proposed House
SCALE 1:100



MAXIMUM GLAZING CALCULATION - SIDE ELEVATION (WEST)	
DISTANCE TO PROPERTY LINE	15.2 M (50.0')
EXPOSED BUILDING FACE AREA	40.70 M ² (435.11 SF)
GLAZING AREA	0.81 M ² (8.65 SF)
PERCENTAGE	2.00% (ALLOWED 0.12%)



MAXIMUM GLAZING CALCULATION - SIDE ELEVATION (EAST)	
DISTANCE TO PROPERTY LINE	15.2 M (50.0')
EXPOSED BUILDING FACE AREA	26.70 M ² (286.53 SF)
GLAZING AREA	0.81 M ² (8.65 SF)
PERCENTAGE	2.30% (ALLOWED 0.12%)

Proposed Elevations - Proposed House
SCALE 1:100



Streetscape - Emerson Street
SCALE 1:100

Received
City of Victoria
NOV 02 2018
Planning & Development Department
Development Services Division

RE-ISSUED FOR
REZONING
SEPTEMBER 4, 2018



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Scale: AS NOTED
Project:
PROPOSED STRATA
SUBDIVISION # 2424
RICHMOND ROAD

Title:
PROPOSED NEW
HOUSE PLANS &
ELEVATIONS;
STREETSCAPE
Revision: Sheet:
REV 1 SHEET 1 OF 1
REV 2 SHEET 2 OF 2
REV 3 SHEET 3 OF 3
REV 4 SHEET 4 OF 4
REV 5 SHEET 5 OF 5
REV 6 SHEET 6 OF 6
REV 7 SHEET 7 OF 7
REV 8 SHEET 8 OF 8
REV 9 SHEET 9 OF 9
REV 10 SHEET 10 OF 10
REV 11 SHEET 11 OF 11
REV 12 SHEET 12 OF 12
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MALARKEY SHINGLES
"MIDNIGHT BLACK"
ROOF SHINGLES



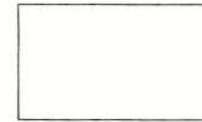
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Front Elevation - Proposed Building
SCALE 1:50



VINYL
"WHITE"
PNDONS, GUTTERS AND
DOWNSPOUTS



CLOVERDALE PAINT
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KNEE BRACKETS, DOORS



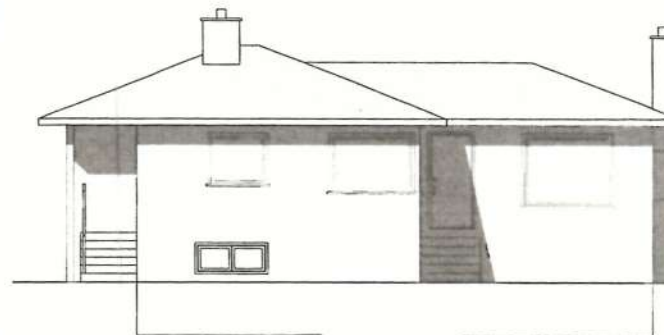
MALARKEY SHINGLES
"MIDNIGHT BLACK"
ROOF SHINGLES



CLOVERDALE PAINT
"SUMMIT" CA019
FASCIA BOARDS



CLOVERDALE PAINT
"SAND SCULPTURE" CA044
STUCCO PAINT



Front Elevation - Existing Building
SCALE 1:50



CLOVERDALE PAINT
"IRON" CA001
PNDON TRIM



VINYL
"WHITE"
PNDONS, GUTTERS AND
DOWNSPOUTS



HATCH PAINT TO: CLOVERDALE PAINT -
SEMI-TRANSPARENT STAIN
"SMOKE BLUE" STO 14
DOORS



Proposed Fence
SCALE 1:50



UNTREATED FINISH MATERIAL
CEDAR FENCE

Received
City of Victoria

NOV 02 2018

Planning & Development Department
Development Services Division

RE-ISSUED FOR
REZONING
SEPTEMBER 4, 2018

ZEBRADESIGN

1161 NEAPORT AVE
Victoria, B.C. V8S 5E6
Phone: (250) 360-2144
Fax: (250) 360-2115

Drawn By: L. HORVAT

Date: Nov. 20, 2017

Scale: AS NOTED

Project:
PROPOSED STRATA
SUBDIVISION @ 2424
RICHMOND ROAD

Title:
COLOUR AND
FINISH SELECTIONS

Revision: Sheet:
REV 1 SHEET 1 OF 5
REV 2 SHEET 2 OF 5
REV 3 SHEET 3 OF 5

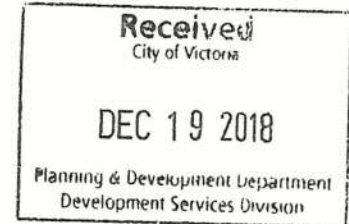
DP-5

Proj. No. -

Rezoning Application: 2424 Richmond Ave.

December 10, 2018

Mayor and Council
Corporation of the City of Victoria
1 Centennial Square
Victoria, B.C. V8W 1P6



Introduction

In creating this plan, I reviewed the various government policies and am presenting an application that support its goals and objectives. The impetus for this plan comes from the City's need to address housing demand pressures by maximizing the use of available land with creative harmonious developments.

The property at 2424 Richmond is a corner lot and as such provides greater opportunity to support the City's intention to utilize land more creatively and build additional housing in an area where there is an acute shortage. More importantly, this property is directly across the street for the Royal Jubilee, and the new house could provide an additional home for a family whose workplace is a stone's throw away.

The proposal is to create a strata development which retains the existing house and adds one additional home on the property. The new house is an open design concept on the main floor with a powder room, as well as 3 bedrooms and 2 bathrooms on the upper floor.

Saving the existing house is important to the neighbourhood and in-keeping with the City's policy to upgrade rather than demolish them. The house is structurally very sound but needs exterior refurbishment. The process will include:

- New roof
- New gutters and downspouts
- Removal of the back porch and reconfiguring the backdoor stairs
- Painting house and trim
- New thermal windows, where required
- New natural gas heating system
- New fencing
- Upgraded landscaping

Neighbour Engagement

The Royal Jubilee Hospital is directly across the street from this property, on the north side of Richmond Road. CNIB is across Emerson Street on the south-west corner of Richmond. I have visited every neighbour on Emerson as well as those on Richmond to the north. Of the 32 people canvassed, only 1 neighbour is against (and that neighbour is a **renter**). All other contiguous and adjacent neighbours are in support. That is **97% support** for my proposal.

Government Policies

This application supports government policies by accommodating housing growth that is gradual and small scale. I am integrating residential development in an area that is supported through policy in a manner that is respectful to the character of the neighbourhood and considers privacy for my neighbours.

Regional Growth Strategy

Two main objectives of the Regional Growth Strategy are supported with this proposal.

- **Keep Urban Settlements Compact**
 - o Increase the amount of detached and ground access housing within the urban containment and servicing area in the core municipalities (i.e. Victoria)
 - o Locate a minimum of 90% of the region's cumulative new dwelling units to 2026 within the Regional Urban Containment and Servicing area.
- **Build Complete Communities**
 - o Support the development of communities that offer a variety of housing types and tenures in close proximity to places of work, schools, shopping, recreation, parks and green space.

Official Community Plan

Creativity is the key when retro-fitting a built-out City and the Official Community Plan (OCP) recognizes this in one of its Land Management and Development objectives:

Give consideration to site-specific amendments that are consistent with the intent of the Urban Place Designations and that further the broad objectives and policies of the plan.

Additionally, the OCP highlights other Land Management and Development objectives to address housing demand pressures and the following are consistent with my proposal:

- Compact development patterns that use land efficiently.
- Additional housing needed to satisfy widespread demand.
- Urban development to focus on building coherent, livable places of character, where the goods and services people need are close to home.

This is a flat corner site situated along a major corridor close to public transit, amenities, jobs and services - an ideal location for in-fill. The goal is to maximize the use of this land but remain sensitive to the SFD character.

Jubilee Neighbourhood Plan

The Jubilee Neighbourhood Plan highlights support for this type of development by *permitting sensitive, small scale in-fill development*. It asks that we ensure *new residential development fits into the character of the existing neighbourhood and street through a design that respects the scale and form of housing*. This proposal supports both these initiatives.

Design Guidelines

We are willing to enter into a design covenant guarantee the design to be constructed as proposed.

Building

Design elements are incorporated in the proposal that are sensitive to the siting, massing and visual character of these homes. The new home meets the following Design Guidelines:

- 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).
- 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).

Zebra Design has applied their expertise to the new home design to meet the objectives of these guidelines. The proposal includes:

- A streetscape that is sensitive to the character and rhythm of the neighbourhood.
- Roof detail, pattern changes and proportional windows for visual character.
- Colors and material finishes to harmonize with the area.
- Repetition of similar finishes and materials for visual continuity.
- A design that responds on both the front and flanking streets of the development without adversely affecting adjoining properties.
- A principal entry that is visible from the street.

Landscape

All the existing fencing will be removed and replaced. Consultation with neighbours will ensure compatibility with them. As well, chain link fencing, sheds and exterior structures will be removed, including the porch on the existing house, and yard spaces will be tidied and landscaped.

The plant selection is environmentally appropriate for the climate and zone, and takes into consideration sun and shade, size and shape, along with colour and seasonal interest. It also considers where screening would be required and where low planting for visibility is necessary. No invasive species have been included.

Parking

The proposed parking configuration provides 1 parking stall for each home, which meets the bylaw requirement. The parking has been placed outside the homes, so valuable square footage normally allocated to a garage could be utilized as living space. There is ample adjacent street parking for visitors.

Green Building Features for New Home

- Retaining existing home.
- Drought tolerant, native plantings.
- Energy Star Windows.
- Energy Star Appliances.

Rezoning Application: 2424 Richmond Ave.

- Use of non HCFC expanding foam around window and door openings.
- Fibreglass Exterior Doors.
- Natural Hardi Exterior Siding.
- Minimum 30 year warranty of roofing material.
- MDF casing and baseboard trim (reducing reliance on old growth forest products).
- Installation of hardwired carbon monoxide detector to ensure air quality.
- Low Formaldehyde insulation, subfloor sheathing, exterior sheathing, insulation, carpet underlayment and cabinetry.
- Low VOC Interior paints.
- Gas Radiant Heat System.
- Energy Star ventilation fans.
- Toilets CSA approved, 4.8L flush volume or less.
- Low flow faucets and shower valves.

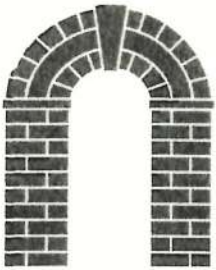
Summary

I respectfully request Mayor and Council to approve this application. Here is why:

1. Victoria is a built-out City with little land left to create additional housing to meet the demands of population growth.
2. The minor variances are not precedent setting and do not negatively impact the design, siting, massing and character of the new home and have no impact on the neighbouring houses.
3. The proposal is a creative solution to available land in an area where the OCP supports this.
4. It is a centrally located property with a very high walk score.
5. The Royal Jubilee hospital has a desperate need for 'close by' housing for its workers.
6. You have approved applications of this type in the past.
7. The City will have a beautiful new home to welcome another family into its community.

Sincerely,

Li Xin (Lisa) Wang, Applicant



North Jubilee Neighbourhood Association

North Jubilee Neighbourhood
Association
1766 Haultain Street
Victoria, BC V8R 2L2

July 14, 2018

Mayor Lisa Helps and City Councillors
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor Helps and Victoria City Councillors,

Re: REZ 00649, 2424 Richmond Road



North Jubilee Land Use Committee hosted a CALUC meeting on May 29th at the RJH campus, PCC S150, for the above-mentioned proposal. The meeting was co-chaired by Sheena Bellingham and Pat May and the note-taker was Wilma Peters. Earl Large represented the applicant Li Xin (Lisa) Wang. Also in attendance were 7 neighbouring residents as well as 3 members of the North Jubilee Neighbourhood Association and Land Use Committee.

The proposal, located at the corner of Richmond and Emerson, is to change the existing R1-B single-family residential zoning to site-specific zoning allowing strata subdivision. The approximately 7,000 square foot lot would be divided into two lots sharing a common driveway. The applicant wishes to keep and renovate the existing 900 square foot home while building a new two-storey 750 square foot house on slab with 3 bedrooms and 3 bathrooms.

Mr. Large indicated he had canvassed the neighbourhood and received generally positive support for the proposal.

Comments from residents gathered at the community meeting are summarized as follows:

1. Plans presented by Zebra Design were met with approval. Concern about previous problem renters. Neighbour supported home ownership.
2. Improvement to neighbourhood. Concern about previous problem renters in house. Concern regarding noise and length of time for construction.
3. Concern related to height of structure, setback from road, fencing on Richmond.
4. Consider implementation of permeable paving for driveway and/or patio pavers.

CALUC observations: The meeting was short in duration as there were not a great number of attendees other than immediate neighbours who all seemed generally in favour of the proposal. This may be a result of the fact that the applicant intends to retain the original house while adding density in the form of a new home that is respectful of its surroundings. There shouldn't be a significant increase in traffic, an obstruction of someone's view or an invasion of privacy. In addition, these two modest-sized homes will be relatively 'affordable' to young families compared with many other options being considered in our area. The 16 townhomes proposed at the corner of Kings and Richmond (Saanich/Victoria border,

zoning #9486, 11 variances) will not only impact traffic, neighbours' privacy and greenspace, but does nothing to alleviate affordability and thus has resulted in a contentious response from our neighbouring Saanich residents.

Ms. Wang's application at 2424 Richmond Road increases density yet manages to retain a reasonable amount of privately-owned green space, is relatively sympathetic to its adjacent neighbours and should not have a major impact on affordability in our area.

Respectfully submitted,



Sheena Bellingham, Co-Chair
NJNA Land Use Association



Jean Johnson, Co-Chair
NJNA Land Use Association

Cc: Sustainable Planning and Community Development Department of the City of Victoria
City of Victoria Councilor Pam Madoff

600757

(5 UNAVAILABLE)

170 TOTAL CANVASED

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

Aisha Kood

1715 Emerson

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

Donna 17's Emerson St.

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road -- Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

A. M. N. [Signature]

1719 Emerson

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

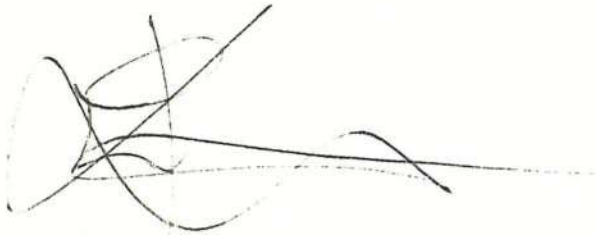
1720 Emerson St
Robert P. Chiu

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.



E KRAMCZAN



1723 Emerson

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

David Cole

1724 Emerson

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8V 1P6

Re: 2424 Richmond Road - strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1727 Emerson

No decision - advisory planning Corp

Patrick May

1727 Emerson Street
Victoria B.C. V8R 2C2

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1728 Emerson St, Victoria BC

Kirstie Lauder



July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1731 Emerson St Victoria, BC V8A 2C2 *Christa Hume*

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1732 Emerson

Five calls to this home
either answer or don't
answer the door

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 3P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1735 Luter

Tenant friend will notify tenant
and landlord

Three visits to see if owner
notified - no contact by owner.

Tenant had no opinion

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1736 Emerson St

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1737 B Emerson
Plumb

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V5W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at
2424 Richmond Road, we the undersigned have no objection.

1745 Emerson

Delaney

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at
2424 Richmond Road, we the undersigned have no objections.

1743 Emerson

To busy to talk

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

David Clapp
1744 Emerson

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

Jennifer Helle 1747 Emerson Str.

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V6W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1748 Emerson

Five calls to the home

They are either away or
don't come to the door

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1751 EMERSON Ack:

Jon Taylor

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

W. Campbell
1752 Emerson

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1755 EMERSON
Dale Siv

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1759 Emerson

A handwritten signature in dark ink, appearing to be 'E. Emerson', with a large 'X' mark to its right.

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1760 Emerson St.

W. H. D. -

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

Wm. B. ...

1763 Emerson St
Victoria, BC V8R2C2

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at
2424 Richmond Road we the undersigned have no objections


1764 Emerson - J.A. Pickard

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1767 EMERSON ST. 

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1Y6

Re: 2424 Richmond Road - Private Development

After review of the plans and elevations for the proposed sign development at
2424 Richmond Road, we have the following comments:

1768 Emerson

Geri Dickson
Charon Dickson

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

A handwritten signature in black ink, appearing to be 'TV' followed by a stylized flourish.

1774 Emerson St.

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

Ken Gower
1780 Emerson St.

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at
2424 Richmond Road, we the undersigned have no objections.

1781 Emerson

Against

~~No reason given~~

~~THIS A RENTER~~

Confusion on Renters

Owner contacted & he
is 100% in favor

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1785 Emerson

[Handwritten signature]

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections

1787 Emerson

Dale Spurr

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at
2424 Richmond Road, we the undersigned have no objection.

1788 Emerson

Totally in Favour

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

1789 Emerson

Jim Wong

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at
2424 Richmond Road we the undersigned have no objections.

1790 Emerson

To be in favour.

Contiguous

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

2340 RICHMOND

CNIB.

Spoke to manager - Has no problem with our plans

Also sent info to owner's Email

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road – Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

2434 Richmond Rd

Kholghi S. Homafar

July 2017

City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2432 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at
2432 Richmond Road, we the undersigned have no objections.

2432 Richmond

Owner lives out of province
uses this house for daughter who
is a university student.

Daughter has no problem but deferred
to father. Father provided full
info via email. No response yet

July 2017

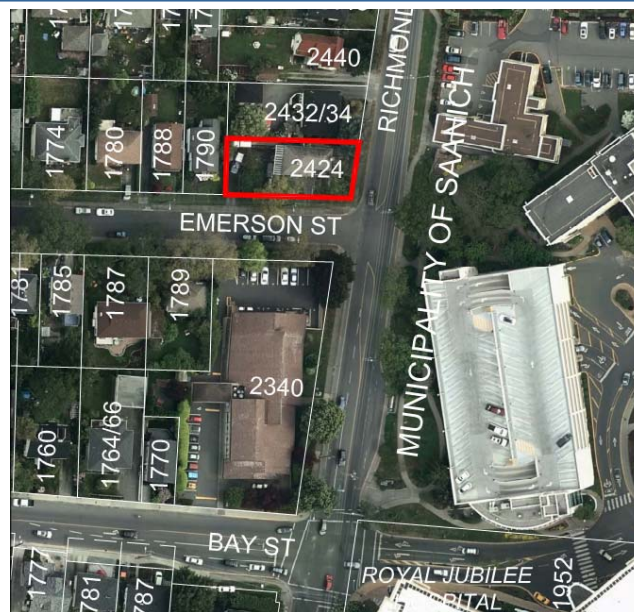
City of Victoria
Building and Development
1 Centennial Square
Victoria, B.C. V8W 1P6

Re: 2424 Richmond Road - Strata development

After reviewing the plans and elevations for the proposed strata development at 2424 Richmond Road, we the undersigned have no objections.

h. C. C. C.
have kind
24 40 K. C. C. C. C.

Rezoning Application for 2424 Richmond Road



Subject Property (Emerson)



Subject Property (Richmond)



1780, 1788, and 1790 Emerson Street
(West)



2432/2434 Richmond Road (North)

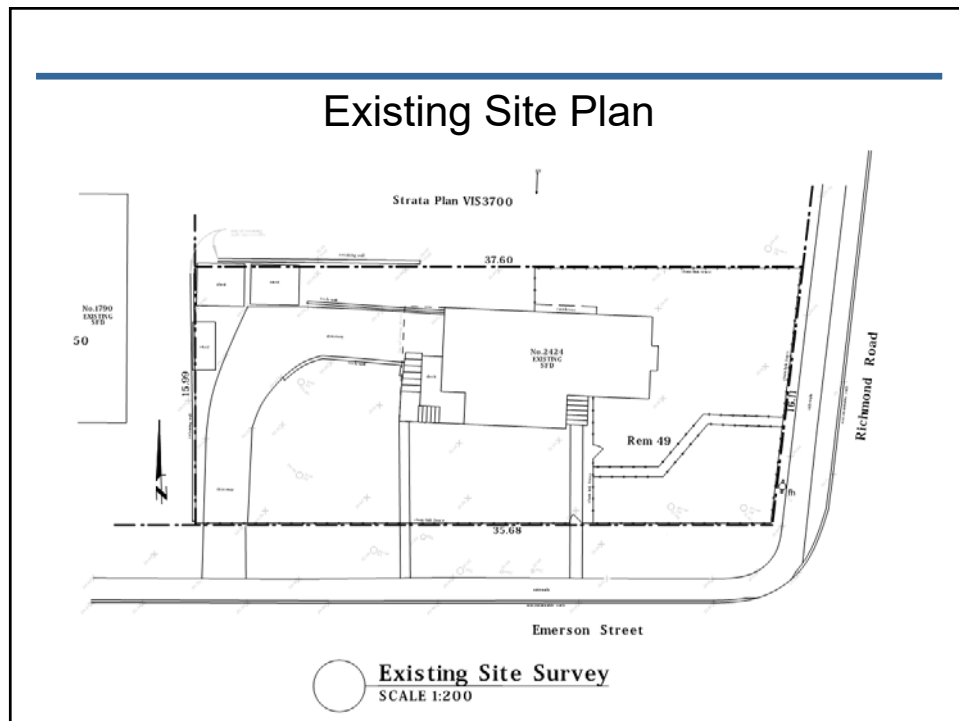
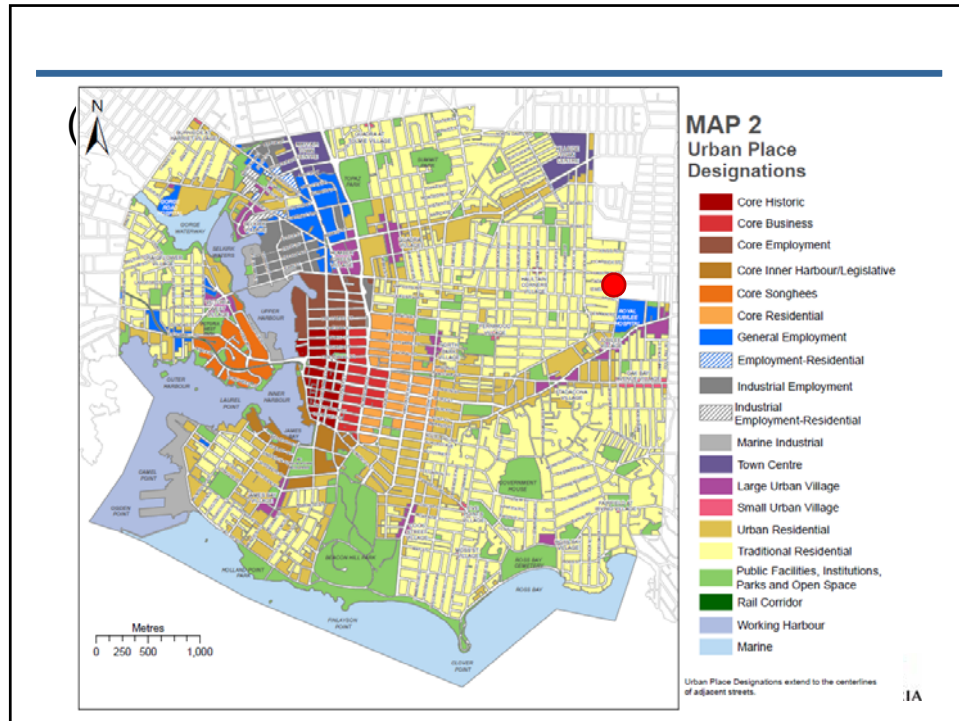


2340 Richmond Road (South)

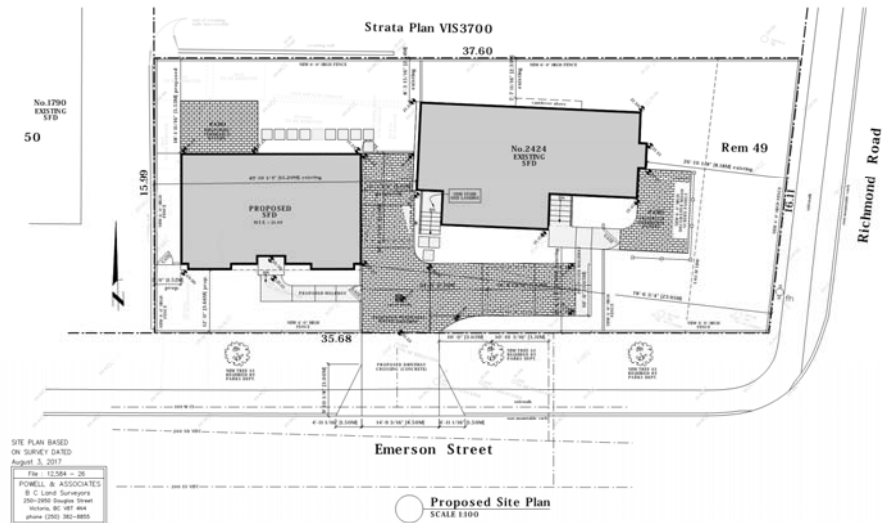


Royal Jubilee Hospital (District of Saanich)

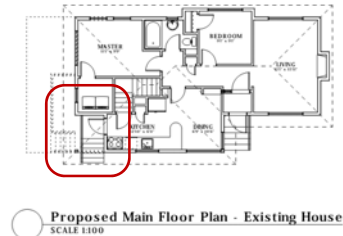
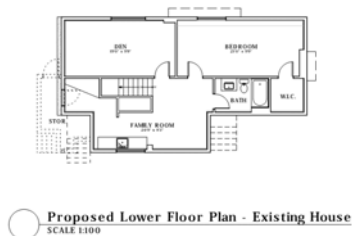




Proposed Site Plan



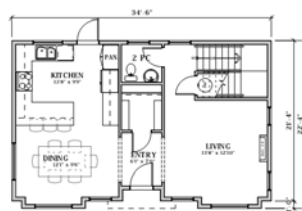
Existing House Floor Plans



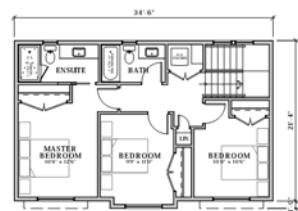
Existing House Elevations



Proposed Floor Plan



Proposed Main Floor Plan - Proposed House
SCALE 1:100



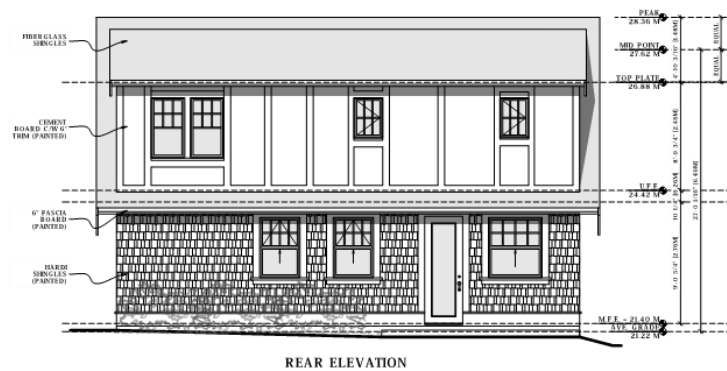
Proposed Upper Floor Plan - Proposed House
SCALE 1:100



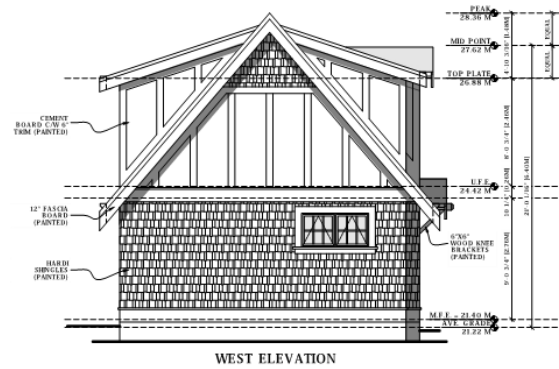
Front Elevation



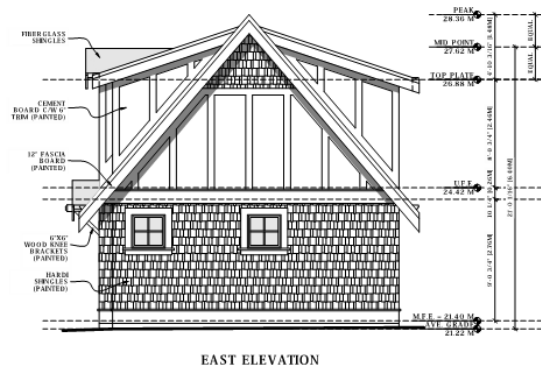
Rear Elevation



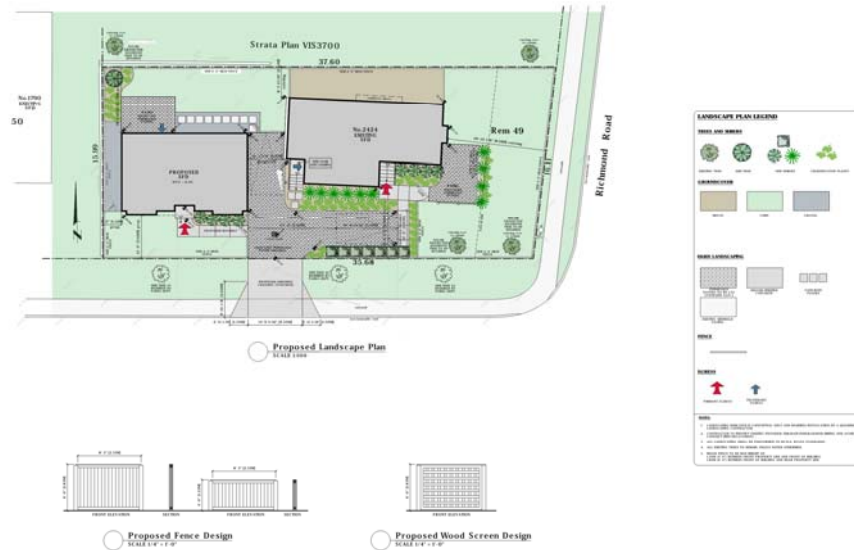
Side Elevation (West)



Side Elevation (East)

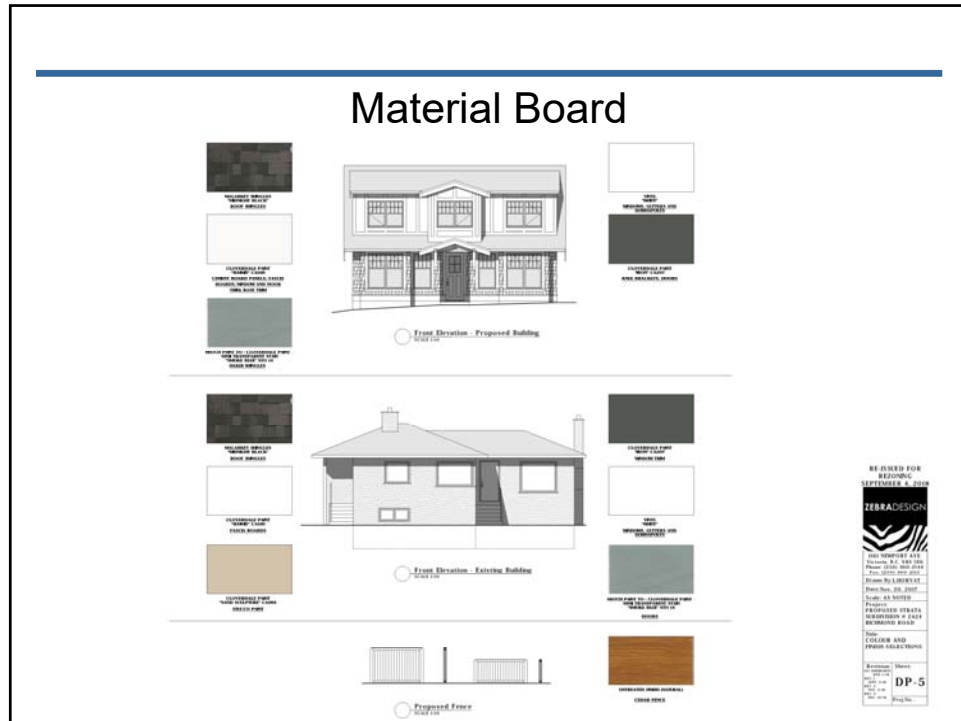


Landscape Plan



Streetscape





A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the R2-57 Zone, Two Single Family Dwelling District (Richmond), and to rezone land known as 2424 Richmond Road from the R1-B Zone, Single Family Dwelling District to the R2-57 Zone, Two Single Family Dwelling (Richmond) 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. 1187)”.
- 2 Bylaw No. 80-159, 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:

“2.150 R2-57 Zone, Two Single Family Dwelling District (Richmond)”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 2.149 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 2424 Richmond Road, legally described as PID: 009-129-197, Lot 49, Section 25, Victoria District, Plan 339, Except the Westerly 10 feet thereof and shown hatched on the attached map, is removed from the R1-B Zone, Single Family Dwelling District, and placed in the R2-57 Zone, Two Single Family Dwelling (Richmond) District.

READ A FIRST TIME the	18th	day of	July	2019
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READ A SECOND TIME the	18th	day of	July	2019
------------------------	------------------------	--------	-------------	------

Public hearing held on the		day of		2019
----------------------------	--	--------	--	------

READ A THIRD TIME the		day of		2019
-----------------------	--	--------	--	------

ADOPTED on the		day of		2019
----------------	--	--------	--	------

CITY CLERK

MAYOR

PART 2.150 – R2-57 ZONE, TWO SINGLE FAMILY DWELLING (RICHMOND) DISTRICT

2.150.1 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 1.2 of the Zoning Regulation Bylaw
- b. Notwithstanding Section 19 of the General Regulations, two single family dwellings are permitted on one lot subject to the regulations in this Part, with the following accessory use:

Roomers and/or Boarders up to a maximum of 4

2.150.2 Lot Area

- | | |
|-------------------------------|------------------------------|
| a. <u>Lot area</u> (minimum) | 580m ² |
| b. <u>Lot width</u> (minimum) | 15m average <u>lot width</u> |

2.150.3 Floor Area

- | | |
|---|-------------------|
| a. Floor <u>area</u> , for the first and second <u>storeys</u> combined (maximum) | 205m ² |
| b. Floor <u>area</u> , of all floor levels combined (maximum) | 275m ² |

2.150.4 Height, Storeys

- | | |
|---|---------------|
| a. Principal <u>building height</u> (maximum) | 6.5m |
| b. <u>Storeys</u> (maximum) | 2 |
| c. <u>Roof deck</u> | Not permitted |

PART 2.150 – R2-57 ZONE, TWO SINGLE FAMILY DWELLING (RICHMOND) DISTRICT

2.150.5 Setbacks, Projections

- | | |
|--|-------|
| a. <u>Front yard setback</u> (minimum) | 7.5m |
| Except for the following maximum projections into the setback: | |
| • Steps less than 1.7m in <u>height</u> | 2.5m |
| • <u>porch</u> | 1.6m |
| b. <u>Rear yard setback</u> (minimum) | 1.5m |
| c. <u>Side yard setback</u> (north) (minimum) | 2.5m |
| d. <u>Side yard setback</u> (south) (minimum) | 3.6m |
| e. Combined <u>side yards</u> (minimum) | 4.5m |
| f. Eave projections into <u>setback</u> (maximum) | 0.75m |
| g. Separation space between <u>buildings</u> (minimum) | 3.0m |

2.150.6 Site Coverage

- | | |
|-----------------------------------|-----|
| a. <u>Site Coverage</u> (maximum) | 35% |
|-----------------------------------|-----|

2.150.7 Outdoor Features

- a. The setbacks in section 2.150.5 apply to outdoor features as though they are buildings
- b. Outdoor features must not exceed a height of 3.5m from natural grade or finished grade, whichever is lower

2.150.8 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" |



NO. 19-055

HOUSING AGREEMENT (2424 RICHMOND ROAD) 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 2424 Richmond Road, 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 (2424 RICHMOND ROAD) BYLAW (2019)".

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 Li Xin Wang or other registered owners from time to time of the lands described in subsection (c); and
 - (c) that applies to the lands known as 2424 Richmond Road, Victoria, BC, legally described as:
PID: 009-129-197

Lot 49, Section 25, Victoria District, Plan 339, except the westerly 10 feet thereof

READ A FIRST TIME the	18th	day of	July	2019
READ A SECOND TIME the	18th	day of	July	2019
READ A THIRD TIME the	18th	day of	July	2019
ADOPTED on the		day of		2019

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, British Columbia V8W 1P6
(the "City")
OF THE FIRST PART

AND:

LI XIN WANG
2424 Richmond Road, Victoria, British Columbia V8R 4S3
(the "Owner")
OF THE SECOND 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 2424 Richmond Road¹ Victoria, British Columbia, and legally described as

Parcel Identifier 009-129-197, Lot 49, Section 25, Victoria District,
Plan 339, except the westerly 10 feet thereof

(the "Lands");
- C. The Owner has applied for a rezoning of the Lands to permit two single family dwellings on the Lands;
- D. The Owner also intends to subdivide the Lands to create two strata lots, in accordance with the *Strata Property Act*;
- E. The Dwelling Units are intended to be stratified and therefore will be subject to the *Strata Property Act* (British Columbia) and the bylaws of the Strata Corporation, but the intent of this Housing Agreement is to ensure the perpetual availability of rental units (in addition to owner-occupied units);
- F. 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 establish the terms and conditions regarding the occupancy of the residential units identified in this Housing Agreement.

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 parties agree each with the other as follows:

{00031825:2}

1.0 Definitions

1.1 In this Agreement:

- (a) **"Development"** means the existing single family dwelling and the proposed additional two storey single family dwelling to be situated on two strata lots after the proposed subdivision of the Lands, and includes two (2) Dwelling Units.
- (b) **"Dwelling Unit"** means a self-contained residential dwelling unit within the buildings that are and will be located on the Lands, and includes any dwelling unit that is developed on the Lands in future, whether as part of the Development or otherwise, and "Dwelling Units" means collectively all of such residential dwelling units located on the Lands.
- (c) **"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.
- (d) **"Non-owner"** means a person who occupies a Dwelling Unit for residential purposes, other than the Owner of that Dwelling Unit, and other than a member of the Owner's Immediate family.
- (e) **"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.
- (f) **"Tenancy Agreement"** means a tenancy agreement pursuant to the *Residential Tenancy Act* that is regulated by that Act.
- (g) **"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:

- (a) 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.

2.0 No Restrictions on Rentals

- 2.1 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.
- 2.2 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.

{00031825:2}

- 2.3 For certainty, if the Lands or the Development on the Lands are subdivided under the *Strata Property Act*, the Dwelling Units within the Development may be occupied by the Owners of the strata lots.

3.0 Reporting

- 3.1 The Owner covenants and agrees to provide to the City, upon written request from the City's Director of Sustainability Planning and Community Development, a report in writing confirming:
- (a) the number, type and location by suite or strata lot number, of Dwelling Units that are being rented to Non-owners; and
 - (b) any changes or proposed changes to the Strata Corporation's bylaws that may affect the terms of this Agreement.
- 3.2 The Owner covenants and agrees:
- (a) to exercise its voting rights in the Strata Corporation against the passage of any bylaws that would restrict the availability for rental of any Dwelling Unit under the terms of a Tenancy Agreement unless this Agreement is amended; and
 - (b) to notify the City of any proposed amendments to its strata bylaws.
- 3.3 The Owner acknowledges that it is within the City's sole discretion to consent or not to consent to modifications to this Agreement and that such consent may be withheld for any reason.

4.0 Notice to be Registered in Land Title Office

- 4.1 Notice of this Agreement ("**Notice**") will be registered in the Land Title Office by the City at the cost of the Owner in accordance with section 483(5) 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.

5.0 Liability

- 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.
- 5.2 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.

{00031825:2}

6.0 General Provisions

Notice

6.1 If sent as follows, notice under this Agreement is considered to be received

(a) seventy-two (72) hours after the time of its mailing (by registered mail) or faxing, and

(b) on the date of delivery if hand-delivered,

to the City:

City of Victoria

#1 Centennial Square, Victoria, British Columbia V8W 1P6

Attention: Director of Sustainability Planning and Community Development

Facsimile: 250-361-0386

to the Owner:

Li Xin Wang

2424 Richmond Road, Victoria, British Columbia V8R 4S3

or upon registration of a strata plan for the Lands, to the Strata Corporation, and to the Owner of any Dwelling Unit that is subject to the restrictions under section 2.1.

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 slow-down, force majeure, or other cause,

(a) notice sent by the impaired service is considered to be received on the date of delivery, and

(b) 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.

Time

7.2 Time is to be the essence of this Agreement.

Binding Effect

7.3 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.

{00031825:2}

Waiver

- 7.4 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.

Headings

- 7.5 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.

Language

- 7.6 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.

Equitable Remedies

- 7.7 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.

Cumulative Remedies

- 7.8 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.

Entire Agreement

- 7.9 This Agreement when executed will set forth the entire agreement and understanding of the parties as at the date it is made.

Further Assurances

- 7.10 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.

Amendment

- 7.11 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.

Law Applicable

- 7.12 This Agreement is to be construed in accordance with and governed by the laws applicable in the Province of British Columbia.

{00031825:2}

No Derogation from Statutory Authority

7.13 Nothing in this Agreement shall:

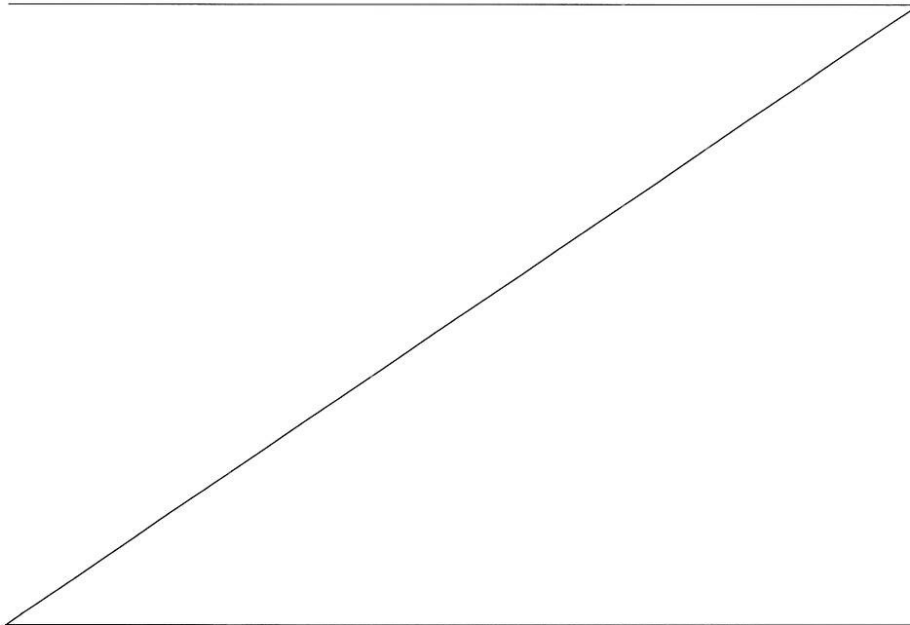
- (a) limit, impair, fetter or derogate from the statutory powers of the City all of which powers may be exercised by the City from time to time and at any time to the fullest extent that the City is enabled and no permissive bylaw enacted by the City, or permit, licence or approval, granted, made or 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) relieve 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.

Joint and Several

7.14 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.

Counterpart

7.15 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.



{00031825:2}

Effective Date

7.16 This Agreement is effective as of the date of the signature of the last party to sign.

IN WITNESS WHEREOF the parties have hereunto set their hands as of the dates inscribed at a place within British Columbia:

Date signed: MAY 24 2019

SIGNED, SEALED and DELIVERED
in the presence of:

Name

RAJIV K. GANDHI

Address Barrister & Solicitor

Third Floor, Burnes House

Occupation 26 Bastion Square
Victoria, BC V8W 1H9

LI XIN WANG

Date signed: _____

**THE CORPORATION OF
THE CITY OF VICTORIA,**
by its authorized signatories:

Mayor

City Clerk

C. **BYLAWS**

C.2 **2330 Government Street Rezoning Application No. 00682**

Moved By Councillor Thornton-Joe

Seconded By Councillor Alto

That the following bylaw be given **first and second readings**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1198) No. 19-078

CARRIED UNANIMOUSLY

DRAFT



Council Report
For the Meeting of July 18, 2019

To: Council **Date:** July 10, 2019
From: C. Coates, City Clerk
Subject: 2330 Government Street: Rezoning Application No. 00682

RECOMMENDATION

That the following bylaw be given first and second readings:
1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1198) No. 19-078

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaw No. 19-078.

The issue came before Council on June 27, 2019 where the following resolution was approved:

2330 Government Street: Rezoning Application No. 00682

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00682 for 2330 Government 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,

A handwritten signature in black ink, appearing to read 'Chris Coates'.

Chris Coates
City Clerk

Report accepted and recommended by the City Manager:

A handwritten signature in black ink, appearing to read 'Jocelyn Jenkins'.

Date:

A handwritten date in black ink, appearing to read 'July 11, 2019'.

List of Attachments:

- Bylaw No. 19-078

NO. 19-078

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the M-G-4 Zone, Government Light Industrial 4 District, and to rezone land known as 2330 Government Street from the M-G Zone, Government Light Industrial 2 District, to the M-G-4 Zone, Government Light Industrial 4 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. 1198)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of
Schedule “B” under the caption PART 7 – Industrial and Service Zones by adding the
following words:
- “7.62 M-G-4, Government Light Industrial 4 District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 7.61
the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 2330 Government Street, legally described as PID: 014-081-091, Lot
A, Sections 3 and 4, and of District Lot 121, Victoria District, and Part of the Bed of the
Public Harbour of Victoria, Plan 48591 and shown hatched on the attached map, is
removed from the M-G Zone, Government Light Industrial 2 District, and placed in the
M-G-4 Zone, Government Light Industrial 4 District.

READ A FIRST TIME the day of 2019

READ A SECOND TIME the _____ day of _____ 2019

Public hearing held on the _____ day of _____ 2019

READ A THIRD TIME the _____ day of _____ 2019

ADOPTED on the _____ day of _____ 2019

CITY CLERK

MAYOR

PART 7.62 – M-G-4 ZONE, GOVERNMENT LIGHT INDUSTRIAL 4 DISTRICT**7.62.1 Permitted Uses in this Zone**

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

- a. All of the uses permitted under Part 7.45 for the M-G Zone, Government Light Industrial 2 District;
- b. Brewpub, subject to the regulations in this Part.

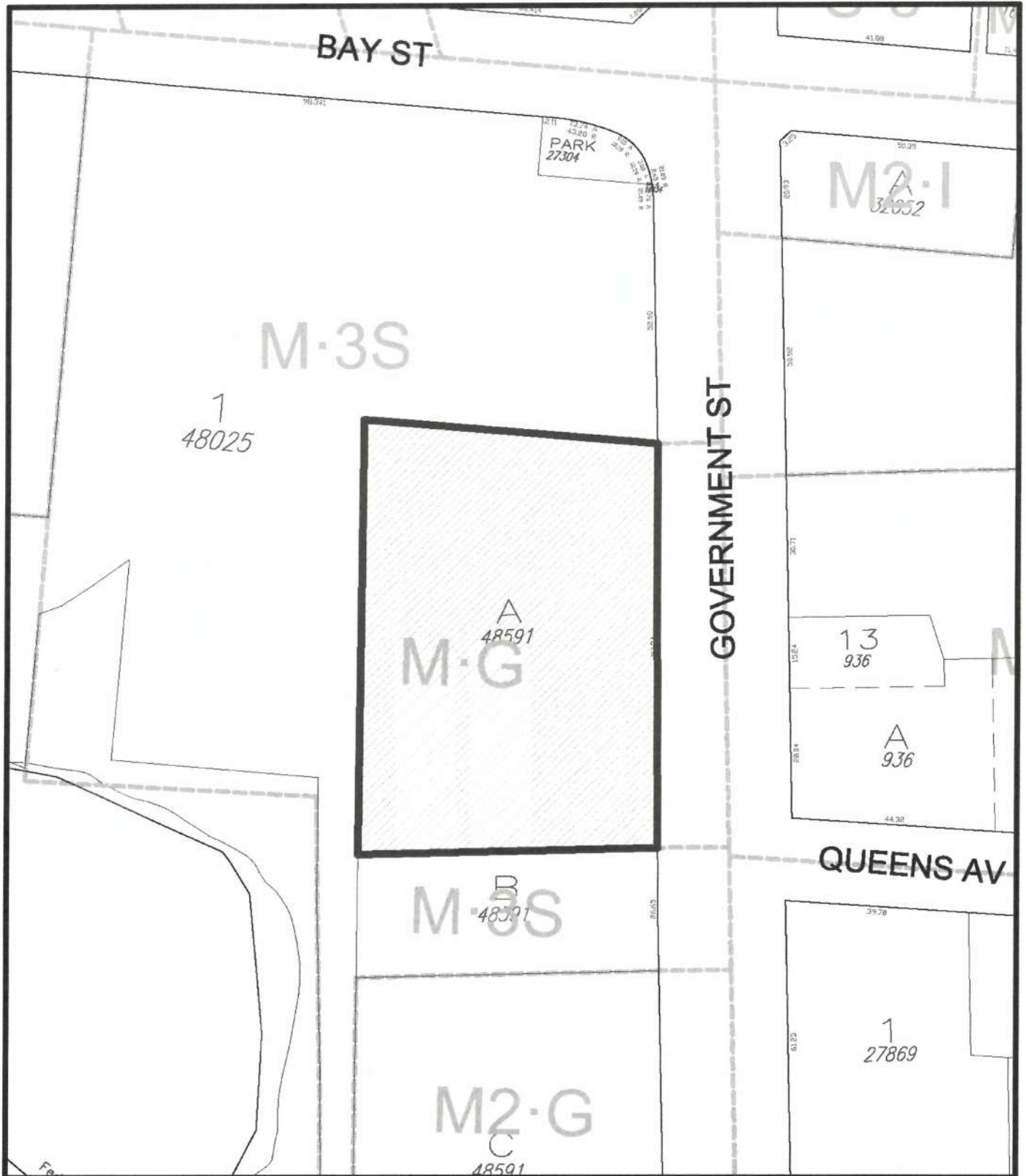
7.62.2 Floor Area

Floor area (maximum)

72m²

7.62.3 General Regulations

Except as provided in this Part, the regulations in the M-G Zone, Government Light Industrial 2 District apply in this Zone.



2330 Government Street
Rezoning No.00682



I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the June 20, 2019 COTW Meeting

**I.1.a.a 2330 Government Street - Rezoning Application No. 00682
(Burnside Gorge)**

Moved By Councillor Thornton-Joe
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. 00682 for 2330 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY

E.2 2330 Government Street - Rezoning Application No. 00682 (Burnside Gorge)

The Committee received a report dated June 6th, 2019 from the Acting Director of Sustainable Planning and Community Development that presents Council with information, analysis, and recommendations for a Rezoning Application for the property located at 2330 Government Street. The report recommends that Council approve the application to allow for the rezoning in order to allow the construction of a brewpub on the lot.

Moved By Councillor Alto

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. 00682 for 2330 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

CARRIED UNANIMOUSLY



Committee of the Whole Report For the Meeting of June 20, 2019

To: Committee of the Whole **Date:** June 6, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Rezoning Application No. 00682 for 2330 Government Street

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw amendment that would authorize the proposed development outlined in Rezoning Application No. 00682 for 2330 Government Street, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set.

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 2330 Government Street. The proposal is to rezone from the M-G Zone, Government Light Industrial 2 District, to a new zone in order to permit a brewpub.

The following points were considered in assessing this application:

- the proposal is consistent with the *Official Community Plan*, which designates the subject property as Core Employment and supports light industrial, commercial and complementary retail uses
- the *Burnside Gorge Neighbourhood Plan* designates the subject property as Industrial Employment, which supports light industrial uses on the ground-floor, with ancillary retail or office uses limited to those that support the primary use
- the applicant would like to expand the existing brewery by adding a brewpub (i.e. tasting room/lounge) for patrons visiting the brewery. The applicant has applied for a Primary Liquor License, which is being dealt with in a separate Liquor License Application
- The proposed floor area of the brewpub is 72m² and would accommodate up to 40 guests.

BACKGROUND

Description of Proposal

The proposal is to rezone from the M-G Zone, Government Light Industrial 2 District, to a new zone in order to permit a brewpub.

Sustainability Features

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

Active Transportation Impacts

There is an existing bike rack for six bikes at the front entrance to the brewery.

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 mix of industrial, commercial and residential uses.

Existing Site Development and Development Potential

The site is presently occupied by a two-storey commercial building consisting of office, retail, personal services, manufacturing, warehouse and brewery uses. Under the current M-G Zone, the property could be developed into a five-storey building consisting of commercial (retail, restaurants and professional services), high tech, light industrial (testing, servicing and repair) and/or warehouse/wholesale uses.

Data Table

The following data table compares the proposal with the existing M-G Zone.

Zoning Criteria	Proposal	Existing M-G Zone
Site area (m ²) – minimum	5765.60	n/a
Density (Floor Space Ratio) – maximum	0.70:1	1.50:1
Total floor area (m ²) – maximum	4389.00	8648.40
Height (m) – maximum	existing (< 15m)	15
Parking – minimum	59	49

Zoning Criteria	Proposal	Existing M-G Zone
Bicycle parking stalls – minimum		
Long-term	n/a	n/a
Short-term	1 rack (6 bikes)	n/a

Community Consultation

Community Association Land Use Committee

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the Burnside-Gorge CALUC at a Community Meeting held on November 28, 2017. A letter from the Community Association is attached to this report. The applicant did not apply for rezoning within the required six months of the formal Community Meeting; however, the CALUC decided to waive the requirement for a second meeting and provided a second letter dated August 20, 2018, which is also attached to this report.

Victoria Police Department Referral

A referral was sent to the Victoria Police Department to provide comments on this application's adherence to the Crime Prevention Through Environmental Design (CPTED) standards, including calls for service statistics and any other concerns related to the application. Correspondence dated June 2019 is attached to this report.

ANALYSIS

Official Community Plan

The *Official Community Plan* (2012) Urban Place Designation for the subject property is Core Employment, which supports light industrial, commercial and complimentary retail uses. A floor space ratio (FSR) up to approximately 3:1 is supportable. The current density on the subject property is 0.7:1 FSR and the applicant is not proposing to increase the floor area of the existing building. The proposed land use (brewpub) is appropriate for the area, as it supports the brewery operation and is consistent with the broader vision and changing land use trends in the Rock Bay area. The inclusion of the brewery has served as an employment generator in the neighbourhood.

Local Area Plans

The *Burnside Gorge Neighbourhood Plan* designates the subject property as Industrial Employment, which supports light industry, including production and distribution on the ground-floor, with ancillary retail or office uses limited to those that support the primary use. Vancouver Island Brewery currently employs approximately 32 people at this location. The proposal fits with the overall policy directions outlined in the Local Area Plan.

Tree Preservation Bylaw and Urban Forest Master Plan

There are no impacts to public or private trees with this application.

Regulatory Considerations

The current M-G Zone allows for a wide range of light industrial and commercial uses, including brewery, distillery and restaurant; however, it does not permit a brewpub (lounge/tasting room), which allows alcohol to be served exclusively (no food). The proposed floor area of the brewpub is 72m² and the zoning amendment would limit the size of the brewpub to this proposed floor area. Any future deviations from the maximum floor area requirement for a brewpub would require a variance. There is currently liquor retail sales associated with the existing brewery; however, this use existed prior to the adoption of the *Liquor Retail Sales Policy*, and as a result, the liquor retail sales operations at this location are grandfathered and considered existing legal non-conforming.

CONCLUSIONS

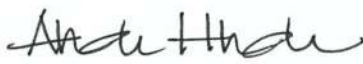
The proposal to rezone the subject property to allow a brewpub is consistent with the applicable land use policies and would allow for the applicant to grow the brewery operation at this location by expanding the public element of the business. Limiting the size of the floor area associated with the brewpub will ensure that it remains secondary to the light industrial and other commercial uses on the subject properties. Staff recommend for Council's consideration that the application advance to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00682 for the property located at 2330 Government Street.


Respectfully submitted,


Leanne Taylor
Senior Planner
Development Services Division


Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

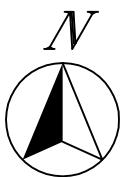
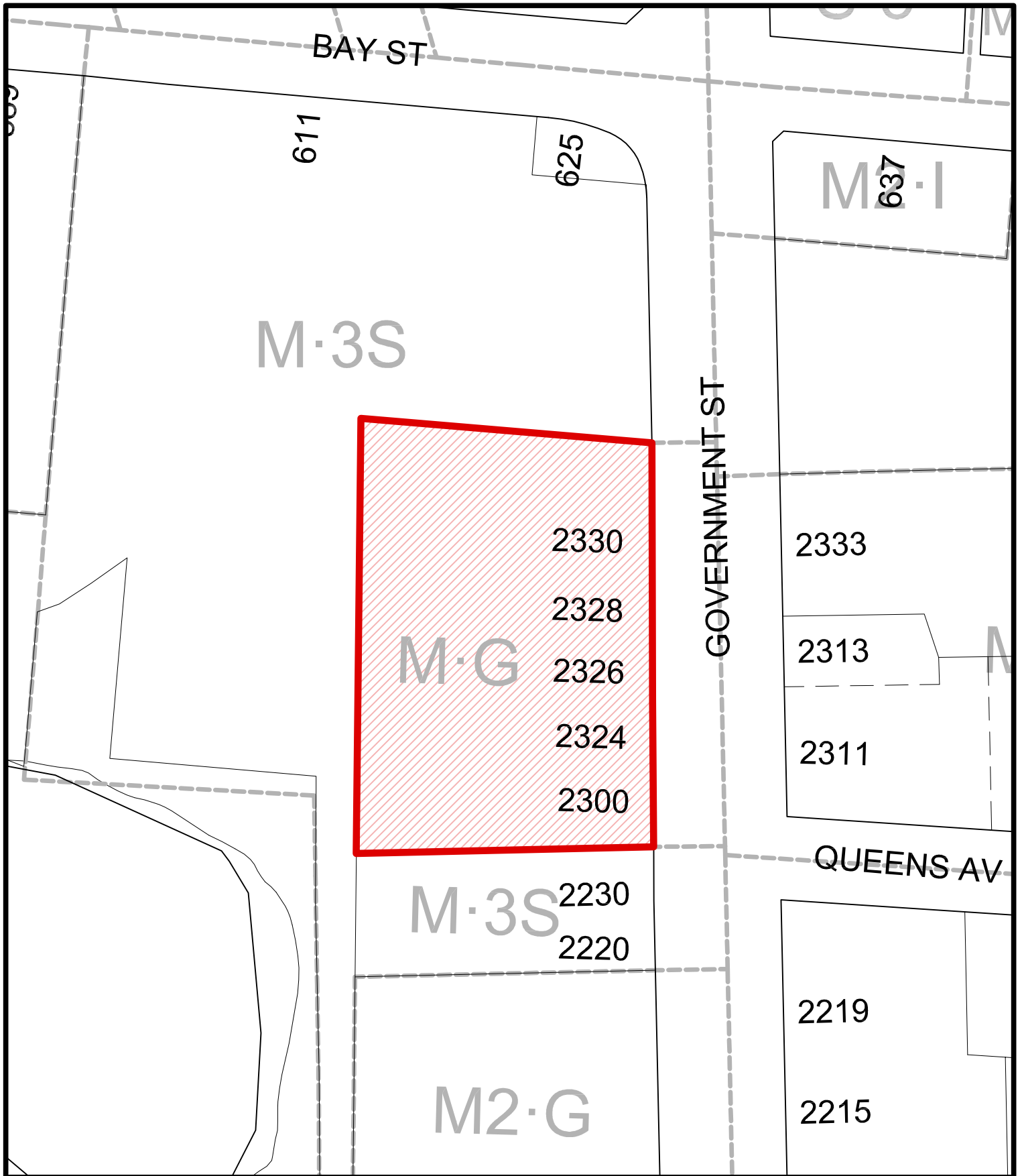
Report accepted and recommended by the City Manager:

Date:


June 13, 2019

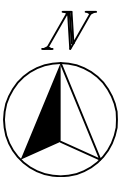
List of Attachments:

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped April 5, 2019
- Attachment D: Letters from applicant to Mayor and Council dated November 30, 2018
- Attachment E: Letters from Community Association Land Use Committee dated November 28, 2017 and August 20, 2018
- Attachment F: Referral Comments from the Victoria Police Department dated June 5, 2019.



2330 Government Street
Rezoning No.00682





2330 Government Street
Rezoning No.00682

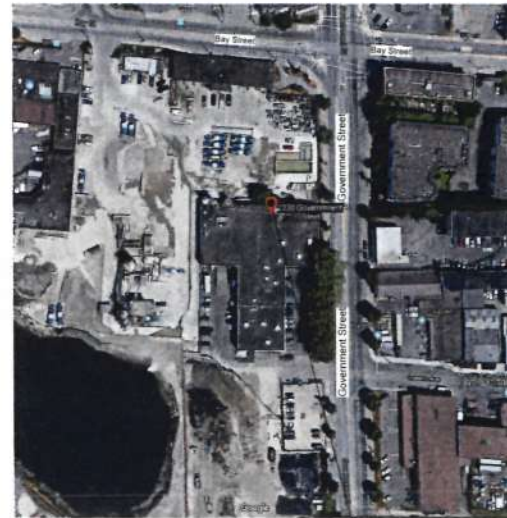


Vancouver Island Brewing Rezoning Application

2330 Government Street, Victoria, B.C.



3 2330 Government Street, Aerial View
No Scale



Project Location

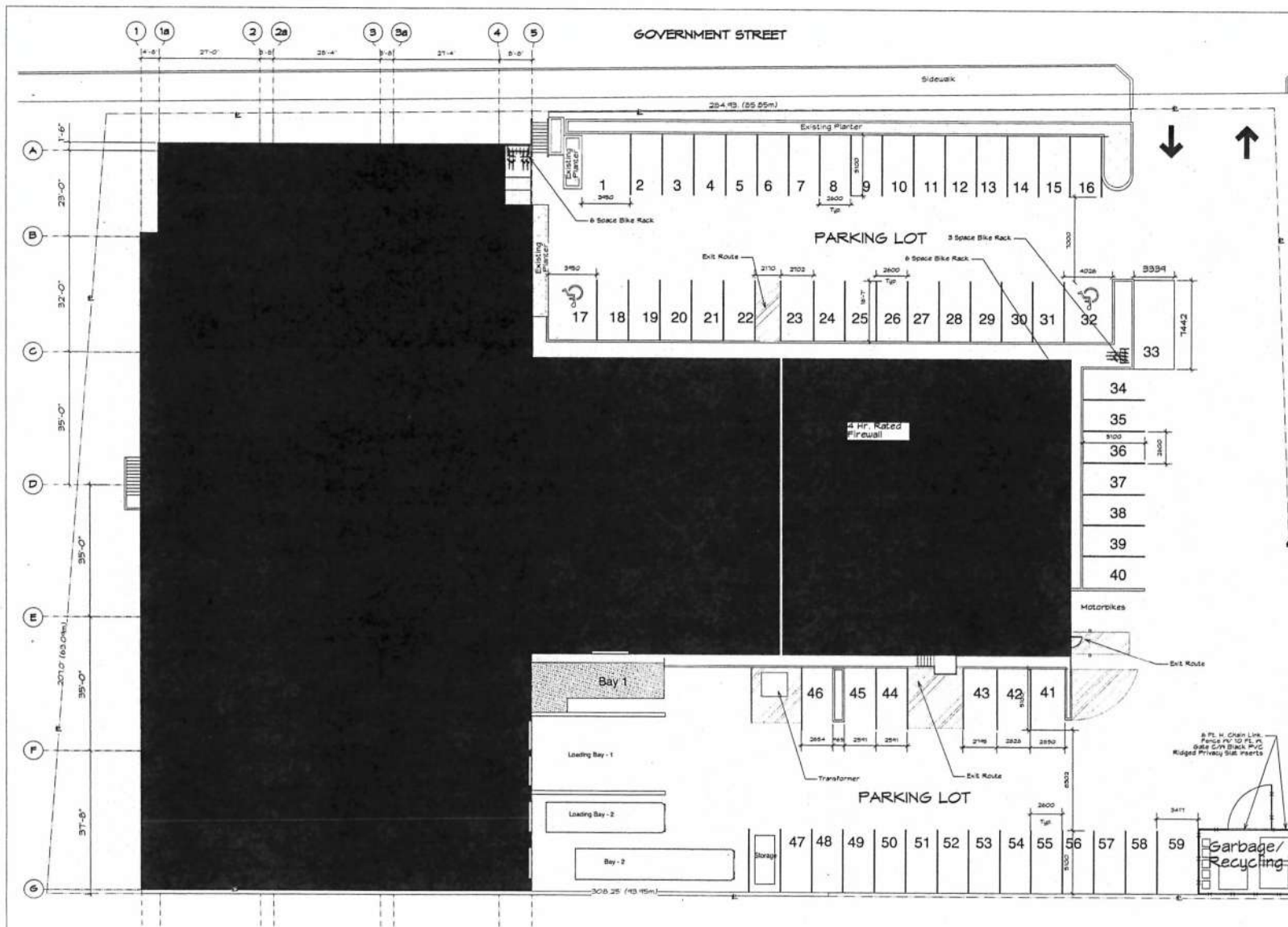
2 2330 Government Street, Location Plan
No Scale



1 Zoning Map
No Scale



		<table><tr><td colspan="2">Project Name</td><td colspan="2">Vancouver Island Brewing Rezoning Application</td><td>Project No.</td><td>1807</td></tr><tr><td colspan="2"></td><td colspan="2">2020-000</td></tr></table>	Project Name		Vancouver Island Brewing Rezoning Application		Project No.	1807			2020-000	
Project Name		Vancouver Island Brewing Rezoning Application		Project No.	1807							
		2020-000										



Building Occupancy Summary		
Type of Building Use	Sq. Ft.	# of
Office	19,142.30	1,952.75
Manufacturing	17,482.82	1,824.30
Residential	779.00	79.00
Retail	1,629.75	181.13
Warehouse	5,526.94	513.47
Personal Services	1,158.19	187.60
Total Area	46,602.25	4,329.25

TYPE OF BUILDING USE	TYPE OF BUILDING USE	Parking	OFFICE PARKING	TYPE OF BUILDING USE
Office	1,952.75	1,952.75	1,952.75	Office
Manufacturing	1,824.30	1,824.30	1,824.30	Manufacturing
Residential	79.00	79.00	79.00	Residential
Retail	181.13	181.13	181.13	Retail
Warehouse	513.47	513.47	513.47	Warehouse
Personal Services	187.60	187.60	187.60	Personal Services
Garage/Storage	1,824.30	1,824.30	1,824.30	Garage/Storage
Total Parking Requirements				Total Parking Requirements
Total Parking Existing On Site				Total Parking Existing On Site
Parking Surplus				Parking Surplus

Project Information Data Table		
Existing Zone	M.O.	
Proposed Zone	M.O.	
Site Area	5,765.6m ²	
Floor Area		
Main	2,937.4m ²	
Second	1,451.6m ²	
Total Floor Area	4,389.0m²	
Commercial Floor Area	4,389.0m ²	
Floor Space Ratio (FSR)	4,389.0m ² / 5,765.6m ² = 75.1	
Site Coverage (%)	N/A	
Open Site Space (%)	N/A	
Building Height (m)	N/A	
Number Of Stories	2	
Parking Ratio (Number Of Bays)	29	
Bay Size (Square Meters)	0	
Bay Size (Square Feet)	0	
Building Setbacks		
Front Yard	East	N/A
Rear Yard	West	N/A
Side Yard (South)	South	N/A
Side Yard (North)	North	N/A
Conditional Side Yard	N/A	
Total Number Of Units	N/A	
Unit Type (sq. ft. Bedroom)	N/A	
Ground-mounted Units	N/A	
Minimum Unit Floor Area (sq. ft.)	N/A	
Total Residential Floor Area (sq. ft.)	N/A	



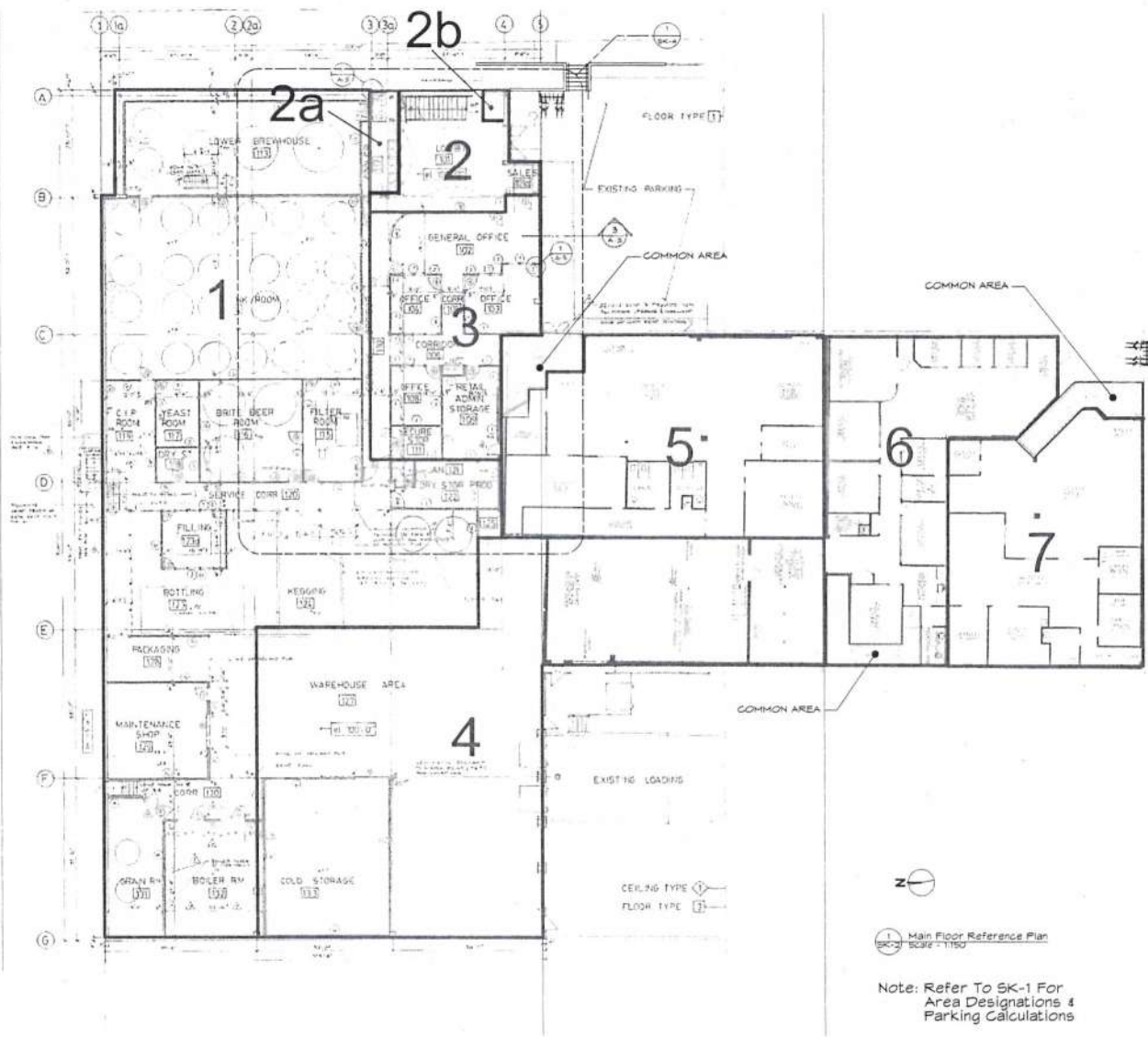
1. Image of PVC Privacy Slats
NOT TO SCALE

2. SITE PLAN
SCALE: 1"=150'

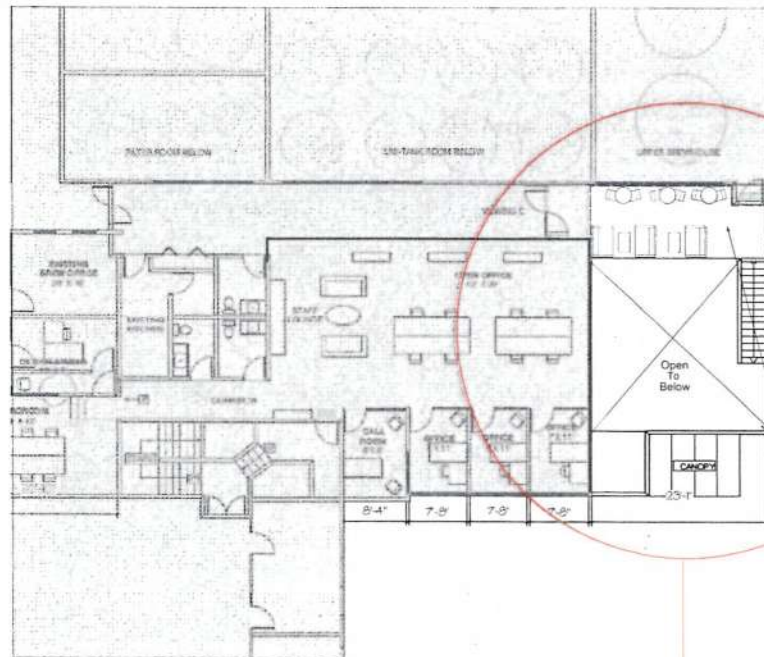
APR 05 2019
Planning & Development Department
Development Services Division



1807
Site Plan
SK-1

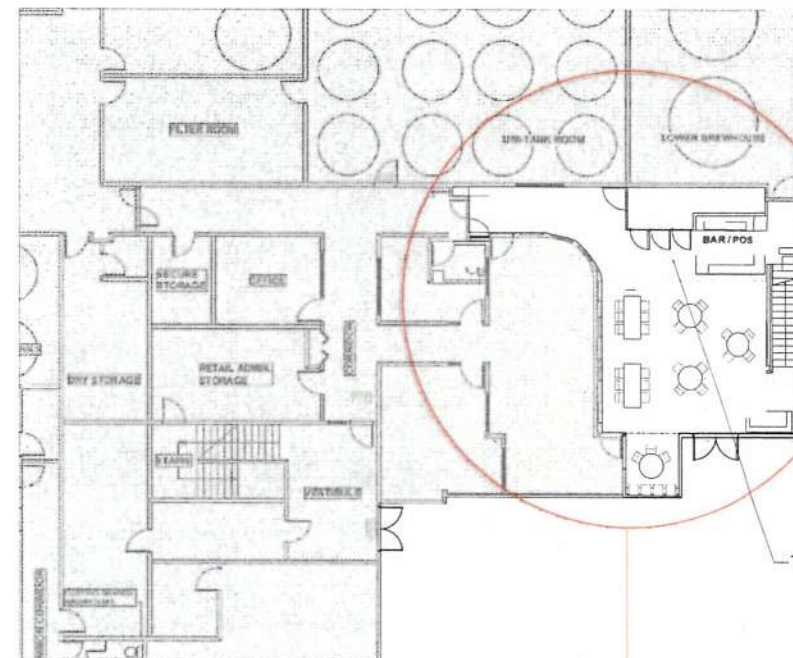


Vancouver Island Brewing Rezoning Application		1907
Floor Plans/ Occupant Load	1907-22 Rev. 10/2019	SK-2



Total Area = 21.9m²

2 Existing Level 2
Scale: 1/8" = 1'-0"



Total Area = 106.1m²

1 Existing Level 1
Scale: 1/8" = 1'-0"

PROPOSED AREA
FOR
REZONING
APPLICATION

LEGEND

- AREA TO REMAIN UNAFFECTED
- AREA W/ PROPOSED MODIFICATIONS

Note: No New Construction Proposed.
All Work Is Related To Furniture &
Seating Capacity Only

PROPOSED AREA
FOR
REZONING
APPLICATION



Vancouver Island Brewing Rezoning Application				1807
Project Name	Project No.	Project Date	Project Status	Project Stage
Proposed Tasting Room Area Calculation	1807-02	Rev. 1/15/2018	1/15/2018	SK-4



November 30, 2018

City of Victoria
Sustainable Planning and Community Development
Development Services Division
1 Centennial Square
Victoria, BC V8W 1P6

Re: Application to Rezone to allow additional use - Brewpub

Dear Mayor Helps and Council,

Vancouver Island Brewing would like to incorporate a lounge/tasting room within the current footprint of our existing Brewery Store. There will be no construction or renovations to the building, we would simply like to change how we operate within our existing space in order to have the ability to engage more fully with our customers and surrounding community. For this reason, we are proposing a rezoning of 2330 Government street to allow for a brewpub as a designated use.

Vancouver Island Brewing is located on the brewery walk, ideally situated between Phillips Brewery on Government Street and Driftwood and Hoyne Breweries on Bridge Street. This area draws a large number of tourist and locals alike looking to have an authentic craft brewery experience. We believe that this experience entails more than just buying a 6 pack from a brewery. Having the option to sit back and enjoy multiple samples while watching the brewers work in the Brewhouse, or talk to the Operations Manager as he's passing through the area are experiences that our guests are currently missing.

To that end, in conjunction with this rezoning application we are working with the BC Liquor and Cannabis Regulatory Branch to obtain a Brewery Lounge Endorsement. Our current licence allows us to sell guests no more than 12 ounces of beer in serving sizes no larger than 4 ounces. With a zoning and licence change, we will be able to serve guests a full 12 ounce glass, or allow them to taste all beers made at our brewery. It will be a true tasting room.

VANCOUVER ISLAND BREWING

2330 Government St., Victoria, BC V8T 5G5

250-361-0007 | 1-800-663-6383 | info@vibrewing.com



The brewery is in a leased space with other tenants occupying office and retail space. The area is in the Rock Bay District and zoned to permit breweries, restaurants, light industrial, retail and office uses. Additionally, the site falls within the Activity Noise District, which allows for more noise than the 'Intermediate' or 'Quiet' districts. The site is bounded to the North and West by the Ocean Concrete's work yard, to the South by an empty lot owned by BC Hydro, and to the East by residential and light industrial/ service commercial use.

While our aim is to increase business, we do not anticipate higher traffic volumes until after 5pm on weekdays and all day on weekends. We currently have 25 parking spaces reserved for brewery use with 6 currently dedicated for customer use. The majority of the parking lot is empty after 5pm weekdays and all day on weekends leaving ample parking space for customers during those times. We are also located near major bus routes and have multiple bike racks in our parking lot.

Additionally, we do not believe that the new designated use of our existing space would create additional noise above our current operations. Our intent is to improve access to the brewery and to familiarize customers with new and existing products, not to create a loud, high traffic area. While we may occasionally feature local live music, given the small space which is completely confined within the building, the level of entertainment will be subdued. Any additional entertainment will be limited to simple games (board games, etc.) that consumers can play in a group at their table.

We will have seating for 40 guests and hours will not change from what is currently allowed in our license (daily 9am to 11pm) with actual operating hours starting at 11:00 and ending by 10:00 or earlier depending on consumer demand. We are requesting longer hours as we are often approached by other business and community organizations to host private functions. Some of these events would be cocktail type events in the evening, with food pairings available throughout the space. Seating would be removed and we could see capacity up to our occupancy load of 86 people (inclusive of staff and patrons). We would also be hosting various beer education events run by our brewing staff. The frequency of these hosted events would be bi-weekly or weekly at the most, with larger special events only occurring as often as semi-annually and would be held after hours (5pm-11pm) when neighbouring businesses have vacated the parking spots. These events would be hosted within the building with minimal spill over into our parking lot.

VANCOUVER ISLAND BREWING

2330 Government St., Victoria, BC V8T 5G5

250-361-0007 | 1-800-663-6383 | info@vibrewing.com



Despite the zoning allowing for a brewpub, the primary focus of the business will remain manufacturing (production brewery). While we understand a requirement of the lounge endorsement is to provide hot or cold food options for customers, it is not our intention to become a dining destination. We plan to have limited offerings that will enhance the craft beer experience, such as various meat, cheese and cracker offerings produced by other local business. Additionally, we will have non-alcoholic beverages and gluten-free alcoholic options.

It is my hope that this application for rezoning can be supported. I am available at your convenience should you have any questions on this project.

Sincerely,

David Nicholls
General Manager
Vancouver Island Brewing

VANCOUVER ISLAND BREWING

2330 Government St., Victoria, BC V8T 5G5
250-361-0007 | 1-800-663-6383 | info@vibrewing.com

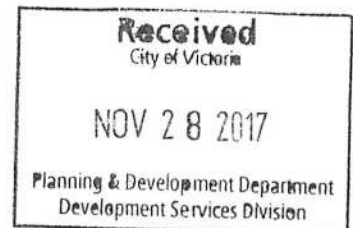


Burnside Gorge Community Association

November 28, 2017

Mayor & Council
#1 Centennial Square, Victoria, BC.

Dear Mayor and Council:



CALUC Community Meeting Rezoning Application for 2330 Government Street

On Nov. 20th, 2017, the Burnside Gorge Land Use Committee (BGLUC) hosted a CALUC community meeting that was advertised to discuss the Vancouver Island Brewing Company proposal to rezone 2330 Government Street from M-G - Government light Industrial 2 to site specific zoning for a lounge endorsement.

Alison Duke of Vancouver Island Brewing presented.

The proposal is for a lounge endorsement allowing for a 24 seat lounge / tasting room. The existing building will not change externally. Proposed brewery contains an area for retail liquor sales.

There are designated parking spaces with additional weekend spaces. The BG CALUC supports any parking variance that may be required.

There was only one attendee and they were in support of this proposal. We also received the following email in support.

We are agents for the owners of 637 Bay Street, Victoria.

This is to advise that we support this Development Proposal. We feel the proposed modest changes will further enhance the commercial and social fabric of the immediate neighbourhood.

Thank you.

Clive

The Burnside Gorge LUC supports this proposal.

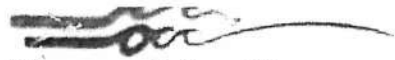
Respectfully,

Avery Stetski

Avery Stetski

Land Use Committee Chair, Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department
Alison Duke - Vancouver Island Brewing Company



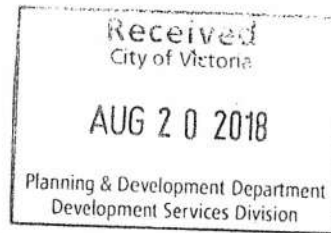
Burnside Gorge Community Association

August 20, 2018

Mayor & Council

#1 Centennial Square, Victoria, BC.

Dear Mayor and Council:



Updated CALUC Comment on Revised Application for 2330 Government Street

On Nov. 20th, 2017, the Burnside Gorge Land Use Committee (BGLUC) hosted a CALUC community meeting that was advertised to discuss the Vancouver Island Brewing Company proposal to rezone 2330 Government Street from M-G Government light Industrial 2 to site specific zoning for a lounge endorsement.

The proposal has been revised to change the seating capacity for a lounge endorsement from an original 24 seat lounge / tasting room to 61 persons on Level 1 and a capacity for 25 persons on Level 2. The existing building will not change externally. Proposed brewery contains an area for retail liquor sales.

There are no changes from the original designated parking spaces with additional weekend spaces. The BG CALUC supports any parking variance that may be required.

After reviewing the revised plans dated 18/08/14 the Burnside Gorge LUC sees no requirement for the proponent to hold a second Land Use Meeting nor a second community meeting.

This is to advise that the BGLUC fully supports this Development Proposal. We feel the proposed modest changes will further enhance the commercial and social fabric of the immediate neighbourhood.

Respectfully,

Avery Stetski

Land Use Committee Chair, Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department

Alison Duke - Vancouver Island Brewing Company

Leanne Taylor

From: Watson, Cliff <cliff.watson@vicpd.ca>
Sent: June 5, 2019 4:40 PM
To: Leanne Taylor
Subject: Revised Plans Received for 2330 Government Street (to allow for a Brewpub)

The application from Vancouver Island Brewing for a lounge endorsement proposes a 86 seat licensed area for the hours of 9am to 11pm.

Generally speaking, this type of licence/application is of lower concern than most other licence applications – particularly when considering the proposed hours.

The physical location of the Brewery and the proposed lounge is favorable for the applicant as the immediate area could be described as rather quiet in the evening hours. There are residential units across the street at Government and Bay, but the remainder of the neighboring properties are either commercial or industrial.

In comparison to other similar operations and hours, these hours seem reasonable (a similar operation a few blocks away closes at 10pm every day – a location where VicPD has not seen any increase to liquor calls for service or other anecdotal impacts on the neighbourhood). VicPD's primary concern are when these liquor seats run into the late night hours.

VicPD has opposed other lounge endorsement applications where the property was immediately adjacent to existing residential units, or pending residential developments.

This application does not appear to have either competing scenario.

While VicPD is not in a position to 'support' an application where liquor seats are increased, the impacts of this application/licence on the immediate neighbourhood appear minimal, and impact on VicPD resources would in all likelihood be minimal.



Sgt Cliff Watson
Operational Planning
Victoria Police Department
850 Caledonia Ave
Victoria BC, V8T 5J8
Office. 250-995-7218
Mobile. 250-812-0872
cliff.watson@vicpd.ca

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August 20, 2018

Mayor & Council
#1 Centennial Square, Victoria, BC.

Dear Mayor and Council:

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.

Respectfully,



Avery Stetski

Land Use Committee Chair, Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department

Alison Duke - Vancouver Island Brewing Company

November 28, 2017

Mayor & Council
#1 Centennial Square, Victoria, BC.

Dear Mayor and Council:

CALUC Community Meeting Rezoning Application for 2330 Government Street

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Alison Duke of Vancouver Island Brewing presented.

The proposal is for a lounge endorsement allowing for a 24 seat lounge / tasting room. The existing building will not change externally. Proposed brewery contains an area for retail liquor sales.

There are designated parking spaces with additional weekend spaces. The BG CALUC supports any parking variance that may be required.

There was only one attendee and they were in support of this proposal. We also received the following email in support.

We are agents for the owners of [637 Bay Street, Victoria](#).

This is to advise that we support this Development Proposal. We feel the proposed modest changes will further enhance the commercial and social fabric of the immediate neighbourhood.

Thank you.

Clive

The Burnside Gorge LUC supports this proposal.

Respectfully,

Avery Stetski

Avery Stetski

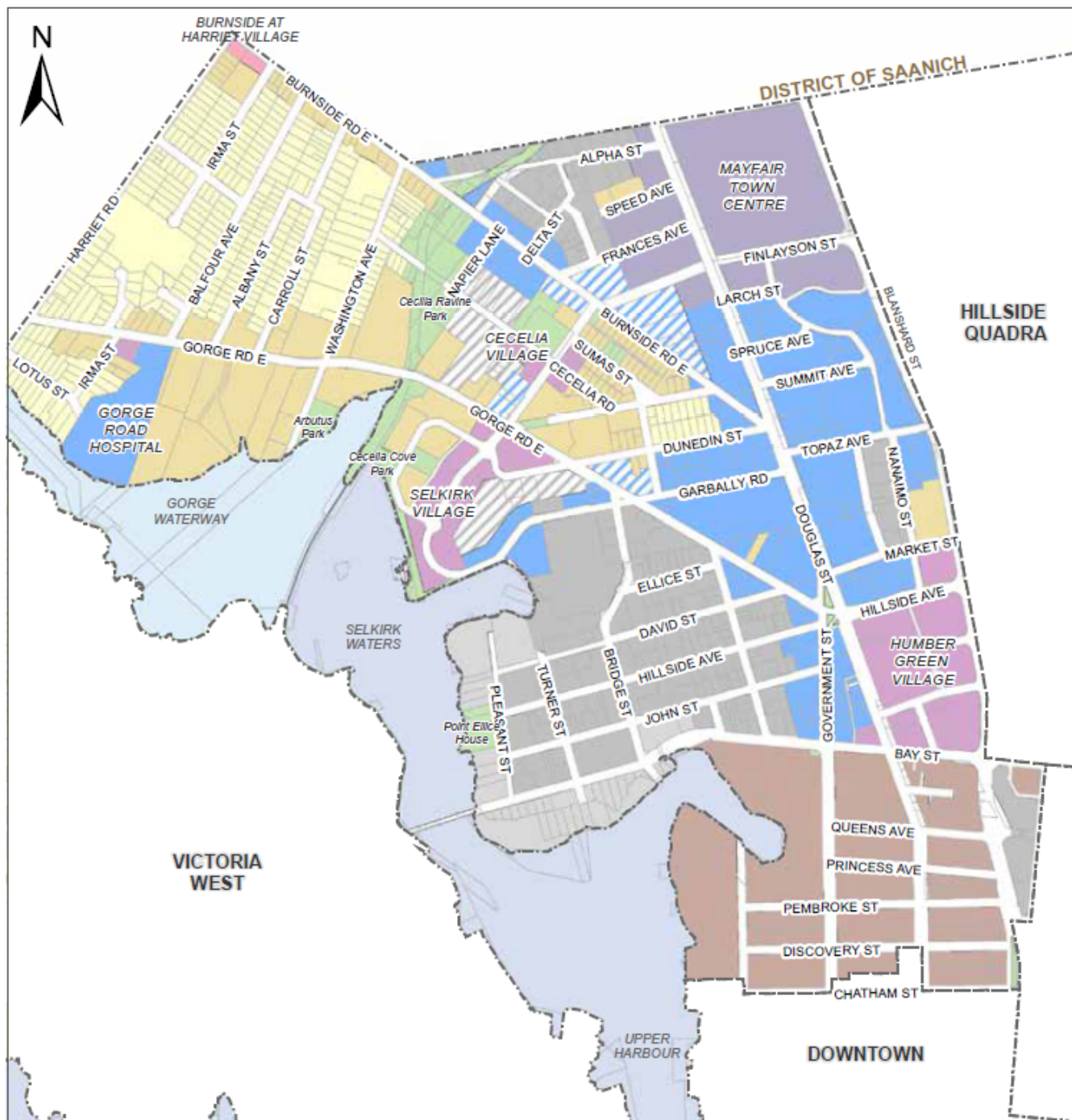
Land Use Committee Chair, Burnside Gorge Community Association

cc: Sustainable Planning and Community Development Department
Alison Duke - Vancouver Island Brewing Company

Rezoning Application for 2330 Government Street





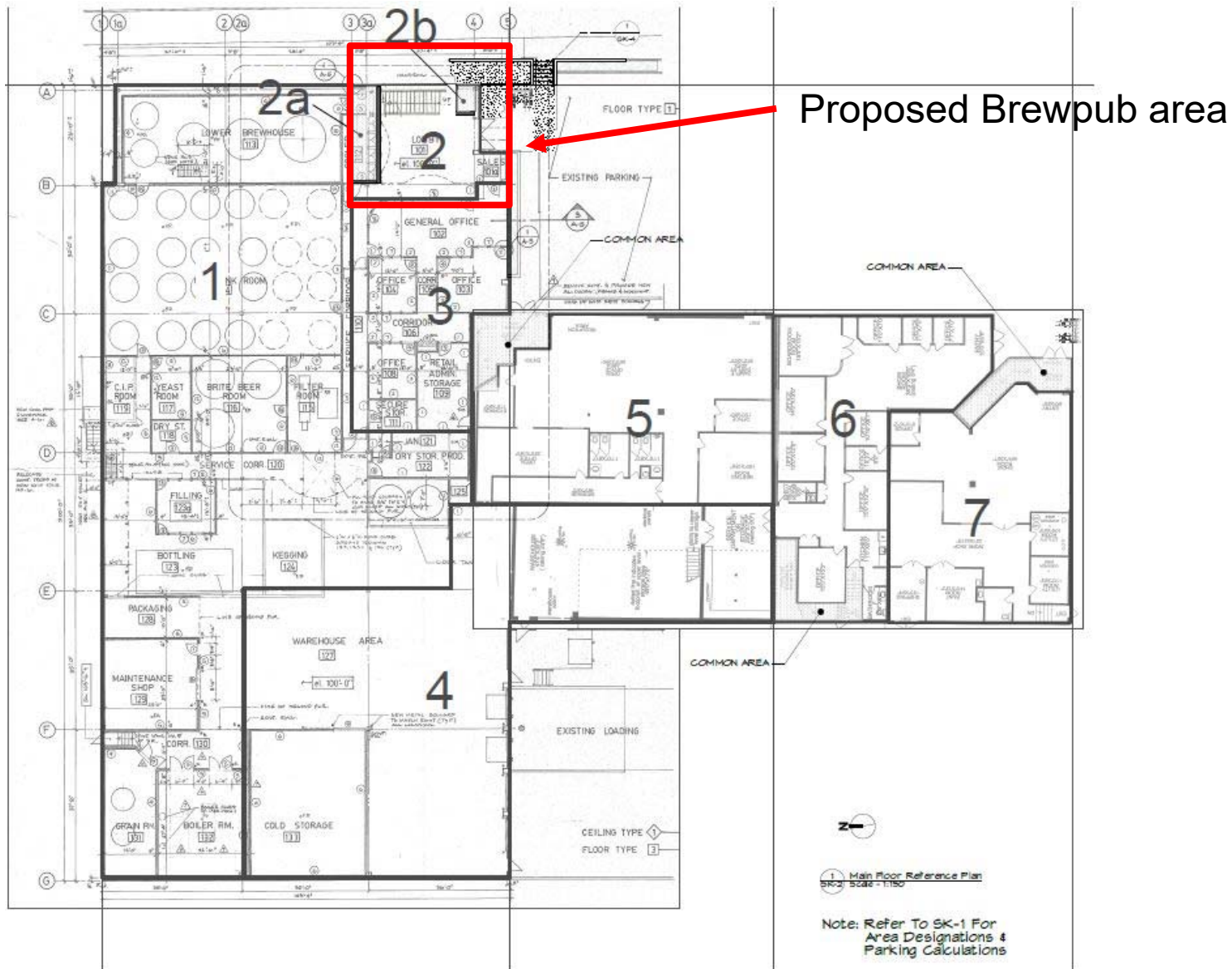


MAP 19 Burnside Neighbourhood

Urban Place Designations*

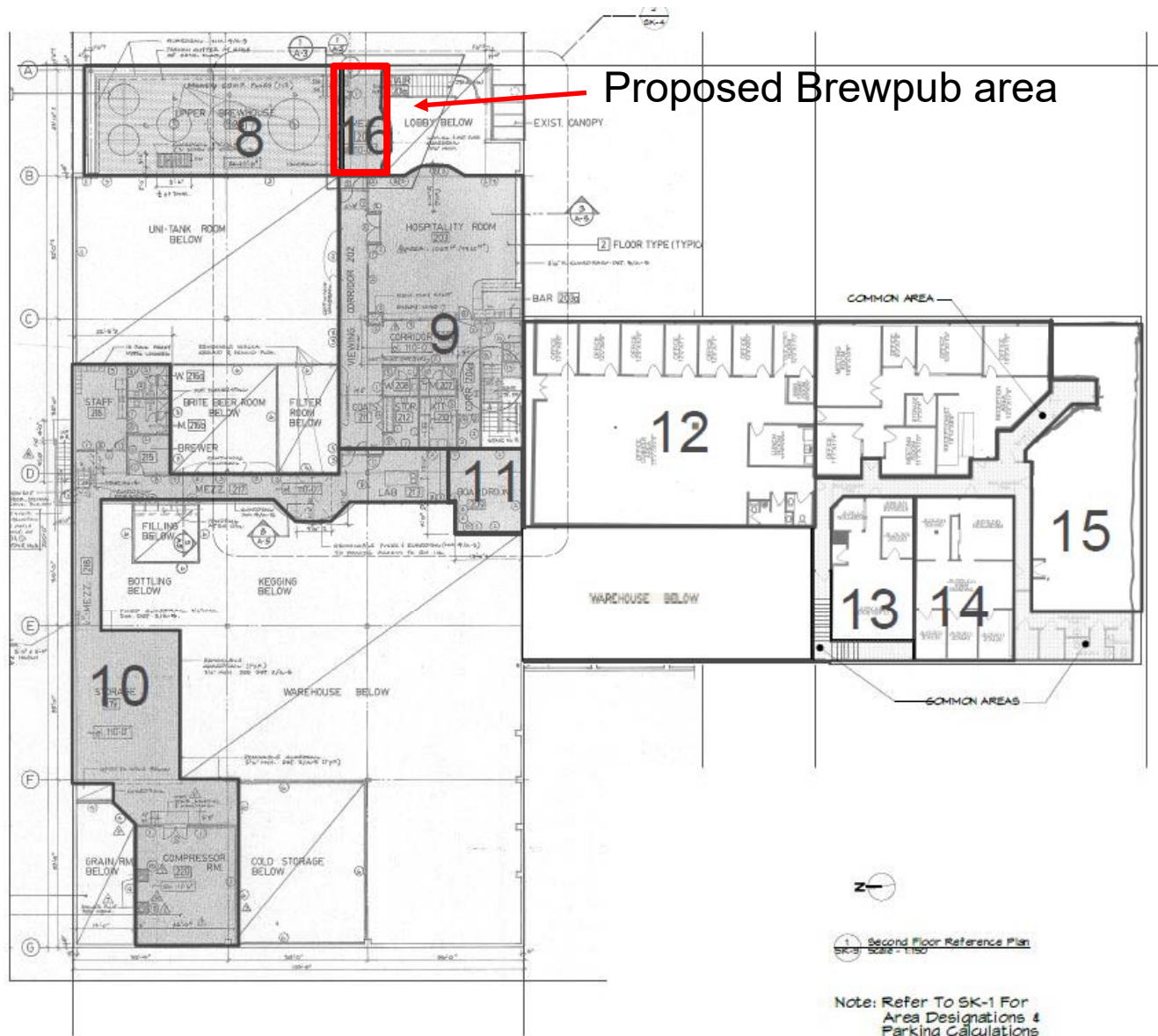
- Core Employment
- Industrial Employment
- Employment-Residential
- Industrial Employment-Residential
- Marine Industrial
- General Employment
- Town Centre
- Large Urban Village
- Small Urban Village
- Urban Residential
- Traditional Residential
- Public Facilities, Institutions, Parks and Open Space
- Working Harbour
- Marine

*Urban Place Designations are provided for information purposes only. Please refer to Map 2 and Figure 8 for designation information.



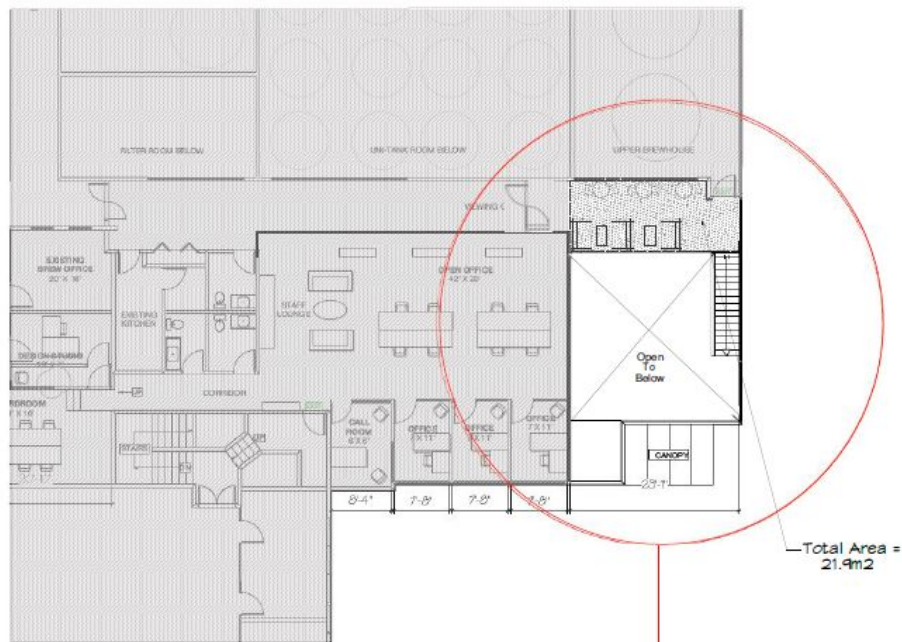
Main Floor

				Project No.	1807
	Project Name Vancouver Island Brewing Rezoning Application	Project Location 1000-1000 Street, Nanaimo, BC	Project Date 10/10/2023	Project No. SK-2	



Second Floor

				Project No.	1807
	Vancouver Island Brewing Rezoning Application			Project No.	1807
Working Title	Project No.	Scale	Date	Working Title	SK-3
Second Floor Plan	1807	1/150	1807	Second Floor Plan	SK-3



2 Existing Level 2
SR-4 Scale: 1/8" = 1'-0"



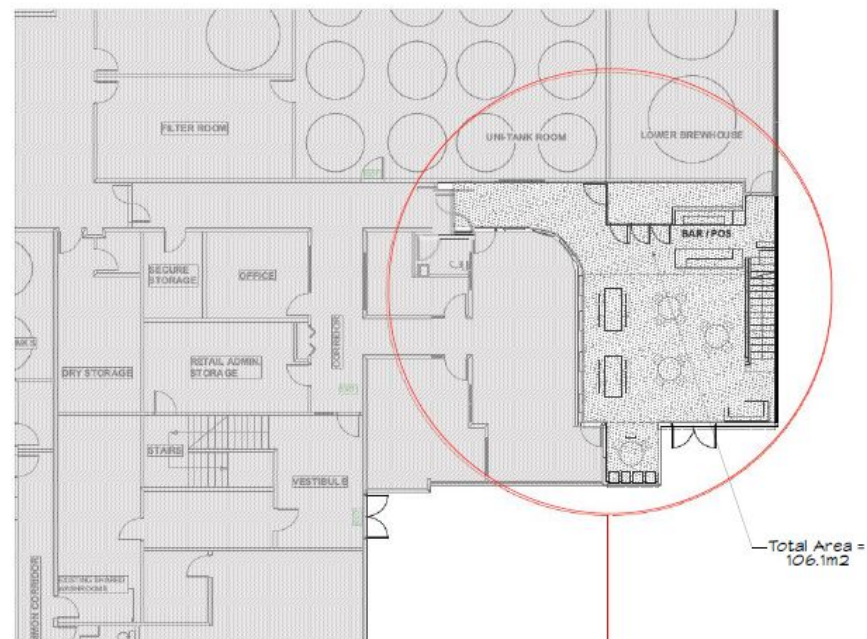
PROPOSED AREA
FOR
REZONING
APPLICATION

LEGEND

 AREA TO REMAIN UNAFFECTED

☐ AREA W/ PROPOSED MODIFICATIONS

Note: No New Construction Proposed.
All Work Is Related To Furniture &
Seating Capacity Only



1 Existing Level 1
SK-4 Scale: 1/8" = 1'-0"



PROPOSED AREA
FOR
REZONING
APPLICATION

			Vancouver Island Brewing Reasoning Application <small>1000 Commercial Street, Suite 401, Victoria, BC V8W 2Y2</small>		project no 1807
MUM & Architect Inc. <small>1000 Commercial Street, Suite 401 Victoria BC (250) 383-1180 ext 401 / 402 / 403 / 404</small>			meeting title Proposed Testing Room Area Calculation	meeting by 10/23	meeting date 10/23
				meeting time 10:00 AM - 12:00 PM	meeting location 1000 Commercial Street, Suite 401, Victoria, BC V8W 2Y2

NO. 19-078

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the M-G-4 Zone, Government Light Industrial 4 District, and to rezone land known as 2330 Government Street from the M-G Zone, Government Light Industrial 2 District, to the M-G-4 Zone, Government Light Industrial 4 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. 1198)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 7 – Industrial and Service Zones by adding the following words:

“7.62 M-G-4, Government Light Industrial 4 District”
- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 7.61 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 2330 Government Street, legally described as PID: 014-081-091, Lot A, Sections 3 and 4, and of District Lot 121, Victoria District, and Part of the Bed of the Public Harbour of Victoria, Plan 48591 and shown hatched on the attached map, is removed from the M-G Zone, Government Light Industrial 2 District, and placed in the M-G-4 Zone, Government Light Industrial 4 District.

READ A FIRST TIME the	18th	day of	July	2019
-----------------------	------------------------	--------	-------------	------

READ A SECOND TIME the	18th	day of	July	2019
------------------------	------------------------	--------	-------------	------

Public hearing held on the		day of		2019
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READ A THIRD TIME the		day of		2019
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ADOPTED on the		day of		2019
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CITY CLERK

MAYOR

PART 7.62 – M-G-4 ZONE, GOVERNMENT LIGHT INDUSTRIAL 4 DISTRICT**7.62.1 Permitted Uses in this Zone**

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

- a. All of the uses permitted under Part 7.45 for the M-G Zone, Government Light Industrial 2 District;
- b. Brewpub, subject to the regulations in this Part.

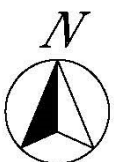
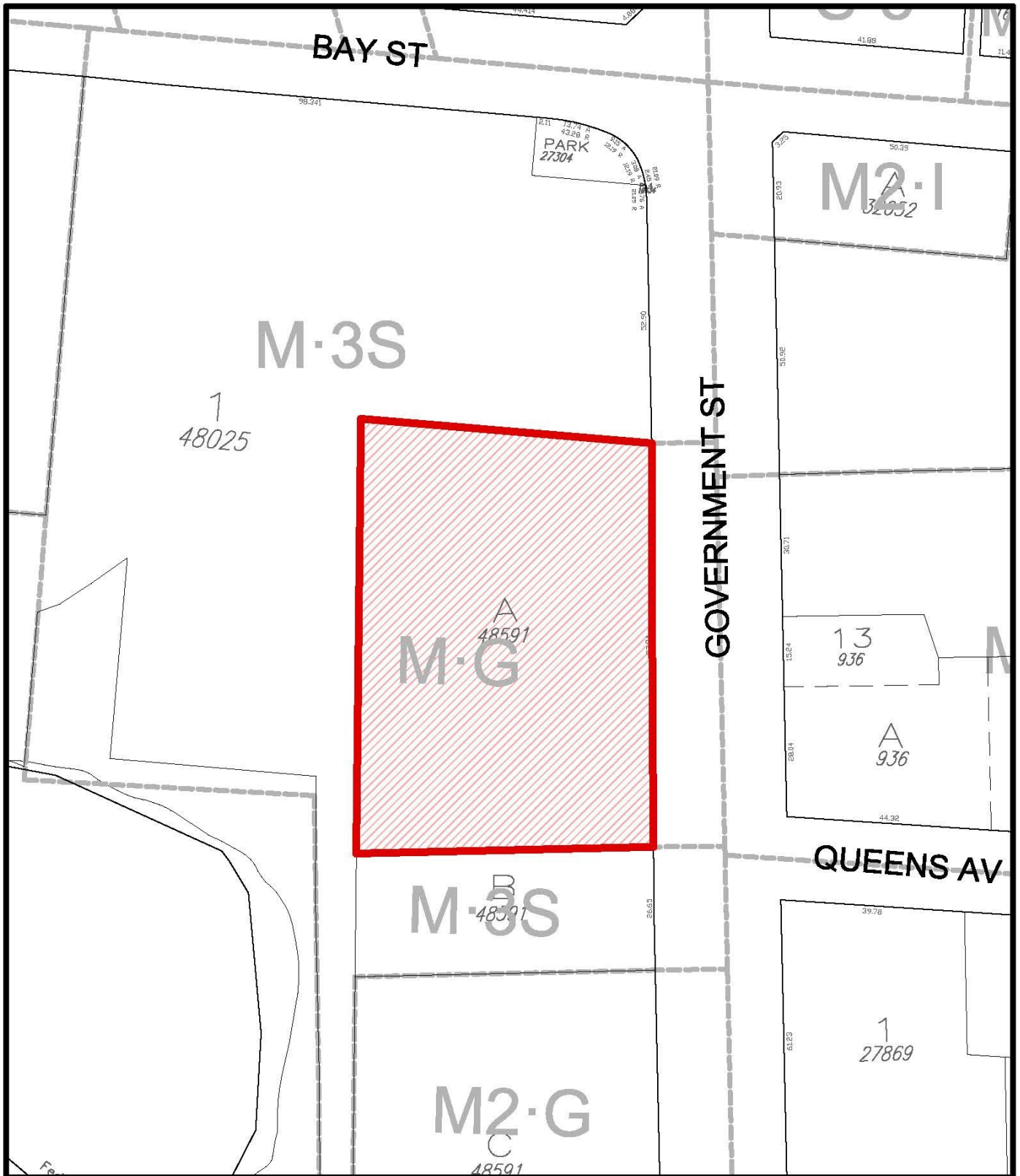
7.62.2 Floor Area

Floor area (maximum)

72m²

7.62.3 General Regulations

Except as provided in this Part, the regulations in the M-G Zone, Government Light Industrial 2 District apply in this Zone.



2330 Government Street
Rezoning No.00682



C. BYLAWS

C.3 1900-1912 Richmond Road Rezoning Application No. 00651

Moved By Councillor Thornton-Joe

Seconded By Councillor Young

That the following bylaw be given **first and second readings**:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1191) No. 19-060

CARRIED UNANIMOUSLY

Moved By Councillor Alto

Seconded By Councillor Thornton-Joe

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

1. Housing Agreement (1900, 1908, & 1912 Richmond Road) Bylaw (2019) No. 19-083

CARRIED UNANIMOUSLY



Council Report
For the Meeting of July 18, 2019

To: Council

Date: July 10, 2019

From: C. Coates, City Clerk

Subject: 1900-1912 Richmond Road: Rezoning Application No. 00651

RECOMMENDATION

That the following bylaw be given first and second readings:

1. Zoning Regulation Bylaw, Amendment Bylaw (No. 1191) No. 19-060

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

1. Housing Agreement (1900, 1908, & 1912 Richmond Road) Bylaw (2019) No. 19-083

BACKGROUND

Attached for Council's initial consideration is a copy of the proposed Bylaws No. 19-060 and No. 19-083.

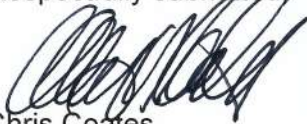
In accordance with Council's motion on June 27, 2019, included below, the necessary conditions have been met and the application can advance to a Public Hearing.

1900 Richmond Road: Rezoning Application No. 00651 Update


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 legal documents are prepared and executed:

- a. Statutory Right-of-Way of 1.82m off Fort Street
- b. Statutory Right-of-Way of 1.39m off Birch Street
- c. Statutory Right-of-Way of 4.53m off Richmond Road
- d. Statutory Right-of-Way of 1.44m off Ashgrove Street
- e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.

Respectfully submitted,


Chris Coates
City Clerk

Report accepted and recommended by the City Manager:


Date: July 11, 2019

List of Attachments:

- Bylaw No. 19-060
- Bylaw No. 19-083

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C1-R Zone, Richmond Limited Commercial 2 District, and to rezone land known as 1900, 1908 & 1912 Richmond Road from the R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District, to the C1-R Zone, Richmond Limited Commercial 2 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. 1191)".
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule "B" under the caption PART 4 – GENERAL COMMERCIAL ZONES by adding the following words:

"4.95 C1-R Zone, Richmond Limited Commercial 2 District"

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.95 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 1900, 1908 & 1912 Richmond Road, legally described as PID: 000-142-506, Lot A, Section 76, Victoria District, Plan 20969; PID: 009-196-137, Lot 49, Section 76, Victoria District, Plan 257; PID: 009-196-145, Lot 50, Section 76, Victoria District, Plan 257; and PID: 009-196-153, Lot 51, Section 76, Victoria District, Plan 257, and shown hatched on the attached map, is removed from the R3-2 Zone, Multiple Dwelling District and the C-1 Zone, Limited Commercial District and placed in the C1-R Zone, Richmond Limited Commercial 2 District.

READ A FIRST TIME the	day of	2019
-----------------------	--------	------

READ A SECOND TIME the	day of	2019
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Public hearing held on the	day of	2019
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READ A THIRD TIME the	day of	2019
-----------------------	--------	------

ADOPTED on the	day of	2019
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CITY CLERK

MAYOR

PART 4.95 – C1-R ZONE, RICHMOND LIMITED COMMERCIAL 2 DISTRICT**4.95.1 Definitions**

In this Part, 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.

4.95.2 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. Assisted Living Facility
- c. Medical Laboratory
- d. Medical Offices
- e. Restaurant
- f. Retail

4.95.3 Lot Area

- a. Lot area (minimum) 4697m²
- b. Lot width (minimum) 72m

4.95.4 Community Amenities

- a. As a condition of additional density pursuant to Part 4.95.5, a monetary contribution of \$1,000,000 must be provided to the Victoria Housing Reserve Fund prior to issuance of a Development Permit.
- b. Until the amenity contribution identified in Part 4.95.4 a. is paid in full, it shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw #19-060 is adopted and each year thereafter, by adding to the base contribution amount in Part 4.95.4 a. an amount calculated by multiplying that base contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.
- c. For the purposes of this Part 4.95.4 "CPI" means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

PART 4.95 – C1-R ZONE, RICHMOND LIMITED COMMERCIAL 2 DISTRICT**4.95.5 Floor Area, Floor Space Ratio**

- | | |
|---|-------------------------|
| a. <u>Total floor area</u> (maximum) | 10,771.30m ² |
| b. <u>Floor space ratio</u> where the amenity has not been provided pursuant to Part 4.95.4 (maximum) | 1.4:1 |
| c. <u>Floor space ratio</u> where the amenity has been provided pursuant to Part 4.95.4 (maximum) | 2.29:1 |
| d. A minimum of 170m ² on the ground floor must be dedicated to one or more of the following uses: medical laboratory, medical office or pharmacy. | |

4.95.6 Height, Storeys

- | | |
|---|--------|
| a. Principal <u>building height</u> where the amenity has not been provided pursuant to Part 4.95.4 (maximum) | 12m |
| b. Principal <u>building height</u> where the amenity has been provided pursuant to Part 4.95.4 (maximum) | 20.64m |
| c. <u>Storeys</u> (maximum) | 5 |

4.95.7 Setbacks, Projections

- | | |
|--|-------|
| a. <u>Street Boundary</u> – Birch Street (minimum) | 1.10m |
| b. <u>Rear yard setback</u> – Ashgrove Street (minimum) | 2.55m |
| c. <u>Side yard setback</u> - from interior <u>lot lines</u> (minimum) | 2.24m |
| d. <u>Side yard setback</u> – Fort Street (minimum) | 2.00m |

4.95.8 Site Coverage, Open Site Space

- | | |
|-------------------------------------|--------|
| a. <u>Site Coverage</u> (maximum) | 51% |
| b. <u>Open site space</u> (minimum) | 30.45% |

PART 4.95 – C1-R ZONE, RICHMOND LIMITED COMMERCIAL 2 DISTRICT**4.95.9 Vehicle and Bicycle Parking**

- | | |
|-------------------------------------|--|
| a. <u>Vehicle parking</u> (minimum) | Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part |
| b. <u>Medical Offices</u> | 1 space per 50m ² floor area |
| c. <u>Medical Laboratory</u> | 1 space per 50m ² floor area |
| d. <u>Restaurant</u> | 1 space per 50m ² floor area |
| e. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |



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:

1 This Bylaw may be cited as the "HOUSING AGREEMENT (1900, 1908 & 1912 RICHMOND ROAD) BYLAW (2019)".

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 Amica Oak Bay Inc., or other registered owners from time to time of the lands described in subsection (c); and

(c) that applies to the lands known as 1900, 1908 & 1912 Richmond Road, Victoria, BC, legally described as:

PID: 000-142-506, Lot A, Section 76, Victoria District, Plan 20969
PID: 009-196-137, Lot 49, Section 76, Victoria District, Plan 257
PID: 009-196-145, Lot 50, Section 76, Victoria District, Plan 257
PID: 009-196-153, Lot 51, Section 76, Victoria District, Plan 257.

ADOPTED on the _____ day of _____ 2019

MAYOR

HOUSING AGREEMENT
 (Requiring all units to be rented)
 (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:

AMICA OAK BAY INC. Inc. No. BC1193710,
 a company incorporated under the laws of British Columbia,
 having an office at Suite 3200 - 20 Queen Street, Toronto, ON M5H 3R3
 (the "Owner")

OF THE SECOND PART

AND:

BANK OF MONTREAL,
 a Canadian Chartered Bank having a postal address at
 18th Floor, 1st Canadian Place, Toronto, ON M5X 1A1
 (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 1900 Richmond Road, Victoria, B.C. and legally described as:

PID: 000-142-506
 Lot A Section 76 Victoria District Plan 20969

PID: 009-196-137
 Lot 49 Section 76 Victoria District Plan 257

PID: 009-196-145
 Lot 50 Section 76 Victoria District Plan 257

- 2 -

PID: 009-196-153

Lot 51 Section 76 Victoria District Plan 257

(collectively, the "**Lands**");

- C. The Owner has applied to the City to rezone the Lands to permit 137 residential 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 \$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 137 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 137 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;

"**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.

1.2 In this Agreement:

- (a) 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.

Error! Unknown document property name.

- 3 -

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 tenant(s) under the terms of a Tenancy Agreement (if and to the extent that the *Residential Tenancy Act* applies to such tenancy) between the Owner and the tenant(s) 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 prohibit the Owner of a Dwelling Unit from renting that Dwelling Unit.
- 3.2** Without limiting the generality of section 3.1, 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 without the consent of the City.

4.0 REPORTING

- 4.1** The Owner covenants and agrees to provide to the Director, within thirty (30) days of the Director's written request, a report in writing confirming that:

- (a) all Dwelling Units are being rented or are vacant;
- (b) all other requirements of this Agreement are being complied with by the Owner and the Development,

together 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, subject to the rights of tenants of the Dwelling Units.
- 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.

Error! Unknown document property name.

- 4 -

6.0 LIABILITY

- 6.1 The Owner agrees to indemnify and save 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 registered against title to the Lands in the Land Title Office at Victoria, British Columbia, under numbers CA7337010 and CA7337011, respectively (the "Existing Charges"), 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*, and this Agreement shall be an encumbrance upon the Lands in priority to the Existing Charges in the same manner and to the same effect as if Notice had been filed prior to the Existing Charges.

8.0 GENERAL PROVISIONS

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

to the City:

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

Attention: Director of Sustainable Planning and Community Development
 Fax: 250-361-0386

- 5 -

to the Owner:

Amica Oak Bay Inc.
Suite 3200 - 20 Queen Street
Toronto ON M5H 3R3

Attention: Kate Milliken Binns
Fax: 604-608-9345

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,

- (b) 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

Error! Unknown document property name.

- 6 -

- 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.

Error! Unknown document property name.

- 7 -

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 CITY OF)
VICTORIA by its authorized signatories:)

MAYOR Lisa Helps)

CITY CLERK Chris Coates)

Date signed: _____)

AMICA OAK BAY INC.)
by its authorized signatories:)

Print Name: _____)

Print Name: _____)

Date signed: _____)

BANK OF MONTREAL)
by its authorized signatories:)

Print Name: _____)

Abhishek Menon
Associate

Print Name: _____)

Geoffrey Keating
Director

Date signed: _____)

2nd July 2019

Thomas J. Hunter
SENIORS' CANADA LLP

Execution by Bank of Montreal only for the purpose set out in Section 7.1.

Error! Unknown document property name.

I. REPORTS OF COMMITTEES

I.1 Committee of the Whole

I.1.a Report from the June 20, 2019 COTW Meeting

I.1.a.d 1900 Richmond Road - Rezoning Application No. 00651 and Development Permit Application No. 000531 Update (North Jubilee)

Moved By Councillor Alto

Seconded By Councillor Loveday

Rezoning Application No. 00651:

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 legal documents are prepared and executed:

- a. Statutory Right-of-Way of 1.82m off Fort Street
- b. Statutory Right-of-Way of 1.39m off Birch Street
- c. Statutory Right-of-Way of 4.53m off Richmond Road
- d. Statutory Right-of-Way of 1.44m off Ashgrove Street
- e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.

Development Permit Application No. 000531:

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

1. Plans date stamped May 1, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY

E.3 1900 Richmond Road - Rezoning Application No. 00651 and Development Permit Application No. 000531 Update (North Jubilee)

The Committee received a report dated June 6th, 2019 from the Acting Director of Sustainable Planning and Community Development providing information, analysis, and recommendations regarding the applications to rezone and develop 1900 Richmond Road in order to provide for a five-story assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road.

Committee discussed:

- Retention of medical services
- The applicants contribution to the housing reserve fund
- The height of the building in relation to the surrounding street

Moved By Councillor Potts

Seconded By Councillor Alto

Rezoning Application No. 00651:

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 legal documents are prepared and executed:

- a. Statutory Right-of-Way of 1.82m off Fort Street
- b. Statutory Right-of-Way of 1.39m off Birch Street
- c. Statutory Right-of-Way of 4.53m off Richmond Road
- d. Statutory Right-of-Way of 1.44m off Ashgrove Street
- e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.

Development Permit Application No. 000531:

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

1. Plans date stamped May 1, 2019.
2. Development meeting all Zoning Regulation Bylaw requirements.
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution."

CARRIED UNANIMOUSLY



Committee of the Whole Report

For the Meeting of June 20, 2019

To: Committee of the Whole **Date:** June 6, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: **Update Report on Rezoning Application No. 00651 and Development Permit Application No. 000531 for 1900 Richmond Road**

RECOMMENDATION

Rezoning Application No. 00651:

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 legal documents are prepared and executed:

- a. Statutory Right-of-Way of 1.82m off Fort Street
- b. Statutory Right-of-Way of 1.39m off Birch Street
- c. Statutory Right-of-Way of 4.53m off Richmond Road
- d. Statutory Right-of-Way of 1.44m off Ashgrove Street
- e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.

Development Permit Application No. 000531:

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

1. Plans date stamped May 1, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution."

EXECUTIVE SUMMARY

The purpose of this report is to present Council with information regarding affordability and the inclusion of medical facilities within a Rezoning Application and Development Permit Application for the property located at 1900 Richmond Road.

The proposal is to rezone from the R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District, to a site-specific zone in order to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road. The April 11, 2019 Committee of the Whole report, together with the meeting minutes, are attached to this report.

Legal Agreements

The four Statutory Right-of-Ways and the Housing Agreement are in the process of being prepared and executed as per Council's motion on April 11, 2019. Once these agreements are executed, the application will be ready to be advanced to a Public Hearing.

Affordability

As instructed by Council on April 11, 2019, staff have worked with the applicant to explore adding an affordability component to the proposal. As per the applicant's letter dated May 13, 2019 and attached, adding affordability within the facility would be difficult to manage due to the unique and changing care requirements for residents within the facility. However, the applicant recognizes the need for affordable housing in the City and therefore has offered to contribute \$1,000,000 to the Victoria Housing Reserve Fund so that the City can fund affordable units within other developments. Staff have therefore written into the site-specific zone a bonus density provision to account for this contribution.

Medical Facilities

Council further instructed staff to work with the applicant to locate medical facilities within the development or help relocate the facilities in the surrounding neighbourhood. As per the attached letter, the applicant has agreed to restrict the use of the proposed commercial space for medical uses. Staff have written the site-specific zone so that a minimum of 170m² (the proposed commercial floor area) must be dedicated to either a medical office, medical laboratory or pharmacy. In addition, the zone has been written so that the above medical uses require the same number of parking stalls as a retail store in order to encourage a medical use in the commercial space without further altering the parking layout.

Plan Revisions

The applicant has submitted plans, date stamped May 1, 2019 and attached to this report, that revise the grade of the parking ramp to not exceed 15%. In addition, the parking layout has been revised to meet the minimum vehicle parking stalls for a retail store.

The Development Permit motion has been updated with the date of these updated plans.

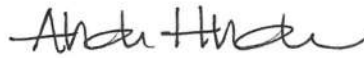
CONCLUSIONS

The bylaws and site-specific zone have been prepared by staff. The necessary conditions that would authorize the approval of the Rezoning Application for the property located at 1900 Richmond Road are in the process of being completed. The recommendation provided for Council's consideration would allow this application to advance to a Public Hearing once the legal agreements are executed.

Respectfully submitted,



Mike Angrove
Planner
Development Services Division



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

June 13, 2019

List of Attachments

- Attachment A: Plans date stamped May 1, 2019
- Attachment B: April 11, 2019 Committee of the Whole Reports
- Attachment C: Minutes from April 11, 2019 Council Meeting
- Attachment D: Letter from applicant dated May 13, 2019
- Attachment E: Proposed site-specific zone
- Attachment F: Correspondence (letters received from residents).



VIEW FACING WEST

NORR

2300, 411 - 1st Street SE,
Calgary, AB Canada T2G 4Y5
norr.com

NORR ARCHITECTS ENGINEERS PLANNERS
A Partnership of Limited Companies

From Milliken Architects (Alberta) Inc. Page Milliken Holdings Inc.
NORR is a trademark owned by Milliken Group Inc. and is used under license.

Vince Smith, Architect, AAA, B Arch, MAIBC
Bruce S. Milliken, Architect, AAA, B Arch, MAIBC
A. Simon Bastien, Architect, AAA, B Arch, MAIBC
Adam Tolson, P. Eng., AFPEGA
Chris Fox, P. Eng., AFPEGA

MAISON VICTORIA SENIORS

1900 RICHMOND RD
VICTORIA, B.C

APRIL 5, 2019

NORR JOB NO: NCCA-17-0221

milliken
DEVELOPMENTS
Perfectly Urban.

REVISED DEVELOPMENT PERMIT

DISCIPLINE (SURVEY)

POLARIS LAND SURVEYING INC.
PO BOX 261
BRENTWOOD BAY, BRITISH COLUMBIA, V8M 1R3

PHONE: 877 603 7198

DISCIPLINE (CIVIL)

McELHANNY CONSULTING SERVICES LTD.
200 858 BEATTY ST
VANCOUVER, BRITISH COLUMBIA, V6B 1C1

PHONE: 250 570 9221

DISCIPLINE (ARCHITECTURE)

NORR ARCHITECTS ENGINEERS PLANNERS
2300 - 411 1ST ST SE
CALGARY, ALBERTA, T2G 4Y5

PHONE: 403 264 4000

DISCIPLINE (LANDSCAPE)

LOMBARD NORTH GROUP (B.C) INC.
836 CORMORANT ST
VICTORIA, BRITISH COLUMBIA, V8W1R1

PHONE: 250 386 1336

ARCHITECTURE

DP000 PROJECT COVER SHEET
DP001 SURVEY PLAN
DP101 SITE CONTEXT AND SHADOW STUDY
DP102 3D VIEWS
DP103 SITE PLAN AND PROJECT INFORMATION TABLES
DP104 SITE CIRCULATION, WASTE RECYCLING DETAILS

DP200 OVERALL PARKADE PLAN
DP201 PARTIAL PARKADE PLAN
DP202 OVERALL FLOOR PLAN LEVEL 01
DP203 PARTIAL FLOOR PLAN LEVEL 01
DP204 OVERALL FLOOR PLAN LEVEL 02
DP205 PARTIAL FLOOR PLAN LEVEL 02
DP206 OVERALL FLOOR PLAN LEVEL 03
DP207 PARTIAL FLOOR PLAN LEVEL 03
DP208 OVERALL FLOOR PLAN LEVEL 04
DP209 PARTIAL FLOOR PLAN LEVEL 04
DP210 OVERALL FLOOR PLAN LEVEL 05
DP211 PARTIAL FLOOR PLAN LEVEL 05
DP212 OVERALL FLOOR PLAN LEVEL 06
DP213 PARTIAL FLOOR PLAN LEVEL 06
DP214 OVERALL FLOOR PLAN LEVEL 07
DP215 PARTIAL FLOOR PLAN LEVEL 07

LANDSCAPE

L001 LANDSCAPE PLAN

DP101 EXTERIOR ELEVATIONS
DP102 EXTERIOR ELEVATIONS
DP103 EXTERIOR ELEVATIONS
DP104 EXTERIOR ELEVATIONS
DP105 EXTERIOR ELEVATIONS
DP401 BUILDING AND SITE SECTIONS

CIVIL

18 035 01 CONCEPTUAL SERVICE PLAN

Received
City of Victoria

MAY 01 2019

Planning & Development Department
Development Services Division DP00000-00

DATE	ISSUED FOR	REV
2019-03-27	TOTAL DEVELOPMENT PERMIT	A
2019-06-12	DEVELOPMENT PERMIT	B
2019-10-23	REVISED DEVELOPMENT PERMIT	C

This survey has been prepared solely for the use of the CLIENT, and there are no representations or warranties made by the Surveyor or the City of Victoria. The Surveyor has not conducted a site inspection and is not responsible for the accuracy of the information provided by the CLIENT. The Surveyor has not conducted a site inspection and is not responsible for the accuracy of the information provided by the CLIENT.

Project Name: MAISON VICTORIA
Project Location: 1500 BIRCH STREET, VICTORIA, B.C. V8M 4K2

Consultant: MILLIKEN REAL ESTATE CORPORATION
1500 BIRCH STREET, VICTORIA, B.C. V8M 4K2

Project Manager: C. Macdonald
Project Engineer: C. Macdonald
Project Surveyor: C. Macdonald

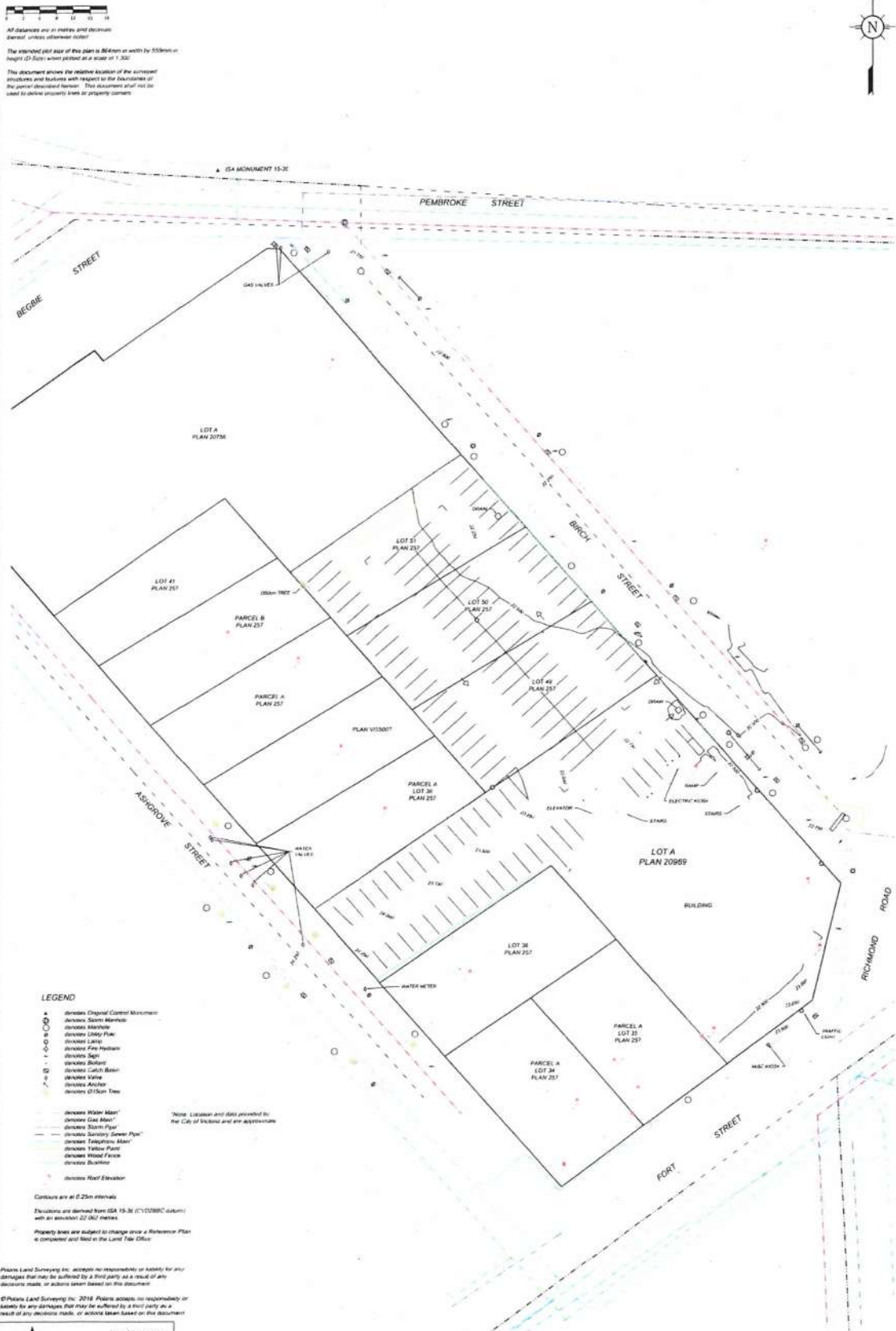
MAISON VICTORIA
1500 BIRCH STREET, VICTORIA, B.C. V8M 4K2

Site Survey
EXISTING SITE CONTEXT

Scale: 1:500
North Arrow: N

Project No: MCCA-17-2021
Drawing No: DP001

SKETCH PLAN OF EXISTING SITE FEATURES ON LOT A, PLAN 20969 AND LOTS 49, 50, AND 51, PLAN 257, SECTION 76, VICTORIA DISTRICT.



Received
City of Victoria
MAY 01 2019
Planning & Development Department
Development Services Division

ORIGINAL SURVEY
1:500
01
DP001



10 EXISTING SITE PHOTO FROM SOUTHWEST
DP101 NTS



11 SITE ZONING KEY PLAN
DP101 NTS



07 EXISTING SITE PHOTO FROM SOUTHEAST
DP101 NTS



08 EXISTING SITE PHOTO FROM NORTHEAST
DP101 NTS



09 EXISTING SITE PHOTO FROM WEST
DP101 NTS



04 SPRING EQUINOX SHADOW STUDY 10:00 AM
DP101 NTS



05 SPRING EQUINOX SHADOW STUDY 12:00 PM
DP101 NTS



06 SPRING EQUINOX SHADOW STUDY 2:00 PM
DP101 NTS



01 SUMMER SOLSTICE SHADOW STUDY 10:00 AM
DP101 NTS



02 SUMMER SOLSTICE SHADOW STUDY 12:00 PM
DP101 NTS



03 SUMMER SOLSTICE SHADOW STUDY 2:00 PM
DP101 NTS



DATE	ISSUED FOR	REV
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D

This drawing has been prepared solely for the use of the Client and there are no representations of any kind made by NORR Architects Engineering Planners to any party with whom NORR Architects Engineering Planners has not entered into a contract.

This drawing shall not be used for construction purposes until the seal appearing hereon is signed and used by the Architect or Engineer.

Project Component
Maison Victoria
Residential

Consultants
Civil McPharney Consulting Services Ltd.
Landscape Lombard North Group (PCL) Inc.
Architecture NORR Architects Engineering Planners

Scale:



Project Manager: C. Abernethy
Project Leader: C. Clark
Checked: C. Abernethy

Client:
MILLIKEN REAL ESTATE CORPORATION
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

Project:
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

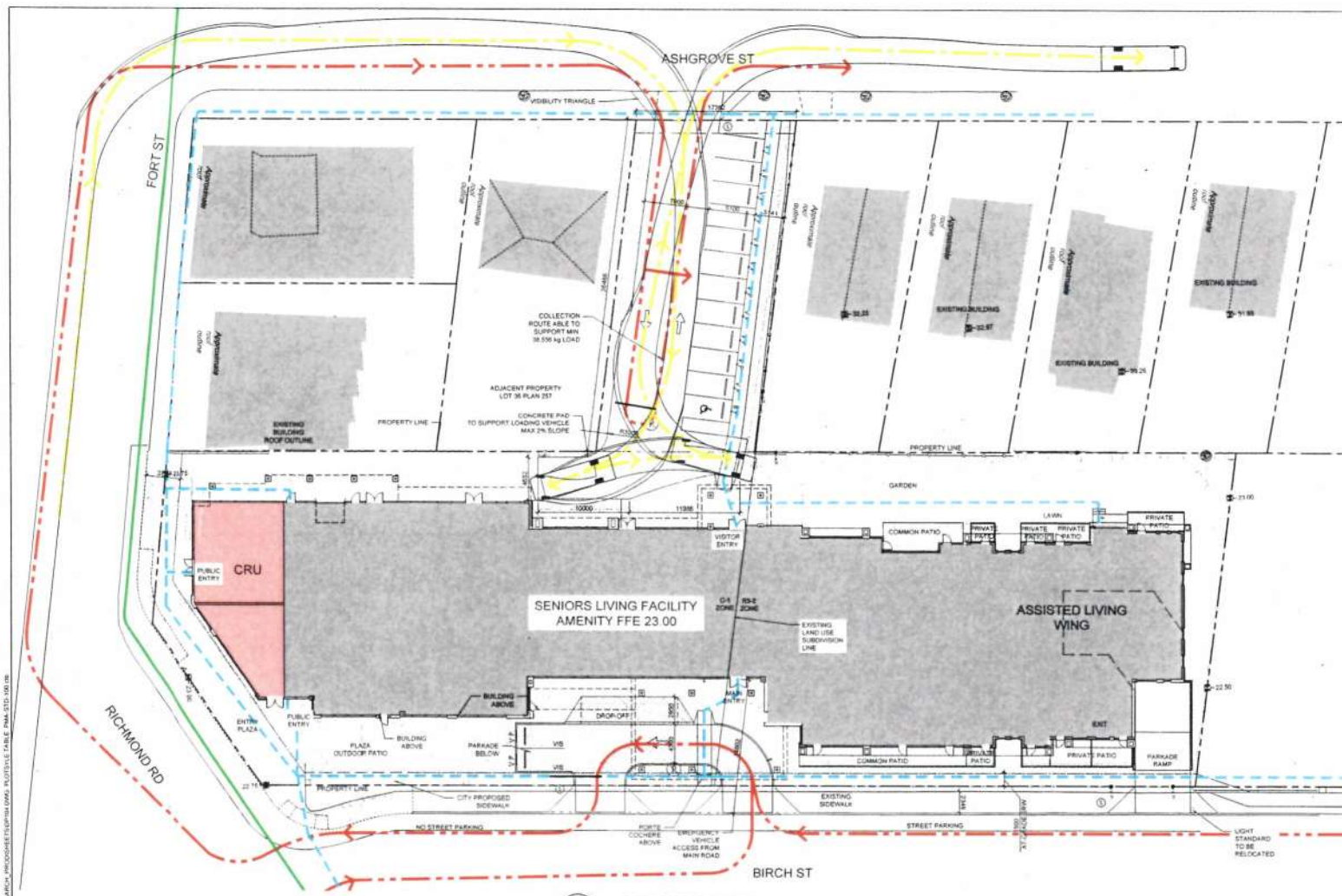
Drawing Title:
SITE CONTEXT
ZONING PLAN
EXISTING SITE CONTEXT
PROPOSAL SHADOW STUDIES

Check Scale (may be photo reduced): 1 inch = 10m

Project No: NCCA-17-0221

Drawing No: DP101

Plot Date: April 5, 2019 Time: 2:14 PM Full Path and File Name: F:\PROJECTS\2017\MAISON VICTORIA\DWG\04 SITE PLAN STD 100.DWG PLOT DATE: April 5, 2019 Time: 2:14 PM Full Path and File Name: F:\PROJECTS\2017\MAISON VICTORIA\DWG\04 SITE PLAN STD 100.DWG



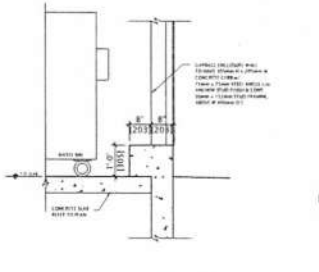
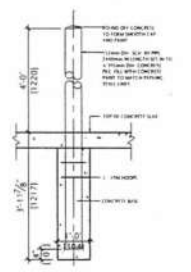
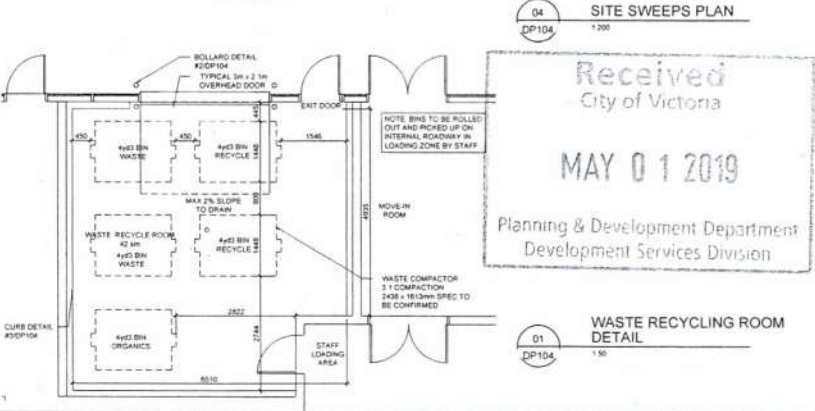
- ### SITE LEGEND
- A PRINCIPAL ENTRY
 - VIS VISITOR PARKING
 - UL ACCESSIBLE PARKING STALLS
 - SL ACCESSIBLE PARKING SIGNAGE
 - N NO PARKING ANY TIME / FIRELANE
 - LZ LOADING ZONE
 - DO DROP OFF SIGN
 - Q DIRECTION OF TRAVEL
 - F FIRE HYDRANT
 - W WALK RAMP / DEPRESSION CURB
 - C CONCRETE PAD / GARBAGE PICKUP & LOADING
 - D DESIGNATED VISITOR DROP-OFF AREA
 - S STOP SIGN
 - B BIKER LANE (CLASS 2)
 - COMMERCIAL RETAIL USE

- ### SITE CIRCULATION LEGEND
- VEHICLE CIRCULATION (LOAD OFF)
 - VEHICLE CIRCULATION (LOAD ON)
 - LOADING CIRCULATION
 - WASTE RECYCLE VEHICLE
 - PEDESTRIAN CIRCULATION
 - VEHICLE CIRCULATION
 - EMERGENCY VEHICLE ACCESS
 - ROUTE ON PUBLIC ROADWAY

- ### NOTES
1. ALL PORTIONS OF THE COLLECTION VEHICLE MUST REMAIN WITHIN THE DESIGNATED AREA AND NO PORTION OF THE VEHICLE SHALL BE IN THE STREET OR ON THE CURB.
 2. VEHICLE MUST BE MOVED FROM THE CURB TO THE DESIGNATED AREA WITHIN 10 MINUTES OF THE COLLECTION TIME.
 3. THE COLLECTION VEHICLE SHALL NOT STOP OVER A PEDESTRIAN CROSSING OR A CROSSWALK.
 4. BUILDING MAINTENANCE STAFF WILL TRANSFER THE RECYCLABLE MATERIALS AND WASTE CONTAINERS FROM THE STORAGE AREA TO THE COLLECTION AREA. A WASTE RECYCLING FROM THE STREET TO THE COLLECTION AREA SHALL BE THE RESPONSIBILITY OF THE WASTE RECYCLING SERVICE.
 5. ALL WASTE RECYCLING FROM THE STREET TO THE COLLECTION AREA SHALL BE THE RESPONSIBILITY OF THE WASTE RECYCLING SERVICE.
 6. ALL WASTE RECYCLING FROM THE STREET TO THE COLLECTION AREA SHALL BE THE RESPONSIBILITY OF THE WASTE RECYCLING SERVICE.
 7. ALL WASTE RECYCLING FROM THE STREET TO THE COLLECTION AREA SHALL BE THE RESPONSIBILITY OF THE WASTE RECYCLING SERVICE.
 8. ALL WASTE RECYCLING FROM THE STREET TO THE COLLECTION AREA SHALL BE THE RESPONSIBILITY OF THE WASTE RECYCLING SERVICE.
 9. ALL WASTE RECYCLING FROM THE STREET TO THE COLLECTION AREA SHALL BE THE RESPONSIBILITY OF THE WASTE RECYCLING SERVICE.
 10. ALL WASTE RECYCLING FROM THE STREET TO THE COLLECTION AREA SHALL BE THE RESPONSIBILITY OF THE WASTE RECYCLING SERVICE.

WASTE & RECYCLING

WASTE AREA REQUIRED
1ST UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED
2ND UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED
3RD UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED
4TH UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED
5TH UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED
6TH UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED
7TH UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED
8TH UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED
9TH UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED
10TH UNIT: 12.5 cu yd ± 4.1 m³ WASTE PROVIDED



SU9 TRUCK DETAILS



DATE	ISSUED FOR	REV
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D
2019-04-09	REVISED DEVELOPMENT PERMIT	E

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This drawing shall not be used for construction purposes until the seal-approving herein is signed and sealed by the Architect or Engineer.

Project Component
Maison Victoria
Residential

Consultants
Civil: McWhinney Consulting Services Ltd.
Landscape: Landmark North Group (B.C.) Inc.
Architectural: Norr Architects Engineers Planners

Drawn
C. Abenroch
C. Clark

Checked
C. Abenroch
C. Clark

Project
MILIKEN REAL ESTATE CORPORATION
1800 RICHMOND RD.
VICTORIA, B.C.
VER 412

Project
MAISON VICTORIA
1800 RICHMOND RD.
VICTORIA, B.C.
VER 412

Drawing Title
SITE CIRCULATION WASTE RECYCLING DETAILS

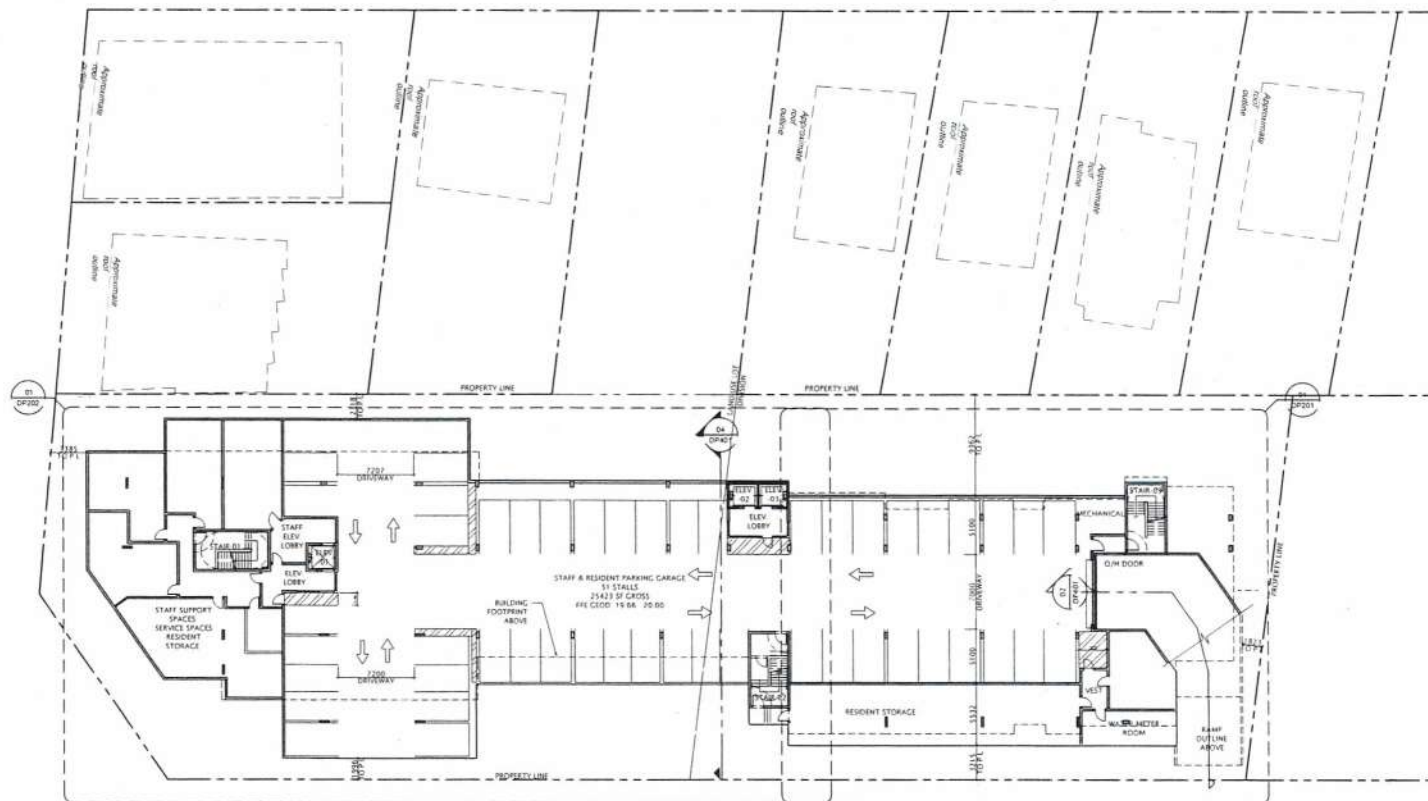
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Check (may be photo reduced)
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Project No
NCCA-17-0221

Drawing No
DP104

PLOT DATE: April 3, 2019 TIME: 1:15 PM JAVL PLOT AND FILENAME: P:\NCCA\17-0221-MAISON VICTORIA\000\DELIVERABLES\PROJECTS\DP200.DWG PLOT DATE: TABLE: PMA-STD-000-08

01
DP200
FLOOR PLAN LEVEL P1
1:200



DATE	ISSUED FOR	REV
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-19	REVISED DEVELOPMENT PERMIT	D
2019-04-05	REVISED DEVELOPMENT PERMIT	E

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This drawing shall not be used for construction purposes until the seal appearing hereon is signed and dated by the Architect or Engineer.

Project Component
Maison Victoria
Keyplan

Consultants
Civil: McElhenny Consulting Services Ltd.
Landscape: Lombard North Group (S.C.) Inc.
Architectural: NORR Architects Engineers Planners

Seals:

NORR
2000 - 1st Floor
1000 - 2nd Floor
1000 - 3rd Floor
1000 - 4th Floor
1000 - 5th Floor
1000 - 6th Floor
1000 - 7th Floor
1000 - 8th Floor
1000 - 9th Floor
1000 - 10th Floor

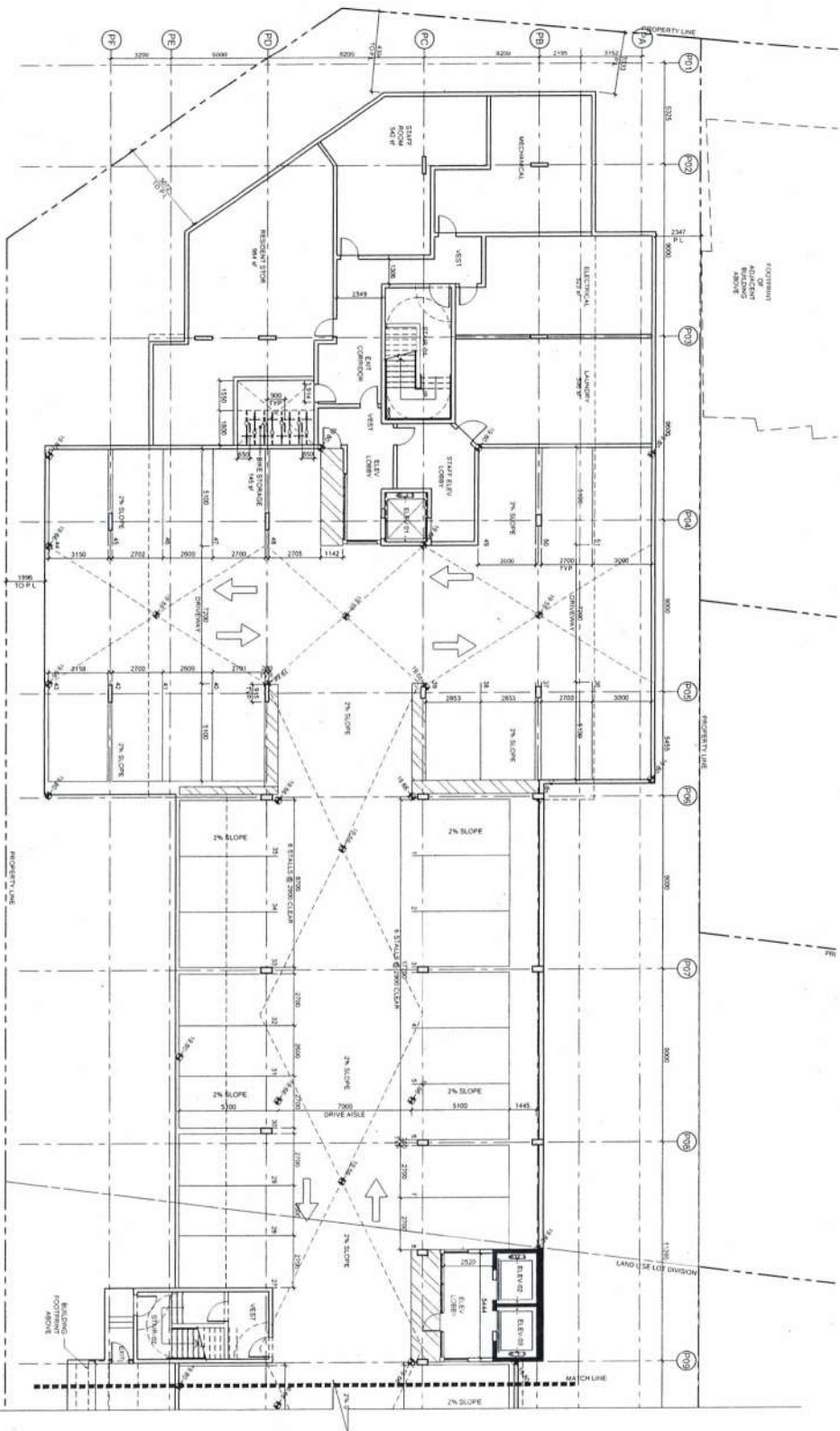
Project Manager: C. Adamson
Project Leader: C. Clark
Drawn: C. Clark
Checked: C. Adamson

Client: MILLIKEN REAL ESTATE CORPORATION
#100-2489 BELLEVUE AVE
WEST VANCOUVER, B.C. V7V 1E1

Project: MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

Drawing Title: OVERALL FLOOR PLAN
LEVEL P01

Check Scale (may be photo reduced): 0 10mm
Project No: NCCA-17-0221
Drawing No: DP200



MAY 01 1989
 Planning & Development Department
 Development Services Division



DATE	ISSUED FOR	REVIEWED BY
2018-04-17	DIGITAL DEVELOPMENT PHASE A	A
2018-06-12	DEVELOPMENT RESULT	B
2018-10-22	REVISED DEVELOPMENT RESULT C	C
2019-02-15	REVISED DEVELOPMENT RESULT D	D
2019-04-05	REVISED DEVELOPMENT RESULT E	E

172

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This drawing shall not be used for construction purposes unless the following notation is signed and dated by the Architect or Engineer:



Cost	US\$200,000
Landscaping	Landmark North Group (L) Inc.
Architecture	North Architects Engineers Planners

Scoring

NORR

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Project Manager	Chasen
C Administrator	C Chasen
Project Leader	Chasen
C Chasen	C Administrator

MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8B 4B7

PARTIAL FLOOR PLAN
LEVEL P01
SOUTH

1. ☐ 1-24 hrs
 2. ☐ 2-4 hrs
 3. ☐ 4-6 hrs
 4. ☐ 6-8 hrs
 5. ☐ 8-10 hrs
 6. ☐ 10-12 hrs
 7. ☐ 12-14 hrs
 8. ☐ 14-16 hrs
 9. ☐ 16-18 hrs
 10. ☐ 18-20 hrs
 11. ☐ 20-22 hrs
 12. ☐ 22-24 hrs
 13. ☐ 24-26 hrs
 14. ☐ 26-28 hrs
 15. ☐ 28-30 hrs
 16. ☐ 30-32 hrs
 17. ☐ 32-34 hrs
 18. ☐ 34-36 hrs
 19. ☐ 36-38 hrs
 20. ☐ 38-40 hrs
 21. ☐ 40-42 hrs
 22. ☐ 42-44 hrs
 23. ☐ 44-46 hrs
 24. ☐ 46-48 hrs
 25. ☐ 48-50 hrs
 26. ☐ 50-52 hrs
 27. ☐ 52-54 hrs
 28. ☐ 54-56 hrs
 29. ☐ 56-58 hrs
 30. ☐ 58-60 hrs
 31. ☐ 60-62 hrs
 32. ☐ 62-64 hrs
 33. ☐ 64-66 hrs
 34. ☐ 66-68 hrs
 35. ☐ 68-70 hrs
 36. ☐ 70-72 hrs
 37. ☐ 72-74 hrs
 38. ☐ 74-76 hrs
 39. ☐ 76-78 hrs
 40. ☐ 78-80 hrs
 41. ☐ 80-82 hrs
 42. ☐ 82-84 hrs
 43. ☐ 84-86 hrs
 44. ☐ 86-88 hrs
 45. ☐ 88-90 hrs
 46. ☐ 90-92 hrs
 47. ☐ 92-94 hrs
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 50. ☐ 98-100 hrs
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 137. ☐ 272-274 hrs
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 151. ☐ 300-302 hrs
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 165. ☐ 328-330 hrs
 166. ☐ 330-332 hrs
 167. ☐ 332-334 hrs
 168. ☐ 334-336 hrs
 169. ☐ 336-338 hrs
 170. ☐ 338-340 hrs
 171. ☐ 340-342 hrs
 172. ☐ 342-344 hrs
 173. ☐ 344-346 hrs
 174. ☐ 346-348 hrs
 175. ☐ 348-350 hrs
 176. ☐ 350-352 hrs
 177. ☐ 352-354 hrs
 178. ☐ 354-356 hrs
 179. ☐ 356-358 hrs
 180. ☐



Check Scale (may be photo reduced)

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Project No. NCCA-17-0221

Drawing No. DP204

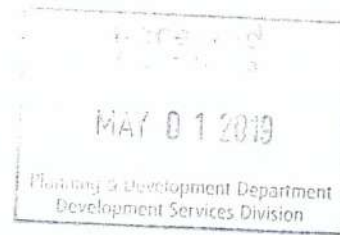
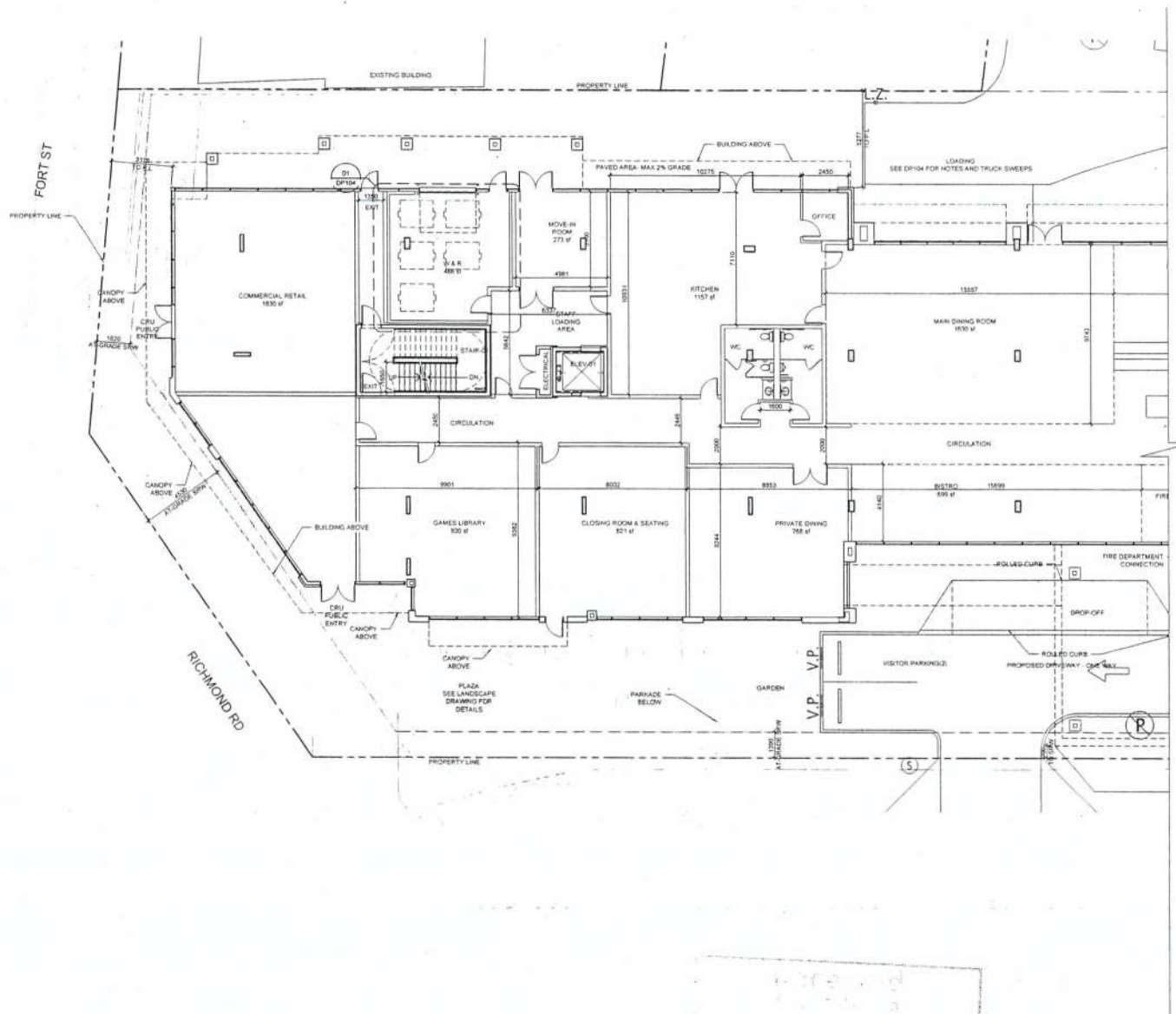
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01
DP205

PARTIAL FLOOR PLAN LEVEL 01- SOUTH

1/100



DATE	ISSUED FOR	REV
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2018-02-15	REVISED DEVELOPMENT PERMIT	D
2018-04-05	REVISED DEVELOPMENT PERMIT	E

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This drawing shall not be used for construction purposes until the seal appearing hereon is signed and sealed by the Architect or Engineer.

Project Completed
Maison Victoria
May 01

Consultants
Civil: McPherson Consulting Services Ltd.
Landscape: Lombard North Group (B.C.) Inc.
Architectural: NORR Architects Engineers Planners

Seal of
NORR
2180-411 - 1st Street SE
Vancouver, AB T6C 1A5
www.norr.ca
NORR ARCHITECTS ENGINEERS PLANNERS
A Partnership of 100+ Independent Professionals

Project Manager	Drawn
C. Macdonald	C. Clark
Project Leader	Checked
C. Clark	C. Macdonald

Client
MILLIKEN REAL ESTATE CORPORATION
#100-2489 BELLEVUE AVE
WEST VANCOUVER, B.C. V7P 1E1

Project
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

Drawing Title
PARTIAL FLOOR PLAN
LEVEL 01
SOUTH

Check Scale (may be photo reduced)
1 inch = 100 feet

Project No: NCCA-17-0221

Drawing No: DP205

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Consultants	
Civil	McEharny Consulting Services Ltd
Landscape	Lonsdale North Group (S C) Inc
Architectural	Non Architects Engineers Planners

NORR

Project Manager C Abernombie	Drawn C Clark
Project Leader C Clark	Checked C Abernombie

Project
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B C
V8R 4R2

Drawing Title
OVERALL FLOOR PLAN
LEVEL 02

Check Scale (may be photo reduced)

Project No. NCC4-17-0221

Drawing No. DP206





Factor 1: Arousal

DP208

PLOT DATE: February 14, 2019 TIME: 10:26 AM PLOT PATH AND THE NAME: P:\NCCA-17-0221-MAISON VICTORIA\NCCA-17-0221-MAISON VICTORIA\DWG\DP209.DWG PLOT TITLE: TABLE: P:\NCCA-17-0221-MAISON VICTORIA\NCCA-17-0221-MAISON VICTORIA\DWG\DP209.DWG

DATE	ISSUED FOR	REV
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D

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Project Component
Maison Victoria
Residential

Consultants
Civil: Midway Consulting Services Ltd.
Landscape: Midway Consulting Services Ltd.
Architectural: Midway Consulting Services Ltd.
Norr Architects Engineers Planners

Series:

NORR
2700 411 - 1st Street SE
Calgary, AB Canada T2C 4V9
403.243.1000
NORR ARCHITECTS ENGINEERS PLANNERS
A Partnership of Limited Companies
NORR ARCHITECTS
NORR ENGINEERS
NORR PLANNERS

Project Manager: C. Abernethy
Project Leader: C. Abernethy
C. Clerk
C. Clerk

Client
MILLIKEN REAL ESTATE CORPORATION
#100-3489 BELLEVUE AVE
WEST VANCOUVER, B.C. V7V 1E1

Project
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

Drawing Title
OVERALL FLOOR PLAN
LEVEL 03

Check Scale (may be photo reduced): 1 inch = 0, 10mm
Project No: NCCA-17-0221
Drawing No: DP209

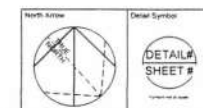


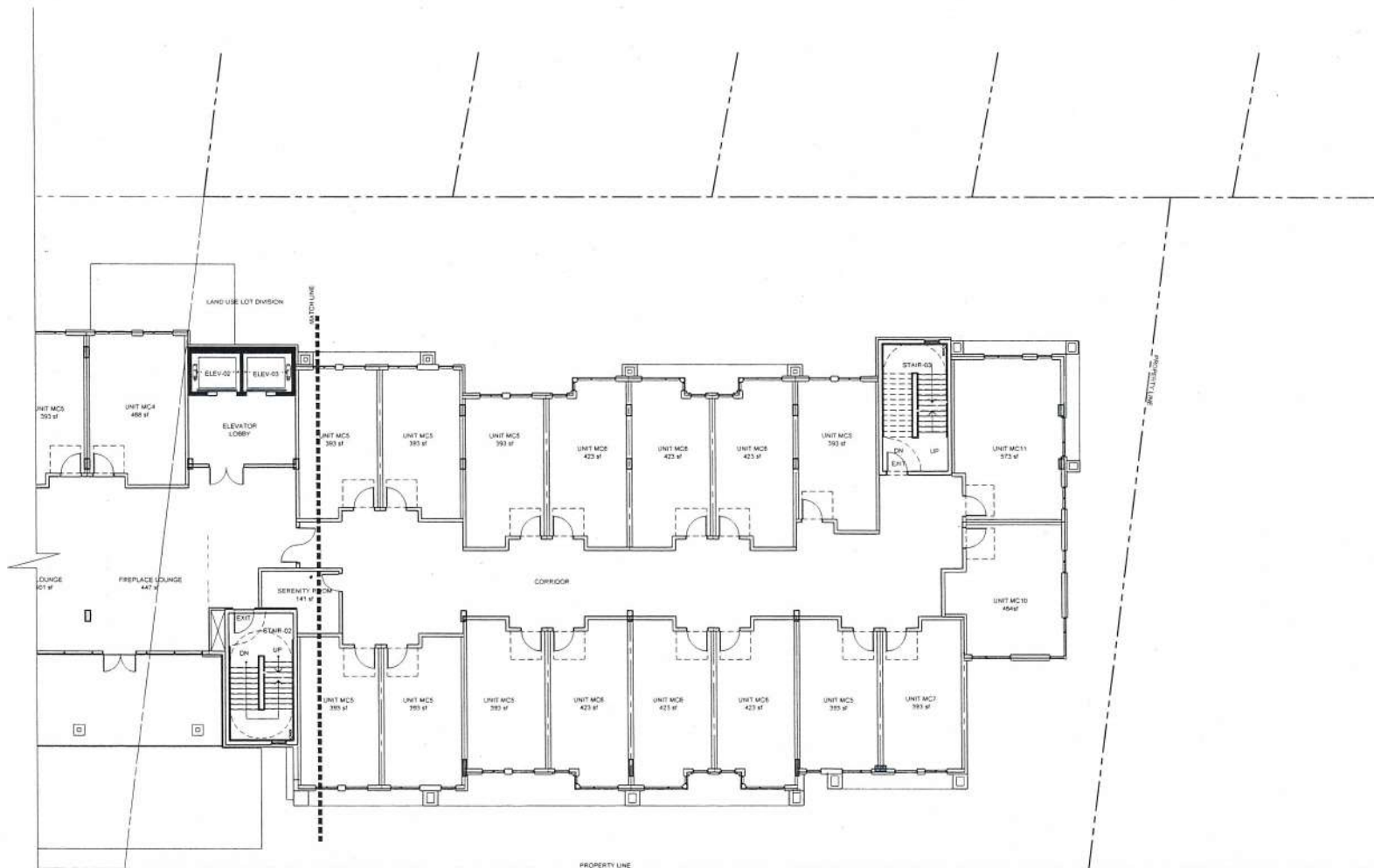
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DP209
OVERALL FLOOR PLAN LEVEL 03
1:200

Received
City of Victoria

MAY 01 2019

Planning & Development Department
Development Services Division





Received
City of Victoria

MAY 01 2019

Planning & Development Department
Development Services Division



DATE	ISSUED FOR	RE
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D

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Project Component

Mason Victoria

Keyplan



Consultants	
Civil	McEPharmy Consulting Services Ltd
Landscape	Lombard North Group (B C) Inc
Architectural	Neri Architects Engineers Planners

10

NORR

2000-411-1, 1st Avenue NE
Tulsa, OK 74104-7315, USA
www.norr.com

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& ENGINEERING OF TITANIUM COMPOUNDS

Project Manager C Abernombie	Drawn C Clark
Project Leader C Clark	Checked C Abernombie

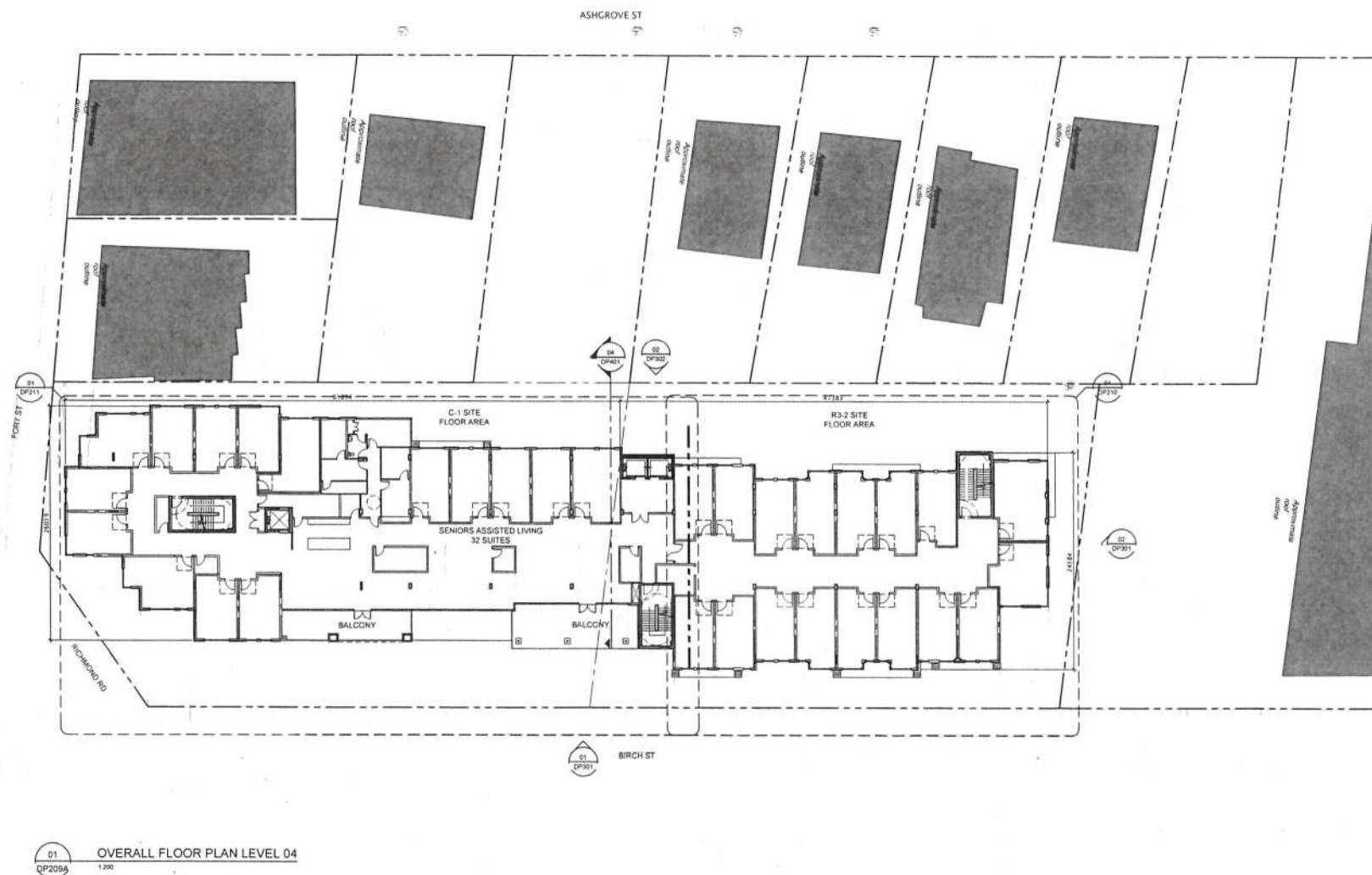
Client
MILLIKEN REAL ESTATE
CORPORATION
#100-2489 BELLEVUE AVE
WEST VANCOUVER, B.C. V7V 1E1

Project
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA B C
V8R 4R2

Drawing Title
PARTIAL FLOOR PLAN
LEVEL 03
NORTH

Check Scale (may be photo reduced)

Project No	NCCA-17-0221
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01 OVERALL FLOOR PLAN LEVEL 04
QP209A 1:200

Received
City of Victoria

MAY 01 2019

Planning & Development Department
Development Services Division

DATE	ISSUED FOR	REMARKS
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D

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Project Component
Maison Victoria
Keyplan

Consultants	
Civil	McShanney Consulting Services Ltd
Landscape	Lowland North Group (B. C.) Inc
Architectural	Morr Architects Engineers Planners

NORR

2300 - 411 - 1st Street SE
Calgary, AB Canada T2G 4V6
403.242.1111
www.norr.com

NORR ARCHITECTS ENGINEERS PLANNERS
A Partnership of United Companies

Project Manager C. Abernethy	Drawn C. Clark
Project Leader C. Clark	Checked C. Abernethy

Client
MILLIKEN REAL ESTATE
CORPORATION
#100-2489 BELLEVUE AVE
WEST VANCOUVER, B.C. V7V 1E1

Project
MAISON VICTORIA
1901 RICHMOND RD
VICTORIA, B C
V8R 4R2

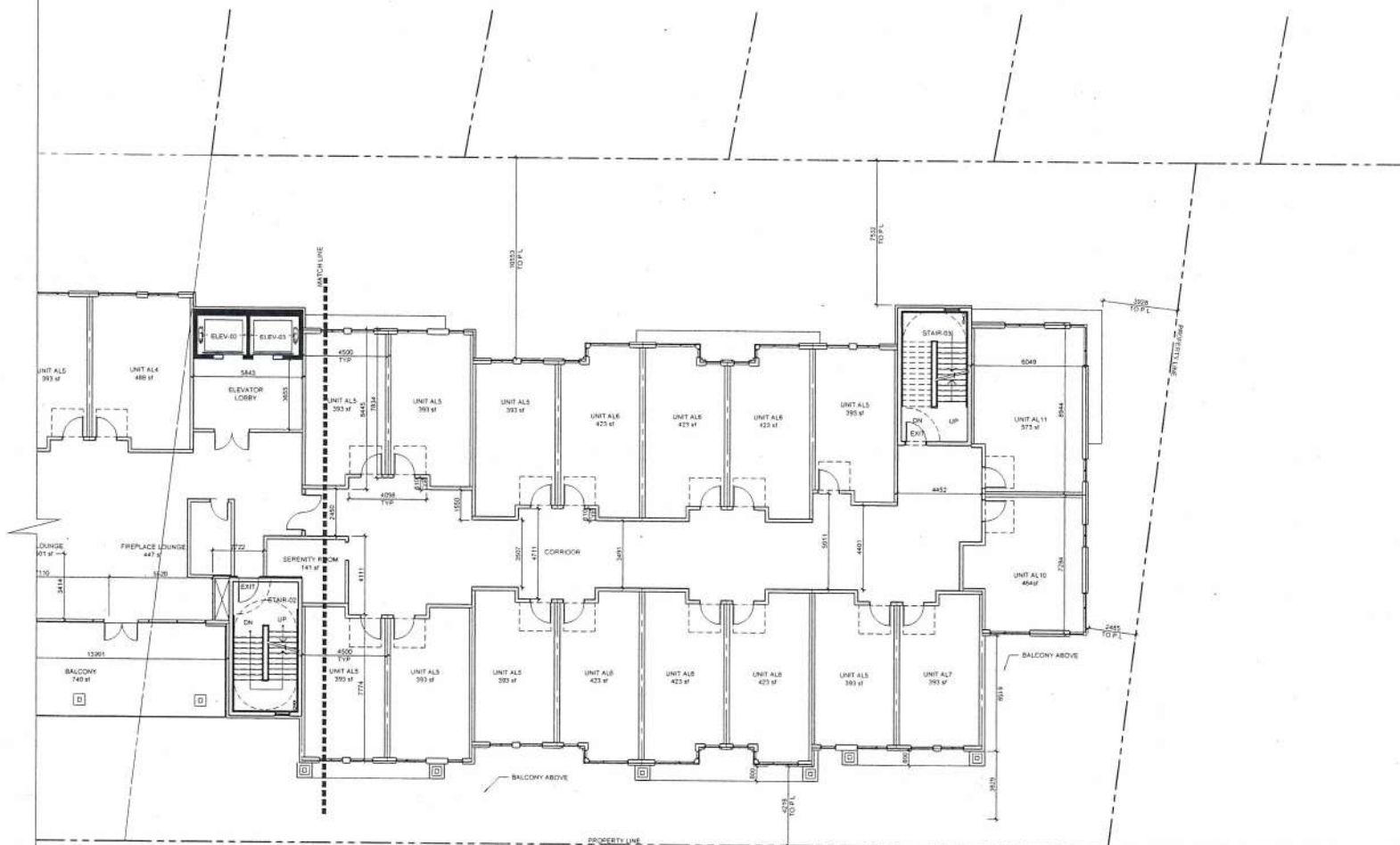
Drawing Title
OVERALL FLOOR PLAN
LEVEL 04

Check Scale (may be photo reduced) ☐ 1 inch ☐ 10mm

Project No.	NGCA-17-0221
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Drawing No. DP209A

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D1 PARTIAL FLOOR PLAN LEVEL 04 - NORTH
QP2104

Received
City of Victoria
MAY 01 2019
Planning & Development Department
Development Services Division

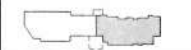


DATE	ISSUED FOR	REV
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D

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Project Consultant
Maison Victoria
Vancouver

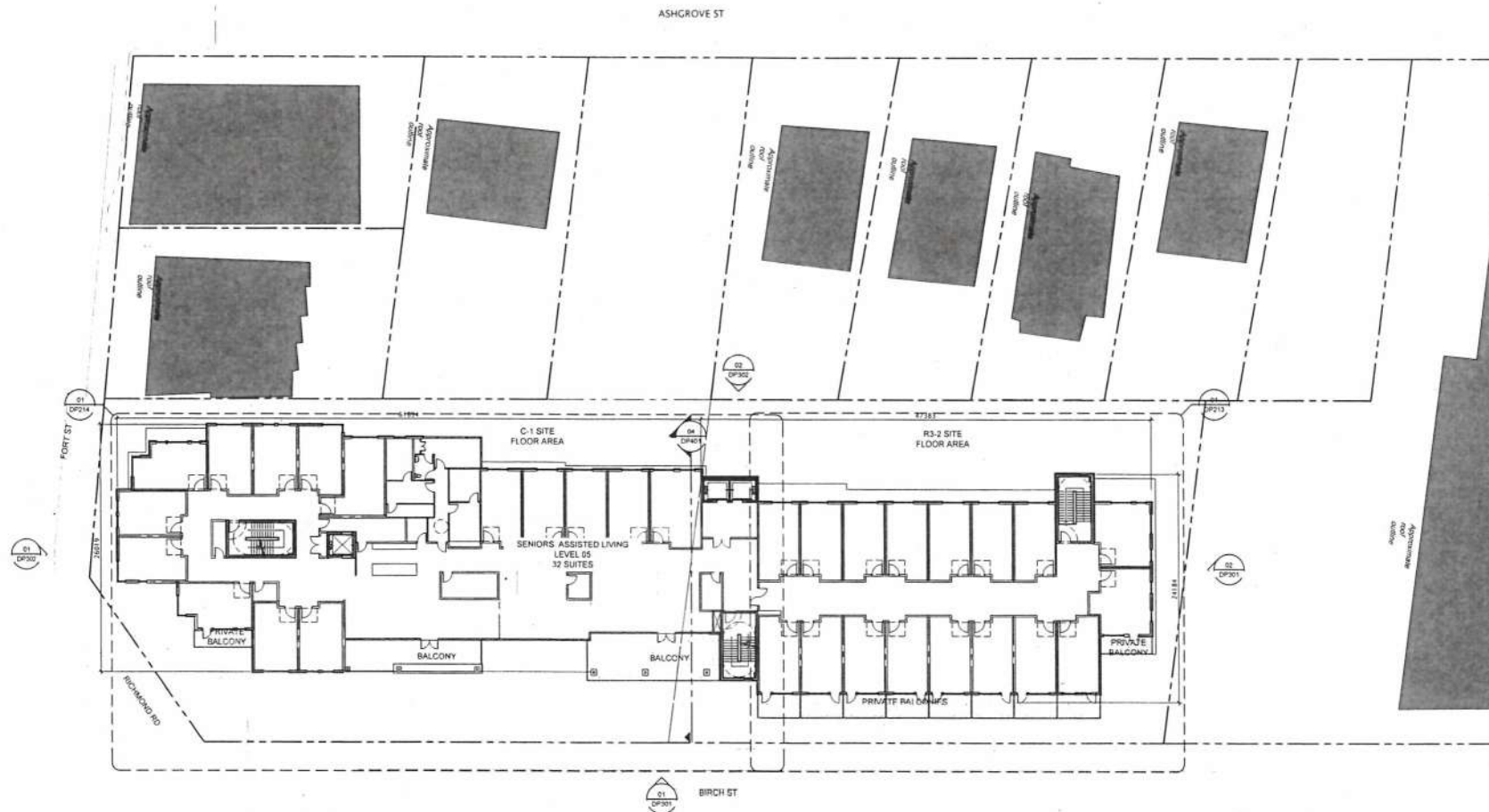


Consultants
Civil: McElhenny Consulting Services Ltd.
Landscape: Lushland North Group (S.C.) Inc.
Architectural: Non-Architects Engineers Planners

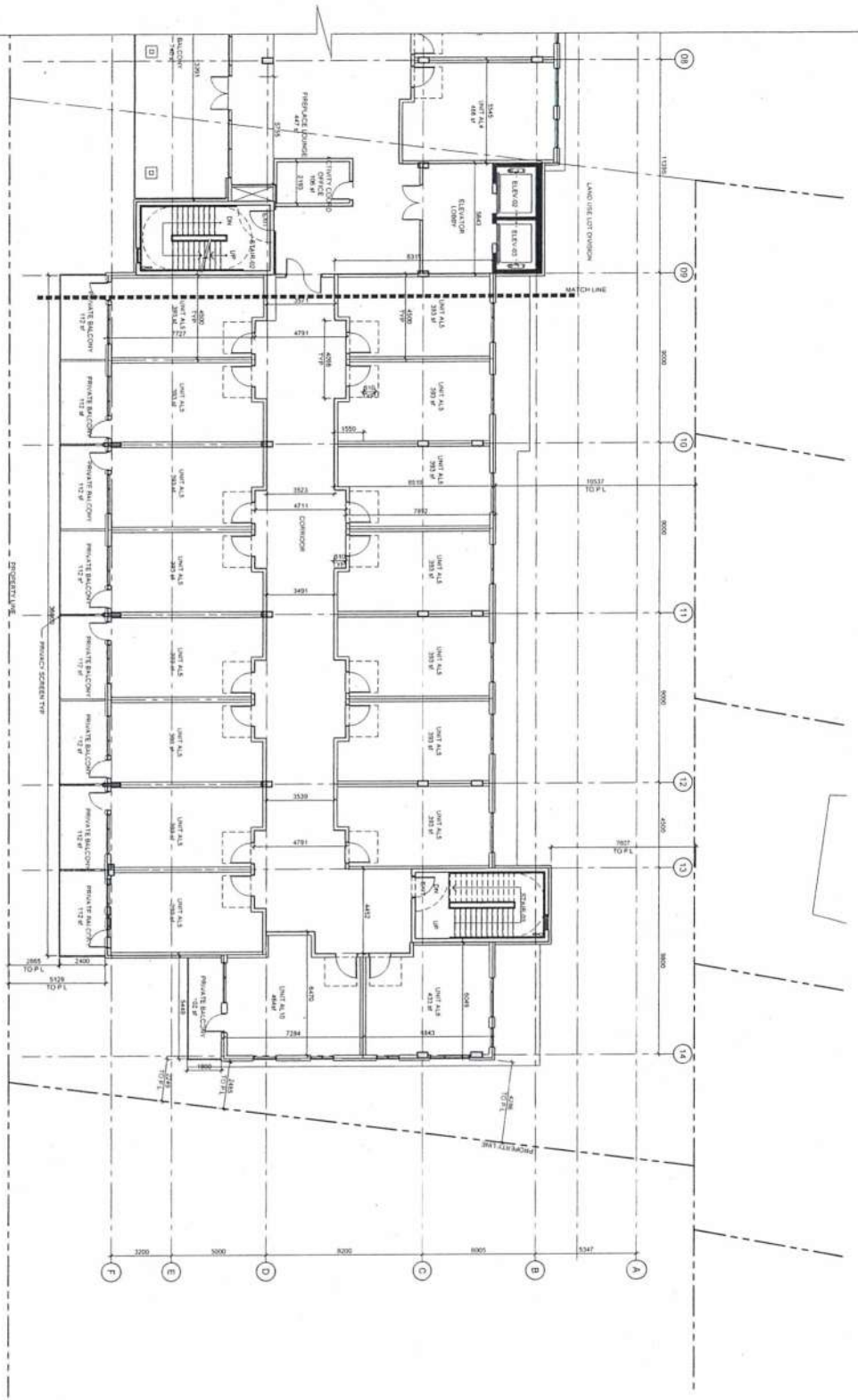
Series:

NORR
2301-411, 1st Floor SE
7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 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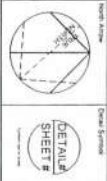
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01
PARTIAL FLOOR PLAN LEVEL 05 NORTH
1:100



Received
City of Victoria
MAY 01 2019
Planning & Development Department
Development Services Division



DATE	ISSUED FOR	REV
2018.06.17	PORTAL DEVELOPMENT	1
2018.06.12	DEVELOPMENT PERMIT	0
2018.05.23	PERMITS DEVELOPMENT PERMIT	0
2018.05.15	PERMITS DEVELOPMENT PERMIT	0
2018.05.15	PERMITS DEVELOPMENT PERMIT	0

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Project Manager: [Name]
 Designer: [Name]
 Checker: [Name]
 Date: [Date]

MAISON VICTORIA
 1000 RICHMOND RD
 VICTORIA, B.C.
 V8R 4K2

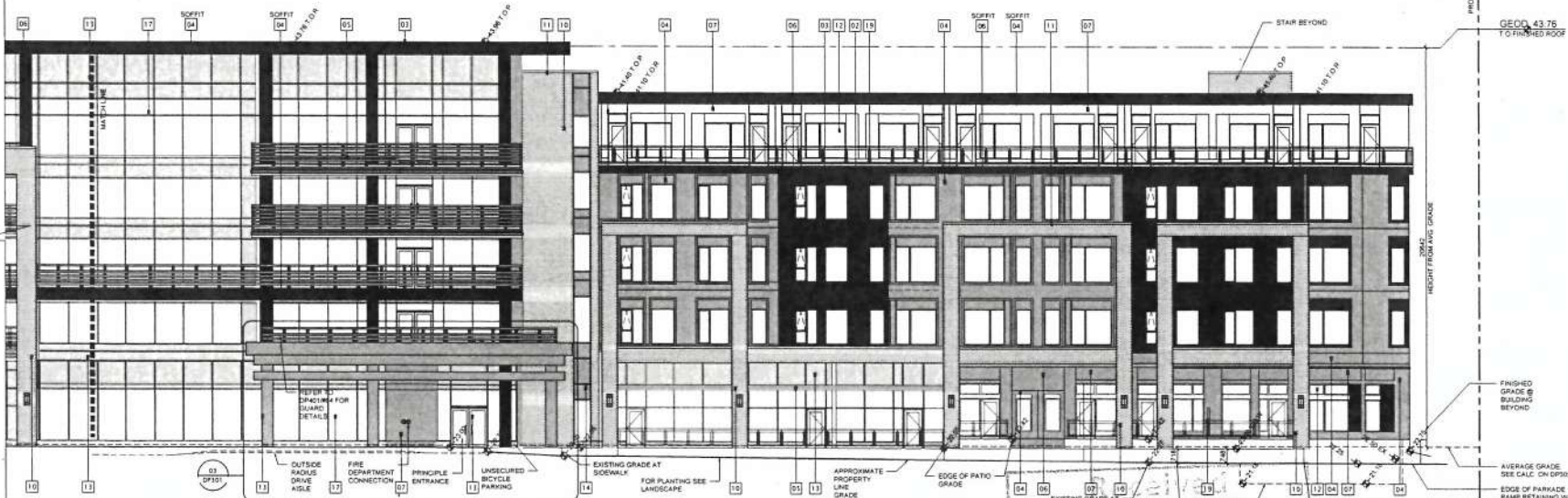
PARTIAL FLOOR PLAN
 LEVEL 05
 NORTH

Drawing No: DP213

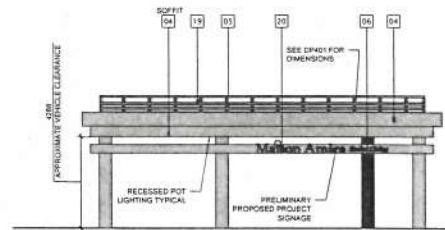
GEOD. 43.76
TO FINISHED ROOF



02 PARTIAL EAST ELEVATION
DP301 1:100



01 PARTIAL EAST ELEVATION
DP301 1:100



03 ENTRY CANOPY DETAIL
DP301 1:100

MATERIAL LEGEND

- 01 NOT USED
- 02 ALUMINUM FACIA (COLOUR CHARCOAL)
- 03 PRE FINISHED METAL FLASHING (COLOUR TO MATCH ADJACENT MATERIAL)
- 04 WOOD LOOK PANEL (COLOUR WALNUT BROWN)
- 05 WOOD LOOK ACCENT TRIM SLATS (COLOUR TO MATCH #04)
- 06 METAL PANEL AND TRIM (COLOUR CHARCOAL)
- 07 METAL PANEL AND TRIM (COLOUR LIGHT GREY)
- 08 MASONRY BRICK (COLOUR CHARCOAL)
- 09 CONCRETE MASONRY CAP (COLOUR BROWN TO MATCH #04)
- 10 MASONRY BRICK (COLOUR LINDR)
- 11 CONCRETE MASONRY CAP (BECL)
- 12 GLAZING SYSTEM w/ CLEAR ANODIZED WINDOW MULLIONS
- 13 GLAZING SYSTEM SPANDREL PANEL (COLOUR TO MATCH ADJACENT GLAZING)
- 14 GLAZING SYSTEM SPANDREL PANEL (COLOUR TO MATCH #04)
- 15 GLAZING SYSTEM SPANDREL PANEL (COLOUR TO MATCH #04)
- 16 EXTERIOR GLAZING W/ HIDDEN MULLION (COLOUR CLEAR)
- 17 EXTERIOR GLAZING w/ MULLION CAP (COLOUR CLEAR w/ CLEAR ANODIZED CAP)
- 18 EXTERIOR MOUNTED DIRECTIONAL LIGHTING (FEATURE USE COLOUR CHARCOAL)
- 19 PREFIN METAL FRAME GLASS PANEL BALCONY (COLOUR CHARCOAL)
- 20 SIGNAGE PANEL SYSTEM (COLOUR CHARCOAL)
- 21 EXTERIOR ENTRY DOOR TO MATCH ADJACENT MATERIAL
- 22 EXTERIOR OVERHEAD DOOR TO MATCH ADJACENT MATERIAL
- 23 METAL LOUVRES (COLOUR CHARCOAL)

NOTES

- SOFFIT OVERHANG TO BE METAL WOOD GRAIN LAY USING TO MATCH #04 BALUST WOOD ON LATCH ROOF

DATE	ISSUED FOR	REV
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D
2019-04-05	REVISED DEVELOPMENT PERMIT	E

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This drawing shall not be used for construction purposes until the seal appearing hereon is signed and dated by the Architect or Engineer.

Project Component
Maison Victoria
Ketchikan

Consultants
Civil: McEnamney Consulting Services Ltd.
Landscape: Lushland Group (B.C.) Inc.
Architectural: Norr Architects Engineers Planners

Scale(s):

NORR

2100 411 1st Street SE
Calgary, AB Canada T2C 4V5
norr.com
NORR ARCHITECTS ENGINEERS PLANNERS
& a Partnership of Limited Companies
1. NORR ARCHITECTS ENGINEERS PLANNERS
2. NORR ARCHITECTS ENGINEERS PLANNERS
3. NORR ARCHITECTS ENGINEERS PLANNERS
4. NORR ARCHITECTS ENGINEERS PLANNERS
5. NORR ARCHITECTS ENGINEERS PLANNERS

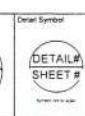
Project Manager: C. Abernethy
Project Leader: C. Clark
Checked: C. Abernethy

Client: MILLIKEN REAL ESTATE CORPORATION
8100 2445 BELLEVUE AVE
WEST VANCOUVER, B.C. V7V 1E1

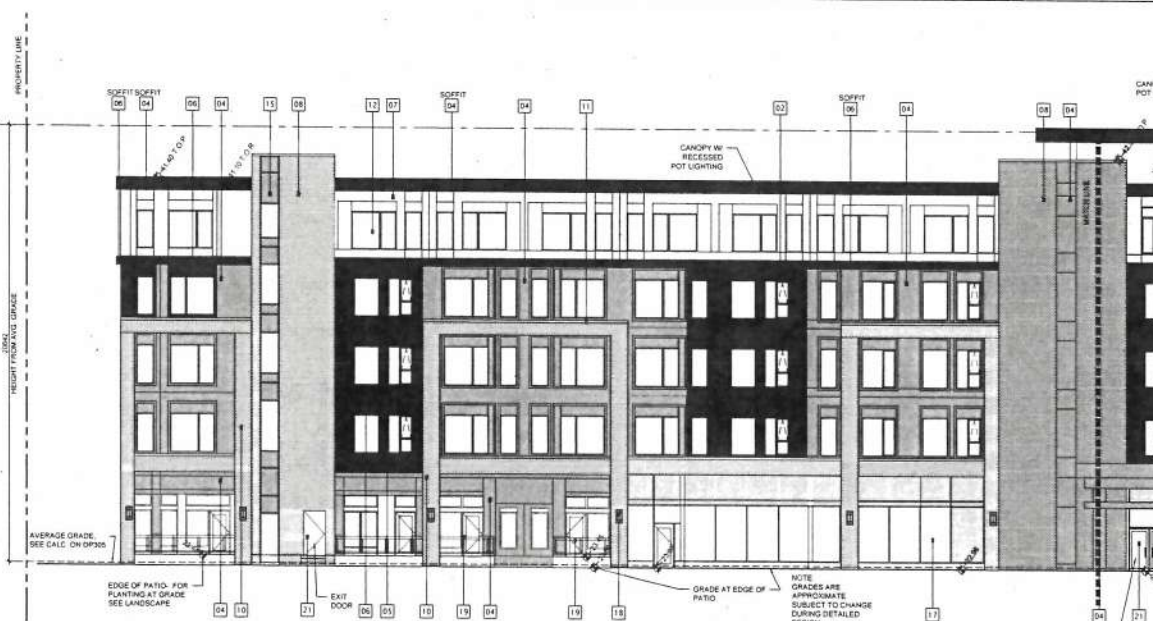
Project: MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C. V8R 4R2

Drawing Title: EXTERIOR ELEVATIONS
EAST ELEVATION
ENTRY CANOPY DETAILS & SIGNAGE

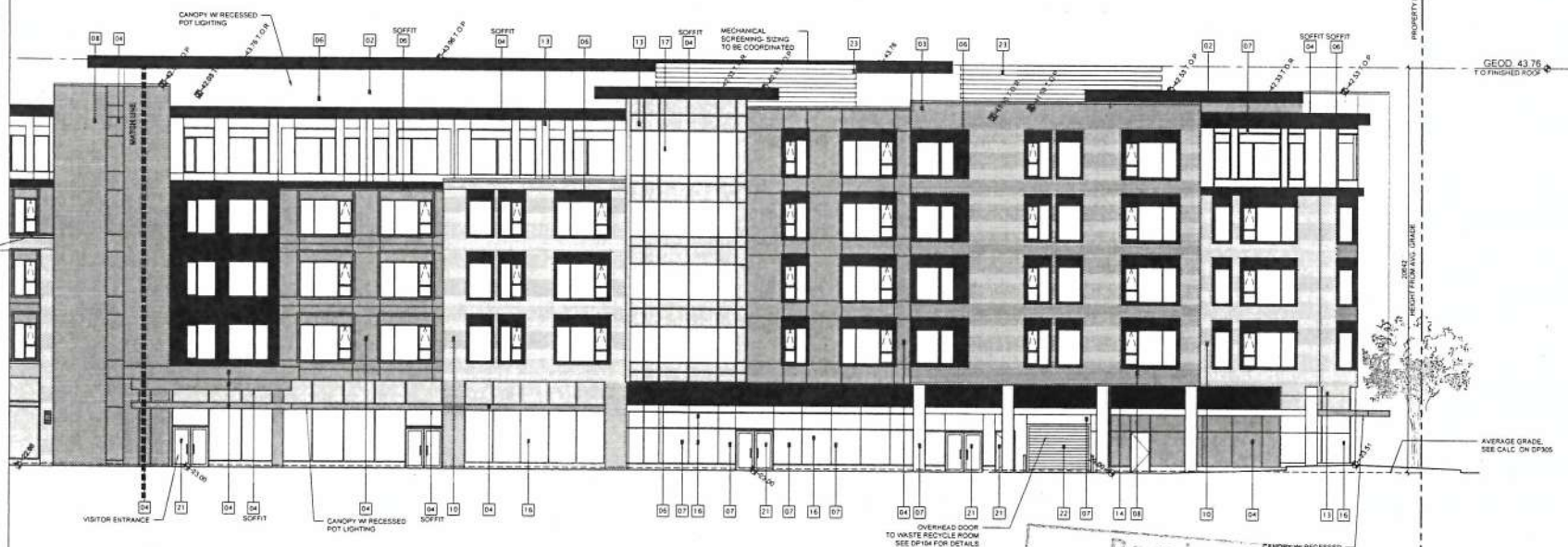
Check Scale (may be photo reduced): 1"=10'-0"
Project No: NCCA-17-0221
Drawing No: DP301



MAY 01 2019
Planning & Development Department
Development Services Division



02 PARTIAL WEST ELEVATION
DP302 1 100



01 PARTIAL WEST ELEVATION
DP302 1/100

MATERIAL LEGEND	
201	MOY USED
202	ALUMINIUM FACIA COLOUR (CHARCOAL)
203	FRY FINISHED METAL FACING COLOUR TO MATCH ADJACENT MATERIAL
204	WOOD LOOR PANEL COLOUR TO MATCH ROOM
205	WOOD LOOR ACENT BOWT COLOUR (CHARCOAL)
206	WOOD LOOR ACENT TRAY SLATS COLOUR TO MATCH #94
207	METAL PANEL AND TRIMS COLOUR (CHARCOAL)
208	MASSONEY BRICK COLOUR (BROWN)
209	CONCRETE MASSONEY CAP COLOUR BROWN TO MATCH #94
210	MASSONEY BRICK COLOUR (BROWN)
211	CONCRETE MASSONEY CAP COLOUR (BROWN)
212	GLAZING SYSTEM W/ CLEAR ANODIZED COLOUR TO MATCH #94
213	GLAZING SYSTEM SHANGHAI PANEL COLOUR TO MATCH ADJACENT GLAZING
214	GLAZING SYSTEM SHANGHAI PANEL COLOUR TO MATCH #94
215	GLAZING SYSTEM SHANGHAI PANEL COLOUR TO MATCH #94
216	EXTERIOR GLAZING HOLLOW MULLION COLOUR CLEAR
217	EXTERIOR GLAZING W/ MULLION CAP COLOUR CLEAR TO MATCH ADJACENT CAP
218	EXTERIOR MOUNTED ORIENTATION COLOUR (CHARCOAL)
219	PRE-FINISH FRAME GLASS PANELS COLOUR (CHARCOAL)
220	SCAFFOLD PANEL SYSTEM COLOUR (CHARCOAL)
221	OUTDOOR DOOR TO DOOR TO MATCH ADJACENT MATERIAL
222	EXTERIOR DOORWAY DOOR TO MATCH ADJACENT MATERIAL
223	METAL LOORING COLOUR (CHARCOAL)
NOTES	
SOFFIT OVERHANG TO BE METAL WOOD	
CRANK PLAT SLOPE TO MATCH #94	
BALLAST RIG ON FLAT ROOF	

DATE	ISSUED FOR	REF
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D
2019-04-05	REVISED DEVELOPMENT PERMIT	E

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Project Component
Maison Victoria
Keyplan

Consultants	
Civil	McEhanny Consulting Services Ltd
Landscape	Lombard North Group (B/C) Inc
Architectural	Non Architects Engineers Planners

Seal(s)

NORR

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Calgary, AB Canada T2G 4V5
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Project Manager C. Abernombie	Drawn C. Clark
Project Leader C. Clark	Checked C. Abernombie

Client
MILLIKEN REAL ESTATE
CORPORATION
#100-2489 BELLEVUE AVE
WEST VANCOUVER, B C V7V 1E1

Project
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

Drawing Title
EXTERIOR ELEVATIONS
WEST ELEVATION

100

Check Scale (may be photo reduced) 0 1 inch 0 10mm
 Project No. NCCA-17-0221
 Drawing No. DP302

Received
City of Victoria
MAY 01 2019
Planning & Development Department
Development



01 OVERALL SITE CONTEXT ELEVATION SOUTH
DP304 1:200 APPROXIMATE



03 OVERALL SITE CONTEXT ELEVATION- EAST
DP304 1:200 APPROXIMATE

NOTE
COLOURED RENDERINGS ARE FOR SITE AND MATERIAL CONTEXT TO DEMONSTRATE INTENT OF MATERIAL FINISHES AND SHOW BUILDING SCALE IN CONTEXT
SCALE INDICATED IS APPROXIMATED FROM ELEVATIONS
SEE DP301-DP303 FOR DETAIL NOTES AND DIMENSIONS (TO SCALE)



DATE	ISSUED FOR	RE
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2018-02-18	REVISED DEVELOPMENT PERMIT	D

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Project Component
Maison Victoria
Keyplan

Consultants
Civil: M/Emergency Consulting Services Ltd
Landscape: Lintars North Group B/C Inc.
Architecture: Ivan Architects Engineers Planners

Scale:

NORR
1001-1011 141 Street SE
Calgary, AB T2C 1A1
403.241.1000
www.norr.ca
NORR is a registered professional corporation
1. Professional Corporation
2. Professional Corporation

Project Manager	C. Aherne	Drawn	C. Clark
Project Lead	C. Clark	Checked	C. Aherne

Client
MILLIKEN REAL ESTATE CORPORATION
#100-2489 BELLEVUE AVE
WEST VANCOUVER, B.C. V6V 1E1

Project
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

Drawing Title
EXTERIOR ELEVATIONS
SITE CONTEXT

Check Scale (may be photo reduced)
Project No: NCCA-17-0221
Drawing No: DP304

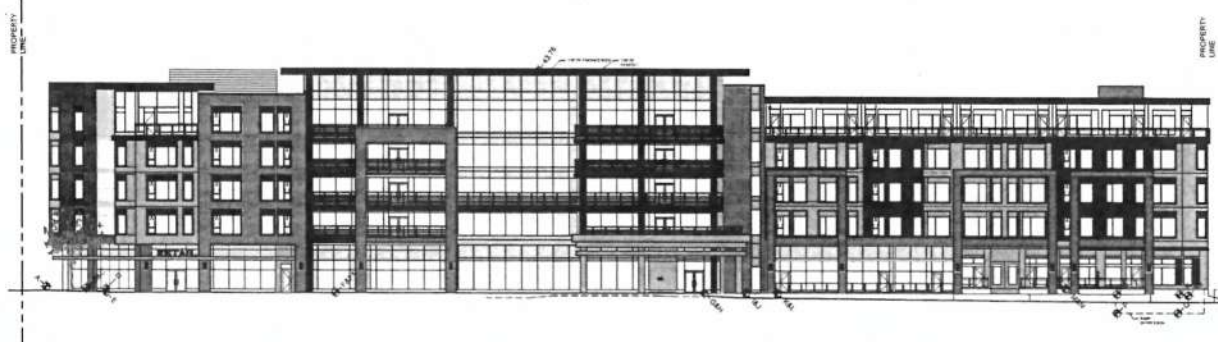
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03
DP305 NORTH ELEVATION
1:200



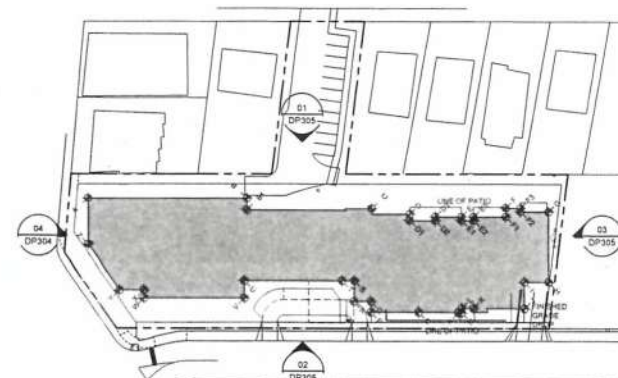
04
DP305 SOUTH ELEVATION
1:200



02
DP305 EAST ELEVATION
1:200



01
DP305 WEST ELEVATION
1:200



05
DP305 KEY PLAN AVERAGE GRADE CALCULATION
1:500

AVERAGE GRADE CALCULATION				
POINT	GRADE (POINTS)	AVG. GRADE	MULTIPLY	DISTANCE
A	22.51	22.51	x	76.544 m
B	22.80	22.80	x	7.793 m
B1	22.50	22.50	x	20.55 m
C	22.80	22.80	x	8.80 m
D	22.80	22.80	x	3.35 m
E1	22.51	22.51	x	6.24 m
E2	22.51	22.51	x	0.93 m
E3	22.80	22.80	x	5.72 m
F	22.48	22.48	x	0.833 m
G1	22.51	22.51	x	3.3 m
G2	22.51	22.51	x	0.833 m
H	22.48	22.48	x	1.10 m
I	22.48	22.48	x	2.08 m
J	22.48	22.48	x	3.3 m
K	22.48	22.48	x	0.833 m
L	22.48	22.48	x	0.833 m
M	22.48	22.48	x	0.833 m
N	22.48	22.48	x	0.833 m
O	22.48	22.48	x	0.833 m
P	22.48	22.48	x	0.833 m
Q	22.48	22.48	x	0.833 m
R	22.48	22.48	x	0.833 m
S	22.48	22.48	x	0.833 m
T	22.48	22.48	x	0.833 m
U	22.48	22.48	x	0.833 m
V	22.48	22.48	x	0.833 m
W	22.48	22.48	x	0.833 m
X	22.48	22.48	x	0.833 m
Y	22.48	22.48	x	0.833 m
Z	22.48	22.48	x	0.833 m
TOTALS				600.00 m
AVERAGE GRADE		22.51		
TOP OF ROOF @ HIGHEST FLAT ROOF		43.70		
BUILDING HEIGHT (m)		21.19		

DATE	ISSUED FOR	RE
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-16	REVISED DEVELOPMENT PERMIT	D

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Project Components
Maison Victoria
Residential

Consultants
Civil: McElroy Consulting Services Ltd.
Landscape: Lombard North Group (B.C.) Inc.
Architectural: Nor Architects Engineers Planners

Scale(s):

NORR
2100 411 - 1st Floor SE
Capehart 480 Carleton Place
NORR ARCHITECTS ENGINEERS PLANNERS
A Partnership of Limited Companies
NORR ARCHITECTS ENGINEERS PLANNERS
NORR ENGINEERS PLANNERS
NORR PLANNERS

Project Manager: C. Macrombie
Project Leader: C. Macrombie
Checked: C. Macrombie

Client: MILLIKEN REAL ESTATE CORPORATION
#100-2499 BELLEVUE AVE
WEST VANCOUVER, B.C. V7V 1E1

Project: MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

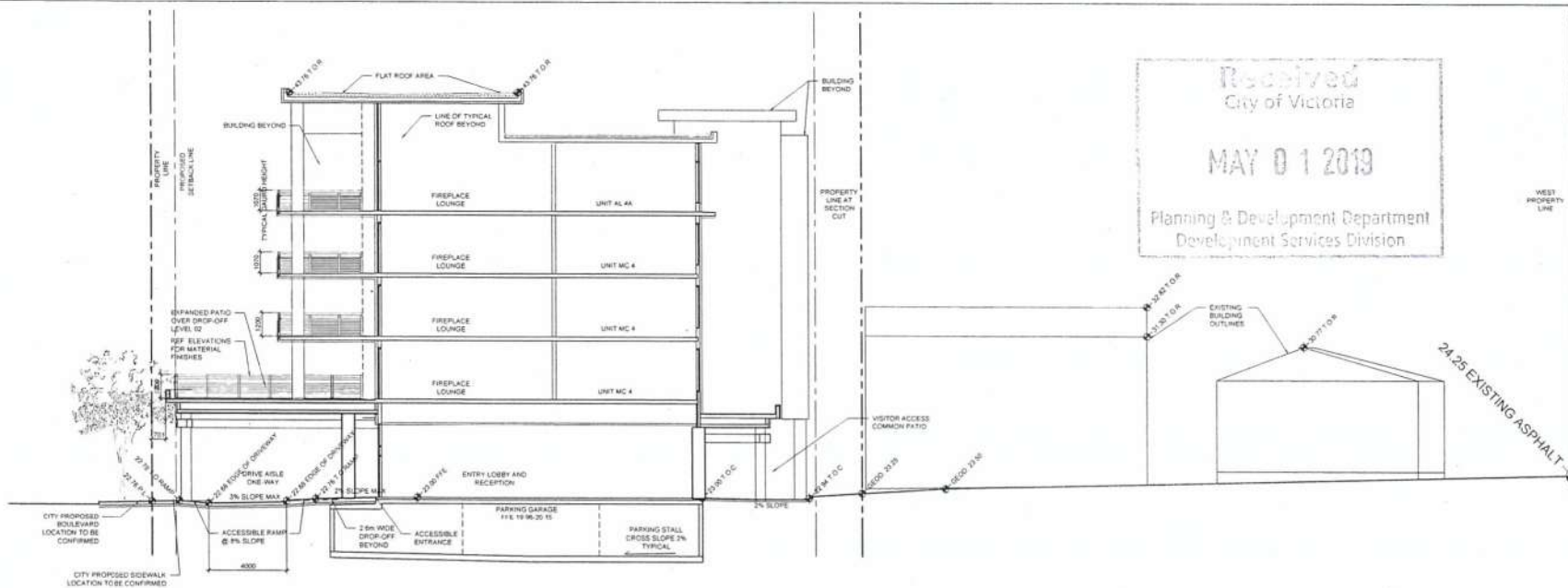
Drawing Title: BUILDING ELEVATIONS
AVERAGE GRADE CALCULATIONS

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Project No: NCA-17-0221
Drawing No: DP305

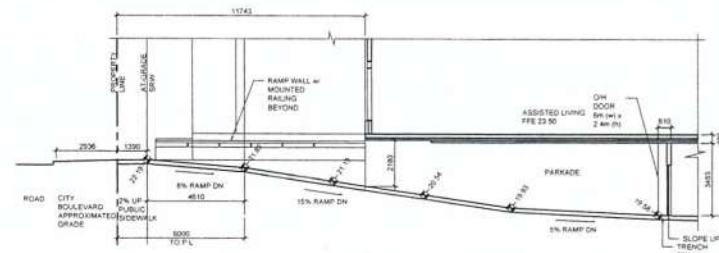
Received
City of Victoria
MAY 01 2019
Planning & Development Department
Development Services Division



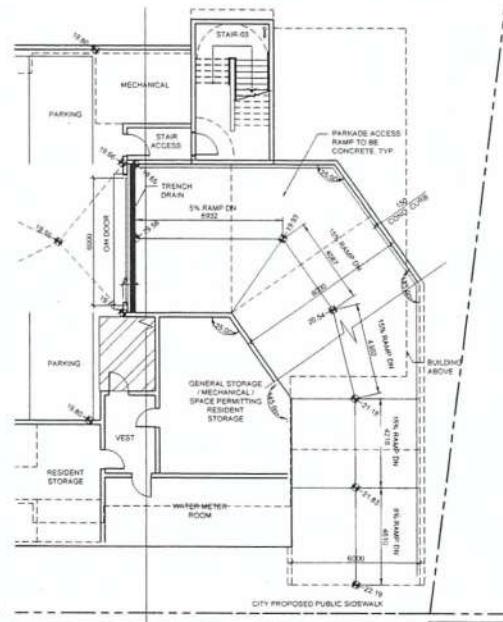
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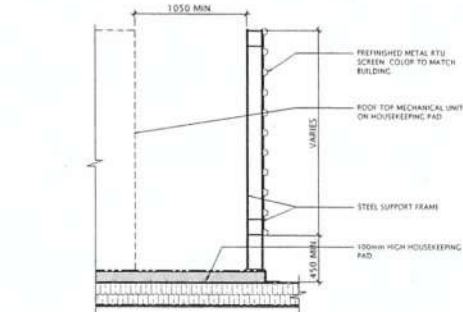
D4 CROSS SECTION PROFILE PLAN
DP401 1/100



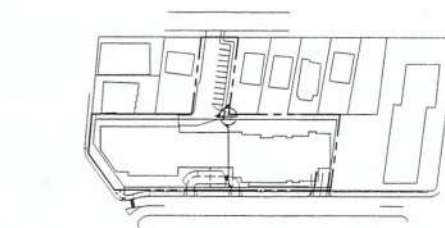
D1 PARKADE RAMP SECTION
DP401 1/100



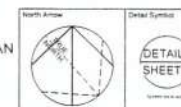
D2 PARKADE RAMP PLAN
DP401 1/100



D4 ROOF TOP MECHANICAL SCREEN DETAIL
DP401 1/20



D3 CROSS SECTION KEY PLAN
DP401 1/100



Received
City of Victoria
MAY 01 2019
Planning & Development Department
Development Services Division

DATE	ISSUED FOR	RE
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2018-12-15	REVISED DEVELOPMENT PERMIT	D
2019-04-08	REVISED DEVELOPMENT PERMIT	E

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Project Component
Maison Victoria
Residential

Consultants
Civil: McParham Consulting Services Ltd.
Landscape: McParham Consulting Services Ltd.
Architecture: McParham Consulting Services Ltd.

Series

NORR
1000 BELLEVUE AVE, VICTORIA, BC V8M 1H1
NORR ARCHITECTS ENGINEERS PLANNERS
A PROFESSIONAL CORPORATION

Project Manager: C. Clark
Project Leader: C. Clark
Checked: C. Clark

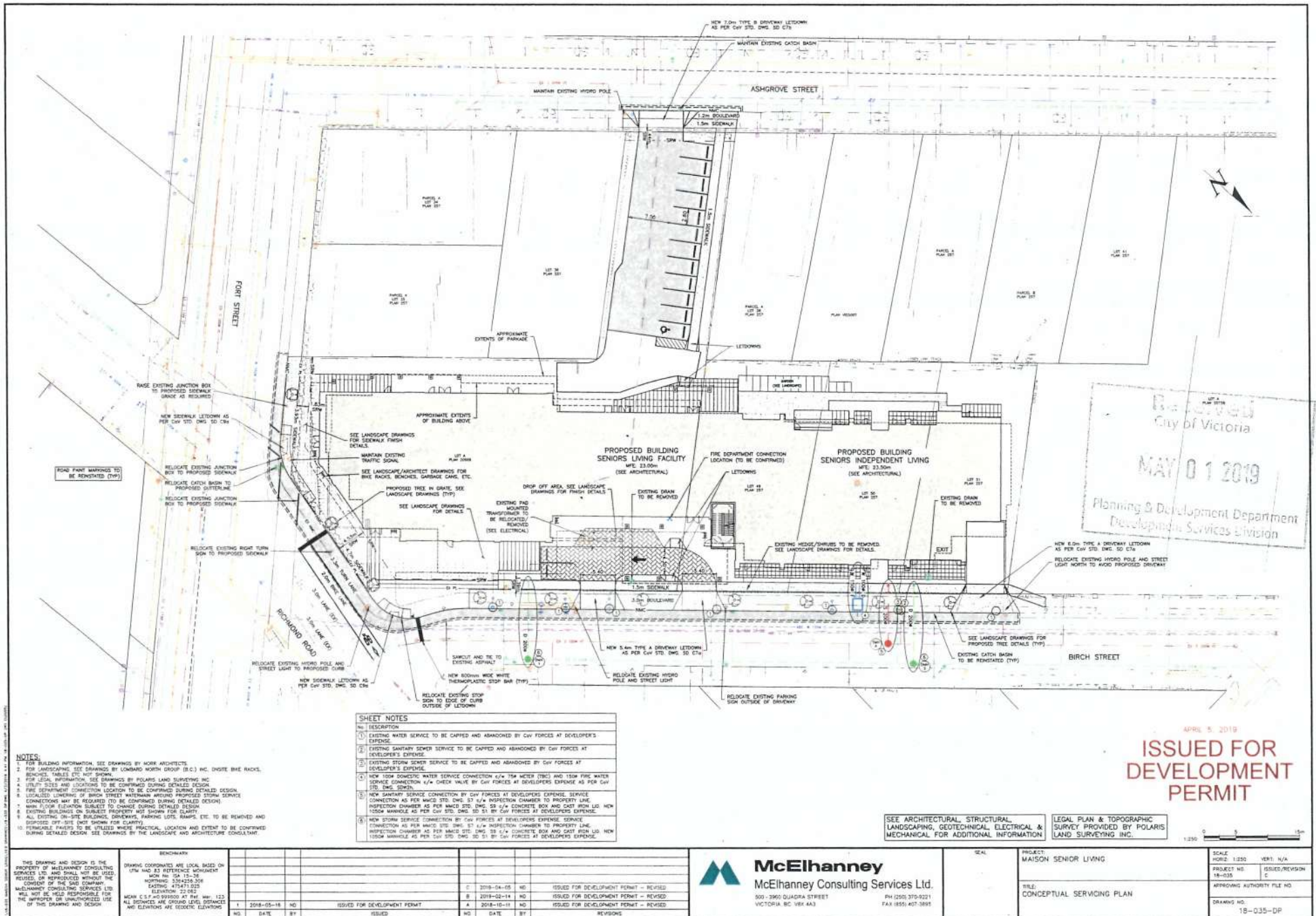
Client: MILLIKEN REAL ESTATE CORPORATION
1000 BELLEVUE AVE
VICTORIA, BC V8M 1H1

Project: MAISON VICTORIA
1000 BELLEVUE AVE
VICTORIA, BC V8M 1H1

Drawing Title: CROSS SECTION PLAN
BUILDING SECTION

Client Scale (may be photo reduced): 1/1000
Project No: NCCA-17-0221
Drawing No: DP401

Detail: SHEET #





Committee of the Whole Report For the Meeting of April 11, 2019

To: Committee of the Whole **Date:** March 28, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00651 for 1900-1912 Richmond Road

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00651 for 1900-1912 Richmond Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the following legal documents to the satisfaction of the City Solicitor:
 - a. Statutory Right-of-Way of 1.82m off Fort Street
 - b. Statutory Right-of-Way of 1.39m off Birch Street
 - c. Statutory Right-of-Way of 4.53m off Richmond Road
 - d. Statutory Right-of-Way of 1.44m off Ashgrove Street
 - e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.
2. Submission of revised plans that address the parking shortfall and the slope of the driveway to the underground parking.

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 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 1900-1912 Richmond Road. The proposal

is to rezone from the R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District, to a site-specific zone in order to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road.

The following points were considered in assessing this Application:

- the proposal is consistent with the Large Urban Village and Urban Residential designations in the *Official Community Plan* (2012), which envision densities up to approximately 2.5:1 and 2.0:1 respectively and building heights up to six storeys
- the proposal is inconsistent with the policies of the *Jubilee Neighbourhood Plan* (1996) to maintain current zoning and to reduce the permissible height for properties zoned R3-2 from six to eight storeys to a maximum of four storeys
- the applicant is willing to enter into a Housing Agreement to secure the building as rental in perpetuity
- a Traffic Impact Assessment indicated that no traffic mitigation measures are required with the redevelopment of the site, and levels of service generally remain the same or will be improved at nearby intersections.

BACKGROUND

Description of Proposal

The Rezoning Application is to rezone from the R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District, to a site-specific zone in order to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road.

The following differences from the current R3-2 Zone and C-1 Zone are being proposed and would be accommodated in the new zone:

- increasing the density from 1.2:1 to 2.29:1 Floor Space Ratio (FSR) and increasing the floor area from 5637.36m² to 10771.30m²
- increasing the height from 12.0m to 20.64m
- increasing the site coverage from 24% to 45.08%
- decreasing the setbacks to the street boundary, rear yard and side yards.

Affordable Housing Impacts

The applicant proposes the creation of 167 new assisted living and memory care units which would increase the overall supply in the area. A Housing Agreement is also proposed, which would ensure that the building remains rental in perpetuity and that the proposed amenity spaces are secured.

Tenant Assistance Policy

The proposal is to demolish an existing medical office building and therefore would not result in any loss of existing residential rental units.

Sustainability Features

The applicant has identified a number of sustainability features that will be reviewed in association with the concurrent Development Permit Application.

Active Transportation Impacts

The applicant has identified measures to support active transportation, which will be reviewed in association with the concurrent Development Permit Application.

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 wide range of uses. To the south, across Fort Street, are one-storey commercial buildings and two- to four-storey multi-unit residential buildings. Immediately to the west are office and medical office buildings. Single family dwellings are located to the northwest of the subject property and immediately to the north is a four-storey multi-unit residential building. Finally, to the east is the Turner Building, a medical office building, and the Royal Jubilee Hospital property.

Existing Site Development and Development Potential

The site is presently developed as a three-storey medical office building fronting Fort Street on the southern portion of the property. The remainder of the property is a large surface parking lot. The site has two zones that apply to it, with the north and west portion in the R3-2 Zone, Multiple Dwelling District, and the south portion in the C-1 Zone, Limited Commercial District.

Under the current C-1 Zone, Limited Commercial District, the southern portion of the property could be developed as a commercial building or a mixed-residential building with commercial on the ground floor, up to a height of 12m and a density of up to 1.4:1 FSR. Under the current R3-2 Zone, Multiple Dwelling District, the western and northern portions of the property could be developed as a multi-unit residential building up to a height of 18.5m and a density of up to 1.6:1 FSR.

Data Table

The following data table compares the proposal with the existing R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing R3-2 Zone	Existing C-1 Zone
Site area (m ²) – minimum	4697.80	920.0	N/A
Density (Floor Space Ratio) – maximum	2.29:1 *	1.2:1	1.4:1

Zoning Criteria	Proposal	Existing R3-2 Zone	Existing C-1 Zone
Total floor area (m ²) – maximum	10771.30 *	5637.36 (if entire site were R3-2)	6576.92 (if entire site were C-1)
Height (m) – maximum	20.64 *	18.50	12.00
Storeys – maximum	5.0	N/A	N/A
Site coverage (%) – maximum	45.08 *	24.0	N/A
Open site space (%) – minimum	30.45	30.0	N/A
Setbacks (m) – minimum			
Street Boundary (Birch Street)	1.50 *	12.00	6.00
Rear (West)	2.69 *	7.50 from street centreline	6.00 or ½ building height
Side (North)	2.49 *	3.00 or ½ building height	3.00
Side (South)	2.00 *	7.50 from street centreline	2.40
Vehicle parking stalls – minimum			
Vehicle parking (residential)	48	48	48
Vehicle parking (commercial based on retail)	3	3	3
Visitor vehicle parking	14	14	14
Bicycle parking stalls – minimum			
Long term	8	7	7
Short term	4	4	4

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the North Jubilee CALUC at a Community Meeting held on April 24, 2018. A letter dated October 22, 2018 is attached to this report.

ANALYSIS

Official Community Plan

The subject site is split-designated as Large Urban Village and Urban Residential in the *Official Community Plan* (OCP, 2012). The Large Urban Village designation envisions low to mid-rise mixed-use buildings up to approximately six storeys and up to approximately 2.5:1 FSR. The Urban Residential designation envisions low to mid-rise multi-unit residential up to approximately six storeys and up to approximately 2:1 FSR. The proposal is consistent with the designations, as the height is five storeys and the average FSR calculated over the entire site is 2.29:1. In addition, the OCP supports the provision of a range of seniors housing and innovative care options including assisted living.

Local Area Plan

The *Jubilee Neighbourhood Plan* (1996) policies are not completely consistent with the OCP. Map 1 of the plan identifies the subject properties as "Maintain Current Zoning". The housing policies and recommendations note that land currently zoned R3-2 Zone, Multiple Dwelling District, should be rezoned to reduce the permitted heights from six to eight storeys to a maximum of four storeys and consider townhouses.

However, the proposal is consistent with other policies in the Plan. For instance, mixed residential and commercial use is seen as a positive way to add housing and enliven buildings, and residential developments should provide sufficient parking to meet their needs.

Tree Preservation and Urban Forest Master Plan

There is one existing public maple tree on Ashgrove Street that will be retained, and ten new public trees are proposed on Richmond Avenue, Fort Street and Birch Street. There is one existing Lombardy poplar tree on private property that will be retained. Fifty-six new medium trees and twenty-two small trees are proposed on private property. There are no bylaw-protected trees associated with this application. A large Blue Atlas cedar located on the neighbouring property at 1929 Ashgrove Street will be retained and protected during construction.

Encroachment Agreement

With any project of this scale that has little to no setbacks and requires significant excavation, construction methods often require a form of underpinning which can result in material being left in the Public Right-of-Way. The resulting material (typically rock anchors) presents no concerns to the public interest and does not impact any underground infrastructure; however, an Encroachment Agreement between the City and the developer is required. The recommended motion relating to the associated Development Permit addresses this Encroachment Agreement.

Other Considerations

Staff recommend securing the following four Statutory Right-of-Ways as a condition of rezoning: 4.53m off Richmond Road, 1.82m off Fort Street, 1.44m off Ashgrove Street and 1.39m off Birch Street. These right-of-ways will be used to help fulfill Council-approved OCP objectives such as enhanced facilities for walking, cycling and boulevards.

A Traffic Impact Assessment (TIA) was submitted as part of the proposal. The TIA (attached) indicates that no mitigation measures are required with the redevelopment of this site. The existing parking lot, which is proposed to be removed as part of the development, currently generates more trips than is anticipated for the proposed development. Levels of service generally remain the same or are in fact improved at nearby intersections. The TIA also indicates the replacement of sidewalks surrounding the site and new bicycle parking facilities will support active transportation objectives.

CONCLUSIONS

The proposal is generally consistent with the OCP as it relates to multi-residential and commercial development within Large Urban Village and Urban Residential areas. While the proposal does not meet the overarching policy to maintain current zoning and lower heights within the *Jubilee Neighbourhood Plan*, it does meet other policies such as providing adequate parking and engaging the public realm at street level. It also achieves goals included in the OCP related to encouraging a range of different housing types and support services. Staff therefore recommend that Council consider moving the Application forward to a Public Hearing.

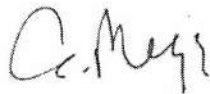
ALTERNATE MOTION

That Council decline Rezoning Application No. 00651 for the property located at 1900-1912 Richmond Road.

Respectfully submitted,




Michael Angrove
Planner
Development Services



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: April 2, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped March 14, 2019
- Attachment D: Letter from applicant to Mayor and Council dated October 15, 2018
- Attachment E: Community Association Land Use Committee Comments dated October 22, 2018
- Attachment F: Traffic Impact Assessment
- Attachment G: Advisory Design Panel Minutes from the January 23, 2019 meeting
- Attachment H: Correspondence (Letters received from residents).



Committee of the Whole Report For the Meeting of April 11, 2019

To: Committee of the Whole **Date:** March 28, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Development Permit Application No. 000531 for 1900-1912 Richmond Road

RECOMMENDATION

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

1. Plans date stamped March 14, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. 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 *Official 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 revitalization of an area in which a commercial use is permitted, 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.

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 the property located at 1900-1912 Richmond Road. The proposal is to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012)
- the proposal is consistent with the policies for new buildings within the *Jubilee Neighbourhood Plan*.

BACKGROUND

Description of Proposal

The proposal is to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road. Specific details include:

- a contemporary design
- commercial units that front onto and help frame Fort Street and Richmond Road
- underground parking accessed off Birch Street, visitor parking primarily accessed from Ashgrove Street and a dedicated area for vehicular pick up / drop off at the main residential entrance on Birch Street
- a common plaza on the corner of Richmond Road and Birch Street
- garden space for the residents on the northwest portion of the property
- approximately 65 new trees, predominantly around the site perimeter.

Affordable Housing Impacts

The applicant proposes the creation of 167 new assisted living and memory care units, which would increase the overall housing supply in the area. A Housing Agreement is also being proposed which would ensure that the building remains rental in perpetuity and that the amenity spaces (e.g. dining room, games library, lounges etc.) are secured so that the spaces could not be converted to additional residential units in the future.

Sustainability Features

As indicated in the applicant's letter dated May 17, 2018, the following sustainability features are being explored with this Application:

- photovoltaic panels, solar-read systems and passive solar systems
- green roof applications
- mechanical and electrical efficiencies
- building envelope systems and thermal performance
- storm water retention
- indigenous, low-water landscaping
- decreased construction waste.

Active Transportation Impacts

The Application proposes 32 long-term and 24 short-term bicycle parking stalls, which support active transportation.

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.

Data Table

The following data table compares the proposal with the existing R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing R3-2 Zone	Existing C-1 Zone
Site area (m ²) – minimum	4697.80	920.0	N/A
Density (Floor Space Ratio) – maximum	2.29:1 *	1.2:1	1.4:1
Total floor area (m ²) – maximum	10771.30 *	5637.36 (if entire site were R3-2)	6576.92 (if entire site were C-1)
Height (m) – maximum	20.64 *	18.50	12.00
Storeys – maximum	5.0	N/A	N/A
Site coverage (%) – maximum	45.08 *	24.0	N/A
Open site space (%) – minimum	30.45	30.0	N/A
Setbacks (m) – minimum			
Street Boundary (Birch Street)	1.50 *	12.00	6.00
Rear (West)	2.69 *	7.50 from street centreline	6.00 or ½ building height
Side (North)	2.49 *	3.00 or ½ building height	3.00
Side (South)	2.00 *	7.50 from street centreline	2.40

Zoning Criteria	Proposal	Existing R3-2 Zone	Existing C-1 Zone
Vehicle parking stalls – minimum			
Vehicle parking (residential)	48	48	48
Vehicle parking (commercial based on retail)	3	3	3
Visitor vehicle parking	14	14	14
Bicycle parking stalls – minimum			
Long term	8	7	7
Short term	4	4	4

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the Application was presented at a Community Meeting with the North Jubilee CALUC on April 24, 2018. A letter dated October 22, 2018 is attached to this report.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP, 2012) identifies this property within two Development Permit Areas (DPAs): DPA 5 - Large Urban Villages and DPA 16 - General Form and Character. Design Guidelines that apply to these DPAs are the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006), and *Guidelines for Fences, Gates and Shutters* (2010).

Staff believe the proposal is generally consistent with the key design guidelines. The roofline of the building steps down at the northern portion of the site to provide an improved transition to the adjacent multi-unit residential building. The commercial units along Fort Street and Richmond Road are visually distinct from the upper storeys, creating an approachable pedestrian scale as well as weather protection through the canopy. These commercial units transition into the active use areas for the assisted living building, such as a games room and a dining room, which increases the interactions between pedestrians and the interior spaces. The length of the building (from north to south) is split up through varying materials, as well as through a masonry brick "hyphen" located just north of the main entrance off Birch Street.

Common and private patios are used to mitigate the lack of at-grade individual entrances for the residential units along Birch Street, which are not present due to building security concerns. The plaza on the corner of Richmond Road and Birch Street provides an opportunity for users of

the commercial units to intermingle with the residents of the building. Landscaping in general is sensitive to the adjacent neighbours, with much of the tree planting occurring on the interior lot lines.

Local Area Plans

The *Jubilee Neighbourhood Plan* envisions new buildings that are compatible with the character of the neighbourhood and surrounding properties, that ground floor housing should have individual unit entrances and that site planning should balance useable green space and paved areas. The proposal addresses these issues and is considered consistent with the Plan policies.

Tree Preservation Bylaw and Urban Forest Master Plan

There is one existing public maple tree on Ashgrove Street that will be retained, and ten new public trees proposed on Richmond Avenue, Fort Street and Birch Street. There is one existing Lombardy poplar tree on private property that will be retained. Fifty-six new medium trees and twenty-two small trees are proposed on private property. There are no bylaw-protected trees associated with this Application. A large Blue Atlas cedar located on the neighbouring property at 1929 Ashgrove will be retained and protected during construction.

Regulatory Considerations

There are currently two vehicle parking shortfalls for visitor and commercial stalls. The applicant has indicated that these shortfalls will be rectified through adding more spaces and making modifications to the commercial spaces. In addition, the current slope of the driveway is 20%, which is inconsistent with the 15% maximum slope within Schedule 'C'. The recommended motion for the Rezoning Application would require the applicant to address this inconsistency and the parking shortfall prior to a Public Hearing.

All other deviations from the standard zones (i.e. density, floor area, setbacks, height, site coverage) will be written into the new site-specific zone, should this Application proceed to a Public Hearing.

Advisory Design Panel

The Advisory Design Panel (ADP) reviewed this Application on January 23, 2019. A copy of the minutes from this meeting are attached. The ADP was asked to comment on the overall design with particular attention to the transition to the lower density residential areas as well as reducing the effect of the length of the building.

In response to the ADP comments, the applicant made a number of changes including:

- balconies on the west façade of the fifth storey were removed
- landscaping was increased on along the interior property lines
- the materials and articulation on the building were simplified
- a canopy was added to the lobby entrance off Ashgrove Street to increase the visual prominence of the entrance
- the rooftop mechanical equipment is screened and located away from the adjacent residential properties
- the corner plaza was revised to include additional planters and concrete patterning in an effort to provide visual interest and encourage social gatherings.

CONCLUSIONS

The proposed development is generally consistent with the relevant Design Guidelines and represents an appropriate fit in the immediate and general context. The applicant has generally addressed the items discussed by the Advisory Design Panel to further enhance the development. Therefore, staff recommend that Council consider supporting this Application.

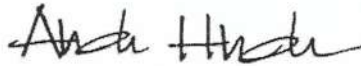
ALTERNATE MOTION

That Council decline Development Permit Application No. 000531 for the property located at 1900-1912 Richmond Road.

Respectfully submitted,




Michael Angrove
Planner
Development Services



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:



Date:

April 2, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped March 14, 2019
- Attachment D: Letter from applicant to Mayor and Council dated October 15, 2018
- Attachment E: Community Association Land Use Committee Comments dated October 22, 2018
- Attachment F: Traffic Impact Assessment
- Attachment G: Advisory Design Panel Minutes from the January 23, 2019 meeting
- Attachment H: Correspondence (Letters received from residents).

I.1.b.d Attendance at the AVICC Conference, Powell River, April 12-14, 2019

Moved By Councillor Collins
Seconded By Councillor Isitt

That Council authorize the attendance and associated costs for Councillor Sarah Potts to attend the AVICC Conference to be held in Powell River, April 12-14, 2019.

CARRIED UNANIMOUSLY

I.1.b.e Inclusionary Housing and Density Bonus Policy

Moved By Councillor Isitt
Seconded By Councillor Potts

1. That the matter be referred to staff to report back by May 16 with any proposed amendments to the revised Attachment A to ensure a workable policy; and
2. Revised attachment A be forwarded to the working group for comment; and
3. That any amendments be consistent with the principle that new density beyond the entitlement in the existing zoning should be targeted toward the social purpose of expanding inclusivity and affordability in the community.
4. That the Interim Policy adopted by Council in November 2018 remain in effect until a new policy is adopted.

FOR (7): Councillor Alto, Councillor Collins, Councillor Dubow, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe
 OPPOSED (1): Mayor Helps

CARRIED (7 to 1)

I.1.b.f 1900 - 1912 Richmond Road - Rezoning Application No. 00651 and Development Permit Application No. 000531 (North Jubilee)

Moved By Councillor Alto
Seconded By Councillor Potts

Rezoning Application No. 00651

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00651 for 1900-1912 Richmond Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the following legal documents to the satisfaction of the City Solicitor:

- a. Statutory Right-of-Way of 1.82m off Fort Street
 - b. Statutory Right-of-Way of 1.39m off Birch Street
 - c. Statutory Right-of-Way of 4.53m off Richmond Road
 - d. Statutory Right-of-Way of 1.44m off Ashgrove Street
 - e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.
2. Submission of revised plans that address the parking shortfall and the slope of the driveway to the underground parking.

Development Permit Application No. 000531

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

1. Plans date stamped March 14, 2019.
2. Development meeting all *Zoning Regulation Bylaw*
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution."

Motion to refer:

Moved By Councillor Isitt

Seconded By Councillor Dubow

That the application be referred back to staff to work with the applicant to determine whether affordability can be built into the project.

Amendment:

Moved By Councillor Collins

Seconded By Councillor Potts

That the application be referred back to staff to work with the applicant to determine whether affordability can be built into the project **and work with the applicant to ensure Lifelabs and the Medical Clinic find a home either in the project or in the neighbourhood.**

Amendment to the amendment:

Moved By Mayor Helps

Seconded By Councillor Collins

That the application be referred back to staff to work with the applicant to determine whether affordability can be built into the project **and work with the applicant to ensure Lifelabs and the Medical Clinic find a home either in the project or in the neighbourhood place within a 2 km radius of the project.**

FOR (3): Mayor Helps, Councillor Collins, and Councillor Dubow

OPPOSED (5): Councillor Alto, Councillor Isitt, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

DEFEATED (3 to 5)

Amendment to the amendment:

Moved By Councillor Isitt

Seconded By Councillor Alto

That the application be referred back to staff to work with the applicant to determine whether affordability can be built into the project **and work with the applicant to ensure Lifelabs and the Medical Clinic find a home either in the project or in the neighbourhood to work with the applicant to examine whether the medical facilities can be accommodated in the new building.**

CARRIED UNANIMOUSLY

Amendment to the amendment:

Moved By Councillor Loveday

Seconded By Councillor Isitt

That the application be referred back to staff to work with the applicant to determine whether affordability can be built into the project **and to work with the applicant to examine whether the medical facilities can be accommodated in the new building, and if not, then to work with the applicant to help ensure these services find a home in the surrounding neighbourhood.**

CARRIED UNANIMOUSLY

On the amendment:

CARRIED UNANIMOUSLY

On the motion to refer, as amended:

That the application be referred back to staff to work with the applicant to determine whether affordability can be built into the project and to work with the applicant to examine whether the medical facilities can be accommodated in the new building, and if

not, then to work with the applicant to help ensure these services find a home in the surrounding neighbourhood.

FOR (3): Councillor Dubow, Councillor Isitt, and Councillor Potts

OPPOSED (5): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Loveday, and Councillor Thornton-Joe

DEFEATED (3 to 5)

Amendment to the original motion:

Moved By Mayor Helps

Seconded By Councillor Thornton-Joe

That a point three be added to the rezoning application motion as follows:

That staff be directed to work with the applicant to determine whether affordability can be built into the project and to work with the applicant to examine whether the medical facilities can be accommodated in the new building, and if not, then to work with the applicant to help ensure these services find a home in the surrounding neighbourhood.

CARRIED UNANIMOUSLY

On the main motion as amended:

Rezoning Application No. 00651

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00651 for 1900-1912 Richmond Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

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 - c. Statutory Right-of-Way of 4.53m off Richmond Road
 - d. Statutory Right-of-Way of 1.44m off Ashgrove Street
 - e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.
2. Submission of revised plans that address the parking shortfall and the slope of the driveway to the underground parking.
3. That staff be directed to work with the applicant to determine whether affordability can be built into the project and to work with the applicant to examine whether the medical facilities can be accommodated in the new building, and if not, then to

work with the applicant to help ensure these services find a home in the surrounding neighbourhood.

Development Permit Application No. 000531

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

1. Plans date stamped March 14, 2019.
2. Development meeting all *Zoning Regulation Bylaw*
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution."

Councillor Isitt requested that the point three of the Rezoning Application motion be voted on separately.

On the main motion as amended:

Rezoning Application No. 00651

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00651 for 1900-1912 Richmond Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

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2. Submission of revised plans that address the parking shortfall and the slope of the driveway to the underground parking.

Development Permit Application No. 000531

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

1. Plans date stamped March 14, 2019.
2. Development meeting all *Zoning Regulation Bylaw*
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. The Development Permit lapsing two years from the date of this resolution."

FOR (6): Mayor Helps, Councillor Alto, Councillor Collins, Councillor Loveday, Councillor Potts, and Councillor Thornton-Joe

OPPOSED (2): Councillor Dubow, and Councillor Isitt

CARRIED (6 to 2)

On the main motion as amended:

Rezoning Application No. 00651

3. That staff be directed to work with the applicant to determine whether affordability can be built into the project and to work with the applicant to examine whether the medical facilities can be accommodated in the new building, and if not, then to work with the applicant to help ensure these services find a home in the surrounding neighbourhood.

CARRIED UNANIMOUSLY

I.1.b.g 2921 Gosworth Road - Rezoning Application No. 00667 and Development Permit with Variances Application No. 00096 (Oaklands)

Moved By Councillor Collins

Seconded By Councillor Alto

That the applicant works with staff to make changes to the proposed design and return to a Committee of the Whole meeting. Revisions should address:

- reducing the massing of the proposed house to better respond to the neighbourhood context
- revise the materials and colour of the proposed house to better reflect the neighbourhood context
- revise the landscaping and screening for the proposed patio for the existing house

CARRIED UNANIMOUSLY

I.1.b.h Revenue and Tax Policy Benchmark Monitoring and 2019 Tax Rates

Moved By Councillor Isitt

Seconded By Councillor Collins



May 13, 2019

Mr. Michael Angrove
Planner
Sustainable Planning and Community Development
City of Victoria
1 Centennial Square
Victoria, BC V8W 1P6

Re: 1900 Richmond Road – Proposed Senior's Care Community

Dear Mike,

The intent of this letter is to outline our response to Council's request to work with City Staff on 1) affordability and 2) retention of medical uses for our proposed senior's community.

To review, our proposed senior's care community consists of all memory care and assisted living. This means that all of our potential residents will have either physical impairments, or cognitive impairments, or both. This type of full care for seniors is in extremely short supply in virtually every municipality in Canada, including Victoria. Also, our proposed building would be governed by a Housing Agreement that ensures the building remains rental in perpetuity.

In terms of affordability, it may be useful for us to provide some detail and context as to how our senior's care communities serve our residents. Our communities' philosophy is to provide completely personalized care for our residents. We provide a spectrum of care that runs from "light" assisted living care, which might include assistance with bathing, medication management etc, right up to palliative care. Most of our residents have cognitive/memory issues, and need a moderate to heavy amount of care, and these needs change over time, sometimes rapidly. A resident could move in with us, only requiring an hour of care per day at that point, and within 6 months, could have progressed to needing 6 or more hours of care per day. As a result, our staffing levels are very high (in the area of 1 staff per 3 residents, where publicly funded communities are typically 1 staff to 10 residents) and we do not have any restrictions on the amount of care a resident can receive.

This changing nature of care required, and therefore changing care cost, makes it challenging to offer a "subsidized" rental rate for some residents. A resident may be able to afford the subsidized rate when they first move in, but as their care needs, and therefore costs, increase, they may have to move elsewhere, which is very disruptive to their lives. For this reason, we view subsidization for some residents as problematic, but believe we have a potential solution

to Council's request. We would like to propose that **we contribute \$1 million to the City's Housing Reserve Fund**, to be used as the City sees fit. We feel that this would be more impactful, and less problematic, than attempting to make subsidization of some specific residents work.

Regarding the retention of medical uses, again, some context may be useful. The current building at 1900 Richmond Road is an approximately 52 year old building that is at the end of its useful life. The single pane windows rattle and are drafty (our tenants tell us so) and we can't get replacement parts for the elevators, as they are too old. When we purchased the building in January 2019, the building was approximately 50% vacant. It is now approximately 70% vacant, and not all uses are medical; there is administrative space etc. This is not a thriving medical building. However, we do appreciate the desire to retain medical uses in the neighbourhood, and so are **willing to have the zoning uses restricted to "medical office" and "retail pharmacy" for the retail space on the ground floor of our proposed building.**

We hope that our proposals above on affordability and medical use retention are acceptable to Council. We welcome the opportunity at any time to discuss these items further, and to answer any questions that Council might have.

Best regards,

A handwritten signature in black ink, appearing to be 'KB', followed by a horizontal line.

Kate Milliken Binns
President & COO
Milliken Real Estate Corporation
778.628.7097

PART 4.95 – C1-R ZONE, RICHMOND LIMITED COMMERCIAL 2 DISTRICT**4.95.1 Definitions**

In this Part, 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.

4.95.2 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. Assisted Living Facility
- c. Medical Laboratory
- d. Medical Offices
- e. Restaurant
- f. Retail

4.95.3 Lot Area

- | | |
|-------------------------------|--------------------|
| a. <u>Lot area</u> (minimum) | 4697m ² |
| b. <u>Lot width</u> (minimum) | 72m |

4.95.4 Community Amenities

- a. As a condition of additional density pursuant to Part 4.95.5, a monetary contribution of \$1,000,000 must be provided to the Victoria Housing Reserve Fund prior to issuance of a Development Permit.
- b. Until the amenity contribution identified in Part 4.95.4 a. is paid in full, it shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw #19-060 is adopted and each year thereafter, by adding to the base contribution amount in Part 4.95.4 a. an amount calculated by multiplying that base contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.
- c. For the purposes of this Part 4.95.4 “CPI” means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

PART 4.95 – C1-R ZONE, RICHMOND LIMITED COMMERCIAL 2 DISTRICT**4.95.5 Floor Area, Floor Space Ratio**

- | | |
|---|-------------------------|
| a. <u>Total floor area</u> (maximum) | 10,771.30m ² |
| b. <u>Floor space ratio</u> where the amenity has not been provided pursuant to Part 4.95.4 (maximum) | 1.4:1 |
| c. <u>Floor space ratio</u> where the amenity has been provided pursuant to Part 4.95.4 (maximum) | 2.29:1 |
| d. A minimum of 170m ² on the ground floor must be dedicated to one or more of the following uses: medical laboratory, medical office or pharmacy. | |

4.95.6 Height, Storeys

- | | |
|---|--------|
| a. Principal <u>building height</u> where the amenity has not been provided pursuant to Part 4.95.4 (maximum) | 12m |
| b. Principal <u>building height</u> where the amenity has been provided pursuant to Part 4.95.4 (maximum) | 20.64m |
| c. <u>Storeys</u> (maximum) | 5 |

4.95.7 Setbacks, Projections

- | | |
|--|-------|
| a. <u>Street Boundary</u> – Birch Street (minimum) | 1.10m |
| b. <u>Rear yard setback</u> – Ashgrove Street (minimum) | 2.55m |
| c. <u>Side yard setback</u> - from interior <u>lot lines</u> (minimum) | 2.24m |
| d. <u>Side yard setback</u> – Fort Street (minimum) | 2.00m |

4.95.8 Site Coverage, Open Site Space

- | | |
|-------------------------------------|--------|
| a. <u>Site Coverage</u> (maximum) | 51% |
| b. <u>Open site space</u> (minimum) | 30.45% |

PART 4.95 – C1-R ZONE, RICHMOND LIMITED COMMERCIAL 2 DISTRICT**4.95.9 Vehicle and Bicycle Parking**

- | | |
|-------------------------------------|--|
| a. <u>Vehicle parking</u> (minimum) | Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part |
| b. <u>Medical Offices</u> | 1 space per 50m ² floor area |
| c. <u>Medical Laboratory</u> | 1 space per 50m ² floor area |
| d. <u>Restaurant</u> | 1 space per 50m ² floor area |
| e. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |

Monica Dhawan

From: Betty Honsinger <[REDACTED]>
Sent: Thursday, April 11, 2019 4:43 PM
To: Victoria Mayor and Council
Subject: 1900, 1908, 1912 Richmond Road - North Jubilee Neighbourhood

Hello my fellow Victorians, I write today about the proposed development at 1900, 1908, 1912 Richmond Road – a 137 unit retirement home to be built by Miliken Developments and run by Amica Retirement.

The 5 storey building spans 7 city lots. It is massive. I hope that you will take 10 minutes out of your busy days to see what kind of impact that will have on the homes behind it and the streets around it. 5 storeys all the way down Birch Street is too high.

Kind regards,

Betty Honsinger

Ashgrove Street

Monica Dhawan

From: sheena bellingham <[REDACTED]>
Sent: Wednesday, June 19, 2019 9:26 AM
To: Victoria Mayor and Council
Cc: Marianne Alto (Councillor); NJNA Community
Subject: 1900 Richmond Road - DP 00531

Mayor and Council,

During the April 11th Council meeting regarding the above-noted DP application, Council's motion was to refer the application back to staff to work with the applicant on affordability and to "ensure Lifelabs and the Medical Clinic find a home either in the project or in the neighbourhood." Subsequently that motion was amended to examine whether "medical facilities" could be accommodated either in the new building or in the surrounding neighbourhood. The community had been encouraged by Council's recommendations that staff work with the applicant on services and affordability in our community.

However, we are concerned to find that the above motion's wording has been altered in the report for COTW June 20th, to include a choice between a "medical office, medical laboratory or pharmacy."

There are 5 pharmacies within a short distance of this project - two directly across the street (Vital Pharmacy at 1825 Fort and Forbes Pharmacy at 1775 Fort). The area around the Jubilee Hospital is rich with medical offices - some empty. This proposal itself will increase demand for doctors and labs. The alteration in meaning to the spirit of the original motion suggests the possibility that North Jubilee (and the City of Victoria) could lose two valuable community services (lab and clinic) while likely losing the bonus density contribution to another community.

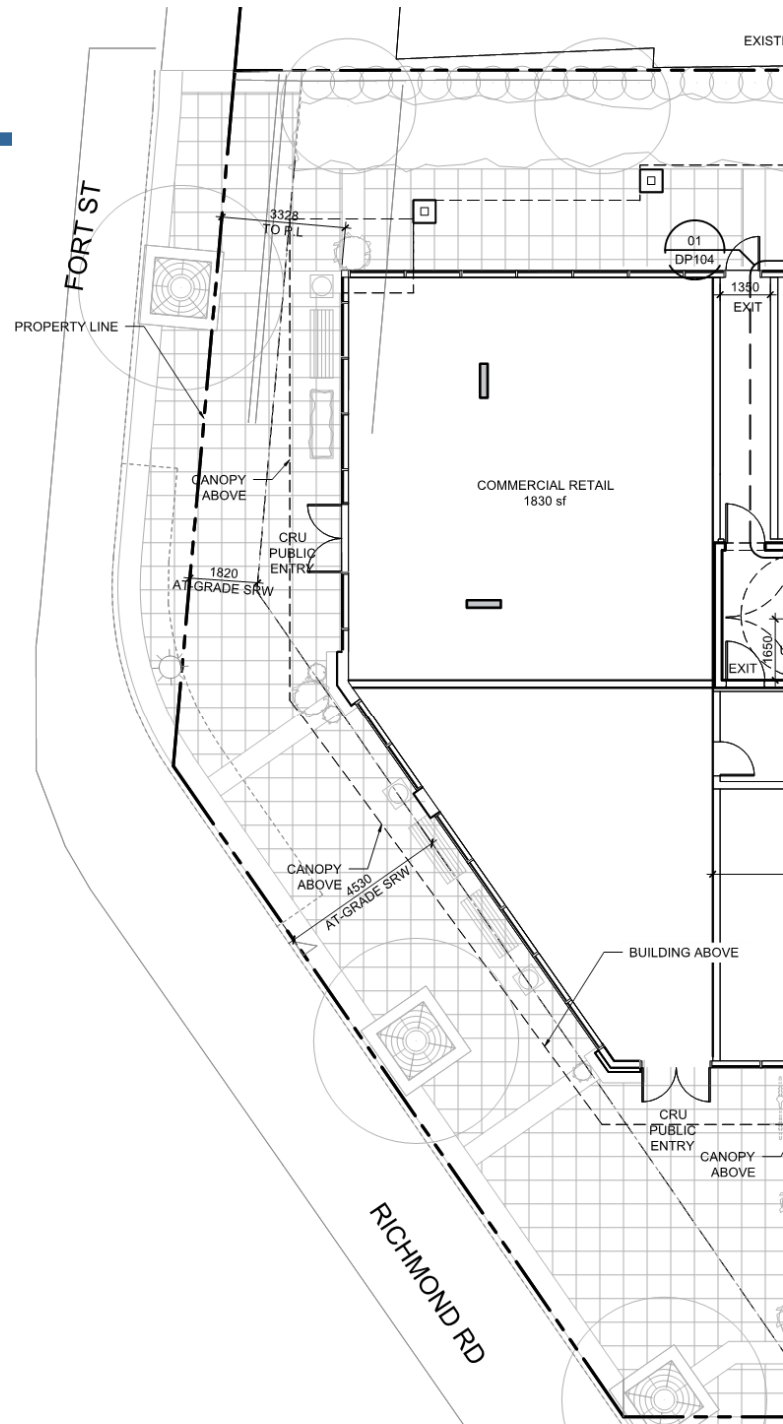
On behalf of the North Jubilee community, the NJ LUC would like to request that the wording of the medical facilities paragraph be revised to more accurately reflect the original intent of the motion and the wishes of the community which were to retain important public services in the neighbourhood.

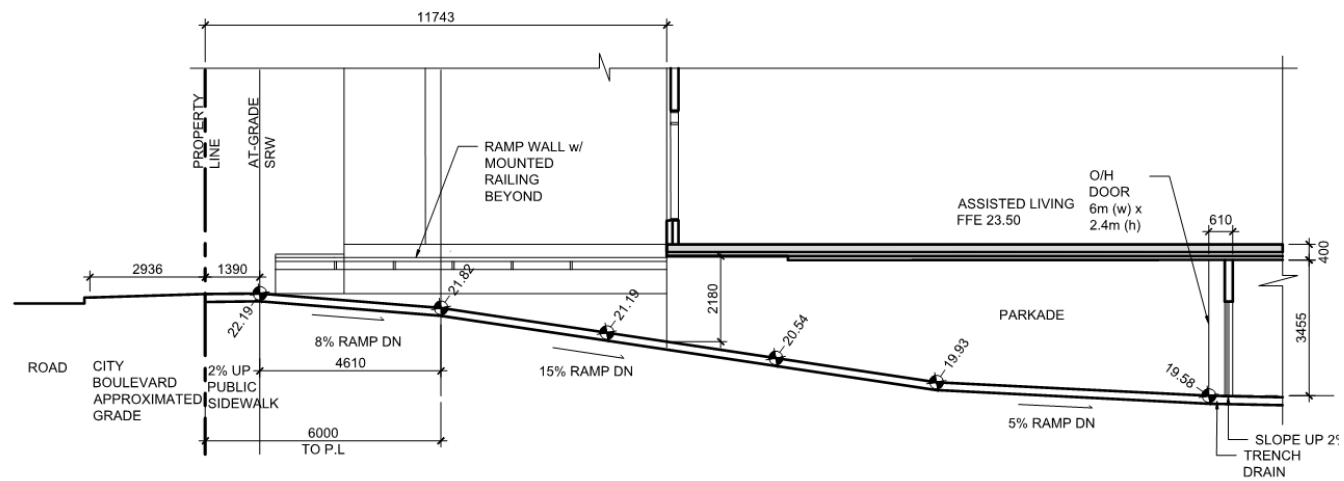
Sincerely,

Sheena Bellingham
on behalf of the
North Jubilee LUC

Rezoning Application for 1900 Richmond Road







01
DP401
PARKADE RAMP SECTION
1:100



Committee of the Whole Report

For the Meeting of April 11, 2019

To: Committee of the Whole **Date:** March 28, 2019

From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development

Subject: Rezoning Application No. 00651 for 1900-1912 Richmond Road

RECOMMENDATION

That Council instruct staff to prepare the necessary Zoning Regulation Bylaw Amendment that would authorize the proposed development outlined in Rezoning Application No. 00651 for 1900-1912 Richmond Road, that first and second reading of the Zoning Regulation Bylaw Amendment be considered by Council and a Public Hearing date be set once the following conditions are met:

1. Preparation and execution of the following legal documents to the satisfaction of the City Solicitor:
 - a. Statutory Right-of-Way of 1.82m off Fort Street
 - b. Statutory Right-of-Way of 1.39m off Birch Street
 - c. Statutory Right-of-Way of 4.53m off Richmond Road
 - d. Statutory Right-of-Way of 1.44m off Ashgrove Street
 - e. Housing Agreement to secure the building as rental in perpetuity and to secure the amenity spaces as noted on plans date stamped March 14, 2019.
2. Submission of revised plans that address the parking shortfall and the slope of the driveway to the underground parking.

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 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 1900-1912 Richmond Road. The proposal

is to rezone from the R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District, to a site-specific zone in order to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road.

The following points were considered in assessing this Application:

- the proposal is consistent with the Large Urban Village and Urban Residential designations in the *Official Community Plan* (2012), which envision densities up to approximately 2.5:1 and 2.0:1 respectively and building heights up to six storeys
- the proposal is inconsistent with the policies of the *Jubilee Neighbourhood Plan* (1996) to maintain current zoning and to reduce the permissible height for properties zoned R3-2 from six to eight storeys to a maximum of four storeys
- the applicant is willing to enter into a Housing Agreement to secure the building as rental in perpetuity
- a Traffic Impact Assessment indicated that no traffic mitigation measures are required with the redevelopment of the site, and levels of service generally remain the same or will be improved at nearby intersections.

BACKGROUND

Description of Proposal

The Rezoning Application is to rezone from the R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District, to a site-specific zone in order to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road.

The following differences from the current R3-2 Zone and C-1 Zone are being proposed and would be accommodated in the new zone:

- increasing the density from 1.2:1 to 2.29:1 Floor Space Ratio (FSR) and increasing the floor area from 5637.36m² to 10771.30m²
- increasing the height from 12.0m to 20.64m
- increasing the site coverage from 24% to 45.08%
- decreasing the setbacks to the street boundary, rear yard and side yards.

Affordable Housing Impacts

The applicant proposes the creation of 167 new assisted living and memory care units which would increase the overall supply in the area. A Housing Agreement is also proposed, which would ensure that the building remains rental in perpetuity and that the proposed amenity spaces are secured.

Tenant Assistance Policy

The proposal is to demolish an existing medical office building and therefore would not result in any loss of existing residential rental units.

Sustainability Features

The applicant has identified a number of sustainability features that will be reviewed in association with the concurrent Development Permit Application.

Active Transportation Impacts

The applicant has identified measures to support active transportation, which will be reviewed in association with the concurrent Development Permit Application.

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 wide range of uses. To the south, across Fort Street, are one-storey commercial buildings and two- to four-storey multi-unit residential buildings. Immediately to the west are office and medical office buildings. Single family dwellings are located to the northwest of the subject property and immediately to the north is a four-storey multi-unit residential building. Finally, to the east is the Turner Building, a medical office building, and the Royal Jubilee Hospital property.

Existing Site Development and Development Potential

The site is presently developed as a three-storey medical office building fronting Fort Street on the southern portion of the property. The remainder of the property is a large surface parking lot. The site has two zones that apply to it, with the north and west portion in the R3-2 Zone, Multiple Dwelling District, and the south portion in the C-1 Zone, Limited Commercial District.

Under the current C-1 Zone, Limited Commercial District, the southern portion of the property could be developed as a commercial building or a mixed-residential building with commercial on the ground floor, up to a height of 12m and a density of up to 1.4:1 FSR. Under the current R3-2 Zone, Multiple Dwelling District, the western and northern portions of the property could be developed as a multi-unit residential building up to a height of 18.5m and a density of up to 1.6:1 FSR.

Data Table

The following data table compares the proposal with the existing R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

Zoning Criteria	Proposal	Existing R3-2 Zone	Existing C-1 Zone
Site area (m ²) – minimum	4697.80	920.0	N/A
Density (Floor Space Ratio) – maximum	2.29:1 *	1.2:1	1.4:1

Zoning Criteria	Proposal	Existing R3-2 Zone	Existing C-1 Zone
Total floor area (m ²) – maximum	10771.30 *	5637.36 (if entire site were R3-2)	6576.92 (if entire site were C-1)
Height (m) – maximum	20.64 *	18.50	12.00
Storeys – maximum	5.0	N/A	N/A
Site coverage (%) – maximum	45.08 *	24.0	N/A
Open site space (%) – minimum	30.45	30.0	N/A
Setbacks (m) – minimum			
Street Boundary (Birch Street)	1.50 *	12.00	6.00
Rear (West)	2.69 *	7.50 from street centreline	6.00 or ½ building height
Side (North)	2.49 *	3.00 or ½ building height	3.00
Side (South)	2.00 *	7.50 from street centreline	2.40
Vehicle parking stalls – minimum			
Vehicle parking (residential)	48	48	48
Vehicle parking (commercial based on retail)	3	3	3
Visitor vehicle parking	14	14	14
Bicycle parking stalls – minimum			
Long term	8	7	7
Short term	4	4	4

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the applicant has consulted the North Jubilee CALUC at a Community Meeting held on April 24, 2018. A letter dated October 22, 2018 is attached to this report.

ANALYSIS

Official Community Plan

The subject site is split-designated as Large Urban Village and Urban Residential in the *Official Community Plan* (OCP, 2012). The Large Urban Village designation envisions low to mid-rise mixed-use buildings up to approximately six storeys and up to approximately 2.5:1 FSR. The Urban Residential designation envisions low to mid-rise multi-unit residential up to approximately six storeys and up to approximately 2:1 FSR. The proposal is consistent with the designations, as the height is five storeys and the average FSR calculated over the entire site is 2.29:1. In addition, the OCP supports the provision of a range of seniors housing and innovative care options including assisted living.

Local Area Plan

The *Jubilee Neighbourhood Plan* (1996) policies are not completely consistent with the OCP. Map 1 of the plan identifies the subject properties as "Maintain Current Zoning". The housing policies and recommendations note that land currently zoned R3-2 Zone, Multiple Dwelling District, should be rezoned to reduce the permitted heights from six to eight storeys to a maximum of four storeys and consider townhouses.

However, the proposal is consistent with other policies in the Plan. For instance, mixed residential and commercial use is seen as a positive way to add housing and enliven buildings, and residential developments should provide sufficient parking to meet their needs.

Tree Preservation and Urban Forest Master Plan

There is one existing public maple tree on Ashgrove Street that will be retained, and ten new public trees are proposed on Richmond Avenue, Fort Street and Birch Street. There is one existing Lombardy poplar tree on private property that will be retained. Fifty-six new medium trees and twenty-two small trees are proposed on private property. There are no bylaw-protected trees associated with this application. A large Blue Atlas cedar located on the neighbouring property at 1929 Ashgrove Street will be retained and protected during construction.

Encroachment Agreement

With any project of this scale that has little to no setbacks and requires significant excavation, construction methods often require a form of underpinning which can result in material being left in the Public Right-of-Way. The resulting material (typically rock anchors) presents no concerns to the public interest and does not impact any underground infrastructure; however, an Encroachment Agreement between the City and the developer is required. The recommended motion relating to the associated Development Permit addresses this Encroachment Agreement.

Other Considerations

Staff recommend securing the following four Statutory Right-of-Ways as a condition of rezoning: 4.53m off Richmond Road, 1.82m off Fort Street, 1.44m off Ashgrove Street and 1.39m off Birch Street. These right-of-ways will be used to help fulfill Council-approved OCP objectives such as enhanced facilities for walking, cycling and boulevards.

A Traffic Impact Assessment (TIA) was submitted as part of the proposal. The TIA (attached) indicates that no mitigation measures are required with the redevelopment of this site. The existing parking lot, which is proposed to be removed as part of the development, currently generates more trips than is anticipated for the proposed development. Levels of service generally remain the same or are in fact improved at nearby intersections. The TIA also indicates the replacement of sidewalks surrounding the site and new bicycle parking facilities will support active transportation objectives.

CONCLUSIONS

The proposal is generally consistent with the OCP as it relates to multi-residential and commercial development within Large Urban Village and Urban Residential areas. While the proposal does not meet the overarching policy to maintain current zoning and lower heights within the *Jubilee Neighbourhood Plan*, it does meet other policies such as providing adequate parking and engaging the public realm at street level. It also achieves goals included in the OCP related to encouraging a range of different housing types and support services. Staff therefore recommend that Council consider moving the Application forward to a Public Hearing.

ALTERNATE MOTION

That Council decline Rezoning Application No. 00651 for the property located at 1900-1912 Richmond Road.

Respectfully submitted,




Michael Angrove
Planner
Development Services



Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:


Date: April 2, 2019

List of Attachments

- Attachment A: Subject Map
- Attachment B: Aerial Map
- Attachment C: Plans date stamped March 14, 2019
- Attachment D: Letter from applicant to Mayor and Council dated October 15, 2018
- Attachment E: Community Association Land Use Committee Comments dated October 22, 2018
- Attachment F: Traffic Impact Assessment
- Attachment G: Advisory Design Panel Minutes from the January 23, 2019 meeting
- Attachment H: Correspondence (Letters received from residents).



Committee of the Whole Report For the Meeting of April 11, 2019

To: Committee of the Whole **Date:** March 28, 2019
From: Andrea Hudson, Acting Director, Sustainable Planning and Community Development
Subject: Development Permit Application No. 000531 for 1900-1912 Richmond Road

RECOMMENDATION

That Council, after the Public Hearing for Rezoning Application No. 00651, if it is approved, consider the following motion:

"That Council authorize the issuance of Development Permit Application No. 000531 for 1900-1912 Richmond Road, in accordance with:

1. Plans date stamped March 14, 2019.
2. Development meeting all *Zoning Regulation Bylaw* requirements.
3. Council authorizing anchor-pinning into the City Right-of-Way, provided that the applicant enters into an Encroachment Agreement in a form satisfactory to the City Solicitor and the Director of Engineering and Public Works.
4. 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 *Official 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 revitalization of an area in which a commercial use is permitted, 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.

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 the property located at 1900-1912 Richmond Road. The proposal is to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road.

The following points were considered in assessing this Application:

- the proposal is generally consistent with the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012)
- the proposal is consistent with the policies for new buildings within the *Jubilee Neighbourhood Plan*.

BACKGROUND

Description of Proposal

The proposal is to construct a five-storey assisted living and memory care building with ground floor commercial uses along Fort Street and Richmond Road. Specific details include:

- a contemporary design
- commercial units that front onto and help frame Fort Street and Richmond Road
- underground parking accessed off Birch Street, visitor parking primarily accessed from Ashgrove Street and a dedicated area for vehicular pick up / drop off at the main residential entrance on Birch Street
- a common plaza on the corner of Richmond Road and Birch Street
- garden space for the residents on the northwest portion of the property
- approximately 65 new trees, predominantly around the site perimeter.

Affordable Housing Impacts

The applicant proposes the creation of 167 new assisted living and memory care units, which would increase the overall housing supply in the area. A Housing Agreement is also being proposed which would ensure that the building remains rental in perpetuity and that the amenity spaces (e.g. dining room, games library, lounges etc.) are secured so that the spaces could not be converted to additional residential units in the future.

Sustainability Features

As indicated in the applicant's letter dated May 17, 2018, the following sustainability features are being explored with this Application:

- photovoltaic panels, solar-read systems and passive solar systems
- green roof applications
- mechanical and electrical efficiencies
- building envelope systems and thermal performance
- storm water retention
- indigenous, low-water landscaping
- decreased construction waste.

Active Transportation Impacts

The Application proposes 32 long-term and 24 short-term bicycle parking stalls, which support active transportation.

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.

Data Table

The following data table compares the proposal with the existing R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District. An asterisk is used to identify where the proposal is less stringent than the existing zone.

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Zoning Criteria	Proposal	Existing R3-2 Zone	Existing C-1 Zone
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Bicycle parking stalls – minimum			
Long term	8	7	7
Short term	4	4	4

Community Consultation

Consistent with the *Community Association Land Use Committee (CALUC) Procedures for Processing Rezoning and Variance Applications*, the Application was presented at a Community Meeting with the North Jubilee CALUC on April 24, 2018. A letter dated October 22, 2018 is attached to this report.

ANALYSIS

Development Permit Area and Design Guidelines

The *Official Community Plan* (OCP, 2012) identifies this property within two Development Permit Areas (DPAs): DPA 5 - Large Urban Villages and DPA 16 - General Form and Character. Design Guidelines that apply to these DPAs are the *Multi-Unit Residential, Commercial and Industrial Design Guidelines* (2012), *Advisory Design Guidelines for Buildings, Signs and Awnings* (2006), and *Guidelines for Fences, Gates and Shutters* (2010).

Staff believe the proposal is generally consistent with the key design guidelines. The roofline of the building steps down at the northern portion of the site to provide an improved transition to the adjacent multi-unit residential building. The commercial units along Fort Street and Richmond Road are visually distinct from the upper storeys, creating an approachable pedestrian scale as well as weather protection through the canopy. These commercial units transition into the active use areas for the assisted living building, such as a games room and a dining room, which increases the interactions between pedestrians and the interior spaces. The length of the building (from north to south) is split up through varying materials, as well as through a masonry brick “hyphen” located just north of the main entrance off Birch Street.

Common and private patios are used to mitigate the lack of at-grade individual entrances for the residential units along Birch Street, which are not present due to building security concerns. The plaza on the corner of Richmond Road and Birch Street provides an opportunity for users of

the commercial units to intermingle with the residents of the building. Landscaping in general is sensitive to the adjacent neighbours, with much of the tree planting occurring on the interior lot lines.

Local Area Plans

The *Jubilee Neighbourhood Plan* envisions new buildings that are compatible with the character of the neighbourhood and surrounding properties, that ground floor housing should have individual unit entrances and that site planning should balance useable green space and paved areas. The proposal addresses these issues and is considered consistent with the Plan policies.

Tree Preservation Bylaw and Urban Forest Master Plan

There is one existing public maple tree on Ashgrove Street that will be retained, and ten new public trees proposed on Richmond Avenue, Fort Street and Birch Street. There is one existing Lombardy poplar tree on private property that will be retained. Fifty-six new medium trees and twenty-two small trees are proposed on private property. There are no bylaw-protected trees associated with this Application. A large Blue Atlas cedar located on the neighbouring property at 1929 Ashgrove will be retained and protected during construction.

Regulatory Considerations

There are currently two vehicle parking shortfalls for visitor and commercial stalls. The applicant has indicated that these shortfalls will be rectified through adding more spaces and making modifications to the commercial spaces. In addition, the current slope of the driveway is 20%, which is inconsistent with the 15% maximum slope within Schedule 'C'. The recommended motion for the Rezoning Application would require the applicant to address this inconsistency and the parking shortfall prior to a Public Hearing.

All other deviations from the standard zones (i.e. density, floor area, setbacks, height, site coverage) will be written into the new site-specific zone, should this Application proceed to a Public Hearing.

Advisory Design Panel

The Advisory Design Panel (ADP) reviewed this Application on January 23, 2019. A copy of the minutes from this meeting are attached. The ADP was asked to comment on the overall design with particular attention to the transition to the lower density residential areas as well as reducing the effect of the length of the building.

In response to the ADP comments, the applicant made a number of changes including:

- balconies on the west façade of the fifth storey were removed
- landscaping was increased on along the interior property lines
- the materials and articulation on the building were simplified
- a canopy was added to the lobby entrance off Ashgrove Street to increase the visual prominence of the entrance
- the rooftop mechanical equipment is screened and located away from the adjacent residential properties
- the corner plaza was revised to include additional planters and concrete patterning in an effort to provide visual interest and encourage social gatherings.

CONCLUSIONS

The proposed development is generally consistent with the relevant Design Guidelines and represents an appropriate fit in the immediate and general context. The applicant has generally addressed the items discussed by the Advisory Design Panel to further enhance the development. Therefore, staff recommend that Council consider supporting this Application.

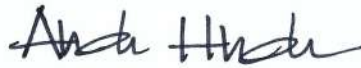
ALTERNATE MOTION

That Council decline Development Permit Application No. 000531 for the property located at 1900-1912 Richmond Road.

Respectfully submitted,

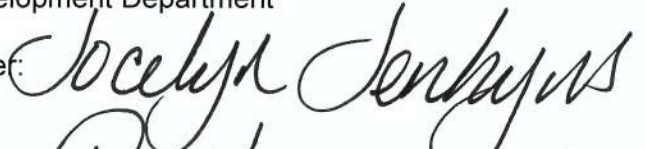


Michael Angrove
Planner
Development Services

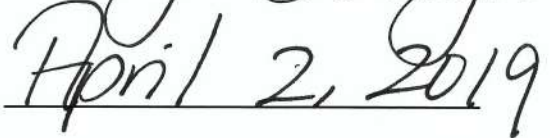


Andrea Hudson, Acting Director
Sustainable Planning and Community
Development Department

Report accepted and recommended by the City Manager:

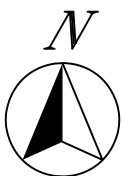
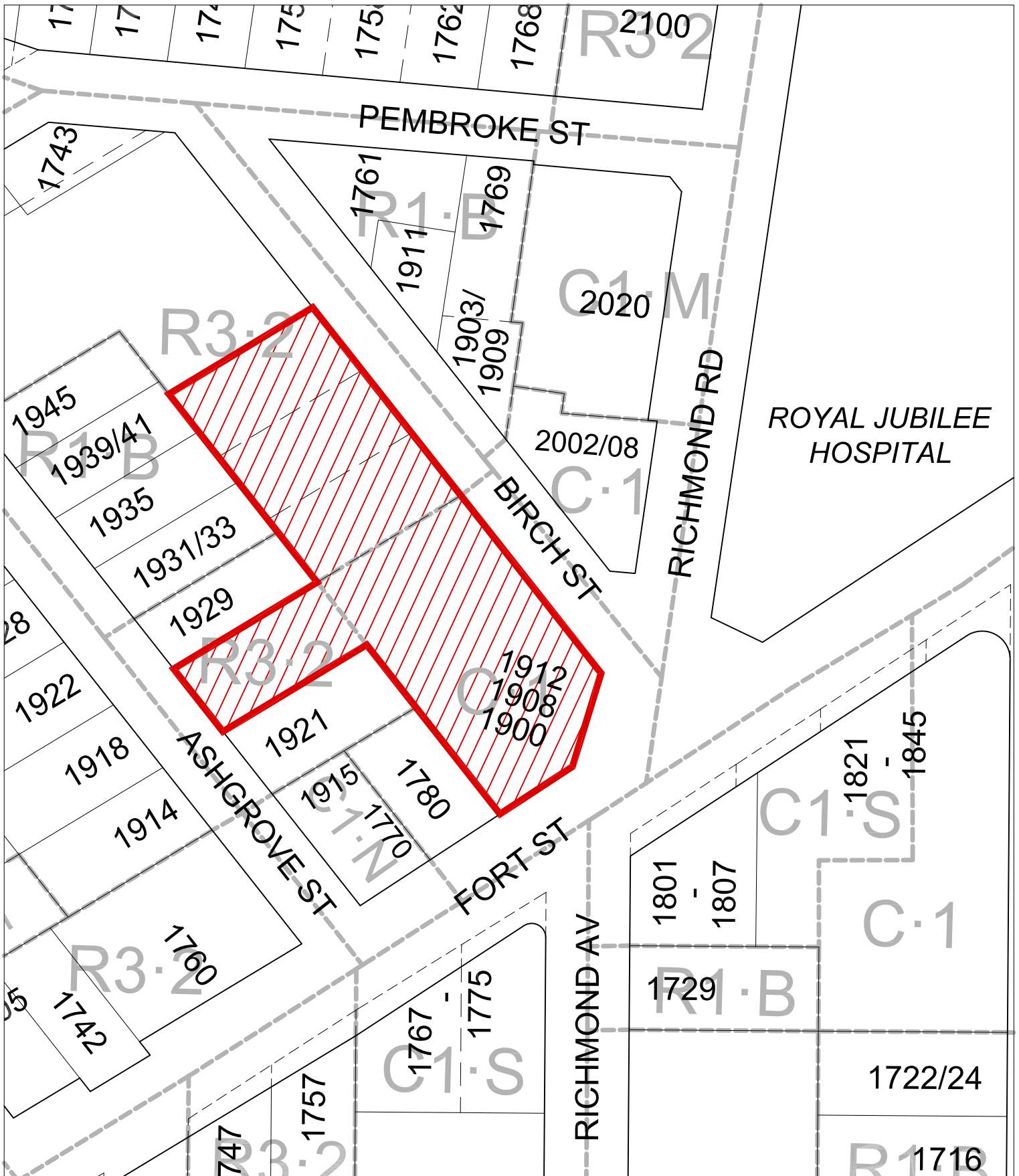


Date:



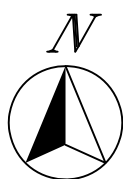
List of Attachments

- Attachment A: Subject Map
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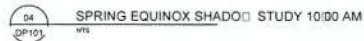
1900, 1908 & 1912 Richmond Road
Rezoning No.00651





1900, 1908 & 1912 Richmond Road
Rezoning No.00651





MAR 4 1 2016
MAR 14 2016

Planning & Development Department
Development Services Division

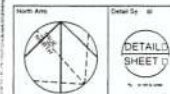
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Consultants	
Civil	McManisley Consulting Services Ltd.
Landmark & Architectural	Li. and North Group (B.C.) Inc.
	Robert Associates Engineers Planners

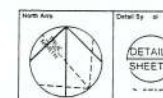
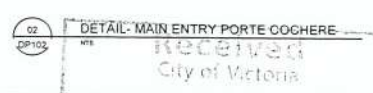
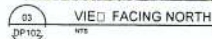
Client
MILLIGEN REAL ESTATE
CORPORATION
100-2489 BELLEVUE AVE
EST VANCOUVER, B C V7V 1E1

Site Context

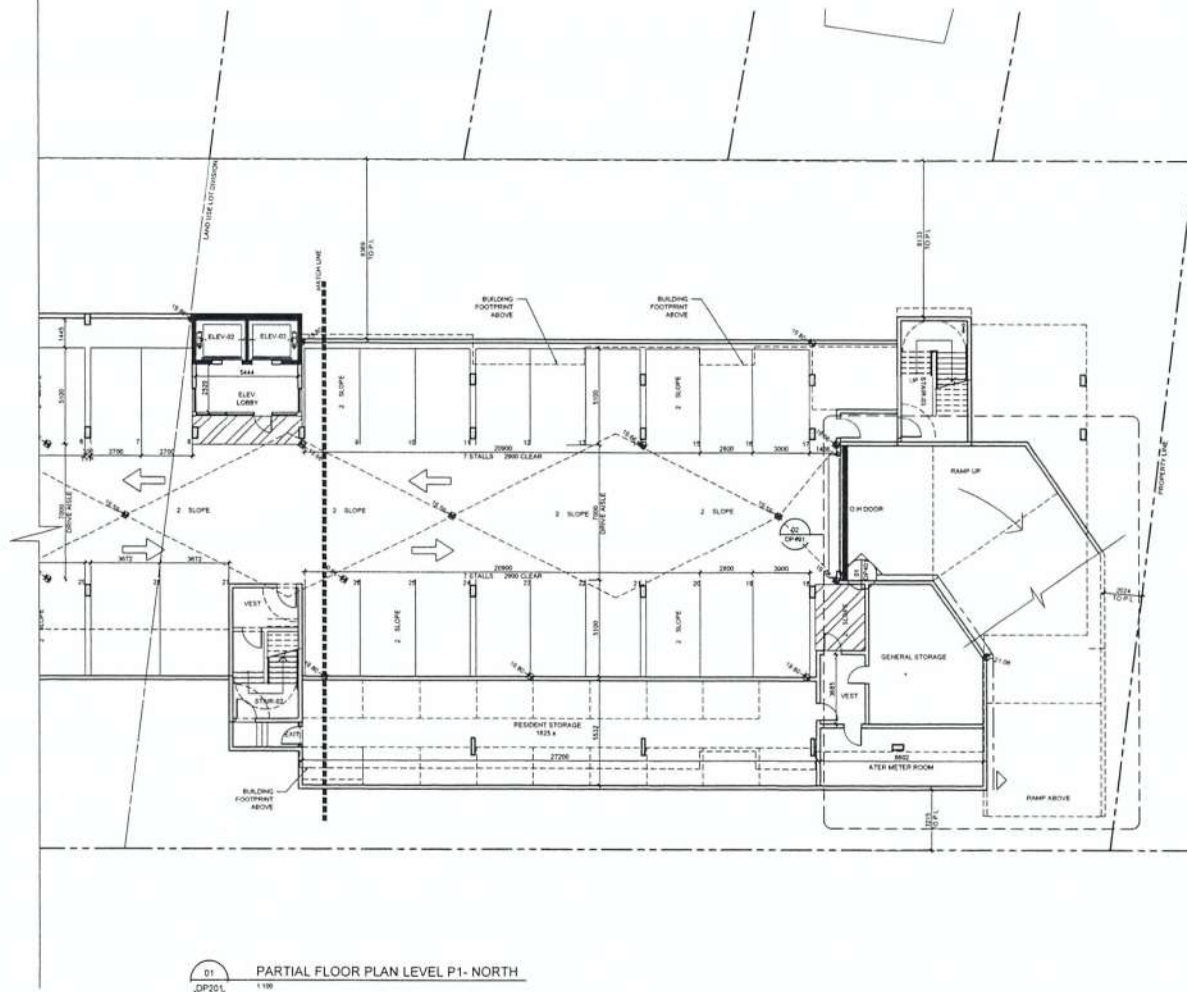
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Drawing No.	DP101



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MAR 14 2019
Planning & Development Department
Development Services Division



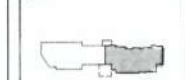
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2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2018-02-15	REVISED DEVELOPMENT PERMIT	D

This drawing has been reviewed solely on the basis of the CLIENT and there are no representations or warranties made by HORN Architects Engineers Planners Inc. HORN Architects Engineers Planners has not entered into a contract.

This drawing shall not be used in construction or other work until the seal & bearing herein is signed and dated by the Architect or Engineer.

Project Co. owner
Maison Victoria

59



Consultants	
Civil	McEwen Consulting Services Ltd
Landscaping	16 and North Glen (B Co) Inc
Architectural	Star Architects Engineers Planners

Section

NORR[illegible]

Project Manager	Dr. A. C. C. C.
Project Leader	Chen, A. C. C. C.

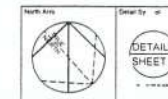
Client
MILLIDEN REAL ESTATE
CORPORATION
100-2489 BELLEVUE AVE
EST VANCOUVER, B.C. V7V 1E1

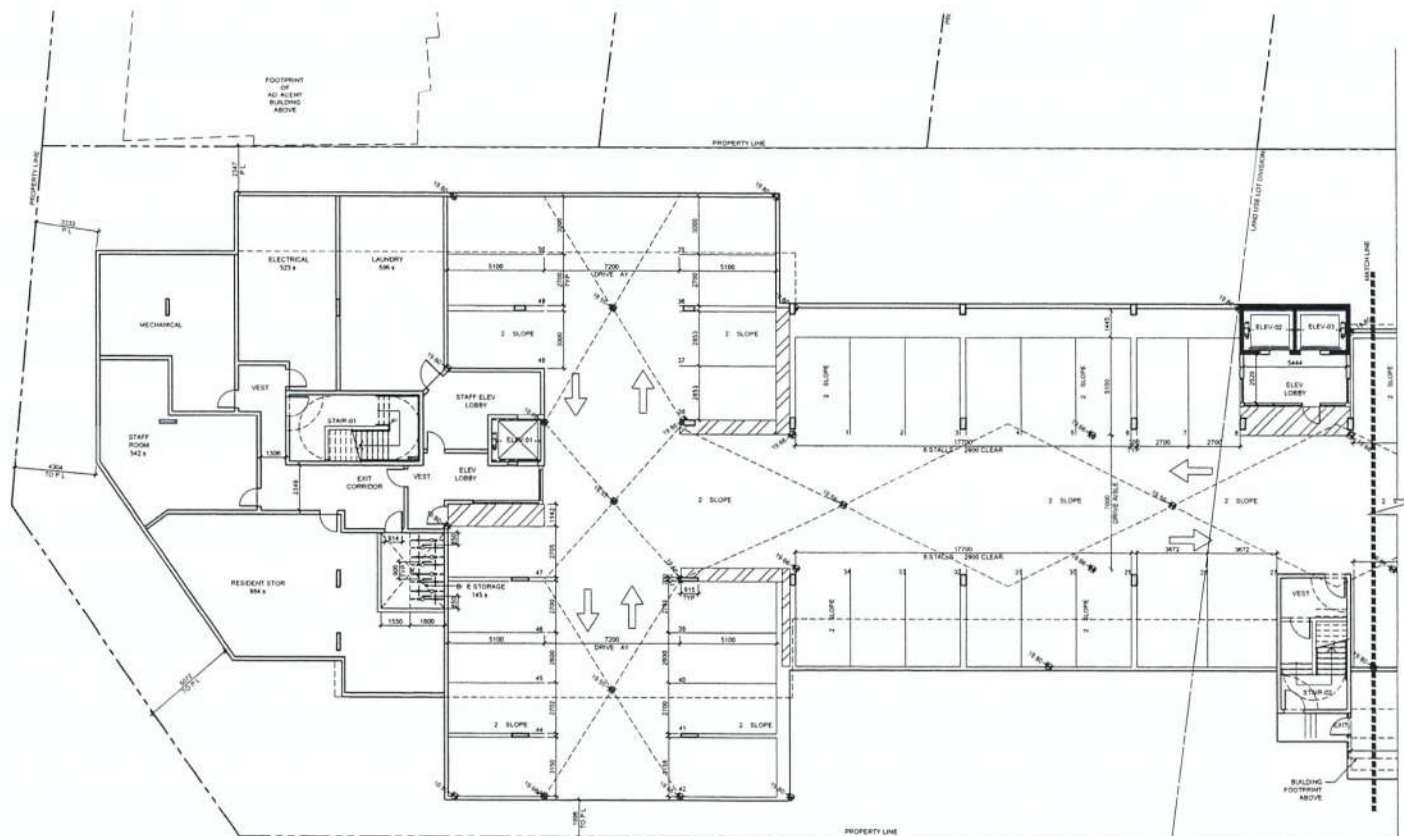
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B C
V8R 4R2

Partial Floor Plan
LEVEL P1
NORTH

Check Scale (mg or ratio reduced):
0 10
Pre and Post: NCCA-17-0221
Drawing No: DP201

Received
City of Indiana
MAR 14 2009
Planning & Development Department
Development Services Division





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DP202
PARTIAL FLOOR PLAN LEVEL P01-SOUTH
1:100



DETAIL
SHEET

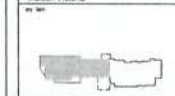
Planning and Development Department
Development Services Division

DATE	ISSUED FOR	REV
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2018-08-12	DEVELOPMENT PERMIT	B
2018-10-22	REVISED DEVELOPMENT PERMIT	C
2019-02-13	REVISED DEVELOPMENT PERMIT	D

This site plan has been prepared solely for the use of the CLIENT and there are no representations or warranties made by NORR Architects Engineers Planners to any other party. NORR Architects Engineers Planners has not entered into a contract.

This site plan shall not be used in construction or upon the site until a zoning bylaw is signed and dated by the Architect in Engineer.

Prepared by:
Maison Victoria



Consultants:
Civil: NORR Architects Engineers Planners Ltd.
Architectural: NORR Architects Engineers Planners Ltd.

Drawn by:
NORR

NORR

1000 B.V. Street
Vancouver, BC V6C 2G1
Tel: 604.681.4444
Fax: 604.681.4445
www.norr.ca

Prepared by:
C.A. White
Checked by:
C.A. White

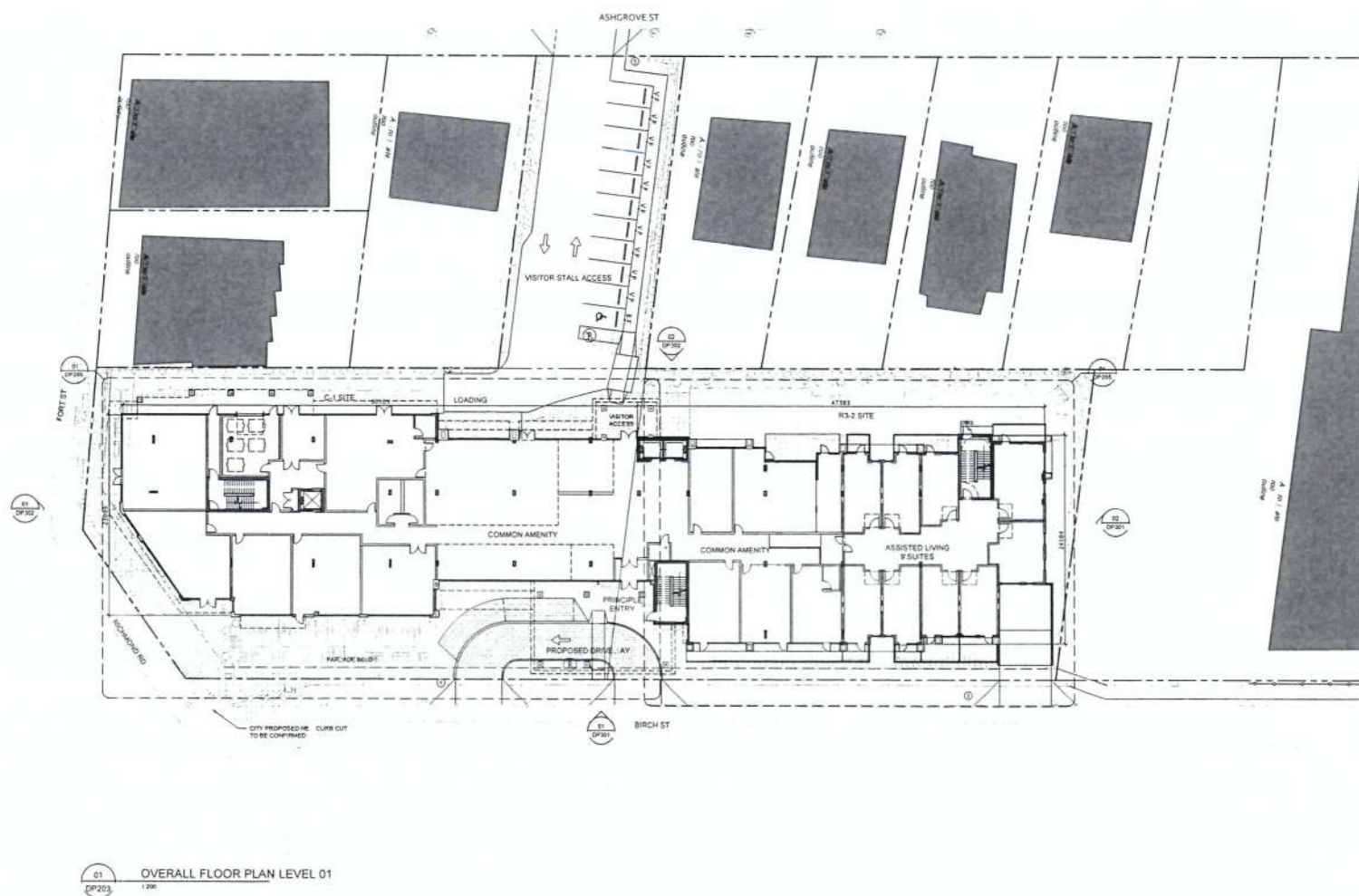
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MILLIEN REAL ESTATE CORPORATION
100-2480 BELLEVUE AVE
EST VANCOUVER B.C. V6V 1E1

Project:
MAISON VICTORIA
1000 RICHMOND RD
VICTORIA B.C.
V8B 4K2

Site plan title:
PARTIAL FLOOR PLAN
LEVEL P01
SOUTH

Scale: 1:100 (as shown on site plan)
Sheet: 1 of 1

Project No.:
NCCA-17-0221
Drawing No.:
DP202



01 OVERALL FLOOR PLAN LEVEL 01
DP203 1/200

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2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D

This drawing has been used solely in the use of the CLIENT and there are no representations or warranties by HOKR Architects Engineers Planners or any other HOKR Architects Engineers Planners has not entered into a contract.

This drawing shall not be used or construction or built until the seal of a sealing person is signed and dated by the Architect or Engineer.

Project Co. name	
Maison Victoria	
ex. 100	

Consultants	
Civil	McElrath & Consulting Services Ltd
Landscaping	Le and North Group (B.C.) Inc
Architectural	Isac Architects Engineers Planners

Source



NORR

1000 E. 17th Avenue, Suite 100
 Denver, CO 80202-1000
 303.733.1000

WORLDWIDE ENGINEERING CONSULTANTS
 in Mechanical, Electrical, and
 Environmental Engineering

For more information, contact:
 Mr. J. R. Norr, President
 Mr. R. L. Norr, Vice President

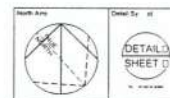
Project Manager	Dr. in
C.A. group	C. Cier
Project Leader	Check
C.A. group	C. Cier

Client
MILLICEN REAL ESTATE
CORPORATION
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EST VANCOUVER, B C V7V 1E1

MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

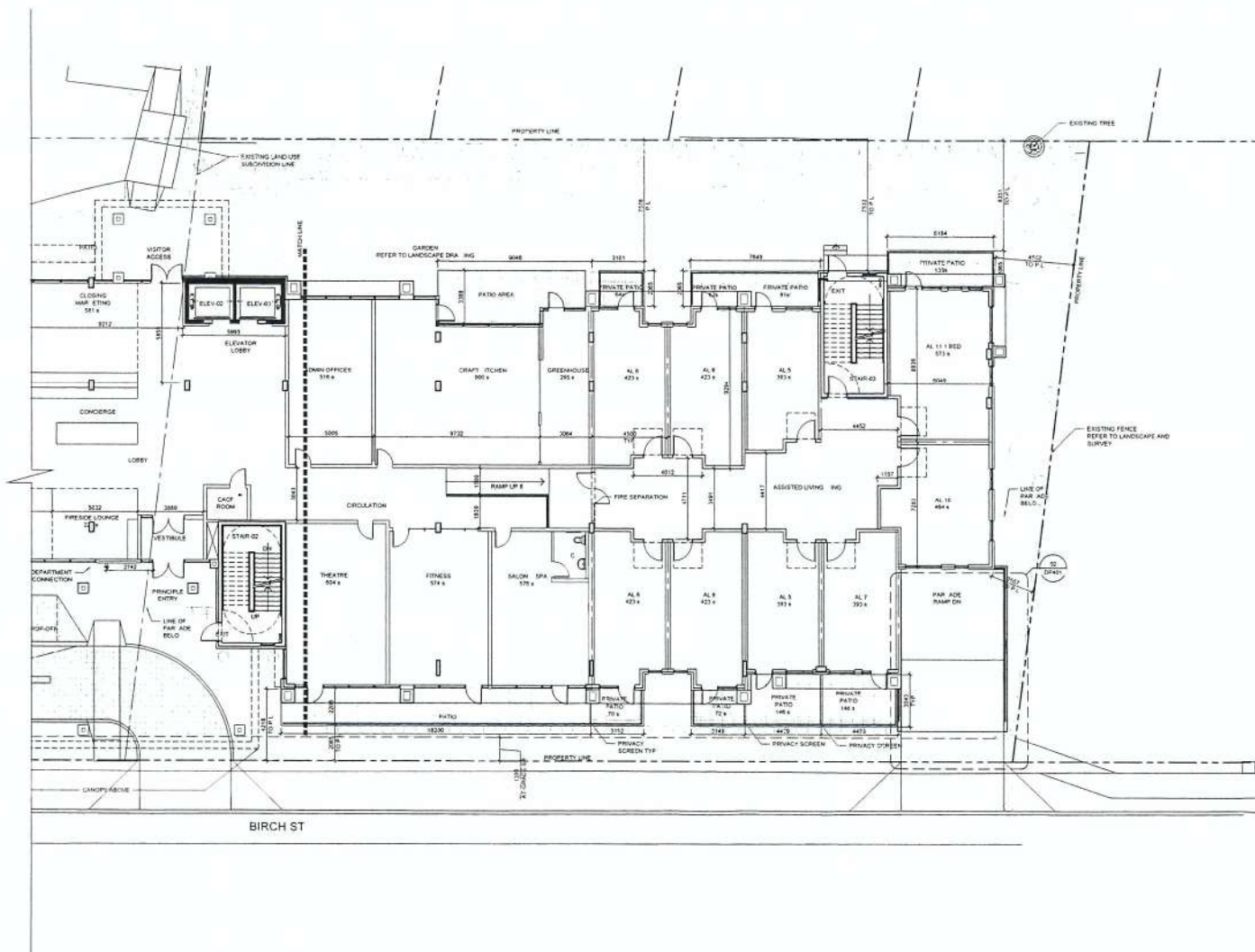
Overall Floor Plan
Level 01

Chem. Scale (by \pm ratio reduced) 0 10
 Project No. NCCA-17-0221
 Drawing No. DP203

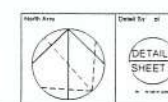
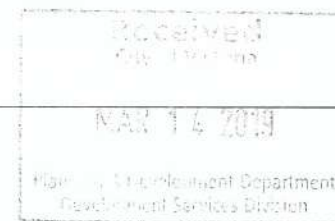


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Portland Development Department
Development Services Division

PLAT DATE: March 11, 2019 TIME: 2:54 PM FULL PATH AND PLAN NAME: 8. PLANT 0021. MAISON VICTORIA. 300-555-1111. 100-5489 BELLEVUE AVE. 8. PLANT 0021. 100-5489 BELLEVUE AVE. 8. PLANT 0021. 100-5489 BELLEVUE AVE. 8. PLANT 0021.



01 PARTIAL FLOOR PLAN LEVEL 01- NORTH
DP204



DATE	ISSUED FOR	REV
2018-03-17	DIGITAL DEVELOPMENT PERMIT A	1
2018-06-12	DEVELOPMENT PERMIT	2
2018-10-21	REVISED DEVELOPMENT PERMIT C	3
2019-02-15	REVISED DEVELOPMENT PERMIT D	4

This drawing has been prepared solely for the use of the CLIENT and shall not be used for any other purpose without the written consent of the Architect or Engineer. This drawing shall not be used as a construction or other legal document without the written consent of the Architect or Engineer.

Project Location: **MAISON VICTORIA**
City: **Victoria**

Consultant: **MAISON VICTORIA**
Architect: **MAISON VICTORIA**

Scale: **1:100**



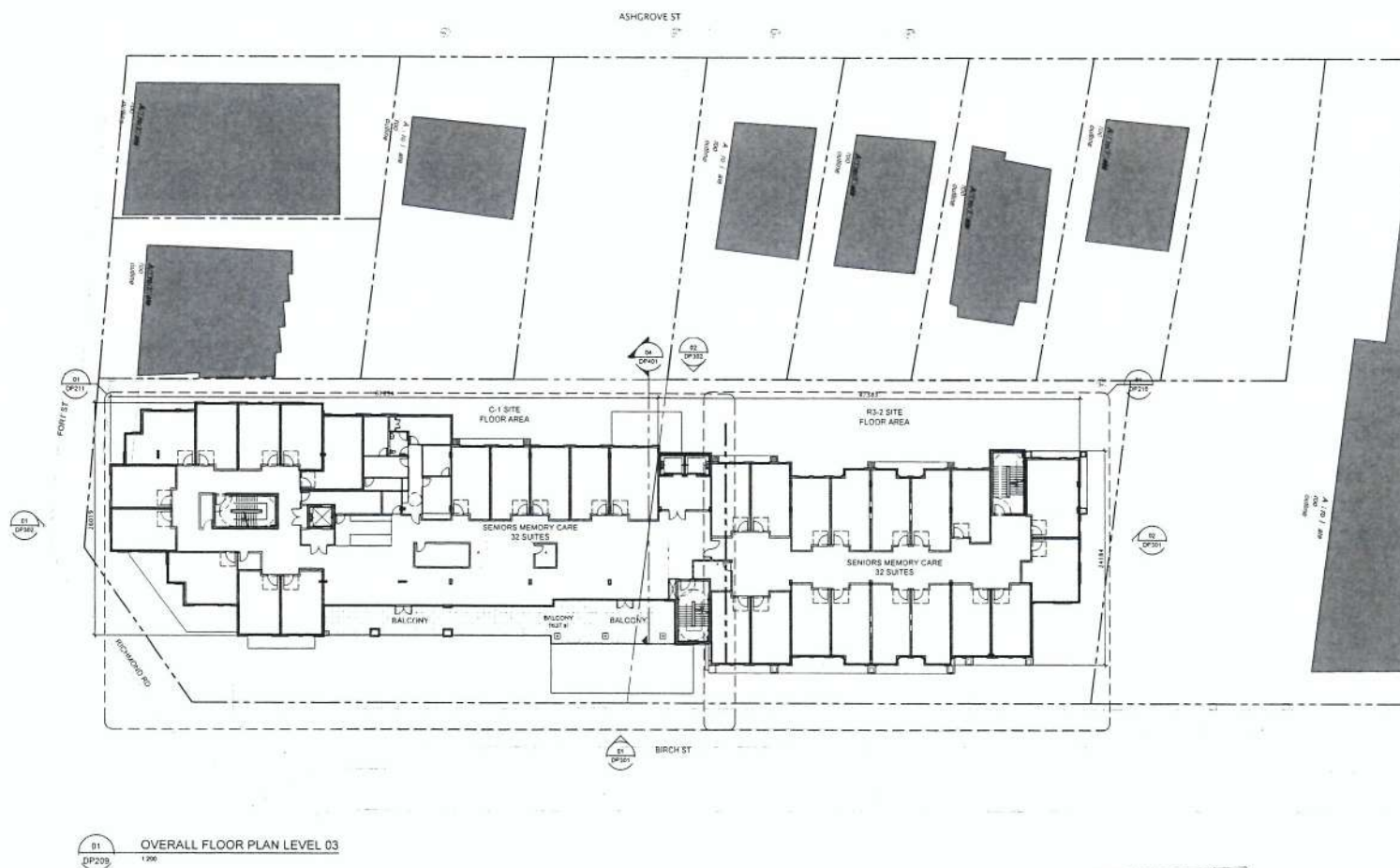
Project Manager: **MAISON VICTORIA**
Project Leader: **MAISON VICTORIA**
Client: **MAISON VICTORIA**

Project: **MAISON VICTORIA**
Address: **100-5489 BELLEVUE AVE**

Project: **MAISON VICTORIA**
Address: **100-5489 BELLEVUE AVE**

Project: **MAISON VICTORIA**
Address: **100-5489 BELLEVUE AVE**

PROJECT: 100-2485 BELLEVUE AVE. EST. VICTORIA, B.C. V8T 1E1. DATE: 10/24/2018. TIME: 10:24 AM. FILE: 100-2485 BELLEVUE AVE. EST. VICTORIA, B.C. V8T 1E1. DRAWING: 100-2485 BELLEVUE AVE. EST. VICTORIA, B.C. V8T 1E1. SHEET: 100-2485 BELLEVUE AVE. EST. VICTORIA, B.C. V8T 1E1. SCALE: 1/8" = 1'-0".



DATE	ISSUED FOR	REV
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-13	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D

This drawing has been prepared for the use of the CLIENT and shall not be used for any other purpose without the written consent of the ENGINEER. The ENGINEER has not entered into a contract with the CLIENT and shall not be responsible for any errors or omissions in this drawing.

This drawing shall not be used in construction or any other way without the written consent of the ENGINEER.

Project No. 100-2485
Maison Victoria
by Mr. [Name Redacted]

Consultants:
Civil: MCHammy Consulting Services Ltd.
Architectural: MCHammy Consulting Services Ltd.

Scale:

NORR
100-2485 BELLEVUE AVE. EST. VICTORIA, B.C. V8T 1E1
100-2485 BELLEVUE AVE. EST. VICTORIA, B.C. V8T 1E1
100-2485 BELLEVUE AVE. EST. VICTORIA, B.C. V8T 1E1

Project Manager: [Name Redacted]
Project Engineer: [Name Redacted]

Client:
MILLIEN REAL ESTATE CORPORATION
100-2485 BELLEVUE AVE. EST. VICTORIA, B.C. V8T 1E1

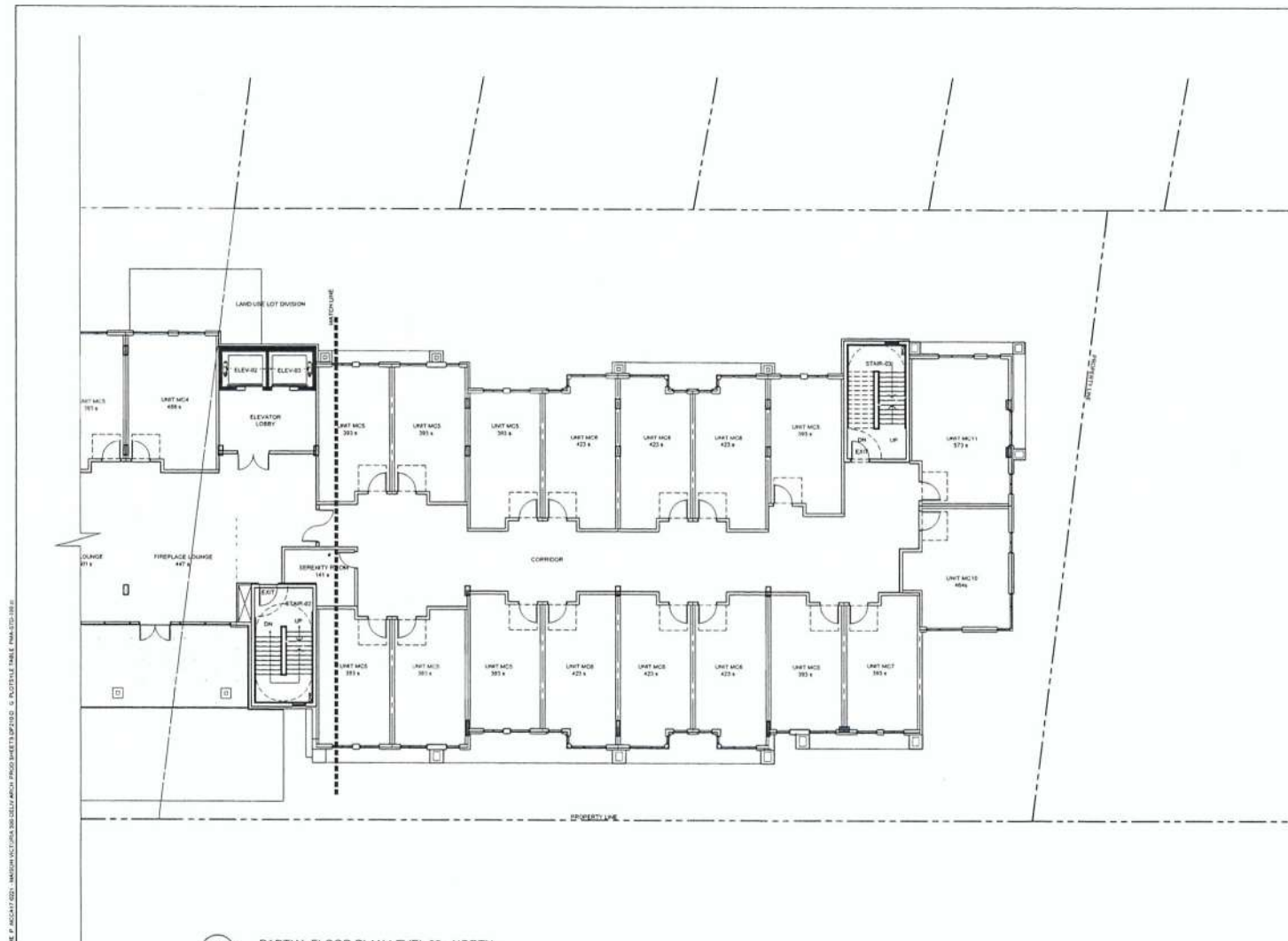
Project:
MAISON VICTORIA
100-2485 BELLEVUE AVE. EST. VICTORIA, B.C. V8T 1E1

Drawing Title:
OVERALL FLOOR PLAN LEVEL 03

Check Scale: 1/8" = 1'-0" (as indicated)
Project No. 100-2485
Drawing No. DP209

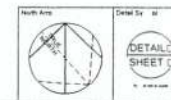
Received
City of Victoria
MAR 14 2019
Planning & Development Department
Department of Planning & Development





01
DP210 PARTIAL FLOOR PLAN LEVEL 03 - NORTH
1:100

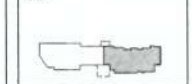
Received
City of Victoria
MAR 14 2019
Planning & Development Department
Development Services



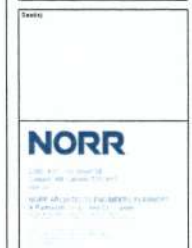
DATE	ISSUED FOR	REV
2018-05-11	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-25	REVISED DEVELOPMENT PERMIT	C
2019-02-19	REVISED DEVELOPMENT PERMIT	D

This site has been used in accordance with the City of Victoria's Official Development Charge (ODC) and there are no other charges or fees payable by the applicant. The applicant is responsible for obtaining all necessary permits and approvals from the City of Victoria and the relevant authorities.

This site has been used in accordance with the City of Victoria's Official Development Charge (ODC) and there are no other charges or fees payable by the applicant. The applicant is responsible for obtaining all necessary permits and approvals from the City of Victoria and the relevant authorities.



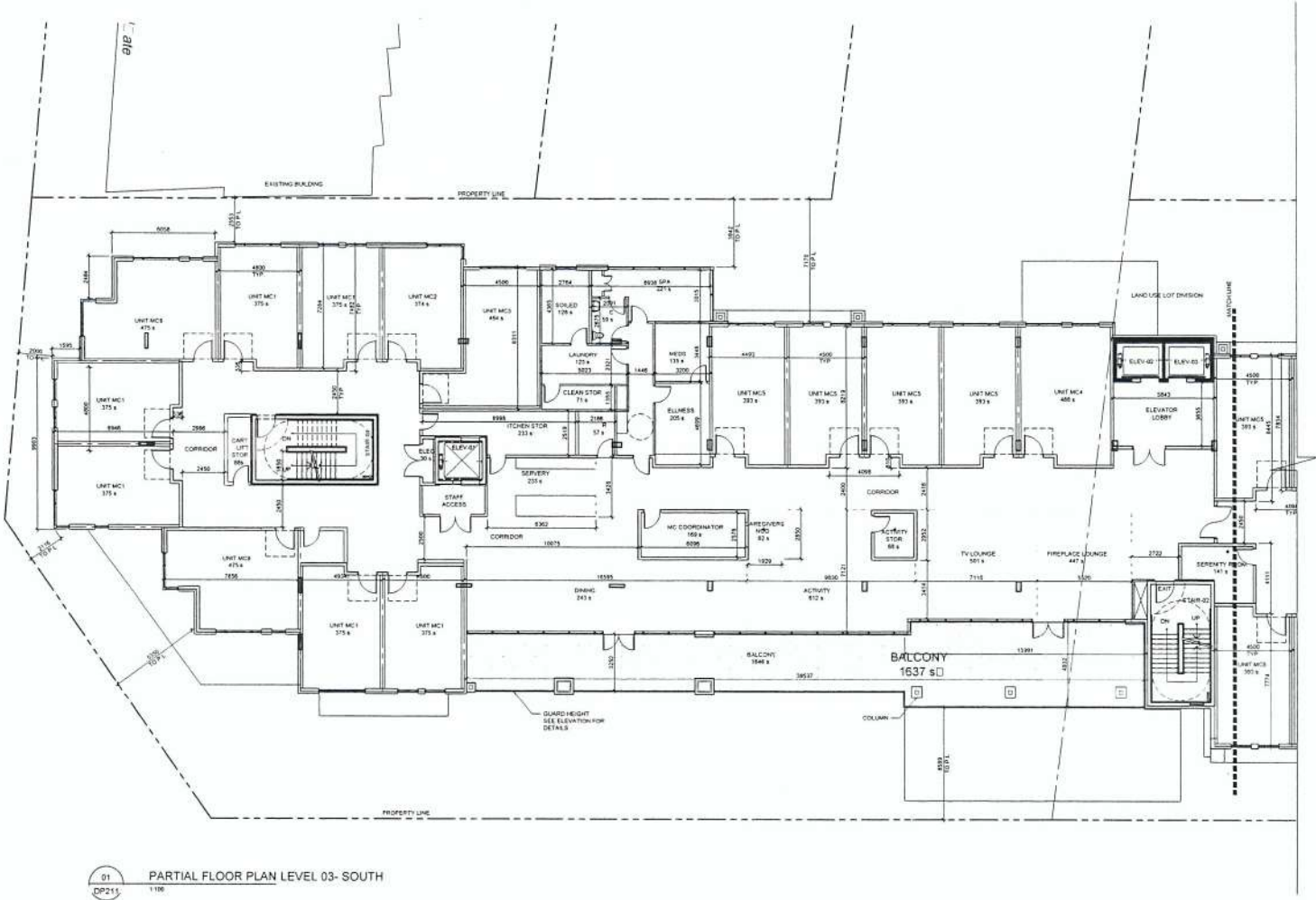
Consultants
City of Victoria
Landscape Architecture
Architectural
Interior Architecture
Structural Engineering
Mechanical Engineering
Electrical Engineering
Civil Engineering
Environmental Engineering
Geotechnical Engineering
Traffic Engineering
Urban Planning
Public Works
Fire Department
Police Department
Health Department
Social Services
Housing Services
Parks and Recreation
Transportation Services
Water and Sewerage Services
Public Safety Services
Community Development Services
Economic Development Services
Cultural Services
Heritage Services
Environmental Services
Planning and Development Services
City Clerk's Office
City Treasurer's Office
City Manager's Office
City Council
City of Victoria
100-2485 BELLEVUE AVE
VICTORIA, B.C. V8M 4R2



Project Manager
C.A. Wong
Project Engineer
C.A. Wong
Project Architect
C.A. Wong
Project Designer
C.A. Wong
Project Draftsman
C.A. Wong
Project Checker
C.A. Wong
Project Approver
C.A. Wong
Project Reviewer
C.A. Wong
Project Coordinator
C.A. Wong
Project Assistant
C.A. Wong
Project Secretary
C.A. Wong
Project Receptionist
C.A. Wong
Project Cleaner
C.A. Wong
Project Janitor
C.A. Wong
Project Security Guard
C.A. Wong
Project Maintenance Worker
C.A. Wong
Project Landscaper
C.A. Wong
Project Painter
C.A. Wong
Project Carpenter
C.A. Wong
Project Electrician
C.A. Wong
Project Plumber
C.A. Wong
Project HVAC Technician
C.A. Wong
Project Fire Alarm Technician
C.A. Wong
Project Elevator Technician
C.A. Wong
Project Signage Technician
C.A. Wong
Project Lighting Technician
C.A. Wong
Project Audio/Visual Technician
C.A. Wong
Project IT Technician
C.A. Wong
Project Security Technician
C.A. Wong
Project Facilities Technician
C.A. Wong
Project Pest Control Technician
C.A. Wong
Project Janitorial Technician
C.A. Wong
Project Groundskeeping Technician
C.A. Wong
Project Horticulture Technician
C.A. Wong
Project Landscaping Technician
C.A. Wong
Project Tree Care Technician
C.A. Wong
Project Irrigation Technician
C.A. Wong
Project Fertilization Technician
C.A. Wong
Project Pesticide Application Technician
C.A. Wong
Project Weed Control Technician
C.A. Wong
Project Snow Removal Technician
C.A. Wong
Project Ice Melting Technician
C.A. Wong
Project Parking Lot Maintenance Technician
C.A. Wong
Project Street Cleaning Technician
C.A. Wong
Project Public Works Technician
C.A. Wong
Project Fire Department Technician
C.A. Wong
Project Police Department Technician
C.A. Wong
Project Health Department Technician
C.A. Wong
Project Social Services Technician
C.A. Wong
Project Housing Services Technician
C.A. Wong
Project Parks and Recreation Technician
C.A. Wong
Project Transportation Services Technician
C.A. Wong
Project Water and Sewerage Services Technician
C.A. Wong
Project Public Safety Services Technician
C.A. Wong
Project Community Development Services Technician
C.A. Wong
Project Economic Development Services Technician
C.A. Wong
Project Cultural Services Technician
C.A. Wong
Project Heritage Services Technician
C.A. Wong
Project Environmental Services Technician
C.A. Wong
Project Planning and Development Services Technician
C.A. Wong
Project City Clerk's Office Technician
C.A. Wong
Project City Treasurer's Office Technician
C.A. Wong
Project City Manager's Office Technician
C.A. Wong
Project City Council Technician
C.A. Wong
Project City of Victoria Technician
C.A. Wong
Project 100-2485 BELLEVUE AVE Technician
C.A. Wong
Project VICTORIA, B.C. V8M 4R2 Technician
C.A. Wong

Project
MILLIEN REAL ESTATE CORPORATION
100-2485 BELLEVUE AVE
EST VICTORIA, B.C. V8M 4R2
Project
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2
Project
PARTIAL FLOOR PLAN
LEVEL 03
NORTH
Project
Scale: 1/4" = 1'-0" (as reduced)
Project
Sheet No.: NCCA-17-0221
Project
Date: 02/19/2019

PROJECT: 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000



01 PARTIAL FLOOR PLAN LEVEL 03- SOUTH
DP211 1:100

Received
City of Victoria
MAY 16 2018
Planning & Development
City of Victoria



Detail of
DETAIL SHEET

DATE	ISSUED FOR	REV
2018-04-17	ORIGINAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D

This drawing has been submitted to the City of Victoria for review and approval. It is the responsibility of the client to ensure that the drawing is accurate and that all necessary approvals have been obtained. The client is responsible for any errors or omissions in the drawing. The client is also responsible for any costs associated with the drawing, including the cost of the drawing itself and the cost of any necessary approvals.

Project Name: Maison Victoria
Project No: 100-2488 BELLUVE AVE
Project Address: 100-2488 BELLUVE AVE
Project City: VICTORIA, B.C. V8P 1E1

Project Manager: [Name]
Project Engineer: [Name]
Project Architect: [Name]

Client: MILLIEN REAL ESTATE CORPORATION
100-2488 BELLUVE AVE
VICTORIA, B.C. V8P 1E1

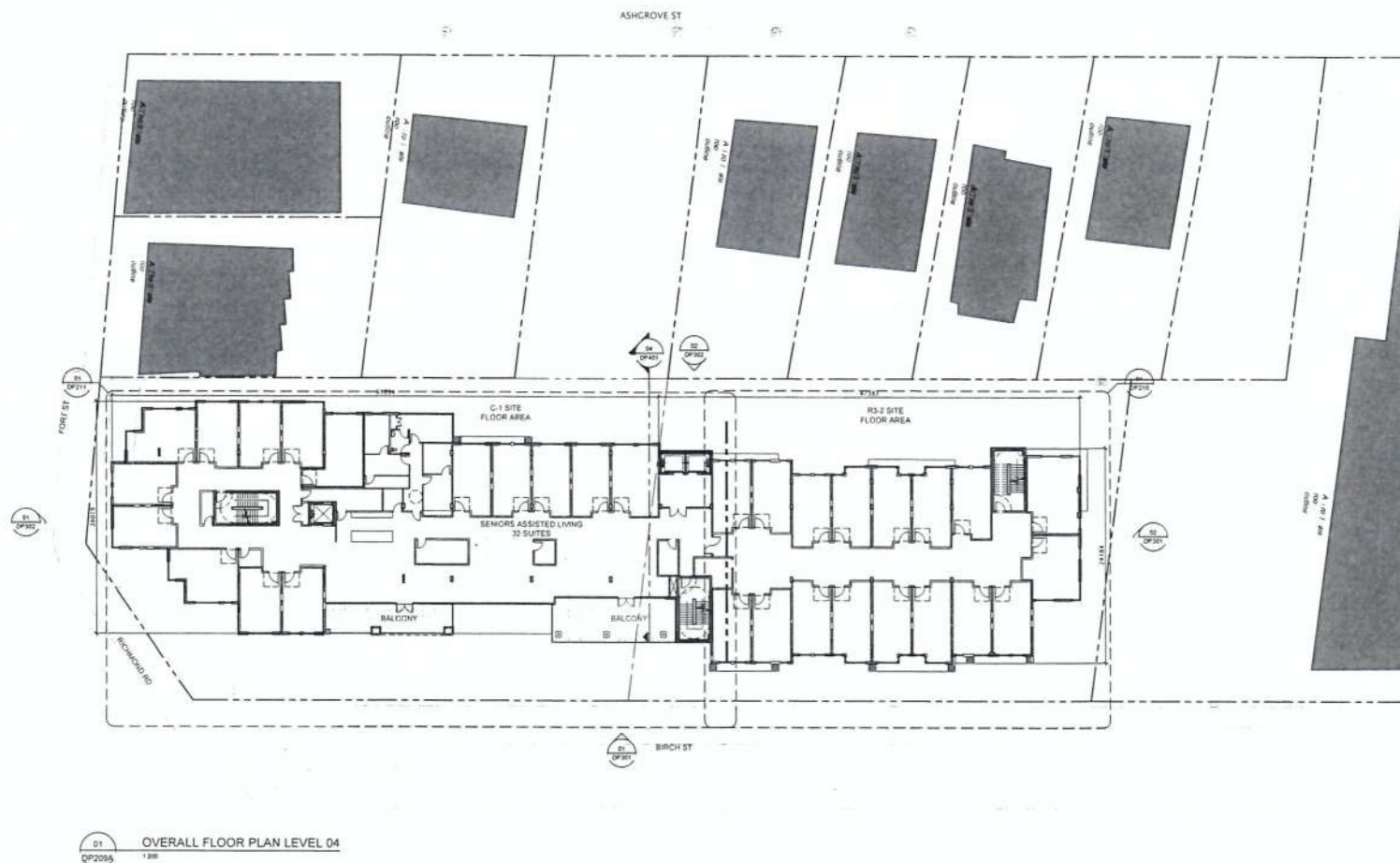
Project: MAISON VICTORIA
100-2488 BELLUVE AVE
VICTORIA, B.C. V8P 1E1

Project Title: PARTIAL FLOOR PLAN LEVEL 03 SOUTH

Client Name: [Name]
Client Address: [Address]
Client City: [City]

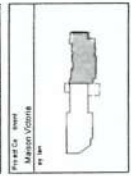
Project No: 100-2488 BELLUVE AVE
Project City: VICTORIA, B.C. V8P 1E1

Project Title: PARTIAL FLOOR PLAN LEVEL 03 SOUTH



DATE	ISSUED FOR	REV
2019.05.17	DEVELOPMENT PERMIT	A
2019.06.13	DEVELOPMENT PERMIT	B
2019.07.21	REVISED DEVELOPMENT PERMIT	C
2019.08.13	REVISED DEVELOPMENT PERMIT	D

This site plan, including all amendments, is submitted in accordance with the provisions of the City of Victoria's Development Permit Regulations. The City of Victoria reserves the right to require additional information or to refuse to issue a development permit if the information provided is not sufficient to satisfy the requirements of the regulations. The City of Victoria also reserves the right to require additional information or to refuse to issue a development permit if the information provided is not sufficient to satisfy the requirements of the regulations.



PROPOSER:
Maison Victoria
100-248 BELLEVUE AVE
VICTORIA, BC V8V 1E1

DESIGNER:
NORR
100-248 BELLEVUE AVE
VICTORIA, BC V8V 1E1

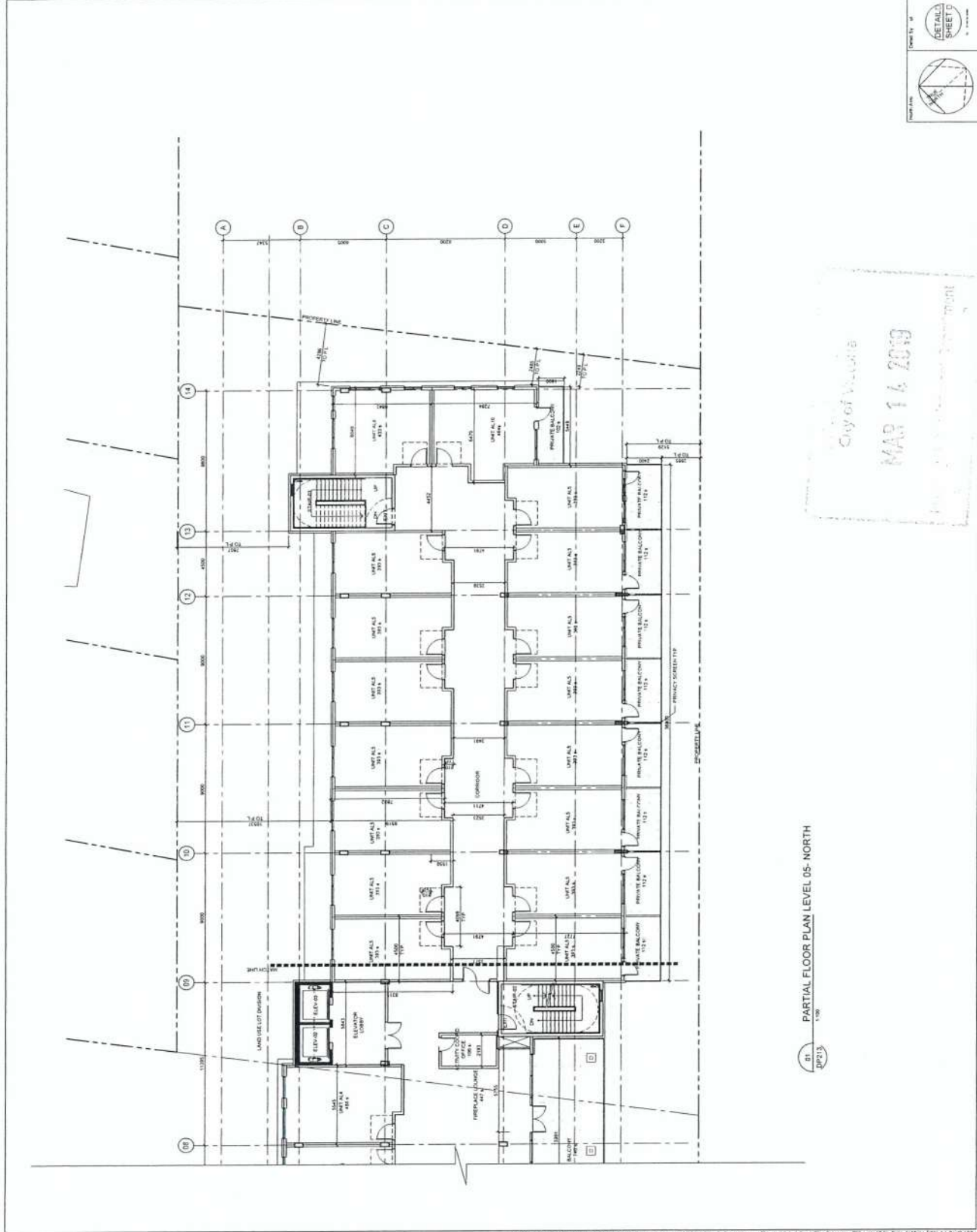


PROJECT NAME:
Maison Victoria
100-248 BELLEVUE AVE
VICTORIA, BC V8V 1E1

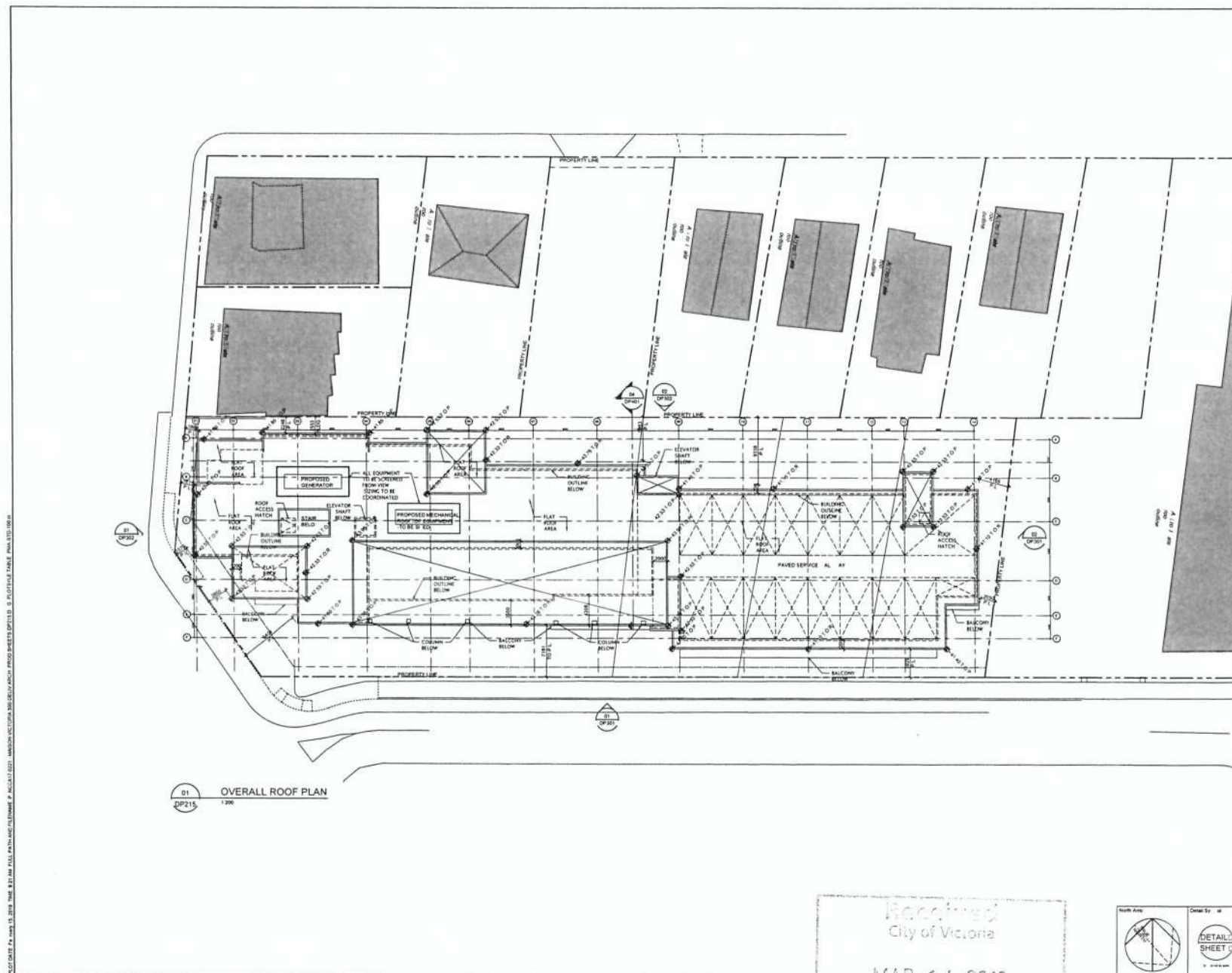
PROJECT TYPE:
PARTIAL FLOOR PLAN
LEVEL 05

PROJECT NO.:
DP213

DATE:
2019.05.17



DP213 PARTIAL FLOOR PLAN LEVEL 05- NORTH



01 OVERALL ROOF PLAN
DP215 1:200

Received
City of Victoria
MAR 14 2019
Planning & Development Department
Development Services Division



DETAIL
SHEET
C

DATE	ISSUED FOR	REV
2018-05-17	DIGITAL DEVELOPMENT PERMIT	A
2018-06-12	DEVELOPMENT PERMIT	B
2018-10-23	REVISED DEVELOPMENT PERMIT	C
2019-02-15	REVISED DEVELOPMENT PERMIT	D

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This drawing shall not be used for construction or other purposes without the written consent of the Architect or Engineer.

Project No.: 1000
Location: Mission Victoria
City: BC

Consultants:
Civil: Milliken Consulting Services Ltd.
Landmark: L. Co. and North Star, BC Ltd.
Architectural: Norr Architects Engineers Planners

Scale:

NORR
2700-475, 1st Floor
Calgary, AB Canada T2C 4V1
www.norr.ca
NORR ARCHITECTS ENGINEERS PLANNERS
a Partnership of L. Co. and Co. and Co. and Co.
a Partnership of L. Co. and Co. and Co. and Co.

Project Manager:
C.A. 475-475, 1st Floor
Project Leader:
C. Co.

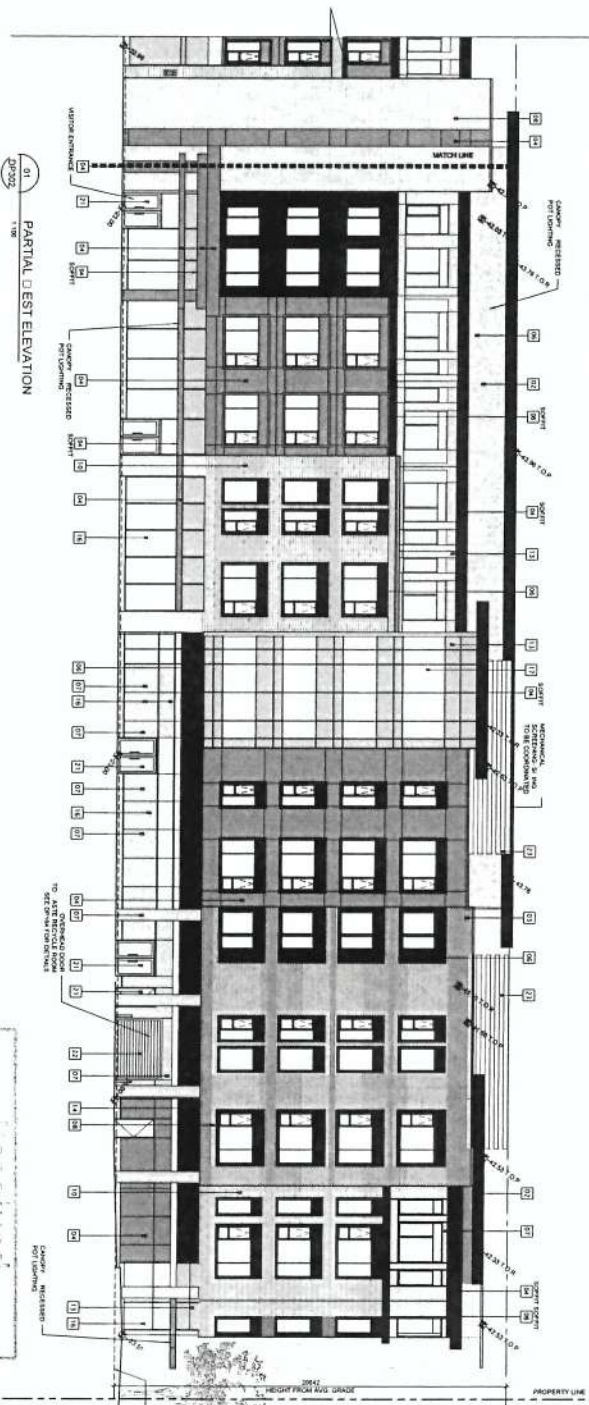
Client:
MILLIKEN REAL ESTATE CORPORATION
100-2489 BELLEVUE AVE
EST. VANCOUVER, B.C. V7V 1E1

Project:
MAISON VICTORIA
1900 RICHMOND RD
VICTORIA, B.C.
V8R 4R2

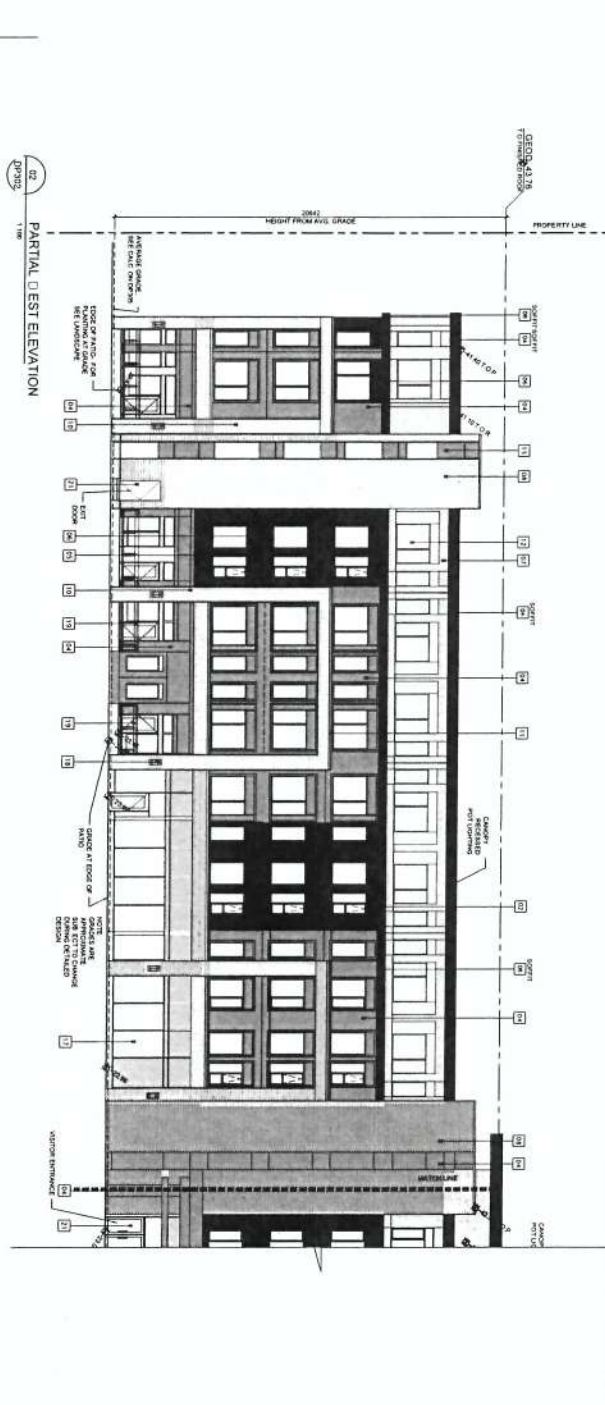
Drawing Title:
OVERALL ROOF PLAN

Sheet Scale: 1:200 (as shown)
Project No.: NCA-17-0221
Drawing No.: DP215

01
PARTIAL WEST ELEVATION

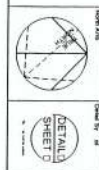


02
PARTIAL EAST ELEVATION



NOTES
1. MATERIAL LEGEND
2. CLADDING MATERIAL
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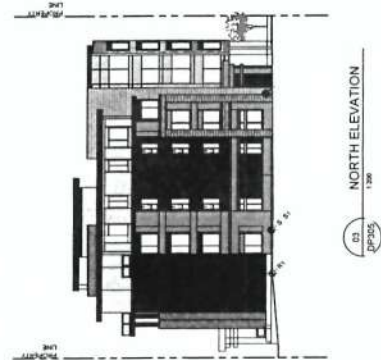
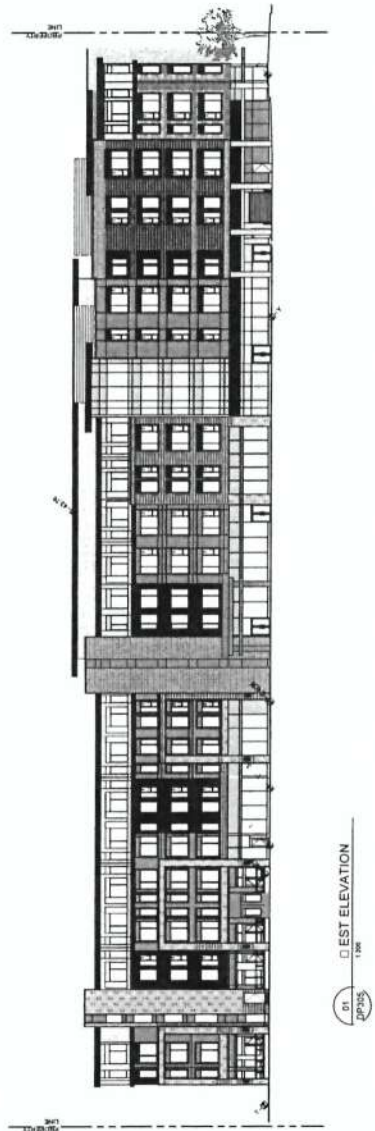
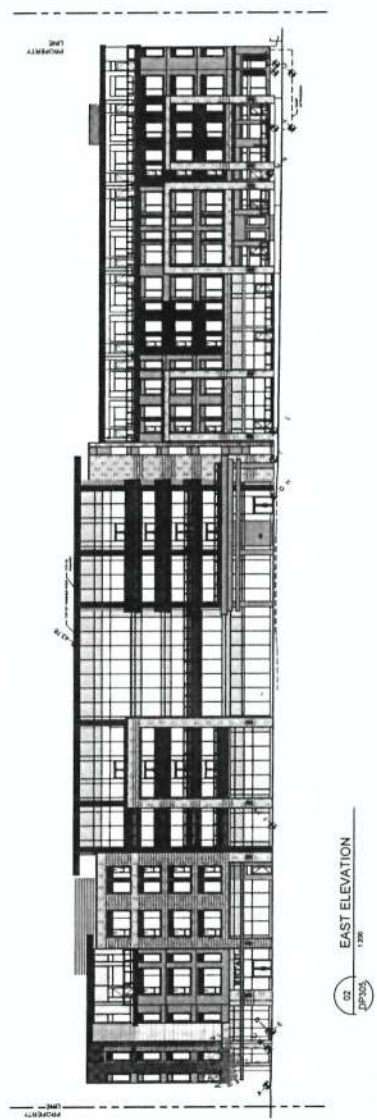
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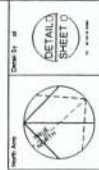
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City of Victoria
Planning & Development Department
Development Services Division





October 15, 2018

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

Attn: Mayor Helps and Members of Council

Dear Mayor Helps and Members of Council,

**Re: Maison Victoria
NCCA17-0221
Rezoning & Development Permit Application**

On behalf of our client, Milliken Real Estate Corporation, we are pleased to submit a Rezoning and Development Permit application for our proposed seniors living development located at the Fort Street and Birch Street intersection. Through our meetings with City Planning and our CALUC meeting on April 24th, 2018, we believe this proposal is a representation of an inclusive and respectful process between all required stakeholders, and is a positive contribution to the North Jubilee community.

Description of Proposal

Located at the gateway to the Royal Jubilee Hospital campus, the site is at the heart of Jubilee Village. Existing developments fronting onto the intersection and along Fort Street are a collection of one and two storey commercial/retail buildings, primarily flat-roof in design. The proposed addition to this community will replace the existing at-grade parking lot and 4 storey medical office at the northwest corner of the Fort & Birch Street intersection. A 4 storey apartment building is located directly north of the site, while single family houses flank the site to the west. The site across Birch Street to the east is currently under development.

Consisting of 137 total units, the proposed 5 storey assisted living and memory care building will complement the hospital district, while provide a vibrant seniors living community that activates the corner condition of the site and provides an urban residential setting along Birch Street. The development proposes a primarily brick façade to supplement the existing community character and provide a building of permanence, while the flat roof design aligns with the existing context. While the OCP permits 6 storey construction, our preliminary discussion with the North Jubilee Neighbourhood Association (NJNA) indicated a preference for a lower building typology. As such, we are proposing a 5 storey design to accommodate this request. While the existing medical office will be removed, the applicant team is currently exploring ways to include the Rod of Asclepius signage to pay tribute to the heritage of the site.

Government Policies

The proposed development will provide care for approximately 137 seniors, which is desperately needed in both the North Jubilee area, as well as in Oak Bay and Victoria. To demonstrate that, we have heard from the President of the Victoria Hospitals Foundation (of which the Royal Jubilee Hospital is a beneficiary) that the Foundation is very supportive of our proposal, in large part because there is so little memory care available in the community. When the hospital needs to discharge a patient with cognitive impairment, and they are no longer safe at home, the hospital staff doesn't have an acceptable seniors' community to refer them to. The Foundation, and we, see the proposed seniors' community as helping to alleviate that need. We see providing care for local seniors, who are often in crisis, as a significant benefit for North Jubilee.

In addition, we will be creating a high quality, aesthetically pleasing building to take the place of the tired, half vacant office building and surface parking lot that currently occupies the site. Our building will add attractive landscaping to the neighbourhood, and follows the Official Community Plan objective of creating a vibrant urban village concept at this location.

Need & Demand

It's no secret that the population, as a whole, is getting older: we are living longer, healthier lives. As a result, the demand for senior's housing, in all forms, is extremely high and getting worse every year. Data released by the Canada Mortgage and Housing Corporation (CMHC) in their annual Seniors' Housing Report in 2017 indicated the overall vacancy rate for independent living residences across Metro Victoria and the Gulf Islands was 3.8% in 2017, compared with 4.0% in 2016, which is lower than the provincial average (4.5% in 2017 and 6.3% in 2016).

The lack of options for higher end care (dementia & long-term care) throughout Canada is particularly disturbing. According to the Alzheimer Society of Canada:

"The number of Canadians with dementia is rising sharply. As of 2016, there are an estimated 564,000 Canadians living with dementia - plus about 25,000 new cases diagnosed every year. By 2031, that number is expected to rise to 937,000, an increase of 66 per cent.

Canada's health-care system is ill-equipped to deal with the staggering costs. As of 2016, the combined health-care system and out-of-pocket caregiver costs are estimated at \$10.4 billion per year. By 2031, this figure is expected to increase by 60 per cent, to \$16.6 billion. Roughly 56,000 Canadians with dementia are being cared for in hospitals, even though this is not an ideal location for care."

<http://alzheimer.ca/en/Home/Get-involved/Advocacy/Latest-info-stats>

The proposed development will provide a continuum of care for the North Jubilee community; a unique and much-needed housing typology within the area.

Neighbourhood

- A sensitive building design with high quality, durable materials that offer a sense of permanence and respects the character of the neighbourhood
- Highly articulated architectural form with muted colours that promotes a design character unique to Victoria.
- Implementation of wide sidewalks and open space at the intersection that provides a sense of place
- A program that is in high demand and a positive contribution to the community
- Relief in overall massing through a significant step in massing at the independent living units
- Recognition of the history of single family lots (50'-60' wide) in the area through use of vertical massing elements at the independent living units
- Variations in rooflines and massing with extensive use of overhangs to enhance the architectural character
- Street wall design to reduce perception of 5 storey massing
- Strong interface with the street through significant landscaping
- Strong entry feature and port-cochere
- Extensive use of glazing at ground level
- Providing interior space for use by the community (fitness, private lounge)

Safety & Security

The safety and security of both the community and residents of the proposed development is of utmost importance, especially given the nature of the proposed development. The implementation of Crime Prevention Through Environmental Design (CPTED) principals is multi-disciplinary approach to promoting community safety through the thoughtful and meaningful design of the environment. CPTED involves the balanced application of three basic principles, which are implemented in the proposed development:

1. Natural surveillance

Natural surveillance is created through the establishment of clear sightlines, enabling building occupants to monitor the surrounding environment. The proposed development offers the following natural surveillance concepts in the design:

- driveways and paths are oriented towards natural forms of surveillance such as building entrances and windows
- building entrances, stairwells, and access points receive increased visual permeability through the strategic use of windows, fencing, and landscaping
- pathways, internal sidewalks, and all concealed spaces will receive strategic lighting to prevent unwanted access
- highly-active interior spaces capable of generating activity are strategically located and augmented by the use of extensive sidewalks, outdoor seating areas and amenity spaces to promote continuous use

2. Natural Access Control

existing building. While a final design and location is not yet determined, the applicant team is open to re-using the signage in order to recognize the history of the site.

Green Building Features

With the recent implementation of the National Energy Code and the forthcoming decision on Step Code requirements, the applicant team is acutely aware of environmental considerations. While this level of design is not yet commenced, our team is committed to reviewing all aspects of sustainability and providing building systems in line with industry best practices. Sustainable items may include:

- Photovoltaic panels
- Increased mechanical and electrical efficiencies
- Increased building envelope systems and thermal performance
- Acoustic considerations
- Waste water reduction
- Storm water retention
- Passive solar systems
- Indigenous, low-water landscaping
- Decreased construction waste

Infrastructure

While the detailed design of the building and tie-ins to the existing infrastructure have not yet been calculated, our preliminary review of the utilities indicates sufficient service to accommodate the proposed development. These calculations will be confirmed through the design process.

The proposed development is accommodating the City's required Statutory Rights-of-Ways (SRW's) and will work with the City and community to design inviting, and pedestrian-friendly interfaces along all public edges of the site.

We are excited about our proposed development and look forward to working with the Mayor and Members of Council to ensure this project is a vibrant addition to North Jubilee.

Sincerely,

NORR Architects Engineers Planners



Craig Abercrombie, Architect, AAA, AIBC
Tel: 403 538 3399 | Craig.Abercrombie@norr.com



1900 RICHMOND ROAD

Traffic Impact Assessment

Prepared for: **Milliken Developments Corp.**

Prepared by: **Watt Consulting Group**

Our File: **2399.B01**

Date: **November 30, 2018**

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2.0 EXISTING CONDITIONS

2.1 LAND USE

The site is currently zoned as Limited Commercial District (C-1) / Multiple Dwelling District (R3-2) and is being used as a medical centre and parking lot. The surrounding land use is comprised of Single Family Dwellings (R1-B), Multiple Dwelling District (R3-2), Limited Commercial District (C-1), Neighbourhood Shopping District (C1-N), Special Service Station District (C-SS), and the Royal Jubilee Hospital (CD-11).

2.2 ROAD NETWORK

All roads in the study network are under the jurisdiction of the City of Victoria. Richmond Road and Fort Street are classified as undivided two-lane urban arterial roads. Pembroke Street, Birch Street, and Ashgrove Street are local roads. These roads only connect to the larger city-wide road network via Fort Street (for Ashgrove Street) or Richmond Road (for Pembroke Street and Birch Street). It should be noted that at the north terminus, Ashgrove Street is restricted to permit only northbound right turns (and not permit entering southbound traffic).

2.3 TRAFFIC COUNTS

For the Richmond Road / Fort Street intersection, 2015 traffic data was obtained from the City of Victoria. AM and PM peak hour traffic counts for the remaining intersections in the study area were collected on the following dates and times:

- Richmond Road / Birch Street: AM: 8:00AM – 9:00AM on Thursday, April 12, 2018
PM: 4:00PM – 5:00PM on Wednesday, Feb. 3, 2016
- Richmond Road / Pembroke St: AM: 8:00AM – 9:00AM on Tuesday, April 10, 2018
PM: 4:00PM – 5:00PM on Wednesday, Feb. 3, 2016
- Fort Street / Ashgrove Street: AM: 8:00AM – 9:00AM on Thursday, April 12, 2018
PM: 4:00PM – 5:00PM on Tuesday, April 12, 2018

2.4 TRAFFIC GROWTH FACTOR

The PM peak hour traffic data for the Richmond Road / Birch Street and Richmond Road / Pembroke Street intersections was collected in 2016 for a previous study. In order to adjust the data collected in 2015 and 2016 to obtain 2018 data, the traffic volume along Fort Street and Richmond Road for the last 10 years was analyzed to determine an appropriate growth factor. Traffic along Fort Street increased an average of 0.07% annually and the traffic along Richmond Road decreased an average of 1.23%. As a result, no growth factor was applied to the 2015 and 2016 data to obtain 2018 traffic data.

2.6 TRAFFIC MODELLING – BACKGROUND INFORMATION

Traffic conditions were analyzed for the existing (2018) conditions, opening year full build-out and 10-year post opening horizon of the development to identify long-term impacts of the development. Analysis of the traffic conditions at the intersections within the study area were undertaken using Synchro software (version 9). Intersections were analyzed using the Highway Capacity 2010 (HCM 2010) methodology to assess level of service (LOS), control delay and 95th percentile queue. The delays and type of traffic control were used to determine the level of service. The levels of service are broken down into six letter grades with LOS A being excellent operations and LOS F being unstable / failure operations. LOS C is generally considered to be an acceptable level of service by most municipalities. LOS D is generally considered to be on the threshold between acceptable and unacceptable operations. A description of level of service and Synchro is provided in **Appendix A**.

2.7 EXISTING 2018 TRAFFIC CONDITIONS

Existing 2018 traffic conditions were analyzed within the study area during the AM and PM peak hours of travel. The AM and PM peak hour traffic volumes and levels of service are shown in **Figure 4** and **Figure 5**.

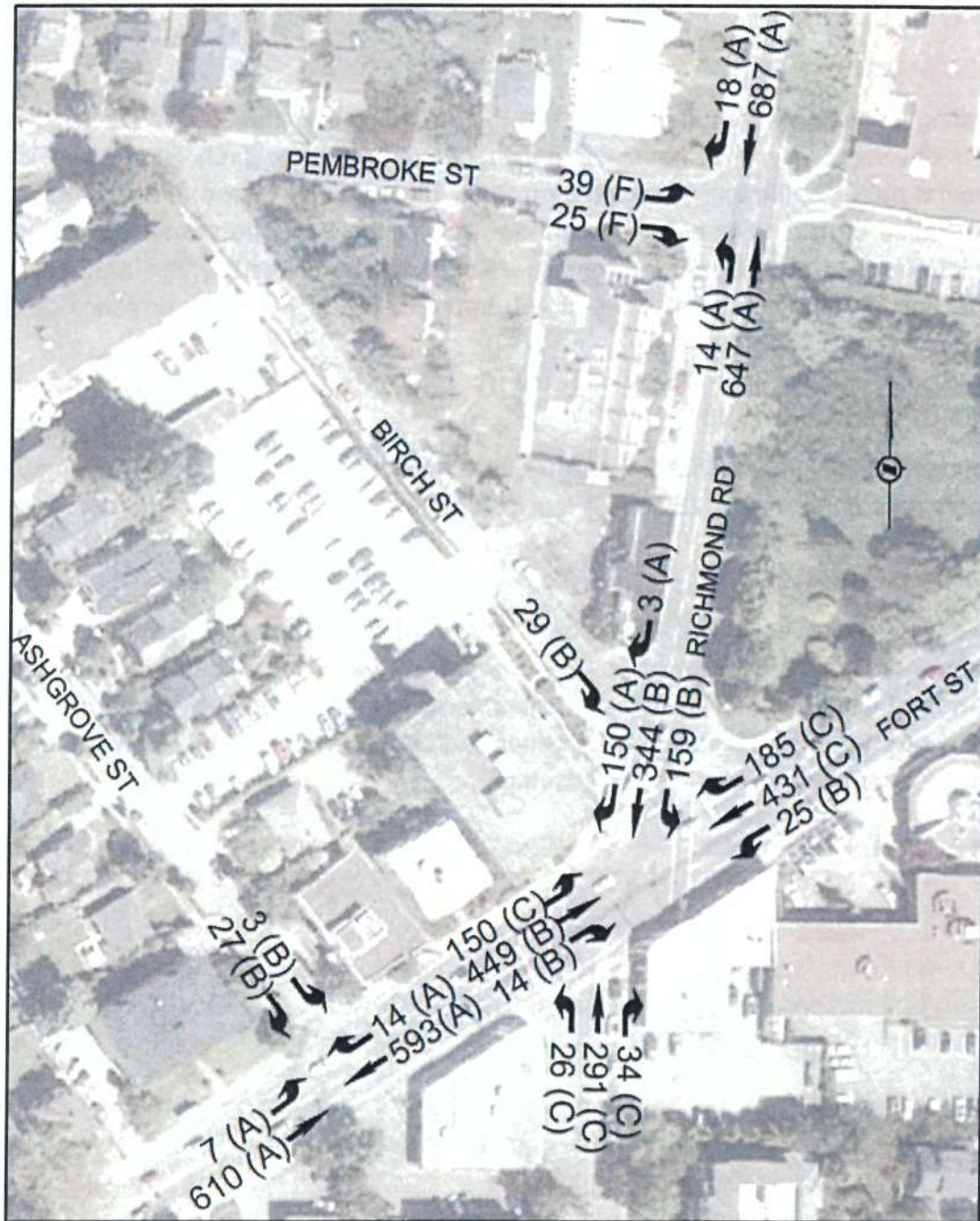


Figure 5: Existing 2018 PM Peak Hour Volumes and Level of Service

At the Fort Street / Ashgrove Street intersection, all turning movements are currently operating at LOS B or better for both the AM and PM peak hours. At the Richmond Road / Fort Street intersection, all turning movements are operating at LOS C or better for both peak hours. At the Richmond Road / Birch Street intersection, all turning movements are operating at LOS B or better for both peak hours. At the Richmond Road / Pembroke Street intersection, the eastbound left and right turning movements are currently operating at LOS E during the AM peak hour and LOS F during the PM peak hour. The remaining movements at the Richmond Road / Pembroke Street intersection are operating at LOS A.



Figure 8: Post Development AM Peak Hour Volumes and Level of Service

During the AM peak hour of the opening year, the eastbound turning movements from Pembroke Street to Richmond Road are predicted to improve to LOS D operations with no queueing issues. All other individual turning movements are expected to have the same operations as the existing conditions (LOS C or better).

3.6 10 YEAR HORIZON POST DEVELOPMENT ANALYSIS

Post-development analysis was considered for the 10-year post opening year horizon of the development to identify long-term traffic impacts. No significant traffic growth is expected in the study area. The study intersections are forecasted to operate at the same conditions with minor increases in delay (one second / vehicle) and queues to remain within one vehicle length in the long-term. Nearby sites could potentially redevelop and result in localized increases in traffic within the 10-year horizon, however these are either unknown or otherwise not confirmed. Ultimately proposed development is not expected to materially impact the operations of the study intersections in the long-term.

4.0 OTHER MODES OF TRANSPORTATION

4.1 PEDESTRIANS FACILITIES

Within the study area, sidewalks exist on both sides of all roads with the exception of Begbie Street (low volume road). Sidewalk letdowns exist on each corner of the four intersections. There are signalized pedestrian crossings located at the Richmond Road / Fort Street intersection. No other marked crosswalks exist within the study area.

There are existing sidewalks along the property frontage. Given that the proposed land use is for assisted living space, the sidewalks should be upgraded to ensure a smooth surface and sufficient width to meet the mobility requirements of the proposed residents. It is recommended that the adjacent sidewalks be upgraded to meet current design standards.

4.2 BICYCLE FACILITIES

Fort Street has continuous bike lanes in the eastbound and westbound directions. Richmond Road has bike lanes on both sides of the road north of the study area. The proposed development includes bike parking at the Birch Street entrance as well as bike storage in the parkade. Additional bicycle facilities may not be required.

4.3 TRANSIT FACILITIES

The closest bus stops to the site are within one-minute walk. BC Transit route 8 (Interurban / Tillicum Mall / Oak Bay) and route 14 (Vic General / UVic) provide service along Richmond Road. There is a northbound stop with a shelter between Birch Street and Pembroke Street and a southbound stop between Bay Street and Albert Avenue. Route 14 and route 15 (UVic / Esquimalt) run along Fort Street. There is an eastbound bus stop between Richmond Road and Bank Street and a westbound bus stop between Chestnut Street and Ashgrove Street. No transit improvements are required with the proposed development.

APPENDIX A: SYNCHRO BACKGROUND

4.2 Development Permit Application No. 000531 for 1900 Richmond Road

The City is considering a Rezoning and Development Permit Application to construct a five-storey assisted living building with ground floor commercial along Fort Street and Richmond Road.

Applicant meeting attendees:

DON MILLIKEN	MILLIKEN REAL ESTATE CORPORATION
KATE MILLIKEN BINNS	MILLIKEN REAL ESTATE CORPORATION
JAMES MILLIKEN	MILLIKEN REAL ESTATE CORPORATION
CRAIG ABERCROMBIE	NORR ARCHITECTS ENGINEERS PLANNERS
STEVE JONES	JONES CONSULTING

Michael Angrove provided the Panel with a brief introduction of the application and the areas that Council is seeking advice on, including the following:

- the length of the building
- the transition to lower density residential areas.

Carl-Jan Rupp joined the meeting at 12:50 pm.

Craig Abercrombie and Don Milliken provided the Panel with a detailed presentation of the site and context of the proposal.

The Panel asked the following questions of clarification:

- is there space for vehicle parking at the Birch Street drop-off area?
 - there are two parking spaces for short-term use at the front entrance
- does the rear entrance enter into the main dining room?
 - the rear entrance accesses the shared lobby
- was a secure outdoor area considered for memory care residents?
 - a shared outdoor space lined with planters is proposed above the porte-cochere
- was a garden area for residents considered?
 - the landscaped perimeter could be a walking area, but is not secured and is not intended as a garden
- which route is envisioned for ambulance access?
 - ambulances would likely enter the rear loading area from Ashgrove Street
- what is the rationale for the location of the elevator?
 - the elevators are in proximity to the move-in and move-out area at the west side of the building, and this location helps build a sense of privacy for residents
- would it be possible for one of the proposed food services to help animate the plaza seating area at Fort Street and Richmond Avenue?
 - if the retail space is occupied by a coffee shop, this could be connected to the proposed bistro
- are balconies proposed for residents' use?
 - typically balconies are not provided; however, balconies are proposed on the upper level units and are stepped back for minimal overlook
- is the parking off Ashgrove Street unchanged from the existing arrangement?
 - the configuration will change slightly, as fewer stalls will fit in this area

- were increased setbacks considered to reduce overlook from the upper level decks into the rear yards of adjacent residences?
 - this was not a concern expressed by adjacent neighbours, but this option can be considered
 - the balconies may disappear, but shifting towards Birch Street might be possible
- there is no left turn onto Birch Street; was this considered in the visitor drop-off design?
 - Mike Angrove noted that staff have requested a transportation impact assessment (TIA) from the applicants to determine traffic flow in the area
 - the applicants noted that a TIA has been submitted to the City, and that the access to Birch Street was not a concern
- where is the community meeting space located?
 - there is no specifically-designated community amenity space; instead, the bistro, dining room and meeting room will be accessible, flexible, and usable for the community free of charge
 - almost any of the shared spaces on the ground floor can be used by the community
 - the intent is for as many community groups to use the space as possible, and it is in the applicants' best interests to have the residents engaged with the community
- if a commercial use on the ground floor does not attract non-residents, how will the public realm be animated?
 - the use of this commercial space is critical to ensure vibrancy
 - the applicants are committed to finding a use that the community will utilize to activate the space
- is it possible to achieve 6 storeys within the proposed height?
 - yes, this would generally be possible
- what is the traffic impact on Ashgrove Street?
 - the proposal decreases the overall traffic on the street.

Panel members discussed:

- opportunity to resolve the building length and better transition to the adjacent residential areas
- concern for the functionality of the large public plaza at Richmond Road and Fort Street
- appreciation for the proposed plaza with seating
- opportunity to further develop the landscaping of the corner plaza to ensure animation
- opportunity to reconfigure the interior spaces at the ground level to further engage the corner (e.g. reconsidering the location of the games room or having the commercial space further wrap the corner)
- appreciation for the proposed balconies providing a visual interruption of the building's façade and giving residents better views towards the street
- the need for further refinement of the north and south building volumes
- opportunity increase the building's articulation to better respond to the context and lessen the impact of the building height for neighbours to the north and to the west
- the building feels large
- the proposed five storeys are feasible

27 April 2018

To: Land Use Committee, North Jubilee Neighbourhood Association

From: Gerald Harris, 1829 Fern Street

Subject: Proposed development of 1900 Richmond Road

Thank you for hosting a public meeting regarding the development proposal. I regret that I was unable to attend, but I hope that this letter may be included in the response from North Jubilee residents.

1900 Richmond Road is at the very centre of the City's proposed Jubilee Urban Village, as introduced in the Official Community Plan. As such, the treatment of the 1900 Richmond Road property relates directly and intrinsically to creation of the Jubilee Urban Village concept. It relates also to the nature of the central intersection of the proposed Urban Village, Fort and Richmond.

The words "Urban Village" suggest a commercial and community hub that serves and attracts people of the neighbourhoods around it. They suggest a place where local people go to engage everyday activities: commercial, social, recreational and wellness-related. Local people would expect an "Urban Village" to be a place where they like to go, and which is useful to them. It would have the amenities of a small town such as: grocery store, library branch, medical clinic and lab, pharmacy, cafes, pub and community centre. People would expect an "Urban Village" to feel pedestrian-friendly, and welcoming at street-level, particularly at its central intersection.

The present proposal would move in the opposite direction. It would remove services already valued by local people. It would withdraw the property from participation in street-level participation in the life of the local community. It would thus directly oppose the concept of "Urban Village" the city hopes to create, and it would impoverish the community life of local people.

The Fort/Richmond intersection is already an unpleasant place for pedestrians and does not feel particularly safe. An "Urban Village" would make its central intersection more safe and attractive – a people place. Sidewalk would widen into plaza. Amenities would draw people to it. We would want to spend time there, and we would feel entirely comfortable crossing the intersection. When 1900 Richmond is redeveloped, as a corner of the central intersection of an "Urban Village", local people would expect it to become more useful, pleasant and pedestrian-friendly for us.

Does the term "Urban Village" carry the same positive meanings for the City as it would for local residents? The outcomes at 1900 Richmond Road may be a good indicator of what the City intends for Jubilee Urban Village.

Sincerely,
Gerald Harris

Monica Dhawan

From: Betty Honsinger <[REDACTED]>
Sent: Monday, June 25, 2018 6:26 PM
To: Victoria Mayor and Council
Subject: Proposed Development 1900, 1908, 1912 Richmond Road

Hello my fellow Victorians, I write today about the proposed development at 1900, 1908, 1912 Richmond Road – a 139 unit retirement home to be built by Miliken Developments and run by Amica Retirement.

The 5 storey building spans 7 city lots. It is massive. I hope that you will take 10 minutes out of your busy days to see what kind of impact that will have on the homes behind it and the streets around it. 5 storeys all the way down Birch Street is too high.

Kind regards,

Betty Honsinger
Ashgrove Street

Monica Dhawan

From: Brian McKee <[REDACTED]>
Sent: Monday, June 25, 2018 8:59 PM
To: Victoria Mayor and Council
Subject: Rezoning applications REZ00500 and REZ00651

I am writing to express my concerns with the proposed development applications in North Jubilee relating to building out the “large urban village” area at the corner of Fort St. and Richmond Rd. The two proposals that concern me are REZ00500 and REZ00651 – If both of these proposals go forward in a form similar to those proposed an existing difficult traffic situation will only be exacerbated. The neighbourhood was laid out sometime in the late 1800’s or early 1900’s when traffic was scarce and vehicles were slower and much smaller.

I have lived in the neighbourhood since 1980. Since I moved here the vibrancy of the Birch St. corridor area has stagnated due to the neglect of former landowners. Lots 202/08 Richmond Rd., 1903/1909 Birch St. and 1769 Pembroke all were neglected by the previous owners to the extent that houses on the latter two were demolished after being rendered uninhabitable by that neglect. The remaining structure on Richmond Rd. Known as the Turner building has also suffered the same neglect, but is only barely standing due to some feeble attempt to secure it in the hopes that it can be incorporated into a new building – this effort is being made only to maintain the lack of setback on Richmond Rd. which is required by current city by-laws. The other two Birch St. lots have, in my tenure, been held by various landlords for speculative purposes and have shared somewhat similar decay. In my almost 40 years in the neighbourhood, Birch Street has only served as a parking lot for users of the surrounding services

We are faced now with the challenge of developing these properties in a way suitable to today’s conditions and the community’s needs.

It is my opinion that Birch Street has outlived its usefulness as a traffic carrying artery. Access to the street is achieved by very obtuse angled turns and egress is either by an almost blind (vision obscured by steepness of the angle and the lack of setback on the existing Turner building) turn onto extremely busy Richmond Rd, or by an obtuse turn onto Pembroke St. to exit onto Richmond – not too bad if you are turning right, but quite difficult if you wish to turn left as the traffic flow is usually quite heavy mid-day).

I would suggest to the city that before acting on any of the proposed applications that a proper traffic study be undertaken to determine if the existing road configuration can support the proposals. I would also like to suggest that the City explore the possibility of eliminating Birch Street and amalgamating the land with either or both of the current proponents to create a more viable parcel to house the community’s needs in this area.

Yours Sincerely

Brian McKee

1956 Ashgrove St.

Katie Lauriston

From: Rob Bateman <rbateman@victoria.ca>
Sent: October 25, 2018 4:56 PM
To: Gerald Harris
Cc: dmilliken@millikendevlopments.com; NJNA Community; Michael Angrove
Subject: RE: 1900 Richmond Road

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Hello Mr. Harris,

I am cc'ing my colleague who is handling this file to respond to your email: Michael Angrove, Planner, mangrove@victoria.ca.

Thanks,

Rob Bateman, MCIP, RPP
Senior Process Planner
Sustainable Planning and Community Development
City of Victoria
1 Centennial Square, Victoria BC V8W 1P6

T 250.361.0292 F 250.361.0557



From: Gerald Harris [REDACTED]
Sent: Thursday, October 25, 2018 4:50 PM
To: Rob Bateman <rbateman@victoria.ca>
Cc: dmilliken@millikendevlopments.com; NJNA Community <njnacommunity@gmail.com>
Subject: Re: 1900 Richmond Road



October 25, 1018

To:

Rob Bateman, MCIP, RPP
Senior Process Planner
Sustainable Planning and Community Development
City of Victoria

Cc:

D. Milliken, Milliken Developments
North Jubilee Neighbourhood Association

From:

Gerald Harris
Director, Friends of Bowker Creek

Subject:

Watershed-wise development at 1900 Richmond Road

Dear Mr. Bateman

This letter is to inquire as to Green Infrastructure and Low Impact Development measures relevant to the Bowker Creek watershed in the current proposal for development at 1900 Richmond Road.

The property is part of the Bowker Creek watershed. The City of Victoria has endorsed the Bowker Creek Blueprint, a guiding document for managing and restoring the watershed and creek. Appropriate measures for developers are summarized in the Bowker Creek Developer's Guide <https://www.crd.bc.ca/docs/default-source/initiatives-pdf/bci-pdf/brochures/bci-developers-guide.pdf?sfvrsn=2>

We, Friends of Bowker Creek, were encouraged by the May 17, 2018 submission to Mayor and Council by NORR Architects, Engineers and Planners. In that initial Rezoning and Development Permit Application, NORR expressed commitment to reviewing all aspects of sustainability and providing building systems in line with industry best practices. To quote the NORR document:

"Sustainable items may include:

- Photovoltaic panels
- Increased mechanical and electrical efficiencies
- Increased building envelope systems and thermal performance
- Acoustic considerations
- Waste water reduction
- Storm water retention
- Passive solar systems
- Indigenous, low-water landscaping
- Decreased construction waste"

From the list quoted above, the items most relevant to Victoria's commitment to the Bowker Creek watershed may be "Storm water retention" and "Indigenous low-water landscaping". We hope in particular that any design accepted for development at 1900 Richmond Road will contain strong measures for "Storm water retention".

Fulfilling the Bowker Creek Blueprint's 100-year action plan to restore the Bowker Creek watershed most essentially demands "Storm water retention" at all developments in the watershed. The term covers various measures for slowing and cleaning stormwater on its way to the creek. Rather than channeling the water immediately into storm drains, the Bowker Creek Developer's Guidelines list several stormwater management features such as:

- **Harvesting and storing rainwater** to supply the property with its landscape watering needs
- **Raingarden** landscaping to hold stormwater while it sinks into the ground
- **Infiltration basins and tree wells** also to get stormwater into the ground, while providing water for trees
- **Plant and maintain trees**
- **Pervious pavement**
- **Green roofs**

The measures listed here are becoming increasingly common features in developments in the Bowker Creek watershed. Beautiful examples are easy to find. Friends of Bowker Creek hopes to see a strong mixture of these measures in any successful proposal for development at a large property such as 1900 Richmond Road.

We hope that the current proposal for development includes features that advance Victoria's watershed rehabilitation commitment, and we trust that the City will require such features in any successful proposal.

Yours truly,

Gerald Harris
for Friends of Bowker Creek

To Mayor and Council:

Re: 1900 Richmond Rd development

I am a resident of South Jubilee and am not in favour of the proposed use and design for 1900 Richmond. Here are my thoughts:

- The proposed facility is a VERY high end private care facility for the privileged few. The architect for the developer stated in his letter accompanying the proposal that *"The proposed development will provide a continuum of care for the North Jubilee community; a unique and much-needed housing typology within the area."* 2015 Stats Can figures indicate average income in Victoria is \$34,000 a year. About 60% of Jubilee residents rent their home. How could any of these people (myself included) afford the services of this facility?
- Removes valuable medical services that are available to ALL. The medical clinic currently on this site is home to family doctors for many residents of North and South Jubilee (myself included). With the current shortage of family doctors and the high cost of office space we will lose yet another neighbourhood amenity.
- The building is HUGE, both in height and length. It will loom over houses directly behind the building site. In his letter, the architect says *"While the OCP permits 6 storey construction, our preliminary discussion with the North Jubilee Neighbourhood Association (NJNA) indicated a preference for a lower building typology. As such, we are proposing a 5 storey design to accommodate this request."* This is a bit of smoke and mirrors. The proposed height of this building is 20.64 metres. It is the height of at least a 6 storey building. For example, a proposal for 1811 Oak Bay avenue is for 5 storeys, the height of which is 16.8 metres. The massive 1002 Pandora project on the corner of Pandora and Vancouver with commercial on the main floor is 6 storeys and is 21.8 metres high, only slightly higher than the 1900 Richmond proposal.
- The setbacks are miniscule. Directly to the west of the building site are houses, most of them built in the early 20th century that will now have a 20.64 metre wall (68ft) at most 20 ft from their property line.
- Lack of green space. Architect's letter says *"Overall public open space is minimal, however residents can access small parks and play areas such as the open park space along Fort Street at the Royal Jubilee Hospital. Begbie Green is located one block to the northwest."* This project is relying on existing green spaces without supplying any new green space in its public spaces. I recently walked by the publicly funded Summit seniors' residence on Hillside off Blanshard. The first thing I noticed was the generous setbacks that give breathing room for the building and possibilities for green spaces.

This will be a massive disruptive intrusion into the Jubilee neighbourhood with no attempts at human scale.

Sincerely
Raymond St. Arnaud

From: Brock Anderson <[REDACTED]>
Sent: April 9, 2019 12:06 PM
To: Michael Angrove <mangrove@victoria.ca>
Subject: 1900 RICHMOND RD - Development proposal

Hello Michael,

I am a resident of the South Jubilee neighbourhood, living near to 1900 Richmond Rd. I would like to express some strong concerns about the proposed development project at 1900 Richmond Rd.

I have no doubt that the Victoria area would benefit from a new senior care facility, but 1900 Richmond Rd. is not a sensible location for a senior care facility targeting seniors who will not be active members of the community. I doubt the elderly people who would benefit from this proposed facility will fully appreciate its prime location (walking distance to numerous shops and restaurants). It is nonsensical to locate the facility somewhere that displaces services valuable to existing and active members of the community who do benefit from convenient walking access to the many medical business currently housed at 1900 Richmond Rd. A senior care facility for people with memory problems could be located almost anywhere. Why choose a location that significantly inconveniences existing members of a community?

1900 Richmond Rd is an ideal location for a mixed professional services building, which is exactly what we currently have. Unless the existing building it is replaced by another mixed professional services building, any change will probably be a change for the worse. Please reject any project proposing a senior care facility at 1900 Richmond Rd.

Could you please forward my comments to the participants of the Committee of the Whole Meeting?

Thanks!

Brock Anderson
1720 Duchess St.
[REDACTED]

Monica Dhawan

From: Don Milliken [REDACTED]
Sent: Tuesday, April 09, 2019 10:52 AM
To: Victoria Mayor and Council
Subject: "Victoria medical building to be demolished for seniors care facility" - Oak Bay News, April 9, 2019

Dear Mayor and Council,

The above news article was brought to our attention this morning by the Victoria Hospitals Foundation (VHF). We are proposing to build a 137 resident memory care and assisted living senior's community at Fort and Richmond, very near The Royal Jubilee Hospital. Our application is being discussed at the Committee of the Whole this Thursday morning.

The news article refers to our architect's claim, in his application letter last October, that the Victoria Hospitals Foundation President endorses our planned development. The purpose of this communication is to make clear that this assertion is incorrect. VHF does not endorse our planned senior's community. We have had no discussions with VHF about an endorsement.

We believe that our memory care and assisted living community may alleviate some pressure on The Royal Jubilee Hospital, in particular on Alzheimer's patients. However, that is our opinion. Neither The Royal Jubilee Hospital or Victoria Hospitals Foundation endorses our planned senior's community.

My apologies for this unnecessary confusion.

Sincerely,

Donald R Milliken
Chairman
Milliken Real Estate Corporation;
Maison Senior Living
[REDACTED]

Monica Dhawan

From: Jean Johnson <[REDACTED]>
Sent: Wednesday, April 10, 2019 10:32 AM
To: Marianne Alto (Councillor)
Cc: Victoria Mayor and Council
Subject: 1900/1908/1912 Richmond Road...REZ00651

Good Morning Marianne:

In response to the article in today's Time Colonist in connection with the above proposal, I found it discouraging to read so many positive comments before this application has been discussed by the Council at tomorrow's COTW meeting. While there is a need for seniors' facilities, the price range for these rental units did not appear in the article. Are they affordable for local residents?

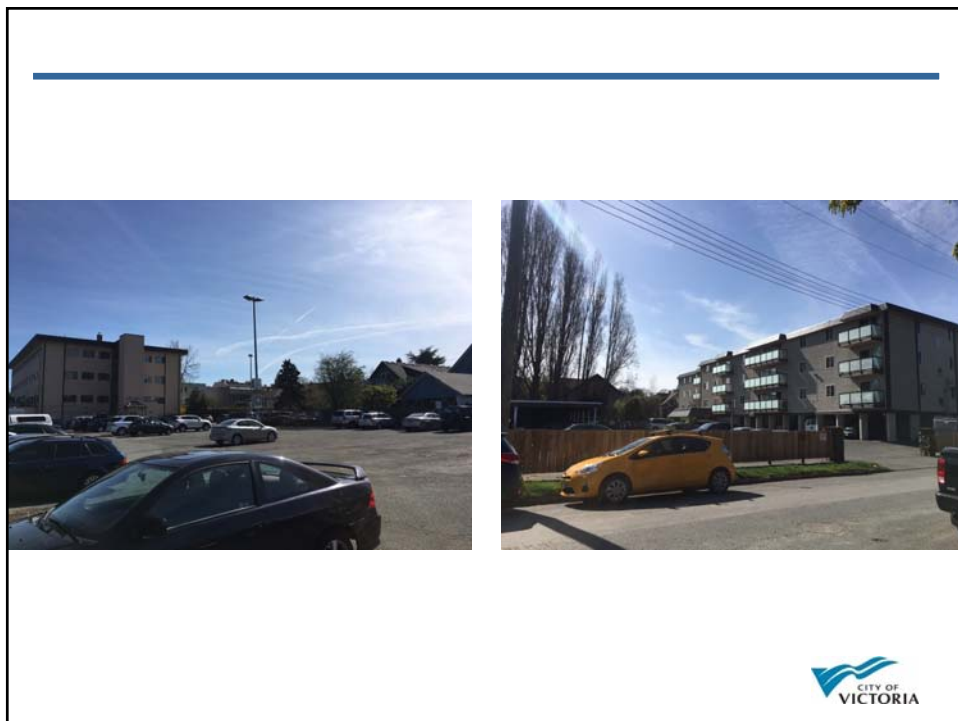
If this application is approved, the community will lose a medical clinic and a busy Life Labs site. I would be interested in knowing how many medical clinics are located in Victoria. As there is a shortage of family doctors and the City is increasing density, how will this disparity be balanced?

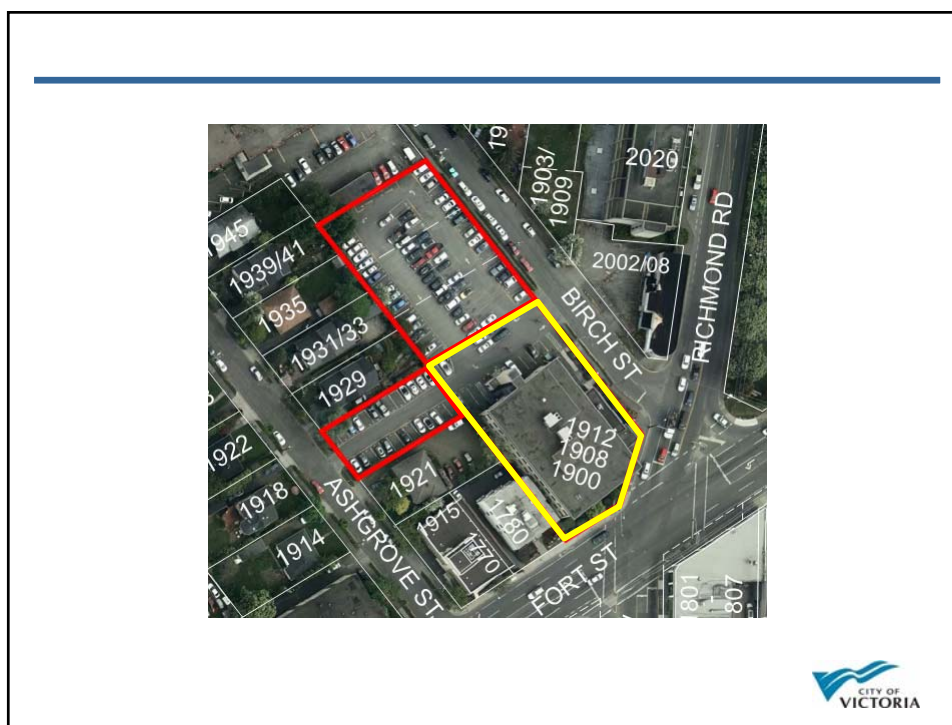
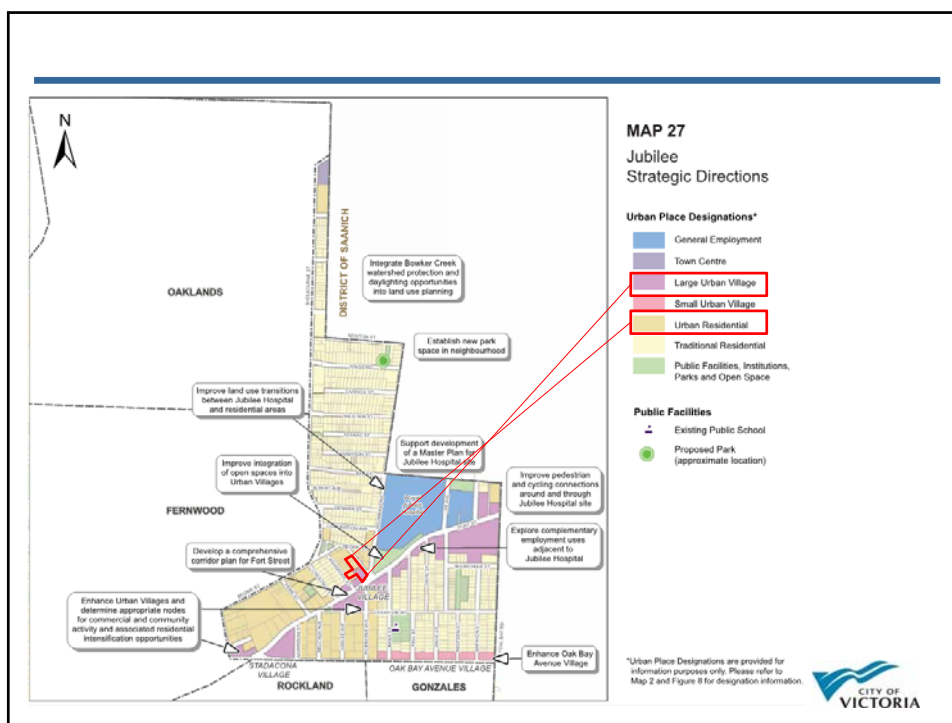
Thanking you in advance for your reply,
Jean Johnson, North Jubilee resident

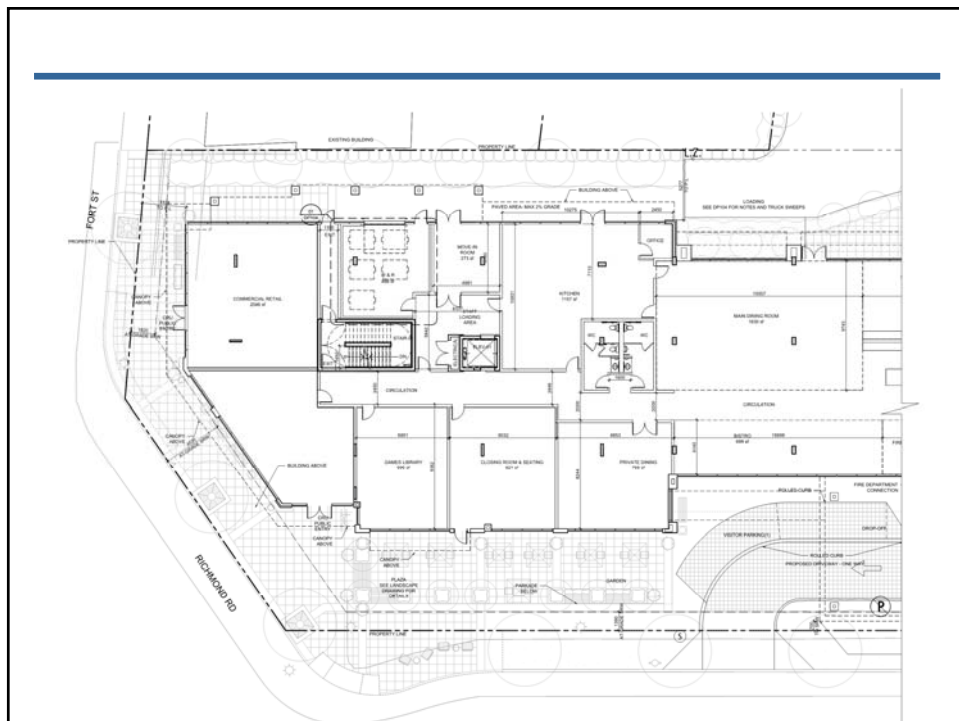
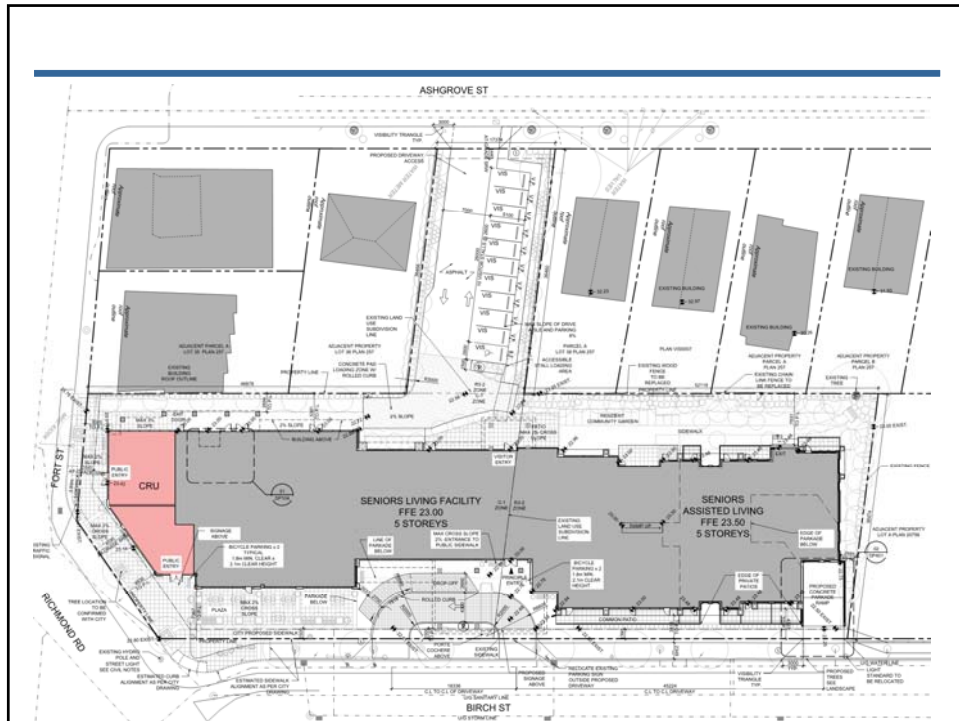
Rezoning & Development Permit Application for 1900-1912 Richmond Road

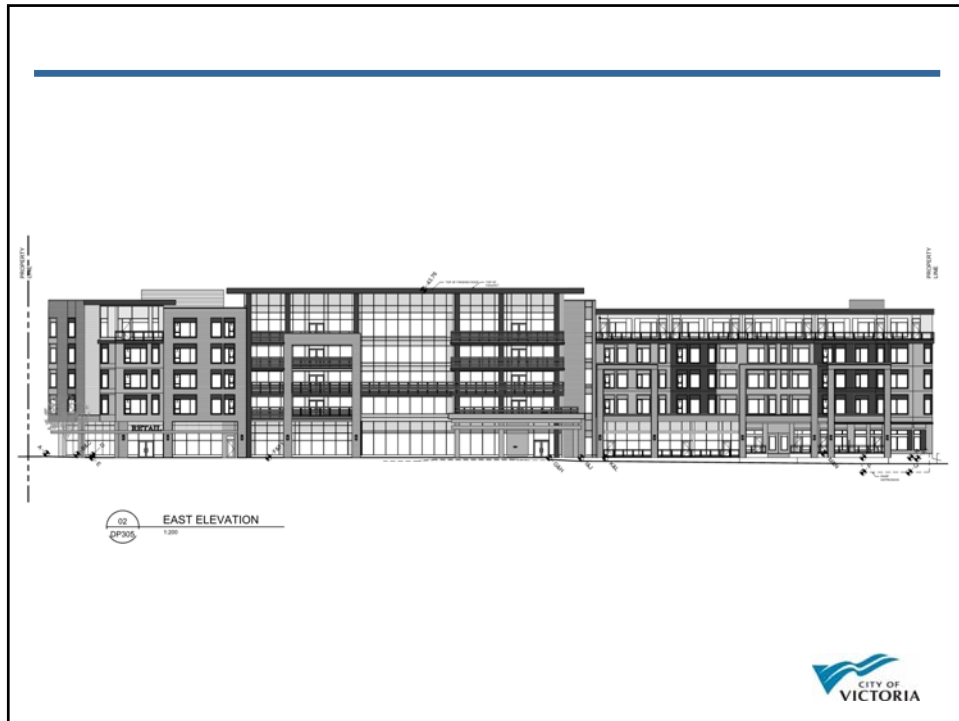


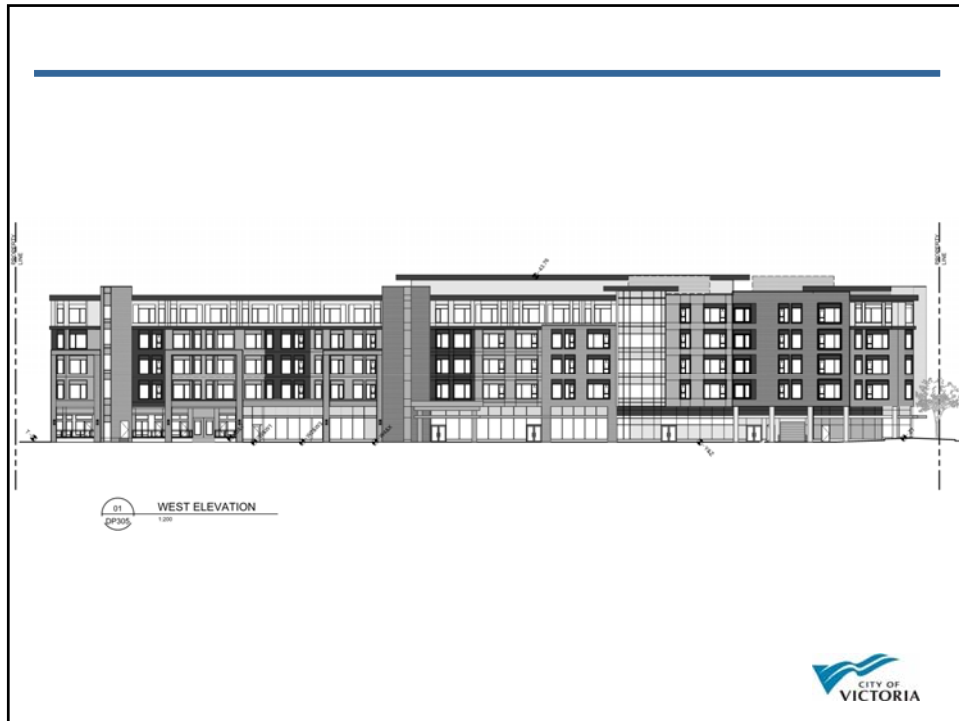


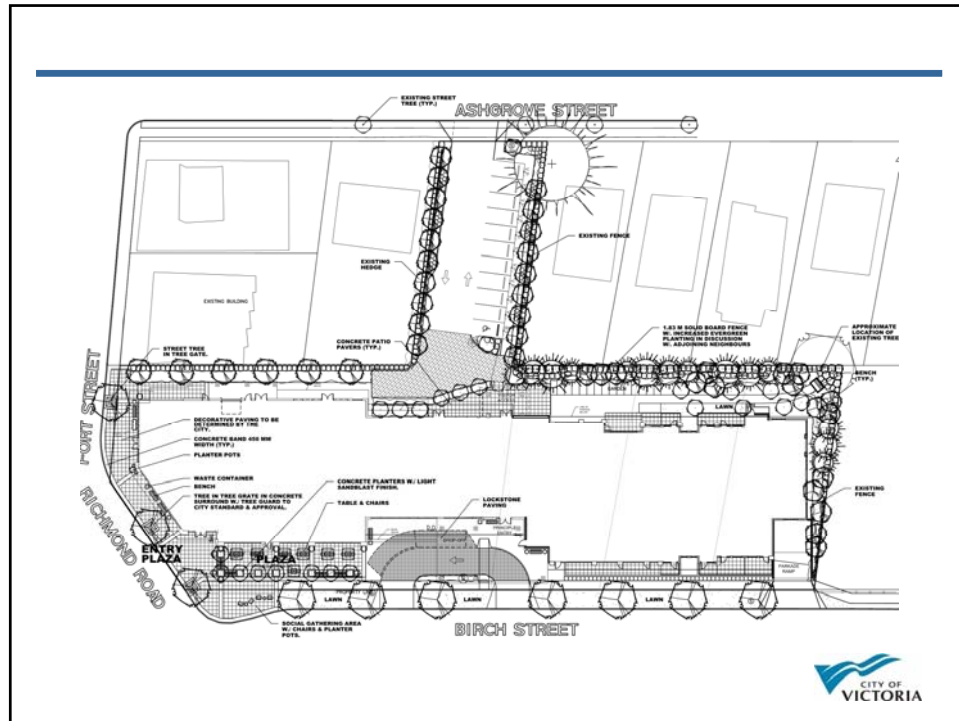


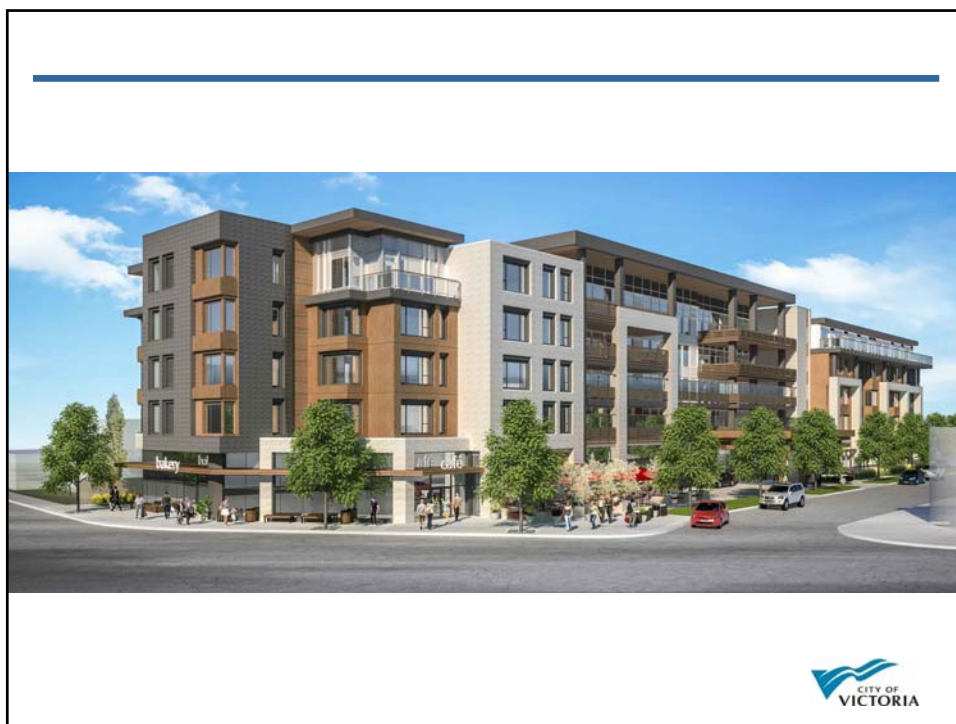




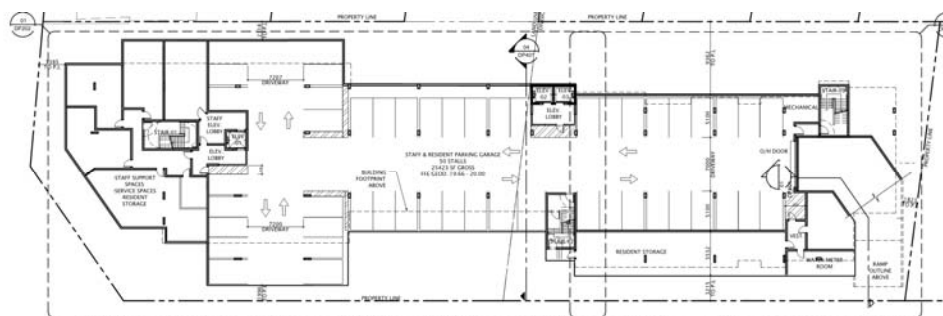




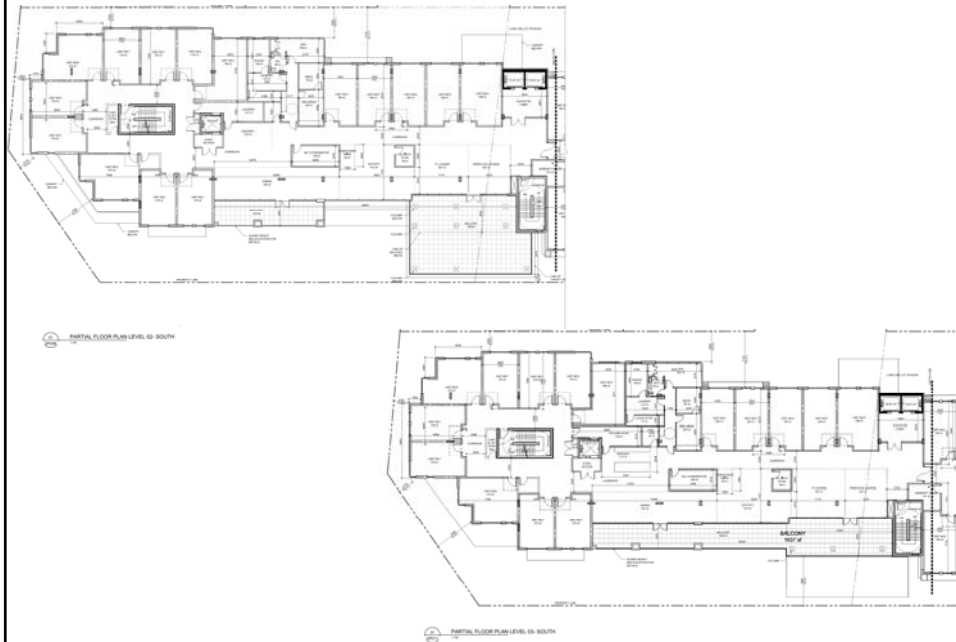




Additional Slides



Additional Slides



Additional Slides



04 SPRING EQUINOX SHADOW STUDY 10:00 AM
DP101 SITE



05 SPRING EQUINOX SHADOW STUDY 12:00 PM
DP101 SITE



06 SPRING EQUINOX SHADOW STUDY 2:00 PM
DP101 SITE



01 SUMMER SOLSTICE SHADOW STUDY 10:00 AM
DP101 SITE



02 SUMMER SOLSTICE SHADOW STUDY 12:00 PM
DP101 SITE



03 SUMMER SOLSTICE SHADOW STUDY 2:00 PM
DP101 SITE

Lucas De Amaral

From: Sarah Phillips [REDACTED]
Sent: July 8, 2019 8:16 PM
To: Victoria Mayor and Council
Subject: 1900 Fort/Richmond development

Categories: Awaiting Staff Response, Planning

Her Worship Mayor Helps and Councillors,

I am a homeowner/resident of South Jubilee and I have seen the re-development plans for 1900 Fort/Richmond. With Victoria's aging population, I believe more assisted living housing needs to be available for seniors of all income levels. I have grandparents in their 90's who reside in an Amica facility in Victoria and I believe in the quality of service Amica provides. I credit the high quality of life they enjoy, to the decision to move my grandparents to an Amica facility.

The plans for this new development include high ceiling suites which raise the quality of life and health for seniors living with dementia. The plans also include more green space than is currently on that site and common spaces for all members of the community to use, not just residents. I also appreciate that the developer is offering \$1,000,000 towards charitable services for low income seniors.

I support the development for many reasons, both personal, professional and community related. Please approve this development. Our parents and grandparents need it and so will we one day.

Thank you,

Sarah Phillips

Sarah
Sent from my iPhone

Monica Dhawan

From: NJNA Community <[REDACTED]>
Sent: Wednesday, June 19, 2019 11:21 AM
To: Victoria Mayor and Council
Cc: Marianne Alto (Councillor); Development Services email inquiries
Subject: REZ#00651 and DVP#00531...1900, 1908 and 1912 Richmond Road

Mayor Lisa Helps and Victoria City Councillors:

Last Friday afternoon our community received the agenda links for the June 20, 2019 COTW and on which the proposed application for 1900, 1908 and 1912 Richmond Road is listed. While our neighbourhood recognizes the need for facilities for seniors, the price range of these proposed memory care and assisted living units is still unknown. Based on the monthly rate for similar care residences in the area, these units will not be affordable for the majority of local residents.

A 5-storey building has been emphasized over 6 stories, but the building height remains at over 67 feet. Does this respect the character of the existing homes in the area? Does it add to the creation of a "Jubilee Village"?

A contribution to the Victoria Housing Reserve Fund provides funds for current housing needs which we realize are desperately needed. However, may we also request consideration towards Community Amenities with funding earmarked for this neighbourhood. In the June, 1996 Jubilee Neighbourhood Plan it is noted that there is a lack of designated park area and the 2012 OCP Jubilee Strategic Directions had as one of its objectives "establish new park space in neighbourhood". Our community misses having a community center; a park; a village center; or a local school which would promote social gatherings; opportunities to meet our neighbours and in this way foster a sense of community.

The loss of the walk-in clinic on this site is of special concern for us all due to the shortage of family doctors. It also leads one to wonder how the residents of this proposed facility will adapt to having to use a walk-in clinic which often includes long wait times.

A wide range of concerns were outlined in our October 22, 2018 and April 8, 2019 letters to you in connection with this proposal and they remain valid.

Thanking you in advance for your consideration of these concerns which are respectfully submitted,

Jean Johnson, Co-chair
NJNA Land Use Committee

...

Heather McIntyre

From: Clem Persaud <[REDACTED]>
Sent: July 25, 2019 11:06 AM
To: Victoria Mayor and Council
Subject: Millikan Developments Project, Seniors' Residence, 1900 Richmond Road

To Her Worship Mayor Helps and Councillors,

I support this development as it will contribute to the supply of assisted living and memory-care facilities that are crucially needed.

I think it is imperative to supply these facilities to provide space for those needing to move out of their homes due to physical or mental difficulties. In addition, they will provide long-term care for those now occupying active beds in the hospitals.

I urge you to approve this proposal so that these facilities would be available in the near future.

Thank you for your time and consideration.

Sincerely,

Donna Persaud
Victoria B.C.

Sent from my iPad

Pamela Martin

From: Victoria Mayor and Council
Sent: July 26, 2019 11:41 AM
To: Public Hearings
Subject: FW: August 1 Council meeting to discuss the rezoning and development application for 1900 Richmond Rd.

From: vmurray <[REDACTED]>
Sent: July 26, 2019 11:36 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: August 1 Council meeting to discuss the rezoning and development application for 1900 Richmond Rd.

Dear Mayor Helps and Members of Council,

The purpose of this letter is to express my support for the above-noted rezoning and development application prior to your hearing on this matter on August 1. I should emphasize that I am not an expert in the details of this application nor specific aspects of the design of the proposed facility. I write simply as the spouse of a person who currently suffers from advanced stage Parkinson's Disease Dementia (PDD), part of a group known as Lewy Bodies Dementias (LBD). I am also a resident of the nearby area of Fort and Foul Bay Rd. which makes the location of the proposed facility most attractive to me.

In late 2018, my wife's dementia worsened to the point that I could no longer take care of her at home, even with 20 hours a week of help from paid care aides. I initially sought to find a care facility into which I could move with her while she adjusted to institutional living. In terms of that, there are very few such facilities in the CRD but I eventually found one with space for both of us and we moved on December 1. It was then that my real education in dementia care started in earnest as I began to live daily among about 50 people with varying degrees and kinds of dementia. I then started to read extensively about models of care for this rapidly growing segment of our society.

As Dr. Atul Gawande so clearly shows in his recent book *Being Mortal*, the dominant model of care for the frail elderly in North America emphasizes maintaining bodily health: treating specific medical conditions one at a time and keeping patients safe, clean, properly fed and compliant with medication regimes, hopefully in pleasant well-equipped and maintained surroundings. It tends *not* to recognize the patient as a whole person. Treating the whole person requires recognizing each individual as someone with basic emotional needs. I'm referring to the need to feel respected, to feel one's life has purpose, to feel one has some control over what happens to them, to feel one can still be of some use to others and to experience feelings of attachment to at least some of the people with whom one interacts. These needs do *not* disappear because one has dementia, yet the dominant model of care largely overlooks them which results in many of those in care facilities feeling lonely, agitated, fearful, anxious and depressed. Fortunately, in the past dozen or so years, new models of care have begun to emerge based on a heightened awareness of these basic emotional needs we all possess. The problem is that, in spite of growing evidence from many demonstration projects of their positive impact on the physical well-being and quality of life of this group of patients, implementation of them on a wide scale has been painfully slow.

Turning to the situation here in the Capital Regional District, I have been attempting to discover how many of the long term care facilities here have implemented some or all of the best practices that have emerged from these new models of care. From what I can tell most still operate in accordance with the old model while two or three are aware of new approaches and have begun making some changes. I have discovered only one that comes quite close, however the waiting time for admission to it is currently 10 months.

I have also spoken to several highly placed leaders at Amica about their thoughts on the new models of care and learned that they are both aware of them and committed to implementing them throughout the Amica system. I have also been told that the proposed facility at 1900 Richmond Rd. will embody all these new developments. They appear in its layout and design, décor and colour schemes, specially designed activity and social programs and specialized training and development for all staff, not only care aides.

Victoria urgently needs facilities such as these and I strongly recommend that Council approve this development application. Should Council permit, I would be pleased to speak to this letter at the August 1 meeting.

Victor Murray, PhD.,
2105 Windsor Rd.,
Victoria, V8S 3C2,
Ph. [REDACTED]

City of Victoria

Her Worship Mayor Helps and Councillors

July 28, 2019

Re: SUPPORT FOR 1900 RICHMOND

We have been dealing with Amica Retirement Homes for the past eighteen months. We placed my mother-in-law in Amica's Sommerset House on Dallas Road. My mother-in-law is a retired school teacher from Vancouver. She has just turned ninety six, and she is physically fine- takes no medication and very seldom sees a doctor, her mental state has become a serious issue. We were aware that she had a mild case of dementia but was still able to manage on her own. Her dementia has been increasing rapidly and we are now having to find a home that specializes in memory care. Much to our disappointment we have not been able to find a care home specializing in dementia care in the city.

With the aging population now upon us and the desirability of Victoria to retire to from across the country the need for dementia care is great and increasing rapidly. The application by Amica and its developer partner to build a retirement home specializing in memory care at 1900 Richmond would help fill a required need .

Both Amica and the developer are experienced in this field and can bring an excellent facility to the city. The location they have chosen in the heart of the hospital district is a great location. As for the operator, Amica, we have found them to be a very good firm to deal with. Their staff is well trained and deal with the residents very professionally. They provide the residents with many programmes to keep them active both physically and mentally.

In closing I would ask that the Mayor and council approve this project as the need for this project is here and now. Putting off this project for further study will only exacerbate an already shortage of dementia care housing.

Thank You

Leo DeVuyst

#6 60 Dallas Rd.

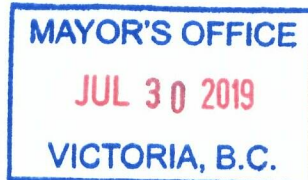
Victoria, B.C. V8V 1A2

Her Worship Mayor Helps and Councillors

1 Centennial Square

Victoria, BC V8W 1P6

Re: SUPPORT FOR 1900 RICHMOND ROAD



As a daughter of a current memory care patient with Amica Somerset I support the development application for 1900 Richmond Road. With the aging population, longer life expectancy and number of dementia patients rising sharply each year we are not equipped to house these patients. Our hospitals are already over crowded and hospital beds are in high demand.

With dementia patients it is of utmost importance that they feel comfortable, cared for and are kept close to their families and communities that they have been a part of and resided in for years. Familiarity being the key for these patients. The location for the proposed memory and assisted living care has these benefits, and is an ideal environment for seniors living.

Amica's trained staff recognize the needs of these patients. They no longer make dementia patients second class citizens by locking them up or putting them in solitary confinement. Amica's designs see that the patient is treated to a "normal life" with security, open space, outdoor seating, programs suited for their needs and they are not left to wander the halls aimlessly and feel isolated. Their families are encouraged to be a part of their life there by making the transition a much smoother experience.

Victoria has an aging population and we need to be pro active in establishing a home for our memory care and assisted living population. In today's Society, both family members are working to survive and looking after an aging parent is no longer possible. What a great feeling of relief to know that the family is able to have the patient well cared for while they maintain their lives.

The developers have clearly taken into consideration the neighborhood with their designs and the proximity to the Royal Jubilee Hospital. I recently had the experience of Respite at Amica Somerset and from first hand experience can say what a warm, friendly, well run home. This establishment would be an asset to the neighborhood and Victoria. I urge city council to accept the 1900 Richmond Road application and consider Memory Care and assisted living needs for the aging population of Victoria.

Mrs. Lori DeVuyst

#6-60 Dallas Road

Victoria, B.C. V8V 1A2

A handwritten signature in cursive script, reading "Lori DeVuyst".

From: [Victoria Mayor and Council](#)
To: [Public Hearings](#)
Subject: FW: 1900 Richmond Project.
Date: July 29, 2019 1:14:07 PM

From: ||||| ||||| [REDACTED]
Sent: July 29, 2019 12:42 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Cc: Larry O'Brien [REDACTED]
Subject: 1900 Richmond Project.

Your Worship and Members of Council:

I would like to express my support for the proposed Amica project at 1900 Richmond Road. Our city is in much need of more senior care facilities. Wherever possible the City of Victoria should support such and similar projects. There is not nearly sufficient senior care housing proposed for the city and any such development should not be handicapped by unrealistic demands such as including 20% affordable housing.

The high cost of retirement living residences has already made such services unreachable for far too many people. I am a senior living in a retirement home and I am well aware of the tremendous need.

I urge you to support the 1900 Richmond Road Development.

Yours sincerely,

Larry D. O'Brien
540 Dallas Road
Victoria, B.C.
V8V 4X9

From: [Victoria Mayor and Council](#)
To: [Public Hearings](#)
Subject: FW: Amica Proposal for 1900 Richmond Road
Date: July 30, 2019 3:11:03 PM

From: William Magee [REDACTED]
Sent: July 29, 2019 6:54 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Fwd: Amica Proposal for 1900 Richmond Road

Begin forwarded message:

From: William Magee [REDACTED]
Subject: Amica Proposal for 1900 Richmond Road
Date: July 29, 2019 at 2:52:45 PM PDT
To: Lisa Mayor Helps Helps <lhelps@victoria.ca>

Dear Mayor and Council Members:

It is my opinion that the proposed building by Amica for 1900 Richmond would be a good use of the space when the present bldg. is removed. Amica have done their homework, they know how many of us live within five KM of the project, and how many of us will require round the clock medical supervision in a few years. The building design conforms to LEAD standards. I understand that Amica, not the tax-payer, will be responsible for the costs.

What is there to lose? We don't need another strip mall.

Respectfully submitted,

Mary (Peggy) Magee. 941 Richmond Ave. [REDACTED]



North Jubilee Neighbourhood Association

North Jubilee Neighbourhood
Association
1766 Haultain Street
Victoria, BC V8R 2L2

October 22, 2018

Mayor Lisa Helps and City Councillors
1 Centennial Square
Victoria, BC V8W 1P6

Dear Mayor Helps and Victoria City Councilors,

Re: 1900/1908/1912 Richmond Road; Milliken Development for Seniors' Facility; Rezoning #:00651

The North Jubilee Land Use Committee hosted a CALUC meeting on April 28th, 2018 at the RJH campus, PCC S150, for the above-mentioned proposal. In attendance at this meeting were the applicant, Milliken Developments, Don Milliken (President), Kate Milliken Binns, James Milliken, Craig Abercrombie of Norr Architects, Engineers, Planners, as well as Councilor Pam Madoff, Senior City Planner Rob Bateman and 47 North and South Jubilee residents including all members of the North Jubilee Neighbourhood Board and Land Use committees. The meeting was chaired by Pat May and the note-taker was Wilma Peters.

The application is for a private-pay seniors' (55+) assisted living, independent living and memory care facility in partnership with Amica Senior Living. The proposal would replace the existing 4-storey building, Fort Royal Medical Centre (35,000 sq. ft. commercial centre) and its adjacent surface parking lot with 2 buildings of 5 storeys each that would house approximately 135 residents. There will be some commercial space on the ground floor (1 unit, 1,109 sq. ft.).

Comments from residents gathered at the community meeting are summarized as follows (developer's responses in *italics*, LUC comments underlined):

- Negative impact on single family dwellings directly adjacent to proposal – privacy and proximity to sudden increase in building scale – 5 stories is too large a scale. Height is a concern as is the impact on the single family homes in the area.
- Traffic increase, routes and nuisance of delivery vehicles on Ashgrove.
- Traffic flow including Ashgrove and Birch – traffic study results?
- Fort and Richmond is a difficult corner for pedestrians and vehicles, made more so with the elderly negotiating with canes, walkers or scooters.
- Traffic congestion at Fort and Richmond with reference to potential development of the Turner building site. How to accommodate local traffic plus construction traffic if both developments receive approval to begin builds within similar time frame? (LUC: REZ 00500-2002-2008 Richmond; 1761-1769 Pembroke Street; 1903-1909-1911 Birch Street. This community would ask that the Engineering Department consult with the neighbourhood in the event these two developments did occur simultaneously.
- Noise increase particularly building's mechanical noise.
- Windows face directly down on neighbours (LUC: effect of light pollution at night?).
- Scale too large – shadowing of neighbouring residential properties.

CALUC observations

There was general agreement that the project, while large, was architecturally pleasing and that the proponent had attempted to reduce impact to the surrounding homes with the inclusion of large-scale and living green privacy fencing which could be adjusted in on-going talks with neighbours. Use of mature trees for planting will eliminate “wait and see how it grows”. All balconies and patios are to face Birch Street rather than into backyards of private homes. However, the community will be greatly affected by a development of this size and our residents’ concerns must be addressed for the following reasons:

Adjoining neighbours will directly suffer the negative impacts of loss of privacy, increased mechanical noise, light pollution, increase in traffic and parking nuisance and the associated negative economic impact on the re-sale value of their homes.

Close-by neighbours will feel the effects of extra traffic on Ashgrove and Birch which were not designed for this type of access. Noise and light pollution will become an increased irritant.

The OCP denotes this corner as part of a “large urban village” which should consist of “mixed-use buildings that accommodate ground-level commercial, offices, community services” and with a “public realm” “anchored by a full service grocery store or equivalent combination of food retail uses”. Section 6, Large Urban Village notes the following place character features: “ground oriented commercial and community services reinforce the sidewalk... one to three storey building facades define the street wall...regularly spaced boulevard and street tree planting, wide sidewalks... off-street parking underground, at the rear or otherwise screened... central public green space or square”.

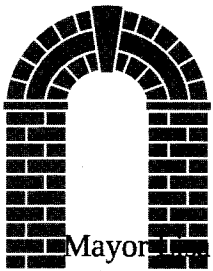
At the time of the community meeting, the developer proposed to fulfill these OCP requirements with a fitness studio. However the proposal would be removing valuable resources, resources currently within walking distance – a Lifelabs, a walk-in clinic and medical practices. The developers state they hope to find new homes for these resources within in the community. When we visualize a “village atmosphere”, we imagine a social area where neighbours can gather and talk.

Fort Street provides an important corridor through the Jubilee neighbourhoods, both North and South. DPA 5(3)(f) in the OCP: “Revitalization is needed to ensure sensitive transitions between the RJH expansion including its associated commercial uses and flanking Traditional Residential area. Portions of Fort Street that lie within this designation are also in need of beautification and human-scaled urban design.”

4(h)...“ensure sensitive transitions between the Royal Jubilee Hospital site, particularly its commercial uses with adjacent residential area.”

Our community is concerned about the intrusion of two five-storey-buildings and increased traffic to the remaining single family houses on Fern, Chestnut, Ashgrove and Pembroke. The Jubilee Neighbourhood Plan recognizes the importance of maintaining a mix of housing in these blocks...“it will be necessary to protect the small areas of single family zoned property which remain”.

OCP 6.17... “Consider the use of design and traffic calming techniques in Urban Villages to reduce vehicle travel speed, provide safe access and passage for other road users, and permit the temporary closure of streets for community activities or special events”. Our neighbourhood deals daily with current traffic congestion at Fort Street, Birch Street and Richmond Road. Accessing Richmond Road from Birch Street or Pembroke is a challenge.



North Jubilee Neighbourhood Association

Mayor Helps and Victoria City Councillors
1 Centennial Square
Victoria, B.C., V8W1P6

1766 Haultain Street
Victoria, B.C., V8R2L2
April 10, 2019

Re: REZ 00651 and DVP 00531...1900, 1908 and 1912 Richmond Road

Dear Mayor Helps and Victoria City Councillors:

Due to the revised plans that have been listed on the Development Tracker for this proposed rezoning, the North Jubilee Neighbourhood Association's LUC is now submitting comments in addition to the October 22, 2018 letter submitted following the CALUC meeting.

We have been studying this application using the revised February 20, 2019 plans which we had printed in a larger format, as the plans on the City Development Tracker are not legible on the computer. Due to the expense involved, we have not printed the latest revisions filed last month.

BUILDING DESIGN:

While the applicant is proposing a 5-storey building, the building height will be over 67 feet. This mass will definitely have a huge impact on the surrounding neighbourhood especially the family homes in the area. The design is also long and appears to lack cohesion due to the number of facades, materials and finishes being proposed. It would be preferable for the North facade (facing Northwest) to be refined in order to create lesser impact on the neighbourhood.

TRAFFIC:

Traffic flow drawings indicates vehicles exiting via Ashgrove Street. As bike and pedestrian traffic is connected from Begbie Street past Begbie Green to Ashgrove Street and then to Pembroke Street, we urge that the traffic be in and out from Fort Street, as this would lead to a safer access for both pedestrians and cyclists.

VISITOR PARKING:

There are 11 surface parking spaces for visitors. Are any of the 50 underground parking spaces reserved for visitors?

SOCIAL GATHERING AREA:

"The corner plaza is redesigned to include additional planters and concrete patterning to provide visual interest and encourage social gatherings". The intersection of Fort Street, Birch Street and Richmond Road is extremely busy and pedestrians have to be aware of the longer crosswalks and the right turns from Birch onto Fort Street. While the community welcomes community amenity space, it also questions commercial space and a social gathering area at this location. Another development proposal is also a possibility in the future for the properties at Birch/Pembroke/Richmond which was recently archived REZ00500. Commercial space activities would need to include visitor parking.

HVAC SYSTEM:

As residents in this area have had many problems over the years from mechanical systems currently in place, it has been noted that "measures will be taken to dampen the sound" at this location. The community would appreciate additional information on these proposed measures.

BOWKER CREEK WATERSHED:

This application is within the Bowker Creek Watershed and yet "this application is not proposing permeable hardscaping materials due to the safety of the public and the residents of the building". As NJNA has a commitment to the Watershed, is it not possible to locate permeable materials that are not inconsistent surfaces?

LOCAL NEIGHBOURHOOD PLAN:

Unfortunately, the Jubilee Neighbourhood Plan is not under revision as yet and thus we are once again asked to comment on an application for which we have not yet had the opportunity to discuss with the community the Large Urban Village concept or the transit corridors...e.g. Fort Street, etc. North Jubilee also includes the Royal Jubilee Hospital campus and as it forms a large portion of our community, we are required to take into consideration its future density and thus increased traffic.

We trust that our Mayor and Victoria City Councillors will consider the concerns and suggestions brought forward in this and our earlier letter.

Respectfully submitted,



Jean Johnson, Co-chair

N.J.N.A. Land Use Committee

and on behalf of Sheena Bellingham, Co-chair

cc: Sustainable Planning and Community Development Department of the City of Victoria

Date: November 7, 2018

From: South Jubilee Neighbourhood Association residents

To: Mayor and Council
City of Victoria

Re: Proposed 1900 Richmond Redevelopment

1900 Richmond is in North Jubilee Neighbourhood, and borders on South Jubilee Neighbourhood.

As, residents of South Jubilee, we have reviewed the applicant's plans for redevelopment of 1900 Richmond. Our comments, cut and pasted from emails, are on the next page (Appendix...). The comments were collected prior to the October 24 revised plans, submitted by the developer. At this time, though we have not fully digested the revisions, it appears our concerns remain, on large, unaddressed.

Our pros/cons for the proposed 1900 Richmond redevelopment are summarized as follows:

Pros (for planned development)

- Seniors housing
- Density increase

Cons (against planned development)

- Excessive size/density over OCP recommendations
- Poor transition to residential areas
- Doesn't align with numerous OCP objectives for Large Urban Villages
- Minimal commercial space proposed
- Displaces community medical services
- Private and expensive – beyond reach of almost all who live in the neighbourhood

Please take these comments into consideration in your deliberations on the merits of the 1900 Richmond redevelopment application.

Best,

Julie Brown, South Jubilee Neighbourhood
Liz Hoar, South Jubilee Neighbourhood
Gail Anthony, South Jubilee Neighbourhood
Ben Ziegler, South Jubilee Neighbourhood

.cc North Jubilee Neighbourhood Association CALUC

Appendix – South Jubilee Neighbourhood resident commentary re: 1900 Richmond application

Comments from Julie Brown, South Jubilee resident

"They are asking for a lot of density (more than 2.5 FSR) which isn't supported in large urban villages without advancement of 'plan objectives'. And the token commercial space is extremely small - about 1% of the total floor area - and it doesn't even extend the full length of Fort Street. I appreciate that seniors/assisted housing is needed, and I am not outright opposed to the density. However, I think the project could do a much better job of incorporating community needs and services, in light of the fact that the development is displacing numerous community medical services. Aren't medical services a natural fit for this project?"

Comments from Liz Hoar, South Jubilee resident

Too much density:

"Too high - they present the building as 5 storeys but really overall height is more important. The height is 20.72 metres. I looked at 1811 Oak Bay, also pitched as 5 storeys and it's 16.8 metres so 4 metres difference which is huge given the length of this building. I also looked at UVIC's Broad Street project which is 7 storeys with commercial on the main floor and it's 21.57m so less than a metre higher but two more storeys. So I think saying it's 5 storeys is going to mislead a lot of people about how tall this building really is - closer to 6 1/2 storeys if it was a normal commercial/residential building

Too long - I couldn't find lengths of the building anywhere, just overall square footage so I looked at the width of the facing lots on Ashgrove and came up with a lot length of about 380 ft or 116m and the building setback is 2.7 m (north + south) so that means the building is about 113m long if I have everything correct. That's longer than a football field (101metres). Yikes.

This building will loom high over those poor guys living on Ashgrove hardly reflecting the OCP statement about the Jubilee Large Urban Village DPA5 (g) *"Revitalization is needed to ensure sensitive transitions between the Royal Jubilee Hospital expansion including its associated commercial uses and flanking Traditional Residential areas. Portions of Fort Street that lie within this designation are also in need of beautification and human-scaled urban design."*

In the OCP description of a large Urban village it says "One to three storey building facades define the street wall" - I don't see anything like that in this design.

Here's their Calgary facility which, although long, is not so tall, stepping down from 4 storeys to 3 and has some breathing space around it...



Use and exclusivity

Well, I don't have a problem with a seniors' facility but given that this is PRIVATE and EXPENSIVE, it will not likely serve anyone within the adjacent community. So we are losing a medical clinic and assorted medical services that our whole community uses and replacing it with a private facility that most of us will never use. Doesn't meet any of these OCP objectives:

DPA5 item 3. (a) Large Urban Villages are nodes of commercial and community services that primarily support adjacent Traditional and Urban Residential areas, with some also serving nearby General Employment areas.

DPA5 item 4 4. The objectives that justify this designation include:

(a) To accommodate 40% of Victoria's anticipated population growth in the Town Centres and Large Urban Villages to encourage and support a mix of commercial and community services primarily serving the surrounding residential areas.

(b) To revitalize areas of commercial use into complete Large Urban Villages through human-scale design of buildings, streets, squares and other public spaces to increase vibrancy and strengthen commercial viability.

(c) To achieve a high quality of architecture, landscape and urban design in all Large Urban Villages to enhance their appearance and identify villages as important neighbourhood centres.

(d) To achieve a unique character and sense of place in the design of each Large Urban Village, with consideration for potential new landmarks.

(e) To establish gateways along prominent corridors to signal and celebrate arrival into the City and neighbourhoods within Humber Green Village, Jubilee Village and Stadacona Village.

(f) To design all Large Urban Villages in a manner that encourages pedestrian and cycling use and enhances the experience of pedestrians and cyclists.

(h) To revitalize Jubilee Village through beautification of East Fort Street, urban design that integrates and improves the experience of pedestrians and cyclists throughout the village, and ensure sensitive transitions between the Royal Jubilee Hospital site, particularly its commercial uses with adjacent residential areas.

Commercial space

1200 sq ft. - Sounds like another coffee shop to me. How many of those do we need? But we do need more doctors and to at least be able to keep the medical clinics we have. The whole region is chronically short of medical services. The current medical clinic apparently leases 3500 sq ft. and they are having trouble finding new space so what does that mean? They move out of the city? I don't see how this project benefits either North or South Jubilee."

Comments from Gail Anthony, South Jubilee resident

"The project has asked for numerous variances to increase its footprint and height. There is no room left for any green space. If they do get approval from the City Planning Department and Council, at the very least I would like to see the developer required, as an example, to create and maintain an urban garden rest area with seating for seniors and hospital staff in the small parklike area on the NE corner of Richmond and Fort."

Comments from Ben Ziegler, South Jubilee resident

"I support any movement to mixed-use, mixed-income neighbourhoods (including ours) – unfortunately, this application shows no movement at all in that direction. Few Jubilee seniors wanting to downsize will be able to afford a place in the new development, and will likely have to leave the neighbourhood, and local relationships they've developed, over time.

Aside: there is an irony to me in how Oak Bay United Church (Oak Bay) is proposing a new 90+ unit development on their site, comprised of mostly affordable units, while the 1900 Richmond application (Victoria) proposes a high-end seniors complex... How many of tenants of the OB Church development will be Victorians, and 1900 Richmond tenants be from Oak Bay?"

Pamela Martin

From: Victoria Mayor and Council
Sent: August 1, 2019 11:18 AM
To: Public Hearings
Subject: FW: 1900 Richmond Road REZ 00651

From: sheena bellingham <[REDACTED]>
Sent: August 1, 2019 9:55 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Cc: NJNA Community <njnacommunity@gmail.com>
Subject: 1900 Richmond Road REZ 00651

Mayor and Council,

I am writing as a resident North Jubilee.

Canada is barely acknowledging an enormous problem that will soon be impossible to ignore. Where to house our seniors. The problem is big because we are getting better at keeping seniors alive longer. BC's public system has no policy for housing couples together – so after 60 years of marriage, a couple would be split up in the public system. Buildings in Victoria, for a couple, one of whom has dementia - Sunrise, Parkwood Court, Berwick House, Amica on Beacon Hill cost approximately \$13,000 per month (\$156,000 per year).

This problem doesn't affect only the super-wealthy . Any senior couple, with a high-needs individual in the mix, who would like to stay together have limited options. An elderly couple can sell their house, say for \$600,000, and live at the "Maison Victoria" as long as they make sure to die in about 4 years, before they run out of money. The good news for Maison Victoria is that this is probably close to statistically correct.

Governments need a complete re-think of where we are going from here. One of the letters of support, talks about Dr. Atul Gawande's book, which in my opinion, advocates for a rather more radical approach to seniors' living than what is described in this project. He is talking about farms, gardening, chickens, greenspace, pets allowed where the nursing staff help in their care - lifestyle enhancement rather than just upscale dining and Butchart Gardens tours. Gawande is talking about quality of life and what we do with this extra quantity of life our doctors can now bestow upon us.

I know this is a bigger problem than one City Council can solve. But please consider what you are taking away from our neighbourhood and the depth of the problem that will not be solved by the addition of one "Maison Victoria" for the wealthy or a \$1,000,000 donation to the Victoria Housing Reserve Fund. Please resolve to relocate the Lifelabs and walkin clinic within our neighbourhood or endeavour to ask for the funds that can make that happen.

Sincerely,
Sheena Bellingham

Pamela Martin

From: Victoria Mayor and Council
Sent: August 1, 2019 12:15 PM
To: Public Hearings
Subject: FW: 1900, 1908 and 1912 Richmond Road...REZ00651 and DVP00531...Public Hearing, August 1, 2019

From: Jean Johnson <[REDACTED]>
Sent: August 1, 2019 11:48 AM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 1900, 1908 and 1912 Richmond Road...REZ00651 and DVP00531...Public Hearing, August 1, 2019

Mayor Helps and City Councillors:

As a North Jubilee resident and a senior, I am contacting you today to voice my thoughts and concerns regarding this development proposal. It is unfortunate that this application has come forward prior to the Jubilee Neighbourhood Plan being updated and prior to the establishment of a Seniors' Task Force, as then there would be current information on which my neighbourhood could base its decision making. I find it difficult to point out the negative aspects of this proposal, as it is almost like attacking "Mom and apple pie".

However, it is for a building over 67 feet in height and thus does not protect the single family homes in the area...notably Ashgrove Street. Our community is hoping that the displaced medical clinic and Life Labs will find homes nearby. The property at 2002 Richmond Road formerly housed a grocery store, coffee shop, barber shop, etc. which assisted in fostering a sense of community. Currently, this has all been lost. The current Jubilee Neighbourhood Plan states "recognize the significant impact of the Royal Jubilee Hospital on the surrounding neighbourhood". This is perhaps not a land issue when considering this development, but the hospital campus forms a large portion of our neighbourhood and leads to extra traffic from staff, patients, visitors, deliveries, etc.

I am aware of many of the problems facing seniors...personally and as a caregiver for my parents and in-laws for close to 20 years. It is a very complex problem and there are not any easy solutions. This proposal will meet the needs of seniors with incomes that make these rentals affordable...the unknown is when the price range becomes unaffordable to many Victoria residents.

Respectfully submitted,
Jean Johnson

Pamela Martin

From: Victoria Mayor and Council
Sent: July 31, 2019 3:39 PM
To: Public Hearings
Subject: FW: 1900-1912 Richmond Road: Rezoning Application No. 00651 and Development Permit Application No. 000531

-----Original Message-----

From: [REDACTED] <[REDACTED]>
Sent: July 31, 2019 3:22 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: 1900-1912 Richmond Road: Rezoning Application No. 00651 and Development Permit Application No. 000531

July 31, 2019

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

Attention: Mayor Lisa Helps and Councillors

I'm writing in support of the proposed rezoning and development permit application for 1900 Richmond. Amica, as the owner and operator of 2 senior care facilities in Victoria and 1 in Saanich, proposes to build a 137 unit senior care facility at 1900 Richmond in partnership with Milliken Real Estate Corporation.

The approval process for rezoning and development largely focuses on the building and impact on the surrounding neighbourhood. The conversion of a parking lot to rental housing without the need for extensive resident parking seems like a great improvement to the neighbourhood and the best use of that portion of the property. However, I wish to focus on the social dimensions of this project.

My parents currently live in an Amica care home in Victoria and receive consistently high quality of care. The prospect of this kind of quality care being made available to more seniors in Victoria is welcome. Unlike many older care homes, the proposed care home is specifically designed to eventually provide the full range of care ranging from independent living, assisted care as well as secure care for seniors challenged by dementia which is in critically short supply in Victoria. Consequently, couples with differing needs can continue live together. Importantly, this also enables our seniors to "age in place" without the need to move as their needs increase.

As demand outstrips supply, and land values escalate, market rental rates for all types of housing are increasingly out of reach for people. This is creating a major social problem across most large Canadian urban centres. I strongly support government policies that increase the supply of rental housing. Ensuring growth of supply of rental units for seniors, both public (subsidized) and private (market), is an important part of addressing this issue. This will also open up more spaces for seniors currently clogging up beds in hospitals at great cost as they wait for placement in a more appropriate community facility.

Given the growing demand of our aging population we need more rental units for seniors. I urge council to support this rezoning and development permit application. Our senior citizens deserve more opportunities to age in place. We will all appreciate this one day.

Ben Kangasniemi
324 Stannard Avenue
Victoria, BC
V8S3M4

Pamela Martin

From: Victoria Mayor and Council
Sent: August 1, 2019 8:52 AM
To: Public Hearings
Subject: FW: Public Hearing on 1900 Richmond Road Development Application

-----Original Message-----

From: Paul Wickens <[REDACTED]>
Sent: July 31, 2019 8:12 PM
To: Victoria Mayor and Council <mayorandcouncil@victoria.ca>
Subject: Public Hearing on 1900 Richmond Road Development Application

Hello Mayor and Council of Victoria,

My name is Paul Wickens-Jobling and I live in Oak Bay. I am 71 years old and retired. I was a financial analyst and auditor for government. I retired at age 55 and worked with several not-for-profit organizations; namely Lions Club for 17 years, Board member of Greater Victoria Housing Society for 10 years, Chairman of the Board of Seniors Serving Seniors for 5 years. I am familiar with the needs of seniors.

I am writing to you as I am not able to attend the public hearing scheduled for tomorrow. I am writing to you to express my opinion regarding this application.

You know, of course, the demographics of our society and the needs of our community. You should also know this application in detail as it has been back and forth several times.

I should mention that losing Oak Bay Lodge as well as other facilities soon coming to the end of their life will limit accommodation for seniors. We NEED replacement facilities for seniors regardless they be not-for-profit or otherwise. We NEED senior facilities that provide memory care. We NEED senior facilities that provide community. We NEED more of these development applications. We NEED your support!

We should consider this application a "protected bike lane for seniors".

Thank you,

Paul Wickens-Jobling
676 Oliver Street

Pamela Martin

From: Soren Henrich <[REDACTED]>
Sent: August 1, 2019 2:47 PM
To: Public Hearings; Marc Cittone; Victoria Mayor and Council;
[REDACTED]; Rob Bateman; NJNA Community
Subject: Rezoning No.19-060 / 1900-1912 Richmond Road

Dear Mayor and Council,

This property is part of the Bowker Creek watershed. The City of Victoria has endorsed the [Bowker Creek Blueprint](#), a guiding document for managing and restoring the watershed and creek. Appropriate measures for developers are summarized in the [Bowker Creek Developer's Guide](#).

Please direct Staff to ask the applicant: **"How will the goals of the Bowker Creek Blueprint be incorporated into this proposal?"** My emailed question to the applicant have gone unanswered.

As indicated in the applicant's letter dated May 17, 2018, the following sustainability features are being **explored** with this application (emphasis mine):

- photovoltaic panels, solar-read systems and passive solar systems
- green roof applications
- mechanical and electrical efficiencies
- building envelope systems and thermal performance
- storm water retention
- indigenous, low-water landscaping
- decreased construction waste

Please note the applicant will merely **'explore'** sustainability features, but makes no commitment to them in their proposal.

From the list quoted above, the items most relevant to Victoria's commitment to the Bowker Creek watershed may be "storm water retention" and "indigenous low-water landscaping". We hope in particular that any design accepted for development at 1900 Richmond Road will contain strong measures for "storm water retention."

Further, the applicant's Reply to Comments include:

- [on street frontage that illustrates the distinct change in architectural character.](#)
Please identify the hardscaping materials, and identify if permeable. The proposal i Bowker Creek watershed, so storm water and waste water retention should be con- identified.
[This application is not proposing permeable hardscaping materials due to the safety and residents of the building. Permeable materials are often inconsistent surfaces t falling hazards for the targeted demographic of this building.](#)

I don't know why 'waste water retention' was included in the comment, as I understand 'waste water' means sewage. However, the developer says permeable paving is a 'falling hazard'. I would like to know what is meant by this. If they mean 'tripping hazard,' this is the first I've heard of such a claim. I suppose when installed correctly, permeable paving is as safe as any other walkway surface.

The Oct. 25th 2018 letter from the Friends of Bowker Creek Society to the City Planner, Rob Bateman, and Milliken Developments reads:

"Fulfilling the Bowker Creek Blueprint's 100-year action plan to restore the Bowker Creek watershed most essentially demands "storm water retention" at all developments in the watershed. The term covers various measures for slowing and cleaning stormwater on its way to the creek. Rather than channeling the water immediately into storm drains, the Bowker Creek Developer's Guidelines list several stormwater management features such as:

- Harvesting and storing rainwater to supply the property with its landscape watering needs
- Raingarden landscaping to hold stormwater while it sinks into the ground
- Infiltration basins and tree wells also to get stormwater into the ground, while providing water for trees
- Plant and maintain trees
- Pervious pavement
- Green roofs

The measures listed here are becoming increasingly common features in developments in the Bowker Creek watershed. Beautiful examples are easy to find. Friends of Bowker Creek hopes to see a strong mixture of these measures in any successful proposal for development at a large property such as 1900 Richmond Road.

We hope that the current proposal for development includes features that advance Victoria's watershed rehabilitation commitment, and we trust that the City will require such features in any successful proposal."

Will the City of Victoria make a commitment to fulfill the goals of the *Bowker Creek Blueprint* when considering applications for redevelopment and rezoning?

Respectfully,

Soren Henrich
Victoria Resident

A BYLAW OF THE CITY OF VICTORIA

The purposes of this Bylaw are to amend the Zoning Regulation Bylaw by creating the C1-R Zone, Richmond Limited Commercial 2 District, and to rezone land known as 1900, 1908 & 1912 Richmond Road from the R3-2 Zone, Multiple Dwelling District, and the C-1 Zone, Limited Commercial District, to the C1-R Zone, Richmond Limited Commercial 2 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. 1191)”.
- 2 Bylaw No. 80-159, the Zoning Regulation Bylaw, is amended in the Table of Contents of Schedule “B” under the caption PART 4 – GENERAL COMMERCIAL ZONES by adding the following words:

“4.95 C1-R Zone, Richmond Limited Commercial 2 District”

- 3 The Zoning Regulation Bylaw is also amended by adding to Schedule B after Part 4.95 the provisions contained in Schedule 1 of this Bylaw.
- 4 The land known as 1900, 1908 & 1912 Richmond Road, legally described as PID: 000-142-506, Lot A, Section 76, Victoria District, Plan 20969; PID: 009-196-137, Lot 49, Section 76, Victoria District, Plan 257; PID: 009-196-145, Lot 50, Section 76, Victoria District, Plan 257; and PID: 009-196-153, Lot 51, Section 76, Victoria District, Plan 257, and shown hatched on the attached map, is removed from the R3-2 Zone, Multiple Dwelling District and the C-1 Zone, Limited Commercial District and placed in the C1-R Zone, Richmond Limited Commercial 2 District.

READ A FIRST TIME the	18th	day of	July	2019
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READ A SECOND TIME the	18th	day of	July	2019
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Public hearing held on the	day of	2019
----------------------------	--------	------

READ A THIRD TIME the	day of	2019
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ADOPTED on the	day of	2019
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CITY CLERK

MAYOR

PART 4.95 – C1-R ZONE, RICHMOND LIMITED COMMERCIAL 2 DISTRICT**4.95.1 Definitions**

In this Part, 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.

4.95.2 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. Assisted Living Facility
- c. Medical Laboratory
- d. Medical Offices
- e. Restaurant
- f. Retail

4.95.3 Lot Area

- | | |
|-------------------------------|--------------------|
| a. <u>Lot area</u> (minimum) | 4697m ² |
| b. <u>Lot width</u> (minimum) | 72m |

4.95.4 Community Amenities

- a. As a condition of additional density pursuant to Part 4.95.5, a monetary contribution of \$1,000,000 must be provided to the Victoria Housing Reserve Fund prior to issuance of a Development Permit.
- b. Until the amenity contribution identified in Part 4.95.4 a. is paid in full, it shall be adjusted annually on January 1 commencing the second calendar year following the year Bylaw #19-060 is adopted and each year thereafter, by adding to the base contribution amount in Part 4.95.4 a. an amount calculated by multiplying that base contribution as of the previous January 1 by the annual percentage increase in the CPI for the most recently published 12 month period.
- c. For the purposes of this Part 4.95.4 “CPI” means the all-items Consumer Price Index for Victoria published by Statistics Canada or its successor in function.

PART 4.95 – C1-R ZONE, RICHMOND LIMITED COMMERCIAL 2 DISTRICT**4.95.5 Floor Area, Floor Space Ratio**

- | | |
|---|-------------------------|
| a. <u>Total floor area</u> (maximum) | 10,771.30m ² |
| b. <u>Floor space ratio</u> where the amenity has not been provided pursuant to Part 4.95.4 (maximum) | 1.4:1 |
| c. <u>Floor space ratio</u> where the amenity has been provided pursuant to Part 4.95.4 (maximum) | 2.29:1 |
| d. A minimum of 170m ² on the ground floor must be dedicated to one or more of the following uses: medical laboratory, medical office or pharmacy. | |

4.95.6 Height, Storeys

- | | |
|---|--------|
| a. Principal <u>building height</u> where the amenity has not been provided pursuant to Part 4.95.4 (maximum) | 12m |
| b. Principal <u>building height</u> where the amenity has been provided pursuant to Part 4.95.4 (maximum) | 20.64m |
| c. <u>Storeys</u> (maximum) | 5 |

4.95.7 Setbacks, Projections

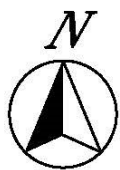
- | | |
|--|-------|
| a. <u>Street Boundary</u> – Birch Street (minimum) | 1.10m |
| b. <u>Rear yard setback</u> – Ashgrove Street (minimum) | 2.55m |
| c. <u>Side yard setback</u> - from interior <u>lot lines</u> (minimum) | 2.24m |
| d. <u>Side yard setback</u> – Fort Street (minimum) | 2.00m |

4.95.8 Site Coverage, Open Site Space

- | | |
|-------------------------------------|--------|
| a. <u>Site Coverage</u> (maximum) | 51% |
| b. <u>Open site space</u> (minimum) | 30.45% |

PART 4.95 – C1-R ZONE, RICHMOND LIMITED COMMERCIAL 2 DISTRICT**4.95.9 Vehicle and Bicycle Parking**

- | | |
|-------------------------------------|--|
| a. <u>Vehicle parking</u> (minimum) | Subject to the regulations in Schedule "C" except as otherwise specified by the regulations in this Part |
| b. <u>Medical Offices</u> | 1 space per 50m ² floor area |
| c. <u>Medical Laboratory</u> | 1 space per 50m ² floor area |
| d. <u>Restaurant</u> | 1 space per 50m ² floor area |
| e. Bicycle parking (minimum) | Subject to the regulations in Schedule "C" |



HOUSING AGREEMENT (1900, 1908 & 1912 RICHMOND ROAD) 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 1900, 1908 & 1912 Richmond Road, 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 (1900, 1908 & 1912 RICHMOND ROAD) BYLAW (2019)".

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 Amica Oak Bay Inc., or other registered owners from time to time of the lands described in subsection (c); and
 - (c) that applies to the lands known as 1900, 1908 & 1912 Richmond Road, Victoria, BC, legally described as:
PID: 000-142-506, Lot A, Section 76, Victoria District, Plan 20969
PID: 009-196-137, Lot 49, Section 76, Victoria District, Plan 257
PID: 009-196-145, Lot 50, Section 76, Victoria District, Plan 257
PID: 009-196-153, Lot 51, Section 76, Victoria District, Plan 257.

READ A FIRST TIME the **18th** day of **July** 2019

READ A SECOND TIME the **18th** day of **July** 2019

READ A THIRD TIME the **18th** day of **July** 2019

ADOPTED on the day of 2019

CITY CLERK

MAYOR

HOUSING AGREEMENT
 (Requiring all units to be rented)
 (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:

AMICA OAK BAY INC. Inc. No. BC1193710,
 a company incorporated under the laws of British Columbia,
 having an office at Suite 3200 - 20 Queen Street, Toronto, ON M5H 3R3
 (the "Owner")

OF THE SECOND PART

AND:

BANK OF MONTREAL,
 a Canadian Chartered Bank having a postal address at
 18th Floor, 1st Canadian Place, Toronto, ON M5X 1A1
 (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 1900 Richmond Road, Victoria, B.C. and legally described as:

PID: 000-142-506
 Lot A Section 76 Victoria District Plan 20969

PID: 009-196-137
 Lot 49 Section 76 Victoria District Plan 257

PID: 009-196-145
 Lot 50 Section 76 Victoria District Plan 257

- 2 -

PID: 009-196-153

Lot 51 Section 76 Victoria District Plan 257

(collectively, the “**Lands**”);

- C. The Owner has applied to the City to rezone the Lands to permit 137 residential 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 \$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 137 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 137 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;

“**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.

1.2 In this Agreement:

- (a) 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.

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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 tenant(s) under the terms of a Tenancy Agreement (if and to the extent that the *Residential Tenancy Act* applies to such tenancy) between the Owner and the tenant(s) 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 prohibit the Owner of a Dwelling Unit from renting that Dwelling Unit.
- 3.2 Without limiting the generality of section 3.1, 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 without the consent of the City.

4.0 REPORTING

- 4.1 The Owner covenants and agrees to provide to the Director, within thirty (30) days of the Director's written request, a report in writing confirming that:
- (a) all Dwelling Units are being rented or are vacant;
 - (b) all other requirements of this Agreement are being complied with by the Owner and the Development,
- together 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, subject to the rights of tenants of the Dwelling Units.
- 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.

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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 registered against title to the Lands in the Land Title Office at Victoria, British Columbia, under numbers CA7337010 and CA7337011, respectively (the "**Existing Charges**"), 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*, and this Agreement shall be an encumbrance upon the Lands in priority to the Existing Charges in the same manner and to the same effect as if Notice had been filed prior to the Existing Charges.

8.0 GENERAL PROVISIONS

- 8.1 **NOTICE.** If sent as follows, notice under this Agreement is considered to be received
- (a) seventy-two (72) hours after the time of its mailing (by registered mail) or faxing, and
 - (b) on the date of delivery if hand-delivered,
- to the City:
- City of Victoria
 #1 Centennial Square
 Victoria, BC V8W 1P6
Attention: Director of Sustainable Planning and Community Development
 Fax: 250-361-0386

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to the Owner:

Amica Oak Bay Inc.
Suite 3200 - 20 Queen Street
Toronto ON M5H 3R3

Attention: Kate Milliken Binns
Fax: 604-608-9345

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,

- (b) 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

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- 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.

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

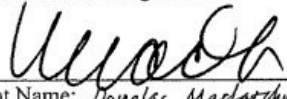
THE CORPORATION OF THE CITY OF)
VICTORIA by its authorized signatories:)

_____)
MAYOR Lisa Helps)

_____)
CITY CLERK Chris Coates)

Date signed: _____)

AMICA OAK BAY INC.)
by its authorized signatories:)


_____)
Print Name: Douglas MacLachlan)

_____)
Print Name: _____)

Date signed: July 3, 2015)

BANK OF MONTREAL)
by its authorized signatories:)

_____)
Print Name: _____)

_____)
Print Name: _____)

Date signed: _____)

Execution by Bank of Montreal only for the purpose set out in Section 7.1.

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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 CITY OF)
VICTORIA by its authorized signatories:)

 MAYOR Lisa Helps)

 CITY CLERK Chris Coates)

Date signed: _____)

AMICA OAK BAY INC.)
 by its authorized signatories:)

 Print Name: _____)

 Print Name: _____)

Date signed: _____)

BANK OF MONTREAL)
 by its authorized signatories:)

 Print Name: **Abhishek Menon**)
Associate)

 Print Name: **Geoffrey Keating**)
Director)

Date signed: **2nd July 2019**)

Thomas J. Hunter
 SENSORS CANADA LLP

Execution by Bank of Montreal only for the purpose set out in Section 7.1.

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